



**Mission Viejo High School MUN**  
**34<sup>th</sup> Annual Conference**  
*Vox Populi*



Hello delegates! My name is Brianna Masoni, and I will be vice chairing MVHS' 2016 ICJ committee. I am a freshman, this is my first year in MUN, I play volleyball and soccer and I enjoy biology and history.

**For this committee, you will be writing Preliminary Opinions. Please make sure that your conclusion on this topic is not biased and is only based on your own research on the topic. Each preliminary opinion should include a background of the case, the defendant's position, the plaintiff's position, your preliminary ruling, and any other questions that you might possibly have for the witness. In addition, please make sure that your preliminary ruling takes into consideration international law and treaties that pertain to this case. If you have any questions or concerns, feel free to email [mvhsmunicj@gmail.com](mailto:mvhsmunicj@gmail.com).**

**I. Background:**

**Note: This is an actual case of the ICJ. When writing resolutions, you may consider the rulings of the actual case, but be sure to present your own ideas. Your ruling and opinion does not have to be the same as the official ruling; we will be presenting you with new witnesses and the case may take a turn away from the case that proceeded in the actual ICJ. YOU have the power to decide how this case proceeds.**

In 1670 the English corsair Henry Morgan took over the islands until 1689. Then, after Spain's Viceroyalty of New Granada had been re-established in 1739, the archipelago and the province of Veraguas were added to its area of jurisdiction in 1803. The territory was later administered from the province of Cartagena, Colombia protested the UPCA' occupation of the eastern coast of what is now Nicaragua. The federation then ended during the civil war, then resulting that the new state of Nicaragua finished out the dispute with the Republic of the New Granada.

Countries did later sign a peace treaty in 1928 called the Esguerra-Bárcenas, which, for a period of time, resolved conflict in favor of Colombia. Colombia went on to sign a maritime boundary treaty with Honduras in 1999. However, the treaty was renounced when the Sandinista government took power of Nicaragua. Blame was brought upon the United States that they had "pressured" the signing of the peace treaty.

In 2001 Nicaragua filed claims with the International Court of Justice (ICJ) over the maritime boundary. Colombia came back with the fact that they had no jurisdiction over the matter and then increased its naval and police presence in the islands. The court later decided to agree with Nicaragua in saying that the 82nd meridian is not a maritime border. In 2012 the International Court of Justice decided this case by upholding Colombia's sovereignty over San Andres y Providencia and a few other islands. The ICJ also expanded Nicaragua's maritime territory.



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**II. Plaintiff:**

Nicaragua filed claims against Colombia about the maritime boundaries between the two countries. Colombia was not following their protocol for the boundaries the peace treaty spoke of. Colombia in turn protested the UPCA's occupation of the eastern coast of modern-day Nicaragua. The UPCA federation dissolved in civil war between 1838–1840, and the resulting state of Nicaragua carried on with the dispute, as did the Republic of the New Granada that emerged from the dissolution of Gran Colombia. Nicaraguans claimed that the treaty was signed under United States pressure and military occupation and therefore constituted a sovereign decision.

**III. Defendant:**

Colombia said that the International Court of Justice had no jurisdiction over the matter. Colombia then enforced more naval and police presence on the islands. Colombia argued that the treaty's final ratification in 1930, when U.S. forces were already on their way out, confirmed its validity. The court established territorial zones of 12 nautical miles in radius around Quitasueño and Serrana.

**IV. Questions to consider:**

1. How has this case come to deeply affect the reputation of Colombia and Nicaragua, if at all?
2. Was Colombia just in saying that the ICJ had no jurisdiction over the case matter?
3. Why was Nicaragua so successful in this case? Why was it 14-1 and unanimous against Colombia?

**V. Possible Witnesses:**

**Note – Not all of these witnesses are real. These witnesses are relevant to the case, but may or may not exist in real life. More witnesses will be interviewed in committee.**

1. Colombia President
2. Nicaragua President
3. Possible police witness
4. Nicaraguans involved in government



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**Works Cited:**

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