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Nicaragua Institutes Proceedings
Against the United States of America

The following information is communicated to the press by the Registry of the International Court of Justice:

Today, 9 April 1984, the Republic of Nicaragua filed in the Registry of the International Court of Justice an Application instituting proceedings against the United States of America, on the grounds that "the United States of America is using military force against Nicaragua and intervening in Nicaragua's internal affairs, in violation of Nicaragua's sovereignty, territorial integrity and political independence and of the most fundamental and universally-accepted principles of international law". The Application states that "both the United States and Nicaragua have accepted the compulsory jurisdiction of the Court under Article 36 of the Statute" of the Court.

Simultaneously, the Government of Nicaragua, emphasizing "the importance and urgency of the matters raised by this suit, and in order to avoid further loss of life and destruction of property pending a final determination", has filed a request that the Court should indicate provisional measures under Article 41 of the Statute of the Court.

The provisional measures which Nicaragua requests the Court to indicate are as follows:

- "That the United States should immediately cease and desist from providing, directly or indirectly, any support - including training, arms, ammunition, supplies, assistance, finances, direction or any other form of support - to any nation, group, organization, movement or individual engaged or planning to engage in military or paramilitary activities in or against Nicaragua;
- That the United States should immediately cease and desist from any military or paramilitary activity by its own officials, agents or forces in or against Nicaragua and from any other use or threat of force in its relations with Nicaragua."

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In its Application instituting proceedings, Nicaragua requests the Court to adjudge and declare as follows:

"(a) That...

"(a) That the United States, in recruiting, training, arming, equipping, financing, supplying and otherwise encouraging, supporting, aiding and directing military and paramilitary actions in and against Nicaragua, has violated and is violating its express charter and treaty obligations to Nicaragua and, in particular, its charter and treaty obligations under:

- Articles 2(4) of the United Nations Charter;
- Articles 18 and 20 of the Charter of the Organization of American States;
- Article 8 of the Convention on Rights and Duties of States;
- Article I, Third, of the Convention Concerning the Duties and Rights of States in the Event of Civil Strife;

(b) That the United States, in breach of its obligation under general and customary international law, has violated and is violating the sovereignty of Nicaragua by:

- armed attacks against Nicaragua by air, land and sea;
- incursions into Nicaraguan territorial waters;
- aerial trespass into Nicaraguan airspace;
- efforts by direct and indirect means to coerce and intimidate the Government of Nicaragua.

(c) That the United States, in breach of its obligation under general and customary international law, has used and is using force and the threat of force against Nicaragua.

(d) That the United States, in breach of its obligation under general and customary international law, has intervened and is intervening in the internal affairs of Nicaragua.

(e) That the United States, in breach of its obligation under general and customary international law, has infringed and is infringing the freedom of the high seas and interrupting peaceful maritime commerce.

(f) That the United States, in breach of its obligation under general and customary international law, has killed, wounded and kidnapped and is killing, wounding and kidnapping citizens of Nicaragua.

(g) That, in view of its breaches of the foregoing legal obligations, the United States is under a particular duty to cease and desist immediately:

from...

from all use of force - whether direct or indirect, overt or covert - against Nicaragua, and from all threats of force against Nicaragua;

from all violations of the sovereignty, territorial integrity or political independence of Nicaragua, including all intervention, direct or indirect, in the internal affairs of Nicaragua;

from all support of any kind - including the provision of training, arms, ammunition, finances, supplies, assistance, direction or any other form of support - to any nation, group, organization, movement or individual engaged or planning to engage in military or paramilitary actions in or against Nicaragua;

from all efforts to restrict, block or endanger access to or from Nicaraguan ports;

and from all killings, woundings and kidnappings of Nicaraguan citizens.

(h) That the United States has an obligation to pay Nicaragua, in its own right and as parens patriae for the citizens of Nicaragua, reparations for damages to person, property and the Nicaraguan economy caused by the foregoing violations of international law in a sum to be determined by the Court. Nicaragua reserves the right to introduce to the Court a precise evaluation of the damages caused by the United States."

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The texts of the Application instituting proceedings and of the request for the indication of provisional measures are available in the Registry of the Court and can be furnished to members of the press on request.
