

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

CONSTRUCTION D'UNE ROUTE AU COSTA RICA
LE LONG DU FLEUVE SAN JUAN

(NICARAGUA c. COSTA RICA)

CERTAINES ACTIVITÉS MENÉES PAR LE NICARAGUA
DANS LA RÉGION FRONTALIÈRE

(COSTA RICA c. NICARAGUA)

ORDONNANCE DU 3 FÉVRIER 2014

2014

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

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(NICARAGUA v. COSTA RICA)

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IN THE BORDER AREA

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(COSTA RICA *v.* NICARAGUA)

ORDER

Present: President TOMKA; *Vice-President* SEPÚLVEDA-AMOR; *Judges* OWADA, ABRAHAM, BENNOUNA, SKOTNIKOV, CAÑADO TRINDADE, YUSUF, GREENWOOD, XUE, DONOGHUE, GAJA, SEBUTINDE, BHANDARI; *Registrar* COUVREUR.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Articles 31, 44, 45, paragraph 2, 48 and 49 of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 22 December 2011, whereby the Republic of Nicaragua instituted proceedings against the Republic of Costa Rica “for violations of

Nicaraguan sovereignty and major environmental damages on its territory”, contending, in particular, that Costa Rica was carrying out major works along most of the border area between the two countries along the San Juan River, namely the construction of a road, with grave environmental consequences,

Having regard to the Order of 23 January 2012, whereby the Court fixed 19 December 2012 and 19 December 2013 as respective time-limits for the filing of a Memorial by Nicaragua and a Counter-Memorial by Costa Rica,

Having regard to the Memorial and Counter-Memorial filed by the Parties within the time-limits thus fixed,

Having regard to the two Orders of 17 April 2013, whereby the Court joined the proceedings in that case with those in the case concerning *Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, which had been instituted by Costa Rica against Nicaragua on 18 November 2010;

Whereas, at a meeting held by the President of the Court with the representatives of the Parties on 22 January 2014, pursuant to Article 31 of the Rules of Court, the Agent of Nicaragua, citing the wealth of new material produced by Costa Rica in its Counter-Memorial and the need for his Government to consider this in depth, in particular by carrying out surveys on the ground, asked the Court to authorize the submission of a Reply by the Applicant and a Rejoinder by the Respondent; whereas the Agent of Nicaragua proposed that his Government should be given a period of approximately ten months in order to prepare its Reply; and whereas the Co-Agent of Costa Rica stated that the holding of a second round of written pleadings was neither necessary nor desirable, since it would unduly delay the Court’s decision on the merits in the cases in question, and proposed that Nicaragua simply be given the possibility of filing additional documents in response to the new material supplied by Costa Rica, on the understanding that the latter would have the opportunity to comment on them;

Having regard to the need for Nicaragua to be able to make, in an appropriate manner, such observations as it wishes on the new material produced by Costa Rica, and to the need for the latter to be able to present its views on those observations in identical conditions,

Authorizes the submission of a Reply by the Republic of Nicaragua and a Rejoinder by the Republic of Costa Rica;

Fixes as follows the time-limits for the filing of those pleadings:

For the Reply of the Republic of Nicaragua, 4 August 2014;

For the Rejoinder of the Republic of Costa Rica, 2 February 2015; and

Reserves the subsequent procedure for further decision.

Done in French and in English, the French text being authoritative, at the Peace Palace, The Hague, this third day of February, two thousand and fourteen, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Republic of Nicaragua and the Government of the Republic of Costa Rica, respectively.

(Signed) Peter TOMKA,

President.

(Signed) Philippe COUVREUR,

Registrar.
