INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

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Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory (Nicaragua* v. *Germany)

Request for the indication of provisional measures

Conclusion of the public hearings held on Monday 8 and Tuesday 9 April 2024

THE HAGUE, 9 April 2024. The public hearings on the Request for the indication of provisional measures submitted by Nicaragua in the case concerning *Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory (Nicaragua* v. *Germany)* concluded today.

The delegation of Nicaragua was led by HE Ambassador Carlos José Argüello Gómez, Permanent Representative of the Republic of Nicaragua to the international organizations based in the Kingdom of the Netherlands, as Agent and Counsel. The delegation of Germany was led by Ms Tania von Uslar-Gleichen, Legal Adviser and Director-General for Legal Affairs, Federal Foreign Office of the Federal Republic of Germany, as Agent.

At the end of the hearings, the Agents of Nicaragua and Germany made the following requests to the Court:

For Nicaragua:

> "Nicaragua respectfully requests the Court, as a matter of extreme urgency, pending the Court's determination of this case on the merits, and after recalling to the Parties the obligation of compliance with humanitarian law as well as of the obligation of cooperation to bring to an end all serious breaches of peremptory norms of international law, to indicate the following provisional measures with respect to Germany in its participation in the ongoing plausible genocide and serious breaches of international humanitarian law and other peremptory norms of general international law occurring in the Gaza Strip, as well as in other parts of Palestine, namely, to order that:
>
> (1) Germany must immediately suspend its aid to Israel, in particular its military assistance, export and authorization of export of military equipment and war weapons, in so far as this aid is used or could be used to commit or to facilitate serious violations of the Genocide Convention, international humanitarian law or other peremptory norms of general international law;

(2) Germany must immediately ensure that military equipment, war weapons, and other equipment used for military purposes already delivered by Germany and German entities to Israel are not used to commit or to facilitate serious violations of the Genocide Convention, international humanitarian law or other peremptory norms of general international law;

(3) Germany must resume its support and financing of UNRWA in respect of its operations in Gaza."

For Germany:

"The Federal Republic of Germany asks the Court

1) to reject the request for the indication of provisional measures submitted by the Republic of Nicaragua; and

2) to remove from the General List the case introduced by the Republic of Nicaragua on 1 March 2024."

*

The Court will now begin its deliberation.

The Court's decision will be delivered at a public sitting, the date of which will be announced in due course.

History of the proceedings

On 1 March 2024, Nicaragua filed an Application instituting proceedings against Germany concerning alleged violations by Germany of its obligations deriving from the Convention on the Prevention and Punishment of the Crime of Genocide, the Geneva Conventions of 1949 and their Additional Protocols, "intransgressible principles of international humanitarian law" and other norms of general international law in relation to the Occupied Palestinian Territory, particularly the Gaza Strip (see press release 2024/19).

The Application also contained a Request for the indication of provisional measures, pursuant to Article 41 of the Statute of the Court and Articles 73, 74 and 75 of the Rules of Court. Nicaragua requests the Court to indicate provisional measures as a matter of extreme urgency, pending the Court's determination on the merits of the case, with respect to Germany's "participation in the ongoing plausible genocide and serious breaches of international humanitarian law and other peremptory norms of general international law occurring in the Gaza Strip".

Pursuant to Article 74 of the Rules of Court, "[a] request for the indication of provisional measures shall have priority over all other cases".

The verbatim records of the hearings, including the lists of participating delegations, are available on the case page on the Court's website. High-resolution video clips and still photos produced by the Registry during the hearings are available free of charge and free of copyright for editorial, non-commercial use, on the Multimedia page on the Court's website.

Note: The Court's press releases are prepared by its Registry for information purposes only and do not constitute official documents.

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. The seat of the Court is at the Peace Palace in The Hague (Netherlands). The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States; and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system.

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