**INTERNATIONAL COURT OF JUSTICE**

**Press Release**

May, 2019

**Bolivarian Republic of Venezuela Institutes Proceedings Against the Federative Republic of X**

The Hague, May 13th, 2019. The Bolivarian Republic of Venezuela (hereinafter “Venezuela”) instituted today proceedings against the Federative Republic of X (hereinafter “X”) before the International Court of Justice (ICJ), the principal judicial organ of the United Nations, with respect to a dispute concerning alleged violations of the Charter of the United Nations (UN Charter), particularly its Chapter VII.

In its Application, Venezuela claims that by i) providing weapons and training to the rebels supporting the leader of the opposition, Juan Guaidó; and ii) sending X-troops to support Juan Guaidó’s coup attempt, without the authorization of the United Nations (UN) Security Council[[1]](#footnote-1), X has violated its obligation not to use force under the UN Charter.

In of the foregoing, Venezuela asks the Court to declare that:

1. X has violated its obligation not to use force under the UN Charter, given that there was no authorization on the use of force by the Security Council and there was no imminent attack allowing X to claim any right to self-defense.
2. X has committed an internationally wrongful act and, therefore, should compensate Venezuela for the damages caused and provide satisfaction by officially recognizing the current President of Venezuela, Nicolás Maduro, as the legitimate President of the country.

**Observations:**

* The jurisdiction of the Court is not debated in the present case. You should focus only on the merits issues (described above).
* This is a fictious and hypothetical case of a coup attempt in Venezuela. Therefore, although a coup attempt has not taken place (yet), you can (and should) use real facts of the current situation in Venezuela to claim/counterclaim an eventual right of collective self-defense. It is also important that you bear in mind that the right of self-defense requires that there is an attack - whether it should be imminent or not depends on the doctrine/theory adopted.
* Please bear in mind that the forms of reparation under international law (restitution, compensation, satisfaction) are described in the Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA) of 2001. You can also find online the Draft Articles, which contain explanations on the rationale of each provision of the ARSIWA.
* You may use the databases Hein Online and Jstor (among others) for your researches. UN Resolutions and precedents of the ICJ (including those discussed in class) are also relevant and should be consulted.

1. Although no previous authorization was issued, X has promptly reported its exercise of self-defense to the Security Council, as required by Art. 51 of the UN Charter. [↑](#footnote-ref-1)