



INTERNATIONAL COURT OF JUSTICE

Peace Palace, Carnegieplein 2, 2517 KJ The Hague, Netherlands

Tel.: +31 (0)70 302 2323 Fax: +31 (0)70 364 9928

Website: www.icj-cij.org Twitter Account: @CIJ_ICJ

Press Release

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Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v. Nicaragua)

Land Boundary in the Northern Part of Isla Portillos (Costa Rica v. Nicaragua)

Conclusion of the public hearings

The Court to begin its deliberation

THE HAGUE, 13 July 2017. The public hearings in the joined cases concerning Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v. Nicaragua) and Land Boundary in the Northern Part of Isla Portillos (Costa Rica v. Nicaragua) were concluded today. The Court will now begin its deliberation.

During the hearings, which opened on Monday 3 July 2017 at the Peace Palace, seat of the Court, the delegation of the Republic of Costa Rica was led by H.E. Mr. Edgar Ugalde Álvarez, Ambassador on Special Mission, as Agent; and the delegation of the Republic of Nicaragua was led by H.E. Mr. Carlos José Argüello Gómez, Ambassador of Nicaragua to the Kingdom of the Netherlands, as Agent and Counsel.

The Court will pronounce on the cases at a public sitting, the date of which will be announced in due course.

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Submissions of the Parties

The submissions presented by the Parties at the end of the oral proceedings are annexed to this press release.

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. Each judge then prepares a written Note setting out his or her views; these Notes are exchanged among the judges. 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 3 July to 13 July 2017 are published on the website of the Court (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).

Information Department:

Mr. Andrey Poskakukhin, First Secretary of the Court, Head of Department (+31 (0)70 302 2336)
Mr. Boris Heim and Ms Joanne Moore, Information Officers (+31 (0)70 302 2337)
Mr. Avo Sevag Garabet, Associate Information Officer (+31 (0)70 302 2394)
Ms Genoveva Madurga, Administrative Assistant (+31 (0)70 302 2396)

At the end of the oral proceedings the Parties presented the following final submissions to the Court:

For Costa Rica (on Monday 10 July 2017):

“In the case concerning Maritime Delimitation in the Pacific Ocean and the Caribbean Sea (Costa Rica v. Nicaragua), for the reasons set out in the written and oral pleadings, Costa Rica respectfully requests the Court, rejecting all submissions made by Nicaragua:

- (1) To determine, on the basis of international law, the complete course of single maritime boundaries between all the maritime areas appertaining, respectively, to Costa Rica and to Nicaragua in the Pacific Ocean and in the Caribbean Sea.
- (2) To determine the precise geographical co-ordinates of the single maritime boundaries in the Pacific Ocean and in the Caribbean Sea, and in particular:
 - (a) to delimit the maritime areas of Costa Rica and Nicaragua in the Pacific Ocean by a boundary connecting with geodetic lines the points with the following co-ordinates:

Point number	Latitude (DMS) (WGS-84)	Longitude (DMS) (WGS-84)
SP-P (Starting-Point – Pacific)	11° 04' 00.0" N	85° 44' 28.0" W
1	11° 03' 57.6" N	85° 45' 30.3" W
2	11° 03' 57.7" N	85° 45' 35.9" W
3	11° 03' 47.2" N	85° 46' 31.7" W
4	11° 03' 53.8" N	85° 47' 13.4" W
5	11° 03' 24.2" N	85° 49' 43.5" W
6	11° 03' 17.9" N	85° 50' 05.1" W
7	11° 02' 45.0" N	85° 51' 25.2" W
8	11° 03' 11.6" N	85° 52' 42.8" W
9	11° 04' 26.8" N	85° 55' 28.3" W
10	11° 05' 13.7" N	85° 57' 21.2" W
11	11° 05' 51.6" N	86° 00' 48.1" W
12	11° 05' 54.2" N	86° 04' 31.5" W
13	11° 06' 22.0" N	86° 07' 00.4" W
14	11° 05' 45.4" N	86° 13' 10.2" W
15	11° 05' 43.7" N	86° 13' 28.7" W
16	11° 05' 30.9" N	86° 15' 09.8" W
17	11° 04' 22.2" N	86° 21' 43.8" W
18	11° 03' 32.6" N	86° 25' 21.2" W
19	10° 56' 56.3" N	86° 44' 27.0" W
20	10° 54' 22.7" N	86° 49' 39.5" W
21	10° 36' 50.6" N	87° 22' 47.6" W
22	10° 21' 23.2" N	87° 47' 15.3" W
23 (intersection with 200-M limit)	09° 43' 05.7" N	89° 11' 23.5" W

(b) to delimit the maritime areas of Costa Rica and Nicaragua in the Caribbean Sea by a boundary connecting with geodetic lines the points with the following co-ordinates:

Point number	Latitude (DMS) (WGS-84)	Longitude (DMS) (WGS-84)
SP-C (Starting-Point – Caribbean)	10° 56' 22.1" N	83° 41' 51.4" W
1	10° 56' 54.0" N	83° 42' 03.7" W
2	10° 57' 16.6" N	83° 41' 58.4" W
3	11° 02' 12.6" N	83° 40' 27.1" W
4	11° 02' 54.7" N	83° 40' 01.0" W
5	11° 03' 04.8" N	83° 39' 54.1" W
6	11° 03' 46.1" N	83° 39' 29.6" W
7	11° 03' 47.4" N	83° 39' 28.7" W
8	11° 05' 35.2" N	83° 38' 14.0" W
9	11° 07' 47.2" N	83° 36' 33.2" W
10	11° 10' 16.0" N	83° 34' 13.2" W
11	11° 10' 39.2" N	83° 33' 47.3" W
12	11° 13' 42.6" N	83° 30' 33.9" W
13	11° 15' 02.0" N	83° 28' 53.6" W
14 (intersection with Costa Rica's 200-M limit)	12° 19' 15.9" N	80° 33' 59.2" W

(c) as a subsidiary submission to paragraph (b) above, to delimit the maritime areas of Costa Rica and Nicaragua in the Caribbean Sea by a boundary:

- (i) connecting, using a geodetic line, the point 3 nautical miles from the Parties' respective coasts (Point FP1, having co-ordinates 10° 59' 22.7" N, 83° 41' 19.0" W), with Point 3 in paragraph (b) above;
- (ii) thereafter, connecting, with geodetic lines Points 3 to 14 in paragraph (b) above;
- (iii) in the initial sector, connecting, using a geodetic line, Point FP1 and the point constituting the low-water mark on the right bank of the San Juan River at its mouth, as it may exist from time to time.

In the case concerning Land Boundary in the Northern Part of Isla Portillos (Costa Rica v. Nicaragua), for the reasons set out in the written and oral pleadings, Costa Rica respectfully requests the Court:

1. (a) to adjudge and declare that Nicaragua's submission that the stretch of coast abutting the Caribbean Sea which lies between the Harbor Head Lagoon and the mouth of the San Juan River constitutes Nicaraguan territory is inadmissible, on the basis that the issue has already been settled by the Judgment of the Court dated 16 December 2015 in the Certain Activities case;
- (b) to reject all other submissions made by Nicaragua.
2. (a) to determine the precise location of the land boundary separating both ends of the Los Portillos/Harbor Head Lagoon sandbar from Isla Portillos, and in doing so to determine that the only Nicaraguan territory existing today in the area of Isla Portillos is limited to the enclave consisting of Los Portillos/Harbor Head Lagoon and the sandbar

separating the lagoon from the Caribbean Sea, in so far as this sandbar remains above water at all times and thus this enclave is capable of constituting territory appertaining to a State. Consequently, that the land boundary runs today from the north-eastern corner of the lagoon by the shortest line to the Caribbean Sea and from the north-western corner of the lagoon by the shortest line to the Caribbean Sea;

- (b) to adjudge and declare that, by establishing and maintaining a new military camp on the beach of Isla Portillos, Nicaragua has violated the sovereignty and territorial integrity of Costa Rica, and is in breach of the Judgment of the Court of 16 December 2015 in the Certain Activities case. Consequently, Costa Rica further requests the Court to declare that Nicaragua must withdraw its military camp situated in Costa Rican territory and fully comply with the Court's 2015 Judgment.”

For Nicaragua (on Thursday 13 July 2017):

“A. In the case concerning Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v. Nicaragua), for the reasons explained in the written and oral phases, Nicaragua respectfully requests from the Court to:

1. Dismiss and reject the requests and submissions of the Republic of Costa Rica.
2. Determine, on the basis of international law, the complete course of the maritime boundaries between all the maritime areas appertaining, respectively, to Nicaragua and Costa Rica in the Pacific Ocean and in the Caribbean Sea:

- (a) In the Pacific Ocean, the maritime boundary between the Republic of Nicaragua and the Republic of Costa Rica starts at a point with co-ordinates 11° 03' 56.3" N, 85° 44' 28.3" W and follows geodetic lines connecting the points with co-ordinates:

Points	Latitude	Longitude
P-1	11° 03' 57.6" N	85° 45' 27.0" W
P-2	11° 03' 57.8" N	85° 45' 36.8" W
P-3	11° 03' 47.6" N	85° 46' 34.0" W
P-4	11° 03' 54" N	85° 47' 13.2" W
P-5	11° 03' 25" N	85° 49' 42.4" W
P-6	11° 03' 17.7" N	85° 50' 06.3" W
P-7	11° 02' 44.8" N	85° 51' 25.2" W
P-8 (12 nm)	10° 54' 51.7" N	86° 10' 14.6" W
P-9	10° 50' 59.1" N	86° 21' 37.6" W
P-10	10° 41' 24.4" N	86° 38' 0.8" W
P-11	10° 19' 28.3" N	87° 11' 0.7" W
P-12	9° 53' 9.0" N	87° 47' 48.8" W
P-13 (200 NM)	9° 16' 27.5" N	88° 46' 10.9" W

- (b) In the Caribbean Sea, the maritime boundary between the Republic of Nicaragua and the Republic of Costa Rica starts at Point CA with co-ordinates 10° 56' 18.898" N, 83° 39' 52.536" W and follows geodetic lines connecting the points with co-ordinates:

Points	Latitude	Longitude
C-1	10° 59' 21.3" N	83° 31' 6.9" W
C-1a (12 nm)	11° 00' 18.9" N	83° 27' 38.00" W
C-2	11° 01' 9.9" N	83° 24' 26.9" W
C-3	11° 05' 33.7" N	83° 03' 59.2" W
C-4	11° 11' 8.4" N	82° 34' 41.8" W
C-5	11° 05' 0.7" N	82° 18' 52.3" W
C-6	11° 05' 5.2" N	82° 14' 0.0" W
C-7	10° 49' 0.0" N	82° 14' 0.0" W
C-8	10° 49' 0.0" N	81° 26' 8.2" W

The maritime boundary between Point CA and the land is a geodetic line connecting Point CA and the eastern headland of Harbor Head Lagoon (presently located at Court experts' Point Ple).

(All co-ordinates are referred to WGS84 datum.)

- B. In the case concerning Land Boundary in the Northern Part of Isla Portillos (Costa Rica v. Nicaragua), for the reasons explained in the written and oral phases, Nicaragua respectfully requests from the Court to:

1. Adjudge and declare that:

- (a) the stretch of coast abutting the Caribbean Sea which lies between the Harbor Head Lagoon and the mouth of the San Juan River constitutes Nicaraguan territory;
- (b) the military camp set up by Nicaragua is located on Nicaraguan territory; and consequently;
- (c) the requests and submissions of the Republic of Costa Rica are rejected in their entirety.”
