

GENERAL AGREEMENT ON

RESTRICTED

C/W/522

2 July 1987

TARIFFS AND TRADE

Limited Distribution

COUNCIL
15 July 1987

Original: Spanish

UNITED STATES - TRADE MEASURES AFFECTING NICARAGUA

Communication from Nicaragua

The Permanent Mission of Nicaragua has in a letter addressed to the Chairman of the Council, dated 25 June 1987, requested that the Annex to that letter be circulated as a document for the Council meeting on 15 July 1987.

./.

ANNEX

1. In view of the fact that the consultations concerning the trade measures of the United States of America against Nicaragua conducted by the Chairman of the Council since November 1986 have failed to lead to a solution satisfactory to the parties concerned, Nicaragua, on the basis of the provisions of paragraph 1 of Article XXV on "Joint Action", requests the CONTRACTING PARTIES, to give a ruling on the matter at the meeting of the Council to be held on 15 July next, so as to give effect to the provisions of paragraph 2 of Article XXIII of the General Agreement.
2. Nicaragua deplores the fact that the Government of the United States of America has not deemed it necessary to comply with the judgement of the International Court of Justice of 27 June 1986, which states, inter alia, that the United States is under a duty immediately to refrain from the embargo and to make reparation to Nicaragua for all injury caused by it; as well as the fact that, on the contrary, the said Government has renewed the embargo in its original terms, ignoring the appeals made by the international community through numerous resolutions, in particular Resolutions 40/188 and 41/164 of the United Nations General Assembly, and putting to the test the validity of the multilateral system as a whole.
3. Nicaragua also considers that the deliberations that have taken place in the Council since May 1985 concerning this matter, along with the conclusions of the Panel's report, clearly show that the trade embargo is seriously affecting the economic and social development of a developing contracting party and is having unfavourable repercussions on the multilateral system of the GATT. Those factors should lead to a consensus decision.
4. Nicaragua wishes to place on record its gratitude to Ambassador A. Oxley, who, as Chairman of the Council, has spared no effort to arrive at a solution that might be acceptable to the parties concerned.