



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua v. Colombia)

Conclusion of public hearings on the preliminary objections raised by the Republic of Colombia

Court to begin its deliberation

THE HAGUE, 9 October 2015. The public hearings on the preliminary objections raised by the Republic of Colombia in the case concerning the Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua v. Colombia) were concluded today. The Court will now begin its deliberation.

During the hearings, which opened on Monday 5 October 2015 at the Peace Palace, seat of the Court, the delegation of the Republic of Colombia was led by H.E. Mr. Carlos Gustavo Arrieta Padilla, former Judge of the Council of State of Colombia, former Attorney General of Colombia and former Ambassador of Colombia to the Kingdom of the Netherlands, as Agent; and the delegation of the Republic of Nicaragua was led by H.E. Mr. Carlos José Argüello Gómez, Ambassador of the Republic of Nicaragua to the Kingdom of the Netherlands, as Agent and Counsel.

The Court's judgment on the preliminary objections will be delivered at a public sitting, the date of which will be announced in due course.

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Submissions of the Parties

At the end of the hearings, the Agents of the Parties presented the following submissions to the Court:

For the Republic of Colombia:

“For the reasons set forth in our written and oral pleadings on preliminary objections, the Republic of Colombia requests the Court to adjudge and declare:

1. That it lacks jurisdiction over the proceedings brought by Nicaragua in its Application of 16 September 2013; or, in the alternative,
2. That the claims brought against Colombia in the Application of 16 September 2013 are inadmissible.”

For the Republic of Nicaragua:

“In view of the reasons Nicaragua has presented in its Written Observations and during the hearings, the Republic of Nicaragua requests the Court:

- to reject the preliminary objections of the Republic of Colombia; and
- to proceed with the examination of the merits of the case.”

Internal judicial practice of the Court with respect to deliberations

Deliberations take place in private in accordance with the following procedure. The Court first holds a preliminary deliberation, during which the President outlines the issues which, in his opinion, require discussion and decision by the Court. A full deliberation is subsequently held, at the end of which a drafting committee is chosen by secret ballot, taking account of the views expressed. That committee consists in principle of two judges holding the majority view of the Court, together with the President, unless it appears that his views are in the minority. The committee prepares a preliminary draft text, which is the subject of written amendments. Two further drafts are produced in turn, each of which is subject to a detailed reading. In the meantime, judges who wish to do so may prepare a declaration, a separate opinion or a dissenting opinion, which are communicated to the other judges. The final vote is taken after adoption of the final text of the judgment at the second reading.

Note: The Court’s press releases do not constitute official documents. The complete verbatim records of the hearings held from 5 October to 9 October 2015 are published on the website of the Court (www.icj-cij.org).

History of the proceedings

The history of the proceedings may be found in the Annual Report of the Court for 2013-2014 (paras. 166-174) and press releases 2014/29 of 3 October 2014 and 2015/21 of 31 July 2015, all of which are available on the Court’s website under press releases (www.icj-cij.org).

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The seat of the Court is at the Peace Palace in The Hague (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York. The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States (its judgments have binding force and are without appeal for the parties concerned); and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. Independent of the United Nations Secretariat, it is assisted by a Registry, its own international secretariat, whose activities are both judicial and diplomatic, as well as administrative. The official languages of the Court are French and English. Also known as the “World Court”, it is the only court of a universal character with general jurisdiction.

The ICJ, a court open only to States for contentious proceedings, and to certain organs and institutions of the United Nations system for advisory proceedings, should not be confused with the other — mostly criminal — judicial institutions based in The Hague and adjacent areas, such as the International Criminal Tribunal for the former Yugoslavia (ICTY, an ad hoc court created by the Security Council), the International Criminal Court (ICC, the first permanent international criminal court, established by treaty, which does not belong to the United Nations system), the Special Tribunal for Lebanon (STL, an international judicial body with an independent legal personality, established by the United Nations Security Council upon the request of the Lebanese Government and composed of Lebanese and international judges), or the Permanent Court of Arbitration (PCA, an independent institution which assists in the establishment of arbitral tribunals and facilitates their work, in accordance with the Hague Convention of 1899).

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