

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

**CASE CONCERNING BORDER AND  
TRANSBORDER ARMED ACTIONS**

(NICARAGUA *v.* HONDURAS)

REQUEST FOR THE INDICATION OF PROVISIONAL  
MEASURES

**ORDER OF 31 MARCH 1988**

**1988**

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

**AFFAIRE RELATIVE À DES ACTIONS ARMÉES  
FRONTALIÈRES ET TRANSFRONTALIÈRES**

(NICARAGUA *c.* HONDURAS)

DEMANDE EN INDICATION DE MESURES  
CONSERVATOIRES

**ORDONNANCE DU 31 MARS 1988**

Official citation :

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mesures conservatoires, ordonnance du 31 mars 1988,  
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INTERNATIONAL COURT OF JUSTICE

YEAR 1988

31 March 1988

CASE CONCERNING BORDER AND  
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ORDER

The President of the International Court of Justice,

Having regard to Articles 41 and 48 of the Statute of the Court,

Having regard to Articles 73 and 74 of the Rules of Court,

Having regard to the Application filed by the Republic of Nicaragua in the Registry of the Court on 28 July 1986, instituting proceedings against the Republic of Honduras,

Having regard to the Order made by the Court on 22 October 1986 by which the Court, taking note that the Government of Honduras had informed the Court that in its view the Court had no jurisdiction over the matters raised by the Application, decided that the first pleading should be a Memorial by Honduras dealing exclusively with the issues of jurisdiction and admissibility, and that Nicaragua should in reply submit a Counter-Memorial confined to the same issues;

Whereas a Memorial and Counter-Memorial on the issues of jurisdiction and admissibility were duly filed within the time-limits fixed by the Court therefor, and the case became ready for hearing on 23 June 1987, but the opening of the oral proceedings has been adjourned, by agreement between the Parties with the approval of the Court;

Having regard to the request dated 21 March 1988, and filed in the Registry the same day, whereby the Republic of Nicaragua, relying on Article 41 of the Statute and Article 73 of the Rules of Court, requested the Court to indicate “the interim measures of protection appropriate in the circumstances resulting from the recent actions of the Honduran Government directed against the armed forces and territorial sovereignty of Nicaragua”, and specified, in accordance with Article 73, paragraph 2, of the Rules of Court, the measures requested;

Whereas a certified copy of the said request was forthwith transmitted by the Registrar to the Government of Honduras, and on 24 March 1988 the Registrar informed the Parties that the President of the Court would hold a meeting with the Agents, on 29 March 1988 (subsequently postponed to 1 April 1988), in order to ascertain their views on the procedure, and recalled that the decision on such a request was required to be reached as a matter of urgency, and that the Court or the President was required by the Rules of Court to fix a date for a hearing on the request;

Whereas by a letter dated 31 March 1988, and received in the Registry the same day, a copy of which was forthwith transmitted by the Registrar to the Agent of Honduras, the Agent of Nicaragua informed the Court that, for the reasons set out in his letter, the Government of Nicaragua had instructed him to withdraw the request for the indication of provisional measures;

*Places on record* the withdrawal by the Republic of Nicaragua of its request for the indication of provisional measures.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this thirty-first day of March, one thousand nine hundred and eighty-eight, 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 Honduras, respectively.

(Signed) José Maria RUDA,  
President.

(Signed) Eduardo VALENCIA-OSPINA,  
Registrar.

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