INTERNATIONAL COURT OF JUSTICE

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Certain Activities carried out by Nicaragua in the Border Area
(Costa Rica v. Nicaragua)

Conclusion of the public hearings on Costa Rica's Request for
the indication of provisional measures

THE HAGUE, 13 January 2011. The public hearings on the request for the indication of provisional measures submitted by the Republic of Costa Rica to the International Court of Justice (ICJ) in the case concerning Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua) were concluded today. The Court will now begin its deliberation.

On 18 November 2010, Costa Rica instituted proceedings against Nicaragua with regard to an "incursion into, occupation of and use by Nicaragua's Army of Costa Rican territory as well as breaches of Nicaragua's obligations towards Costa Rica" under a number of international treaties and conventions. Costa Rica, also on 18 November 2010, filed a Request for the indication of provisional measures (see Press Release No. 2010/38).

Two rounds of oral observations on the request were held from Tuesday 11 to Thursday 13 January 2011 at the Peace Palace in The Hague, seat of the Court. During the hearings, the delegation of Costa Rica was led by H.E. Mr. Edgar Ugalde Álvarez, Ambassador of the Republic of Costa Rica to the Republic of Colombia, as Agent. The delegation of Nicaragua was led by H.E. Mr. Carlos José Argüello Gómez, Ambassador of the Republic of Nicaragua to the Kingdom of the Netherlands, as Agent and Counsel.

The Court's decision will be delivered at a public sitting, the date of which will be announced in due course.

Submissions of the Parties

At the end of Costa Rica's second round of oral observations on Wednesday 12 January 2011, Mr. Edgar Ugalde Álvarez set out Costa Rica's request for provisional measures as follows:

"Costa Rica requests the Court to order the following provisional measures:

A. Pending the determination of this case on the merits, Nicaragua shall not, in the area comprising the entirety of Isla Portillos, that is to say, across the right bank of

the San Juan River and between the banks of the Laguna Los Portillos (also known as Harbor Head Lagoon) and the Taura River ('the relevant area'):

(1)   station any of its troops or other personnel;

(2)   engage in the construction or enlargement of a canal;

(3)   fell trees or remove vegetation or soil;

(4)   dump sediment.

B.   Pending the determination of this case on the merits, Nicaragua shall suspend its ongoing dredging programme in the River San Juan adjacent to the relevant area.

C.   Pending the determination of this case on the merits, Nicaragua shall refrain from any other action which might prejudice the rights of Costa Rica, or which may aggravate or extend the dispute before the Court."

At the end of Nicaragua's second round of oral observations on Thursday 13 January 2011, Mr. Carlos José Argüello Gómez summarized the position of his Government as follows:

"In accordance with Article 60 of the Rules of the Court and having regard to the Request for the indication of provisional measures of the Republic of Costa Rica and its oral pleadings, the Republic of Nicaragua respectfully submits that,

For the reasons explained during these hearings and any other reasons the Court might deem appropriate, the Republic of Nicaragua asks the Court to dismiss the request for provisional measures filed by the Republic of Costa Rica."

The verbatim records of the hearings held from 11 to 13 January 2011 are available on the Court's website (www.icj-cij.org).

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