



American Model United Nations
International Court of Justice

1 **THE REPUBLIC OF NICARAGUA**

2 **APPLICANT**

3 **V.**

4 **THE REPUBLIC OF COLUMBIA**

5 **RESPONDENT**

6 **MEMORIAL OF THE REPUBLIC OF NICARAGUA**

7 **STATEMENT OF JURISDICTION**

8 The Republic of Nicaragua approaches the International Court of Justice (ICJ) regarding its dis-
9 pute with the Republic of Colombia over maritime boundaries and sovereignty in the western Caribbean
10 Sea. Nicaragua seeks affirmation of its sovereign rights over maritime zones in accordance with inter-
11 national law, recognition of its entitlement to an extended continental shelf beyond 200 nautical miles,
12 and measures to address any violations of its maritime rights. This case is critical to ensuring compli-
13 ance with international law, protecting Nicaragua’s maritime resources, and resolving a long-standing
14 dispute that threatens regional stability.

15 **STATEMENT OF LAW**

16 UNCLOS Article 56, coastal states like Nicaragua have exclusive rights over natural resources
17 in their EEZ. “In the exclusive economic zone, the coastal State has sovereign rights for the purpose of
18 exploring and exploiting, conserving and managing the natural resources... whether living or nonliving.”

19 UNCLOS Article 58, foreign states are required to respect the rights and jurisdiction of the coastal
20 state in its EEZ. “In exercising their rights and performing their duties under this Convention in the ex-
21 clusive economic zone, States shall have due regard to the rights and duties of the coastal State.”

22 **STATEMENT OF FACTS**

23 In 1928 Nicaragua and Colombia signed the Esguerra–Brcenas Treaty, where Nicaragua recog-
24 nized Colombia’s sovereignty over the San Andrs Archipelago, while Colombia acknowledged Nicaragua’s
25 sovereignty over the Mosquito Coast and Corn Islands.

26 In 1930 it was ratified. However Nicaragua later claimed the treaty was invalid due to U.S. occu-
27 pation at the time.

28 In 1970, both Nicaragua and Colombia began expanding their maritime claims in the western
29 Caribbean, leading to overlapping assertions of sovereignty over resource-rich waters and escalating
30 tensions.

31 In 1972 the Esguerra–Brcenas Treaty was officially ratified, solidifying the terms. However, dis-
32 putes over the maritime boundary persisted due to overlapping claims in resource-rich waters.

33 In 2001 Nicaragua is bringing the case to the International Court of Justice (ICJ), seeking reso-
34 lution of its maritime boundaries with Colombia and challenging Colombia’s sovereignty over certain
35 maritime features.

36 **ARGUMENTS**

37 The Esguerra–Brcenas Treaty was signed under coercion during a period of U.S. military occupa-
38 tion, compromising its sovereignty in entering the agreement. Additionally, the treaty only addressed
39 the sovereignty of specific islands, not the delimitation of maritime boundaries.

40 Nicaragua is alarmed by the Colombia's assertions of sovereignty over maritime zones sur-
41 rounding the San Andrs Archipelago violate Nicaragua's sovereign rights under international law, in-
42 cluding the principles outlined in the United Nations Convention on the Law of the Sea (UNCLOS), par-
43 ticularly concerning exclusive economic zones (EEZs) and continental shelves.

44 Nicaragua notes that the natural continental shelf extends beyond 200 nautical miles, and un-
45 der international law it has the right to claim these zones. The lack of an agreed maritime boundary
46 leaves Colombia's actions in these areas unlawful.

47 Nicaragua highlights that the San Andrs Archipelago is geographically closer to Nicaragua than
48 to Colombia, strengthening its claim to the surrounding maritime zones. The republic argues that his-
49 torical records favor Nicaraguan jurisdiction over portions of the disputed areas.

50 Nicaragua declares that Colombia's actions in the disputed areas, such as resource exploration,
51 fishing activities, and attempts to assert control, amount to violations of Nicaragua's sovereign rights
52 and economic interests in its maritime zones.

53 Nicaragua is seeking a fair and equitable delimitation of the maritime boundaries. The cur-
54 rent situation creates uncertainty and hinders peaceful use of the Caribbean Sea and contradicts the
55 international law's goals of stability and cooperation.

56 The Republic of Nicaragua asserts the ICJ's jurisdiction to adjudicate the dispute and empha-
57 sizes that peaceful resolution under international law is essential to resolving the long-standing ten-
58 sions and safeguarding regional stability.

59 SUMMARY AND REQUESTS

60 Nicaragua seeks a judgment from the International Court of Justice (ICJ) affirming its sovereign
61 rights over the maritime areas and extending its continental shelf beyond 200 nautical miles, consistent
62 with international law.

63 Nicaragua argues that its geographic position and natural continental shelf formation entitle
64 it to this extension, ensuring access to vital marine resources and aligning with the United Nations
65 Convention on the Law of the Sea (UNCLOS).

66 The Republic of Nicaragua requests that the Court order Colombia to cease all unauthorized
67 activities, including fishing and resource exploration, within Nicaragua's exclusive economic zone (EEZ).

68 The republic of Nicaragua requests that the Republic of Columbia respect the maritime bound-
69 aries. By enforcing these rights, Nicaragua contends that the ICJ will uphold the principles of inter-
70 national law and restore fairness in the face of Colombia's continued violations, which undermine
71 Nicaragua's sovereignty and economic interests and infringes upon Nicaragua's access to critical re-
72 sources.