

particular since the late 90s — imposed a number of restrictions on the navigation of Costa Rican boats and their passengers on the San Juan River”, in violation of “Article VI of the Treaty of Limits [signed in 1858 between Costa Rica and Nicaragua, which] granted to Nicaragua sovereignty over the waters of the San Juan River, recognizing at the same time important rights to Costa Rica”. Costa Rica maintains that those rights were confirmed and interpreted by an arbitral award issued by the President of the United States of America, Mr. Grover Cleveland, on 28 March 1888, and by a judgment of the Central American Court of Justice of 1916, as well as by the “Agreement Supplementary to Article IV of the [1949] Pact of Amity, [signed in] Washington, [on] 9 January 1956”. Costa Rica further contends that “these restrictions are of a continuing character”.

As basis of jurisdiction, Costa Rica invokes the declarations of acceptance of the Court’s jurisdiction made by the parties under Article 36, paragraph 2, of its Statute, as well as the Tovar-Caldera Agreement signed between the Parties on 26 September 2002. Costa Rica also relies on Article 36, paragraph 1, of the Statute of the Court by virtue of the operation of Article XXXI of the “Pact of Bogotá” of 30 April 1948.

The Memorial of Costa Rica and the Counter-Memorial of Nicaragua were filed within the time-limits set by the Order of 29 November 2005.

By an Order dated 9 October 2007, the Court authorized the filing of a Reply by Costa Rica and a Rejoinder by Nicaragua. These submissions were filed within the time-limits thus fixed. The case is therefore ready for hearing.

The full text of the Application filed by Costa Rica, as well as the texts of the two Orders made by the Court in this case are available on the website of the Court (www.icj-cij.org). It should be noted that the written pleadings of the Parties (Memorial, Counter-Memorial, Reply and Rejoinder) remain confidential until the Court decides to render them public, usually at the opening of the oral proceedings.

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NOTE TO THE PRESS AND PUBLIC

1. The public hearings will be held in the Great Hall of Justice of the Peace Palace in The Hague, the Netherlands. Mobile telephones and beepers are permitted in the courtroom provided they are switched off. Any offending device will be temporarily retained.

2. **Media representatives** are subject to an **accreditation procedure**, the details of which can be found in the Media Advisory attached to this Press Release. **The accreditation procedure will close at midnight on Thursday 26 February 2009.**

3. **Individual visitors** (with the exception of members of the Diplomatic Corps) and **groups** are subject to an **admission procedure**. They are kindly requested to **give advance notification of their attendance** by filling out the relevant form on the Court's website (to the right of the screen under Calendar, click on "Attending a Hearing", then under "Admission for individuals" or "Admission for groups", click on "Online Application Form"). **The admission procedure will close at midnight on Thursday 26 February 2009.**

4. Verbatim records of the hearings will be published daily on the Court's website, with translations to follow as soon as practicable thereafter.

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