

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING BORDER AND
TRANSBORDER ARMED ACTIONS

(NICARAGUA *v.* COSTA RICA)

ORDER OF 19 AUGUST 1987

1987

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE RELATIVE À DES ACTIONS ARMÉES
FRONTALIÈRES ET TRANSFRONTALIÈRES

(NICARAGUA *c.* COSTA RICA)

ORDONNANCE DU 19 AOÛT 1987

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INTERNATIONAL COURT OF JUSTICE

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CASE CONCERNING BORDER AND
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ORDER

The President of the International Court of Justice,

Having regard to Article 48 of the Statute of the Court and to Article 89 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 Costa Rica,

Having regard to the appointment by the Republic of Costa Rica, to which a copy of the Application was communicated forthwith, of an Agent and a Co-Agent for the purposes of the proceedings,

Having regard to the notification provided for in Article 63, paragraph 1, of the Statute addressed on 3 November 1986 to the States parties to the American Treaty for the Peaceful Settlement of Disputes ("Pact of Bogotá") signed at Bogotá on 30 April 1948, which was invoked in the Application,

Having regard to the Order of 21 October 1986 by which the Court fixed the time-limit for the filing of the Memorial of the Republic of Nicaragua at 21 July 1987, and the time-limit for the filing of the Counter-Memorial of the Republic of Costa Rica at 21 April 1988, and to the Order of 21 July 1987 by which the Vice-President of the Court extended those time-limits to 10 August 1987 and 2 June 1988 respectively,

Having regard to the Memorial filed by the Republic of Nicaragua within the time-limit as so extended,

Whereas, by a letter dated 11 August 1987 addressed to the President of the Court, the Minister for Foreign Affairs of the Republic of Nicaragua transmitted a copy of the original Spanish text of an agreement signed on 7 August 1987 at Guatemala City by the Presidents of the five States of Central America (the "Esquipulas II" agreement, entitled "Procedimiento para establecer una paz firme y duradera en Centro América");

Whereas, by a communication of 12 August 1987 addressed to the Registrar, the Agent of Nicaragua referred to that agreement and stated that "Nicaragua discontinues the judicial proceedings instituted against Costa Rica";

Whereas, by letters of 11 and 12 August 1987, the Registrar transmitted a copy of the above-mentioned communications to the Agent of Costa Rica and informed him that the President of the Court, pursuant to Article 89, paragraphs 2 and 3, of the Rules, had fixed 18 August 1987 as the time-limit within which Costa Rica might state whether it opposed the discontinuance of the proceedings by Nicaragua;

Whereas, by a letter of 18 August 1987, received in the Registry the same day, the Agent of Costa Rica stated (*inter alia*) that his Government did not object to the discontinuance;

Places on record the discontinuance by the Nicaraguan Government of the proceedings instituted by the Application filed on 28 July 1986;

Orders that the case be removed from the list.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this nineteenth day of August, one thousand nine hundred and eighty-seven, in three copies, of which one will be placed in the archives of the Court, and the others transmitted to the Government of the Republic of Nicaragua, and to the Government of the Republic of Costa Rica, respectively.

(Signed) NAGENDRA SINGH,
President.

(Signed) Eduardo VALENCIA-OSPINA,
Registrar.