

SEPARATE OPINION OF JUDGES MOSLER AND JENNINGS

We have voted in favour of this Order indicating interim measures of protection, but in doing so we wish to emphasize two things :

First, that the duties, in accordance with the provisions of the United Nations Charter, and in accordance with the Charter of the Organization of American States, to refrain in their international relations from the threat or use of force against the territorial integrity or the political independence of any State, and to refrain from intervention in matters within the domestic jurisdiction of a State, are duties which apply to the Applicant State as well as to the Respondent State.

Second, we wish also to emphasize the obligation of both the Parties, in the complex and delicate situation in Central America at the present time, to pursue in good faith negotiations within the context of the regional arrangements approved by the Security Council of the United Nations and endorsed by the Organization of American States.

(Signed) Hermann MOSLER.

(Signed) Robert Y. JENNINGS.
