

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING MILITARY AND  
PARAMILITARY ACTIVITIES IN AND  
AGAINST NICARAGUA

(NICARAGUA v. UNITED STATES OF AMERICA)

ORDER OF 18 NOVEMBER 1987

**1987**

COUR INTERNATIONALE DE JUSTICE

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ET PARAMILITAIRES AU NICARAGUA  
ET CONTRE CELUI-CI

(NICARAGUA c. ÉTATS-UNIS D'AMÉRIQUE)

ORDONNANCE DU 18 NOVEMBRE 1987

Official citation :

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(*Nicaragua v. United States of America*), Order of 18 November 1987,  
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(*Nicaragua c. Etats-Unis d'Amérique*), ordonnance du 18 novembre 1987,  
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CASE CONCERNING MILITARY AND  
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AGAINST NICARAGUA

(NICARAGUA v. UNITED STATES OF AMERICA)

ORDER

*Present: President* NAGENDRA SINGH; *Vice-President* MBAYE; *Judges* LACHS, RUDA, ELIAS, ODA, AGO, SETTE-CAMARA, SCHWEBEL, Sir Robert JENNINGS, BEDJAUI, NI, EVENSEN, TARASSOV, GUILLAUME; *Judge ad hoc* COLLIARD; *Registrar* VALENCIA-OSPINA.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Article 44 of the Rules of Court,

Having regard to the Judgment delivered by the Court on 27 June 1986 by which it found (*inter alia*) that the United States of America was under an obligation to make reparation to the Republic of Nicaragua for all injury caused to Nicaragua by certain breaches of obligations under customary international law and treaty-law committed by the United States of America,

Whereas by the said Judgment the Court decided that the form and amount of such reparation, failing agreement between the Parties, would

be settled by the Court, and reserved, for that purpose, the subsequent procedure in the case;

*Makes the following Order:*

Whereas by a letter dated 7 September 1987 the Agent of Nicaragua, referring to the said Judgment and to the communication from the United States dated 18 January 1985, quoted in paragraph 10 of that Judgment, to the effect that the United States intended not to participate in any further proceedings in connection with the case, stated that Nicaragua considered that the case still remained within Article 53 of the Statute of the Court, and that that Article was still in operation;

Whereas in the said letter it was further stated that no agreement had been reached between the Parties as to the form and amount of the reparation, and that Nicaragua wished to take the opportunity afforded it by the Court to satisfy the Court that the nature and amount of the reparation it claims was well founded in fact and law, and that Nicaragua requested the Court to make the necessary orders for the conduct of the case;

Whereas a copy of the letter of 7 September 1987 was forthwith transmitted to the Government of the United States of America, and both Parties were informed that the President of the Court would hold a meeting, on a date to be announced, in accordance with Article 31 of the Rules of Court, for the purpose of ascertaining the views of the Parties on the procedure to be followed;

Whereas by a letter dated 13 November 1987 the Deputy-Agent of the United States informed the Registrar that the United States remained of the view that the Court was without jurisdiction to entertain the dispute and that the Nicaraguan Application was inadmissible, and that accordingly the United States would not be represented at the said meeting; and whereas the meeting was held, after due notice to the Parties, on 17 November 1987, and was attended by the Agent of Nicaragua, but no representative of the United States was present;

Having ascertained the views of the Government of Nicaragua and having afforded the Government of the United States of America an opportunity of stating its views,

THE COURT

Fixes as follows the time-limits for written proceedings on the question of the form and amount of reparation to be made in this case:

29 March 1988 as the time-limit for the Memorial of the Republic of Nicaragua;

29 July 1988 as the time-limit for the Counter-Memorial of the United States of America;

And reserves the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this eighteenth day of November, one thousand nine hundred and eighty-seven, 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 United States of America, respectively.

*(Signed)* NAGENDRA SINGH,  
President.

*(Signed)* Eduardo VALENCIA-OSPINA,  
Registrar.

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