

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING BORDER AND
TRANSBORDER ARMED ACTIONS

(NICARAGUA *v.* HONDURAS)

ORDER OF 27 MAY 1992

1992

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
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AFFAIRE RELATIVE À DES ACTIONS ARMÉES
FRONTALIÈRES ET TRANSFRONTALIÈRES

(NICARAGUA *c.* HONDURAS)

ORDONNANCE DU 27 MAI 1992

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General List
No. 74CASE CONCERNING BORDER AND
TRANSBORDER ARMED ACTIONS(NICARAGUA *v.* HONDURAS)

ORDER

Present: President Sir Robert JENNINGS; *Vice-President* ODA; *Judges* LACHS, AGO, SCHWEBEL, BEDJAoui, NI, EVENSEN, TARASSOV, GUILLAUME, SHAHABUDEEN, AGUILAR MAWDSLEY, RANJEVA, AJIBOLA; *Registrar* VALENCIA-OSPINA.

The International Court of Justice,

Composed as above,

Having regard to Article 48 of the Statute of the Court, and to Article 89 of the Rules of Court,

Having regard to the Application filed by the Republic of Nicaragua on 28 July 1986 by which the proceedings in this case were instituted against the Republic of Honduras,

Having regard to the Judgment delivered by the Court on 20 December 1988 by which it found that it had jurisdiction to entertain that Application, and that that Application was admissible,

Having regard to the Orders made by the President of the Court on 21 April and 31 August 1989 by which time-limits for written proceedings on the merits were fixed and subsequently extended, and having regard to the Memorial filed by Nicaragua on 8 December 1989,

Having regard to the agreement between the Parties dated 12 December 1989, notified to the Court on 13 December 1989, providing (*inter alia*) that the Parties would immediately request the postponement of the date

for the fixing of the time-limit for the Counter-Memorial of Honduras until 11 June 1990, and that if no extra-judicial settlement of the dispute had been reached by that date, either Party might request that Honduras be granted six months for the filing of its Counter-Memorial,

Having regard to the Order made by the Court on 14 December 1989 by which the Court, taking into account the said agreement, decided that the time-limit for the Counter-Memorial of Honduras was extended from the date originally fixed (19 February 1990) to a date to be fixed by an order to be made after 11 June 1990;

Whereas neither Party has since requested the Court to fix the time-limit for the Counter-Memorial;

Whereas by a letter dated 11 May 1992, and received in the Registry the following day, the Agent of Nicaragua informed the Court that, taking into consideration that the Parties had reached an out-of-court agreement aimed at enhancing their good neighbourly relations, the Government of Nicaragua had decided to renounce all further right of action based on the case, and that that Government did not wish to go on with the proceedings;

Whereas a copy of that letter was forthwith transmitted by the Registrar to the Government of Honduras, which was informed that the President of the Court had fixed 25 May 1992 as the time-limit within which the Government might state whether it opposed discontinuance of the proceedings;

Whereas by a letter dated 14 May 1992, transmitted to the Registrar by facsimile on 18 May 1992, the Co-Agent of Honduras informed the Court that his Government did not oppose discontinuance of the proceedings,

Places on record the discontinuance by the Republic of Nicaragua of the proceedings instituted by the Application filed on 28 July 1986; and

Orders that the case be removed from the list.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this twenty-seventh day of May, one thousand nine hundred and ninety-two, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Republic of Nicaragua and the Government of the Republic of Honduras, respectively.

(Signed) R. Y. JENNINGS,
President.

(Signed) Eduardo VALENCIA-OSPINA,
Registrar.
