

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

QUESTION OF THE DELIMITATION
OF THE CONTINENTAL SHELF
BETWEEN NICARAGUA AND COLOMBIA
BEYOND 200 NAUTICAL MILES
FROM THE NICARAGUAN COAST

(NICARAGUA *v.* COLOMBIA)

ORDER OF 8 DECEMBER 2017

2017

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

QUESTION DE LA DÉLIMITATION
DU PLATEAU CONTINENTAL
ENTRE LE NICARAGUA ET LA COLOMBIE
AU-DELÀ DE 200 MILLES MARINS
DE LA CÔTE NICARAGUAYENNE

(NICARAGUA *c.* COLOMBIE)

ORDONNANCE DU 8 DÉCEMBRE 2017

Official citation:

Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 Nautical Miles from the Nicaraguan Coast (Nicaragua v. Colombia), Order of 8 December 2017, I.C.J. Reports 2017, p. 361

Mode officiel de citation:

Question de la délimitation du plateau continental entre le Nicaragua et la Colombie au-delà de 200 milles marins de la côte nicaraguayenne (Nicaragua c. Colombie), ordonnance du 8 décembre 2017, C.I.J. Recueil 2017, p. 361

ISSN 0074-4441
ISBN 978-92-1-157326-8

Sales number	1128
N° de vente:	

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YEAR 2017

2017
8 December
General List
No. 154

8 December 2017

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ORDER

Present: *President* ABRAHAM; *Vice-President* YUSUF; *Judges* OWADA, TOMKA, CANÇADO TRINDADE, GREENWOOD, XUE, GAJA, SEBUTINDE, BHANDARI, 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 2, 48 and 49 of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 16 September 2013, whereby the Republic of Nicaragua instituted proceedings against the Republic of Colombia with regard to a dispute in relation to “the delimitation of the boundaries between, on the one hand, the continental shelf of Nicaragua beyond the 200-nautical-mile limit from the baselines from which the breadth of the territorial sea of Nicaragua is measured, and on the other hand, the continental shelf of Colombia”,

Having regard to Nicaragua's First Request in its Application, whereby the Court was asked to establish "[t]he precise course of the maritime boundary between Nicaragua and Colombia in the areas of the continental shelf which appertain to each of them beyond the boundaries determined by the Court in its Judgment of 19 November 2012" and to Nicaragua's Second Request, whereby it was asked to declare "[t]he principles and rules of international law that determine the rights and duties of the two States in relation to the area of overlapping continental shelf claims and the use of its resources, pending the delimitation of the maritime boundary between them beyond 200 nautical miles from Nicaragua's coast",

Having regard to the Order dated 9 December 2013, whereby the Court fixed 9 December 2014 and 9 December 2015 as the time-limits for the filing, respectively, of the Memorial of the Republic of Nicaragua and the Counter-Memorial of the Republic of Colombia,

Having regard to the preliminary objections to the jurisdiction of the Court and to the admissibility of the Application raised by the Government of the Republic of Colombia on 14 August 2014,

Having regard to the Judgment dated 17 March 2016, whereby the Court found that it had jurisdiction on the basis of Article XXXI of the Pact of Bogotá to entertain the First Request put forward by Nicaragua in its Application and that that Request was admissible, while the Second Request was inadmissible;

Having regard to the Order of 28 April 2016, by which the President fixed 28 September 2016 and 28 September 2017 as the new time-limits for the filing, respectively, of the Memorial of the Republic of Nicaragua and the Counter-Memorial of the Republic of Colombia,

Having regard to the Memorial and the Counter-Memorial duly filed by the Parties within those time-limits;

Whereas, at a meeting held between the President of the Court and the Agents of the Parties on 29 November 2017, the Agent of Nicaragua indicated that a Reply by the Applicant was necessary in order to respond, in particular, to the technical issues raised in the Counter-Memorial of Colombia, and requested a period of nine months for the preparation of the Reply; and whereas the Agent of Colombia stated that his Government had no objection to the request by Nicaragua for a second round of written pleadings but expressed the view that shorter time-limits should be fixed for that purpose, with a period of four to six months for the preparation of each of the additional pleadings, calculated from the date of filing of Colombia's Counter-Memorial;

Taking into account the views of the Parties and the circumstances of the case,

Authorizes the submission of a Reply by Nicaragua and a Rejoinder by Colombia;

Fixes the following time-limits for the filing of those pleadings:

9 July 2018 for the Reply of the Republic of Nicaragua;

11 February 2019 for the Rejoinder of the Republic of Colombia; and

Reserves the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this eighth day of December, 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 Nicaragua and the Government of the Republic of Colombia, respectively.

(Signed) Ronny ABRAHAM,
President.

(Signed) Philippe COUVREUR,
Registrar.
