



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

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Maritime Delimitation between Nicaragua and Honduras in the Caribbean Sea **(Nicaragua v. Honduras)**

Fixing of time-limits for the filing of a Reply by **Nicaragua and Rejoinder by Honduras**

THE HAGUE, 18 June 2002. The International Court of Justice (ICJ) has authorized the submission of a Reply by Nicaragua and a Rejoinder by Honduras in the above-mentioned case.

In its Order dated 13 June 2002, the Court fixed the following time-limits for the filing of these pleadings:

- 13 January 2003 for the Reply of Nicaragua
- 13 August 2003 for the Rejoinder of Honduras

The subsequent procedure has been reserved for further decision.

History of the proceedings

On 8 December 1999 Nicaragua filed an Application instituting proceedings against Honduras in respect of a dispute concerning the delimitation of the maritime zones appertaining to each of those States in the Caribbean Sea.

In its Application, Nicaragua states *inter alia* that it has for decades “maintained the position that its maritime Caribbean border with Honduras has not been determined”, but that Honduras’s position is that “there in fact exists a delimitation line that runs straight easterly on the parallel of latitude from the point fixed [in an Arbitral Award of 23 December 1906 made by the King of Spain concerning the land boundary between Nicaragua and Honduras, which was found valid and binding by the International Court of Justice on 18 November 1960] on the mouth of the Coco river”. According to Nicaragua, “the position adopted by Honduras . . . has brought repeated confrontations and mutual capture of vessels of both nations in and around the general border area”. Nicaragua further states that “diplomatic negotiations have failed”.

Nicaragua therefore requests the Court “to determine the course of the single maritime boundary between areas of territorial sea, continental shelf and exclusive economic zone appertaining respectively to Nicaragua and Honduras, in accordance with equitable principles and relevant circumstances recognized by general international law as applicable to such a delimitation of a single maritime boundary”.

According to Nicaragua, this request for the determination of a single maritime boundary is “subject to the power of the Court to establish different delimitations, for shelf rights and fisheries respectively, if . . . this course should be necessary in order to achieve an equitable solution”.

Nicaragua further indicates that it “reserves the right to claim compensation for interference with fishing vessels of Nicaraguan nationality or vessels licensed by Nicaragua, found to the north of the parallel of latitude 14° 59’ 08” claimed by Honduras to be the course of the delimitation line”. It also reserves “the right to claim compensation for any natural resources that may have been extracted or may be extracted in the future to the south of the line of delimitation that will be fixed by the Judgment of the Court”.

As a basis for the Court’s jurisdiction, Nicaragua invokes Article XXXI of the American Treaty on Pacific Settlement (officially known as the “Pact of Bogotá”), signed on 30 April 1948, to which, it states, both Nicaragua and Honduras are parties, as well as the declarations under Article 36, paragraph 2, of the Statute of the Court, by which both States have accepted the compulsory jurisdiction of the Court.

By an Order of 21 March 2000 the Court fixed 21 March 2001 and 21 March 2002 as the respective time-limits for the filing of a Memorial by Nicaragua and a Counter-Memorial by Honduras. Those pleadings were duly filed within the prescribed time-limits.

The full text of the Court’s Order will shortly be available on the Court’s website at the following address: www.icj-cij.org

Internet site of the Court: www.icj-cij.org

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