

2 FÉVRIER 2017

ORDONNANCE

**CERTAINES ACTIVITÉS MENÉES PAR LE NICARAGUA
DANS LA RÉGION FRONTALIÈRE**

(COSTA RICA c. NICARAGUA)

**CERTAIN ACTIVITIES CARRIED OUT BY NICARAGUA
IN THE BORDER AREA**

(COSTA RICA v. NICARAGUA)

2 FEBRUARY 2017

ORDER

INTERNATIONAL COURT OF JUSTICE

YEAR 2017

**2017
2 February
General List
No. 150**

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**CERTAIN ACTIVITIES CARRIED OUT BY NICARAGUA
IN THE BORDER AREA**

(COSTA RICA v. NICARAGUA)

ORDER

Present: President ABRAHAM; Vice-President YUSUF; Judges OWADA, TOMKA, CANÇADO TRINDADE, GREENWOOD, XUE, DONOGHUE, GAJA, SEBUTINDE, ROBINSON, GEVORGIAN; 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 1, 48 of the Rules of Court,

Having regard to the Judgment dated 16 December 2015 issued in the joined cases concerning *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)* and *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, by which the Court found, *inter alia*, that the Republic of Nicaragua (hereinafter “Nicaragua”) has the obligation to compensate the Republic of Costa Rica (hereinafter “Costa Rica”) for material damages caused by Nicaragua’s unlawful activities on Costa Rican territory (point 5 (a) of the operative part);

Having regard to the decision of the Court, set forth in the said Judgment, according to which, “failing agreement between the Parties on this matter within 12 months from the date of this Judgment, the question of compensation due to Costa Rica will, at the request of one of the Parties, be settled by the Court” (point 5 (b) of the operative part);

Having regard to the fact that paragraph 142 of the same Judgment provides that the Court will determine the amount of compensation on the basis of further written pleadings limited to this issue;

Whereas, in a letter of its Co-Agent dated 16 January 2017 and received in the Registry on the same day, the Government of Costa Rica requested the Court “to settle the question of the compensation due to Costa Rica for material damages caused by Nicaragua’s unlawful activities” as ascertained by the Court in the case concerning *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*;

Whereas, in the same letter, the Government of Costa Rica asked the Court to set the time-limits for the written submissions contemplated in the Judgment of 16 December 2015 and suggested that each Party be given two months to prepare its pleading on the question of compensation;

Whereas a copy of the letter of the Co-Agent of Costa Rica was immediately transmitted to the other Party;

Whereas, at a meeting held by the President of the Court with the representatives of the Parties on 26 January 2017, pursuant to Article 31 of the Rules of Court, the latter expressed the views of their respective Governments regarding the time-limits required in order to prepare written pleadings; whereas the Co-Agent of Costa Rica indicated that his Government wished to have at its disposal a period of two months for the preparation of its Memorial on the question of compensation; and whereas the Agent of Nicaragua indicated that his Government would accept a period of two months for the preparation of its Counter-Memorial on the same question;

Taking into account the agreement of the Parties,

Fixes the following time-limits for the filing of the written pleadings on the sole question of compensation due in the present case:

3 April 2017 for the Memorial of the Republic of Costa Rica;

2 June 2017 for the Counter-Memorial of the Republic of Nicaragua; 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 second day of February, two thousand and seventeen, 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 Costa Rica and the Government of the Republic of Nicaragua, respectively.

(Signed) Ronny ABRAHAM,
President.

(Signed) Philippe COUVREUR,
Registrar.
