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INTERNATIONAL COURT OF JUSTICE

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Communiqué

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Nauru brings a case against Australia

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

On 19 May 1989 the Republic of Nauru filed in the Registry of the Court an Application instituting proceedings against the Commonwealth of Australia in a dispute concerning the rehabilitation of certain phosphate lands mined under Australian administration before Nauruan independence.

In its Application Nauru claims that Australia has breached the trusteeship obligations it accepted under Article 76 of the United Nations Charter and under Articles 3 and 5 of the Trusteeship Agreement for Nauru of 1 November 1947. Nauru further claims that Australia has breached certain obligations towards Nauru under general international law.

The Republic of Nauru requests the Court:

"to adjudge and declare that Australia has incurred an international legal responsibility and is bound to make restitution or other appropriate reparation to Nauru for the damage and prejudice suffered"; and further

"that the nature and amount of such restitution or reparation should, in the absence of agreement between the parties, be assessed and determined by the Court, if necessary, in a separate phase of the proceedings."