

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

VIOLATIONS ALLÉGUÉES
DE DROITS SOUVERAINS ET D'ESPACES MARITIMES
DANS LA MER DES CARAÏBES

(NICARAGUA *c.* COLOMBIE)

ORDONNANCE DU 4 DÉCEMBRE 2018

2018

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

ALLEGED VIOLATIONS
OF SOVEREIGN RIGHTS AND MARITIME SPACES
IN THE CARIBBEAN SEA

(NICARAGUA *v.* COLOMBIA)

ORDER OF 4 DECEMBER 2018

Mode officiel de citation :

*Violations alléguées de droits souverains et d'espaces maritimes
dans la mer des Caraïbes (Nicaragua c. Colombie),
ordonnance du 4 décembre 2018,
C.I.J. Recueil 2018, p. 712*

Official citation:

*Alleged Violations of Sovereign Rights and Maritime Spaces
in the Caribbean Sea (Nicaragua v. Colombia),
Order of 4 December 2018,
I.C.J. Reports 2018, p. 712*

ISSN 0074-4441
ISBN 978-92-1-157354-1

N° de vente: **1155**
Sales number

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YEAR 2018

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4 December
General List
No. 155ALLEGED VIOLATIONS
OF SOVEREIGN RIGHTS AND MARITIME SPACES
IN THE CARIBBEAN SEA(NICARAGUA *v.* COLOMBIA)

ORDER

Present: President YUSUF; Vice-President XUE; Judges TOMKA, ABRAHAM, DONOGHUE, GAJA, SEBUTINDE, BHANDARI, GEVORGIAN, SALAM; 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 and 80, paragraph 2, of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 26 November 2013, whereby the Government of the Republic of Nicaragua (hereinafter “Nicaragua”) instituted proceedings against the Republic of Colombia (hereinafter “Colombia”) concerning a dispute in relation to “the violations of Nicaragua’s sovereign rights and maritime zones declared by the Court’s Judgment of 19 November 2012 [in the case concerning *Territorial and Maritime Dispute (Nicaragua v. Colombia)*] and the threat of the use of force by Colombia in order to implement these violations”,

Having regard to the Order dated 3 February 2014, whereby the Court fixed 3 October 2014 and 3 June 2015 as the respective time-limits

for the filing of the Memorial of Nicaragua and the Counter-Memorial of Colombia,

Having regard to the Memorial of Nicaragua, filed within the time-limit so prescribed,

Having regard to the preliminary objections to jurisdiction raised by Colombia within the time-limit laid down by Article 79, paragraph 1, of the Rules of Court,

Having regard to the Judgment of 17 March 2016, whereby the Court declared that it had jurisdiction, on the basis of Article XXXI of the Pact of Bogotá, to rule on the dispute between Nicaragua and Colombia regarding alleged violations by Colombia of Nicaragua's rights in the maritime zones which, according to Nicaragua, the Court declared appertain to Nicaragua in its Judgment of 19 November 2012 in the case concerning *Territorial and Maritime Dispute (Nicaragua v. Colombia)*,

Having regard to the Order of 17 March 2016, whereby the Court fixed 17 November 2016 as the new time-limit for the filing of the Counter-Memorial of Colombia,

Having regard to the Counter-Memorial of Colombia, filed within the time-limit so prescribed, and to the four counter-claims contained therein,

Having regard to the Order dated 15 November 2017, whereby the Court found that the first two counter-claims submitted by Colombia were inadmissible as such and did not form part of the current proceedings, and that the third and fourth counter-claims submitted by Colombia were admissible as such and did form part of the current proceedings,

Having regard to that same Order of 15 November 2017, whereby the Court directed Nicaragua to submit a Reply and Colombia to submit a Rejoinder relating to the claims of both Parties in the current proceedings, and fixed 15 May 2018 and 15 November 2018 as the respective time-limits for the filing of those pleadings,

Having regard to the Reply filed by Nicaragua and the Rejoinder filed by Colombia within the time-limits thus fixed;

Whereas, at a meeting held by the President of the Court with the representatives of the Parties on 3 December 2018, the Agent of Nicaragua indicated that his Government wished to present its views in writing a second time on the Colombian counter-claims, in an additional pleading, and requested a time-limit of four months for the filing of that additional pleading; and whereas the representative of Colombia stated that his Government had no objection to Nicaragua's request to be permitted to file an additional pleading but considered that a time-limit of one or two months would be sufficient to enable Nicaragua to prepare that pleading;

Taking account of the views of the Parties,

Authorizes the submission by the Republic of Nicaragua of an additional pleading relating solely to the counter-claims submitted by the Republic of Colombia;

Fixes 4 March 2019 as the time-limit for the filing of that pleading; 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 fourth day of December, two thousand and eighteen, 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) Abdulqawi Ahmed YUSUF,
President.

(Signed) Philippe COUVREUR,
Registrar.
