



# INTERNATIONAL COURT OF JUSTICE

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## Press Release

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### Territorial and Maritime Dispute (Nicaragua v. Colombia)

#### Fixing of the time-limit for the filing by Nicaragua of a written statement on the preliminary objections to jurisdiction raised by Colombia

THE HAGUE, 29 September 2003. The International Court of Justice (ICJ) has fixed a time-limit for the filing by Nicaragua of a written statement of its observations and submissions on the preliminary objections to jurisdiction raised by Colombia in the case concerning the Territorial and Maritime Dispute (Nicaragua v. Colombia).

Colombia presented its preliminary objections on 21 July 2003. Pursuant to paragraph 5 of Article 79 of the Rules of Court, the proceedings on the merits were then suspended.

By an Order of 24 September 2003 the Court fixed 26 January 2004 as the time-limit for the filing of Nicaragua's written statement on the preliminary objections. The subsequent procedure was reserved for further decision.

#### History of the proceedings

On 6 December 2001 Nicaragua instituted proceedings against Colombia with regard to "legal issues subsisting" between the two States "concerning title to territory and maritime delimitation" in the western Caribbean.

In its Application, Nicaragua requested the Court to adjudge and declare:

"First, that . . . Nicaragua has sovereignty over the islands of Providencia, San Andres and Santa Catalina and all the appurtenant islands and keys, and also over the Roncador, Serrana, Serranilla and Quitasueño keys (in so far as they are capable of appropriation);

"Second, in the light of the determinations concerning title requested above, the Court is asked further to determine the course of the single maritime boundary between the areas of continental shelf and exclusive economic zone appertaining respectively to Nicaragua and Colombia, in accordance with equitable principles and relevant circumstances recognized by general international law as applicable to such a delimitation of a single maritime boundary."

Nicaragua further indicated that it “reserve[d] the right to claim compensation for elements of unjust enrichment consequent upon Colombian possession of the Islands of San Andres and Providencia as well as the keys and maritime spaces up to the 82 meridian, in the absence of lawful title”. It also “reserve[d] the right to claim compensation for interference with fishing vessels of Nicaraguan nationality or vessels licensed by Nicaragua”.

As a basis for the Court’s jurisdiction, Nicaragua invoked inter alia Article XXXI of the American Treaty on Pacific Settlement (“Pact of Bogotá”), signed on 30 April 1948, to which both Nicaragua and Colombia are Parties.

By an Order of 26 February 2002 the Court, taking into account the views expressed by the Parties, fixed 28 April 2003 as the time-limit for the filing of a Memorial by Nicaragua and 28 June 2004 as the time-limit for the filing of a Counter-Memorial by Colombia. The Memorial was filed within the time-limit thus fixed. On 21 July 2003, within the time-limit set in Article 79, paragraph 1, of the Rules of Court, Colombia filed preliminary objections to jurisdiction.

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

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