

INTERNATIONAL COURT OF JUSTICE

DISPUTE CONCERNING CERTAIN ACTIVITIES CARRIED
OUT BY NICARAGUA IN THE BORDER AREA
(COSTA RICA v. NICARAGUA)

MEMORIAL OF COSTA RICA



VOLUME III
(Annexes from 40 to 138)

5 DECEMBER 2011

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Annex 40

Report of José Solórzano to the General Inspector of the Treasury,
Archivo Nacional de Costa Rica,
Source: *Dispute concerning Navigational and Related Rights (Costa
Rica v. Nicaragua)*, CRM, Vol. 6, Annex No. 214

16 March 1906

TRANSLATION

Official Seal

Number 47
16 March, 1906

Mr. General Inspector of the Treasury

San José

Sir,

In compliance with your orders given in your kind letter number 389 of March 5th, I am honoured to inform you about the work carried out by the guard post under my command during the year that ends on the 31st of the current month.

Having taken charge of this position just on the 10th of last month, it is natural that this report may suffer from some logical limitations, which I have tried to overcome by doing my best and with the few data I have been able to obtain from the records kept at this office; books that, as the note copier, either by carelessness or negligence, these shed no light at all about the work done during whole months, as there are not copies of the notes and monthly reports sent to your honourable office. Such lack of care means not even having kept records of the service lists corresponding to the fiscal year that is ending, and what happens to the book I have been referring to happens to all of the other books that are kept in this centre.

Having made this point clear, I start:

The guard posts under my command are divided in three sections located as follows:

At *Barra de Colorado*, with a Sub-inspector, six guards under contract and two on probation.

At *La Vela*, composed by a Corporal and two guards, and

At *Boca del Colorado*, with a Corporal, three guards under contract and one on probation.

I

Barra de Colorado.- This guard post is under my direct vigilance, and it is located on the left bank of the confluence of the *Agua Dulce* Lagoon with the *Colorado* river, and here we watch over those vessels that may come and go through the Barra, as well as those that navigate along the whole lagoon and the lagoon's arms.-

During the summer, all the water from the San Juan River follows the course of the Colorado, left almost completely dry the first, from its mouth to Greytown, there being no passage, even for light vessels, the forced way for imports and exports of Nicaragua by the Atlantic, is the Colorado River, and the place where this guard post is located becomes the obligatory port for steamboats in transit that go from The Castle to San Juan del Norte and Bluefields with cargo, passengers and mail. That is how this guard post is, almost daily, in communication with passengers from our neighboring Republic in the north, this guard post is up to date to what happens there and we can easily provide any reports that may be useful to the Supreme Government through your honourable office: for example, last year on May 27th we timely reported that the sea had destroyed the marker stone that signals the border with Nicaragua, and the Government was then able to immediately send a work team to repair the damage.

By the letter Number 151 of last September 5th, it was forbidden the purchasing of groceries in San Juan del Norte and it was made compulsory to purchase them in Limon Port, to be sent by means of the National Sloop to the *Barra*, but afterwards, and due to the difficulties posed by this way of transport, it was permitted to obtain the groceries from San Juan.

During the first fortnight of last October, and by superior orders, the Guard Post house was demolished, as the river had got to only three months from the premises, and there was concern about the river subsequently eroding the house's bases and dragging it to its current, which would have caused the loss of the roof's corrugated zinc sheets and the wood, which were still in good condition and could still be used.

When I arrived at this Post, the guards were lodging in improvised, poorly built huts; and the wood from the demolished house was lying around without anybody taking any advantage of it. I then proceeded to build a campsite, choosing the pieces of wood and zinc sheets that were in the best condition. This campsite, even if it was also improvised, provides some comfort to live while the new house is built, and it may be used later on to lodge any support personnel needed to be sent here.

Since last August, and by superior order, the former sub-inspector, Mr. Ortuño, purchased in San Juan del Norte- as informed to you by letter No. 20 of 27 September- the necessary wood to build the new house, and in the following month the said Sir was informed that it was ready and he may take the necessary steps to have it sent to the *Barra*, which has not been carried out yet, I don't know if by order of that Superior office. In this regard, I take the liberty of respectfully calling the attention of the Inspector about the convenience of proceeding to build the house, taking advantage of these months of summer, before the strong rains start and hinder the construction work.

The *Caño* Pereira has not been blocked yet, as you ordered in your letter number 280 from December 12th, because the water level is so low that

not even the smallest boat can enter. Here also I take the liberty of calling the Inspector's attention to the following facts: in 1890, when the General Inspector of the Treasury was Mr. V.J. Golcher, said *Caño* was ordered to be closed down and to that effect, 30 or 40 big trees were thrown on it; four years later the Supreme Government ordered to open it again, and in June 1896 and 1897 [sic] the engineer Mr. Luis Matamoros, who was part of the Commission for Limits with Nicaragua, sent two saws to cut down those trees that blocked the free navigation on said *Caño*, pointing out that since the guard post at *La Vela* is at such a good point for vigilance, it was a pity that *Pereira* remained almost not navigable, as it is a *Caño* that could be of great use for this area.

The records do not provide any information on commissions or arrests that may have taken place during the fiscal year that is ending. Although in your letter number 342 of last January 23rd you ordered to undertake trips to *La Florida*, it has not been possible to carry out this order because, besides of there not being any boat that can be used for this kind of duties, as all of them are cracked and are in a terrible state, and I do not have materials to repair them, at this Post I only have two useful rifles, since I sent the other rifles by the *Gasolina Nacional* boat to have them repaired. Moreover, here we always have two or three vacant posts, and since I would need to keep three guards here at least, I would need a full staff in order to leave here at least five men, so I could go myself with the rest to overview The Florida and its lagoons and navigable portions.

The movement of passengers going to Limón, or to the railroad, looking for a job, has been of 54, and of 8 that from those points have returned to Nicaragua, since October 18th, when keeping a record was ordered, until today.

The movement of importation has been completely null, since the neighbors of that area get in Limon the merchandises cheaper than in San Juan del Norte, they prefer to carry out their shopping in that port.

When I received this guard post I found the farm in the most pitiful abandonment: there were practically no crops, and instead of the splendid farm land I was told once existed, today only a tall and deep bush can be seen. Even the dock, the bathroom, and the toilet had been invaded by vegetation over one meter tall, to the point where one could not even figure out where the wide path that used to go through the farm land was. I immediately proceeded to cut down the excessive vegetation at the most necessary part, but what can I do with a poor knife, which is the only farming tool we have here? I am totally willing to clean the area and plant again the farm land, but I need knives, *machetes*, and shovels, as there is nothing with which to work, and the same negligence affects everything else at this guard post, as we don't even have a lamp for our duties. On October 25th, 1904, the former sub-inspector Mr. Ortuño wrote: "It is noticeable how absolutely everything that has been recorded, except which is manifestly new, is in the most ruinous state due to the wearing out, deterioration, or any other cause, to the point that it is bound to its destruction". If this gentleman expressed this point of view such a long time ago, imagine,

Mr. Inspector, the state in which this same supplies and furniture almost ruined then and almost totally useless now, might be. Hence I am separately sending you a list of the most necessary items, so that, if you think it convenient, you may kindly send them to this guard post.

As on 24th February I sent to your office, in letter number 43, the inventory of everything there is at this guard post, it seems to me unnecessary to send it again as it would be the same as then, and it gives a clear idea of the needs to fulfill in this centre. I must remind you, Sir, that some items mentioned such as rifles, knives, and lamps are implements used at the guard posts of *Las Vela* and *Boca del Colorado*.

On 6th December, the schooner called Dido was lost near the San Juan River's *Barra* with no loss of human lives. A few days later at the *Colorado* the gasoline boat called *Florencia* was lost, and two crew members and three passengers drowned. Recently, the sea has been bringing wood planks from a sunken ship, and on a piece from the prow the name David can be read. This means it was the ship that was lost in front of San Andrés Island, which had been appointed by the Costa Rican Government to bring materials for the railroad to the Pacific coast.

The number of official letters made during the year that is ending starts at 7 and ends at 47, which means a total of 40.

II

La Vela.- This Guard Post is located on the left bank of the *Colorado River*, in front of the mouth of the *Simón Laguna*. It is administrated by a Corporal and two guards, who work in shifts during day and night to watch over the vessels coming from San Juan del Norte or Tortuguero and Parismina, which forcefully have to pass in front of the Guard Post. They watch over an extension of about ten miles, and they perform commissions to the places *Caño Pereira*, *Dé Palma* and the neighboring lagoons. Due to its location is the most useful Post as it dominates the way that must be used by the evaders of the fiscal laws. The premises consist of a house-ranch made with square wood panels and second-hand wooden boards, and it is in a state of ruin. It is almost certain to become totally useless when the rainy season arrive, which motivates me to respectfully send this kind warning to the attention of the Inspector.

III.- Boca de Colorado

This Guard post, as its name indicates, is located in the bifurcation of the San Juan River with the Colorado, and is managed by a Corporal and four guards. As the *Caño Pereira*'s waters are now very low, all the vessels going to or coming from San Juan del Norte have to go through this river's mouth. By means of a strict daily vigilance, it is, if not impossible, at least very difficult for any vessel to evade the corresponding registering. The Post's range of action includes the area from the river's mouth, *Caño Bravo*, *Caño Madre*, and

the many navigable *caños* and lagoons whose waters run into the Colorado. This guard post sometimes meets with the guard post from the previous one when they have a commission to oversee the large network of lagoons that are spread on both sides of the river. –The ranch, totally made useless by old age and the strong winds from the river, is being repaired with the wood planks and zinc sheets of lesser quality from the house demolished at *Barra*, while the superior office sends orders to build, at that place as well as at *La Vela*, the houses that necessarily must be built there sooner or later.

IV.-

I do believe, Mr. Inspector that I have thus carried out your orders. Hoping you will benevolently excuse the deficiencies you may notice in this report, I give you my best regards,

Your faithful servant,

José Solórzano S (signature)

Annex 41

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-37-06,

26 January 2006

TRANSLATION**The Minister of Foreign Affairs and Worship**

26 January 2006
DM-37-06

Excellency,

I am honoured to address Your Excellency on the matter of referring to the information reported by the media, according to which the Illustrious Government of the Republic of Nicaragua has decided to commence dredging works on the lower course of San Juan River.

In this regard, and in the event this information is true, in accordance with the provisions of article 3, paragraph 6 of the Arbitral Award of the President of the United States of America, Grover Cleveland, of 1888, we respectfully request Your Excellency the technical information related to the realization of such works, in particular, the effect that dredging would cause on the water level of the Colorado River of Costa Rica.

Please accept, Excellency, the assurances of my highest consideration.

Roberto Tovar Faja
Minister

His Excellency
Norman Caldera
Minister of Foreign Affairs
Republic of Nicaragua

Annex 42

Note from the Minister of Foreign Affairs of Nicaragua to the
Minister of Foreign Affairs and Worship of Costa Rica, Ref: MRE-
DM-JI-262-02-06,

17 February 2006

TRANSLATION

The Minister of Foreign Affairs

Managua, 17 February 2006
MRE/DM-JI/262/02/06

Excellency:

I am honoured to address Your Excellency on the occasion of acknowledging receipt of your kind note DM-37-06 dated 26 January of the year in course.

Concerning the aforementioned, allow me to make of your knowledge that my Government sees with surprise the purported juridical foundation used by Your Excellency to present the request contained in the referred Note, given that article 3, paragraph 6 of the Arbitral Award of the President of the United States of America, Mr. Grover Cleveland, dated 22 March 1888, does not grant, not even remotely, any rights to formulate such a request.

However, for the sake of the good relations our peoples and Governments maintain, and without any prejudice to what was stated in the previous paragraph, I have the honour of communicating, *ex gratia*, to your Excellency, that as a component of the National Plan of Development of the Government of the Republic of Nicaragua, presided by Ing. Enrique Bolaños Geyer and attending the request of Mr. César Collado, Municipal Mayor of San Juan, Nicaragua, in the Municipality of San Juan de Nicaragua, works of social benefit of improvement and infrastructure are being carried out, with the purpose of ensuring the communication and exchange of commercial goods between the residents of the communities located in the zone, as well as with the rest of the national territory.

Likewise, the mentioned works have as purpose an agile use of the resources arriving at the South-East zone of the national territory, originating from the cooperation programs for the bordering zones that the Government of the Republic is implementing, with the support of cooperating countries and organisms.

Your Excellency is aware that Nicaragua faithfully fulfils its international engagements and in the matter referred to in your Note, of each and every one of the terms agreed on in the Treaty of Limits Jerez Cañas and in the Cleveland Award, particularly the contents of the article VI of the referred to Treaty, by which Nicaragua grants Costa Rica the right of navigation with commercial purposes, in a section of the San Juan River of Nicaragua.

Similarly, I express to Your Excellency that the government of Nicaragua wishes, within the spirit of good neighbourliness and cordiality which presides the bilateral relations, to make express reservation of its position regarding the statements and the juridical significance that your note may contain, particularly in regard to any eventual implication that may be given to it in relation to the case submitted by the Government of Costa Rica on 29 September 2005 to the International Court of Justice for its study and decision.

I avail myself of this opportunity to reiterate to Your Excellency the assurances or my highest consideration and esteem.

Norman Caldera Cardenal

His Excellency
Roberto Tovar Faja
Minister of Foreign Affairs and Worship
Republic of Costa Rica

Annex 43

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-187-06,

5 May 2006

TRANSLATION

The Minister of Foreign Affairs and Worship

5 May 2006
DM-187-06

Excellency:

I am honoured to address Your Excellency on the occasion of referring to the notes MRE/DM-JI/262/02/06, dated 17 February 2006, and MRE/DM-JI/340/03/06, dated 16 March 2006, respectively.

In regard to your note dated 17 February 2006, I wish to specify that Costa Rica has the greatest desire that the navigation of the San Juan River be expedited in all of its extension, for the primordial benefit of the inhabitants of the zone. Nevertheless, such works of improvement must be carried out without causing damage to Costa Rican territory, as is established in the Award of the President of the United States of America of 1888.

In reference to your additional reply of last 16 March, in relationship to my note of 20 October 2005, in which Your Excellency manifests that the contents of my note contain "*groundless affirmations*". Naturally, my Government rejects such considerations and finds no grounds for its content, considering that in any case, it pertains to a matter which is under the judicial decision within the framework of international law.

Lastly, I wish to manifest that the content of my notes is intended to promote understanding, cordiality and good neighbourly relationships between our two countries, based both upon the fraternal relations that must prevail between bordering and civilized nations, as well as on the provisions of international law.

I avail myself of the occasion to reiterate to Your Excellency the assurances of my highest consideration.

Roberto Tovar Faja

His Excellency
Norman Caldera Cardenal
Minister of Foreign Affairs
Republic of Nicaragua

Annex 44

Note from the Minister of Foreign Affairs of Nicaragua to the
Minister of Foreign Affairs and Worship of Costa Rica, Ref: MRE-
DM-JI-511-05-06,

8 May 2006

TRANSLATION

The Minister of Foreign Affairs

Managua, 8 May 2006
MRE/DM-JI/511/05/06

Excellency:

I am honoured to address Your Excellency on occasion of acknowledging receipt of your kind note DM-187-06 dated May 5th of the present year.

In regard to the aforementioned, allow me to reiterate that the arguments used by Your Excellency in the referred Note, as it is already the custom of Costa Rica, radically diverge from the text of the Jerez – Cañas Treaty of Limits of 1858 and the Award of President Cleveland of 1888, sole instruments which govern the legal status of the San Juan River of Nicaragua.

In this regard, on behalf of my Government, I find myself under the obligation of reiterating the content of my Notes MRE/DM-JI/262/02/06 and MRE/DE-JI/340/03/06 dated 17 February and 16 March of the present year respectively.

Likewise, my Government deeply regrets finding in the referred note, sentences such as “**Costa Rica has the greatest desire that the navigation of the San Juan River be expedited in all of its extension, for the a primordial benefit of the inhabitants of the zone**”, because it constitutes a new example of the arbitrary, expansive and groundless form in which the stipulations of the Jerez-Cañas Treaty and President Cleveland’s Award would be violated.

I reiterate to Your Excellency, that the Treaty grants your country only a limited right of navigation with purposes of commerce and in a stretch of the San Juan River of Nicaragua and not remotely in all of its extension, such as it seems to be expressed in your note, thus contradicting not only the instruments referred to above, but also Your

Excellency's own manifestations and those of your predecessors and advancing unusual pretensions that in no way contribute to the stable and good faith relationships which must prevail among neighbouring States which Nicaragua seeks at every moment.

Clear and categorical is article 6 of the mentioned Treaty, which I reiterate once again – and pertinently underline- which states as follows:

“The Republic of Nicaragua shall have exclusively the dominion and sovereign jurisdiction over the waters of the San Juan river from its origin in the Lake to its mouth in the Atlantic; but the Republic of Costa Rica shall have the perpetual right of free navigation on the said waters, between the said mouth and the point, three English miles distant from Castillo Viejo, said navigation being for the purposes of commerce either with Nicaragua or with the interior of Costa Rica, through the San Carlos river, the Sarapiquí, or any other way proceeding from the portion of the bank of the San Juan river, which is hereby declared to belong to Costa Rica.”

Lastly, on behalf of my Government, I profoundly object to the affirmations and legal meaning that your note may contain, particularly with regard to any eventual implication that could be given to it in relation to the case submitted by the Government of Costa Rica on 29 September 2005 to the International Court of Justice for its study and decision.

I avail the occasion to reiterate to Your Excellency the assurances of my highest consideration and esteem.

Norman Caldera Cardenal

His Excellency
Roberto Tovar Faja
Minister of Foreign Affairs and Worship
Republic of Costa Rica

Annex 45

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-637-09,

27 August 2009

TRANSLATION

Ministry of Foreign Affairs and Worship

San José, 27 August 2009
DM-637-9

His Excellency
Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Excellency,

I am pleased to salute Your Excellency on the occasion of addressing you in relation to the announcement made by Nicaraguan authorities about the dredging of the San Juan River.

As Costa Rica has expressed in the past, we recognize that Nicaragua can execute works of improvement to the course of the San Juan River for the purpose of maintaining fluent navigation in the River, in so far as this does not cause damage to the Costa Rican territory.

Nevertheless, declarations attributed to the Manager of the National Port Authority, Mr Virgilio Silva, in the newspaper La Prensa de Nicaragua on 25 August 2009, according to which Nicaragua intends to divert 1,700 cubic metres per second of the flow that the Costa Rican Colorado River currently has, have been cause for concern. Identical declarations to the AP Agency have been attributed to Edén Pastora, responsible for the dredging project, who also publicly maintained that the flow of the San Juan River 'was lost after Costa Rica diverted the flow towards the Colorado River, of its property, between 1945 and 1950'.

As Your Excellency knows, in addition to the fact that historically it is untrue that Costa Rica has diverted the flow of the San Juan River towards the Colorado River or that dredging works have been performed in said River, the performance of works in the San Juan

River cannot damage Costa Rican territory, including the reduction of the flow of water in its rivers. This is clearly established in article 3, paragraph 6 of the Cleveland Award of 1888, whose terms were ratified by the International Court of Justice in its recent judgment of 13 July 2009. Said paragraph 6, in its English original version, establishes:

‘6. The Republic of Costa Rica can not prevent the Republic of Nicaragua from executing at her own expense and within her own territory such works of improvement, provided such works of improvement do not result in the occupation or flooding or damage of Costa Rica territory’ (emphasis added)

It is evident that the public declarations of the mentioned functionaries, who indicate that Nicaragua intends to divert 1,700 metres per second from the flow that the Colorado River currently has, constitute unquestionable proof of the intention to cause irreparable damage to the territory of Costa Rica. Independently of how many metres per second it is intended to divert, any diversion of waters made by the Republic of Nicaragua to the detriment of the current level of the Colorado River is therefore in breach of what is established both in the 1888 Cleveland Award and international law in general.

Additionally to the announcement of the diversion of the waters of the Colorado River, the Republic of Costa Rica is preoccupied by the environmental impact that the dredging works in the San Juan River may cause to the lagoons, rivers, herbaceous swamps, woodlands, woods in small hills and in general on the multiple Costa Rican wetlands in the area. This is the case of the wildlife refuges Laguna Maquenque, Barra del Colorado and Corredor Fronterizo and the Tortuguero National Park. I take the liberty to remind Your Excellency that in view of its biological diversity, this ecosystem has been nominated as a wetland of international importance through the Ramsar Convention, a declaration that became official on 20 March 1996 and is known as the Ramsar North-East Caribbean Wetland, which is in addition a part of the Mesoamerican Corridor (SICA-CCAD), forming with the Biological Reserve Indio Maiz in Nicaragua a bi-national biological corridor. Also, the damage could reach the

Bay of San Juan del Norte, jointly owned by the Costa Rican State pursuant to article 4 of the Treaty of Limits of 1858.

Consequently, the damage that would occur as a result of dredging works in the San Juan River is grave and devastating. It was precisely because of this concern that Costa Rica requested Nicaragua, on 26 January 2006, the respective technical information about the dredging works in the San Juan River. Three years on, Nicaragua has not yet sent that information.

In these circumstances, Costa Rica points out to the Government of Nicaragua that before the performance of any dredging work, environmental impact assessments must be carried out to determine that the works will not damage the wetlands, rivers and woodlands of Costa Rica, nor the Bay of San Juan del Norte. These assessments must also determine that there will be no impact on the current flow of the Colorado River, or of any other Costa Rican river.

Thus, in the first place, Costa Rica requires that the Republic of Nicaragua immediately stop any and every dredging project in the San Juan River that could have the effect of causing damage to the territory of Costa Rica and the Bay of San Juan del Norte. Similarly, we request the Republic of Nicaragua to provide the Government of Costa Rica the technical assessments demonstrating that the dredging works that the Republic of Nicaragua intends to carry out in the San Juan River do not damage Costa Rican territory, including the Bay of San Juan del Norte, nor will they affect the level of the national rivers that are fed by the San Juan River, especially, the Colorado River.

I beg you to accept, Your Excellency, the assurance of my highest consideration and esteem.

Bruno Stagno Ugarte
Minister of Foreign Affairs and Worship

Annex 46

Note from the acting Minister of Foreign Affairs and Worship of
Costa Rica to the Minister of Foreign Affairs of Nicaragua, Ref: DM-
AM-156-10,

11 July 2010

TRANSLATION

The Minister of Foreign Affairs and Worship

12 July 2010
DM-AM-156-10

His Excellency
Samuel Santos López
Foreign Affairs Minister
Republic of Nicaragua

Excellency,

I am honoured to address Your Excellency on the occasion of referring to the recent announcement made by Nicaraguan authorities regarding the dredging of the San Juan River.

In the best spirit of brotherhood and good neighbourliness, Costa Rica has previously requested the Government of the Republic of Nicaragua the suspension of any dredging works in the San Juan River until it is verified that these works will not damage Costa Rican territory.

We reiterate once again to your Illustrious Government that the carrying out of dredging works in the San Juan River by the Republic of Nicaragua, without the necessary environmental impact assessments that determine that the works will not impact the current water flow of the Colorado River, nor damage the wetlands or any strip of land on the right bank of the San Juan River belonging to the Republic of Costa Rica, represents a violation of Nicaragua's international obligations under the applicable international instruments.

Therefore, Costa Rica requests that the Republic of Nicaragua immediately stop any and all proposed dredging projects of the San Juan River, until it can be scientifically established that the mentioned works will not cause any damage to Costa Rican territory, nor affect the water level of national rivers fed by the San Juan River, particularly the Colorado River, nor affect territories, including Costa

Rican wetlands or the Bay of San Juan del Norte, which is condominium of both countries. The Republic of Nicaragua is under obligation under International Law to suspend the commencement of any dredging works until completion of the relevant assessments and it is verified, to Costa Rica's satisfaction, that the damages indicated will not occur.

I beg you to accept, Your Excellency, the assurances of my highest consideration and esteem.

Carlos Alberto Roverssi Rojas
Acting Minister of Foreign Affairs

Annex 47

Note from the acting Minister of Foreign Affairs of Costa Rica to the
Minister of Foreign Affairs of Nicaragua , Ref: DM-412-10,

21 October 2010

TRANSLATION

The Minister of Foreign Affairs and Worship

21 October 2010
DM-412-10

His Excellency
Samuel Santos Lopez
Minister of Foreign Affairs
Republic of Nicaragua

Excellency,

I greet Your Excellency on the occasion of bringing to your attention that in the wake of complaints presented by local residents of Finca Aragón, Calero Island, Province of Limón, Costa Rica's Government has verified that linked to the dredging works taking place in a position located adjacent to the Costa Rican bank on the San Juan River, the sediment is being expelled and deposited on Costa Rican soil through a pipe that enters the interior of the previously stated land.

The Government of Costa Rica holds in its possession evidence that confirms the above assertion. These series of events constitute an unacceptable violation of Costa Rica's sovereignty.

In addition, according to the denounces made, Mr. Edén Pastora Gomez, accompanied by other individuals, has apparently entered Finca Aragón and has even taken actions against the residents of the zone and their possessions.

In virtue of the aforementioned, the Government of Costa Rica presents its most vigorous protest before the Government of Nicaragua for the events described above, and demands the immediate termination of any action or activity that affects Costa Rican territory or its inhabitants, that injures the national sovereignty or that causes ecological damages to its territory. Furthermore, the Government of

Costa Rica demands from the Government of Nicaragua assurances that the facts as those denounced will not be repeated.

I express to Your Excellency the assurances of my consideration.

Marta Nuñez Madriz
Acting Minister

Annex 48

Note from the acting Minister of Foreign Affairs of Nicaragua to the
Minister of Foreign Affairs and Worship of Costa Rica, Ref:
MRE/DVM/AJST/660/10/10,

26 October 2010

TRANSLATION

The Ministry of Foreign Affairs

Managua, 26 October 2010
MRE/DVM/AJST/660/10/10

Your Excellency:

I refer to note DM-412-10 dated 21 October 2010 addressed by the a.i. Minister of the Ministry of Foreign Affairs and Worship, to the Minister of Foreign Affairs of Nicaragua, Mr. Samuel Santos Lopez, in relation to the cleaning works of the San Juan River.

In this regard, the Government of Nicaragua categorically rejects the affirmations contained in the aforementioned diplomatic note, because all of the activities aimed at combating drug trafficking, as well as the cleaning works of the San Juan River have been carried out on Nicaraguan territory, in accordance with the rights established in the Treaty of Limits Jerez-Cañas and additional instruments, Cleveland Award and the Alexander Awards.

The Government of Reconciliation and National Unity hereby expresses its most energetic protest for the reiterated violations of the Costa Rican armed troops to Nicaraguan territory. The government of Nicaragua demands that incidents like these are not be repeated.

Moreover, our Government rejects the incursions of past days by two armed officers from OJI into Nicaraguan territory, who were arrested during border surveillance activities and returned to the Costa Rican authorities.

The Government of Nicaragua proposes that in the Bi-National Commission the actions of densification and marking of the boundary (demarcation) in accordance with the rights established in the Jerez-Cañas Treaty of Limits and its instruments, Cleveland Award and Alexander Awards.

To conclude Mr. Minister, Nicaragua, respectful of the principles of International Law will continue with the cleaning works of the river and will guard the boundaries and sovereignty of Nicaragua established in the Jerez Cañas Treaty of Limits, and its instruments Cleveland Award and Alexander Awards. Similarly, Nicaragua will continue to safeguard and defend the boundaries and sovereignty in all of its national territory.

Accept, Mr. Minister, the assurances of my consideration.

Manuel Coronel Kautz
Minister by Law

His Excellency
Mr. Rene Castro Salazar
Minister of Foreign Affairs and Worship
Costa Rica

Annex 49

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-429-10,

1 November 2010

TRANSLATION

The Minister of Foreign Affairs and Worship

1 November 2010

DM-429-10

Excellency,

I address Your Excellency on occasion of referring to the note MRE/DVM/AJST/660/10/10 dated 26 October, 2010, signed by Vice-Minister Manuel Coronel Kauts, by which the Illustrious Government of Nicaragua replies to the protest presented by Costa Rica for the actions taken by Mr. Edén Pastora Gómez in the area of Finca Aragón, Calero Island, Province of Limón. As was denounced by Costa Rica in note DM-412-10 dated 21 October of the current year, these actions, related to the dredging project of the San Juan River, resulted in a violation to the territorial sovereignty and environmental damage on Costa Rican soil, all of which has been duly documented with its respective evidence.

In relation to the contents of note MRE/DVM/AJT/660/10/10, I allow myself to remind Your Excellency that in accordance with the Treaty of Limits of the 15 April of 1858, the Arbitral Award of Mr. Grover Cleveland, President of the United States of America, from 22 March 1888, and the Matus-Pacheco Convention of 27 March 1896, the division line between the Republics of Costa Rica and Nicaragua, was traced and demarked during the period of 1897-1900 by the Commissions of Costa Rica and Nicaragua, with the assistance of the Arbitrator General E.P. Alexander, appointed by the President of the United States of America in accordance with said Convention.

In accordance with the aforementioned instruments, the demarcation and land marking works of the boundary line initiated in the Atlantic coast (Caribbean) in Punta Castilla, starting off from Marker I, following the boundary line on the right bank of the Harbor Head Lagoon (currently called the Portillos Lagoon) up to the first channel located in the area at that time and which flowed in direction of the San Juan River outlet in the Caribbean Sea, continuing through the right bank of the San Juan River up to Marker II, three English miles

distant from the outer fortifications of the *Castillo Viejo*. Then the boundary continues along a succession of collinear lines from Marker II to the Marker XX located in *Bahia Salinas*.

As I am sure Your Excellency is aware of, the delineation and demarcation of the boundary line between the Republics of Costa Rica and Nicaragua is literally described and graphically illustrated through means of charts of geodesic operations and layout plans contained in 27 proceedings Minutes signed by the Boundary Commissions of Nicaragua and Costa Rica, and by the Arbitrator, General E.P. Alexander and 5 Awards signed by General Alexander, historical documents commonly known as the Alexander Minutes. In Minute XXVII of 24 July 1900, the acts are finalized and all operations initiated on May 1897 in relation to the demarcation of the boundary line between both Republics are concluded, agreeing on the following:

"1st The dividing line between Nicaragua and Costa Rica is definitely marked from the initial point in the Atlantic, in Punta de Castilla, in the place designated in Arbitral Award No. 1; and continues marked with the right margin of the coast of Harbor Head Lagoon, continues with the right margin of the first channel found there, and continues with the one of the San Juan River, up to the point located three English miles from the external fortifications of Castillo Viejo: all of the above in compliance with the geodetic operations and layout plans included in the respective proceedings: It then continues around the castle, as marked in the respective proceedings; and continues parallel to the river and lake at the distance calculated and also indicated in the proceedings. It reaches the point of Sapoa River, located two miles from the Lake; and follows the astronomical line as far as the coast of Salinas Bay in the direction of its central point, according to the mathematical position recorded in the layout plan.- This demarcation is recorded in three copies, composed of two volumes each, of which two copies are written in Spanish and one in English; signed and sealed in compliance with the Matus – Pacheco Treaty; the Spanish copies will be delivered one to each government of the two aforementioned Republics, while the third, written in English, will be delivered by the Arbiter to the Government of the United States of America.- 2nd With this

demarcation all the matters that the Republics of Nicaragua and Costa Rica have had between them until now due to undefined borders are settled.-

In the specific case of the current sector of interest: Punta Castilla-Mouth of the San Juan River- Aragón Farm, the demarcation of the boundary line between the Republics of Costa Rica and Nicaragua, represented in official maps of both countries with a scale of 1:50.000, entirely correlates with the literal description supported by the layouts and charts contained in the Alexander Minutes. This is easily verified through the Topographic Sheet Punta Castilla 3448 I, Edition 2-IGNCR of 1988, with the scale of 1:50.000 which was produced by the National Geographic Institute of Costa Rica; and the topographic sheet of San Juan del Norte, 3448 I, updated from 1988, with a scale of 1:50.000 produced by the Nicaraguan Institute of Territorial Studies (INETER).

Therefore, Excellency, absolutely no doubt remains in reference that the actions denounced by Costa Rica in Note DM-412-10 of 21 October of the current year, denounce which is supported by photographic and audiovisual evidence under the possession of my country, occurred in Costa Rican territory. It is particularly clear that the problem does not originate from the lack of demarcation or lack of clarity regarding the border line in that region, given that the official mapping of the two countries, as well as the proficient instruments that govern the subject -in particularly the Alexander Minutes- do not allow room for error.

Linked to the aforementioned, Costa Rica categorically rejects the assertion contained in note MRE/DVM/AJST/660/10/10 of 26 October 2010, which makes reference to "repeated violations of Costa Rican armed troops in Nicaraguan territory". This is due, first of all, to the fact that Costa Rica abolished its armed forces since the enactment of the Political Constitution of 1949, as is well known throughout the international community and, secondly, because the actions that the Costa Rican Public Force conducted in the area have been made entirely in our national territory.

On the other hand, and in consideration of the matter at hand, I allow myself to remind Your Excellency that the execution of works in the

San Juan River cannot damage Costa Rican territory, including reductions to the water level of its rivers, or affect Costa Rica's own navigation on the San Juan River. This is clearly stated in Article 3, paragraph 6 of the Cleveland Award of 1888, whose terms were ratified by the International Court of Justice in its recent ruling of 13 July 2009. The mentioned paragraph 6 states as follows:

"6. The Republic of Costa Rica cannot prevent the Republic of Nicaragua from executing at her own expense and within her own territory such works of improvement, provided such works of improvement do not result in the occupation or flooding or damage of Costa Rica territory, or in the destruction or serious impairment of the navigation of the said river or any of its branches at any point where Costa Rica is entitled to navigate the same (...)"

Given this situation, the Government of Costa Rica believes that in the interest of maintaining good neighborly relations to which two sister nations bonded by geography and history aspire to, and that are committed to dialogue, good faith and adherence to the International Law, the issue of the dredging of the San Juan River should be included in the agenda during the next bi-national meeting, a mechanism that was precisely created to discuss issues that are of the greatest interest to both countries, as clearly this one is, which Costa Rica proposes to be held on 27 November in the city of Liberia. Other relevant topics may also be considered for inclusion in the agenda.

However, the Government of Costa Rica considers it necessary that such dredging works be suspended as a sign of good faith and commitment on behalf of the Government of Nicaragua with a successful celebration of the bi-national mechanism.

Please receive, Your Excellency, the assurances of my highest consideration.

Rene Castro Salazar
His Excellency
Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 50

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-430-10,

1 November 2010

TRANSLATION

The Minister of Foreign Affairs and Worship

1 November 2010
DM-430-10

Your Excellency:

I address Your Excellency on the occasion of informing that the Government of Costa Rica has verified that armed troops of the Nicaraguan Army have entered the territory of the Republic of Costa Rica, specifically in the area of Finca Aragon, Isla Calero, in the Province of Limón. It is in this site precisely where the actions by Mr. Eden Pastora were carried out, which resulted in the violation of territorial sovereignty and environmental damage, as reported in Note-DM-412-10 of 21 October of this year, signed by Vice-Minister Marta Nuñez Madriz.

According to information available, the Costa Rican flag which was located in the mentioned area was removed and replaced by a flag of the Republic of Nicaragua. It has also been confirmed that members of the Nicaraguan Army have installed themselves in the area mentioned above.

For the Government of Costa Rica these actions constitute an unacceptable violation of its territorial integrity and sovereignty, and are absolutely indefensible by Nicaragua.

Therefore, the Government of Costa Rica, while presenting before the Government of Nicaragua the most vigorous protest for these facts, demands the immediate withdrawal of members of the armed forces of Nicaragua from the Costa Rican sovereign territory, as well as the withdrawal of any other officer of the Government of Nicaragua. In failure to comply with this, the Government of Costa Rica will pursue the use of all resources provided by international law to solve this kind of situations and to ensure adequate protection of its territory.

Undoubtedly, the celebration of the bi-national meeting proposed for 27 November of the current year is subject to the immediate

withdrawal of the Nicaraguan armed forces from the sovereign territory of Costa Rica.

I extend to Your Excellency the assurances of my distinguished consideration.

Rene Castro Salazar

His Excellency
Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 51

Note from the Permanent Representative of Costa Rica before the
OAS to the President of the OAS Permanent Council, Ref: DE-065-
2010,

2 November 2010

TRANSLATION

Permanent Mission of Costa Rica to the Organization of American States

DE-065-10
2 November 2010

His Excellency
Ambassador Joaquin Maza Martelli
President
Permanent Council
Organization of American States

Your Excellency Mr. President:

I have the honour of addressing Your Excellency following the instructions of Mr. René Castro Salazar, Minister of Foreign Affairs and Worship of the Republic of Costa Rica, in accordance with articles 21 and 62 of the Charter of the Organization of American States, in order to urgently request an Extraordinary Session of the Permanent Council be held on Wednesday 3 November at 10:00 a.m., due to the fact that armed forces of the Republic of Nicaragua are entering Costa Rican territory in the border area of the San Juan River.

Article 21 of the Charter of the OAS indicates that “*The territory of a State is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever (...)*”.

This request is made by the State of Costa Rica based on articles 61 et seq. of the Charter of the OAS, and 41 of the Statute of the Permanent Council, with a view to requiring the convening of a Meeting of Consultation of Ministers of Foreign Affairs, in order that they may be informed of the abovementioned military aggression which, in addition to affecting the territorial integrity and sovereignty of Costa Rica, also poses a threat to the peace and security of the continent.

I avail myself, Your Excellency, of this opportunity to renew the assurances of my highest consideration,

Enrique Castillo
Ambassador, Permanent Representative

Annex 52

Permanent Council of the OAS, Record of the Special Meeting held
on 3,4,9, and 12 November 2010, Ref: OEA/Ser.G/SACP/ACTA
(1777/10),

November 2010

PERMANENT COUNCIL



OEA/Ser.G
CP/SA.1777/10
3 November 2010
Original: Spanish

Record of the special meeting held on November 3, 4, 9, and 12, 2010

CP/ACTA 1777/10^{1/}

The Permanent Council held a special meeting, at the request of the Government of the Republic of Costa Rica, to consider the situation with the Republic of Nicaragua in the San Juan River border area.

The meeting, chaired by Ambassador Joaquín Maza Martelli, Permanent Representative of El Salvador and Chair of the Permanent Council, was attended by the Minister of Foreign Affairs and Worship of Costa Rica, Mr. René Castro Salazar.

Minister Castro Salazar expressed appreciation for the prompt convocation of the meeting and spoke about the events that spurred his Government's request. He gave background information on recent actions

¹.The statements are provided in the minutes of the meeting, CP/ACTA 1777/10.

by Nicaraguan authorities south of the San Juan River, in a place called Calero Island, specifically in the sector known as Finca Aragón. The presentation was supported by audiovisual and photographic material.

Minister Castro Salazar asked the OAS to form a commission that would travel to the site and investigate what had happened. To that end, it presented a draft resolution entitled “Nicaragua Appointment of a Fact-Finding Commission for the Situation on the Border between Costa Rica and Nicaragua.”

The Permanent Representative of Nicaragua, Ambassador Denis Moncada Colindres, referred to the situation described by the Government of Costa Rica. He said the border problems between the two countries had begun in 1850, that his Government did not agree with the positions and requests of Costa Rica, and that the Costa Rican Government had acted hastily, without fully pursuing dialogue and bilateral talks, when the meeting of the Bilateral Commission was set for November 27, 2010.

Ambassador Moncada reported that his Government did not agree with the draft resolution presented by the Government of Costa Rica.

After hearing statements by the representatives of the Dominican Republic, Mexico, Guatemala, Belize, Venezuela, and the United States, the Permanent Council adjourned the meeting until 3:00 p.m.

When the meeting resumed that afternoon, the Chair of the Permanent Council apologized for a delay that had occurred while efforts were made to find approaches to points of consensus within the Permanent Council. In view of the need to continue consultations, he suggested, and the Council agreed, that the meeting be adjourned until the following day.

On Thursday, November 4, 2010, at 10:36 a.m., the Permanent Council resumed its special meeting, chaired by Ambassador Joaquín Maza Martelli.

Upon reopening the meeting, the Chair reported that consultations had been conducted during the recess, with the following result: the parties had agreed to give the Secretary General an opportunity to take actions to overcome this situation; the Chair of the Permanent Council had been duly informed that the Governments of Costa Rica and Nicaragua had invited the Secretary General to visit their countries; the Chair had also been informed that the Secretary General had accepted both invitations and would travel immediately, accompanied by General Secretariat staff.

In view of the agreement reached, the Chair proposed that the meeting be adjourned until November 9, 2010, and resume once the Secretary General had visited both countries.

The representatives of Panama, Brazil, Ecuador, El Salvador, Canada, Uruguay, Guyana, and Paraguay spoke on the agreement reached and on the Chair's suggestion. The Minister of Foreign Affairs of Costa Rica thanked the member state representatives for their willingness to enter into dialogue and expressed the hope that, when the meeting resumed, a way toward a long-term solution would have been found.

The Permanent Representative of Nicaragua reaffirmed his Government's willingness to resume bilateral dialogue with Costa Rica. He thanked the OAS for its initiatives and for the proposals to allow the Secretary General of the Organization to facilitate rapprochement and dialogue between the leaders of Nicaragua and Costa Rica. The Permanent Council decided to recess until Tuesday, November 9, 2010.

The Permanent Council resumed the special meeting on November 9, 2010, at 4:13 p.m., chaired by Ambassador Joaquín Maza Martelli, Permanent Representative of El Salvador, and attended by the Minister of Foreign Affairs and Worship of Costa Rica, Mr. René Castro Salazar.

At the reopening of the meeting, the Secretary General, Mr. José Miguel Insulza, provided a detailed report on his efforts, both in Costa Rica and in Nicaragua, between November 5 and 8, 2010, to find an approach to dialogue and a lessening of tension that would pave the way for understandings on the problems that had arisen in the border zone. The report was published as document CP/doc.4521/10 corr. 1.

On the basis of his observations, the Secretary General proposed the following points of agreement that could be adopted by Costa Rica and Nicaragua:

- One: Hold the Eighth Meeting of the Binational Commission in order to address as a matter of urgency aspects of the bilateral agenda as soon as possible and no later than the date originally agreed, with the assistance of the OAS.
- Two: Immediately resume the talks on aspects concerning the demarcation of the boundary line in accordance with the treaties and decisions in force.
- Three: In order to create a favorable climate for dialogue between the two nations, avoid the presence of military or security forces in the area, where their existence might rouse tension.
- Four: To instruct the appropriate authorities to review and strengthen cooperation mechanisms between the two nations

in order to prevent, control, and confront drug trafficking, organized crime, and arms trafficking in the border area.

The Permanent Representative of Costa Rica, Ambassador José Enrique Castillo, spoke on the report and the Secretary General's proposals and reported on the attempts made, which could not be realized owing to the refusal by the Government of Nicaragua, he said, to withdraw its troops from the territory in dispute.

He concluded by announcing that the Government of Costa Rica accepted the Secretary General's proposals, but was establishing, as of that moment, a period of 48 hours for both countries to express their acceptance of all of the Secretary General's proposals and of their implementation as regarded the withdrawal of Nicaraguan armed forces from Costa Rican soil. He also requested that the meeting be adjourned once the list of speakers had been exhausted and resume once those 48 hours had elapsed.

The Permanent Representative of Nicaragua, Ambassador Denis Moncada Colindres, rejected Ambassador Castillo's statements and reaffirmed that, for Nicaragua, the defense of the sovereignty and territorial integrity of Nicaragua and, in this case, of the San Juan River was not up for discussion; it was, he said, a matter of principle and an inalienable right of the Nicaraguan people.

Ambassador Moncada thanked the Secretary General for his good offices and his efforts to facilitate a resumption of bilateral dialogue between the Governments of Costa Rica and Nicaragua. He reaffirmed his Government's willingness to engage in dialogue and the peaceful settlement of disagreements, the need for cooperation in fighting drug trafficking and organized crime, and its willingness to establish an operating committee to pursue a solution.

The representatives of Panama, Mexico, Bolivia, Brazil, Peru, Guatemala, Colombia, Guyana (on behalf of the CARICOM member states), Canada, Chile, Ecuador, the United States, Argentina, Uruguay, Venezuela, and Saint Kitts and Nevis stated their positions on the matter.

The Chair said he would take note of the Secretary General's report on his visit to Costa Rica and Nicaragua, of his good offices in connection with the dispute that had arisen in the area of the San Juan River, and of the comments and proposals put forward by member countries of this Organization.

The Chair also said he believed there were pending matters to be resolved by both parties and that the Secretary General's proposals were good ways to pursue a solution. Therefore, he said, it was important to continue the efforts at dialogue and direct negotiation, and he proposed allowing the time necessary for the parties to respond to the specific recommendations of the Secretary General. He proposed thus to adjourn the meeting and resume on Friday, November 12, at 4:00 p.m. The Permanent Council accepted the Chair's suggestion and the meeting was adjourned.

On Friday, November 12, 2010, at 3:42 p.m., the meeting resumed, chaired by Ambassador Joaquín Maza Martelli, Permanent Representative of El Salvador, to consider the situation that had arisen between Costa Rica and Nicaragua in the area of the San Juan River.

The Chair reported that efforts at dialogue and conciliation had continued between the delegations of Costa Rica and Nicaragua and that draft resolutions had been presented, such as one by the delegation of Costa Rica, distributed as document CP/doc.4522/10, a working document prepared by the ALADI Group, and another circulated by the Chair as an objective contribution that could facilitate a solution to the dispute.

The delegation of Nicaragua asked permission for Dr. Jaime Incer Barquero, a Nicaraguan scientist, geographer, and ecologist, to give a presentation on the subject. The Council agreed. Dr. Barquero's presentation was followed by a video and a presentation by the Permanent Representative of Nicaragua.

After a presentation by the Permanent Representative of Costa Rica and statements by the representatives of Panama and Colombia, the draft resolution presented by the Chair on the "Situation in the Border Area Between Costa Rica and Nicaragua" was read aloud. The Council decided to recess for informal consultations.

The meeting resumed at 9:11 p.m. The Chair reported that it had not been possible to reach consensus on the draft resolution and that the delegation of Costa Rica still affirmed the possibility of convening a Meeting of Consultation of Ministers of Foreign Affairs. The delegation of Costa Rica requested consideration also of the draft resolution "Convocation of the Meeting of Consultation of Ministers of Foreign Affairs to Assess the Situation in the Border Area between Costa Rica and Nicaragua," document CP/doc.4523/10 add. 1.

After statements by the representatives of Venezuela and Paraguay, the Representative of Bolivia requested that a decision to convene the Meeting of Consultation of Ministers of Foreign Affairs be adopted by consensus.

A debate ensued on the procedure for considering the two proposals. The delegation of Costa Rica said that the Chair's proposal, if adopted, would not preclude the convocation of the Meeting of Consultation of Ministers of Foreign Affairs.

The representatives of Canada, Panama, Guatemala, Brazil, Paraguay, Mexico, Ecuador, Colombia, and the Dominican Republic referred to the proposals under consideration and to procedural and regulatory questions. The legal adviser responded to the queries.

Several delegations said that the debate on the matter for which the meeting had been convened had been exhausted and requested that the Council proceed to take decisions, by voting if necessary. The delegations of Colombia and Guatemala presented motions of order to close the debate.

The Permanent Representative of Bolivia indicated that, regardless of the content of the draft resolution, the Bolivian delegation did not agree to break with the consensus approach. Therefore, he said, Bolivia would abstain from voting.

The Council proceeded to a vote on closing the debate, for which it was established that a quorum of 27 delegations was present, and that the vote required to close the debate was that of 21 delegations. The debate was closed.

The Council then proceeded to vote, by a show of hands, on the draft resolution presented by the Chair, with the following outcome: 21 in favor, two opposed, and three abstentions. Because of an error in the vote tally, the Permanent Representative challenged the results and requested a roll call vote. This was done, with the following outcome: 22 in favor, two opposed, and three abstentions. The resolution adopted on the “Situation in the Border Area between Costa Rica and Nicaragua” was published subsequently as document CP/RES. 978 (1777/10).

The Representative of Costa Rica reported that his delegation was withdrawing its proposal to convene the Meeting of Consultation of Ministers of Foreign Affairs. The Permanent Representative of Nicaragua

stated, for his part, that his delegation had also presented a proposal to convene the Meeting of Consultation of Ministers of Foreign Affairs, that it was not withdrawing that proposal, and that it requested consideration of the same.

The meeting concluded with the agreement that, as provided in the Rules of Procedure of the Permanent Council, another meeting would be held to consider Nicaragua's request to convene the Meeting of Consultation of Ministers of Foreign Affairs.

Annex 53

Permanent Council of the OAS, Resolution 978,
Ref: OEA/Ser.G CP/RES 978 1777/10.

Available at:

<http://www.oas.org/consejo/resolutions/res978.asp>

12 November 2010

PERMANENT COUNCIL



OEA/Ser.G
 CP/RES. 978 (1777/10)
 12 November 2010
 Original: Spanish

CP/RES. 978 (1777/10)

SITUATION IN THE BORDER AREA BETWEEN COSTA RICA AND NICARAGUA

(Adopted at the meeting held on November 12, 2010)

THE PERMANENT COUNCIL OF THE ORGANIZATION OF AMERICAN STATES,

RECALLING the steadfast commitment of Costa Rica and Nicaragua to peace in the region;

RECOGNIZING the need to generate confidence-building measures conducive to bilateral negotiations to overcome differences; and

HAVING SEEN AND ANALYZED the Report by the Secretary General on the course and outcome of his visit to Costa Rica and Nicaragua regarding the situation in the border area between both countries (CP/doc.4521/10) ; and

HAVING HEARD the statements by the representatives of Costa Rica and Nicaragua and recognizing their willingness to engage in dialogue,

RESOLVES:

1. To welcome and endorse the recommendations by the Secretary General entitled "Report by the Secretary General of the OAS on his visit to Costa Rica and Nicaragua" (CP/doc.4521/10) presented on November 9, 2010, with the objective that the Governments of Costa Rica and Nicaragua adopt the recommendations proposed in that report, namely:

- Hold the Eighth Meeting of the Binational Commission in order to address as a matter of urgency aspects of the bilateral agenda as soon as possible and no later than the date originally agreed, with the assistance of the OAS.
- Immediately resume the talks on aspects concerning the demarcation of the boundary line done to date, in accordance with the treaties and decisions in force.
- In order to create a favorable climate for dialogue between the two nations, avoid the presence of military or security forces in the area, where their existence might rouse tension.

- 2 -

- Instruct the appropriate authorities to review and strengthen cooperation mechanisms between the two nations in order to prevent, control, and confront drug trafficking, organized crime, and arms trafficking in the border area.
2. To invite the parties to initiate simultaneously and without delay the processes referred to in the foregoing paragraph.
 3. To request the Secretary General to continue exercising his good offices to facilitate the dialogue between the parties and to keep the Permanent Council informed in this regard.

Annex 54

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-453-10,

14 November 2010

TRANSLATION

The Minister of Foreign Affairs and Worship

San Jose, 14 November 2010
DM-453-10

Your Excellency:

The Government of Costa Rica has received with indignation, the statements expressed yesterday by the President of Nicaragua, Commander Daniel Ortega Saavedra, claiming associations of Costa Rican authorities with drug trafficking, and additionally announcing actions destined to question the sovereignty of Costa Rica over the Colorado River.

Although the Government of Costa Rica has sought to maintain appropriate relations with Nicaragua's Government, President Ortega's statements are considered unacceptable and are emphatically rejected due to their lack of truth.

I understand, Mr. Minister, that President Ortega's disposition may have been affected by the recent decision determined by the Organization of American States, which, among other things, has requested to "avoid the presence of military or security forces in the area, where their existence might rouse tension". However, the aforementioned does not in any way condone a leader to appear before the international press throwing insults and unfounded charges against authorities of nations such as Costa Rica, with whom there has actually been close coordination to combat drug trafficking. In effect, as it is not ignored by President Ortega, in reiterated and recent opportunities government employees from both nations have carried out joint actions against drug trafficking in the border zone, and even the authorities of Nicaragua have awarded decorations to Costa Rican employees for such role. For this reason, we deem it both deplorable and wounding for President Ortega to now affirm that "the drug traffickers lead Costa Rican foreign policy". This and other slandering expressions, without providing the slightest element of proof –for the

simple reason that it does not exist, impose upon the Government of Costa Rica to indignantly protest to the Government of Nicaragua and demand the correspondent explanations.

On the other hand, President Ortega announced that Nicaragua will request before the International Court of Justice to be granted the right to freely navigate in the Colorado, a river belonging entirely to Costa Rica, reason for the petition to lack legal justification. It is necessary to remind the Government of Nicaragua that President Cleveland, acting as arbitrator, in response to a question posed by Nicaragua, emphatically and explicitly indicated in his 1888 Award that the Colorado River was entirely a Costa Rican river. Therefore, as of now, Costa Rica emphatically rejects such Nicaraguan pretension.

Allow me to restate, Mr. Minister, that the Government of Costa Rica aspires to maintain appropriate relations with Nicaragua, and to resolve our differences in a fraternal manner, in the corresponding bilateral or multilateral instances, with a spirit of respect and cooperation for the benefit of both nations. Unfortunately, slandering statements like the previously referred to by President Ortega, do not contribute to the rapprochement and understanding between our countries and their respective governments, thus compelling me to reiterate the vigorous protest of the Government of Costa Rica.

None of this prevents me from renewing to the Minister, the assurances of my consideration.

Rene Castro Salazar
Minister

His Excellency
Samuel Santos Lopez
Minister of Foreign Affairs of Nicaragua
City

Annex 55

Note from the Ministry of Foreign Affairs and Worship of Costa Rica
to the Ministry of Foreign Affairs of Nicaragua, DVM-DGPE/350-
2010,

17 November 2010

TRANSLATION

The Ministry of Foreign Affairs and Worship

DVM-DGPE/350-2010

The Ministry of Foreign Affairs and Worship of the Republic of Costa Rica presents its compliments to the Ministry of Foreign Affairs of the Republic of Nicaragua, on the occasion of reiterating its disposition to carry out the VIII Meeting of the Bi-National Commission.

According to what was agreed previously in a bilateral manner, this Ministry allows itself to confirm the will of Costa Rica to hold the mentioned meeting on November 26th and 27th of the present year, once the agreements contained in the Resolution CP/RES.978 (1777/10) of the Permanent Council of the OAS, approved on November 12th, 2010 are fulfilled.

The Ministry permits itself to propose that the technical meeting take place on Friday November 26th and the Presidents' meeting be held on the 27th, both with the accompaniment of the Organization of American States (OAS).

In virtue of the aforementioned, the Ministry, in fulfilment of Resolution CP/RES.978 (1777/19) of the Permanent Council of the OAS, approved on November 12th, 2010, allows itself to propose the following work agenda:

- Elaborate a proposal and work chronogram for the demarcation of the tracts in the bordering zone that may so require it, according to the existing treaties and awards.
- Review and reinforce the mechanisms of cooperation in order to prevent, control and confront drug trafficking, organized crime and the trafficking of weapons in the border corridor.
- Inform about the state of the agreements on environment, established in the VI and VII Meeting of the Bi-National Commission, carried out in Managua and San José, respectively, during the year of 2008.

The Ministry of Foreign Affairs and Worship of the Republic of Costa Rica allows itself to reiterate to the Honorable Ministry of Foreign Affairs of the Republic of Nicaragua, the assurances it highest consideration.

San José, November 17th, 2010

To the Honourable
Ministry of Foreign Affairs
Of the Republic of Nicaragua

Annex 56

Note from the Ministry of Foreign Affairs of Nicaragua to the
Ministry of Foreign Affairs and Worship of Costa Rica, Ref:
MRE/DM/1025/17/11,

17 November 2010

TRANSLATION

The Ministry of Foreign Affairs

MRE/DM/1025/17/11

The Ministry of Foreign Affairs of the Republic of Nicaragua, reiterates to the Honorable Ministry of Foreign Affairs and Worship of the Republic of Costa Rica, its unalterable position of making use of the fraternal and unconditional dialogue, in order to discuss all of the items of the pending Agenda between both countries, according to the established schedule.

The Ministry of Foreign Affairs of the Government of Reconciliation and National Unity of Nicaragua, reiterates to the distinguished Ministry of Foreign Affairs and Cult of Costa Rica, the assurances of its consideration.

Managua, November 17th, 2010

To The Ministry of Foreign Affairs and Worship
The Republic of Costa Rica
San José, Costa Rica

Annex 57

Permanent Council of the OAS, Resolution, Ref: OAS CP/RES. 979
(1780/10),

18 November 2010

CP/RES. 979 (1780/10)

CONVOCACTION OF THE MEETING OF CONSULTATION OF MINISTERS
OF FOREIGN AFFAIRS TO ASSESS THE “SITUATION IN THE BORDER
AREA
BETWEEN COSTA RICA AND NICARAGUA”

(Adopted at the meeting held on November 18, 2010)

THE PERMANENT COUNCIL OF THE ORGANIZATION OF AMERICAN STATES,

UNDERSCORING that the Charter of the Organization of American States (OAS) determines that its essential purposes include strengthening hemispheric peace and security and, preventing possible causes of difficulties and ensuring the pacific settlement of disputes that may arise among the member states of the Organization;

CONSIDERING the request made by Costa Rica to the Permanent Council for the convocation of a Meeting of Consultation of Ministers of Foreign Affairs in the framework of the OAS Charter;

TAKING INTO ACCOUNT the “Report of the Secretary General of the OAS on his Visit to Costa Rica and Nicaragua” (CP/doc.4521/10), presented to the Permanent Council on November 9, 2010;

RECALLING resolution CP/RES. 978 (1777/10) on the “Situation in the Border Area between Costa Rica and Nicaragua,” adopted on November 12, 2010;

HAVING HEARD the Report of the Secretary General on the implementation of the aforementioned resolution; and

RECALLING ONCE AGAIN the willingness of Costa Rica and Nicaragua to engage in dialogue,

RESOLVES:

To convene a Meeting of Consultation of Ministers of Foreign Affairs at the headquarters of the Organization of American States at 11:00 a.m. on Tuesday, December 7, 2010, in order to:

1. Hear the Report of the Secretary General and consider the situation in the border area between Costa Rica and Nicaragua; and
2. Agree on appropriate measures to be adopted.

Annex 58

Note from the acting Minister of Foreign Affairs and Worship of
Costa Rica to the OAS Representative in Costa Rica, Ref: DVM 355-
10,

22 November 2010

TRANSLATION

The Deputy Minister of Foreign Affairs and Worship

San Jose, 22 November 2010
DVM-355-10

I have the honour of addressing Your Excellency on the matter of the 8th Binational Costa Rica Nicaragua Commission to be held in Costa Rica on the 26th and 27th of the current month of November.

In accordance with the recommendations presented by His Excellency Jose Miguel Insulza, Secretary General of the Organization of American States, the OAS shall be present at this meeting under the terms established by the Permanent Council in its resolution of the 12th of the current month.

To this end, and in compliance with the Council's decision, I hereby respectfully request to the Organization, on behalf of the Costa Rican Ministry of Foreign Affairs and Worship, that the Secretary General's representatives participate in this meeting under the terms established by the Council in the abovementioned resolution.

I, naturally, deem it fitting to remind Your Excellency that, in accordance with the Secretary General's recommendation, the withdrawal of Nicaraguan military forces and civilian personnel that currently occupy the Costa Rican territory of Isla Calero, should be effected prior to this eighth meeting of the Binational Costa Rica Nicaragua Commission.

Trusting your prompt consideration of this matter, please accept, Your Excellency, the renewed assurances of my highest consideration,

Carlos Roverssi Rojas
Deputy Minister of Foreign Affairs and Worship

Mr. Patricio Zuquilanda
Ambassador
Organization of American States
San José

Annex 59

Note from the Ministry of Foreign Affairs and Worship of Costa Rica
to the Ministry of Foreign Affairs of Nicaragua, Ref: DVM-357-
2010,

24 November 2010

TRANSLATION

The Ministry of Foreign Affairs and Worship

DVM-357-2010

The Ministry of Foreign Affairs and Worship of the Republic of Costa Rica presents its compliments to the Ministry of Foreign Affairs of the Republic of Nicaragua, on the occasion of reiterating once again its willingness to carry out the VIII Meeting of the Bi-national Commission, provided that the recommendations of the OAS General Secretary under Resolution CP / RES. 978, adopted on November 12 and in accordance with the agenda DVM-DGPE/350-2010 proposed in his note of November 17, 2010, are adequately met.

In this regard, the Ministry permits itself to propose that the technical meeting take place on Friday 26 November, at fourteen hours, which will be chaired by the Minister of Foreign Affairs and Worship of Costa Rica. This meeting will count with the presence of the Costa Rican Ministers of the Presidency, Public Security, Transport and Public Works, Justice and Environment, Energy and Telecommunications, as well as the heads of the National Geographic Institute of Costa Rica. This meeting will count with the presence of the envoys from the Organization of American States.

The Ministry also suggests that the Presidents' meeting within the framework of the VIII Bi-national Commission take place on Saturday 27 November, commencing at 11am. For this occasion, the Presidents will meet with their respective Ministers and subsequently, if so desired, hold a meeting among Presidents only. Following the meeting, a luncheon will be hosted by the President of the Republic of Costa Rica for the President of Nicaragua and his delegation, and will be followed by a closing ceremony and a press conference by both Heads of State.

The Ministry wishes to clarify that the celebration of the meetings on Friday 26th and Saturday 27th November shall, in addition, be subject to the report that a technical *in situ* team from the OAS will complete to verify the compliance of the agreements approved by the OAS

Permanent Council on 12 November, as well as to the compliance with the conditions requested by the Government of Costa Rica, to stop the work carried out by Nicaraguan civilians, with the support of their army, on the mainland of Isla Portillos. In particular, Costa Rica considers of utmost importance that the OAS technical team determines the exact location where the Costa Rican police should be stationed. In this regard, the Government of Costa Rica is prepared and willing to proceed in a unilateral manner in order to fully comply with the aforementioned recommendation.

The Ministry wishes to inform that due to logistic and mutual convenience reasons, it has chosen as venue for this bi-national commission the "INCAE Business School" headquarters, located at La Garita in the province of Alajuela.

The Ministry of Foreign Affairs and Worship of the Republic of Costa Rica reiterates to the Honourable Ministry of Foreign Affairs of Nicaragua, the assurances of its highest consideration.

San José, November 24, 2010

To the Honourable
Ministry of Foreign Affairs
Of the Republic of Nicaragua

Annex 60

Note from the Permanent Representative of Costa Rica before the
OAS to the OAS Secretary General, Ref: DE-072-10,

24 November 2010

TRANSLATION**Permanent Mission of Costa Rica to
the Organization of American States**DE-072-10
24 November 2010

His Excellency Jose Miguel Insulza
Secretary General
Organization of American States

Your Excellency:

Following specific instructions from the Ministry of Foreign Affairs and Worship of the Republic of Costa Rica, I have the honour of addressing Your Excellency in order to inform you that the activities planned within the framework of the 8th Meeting of the Binational Commission between Costa Rica and Nicaragua to take place on the Friday 26th and Saturday 27th of November 2010, will be subject to the report that the OAS's technical team will make in order to verify in situ compliance with the agreements approved by the Permanent Council of the Organization in Resolution CP/Res.978 of the 12th of November, in addition to the conditions proposed by the Government of Costa Rica to put a stop to the work that, with the support of that country's military, Nicaraguan civilians are undertaking on Costa Rican soil in Isla Portillo.

The Government of Costa Rica reiterates its readiness to proceed in a unilateral manner to fully comply with the recommendations formulated by Your Excellency, and adopted by the Permanent Council of the OAS in the abovementioned resolution, and, also along these lines, considers it of the utmost importance that the said technical team establish the exact location where the Costa Rican police should be positioned.

I avail myself, Your Excellency, of this opportunity to renew the assurances of my highest consideration,

Enrique Castillo
Ambassador, Permanent Representative

Annex 61

Note from the Ministry of Foreign Affairs of Nicaragua to the
Ministry of Foreign Affairs and Worship of Costa Rica, Ref:
MRE/DVMS/VLJ/0679/11/2010,

24 November 2010

TRANSLATION

The Ministry of Foreign Affairs

MRE/DVMS/VLJ/0679/11/2010

The Ministry of Foreign Affairs of the Government of Reconciliation and National Unity, has the pleasure to greet the Ministry of Foreign Affairs and Worship of the sister Republic of Costa Rica, in order to reaffirm the unalterable will and commitment of our Government to hold the scheduled Meetings in the context of the Bi-national Commission, as per the Agenda prepared by both countries, and according to the principle of unconditionality which characterizes this type of Encounters.

With much pleasure we will participate in both levels of the Meeting, in accordance with said principle of unconditionality. Firstly, in the Technical Meeting which will count with the presence of the homologous Ministers. For the meeting of the Presidents, which would be carried out the next day, Saturday, November 27th, our Government considers the Program and the Proposed Setting presented by that Ministry adequate,

In relation to the topics related to the border controversy between our two sister Republics, the Ministry of Foreign Affairs of Nicaragua, reiterates to the Honourable Ministry of Foreign Affairs and Worship of Costa Rica, that according to what was agreed by the Council of Powers of the Nicaraguan State in two Declarations, dated the 15th and the 22nd of November, the topics related with this controversy have been transferred, as it corresponds, to the International Court of Justice of The Hague, whose Sentence of the month of July of the year 2009, has been fully obeyed by all the instances of the Nicaraguan State.

The Ministry of Foreign Affairs of the Government of Reconciliation and National Unity, reaffirms before the Honourable Ministry of Foreign Affairs and Worship, the assurances of its consideration and esteem, while it ratifies its firm will to work in order to strengthen the

friendship and kinship between our two nations, through the unconditional Dialogue conducive to the understanding and solutions to any differences.

Managua, 24 November, 2010

To the Honourable
Ministry of Foreign Affairs and Worship
Of the Republic of Costa Rica

Annex 62

Note from the Ministry of Foreign Affairs and Worship of Costa Rica
to the Ministry of Foreign Affairs of Nicaragua, Ref: DM-478-10,

24 November 2010

TRANSLATION

The Ministry of Foreign Affairs and Worship

DM-478-10

The Ministry of Foreign Affairs and Worship of Costa Rica presents its compliments to the Honourable Ministry of Foreign Affairs of the Government of National Reconciliation and Unity of the Republic of Nicaragua, on the occasion of responding to its note MRE/DVMS/VLJ/0679/11/2010 of 24 November, in which your Government's will to participate in the bi-national meeting to be held with Costa Rica is expressed.

The Government of Costa Rica receives with great satisfaction this announcement, since it has continually stressed the need for dialogue and negotiations with Nicaragua as measures to resolve the difficult situation that exists today. As the President Laura Chinchilla and other government officials of the Republic have manifested, Costa Rica is in the best position to hold this meeting as scheduled, once the Nicaraguan troops are withdrawn from Costa Rican territory, in the location on the Isla Portillos-Isla Calero, on the right bank of the San Juan River, in violation of the provisions of the Cañas-Jerez Treaty, the Cleveland Award and the Alexander Awards, which delimit with precision the boundary between the two countries.

In this regard, the Government of Costa Rica is requesting on this same date to the Organization of American States, through its Secretary General Mr. José Miguel Insulza, a report that, in accordance with the decision of the Permanent Council of that organization, the Nicaraguan Government has withdrawn its troops from the aforementioned territory, and is willing to comply with the other three elements contained in the Council's resolution. Upon receipt of that report, the Ministry shall proceed to make contact with the Honourable Ministry of Foreign Affairs of the Government of Reconciliation and National Unity of the Republic of Nicaragua, for the respective arrangements for the bi-national meeting.

Moreover, in relation to the contents of note MRE/DVMS/VLJ/0679/11/2010, the Ministry of Foreign Affairs and Worship of Costa Rica would like to clarify that the situation between the two countries does not consist of a border dispute, but of a violation of Costa Rican territorial integrity with illegal occupation of its armed forces and serious environmental damage. The Ministry of Foreign Affairs and Worship of Costa Rica reminds the Honourable Ministry of Foreign Affairs of the Government of Reconciliation and National Unity of the Republic of Nicaragua that the terms of the judgment issued by the International Court of Justice on 13 July 2009 are not being fully complied by Nicaragua.

As stated in note DM-AM-816-09 of 20 November 2009, Nicaragua's Decree No. 79-2009 constitutes a clear violation to the content of this judgment. There are also reports that the free navigation of Costa Rica in the San Juan River, whose extent was established in this judgment, are also not being respected.

The Ministry of Foreign Affairs and Worship of Costa Rica reiterates to the Honourable Ministry of Foreign Affairs of the Government of Reconciliation and National Unity of the Republic of Nicaragua its securities of its highest consideration.

To the Honourable
Ministry of Foreign Affairs
Of the Republic of Nicaragua
Managua

Annex 63

Note from the Ministry of Foreign Affairs and Worship of Costa Rica
to the OAS Mission in Costa Rica, Ref: DVM-311-10,

25 November 2010

TRANSLATION

The Ministry of Foreign Affairs and Worship

DVM-311-10

The Ministry of Foreign Affairs and Worship of the Republic of Costa Rica presents its compliments to the Honourable Mission of the Organization of American States in Costa Rica, while requesting a confirmation if the Republic of Nicaragua has complied with the withdrawal of its armed troops, as stated on the resolution CP/RES.978 of the Permanent Council of the Organization of 12 November, since otherwise, said noncompliance impedes the holding of the Bi-national meeting planned for 26-27 November.

The Ministry also requests the OAS to identify in a precise way the location up to where the personnel from the Costa Rican Ministry of Security can displace itself, so as comply in a strict manner, even if unilaterally, with the recommendations issued by the General Secretary and approved by the resolutions of the Permanent Council.

The Ministry believes that the resolution adopted by the Permanent Council, approved by an overwhelming majority, seeks to create a frank and fruitful dialogue between the Republics of Costa Rica and Nicaragua, which can effectively lead to a solution of the differences which currently exist and to re-establish the cordiality that should characterize relations between the Governments of two brother countries.

This Ministry received today a communication from the Ministry of Foreign Affairs of Nicaragua, reiterating its refusal to withdraw the troops from our national territory. Therefore, in case the Organization confirms such non-compliance, for the Government of Costa Rica it would impossible to initiate the intended bi-national dialogue, due to the absence of recognition and appropriate fulfilment of the provisions of the OAS by the government of Nicaragua.

Once the OAS indicates that the government of the Republic of Nicaragua has complied with the provisions of the Permanent Council, the Ministry of Foreign Affairs of Costa Rica will proceed to make contact with the Ministry of Foreign Affairs of the Republic of Nicaragua, regarding the programming of the bi-national meeting.

The Ministry of Foreign Affairs and Worship reiterates to the Honourable Mission of the Organization of American States, the assurances of its highest consideration.

San José, November 25 2010

To the Honourable Mission
Of the Organization of American States
City

Annex 64

Note from the acting Minister of Foreign Affairs and Worship of
Costa Rica to the Minister of Foreign Affairs of Nicaragua, Ref: DM-
488-10,

29 November 2010

TRANSLATION

The Minister of Foreign Affairs and Worship

San José, November 29, 2010
DM-488-10

Excellency:

I have the honor to address Your Excellency in reference to the programmed hearing by the International Court of Justice to listen to the parties in relation to the request for provisional measures presented by Costa Rica on 18 November 2010.

In this regard, Costa Rica reminds the Republic of Nicaragua that the fundamental principle of good faith requires that once the International Court of Justice has received an application for provisional measures, the parties cease all action in the terrain related to the object of the measures, to prevent further deterioration of the situation, and to provide an opportunity for the Court to hear the parties and decide on the merits of the measures requested, and thereby preventing a *fait accompli* situation from obstructing the decision of the Court.

Consequently, and given that the Republic of Nicaragua continues to occupy Costa Rican territory, and in view that it has been confirmed that it continues destroying sensitive areas of national wetlands, duly registered and internationally recognized, and considering that on 19 November 2010 the International Court of Justice established the dates of 11-13 January 2011 to hear the parties regarding the request of provisional measures made by Costa Rica, Costa Rica calls for Nicaragua to suspend any work in the Costa Rican territory occupied by Nicaragua, as well as in any other territory whose effect might cause an environmental damage by the actions Nicaragua is performing in the area.

This request is made in order to give the International Court of Justice room, on the basis of good faith and in accordance with international law, so that it may have the opportunity to decide on the necessary

measures without being faced with a *fait accompli* situation that could potentially make it more difficult to restore legality.

I avail myself of the opportunity to reiterate the assurances of my consideration.

Carlos Roverssi Rojas
Acting Minister

His Excellency
Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 65

Note from the acting Minister of Foreign Affairs of Nicaragua to the
Minister of Foreign Affairs and Worship of Costa Rica, Ref: MRE-
DGCPE-371-01-10,

30 November 2010

TRANSLATION

Ministry of Foreign Affairs

Managua, Nicaragua **MRE/DGCPE/371/01/10**

Managua, 30 November 2010

Excellency,

I have to honor to address Your Excellency in occasion of referring to the letter (DM-488-10) dated 29 November 2010.

Nicaragua considers that the matters stated by the Government of Costa Rica, in the aforementioned letter, are sub judice before the International Court of Justice, reason for which it does not consider it proper to make comments about them outside from the mentioned forum.

In this regard, Nicaragua reminds the Republic of Costa Rica that the International Court of Justice has established the dates of 11, 12 and 13 January of the year 2011 to hear the parties in relation to the request for provisional measures made by Costa Rica on 18 of November 2010.

In relation to the statements made by Costa Rica in the referred letter, Nicaragua considers that its position is and has been very clear and does not wish to engage in an epistolary controversy over the matter. For this reason, Nicaragua reserves its rights to respond to the topics expressed in the mentioned letter at is due moment before the International Court of Justice, the Judicial Organ of the United Nations competent to discern over those matters.

I avail myself of the opportunity to reiterate to you the securities of my consideration.

Manuel Coronel Kautz
Minister of Foreign Affairs by Law
Republic of Nicaragua

His Excellency
Carlos Roverssi Rojas
Acting Minister
Ministry of Foreign Affairs and Worship
Republic of Costa Rica

Annex 66

Note from the OAS Secretary General to the Permanent
Representative of Costa Rica to the OAS,

2 December 2010

TRANSLATION
Organization of American States

T. 202.458.3000
www.oas.org

2 December 2010

His Excellency Jose Enrique Castillo
Ambassador, Permanent Representative of Costa Rica
To the Organization of American States
Washington, D.C.

Dear Ambassador Castillo:

I have the honour of addressing you in relation to your letter of the 24th of November 2010, in which you manifest the willingness of the Government of Costa Rica in order that the 8th Meeting of the Binational Commission be held, and your request for a proposal that establishes an area where the Costa Rican police should be located.

I thank you for your letter and, in this respect, suggest that the most appropriate form of action is that the Costa Rican security forces avoid being positioned less than 1km from the area in dispute. I understand that this gesture, which seeks to increase trust between the two parties, should not create precedents or titles that could be used in an eventual dispute regarding sovereignty.

I take this opportunity to extend the renewed assurances of my highest consideration,

Jose Miguel Insulza
Secretary General

Annex 67

OAS, Twenty-Sixth Meeting of Consultation of Ministers of Foreign
Affairs, Resolution on the Situation between Costa Rica and
Nicaragua, Ref: RC.26/RES. 1/10,

7 December 2010

MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS



TWENTY-SIXTH MEETING OF CONSULTATION
OF MINISTERS OF FOREIGN AFFAIRS
December 7, 2010
Washington, D.C.

OEA/Ser.F/II.26
RC.26/RES. 1/10
7 December 2010
Original: Spanish

RC.26/RES. 1/10

RESOLUTION ON THE SITUATION BETWEEN COSTA RICA AND NICARAGUA

(Approved at the meeting held on December 7, 2010 and
pending revision by the Style Committee)

THE MEETING OF CONSULTATION,

REAFFIRMING the purposes and principles of the Charter of the Organization of American States (OAS), especially those relating to strengthening the peace and security of the continent and to ensuring the pacific settlement of disputes that may arise between member states;

HAVING HEARD the report presented to this Meeting of Consultation by the Secretary General of the OAS;

TAKING NOTE of the "Report by the Secretary General of the OAS on His Visit to Costa Rica and Nicaragua" (CP/doc.4521/10), presented to the Permanent Council on November 9, 2010, and the "Report by the Secretary General on Resolution CP/RES.978 (1777/10)" (CP/doc 4526/10), presented to the Permanent Council on November 18, 2010; and

TAKING NOTE ALSO of resolution CP/RES.978 (1777/10), adopted by the Permanent Council on November 12, 2010,

RESOLVES:

As a confidence-building measure, to call upon the parties to implement, simultaneously and without delay, the recommendations adopted through resolution CP/RES. 978 (1777/10), "Situation in the Border Area between Costa Rica and Nicaragua," of November 12, 2010.

Annex 68

Note by the Acting Director of the National Geographic Institute of
Costa Rica, Ref: 11-0048, 18 January 2010 (sic),

18 January 2011

TRANSLATION

National Geographic Institute
Ministry of Public Works and Transport

San Jose, 18 January 2010
Note No. 11-0042

To Whom It May Concern

In this note, the National Geographic Institute refers to the Physical - Political Map 1:500.000 scale, which in its 1971 Provisional Edition, contains an error in the contour of the boundary between Costa Rica and Nicaragua in the Punta Castilla sector (Isla Portillos / Isla Calero) and that was submitted by Nicaragua as Map No. 3.

It is important to emphasize that this map, as is well reflected in the legend at the top right, clearly indicates that this is a **Provisional Edition**, therefore subject to revision, updates, changes, improvements, etc., in other words, this is a draft map.

Based on inquiries and research performed in our institution in relation to this situation, it was possible to determine the following:

- The cartographic bases of this map were prepared by the IGN. However, since at that time the country did not have a printer suitable to print maps of this size, they were sent to be printed outside the country, so errors like the above or any other type of manipulations and alteration could not be detected until the IGN received all the printed versions.
- The method of preparation of such maps is traditionally known as color separation, which is the preparation of the different layers that make up the map in accordance with the color to be printed. The material used in the design of the layer corresponding to the international border is a film containing a grid, which is a positive or negative material on a flexible film that is attached with wax to a sheet of transparent film. Therefore, the adhesive can be affected by temperature or by inadequate handling, facilitating its movement.

- It should be added that once the error was detected, the maps were withdrawn from sale and circulation, however, some of them had already been distributed.

However, the official drawing of the border limit in the area of Isla Portillos / Isla Calero is shown in the First Edition of the Punta Castilla sheet (3448-I) at 1:50.000, which precisely dates from 1970 and is in fact the cartographical base and the source of the 1971 Costa Rica 1: 500,000 map. The scale 1:50.000 is the most detailed one and is the Official Basic cartography in our country for purposes of planning, legal, decision making, etc.

NATIONAL GEOGRAPHIC INSTITUTE

Geog. Marta E. Aguilar V.
In charge of the General Direction

Cc: File

Annex 69

Note from the Minister of Foreign Affairs of Nicaragua to the
Minister of Foreign Affairs and Worship of Costa Rica, Ref:
MRE/DM-DGA/101/01/11,

26 January 2011

TRANSLATION

Ministry of Foreign Affairs

MRE/DM-DGA/101/01/11

The Government of the Republic of Nicaragua informs the Government of the Republic of Costa Rica of its strong protest because on the 22nd of January 2011 at 13:15, a helicopter coming from Costa Rican territory flew over the area of Harbor Head, violating our airspace on several occasions, after which it returned to Costa Rican territory at 13:24.

This incident is cause for much concern since, a few days before that flight, the Nicaragua Army and National Police had found supplies and ammunition in that area, and a few hours before the aforementioned flight they had captured 5 drug traffickers in that same area carrying over twenty five wads of cocaine, and, less than 48 hours after that flight, these same authorities seized a vessel with 6 drug traffickers aboard coming from that same area.

The Government of the Republic of Nicaragua cannot allow unidentified aircraft to violate its airspace, especially given that there are criminals operating in this area.

The Government of Reconciliation and National Unity reiterates its commitment to fight these illicit activities that are a true scourge on our societies and their development, in accordance with our laws and International Agreements regarding this issue.

The Government of Reconciliation and National Unity requests that the Government of the Republic of Costa Rica take the appropriate steps to prevent this violation of Nicaraguan airspace from occurring again, especially taking into account that there are clear indications that organized crime gangs continue to operate in the abovementioned area in connection with drug trafficking activities.

Managua, 26 January 2011

Honourable Government
of the Republic of Costa Rica
San José

Annex 70

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-051-11,

31 January 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

DM-051-11

The Ministry of Foreign Affairs and Worship of the Republic of Costa Rica extends its greetings to the Ministry of Foreign Affairs of Nicaragua with reference to the note MRE/DM/101/01/11 of 26 January 2011, in which a protest is made against an alleged helicopter flying from Costa Rican territory over “the area of Harbor Head”.

In this respect, the Government of Costa Rica emphatically rejects the Government of Nicaragua’s protest, given that the alleged protest has no basis whatsoever on either the facts or the law. Firstly, it is not understood what Nicaragua means by the “area of Harbor Head” since this area does not appear in the official maps of either Costa Rica or Nicaragua. If the note refers to the lagoon known as Los Portillos, in Nicaraguan territory, and given that Nicaragua does not indicate the helicopter’s license plate or the coordinates of the alleged flight, Costa Rica rejects outright the alleged facts that Nicaragua presents in the note. In any event, it is stated for the record that no aircraft belonging to the Costa Rican police carried out flights or any other type of actions in the areas indicated on the date mentioned.

With regard to the alleged commitment to the fight against drug trafficking proclaimed by the Government of Nicaragua in this same note Costa Rica cannot express an opinion in this respect since it has no evidence of this. Nevertheless, Costa Rica strongly rejects any reference that Nicaragua may make to the alleged fight against drug trafficking as justification of the continued occupation and destruction of Costa Rica’s national territory, and it also rejects any insinuation made against our country in relation to this situation.

Costa Rica, likewise, rejects any use that Nicaragua intends to make of the abovementioned note of protest, and expresses its rejection of any legal value it may attempt to attach to the same.

The Republic of Costa Rica avails itself of the opportunity to reiterate the Government of Nicaragua, once again, its vehement protest for the constant violation of its national sovereignty, associated with the unlawful occupation and use by Nicaragua of a part of Isla Portillos, District of Colorado, Canton of Pococí, Province of Limón.

The Ministry of Foreign Affairs of the Republic of Costa Rica avails itself of this opportunity to extend to the Ministry of Foreign Affairs of the Republic of Nicaragua the assurance of its consideration.

San Jose, 31 January 2011

The Honourable Ministry of Foreign Affairs
Republic of Nicaragua
Managua, Nicaragua

Annex 71

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-059-11,

2 February 2011

TRANSLATION

The Ministry of Foreign Affairs and Worship

San Jose, 2 February 2011
DM-059-11

Your Excellency,

I address Your Excellency in reference to the public announcement made yesterday by the Nicaraguan Institute of Territorial Studies (INETER), in which it presented maps of Nicaragua recently produced by this institution, and that are currently available on its internet website.

The abovementioned maps, one of which is entitled “Administrative Political Division Map”, with a scale of 1:750000, and the other entitled “Topographical Map”, with a scale of 1:50000, include a modification of the land border that exists between and has been agreed upon by Costa Rica and Nicaragua, in particular with regard to the Isla Portillos sector, since 1897. In that sector a part of the national territory of Costa Rica has been represented as Nicaraguan.

Given that this error is manifest and deliberate, clearly intended to adjust Nicaraguan cartography to the false arguments presented before the International Court of Justice during the hearings held between the 11th and 13th of January, with the obvious intention of justifying the unlawful occupation and destruction of Costa Rican territory in that same area, Costa Rica voices its strongest protest to this situation. My country, likewise, rejects outright any attempt to attach any legal value to these maps, which were produced following the conclusion of the aforementioned hearings. These maps, as well as the illegal activity undertaken by Nicaragua in Costa Rican territory, are devoid today and in the future, of any legal value.

Finally, my Government wishes to remind Nicaragua that these acts exacerbate the dispute between the two nations, and are contrary to international law.

I avail myself of this opportunity to extend the assurance of my highest consideration.

René Castro Salazar
Minister

His Excellency Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 72

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-172-11,

18 March 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

March 18, 2011
DM-172-11

Dear Minister

I greet you on the occasion of referring to the indication of provisional measures issued by the International Court of Justice (the Court) on 8 March 2011. In this regard, the Order issued by the Court, specifically in paragraph 78, states:

“Whereas, in order to prevent the development of criminal activity in the disputed territory in the absence of any police or security forces of either Party, each Party has the responsibility to monitor that territory from the territory on which it unquestionably holds sovereignty, i.e, in Costa Rica’s case, the part of Isla Portillos lying east of the right bank of the *caño*, excluding the *caño*; and, in Nicaragua’s case, the San Juan river and Harbor Head lagoon, excluding the *caño*; and whereas it shall be for the Parties’ police or security forces to co-operate with each other in a spirit of good neighbourliness, in particular to combat any criminal activity which may develop in the disputed territory”

Consequently, the Government of the Republic of Costa Rica proposes to the Government of the Republic of Nicaragua the establishment of a commission whose purpose is to discuss operational aspects and to exchange of information to facilitate the protection of the area indicated by the Court, and whose object is the cooperation to prevent common criminal activities, but especially the unwavering commitment to combat the activities of drug trafficking and international organized crime.

This commission would be composed of 5 members from each country, headed by operational directors in charge of combating organized crime, so as to integrate three members of the Costa Rican police and three of the Nicaraguan security forces, and two representatives of the Ministries of Foreign Affairs of each country.

Also, and due to urgency that this matter involves, Costa Rica proposes that the commission meets next Friday 25 March 2011, in the town of Peñas Blancas, in the border between the two countries, and to invite representatives of the friendly countries acting as facilitators, Guatemala and Mexico, to accompany the representatives of both States in establishing mechanisms for dialogue and cooperation to carry out the actions requested by the Court.

Please accept, Mr. Minister, the assurances of my distinguished consideration.

René Castro Salazar

His Excellency
Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 73

Note from the Minister of Foreign Affairs of Nicaragua to the
Minister of Foreign Affairs and Worship of Costa Rica, Ref: MRE-
DM-AJST-327-03-11,

24 March 2011

TRANSLATION

Ministry of Foreign Affairs

Managua, 24 March 2011
MRE/DM/AJST/327/03/11

Dear Minister,

I have the honour of writing to you in regard to your kind note DM-172-11 of 18 March 2011 in which you invite Nicaragua to hold a bilateral meeting of a commission of five civil servants per country in Peñas Blancas on the 25th of March 2011 in order to discuss aspects related to paragraph 78 of the ICJ resolution of 8 March 2011.

In this respect I would like to state that Nicaragua is pleased to note that Costa Rica has heeded the call for dialogue and the public invitation made by the Chief of the Army of Nicaragua, Army General Julio Cesar Aviles Castillo on the 10th of March 2011 in order to reach agreements that may allow us to fight organized crime and international drug trafficking.

Nicaragua reiterates its willingness to fully comply with the International Court of Justice's mandate to make every effort to cooperate, in a spirit of good neighbourliness, in combating any criminal activity that may develop in the disputed territory.

In order to make the necessary arrangements for reaching effective agreements related to the content of paragraph 78 of the aforementioned resolution, the Ministry of Foreign Affairs of the Republic of Nicaragua proposes that, together with the presence of the sister republics of Mexico and Guatemala, the said meeting take place in the second week of April in Peñas Blancas.

I avail myself of this opportunity, Minister, to renew the assurances of my highest consideration.

Samuel Santos López

His Excellency
Rene Castro Salazar
Minister of Foreign Affairs and Worship
Republic of Costa Rica

Annex 74

Note from the acting Minister of Foreign Affairs and Worship of
Costa Rica to the Minister of Foreign Affairs of Nicaragua, Ref: DM-
214-11,

29 March 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

29 March 2011
DM-214-11

Dear Minister,

I have the honour of writing to you regarding your note MRE/DM/AJST/327/03/11 of 24 March 2011 in which you state the Government of the Republic of Nicaragua's willingness to accept the invitation extended by my Government for a meeting aimed at planning an agenda of cooperation related to security, in accordance with the resolution of the International Court of Justice of 8 March 2011.

Costa Rica has taken note of the proposal to hold this meeting in the second week of April 2011. In this respect, and in order to have at our disposal the best possible facilities for this meeting, Costa Rica proposes that the meeting take place in the city of Liberia, with the exact location to be confirmed in due course. Costa Rica likewise suggests that the meeting take place on Tuesday the 12th of April 2011 at 10 am.

The Costa Rican delegation will comprise Carlos Roverssi, Deputy Foreign Minister, Walter Navarro, Deputy Minister of Public Security, Mauricio Boraschi, Deputy Minister of the Presidency and National Anti-Drug Commissioner, Allan Solano, Director of the Drug Control Police, and Luis Rojas, Head of the Tortuguero Conservation Area. In addition, the dialogue-facilitating countries of both Guatemala and Mexico have confirmed their participation for the abovementioned date.

My Government will appreciate Nicaragua's prompt confirmation of its acceptance of the location, date and time proposed, in order to make the necessary logistical arrangements; as well as of those who will comprise the Nicaraguan delegation, with the aim of providing the appropriate conditions.

Finally, as mentioned in Minister Castro's note of 18 March, I reiterate that the aim of the meeting is to set up a commission for discussing operational aspects and the exchange of information that will facilitate the protection of the area indicated by the Court, the goal of which is cooperation for combating common criminal activities but, in particular, for the fight against drug trafficking activities and those related to international organized crime.

I avail myself of this opportunity, Minister, to extend the assurances of my highest consideration.

Carlos Roverssi Rojas
Acting Minister

His Excellency Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 75

Note from the acting Minister of Foreign Affairs and Worship of
Costa Rica to the Minister of Foreign Affairs of Nicaragua, Ref: DM-
DVM-217-11,

30 March 2011

TRANSLATION

The Acting Minister of Foreign Affairs and Worship

San Jose, 30 March 2011
DM-DVM-217-2011

Dear Minister,

I have the honour of writing to you regarding the provisional measures issued by the International Court of Justice on 8 March 2011. In this respect, in paragraph 86 of the Order, the Court indicated the following provisional measure:

“Notwithstanding point (1) above, Costa Rica may dispatch civilian personnel charged with the protection of the environment to the disputed territory, including the *caño*, but only in so far as it is necessary to avoid irreparable prejudice being caused to the part of the wetland where that territory is situated; Costa Rica shall consult with the Secretariat of the Ramsar Convention in regard to these actions, give Nicaragua prior notice of them and use its best endeavours to find common solutions with Nicaragua in this respect;”

Consequently, Costa Rica informs the Government of Nicaragua that, in coordination with the Secretariat of the Ramsar Convention, a visit to the wetland referred to by the Court as disputed territory –ex hypothesi–, has been planned by a mission made up of both technical personnel from the Secretariat of the Ramsar Convention and Costa Rican civilian personnel responsible for the protection of the environment. The purpose of this mission is to make a preliminary assessment of the situation of the wetland in order to determine the actions needed to prevent irreparable prejudice being caused to this part of the wetland.

To this end, the aforementioned mission will be entering the wetland from the 5th to the 7th of April, with the possibility of extending the mission if, in consultation with the Secretariat of the Ramsar Convention, it is deemed necessary to do so. The mission will, likewise, enter the area in a rented civilian helicopter. Once the abovementioned assessment and the respective consultations with the Secretariat of the Ramsar Convention have been made, the actions considered necessary for the protection of the wetland in accordance

with that indicated by the International Court of Justice will be communicated in due course.

I avail myself of this opportunity, Minister, to extend the assurances of my highest consideration.

Carlos Roverssi Rojas
Acting Minister

His Excellency Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 76

Note from the Permanent Mission of Costa Rica before the United Nations to the Permanent Missions and Permanent Observer Missions to the United Nations, Ref: ECR-258-2011,

8 April 2011



Misión Permanente de Costa Rica ante las Naciones Unidas

211 E. 43rd Street, Room 903, New York, NY 10017. Tel: (212) 986-6373 Fax: (212) 9866842

TRASLATION

#

ECR-258-2011

The Permanent Mission of Costa Rica to the United Nations presents its compliments to the Permanent Missions to the United Nations and Permanent Observer Missions to the United Nations, and has the honor to convey note DM-235-11, sent on 6 April by Costa Rican Foreign Minister, René Castro-Salazar, to his Nicaraguan counterpart, Samuel Santos.

In that note (attached in its original Spanish text and in un-official English translation), Costa Rica strongly protests for a series of actions undertaken by a group of organized Nicaraguan citizens, with the support of Nicaragua's Government and its military, which resulted in the violation of Provisional Measure 2, indicated by the International Court of Justice (ICJ), in Paragraph 86 of its 8 March order on "Certain activities carried out by Nicaragua in the border area (Costa Rica *v.* Nicaragua)". Those actions also led to the harassment of a Ramsar-led technical mission to the area, and aggravated the situation in the border area.

The Permanent Mission of Costa Rica to the UN also avails this opportunity to convey the Permanent Missions of Member States and Permanent Observer Missions to the United Nations a summary of recent events concerning the situation in the area:

- On **30 March**, the Minister of Foreign Relations a.i. of Costa Rica notified his Nicaraguan counterpart, through note DV-DVM-217-2011, about the upcoming visit of a Ramsar-led Advisory Mission to the area, in the context of Provisional Measure 2, indicated by the ICJ, in Paragraph 86 of its 8 March order on “Certain activities carried out by Nicaragua in the border area (Costa Rica *v.* Nicaragua)”, which reads as follows:

“Notwithstanding point (1) above, Costa Rica may dispatch civilian personnel charged with the protection of the environment to the disputed territory, including the caño, but only in so far as it is necessary to avoid irreparable prejudice being caused to the part of the wetland where that territory is situated; Costa Rica shall consult with the Secretariat of the Ramsar Convention in regard to these actions, give Nicaragua prior notice of them and use its best endeavours to find common solutions with Nicaragua in this respect”.

- On **1 April**, the Government of Costa Rica informed the ICJ that, “in accordance with Paragraph 86 of the Court’s Order” Costa Rica “has coordinated with the Secretariat of the Ramsar Convention for an Advisory Mission to visit the area on 5-7 April 2011”. The note added that “This visit has the purpose to make a preliminary assessment of the situation in de wetland, so as to determine those actions necessary to avoid irreparable prejudice to the same”.
- On **4 April**, the Registrar of the ICJ, acknowledged reception of the letter informing the Court “of certain actions taken by your Government in compliance with the provisional measures indicated by the Court”.

- On **4 April**, the 3 members of the Ramsar Advisory Mission met with technical personnel of the Ministry of the Environment of Costa Rica, to prepare the mission to the area.
- That same day, the Minister of Foreign Relations a.i. of Costa Rica, through note DM-225-11 sent to his Nicaraguan counterpart, rejected Nicaragua's accusation of an alleged "violation" by Costa Rica of the 8 March order of the ICJ, and reiterated that the Ramsar-led Advisory Mission would proceed according to plan. For further information, the minute of the 4 April coordinating meeting between the Ramsar Advisory Mission and the technical personnel of the Ministry of the Environment of Costa Rica was attached to the diplomatic note.
- On **5 April**, the Ramsar-led Advisory Mission arrived in the disputed territory around noon. At that moment, members of the Nicaraguan press that had illegally entered the area started to harass members of the Mission. Other Nicaraguan groups, dressed as civilians, showed up in vessels on the San Juan River, shouting insults and protesting against the Advisory Mission. Many of them illegally landed both on the disputed territory and on undisputed Costa Rican territory. The Advisory Mission concluded at around 5 p.m. Despite the harassment, it was able to collect important information.
- On **6 April**, the illegal presence of Nicaraguan personnel in the area (in violation of ICJ's March 8 order), prevented the arrival of the Ramsar-led Advisory Mission.
- As quoted on **6 April** by Nicaraguan newspaper *El Nuevo Diario*, General Julio César Avilés, commander in chief of the Nicaraguan Army, praised the action taken by the Nicaraguans that harassed the Technical Mission.
- In a speech delivered in the evening of that **same day**, Commander Daniel Ortega, President of Nicaragua, praised the action of the groups that harassed the illegally entered the area and harassed the Ramsar-led Advisory Mission.

The Permanent Mission of Costa Rica avails itself of this opportunity to renew to the Permanent Missions, Missions of Permanent Observers and

Offices of the Permanent Observers to the United Nations the assurances of its highest consideration.

New York, April 8, 2011

**To all Permanent Missions
Missions of the Permanent Observers
and Offices of the Permanent Observers
to the United Nations in New York
New York**

Annex 77

Note from the Minister of Foreign Affairs of Nicaragua to the
Minister of Foreign Affairs and Worship of Costa Rica, Ref: MRE-
DM-350-04-11,

1 April 2011

TRANSLATION

Ministry of Foreign Affairs

Managua, 01 April 2011

MRE/DM/350/04/11

Dear Minister,

I have the honour of writing to Your Excellency to acknowledge receipt of your Note DM-DVM-214-2011 of 29 March of the current year sent by the Acting Minister Mr. Carlos Roverssi Rojas.

Nicaragua reiterates its firm decision to participate in all forms of dialogue that contribute to strengthening relations of good neighbourliness and to the compliance, in all respects, with the ruling of the International Court of Justice of 8 March 2011.

In accordance with its public invitation to reach agreements that contribute to combating drug trafficking and international organized crime, Nicaragua reiterates its decision to attend a first meeting on 12 April 2011 to begin at 10:00 a.m. at the location originally proposed – Peñas Blancas.

Given the importance and relevance Nicaragua affords this initiative for dialogue, and in order to comply with the ruling of the International Court of Justice, its delegation for this event shall include: the Minister of Foreign Affairs, Samuel Santos Lopez; Army General Julio Cesar Aviles Castillo, Commander-in-Chief of the Nicaraguan Army; the Minister of the Interior Ana Isabel Morales Mazun; the Minister of the Environment and Natural Resources Juanita Argenal Sandoval; Dr. Carlos Arguello Gomez, and the necessary technical personnel, once our proposal has been confirmed.

I avail myself of this opportunity, Your Excellency, to renew the assurances of my highest consideration and esteem.

Samuel Santos López
Minister of Foreign Affairs

His Excellency
Rene Castro Salazar
Minister of Foreign Affairs
Republic of Costa Rica

Annex 78

Note from the Minister of Foreign Affairs of Nicaragua to the
Minister of Foreign Affairs and Worship of Costa Rica, Ref: MRE-
DM-AJST-349-04-11,

1 April 2011

TRANSLATION

The Ministry of Foreign Affairs

Managua, 01 April 2011
MRE/DM/AJST/349/04/11

Dear Minister,

I have the honour of writing to you with regard to Note DM-DVM-217-2011 of 30 March 2011 from the Acting Minister Carlos Rovessi Rojas, in which the Government of Nicaragua is informed of the visit planned for the 5th to the 7th of April, in coordination with the Secretariat of the RAMSAR Convention, to the territory that the International Court of Justice has described as the disputed territory in its Order of 8 March of the present year.

In this respect, the Government of Reconciliation and National Unity of the Republic of Nicaragua, in faithful compliance with the rulings of the abovementioned international court, in accordance with that stipulated in the Charter of the United Nations, sees fit to communicate the following to the Honourable Government of Costa Rica:

1. The first provisional measure issued by the Court in paragraph 86 (1) of its Order contains the general rule that governs the situation in the disputed area until the Court proceeds to adjudge on the merits of the case. In accordance with this general rule:

“Each Party shall refrain from sending to, or maintaining in the disputed territory, including the *caño*, any personnel, whether civilian, police or security.”
2. Paragraph 86 (2) contains only one very limited exception to this general rule on indicating that:

“Notwithstanding point (1) above, Costa Rica may dispatch civilian personnel charged with the protection of the environment to the disputed territory, including the *caño*, but only in so far as it is necessary to avoid irreparable prejudice being caused to the part of the wetland where that territory is situated; Costa Rica shall consult with the Secretariat of the Ramsar Convention in regard to these actions, give Nicaragua prior notice of them and use its best endeavours to find common solutions with Nicaragua in this respect”.

3. In order to make use of this exception Costa Rica must possess elements indicating there is a danger of irreparable damage being caused to the disputed territory; the Secretariat of the RAMSAR Convention should be consulted in this respect and must also consider there is danger of irreparable damage; and, finally, Costa Rica must give Nicaragua prior notice but also “use its best endeavours to find common solutions with Nicaragua in this respect”.
4. To this effect, the dispatch of Costa Rican civilian personnel may not take place with the purpose of carrying out a “preliminary assessment” of the wetland, as stated in the note, unless this is necessary to avoid irreparable prejudice. Nicaragua considers that if, on the date the Order was issued by the Court, which was less than one month ago, no irreparable damage had been found or was shown regarding the disputed territory, the dispatch of personnel to that disputed area could only be justified if a need had arisen following the above mentioned Order, making that visit imperative.
5. In any event, the RAMSAR authorities should make an assessment of the information on which Costa Rica is basing its request to enter the disputed area. This information and the assessment undertaken by RAMSAR should be communicated to Nicaragua in order to comply with the Court’s mandate that Costa Rica shall “use its best endeavours to find common solutions with Nicaragua in this respect”.
6. With regard to RAMSAR, Nicaragua makes a reminder that experts from this Organization visited Nicaragua on the 12th of March in order to carry out an assessment of the wetlands. The

inspection made by RAMSAR did not include a visit to the disputed area in order to not contravene that stipulated by the Court, however, it did visit the areas over which Nicaragua has sovereignty not disputed by Costa Rica, including that known as Harbor Head Lagoon and the areas surrounding the disputed territory. Nicaragua has yet to receive any report from RAMSAR regarding its evaluation of that visit, and thus voice our observations, prior to making that report official, which is why there is no information indicating any event that requires the need to coordinate action for ensuring the protection of the environment and/or contribute to avoiding actions causing irreparable prejudice for both parties in the disputed area.

7. The Exception to the general rule prohibiting entry by the Parties to the disputed area is explained by the Court in paragraphs 79 and 80 of the Order. These paragraphs also make reference to and quote literally article 5 of the RAMSAR Convention, which highlights the need for the cooperation of the Parties in regard to transnational wetlands.
8. In view of the above, Nicaragua considers that, in order to comply with the Court's mandate, not only of notifying Nicaragua, but also of using its "best endeavours to find common solutions", a notification a mere 2 working days prior to the visit and without any explanation of the urgent reasons for this visit, will not suffice.
9. Nicaragua considers that the correct manner in which to proceed is that Costa Rica send Nicaragua the reasons for the visit and the assessment of these by RAMSAR. We also believe it is necessary that the assessment made by RAMSAR take into consideration the visit undertaken by their experts to Nicaragua on the 12th of March, which included the areas adjacent to the disputed territory located within undisputed Nicaraguan territory, including the Harbor Head Lagoon and the San Juan River that surround and feed the disputed wetlands.
10. In view of the above, Nicaragua considers that the entry into the disputed area under the conditions indicated by Costa Rica does not comply with that stipulated in the Court's Order of 8 March 2011.

11. Nicaragua is of the opinion that the most appropriate time for coordinating these activities would be at the forthcoming meeting of the 12th of April which will be attended by Senior Authorities of both Parties. By this date we consider that Costa Rica and the RAMSAR authorities will have had enough time to communicate the abovementioned aspects.

I avail myself of this opportunity to renew the assurances of my highest consideration.

Samuel Santos López

His Excellency
René Castro Salazar
Minister of Foreign Affairs and Worship
Republic of Costa Rica

Annex 79

Note from the acting Minister of Foreign Affairs and Worship of
Costa Rica to the Minister of Foreign Affairs of Nicaragua, Ref: DM-
226-11,

4 April 2011

TRANSLATION**The Minister of Foreign Affairs and Worship**

4 April 2011
DM -226-11

Your Excellency,

I refer to your note MRE/DM/AJST/350/04/11 of 1 April 2011 regarding a meeting proposed by Costa Rica for 12 April 2011 with a view to discussing aspects related to security and the fight against drug trafficking on the common border, in particular in the area described in the International Court of Justice's Order of 8 March 2011.

Consequently, Costa Rica takes note of Nicaragua's preference for the activity to take place in Peñas Blancas on Tuesday 12 April 2011 starting at 10 a.m. To this effect, my Government shall arrange for an appropriate place at which to hold this meeting in the aforementioned location. Costa Rica is, likewise, pleased to have the opportunity of hosting the honourable Nicaraguan delegation listed in the abovementioned note and from this moment places itself at your disposal.

Finally, my country sincerely hopes that this meeting will lead to a constructive dialogue in the interests of accomplishing acts of cooperation for providing security in the area described by the Court, in addition to combating drug trafficking and international organized crime.

I avail myself of this opportunity, Minister, to extend the assurances of my highest consideration.

Carlos Roverssi Rojas
Acting Minister

His Excellency Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 80

Note from the acting Minister of Foreign Affairs and Worship of
Costa Rica to the Minister of Foreign Affairs of Nicaragua, Ref: DM-
225-11,

4 April 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

4 April 2011
DM-225-11

Excellency,

I refer to your note MRE/DM/AJST/349/04/11 of 1 April 2011 regarding the activities coordinated by Costa Rica in conjunction with the Ramsar Secretariat to be carried out in the *Humedal Caribe Noreste*, the purpose of which is to assess the necessary measures for avoiding irreparable damage to the wetland.

Costa Rica acknowledges receipt of the aforementioned note, but rejects Nicaragua's interpretation of the provisional measures issued by the International Court of Justice, as well as the application of this interpretation to the activity duly notified by Costa Rica in its note DM-DVM-217-2011 of 30 March 2011. This activity shall be undertaken in full compliance with the second provisional measure issued by the International Court of Justice in its order of 8 March 2011. The existence of a danger of irreparable damage is the very reason why the Court issued such as measure. The civilian personnel in charge of protecting the environment in Costa Rica, in consultation with the Technical Mission of the Ramsar Convention Secretariat, and based on the existing technical evidence, consider it essential to make an on-site visit in order to carry out an assessment of the situation in the wetland resulting from the human activities being undertaken in the northern sector of *Isla Portillos*, with a view to implementing the necessary actions to avoid irreparable prejudice being caused to that part of the wetland. Costa Rica, therefore, reiterates on all accounts the notification sent to Nicaragua in note DM-DVM-217-2011 of 30 March 2011.

Costa Rica shall duly inform Nicaragua of the outcome of the visit and the resulting technical assessments, and advocates both our countries take the joint action required to protect both the *Humedal Caribe Noreste* and the *San Juan River Refugio de Vida Silvestre* wetland, which coexist in the area.

Likewise, in the spirit of collaboration and good neighbourliness of our relations, and considering that the order of 8 March 2011 issued by the International Court of Justice appeals to both our countries to collaborate in the protection of the environment, Costa Rica considers that there is no reason why the protection actions which should be implemented in the *Humedal Caribe Noreste* to avoid irreparable damage should be cause for the disapproval publicly voiced by Nicaragua.

Furthermore, in this same spirit Costa Rica attaches to this note the minutes of the meeting of the Technical Mission of the Ramsar Convention Secretariat and personnel from the Ministry of the Environment, Energy and Telecommunications, which is the authority responsible for environmental protection in Costa Rica.

Costa Rica takes note of the information mentioned in note MRE/DM/AJST/349/04/11 regarding the visit of a delegation of the Ramsar Convention Secretariat to the Nicaraguan area surrounding *Isla Portillos*, including the *Los Portillos* lagoon. In accordance with Article 5 of the abovementioned Convention and with the order issued by the Court on 8 March 2011, it is Costa Rica's wish that both parties may share in all the actions necessary for the protection of the Costa Rican and Nicaraguan wetlands in this area.

I avail myself of this opportunity, Minister, to extend the assurances of my highest consideration.

Carlos Roverssi Rojas
Acting Minister

His Excellency Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 81

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-235-11,

6 April 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

San José, 6 April 2011

DM-235-11

His Excellency the Minister,

As your Excellency knows, the Government of Costa Rica informed the Government of Nicaragua on the conduct of a technical mission to the northern sector of Isla Portillos from 5 through 7 April 2011, in compliance with the provisions made by the International Court of Justice on 8 March 2011. This event was duly reported by Costa Rica through its note DM-DVM-217-2011 of 30 March 2011. As indicated in this note, civilian personnel responsible for the protection of the environment of Costa Rica, in consultation with the Technical Mission of the Ramsar Convention Secretariat, based on existing technical evidence, considered essential a site visit to make an assessment of the status of the wetland as a result of human activities conducted in the northern part of Isla Portillos, in order to implement those actions necessary to avoid irreparable damage to that part of the wetland. That has been the sole purpose of the technical mission.

However, Nicaragua's media have reported that, with cooperation and approval of the Army of Nicaragua, the Sandinista Youth members were present at the place, as indeed happened, in order to protest and prevent the realization of the technical mission. Yesterday, 5 April, the technical mission proceeded with the programmed work, as was reported to Nicaragua. Upon arrival they found not only Nicaraguan civilians shouting insults and slogans on vessels stationed on the San Juan River, but also, as graphic evidence taken by the press shows, these Nicaraguans landed on the north side of Isla Portillos, some of them journalists from that country, and harassed members of the technical mission, who were followed while conducting their scientific work, trying to prevent the normal conduct of scheduled the technical work. Even the Technical Advisory members from the RAMSAR Convention Secretariat were harassed by members of the

press of your country, who already were waiting for them in the Northern Sector of Isla Portillos before their arrival to the place.

In addition, today Nicaraguan civilians keep going in and out of Isla Portillos. These civilians also prevented the conduct of the technical mission, by endangering the landing of the civilian helicopters that were carrying the members of the Mission. All these action have been done in clear violation of the Order issued by the International Court of Justice.

Furthermore, there is clear evidence that Nicaraguan civilians were entering the indisputably Costa Rican territory in violation of national immigration laws. That penetration, facilitated by the Army of Nicaragua, is an act aimed at aggravating the situation, and contravenes the aforementioned Order of the Court.

Consequently, the Government of Costa Rica raises its strongest protest against these serious acts, calls upon the Government of Nicaragua to comply rigorously with the Order of the International Court of Justice of 8 March 2011, and demands that Nicaragua take all necessary measures to prevent a worsening of the dispute.

Please accept, Minister, the assurances of my highest consideration.

René Castro Salazar

His Excellency
Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 82

Note from the acting Minister of Foreign
Affairs of Nicaragua to the Minister of Foreign Affairs and Worship
of Costa Rica, Ref: MRE/DVM/AJST/117/04/11,

7 April 2011

TRANSLATION

The Minister of Foreign Affairs

Managua, 07 April 2011
MRE/DVM/AJST/117/04/11

Excellency:

I refer to your Note DM-235-11 of 6 April 2011 as follows:

1. Nicaragua once again makes an appeal to the Government of its sister Republic of Costa Rica to abstain from promoting, inciting and continuing to undertake actions that, rather than contributing to find joint solutions through dialogue, distance us from that possibility, escalating and aggravating the conflict.
2. Since the order of the International Court of Justice was issued on 8 March 2011 of the current year, Nicaragua has, insofar as it has submitted to the jurisdiction of the Court, complied with not sending civilian or military personnel to the disputed area, a situation which we have maintained and was, in due course, confirmed by a RAMSAR mission, which, on 12 March, concluded a visit in the areas surrounding the Nicaraguan territory.
3. In due course, the Government of Costa Rica was, via note MRD/DM/349/04/11 of 1 April of the current year, notified that the incursion it intended to make into the disputed area was unfounded with respect to the content of the ruling of the International Court of Justice.
4. We proposed that the most appropriate course of action was to coordinate joint activities that could be implemented for protecting the environment in the disputed area, an issue we have suggested and reiterate could be part of the agenda to be discussed at the meeting we have proposed be held on 12 April in Peñas Blancas.
5. What you express in your Note 235-11 ignores the foregoing and, on the contrary, insists on Costa Rica's intentions of intensifying the

controversy, airing it in the media, thereby disregarding the ruling of the International Court of Justice of 8 March of the current year.

6. Nicaragua reiterates its Government's appeal to the sister Republic of Costa Rica to comply with the ruling of the International Court of Justice of 8 March 2011, which we are convinced will contribute to restoring relations of good neighbourliness between our nations.

I avail myself, Sir, of this opportunity to extend the assurances of my highest consideration and esteem.

Manuel Coronel Kautz
Minister by Law

To the Honourable
René Castro Salazar
Minister of Foreign Affairs and Worship
of the Republic of Costa Rica

Annex 83

Note from the Ministry of Foreign Affairs of Nicaragua to the
Ministry of Foreign Affairs of Costa Rica, Ref:
MRE/DGAJST/150/04/11,

7 April 2011-11

TRANSLATION

Ministry of Foreign Affairs

Note No. MRE/DGAJST/150/04/11

The Ministry of Foreign Affairs of the Republic of Nicaragua, Directorate General of Legal Affairs, Sovereignty and Territory, presents its compliments to the **Directorate of Legal Affairs of the Ministry of Foreign Affairs and Worship of the Republic of Costa Rica** and makes reference to the series of events brought about by the authorities of the Government of Costa Rica in the area declared in dispute by the International Court of Justice, including the incursion of Costa Rican civilians and security personnel into the area, in breach of that ruled by the international court, which orders both parties to abstain from undertaking actions that aggravate or make it more difficult to resolve the conflict.

The Republic of Nicaragua strongly protests against the repeated violations of Nicaraguan airspace undertaken on the 5th and 6th of April 2011 by aircraft coming from Costa Rican territory. On 5 April two BELL RANGER-type aircraft with registration numbers TI-BAT and TI-BDB made incursions into the Harbor Head lagoon sectors, as well as the course and banks of the San Juan River, in Nicaraguan territory.

On 6 April, the same aircraft with registration number TI-BAT, this time accompanied by the aircraft Eurocopter 335, registration number TI-AZA, entered once again, violating our airspace and sovereignty for the second time in the same areas repeatedly for a period of three hours.

Likewise on 5 and 6 April aircraft bearing a “RAMSAR” legend were also sighted from Nicaraguan territory, flying over Nicaraguan airspace from Costa Rican territory.

Similarly, these aircraft flew over and landed in the area where the International Court of Justice has ordered the parties to abstain from

sending or maintaining either police or security personnel in order to not aggravate the conflict.

All these flights violate international laws of civil aviation, since they entered Nicaraguan territory without complying with flight procedures and permissions. As a member state of the ICAO Chicago Convention, Costa Rica is thus violating the provisions of article 3bis of the above, putting civil aviation operations at risk, which is why Nicaragua will denounce these events before this organization's Council.

The Republic of Nicaragua has been complying with the International Court of Justice's Order of 8 March 2011, and urges the Republic of Costa Rica to abstain from undertaking the protested acts again.

Nicaragua reiterates its appeal to Costa Rica to refrain from conduct that does not contribute to the spirit of peace and tranquillity we should promote as sister nations.

The Ministry of Foreign Affairs of the Republic of Nicaragua, Directorate General of Legal Affairs, Sovereignty and Territory avails itself of this opportunity to extend the assurances of its highest consideration to the **Honourable Directorate of Legal Affairs of the Ministry of Foreign Affairs and Worship of the Republic of Costa Rica.**

Managua, 07 April 2011

To the Honourable
Directorate of Legal Affairs
of the Ministry of Foreign Affairs and Worship
Republic of Costa Rica

Annex 84

Note from the acting Minister of Foreign Affairs of Nicaragua to the
Minister of Foreign Affairs and Worship of Costa Rica, Ref:
MRE/DVM/AJST/121/04/11,

8 April 2011

TRANSLATION

The Minister of Foreign Affairs

Managua, 8 April 2011
MRE/DVM/AJST/121/04/11

Your Excellency:

In relation to Your Excellency's note of 6 April 2011, I take the opportunity to reiterate what is undoubtedly within your knowledge, that the Government of Reconciliation and National Unity of the Republic of Nicaragua, in accordance with the order of the International Court of Justice of 8 March 2011, and as was duly communicated by the Ministry of Foreign Affairs of the Republic of Nicaragua through its note MRE/DM/AJST/349/04/11, considers that the sending of civilian Costa Rican personnel can only be undertaken, not with the purpose of making a "preliminary evaluation" of the wetland, but only in so far as it is necessary to prevent irreparable prejudice from being caused.

Likewise, I take the opportunity to recall to Your Excellency that the security personnel of Nicaragua were withdrawn from the disputed territory towards the end of November 2010, a date by which the cleaning of the natural canal that connects the River San Juan to the Harbor Head lagoon was completed, and furthermore, after the reading of the Order of 8 March of this year, all Nicaraguan civilian personnel on the disputed territory, including specialised reforestation personnel, were withdrawn and have remained outside the area.

In the same vein, the Republic of Nicaragua wishes to communicate to the Honourable Government of Costa Rica that the Army of Nicaragua, as part of its functions in the area of the River San Juan, is required to safeguard the regulations and security measures for all persons and vessels that transit on the River, as stipulated in decree 79-2009, of which the Government of Costa Rica is fully aware. Consequently, Nicaragua overwhelmingly rejects the false and

unfounded Costa Rican assertions and considered these assertions as having no merit.

As your Excellency is aware, Costa Rican authorities have made known to the mass media of Costa Rica that the Government of Costa Rica will attend, as in fact it did, the “preliminary evaluation” of the wetland with national and international journalists, raising the number of participants to dozens of unauthorized persons outside of the environmental role of RAMSAR, and contrary to the order of the International Court of Justice of 8 March of this year.

The people of Nicaragua, upon becoming aware of what Costa Rica would be doing in this area, went by their own means to express their injured feelings by the show that was intended in the territory considered by all Nicaraguans as their national territory. The Nicaraguan authorities do not have the obligation to contain or impede the legitimate expression of the feelings of the Nicaraguans. No criminal acts were committed, similar to the attack suffered by the Nicaraguan Embassy in San Jose, Costa Rica on 12 November 2010, that would have required the intervention of Nicaragua’s Public Forces.

On the other hand, the demonstrators did not prevent the RAMSAR mission and the Costa Rican representatives that entered the disputed territory from carrying out what they intended to do on the area. As the Vice Minister for the Environment of Costa Rica. Ms. Ana Lorena Guevara, who was present on site, and through public statements said that “the visit fulfilled its objective, we could corroborate much of the secondary information that we have and we have procured other first-hand information”, thereby contradicting what was expressed in the note of DM-235-11, which referred to events that prevented the realization of the technical mission.

Consequently, the Republic of Nicaragua rejects any legal value that Costa Rica attaches to these unfounded accusations, which tend to aggravate the situation in the disputed territory and which are contrary to what was ordered by the International Court of Justice in its resolution of 8 March 2011.

Accept, Minister, the assurances of my highest consideration,

Manuel Coronel Kautz
Minister by the Law

To His Excellency Mr.
René Castro Salazar
Minister of Foreign Affairs and Worship
of the Republic of Costa Rica

Annex 85

Peñas Blancas Declaration (Costa Rica and Nicaragua)

12 April 2011

PEÑAS BLANCAS DECLARATION

The representatives of the Governments of Nicaragua and Costa Rica, meeting at the common border of Peñas Blancas on Tuesday 12 April 2011, agree:

Solely:

To delegate to their representatives Carlos José Najar Centeno, Deputy Minister of the Interior of the Republic of Nicaragua, and Wálter Navarro Romero, Deputy Minister of Public Security of Costa Rica, to hold another meeting to take place in the Republic of Guatemala on 5 May 2011 for the purpose of continuing to discuss the binational agenda on the issues of the fight against drug trafficking, organized crime and security.

The Governments of Nicaragua and Costa Rica wish to thank the Governments of Mexico and Guatemala for their efforts as witnesses to this meeting of our representatives.

Peñas Blancas, common border between Nicaragua and Costa Rica.

Tuesday 12 April 2011.

Orlando Gómez Zamora
Deputy Minister of Foreign Affairs
Republic of Nicaragua

Carlos Roverssi
Deputy Minister of
Foreign Affairs and Worship
Republic of Costa Rica

Honourary Witnesses:

Ambassador
Rubén Beltrán del Río
Under Secretary of Foreign Affairs
For Latin America and the Caribbean
United Mexican States

Carlos Raúl Morales
Deputy Minister of
Foreign Affairs
Republic of Guatemala

Annex 86

Note from the Ministry of Foreign Affairs and Worship of Costa Rica
to the Ministry of Foreign Affairs of Nicaragua, Ref: 0463-D.G.P.-
2011,

13 April 2011

TRANSLATION

Ministry of Foreign Affairs and Worship

Directorate General of Protocol and State Ceremonial

N° 0463-D.G.P.-2011

The Ministry of Foreign Affairs of the Republic of Costa Rica extends its greetings to the Honourable Ministry of Foreign Affairs of the Republic of Nicaragua on forwarding the attached documents.

The first is a copy of the minutes of the Technical Meeting of the Secretariat of the Ramsar Convention's Technical Advisers Mission and civil servants from the Ministry of the Environment, Energy and Telecommunications on 7 April 2011. The communication of these minutes is made in accordance with that stipulated in the Order issued by the International Court of Justice on 8 March 2011.

The second is a proposal for a draft Police Action Protocol on security and the fight against drug trafficking. The proposal is forwarded at the request of the Costa Rican Deputy Minister of Security, Mr. Wálter Navarro Romero, within the framework of the meeting held yesterday in the border area of Peñas Blancas, in order that it be forwarded to the Honourable Deputy Minister of the Interior of Nicaragua, Mr. Carlos José Najar Centeno, both of whom have been appointed to liaise between the two countries.

The Ministry of Foreign Affairs of the Republic of Costa Rica avails itself of this opportunity to extend the assurances of its highest consideration to the Honourable Ministry of Foreign Affairs of the Republic of Nicaragua.

San Jose, 13 April 2011

To the Honourable Ministry of Foreign Affairs
Republic of Nicaragua

Annex 87

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-255-11,

15 April 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

San José, 15 April 2011
DM-255-11

His Excellency the Minister,

Allow me to greet you on the occasion of referring to notes MRE/DVM/AJST/117/04 of 7 April and MRE/DVM/AJST/121/04 of 8 April, both of this year, signed by Mr. Manuel Coronel Kautz in his capacity as Minister by the Law.

In connection with both notes, Costa Rica fully reaffirms the terms of its protest raised through note DM-235-11 of 6 April, regarding the presence of numerous Nicaraguans in the north sector of Isla Portillos. The presence of these persons who, as reported by the Nicaraguan press itself, was facilitated by the Government of Nicaragua, makes Nicaragua to fail in the compliance with the terms of the Order issued by the International Court of Justice on 8 March.

The above statement is based on the fact that firstly, the mere presence of these people in the area violates the provisions of paragraph 86 (1) of the Order, but also because their actions of harassment to the technicians sent by the Secretariat of RAMSAR Convention and the Costa Rican civilian personnel in charge of environmental protection who entered the area on 5 April, and their attempt to impede the entry scheduled for 6th, sought to prevent Costa Rica from complying with what was mandated in paragraph 86 (2) of the Order. These actions also clearly contravene what was mandated in paragraph 86 (3) of the Order, since these are actions whose sole outcome is the aggravation of the dispute. Costa Rica possesses the necessary evidence that documents the actions of harassment suffered by the Ramsar and Costa Rican technicians.

With regard specifically to note MRE/DVM/AJST/121/04 of 8 April, let me make some observations. First, regarding the claim that

Nicaraguan security personnel had been withdrawn from the northern sector of Isla Portillos since late November 2010, may I remind Your Excellency that the Government of Costa Rica has evidence that as of 19 January 2011 there was still presence of Nicaraguan troops and military camps in the area, as he was reported to the International Court of Justice at the time.

Moreover, regarding the reference to Decree 79-2009, I remind you that, as was informed to Nicaragua through note DM-AM-816-09 dated 20 November 2009, such decree is contrary to the Judgment issued by the International Court of Justice on 13 July 2009, and breaches the perpetual right of free navigation of Costa Rica established by the Cañas-Jerez Treaty of Limits. The annex to note DM-AM-816-09 spells out in detail the legal reasons that support this assertion, which were never adequately refuted by Nicaragua.

Furthermore, I inform Your Excellency that the claim that national and international journalists attended the preliminary assessment of the wetland "raising the number of visitors to dozens of people outside the environmental role of Ramsar" is absolutely false, since the journalists led by Costa Rica, contrary to the Nicaraguan attitude, remained strictly in the area of the right bank of the canal artificially constructed by Nicaragua, so that at no time they entered the area where the International Court of Justice acknowledged to Costa Rica environmental custody. My Government also has extensive documentary evidence that supports this assertion, and regrets that the Government of Nicaragua misses the truth in these matters.

Finally, while Nicaragua is trying to justify the illegal presence of many Nicaraguans in the area indicated by the Court as a spontaneous act, the fact is that Nicaragua had, as a minimum, the obligation to take action to prevent such acts, which are absolutely contrary to what was mandated by the Court in its Order of 8 March. Therefore, this excuse put forward by Nicaragua is not acceptable for Costa Rica. Costa Rica, while fully adhering to its previously formulated protest, urges the Government of Nicaragua to stop these illegal actions, which contribute to aggravating the situation.

Please accept, Mr. Minister, the assurances of my distinguished consideration.

René Castro Salazar
Minister

His Excellency
Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 88

Note from the Ministry of Foreign Affairs of Costa Rica to the
Ministry of Foreign Affairs of Nicaragua,
Ref: DJO-217-11,

15 April 2011

TRANSLATION**Republic of Costa Rica
Ministry of Foreign Affairs and Worship****DJO-217-11**

The Ministry Foreign Affairs and Worship—Legal Directorate—presents its compliments to the Honourable Ministry of Foreign Affairs of the Republic of Nicaragua –Directorate of Legal Affairs, Sovereignty and Territory –, further to note No. MRE/DGAJ7T/150/04/11, of 07 April 2011, in which the Government of Nicaragua refers “to the series of events advocated by the authorities of the Government of Costa Rica in the area declared in dispute by the International Court of Justice, including the incursion of Costa Rican civilians and security personnel into the area, in breach of that ruled by the international court” and in which a protest is also made against alleged “repeated violations of Nicaraguan airspace undertaken on the 5th and 6th of April 2011 by aircraft coming from Costa Rican territory”. Moreover, this note adds that these aircraft “flew over and landed in the area where the International Court of Justice has ordered the parties to abstain from sending or maintaining either police or security personnel in order to not aggravate the conflict”.

With reference to these statements, the Government of Costa Rica once again reminds Nicaragua that the visit to the area the environmental protection of which the Court recognized as Costa Rica’s, made on the 5th and 6th of April by Costa Rican technical personnel in charge of the environmental protection accompanied by technical personnel sent by the Secretary-General of the Ramsar Convention, was carried out in accordance with paragraph 86 (2) of the Order of the International Court of Justice of 8 March of the current year. Costa Rica regrets that Nicaragua has, rather, attempted to hinder this mission through actions that have been duly documented and protested against by the Republic of Costa Rica, including the

illegal presence of numerous Nicaraguans in the area who harassed the members of this mission.

Costa Rica likewise rejects any statement indicating that it has violated Nicaraguan airspace. The private helicopters hired by the Costa Rican Government for transporting Costa Rican technical staff and Ramsar personnel organizing the visit flew over and landed in the area under the environmental custody of Costa Rica as part of the mission, which is in compliance with the mandate established by the Court. At no time whatsoever did they fly over Nicaraguan territory, and Costa Rica therefore categorically rejects any statement to the contrary.

Costa Rica consequently rejects the false and unfounded Nicaraguan statements considering its protest entirely unsubstantiated, and, equally, rejects any legal value that Nicaragua attempts to attach to them. Costa Rica, on the other hand, once more urges the Government of Nicaragua to comply in all respects with the Court's ruling, and abstain from carrying out actions that would result in aggravating the dispute and that would thus be contrary to the provisions of paragraph 86 (3) of the Ruling of the International Court of Justice.

The Legal Directorate of the Ministry of Foreign Affairs and Worship avails itself of this opportunity to extend to the Honourable Ministry of Foreign Affairs of the Republic of Nicaragua –Directorate of Legal Affairs, Sovereignty and Territory- the assurance of its highest consideration.

San José, 15 April 2011

To the Honourable
Ministry of Foreign Affairs
Directorate of Legal Affairs, Sovereignty and Territory
Republic of Nicaragua

Annex 89

Mechanism of Coordinated Police and Security Actions between
Costa Rica and Nicaragua.

Guatemala, 6 May 2011

(TRANSLATION)

Mechanism for Coordinated Police and Security Actions
Costa Rica-Nicaragua
(Aquatic-Terrestrial-Aerial)

In accordance with what was established at paragraph 78 of the Order issued by the International Court of Justice on 8 March 2011, and with the purpose of establishing a bi-national commission between Costa Rica and Nicaragua, the purpose of which being the operational coordination of actions and information exchange for the prevention, control and combat of common criminality, drug trafficking and organized crime, in the area indicated by the Court in the said Order, as well as to strengthen the existing working and coordination mechanisms in the framework the bi-national and regional bodies recognized by both countries, the delegations of Costa Rica and Nicaragua agree to:

- I. Establish a mechanism of communication and coordination of security actions, in the case of Costa Rica by its police forces and in the case of Nicaragua by its police and security forces, in the area indicated by the Court, that includes the terrestrial, aerial and aquatic spaces, with the purpose of preventing, controlling and combatting common criminality, drug trafficking and any other form of organized crime.
- II. Establish, through the appointment of a liaison officer for each of the two countries, a functional body to coordinate the fight against common criminality, drug trafficking, organized crime and other crimes that affect the security of both countries and peace of its inhabitants.
- III. Establish a permanent system for the gathering, analysis and exchange of existing information that promotes in a coordinated manner the corresponding action, with particular emphasis on the zone indicated by the Court.
- IV. Implement security systems in order to detect illegal activities and to streamline procedures for the communication and exchange of information between the authorities of both countries.
- V. Provide a rapid response in the said territory through operational, police security teams to prevent, control and combat common criminality, drug trafficking and organized crime.
- VI. The main crimes to pursue are drug trafficking, human trafficking, the traffic of illegal migrants, illegal extraction of natural resources, illicit arms trafficking, illegal trafficking of goods, cattle theft, the theft of vessels, illegal trafficking of money, crimes against the

environment and others.

VII. Classification of actions on the said territory are:

1. Planned operations:

It refers to those operations which after analysis and study are coordinated by the functional body under this mechanism.

2. Daily operations:

Those operations that are carried out daily by the police and security authorities to prevent and detect illegal acts.

3. Special operations:

These are understood as being those facts that are out of the ordinary and that require an immediate response by the functional body jointly formed by the both countries.

VIII. The Functional Body will be integrated by the liaison officers of both countries, responsible for coordinating the execution of the present mechanism established by both countries. On behalf of Costa Rica, it will be integrated by the Vic Minister of Public Security, Commissioner Walter Romero, and on behalf of Nicaragua, the Director General of National Police, Commissioner Aminta Elena Granera Sacasa.

In case of change of the holder of the above mentioned positions, this will be notified immediately through the official channels.

The aim of the functional instance is to meet in an orderly and systematic way, the functions established in this mechanism.

The following task forces are thus established:

1. Analysis and Intelligence task force.

Coordinates, conducts, analyzes and transmits the results of intelligence activities related to police and military actions set out in this mechanism. It is integrated by the Director of National Security and Intelligence of Costa Rica, and by the Directors of Police Intelligence and Defense Information of Nicaragua.

2. Communications task force

Receives, transmits and exchanges information related to both the Functional Instance and the Operational Task Forces. It is integrated by the Ministry of Public Security of Costa Rica and by the National Police and the Army of Nicaragua.

3. Interception and interdiction task force

Carries out aquatic, terrestrial and aerial operations resulting from the intelligence information received and coordinated as set out in the present mechanism. It is integrated by the competent police and security forces of both countries.

Any additional task forces may be set up as they may be deemed necessary.

IX. Final dispositions:

1. The parties agree that the coordination activities within the Functional Instance will be made known to the respective Foreign Ministries, within the scope of their competence.
2. In addition, they agree that the representatives of the Functional Instance shall meet every six months, from the time of the subscription of this mechanism, and extraordinarily when the parties deem it necessary.
3. A diagram of coordinated actions in the fight against trans-border crime is hereby annexed.

Given in the city of Antigua, Guatemala, on 6 May 2011.

Commissioner
Walter Navarro Romero
Vice Minister of Public Security
Republic of Costa Rica

First Commissioner
Aminta Elena Granera Sacasa
Director General of the National Police
Republic of Nicaragua

Witnesses,

Ambassador
Carlos Raul Morales Moscoso
Viceminister of Foreign Affairs
Republic of Guatemala

Ambassador
Ruben Beltran Guerrero
Under Secretary for Latin American and the
Caribbean
Republic of Mexico

Annex 90

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-AM-299-11,

13 May 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

San José, 13 May 2011

DM-AM-299-11

His Excellency the Minister,

I take this opportunity to greet you and refer, once again, to the presence of numerous Nicaraguan nationals in Finca Aragón, in the Northern sector of Isla Portillos, who continue to travel to and from and to stay there with the encouragement and support of the Government of Nicaragua.

I remind Your Excellency that by letter DM-235-11 of 6 April 2011, Costa Rica had already strongly protested the presence of these persons in the said territory, subject to the Order of the Court of 8 March 2011. These personas harassed and tried to obstruct an environmental technical mission of experts from the Ramsar Convention Secretariat, as well as Costa Rican personnel in charge of environmental protection, who were conducting a site mission in order to determine measures to avoid irreparable prejudice to the wetland.

Furthermore, by letter DM-AM-255-11 of 15 April, the Nicaraguan Government was informed that the presence of Nicaraguans in that area is, in Costa Rica's view, a breach of the First, Second and Third Provisional Measures.

Costa Rica considers that the continued presence of Nicaraguan civilians in the northern area of Isla Portillos, all of which is supported and encouraged by the Nicaraguan Government, constitutes a breach of the obligations set out in the Court's Order on Provisional Measures, directed at the preservation of the rights of Costa Rica, to safeguard the wetland, and to avoid any aggravation of the dispute.

In relation to the above, I take this opportunity to set out the following considerations of Costa Rica that prove the Nicaraguan breaches of the Provisional Measures indicated by the Court.

The First Provisional Measure reads as follows:

“Each Party shall refrain from sending to, or maintaining in the disputed territory, including the “caño”, any personnel, whether civilian, police or security”

This Measure must be understood to mean that neither party, including Costa Rica, may facilitate, support or enable any person or persons to enter the territory until a final judgment has been issued by the Court, or until such time as the Court should decide to lift the Provisional Measures Order. This is not limited to persons employed by the Nicaraguan Government. As the evidence stands, Nicaragua is in breach of this First Provisional Measure.

The Second Provisional Measure reads:

“Notwithstanding point (1) above, Costa Rica may dispatch civilian personnel charged with the protection of the environment to the disputed territory, including the “caño”, but only in so far as it is necessary to avoid irreparable prejudice being caused to the part of the wetland where that territory is situated; Costa Rica shall consult with the Secretariat of the Ramsar Convention in regard to these actions, give Nicaragua prior notice of them and use its best endeavours to find common solutions with Nicaragua in this respect;”

This Measure must be understood to mean that Costa Rica – and only Costa Rica – may dispatch civilian personnel charged with the protection of the environment to the disputed territory, to avoid irreparable prejudice to the wetland. This is the only exception to the First Provisional Measure. Thus only Costa Rican civilian personnel charged with the protection of the environment may be present in the territory.

But in fact Nicaraguan nationals have not only been dispatched to the territory, but their presence is directed at harassing and is intended to impede activities necessary to avoid irreparable prejudice being caused to the wetland. It is obvious that the presence of 100 to 150 people in the wetland represents by itself a threat to the delicate ecosystem in that wetland that may result in irreparable prejudice.

Nicaragua is therefore in breach of the Second Provisional Measure as well.

The Third Provisional Measure reads:

“Each Party shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve;”

Thus neither party can engage in any type of conduct that counters or impedes the execution of Provisional Measures, which includes conduct aimed at aggravating the dispute. To encourage, facilitate and support Nicaraguan nationals, whether or not employed by Nicaragua, to be present in the disputed territory—even harassing and attempting to impede the presence in that territory of civilian personnel charged with the protection of the environment dispatched by Costa Rica for that purpose—amounts to a clear breach of the object and purpose of the Provisional Measures. Nicaragua is also in breach of the Third Provisional Measure.

Costa Rica vigorously protests these breaches, calls upon Nicaragua to cease all actions that infringe the Provisional Measures, and reminds Nicaragua of its obligations not to aggravate the dispute or make it more difficult to resolve. Costa Rica reserves all its rights in this regard.

Accept, Excellency, the assurances of my highest consideration,

René Castro Salazar
Minister

His Excellency
Samuel Santos Lopez
Minister of Foreign Affairs
Republic of Nicaragua

Annex 91

Note from the Deputy Minister of Security of Costa Rica to the Chief
of the Police of Nicaragua, Ref: 612-2011-DV-WN,

30 May 2011

TRANSLATION

Office of the Deputy Minister of Public Security

30 May 2011
Note N° 612-2011 DV-WN

First Commissioner
Aminta Granera Sacasa
Director General of the National Police
Republic of Nicaragua

Dear Madam,

During the last days, the police forces of our country have undertaken a number of operations, principally in the fight against drug trafficking, managing to seize an important quantity of drugs, which I proceed to detail:

- 18 May: 378 kilos of cocaine-Miramar of Puntarenas.
- 23 May: 560 kilos of cocaine-Cuajiniquil de Guanacaste.
- 27 May: 178 kilos –Río Claro de Golfito.
- 27 May: 110 kilos of cocaine-Peñas Blancas de Guanacaste.
- 28 May: 80 kilos of cocaine-Liberia de Guanacaste.

For this reason, and in the spirit of good faith, and taking regard of the “Mechanism for Coordinated Police and Security Actions Costa Rica-Nicaragua” signed by both countries during the recent meeting that took place in Guatemala; I inform you Government that Costa Rica will its vigilance and monitoring activities in the border area from its territory, as it has been doing, reason for which overflights in the border area, with the purpose of verifying possible transit routes. Therefore, we request that you inform the police authorities under your command.

With my esteem and consideration.

Sincerely,

Commissioner Walter Navarro Romero
Deputy Minister of Public Security

C.c.: Mr. Mario Zamora Cordero, Minister of Governance, Police and Public Security.
Mr. Celso Gamboa Sánchez, Deputy Minister of Public Security
Mr. Mauricio Boraschi Hernández, Deputy Minister of the Presidency.
File/CTC.

Annex 92

Note from the Minister of Foreign Affairs and Worship of Costa Rica
to the Minister of Foreign Affairs of Nicaragua, Ref: DM-AM-414-11,

19 July 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

19 July 2011
DM-AM-414-11

Excellency,

I extend my greetings on expressing, once more, the discontent of the Government of Costa Rica with the Government of Nicaragua due to the continued presence of Nicaraguans in the area of Finca Aragon, Isla Portillos. This has been extensively documented, both by the Nicaraguan press itself, which even publishes statements made by civil servants who support the presence and actions in the area of members of Sandinista Youth groups, as well as through graphic evidence that the Government of Costa Rica possesses. According to the Nicaraguan press, it is, in fact, the Government of Nicaragua that has facilitated and supported the presence of these persons.

My Government had already protested against this situation in official letters DM-235-11 of 6 April, DM-255-11 of 15 April, and DM-AM-299-11 of 13 May. The latter, in particular, expounds in detail the legal reasons why the presence of Nicaraguans in this area constitutes a clear violation on the part of Nicaragua of the Provisional Measures issued by the International Court of Justice on 8 March. No reply was received from Nicaragua in response to this official letter.

Clearly, the fact that the Government of Nicaragua facilitates and supports the presence of Nicaraguans in this territory means it disrespects the Order issued by the International Court of Justice, and the rule of international law in general. It, likewise, contributes to aggravating the dispute, thus making it more difficult for relations between the two countries to return to normal.

In light of this situation, the Government of Costa Rica considers that the environment is not appropriate for the ambassador appointed by my country to take up her post to the Government of Nicaragua. I thus inform Your Excellency that the request for the presentation of the Credentials of Ambassador Adriana Prado will be suspended until the

Government of Nicaragua shows signs of its willingness to comply with the order of the International Court of Justice.

I avail myself of this opportunity, Minister, to extend the assurances of my highest consideration.

René Castro Salazar
Minister

His Excellency Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 93

Note from the Minister of Foreign Affairs of Costa Rica to the
Minister of Foreign Affairs of Nicaragua, Ref: DM-AM-422-11,

20 July 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

San Jose, 20 July 2011
DM-AM-422-11

Excellency,

The Nicaraguan newspaper *La Prensa* last Monday reported that Eden Pastora confirmed the start-up of operations of 3 Nicaraguan dredgers in the Delta sector where the Colorado River diverges from the San Juan River.

According to this newspaper, Pastora indicated that “as of tomorrow (Monday), the dredgers *Soberania I, II* and *III* will begin work on “the blockage in the delta” as part of the efforts to clean up the river.” He also stated that “as the water (of the San Juan River) returns to the level it was at in 1800, this will affect (the Costa Ricans)...”.

These statements made by the presidential delegate regarding the dredging of the San Juan River openly contradict the reassurances given by Nicaragua before the International Court of Justice in January 2011. On this occasion, the Ambassador and Agent of Nicaragua, Carlos Arguello, told the Court that the dredging work was “little more than a minor cleaning operation”, assuring it that the project for moving sediment “has been reduced to 942,000 cubic metres. If the project is completed successfully it would imply that under 2 per cent of the waters that presently flow from the San Juan into the branch of the Colorado would continue to the mouth of the San Juan.” (*See CR 2011/2*)

This same conclusion (a diversion of less than 2%) was reached by Nicaragua as a result of a study carried out by Dutch technicians hired by Nicaragua to demonstrate to the Court that the dredging work in the San Juan would not have an impact on the Colorado River.

Given that the operations announced by the Presidential Delegate for the dredging of the San Juan River would cause damage to Costa Rica and affect the regulations established in the Cañas-Jerez Treaty and

the Cleveland Award, among others, my government would appreciate it if Nicaragua would inform it of the following:

1. Is it true that Nicaragua plans to operate 3 dredgers in the Delta sector close to the Colorado River?
2. Is it true that Nicaragua plans to return the water level of the San Juan River to that of 1800? And, to what extent could those plans affect the Colorado River?
3. What record does Nicaragua have of the water level of the San Juan River for the year 1800 following its branching with the Colorado River?
4. Was the water level of the San Juan River in 1800, and in the sector mentioned above in question 3, in effect, only 2% greater than the current water level?
5. How many cubic metres of sediment have been removed since the beginning of the dredging to date?
6. How many linear kilometres of dredging have been completed, and what are the locations where these have been completed?
7. For how much longer does Nicaragua estimate the dredging will continue, indicating how much longer the dredging will focus solely on the Delta sector close to the Colorado River, and how much more time will be required for the total completion of the project?

Costa Rica reiterates its position to the effect that Nicaragua should inform Costa Rica of all technical information which fully demonstrates that these dredging operations will not affect Costa Rican territory or the water levels of the Colorado River. It likewise reiterates its view that Nicaragua should put a stop to these operations until it demonstrates that they will not affect Costa Rica.

My Government once more urges the Government of Nicaragua to present these studies, to not aggravate the controversy currently pending before the International Court of Justice, and to respect the pledge made before this high court.

I avail myself of this opportunity, Minister, to extend the assurances of my highest consideration.

René Castro Salazar
Minister

His Excellency Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 94

Note from the acting Minister of Foreign Affairs and Worship of
Costa Rica to the Minister of Foreign Affairs of Nicaragua, Ref: DM-
AM-461-11,

17 August 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

17 August 2011
DM-AM-461-11

Excellency,

I extend my greetings to Your Excellency on writing once more with reference to the continued presence of Nicaraguans in the area described in the Order issued by the International Court of Justice on 8 March 2011.

My country has verified the fact that Nicaraguans are still entering and exiting the area subject to the abovementioned Order, in clear violation of the Court's ruling. Furthermore, a Nicaraguan press agency has reported that numerous young members of Sandinista Youth groups from the provinces of Madriz, Nueva Segovia and Esteli headed towards the area with the intention of planting trees and carrying out other activities there.

Costa Rica reminds Nicaragua that Costa Rica alone is responsible for the environmental management of this area to prevent any irreparable damage from occurring. Allowing and encouraging Nicaraguans to undertake activities that are the sole responsibility of the Republic of Costa Rica, as Nicaragua is doing, represents an additional violation of the Court's ruling of 8 March 2011.

In light of Nicaragua's repeated violations of the abovementioned Order, Costa Rica manifests that the conditions are not suitable for the official announcement of a meeting to agree on joint measures for coordinating action related to the protection of the wetlands on the common border, as Costa Rica was hoping to propose within the next few days, and for which the friendly, dialogue-facilitating countries of Mexico and Guatemala who would accompany the process, had been consulted.

My country likewise voices its strongest protest for these actions undertaken by Nicaragua. Costa Rica requires Nicaragua to order the

Nicaraguans who remain in the area cleared by the Court to leave it immediately, and to take the necessary measures to prevent the ruling issued by the court from being repeatedly violated. Bilateral relations will only be able to improve within the framework of strict respect for the Court's order. Should Nicaragua continue to maintain the abovementioned unlawful presence, my government reserves the right to undertake any action it sees fit in accordance with International Law.

I extend, Minister, the assurances of my consideration.

Carlos Roverssi Rojas
Acting Minister

His Excellency Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 95

Note from the acting Minister of Foreign Affairs and Worship of
Costa Rica to the Minister of Foreign Affairs of Nicaragua, Ref: DM-
AM-466-11,

23 August 2011

TRANSLATION

The Minister of Foreign Affairs and Worship

23 August 2011
DM-AM-466-11

Your Excellency,

I present my compliments to Your Excellency on referring to the dredging work that Nicaragua is carrying out in the San Juan River.

My country has indisputable proof showing that a dredging pipe was installed along the length of the Costa Rican bank of the San Juan River, namely in the sector located immediately after it branches into the Colorado River, in the area known as The Delta, where Nicaragua currently has three dredgers stationed. Not only was part of that pipe attached to Costa Rican territory, but its location suggests an intention to dredge the Costa Rican bank.

Costa Rica urges the government of Nicaragua to provide immediate explanations for this state of affairs, whilst reminding Nicaragua that it cannot –and Costa Rica does not allow it to – undertake dredging operations from that bank or which affect that bank.

Likewise, given the gravity of this situation, Costa Rica raises its voice in the most emphatic protest and demands that Nicaragua refrain from continuing to violate our territorial sovereignty.

Finally, Costa Rica once more stresses that these acts of provocation and violation of Costa Rican sovereignty represent a clear transgression of the Provisional Measures issued by the International Court of Justice on 8 March 2011, particularly the third measure related to not aggravating the dispute.

I extend, Minister, the assurances of my consideration.

Carlos Ricardo Benavides
Acting Minister

His Excellency
Samuel Santos López
Minister of Foreign Affairs
Republic of Nicaragua

Annex 96

Note from the Secretary General of the Ramsar Convention to the
Minister of Foreign Affairs and Worship of Costa Rica,

7 November 2011

TRANSLATION**Ramsar
Convention on Wetlands
(Ramsar, Iran, 1971)****From the Secretary General**

H.E.
Enrique Castillo
Minister of Foreign Affairs and Worship
Republic of Costa Rica
Ministry of Foreign Affairs
Avenues 7-9, St. 11-13
San José, Costa Rica
Gland, 7 November 2011

Your Excellency,

The Secretariat thanks the submission of the revised technical report on the Environmental Assessment of the Situation of the Northeast Caribbean Ramsar Site, within the framework of the decision of the International Court of Justice.

In the above context, we have taken note that the technical comments outlined by the Secretariat have been introduced, for which we agree with the technical report. However, the Secretariat wishes to indicate that it is not responsible for other content that may be in the aforementioned report.

The Secretariat is ready for any required support within the framework of our competencies.

Yours sincerely,

Anada Tiega

Secretary General
Ramsar Convention on Wetlands

CC: Mr. Manuel Dengo, Ambassador Permanent Representative of Costa Rica before the United Nations Office and other International Organizations in Geneva

Mrs. Ana Lorena Guevara, Viceminister of Environment

Mr. Jorge Gamboa, Ramsar Administrative Authority

Annex 97

Note from the Permanent representative of Costa Rica to the UN in Geneva to the Secretary General of the RAMSAR Convention on Wetlands, Ref: MPCR-ONUG/2011-740,

7 November 2011

TRANSLATION

Permanent Mission of Costa Rica Geneva

REF. MPCR-ONUG/2011-740
14.4.1

Geneva, 7 November 2011

Mr. Anada Tiega
Secretary General
Ramsar Convention on Wetlands
Gland

Dear Mr. Secretary General,

It is my honour to greet you while referring to the Humedal Caribe Noreste, registered by Costa Rica as a Wetland of International Importance in 1996.

As you are aware, the International Court of Justice in its order for Provisional Measures issued on March 8, 2011, noted in paragraph 78 of said order, that Costa Rica and Nicaragua were to provide security for the area indicated by the Court from the territory of each party. In the case of Costa Rica, this refers to the area located south and east of the so-called “*caño*” constructed by Nicaragua.

Costa Rica, in order to comply in the best possible way with this undertaking, is in the process of installing a surveillance platform as well as two small units of basic shelter.

However, since the execution of these works may have, eventually, an effect on the Humedal Caribe Noreste, even though this effect may be small, Costa Rica meets the obligations contained in Article 3,

paragraph 2 of the Ramsar Convention of 1971, and reports to the Secretariat of the carrying out of such works.

I also wish to indicate that authorities responsible for environmental protection, through the Ministry of Environment and Energy, will examine the existence of any possible effects that these works could have, and if such effects do take place, they will develop a work plan aimed at mitigating any effect on the wetland, all of which will be communicated in a timely fashion to the Secretariat.

Please accept, Mr. Secretary General, the assurances of my highest consideration.

Manuel Dengo
Ambassador
Permanent Representative

Annex 98 (a)

Note from the Deputy Minister of Public Security of Costa Rica to the
Chief of the Police of Nicaragua, Ref: 1236-11 DV-WN,

7 November 2011

TRANSLATION**Office of the Deputy Minister of Public Security**

7 November 2011
Ref. No. 1236-11 DV-WN

Madam
Aminta Granera
National Police Chief
Republic of Nicaragua

Dear Madam,

I would like inform you that in accordance with the provisions of the International Court of Justice handed down by its Order of March 8, 2011, as well as with what was agreed in the security cooperation mechanism signed in Guatemala on May 6, 2011, Costa Rica, in the upcoming days, will be carrying out small infrastructure works in its territory, south and east of the caño that Nicaragua built in Isla Portillos and which motivated the opening of the case before said Court.

These works are intended to improve the monitoring and surveillance capacity that Costa Rica must give to the territory specified by the International Court of Justice in said Order. My government expects the same notice of any action taken by your government in order to meet the requirements of both parties by the Order of the Court cited above.

Furthermore, because the mechanism agreed in Guatemala aims to hold a follow-up meeting six months after its conclusion, and that period has already expired, I inform the willingness of Costa Rica to conduct said meeting in December, and I propose that it takes place in the city of Liberia, Guanacaste.

I remain, respectfully,

Commissary Walter Navarro Romero
Deputy Minister of Public Security
Government of Costa Rica

Annex 98 (b)

Note from the Chief of the Police of Nicaragua to the Deputy Minister
of Public Security of Costa Rica

15 November 2011

TRANSLATION**Republic of Nicaragua
NATIONAL POLICE
Office of the Director General**

Managua, 15 November 2011

Commissary Walter Navarro Romero
Deputy Minister of Public Security
Republic of Costa Rica
Your Office

Dear Mr. Commissary,

I write to you to acknowledge receipt of your Letter No. 1236-11 DV-WN dated 7 November of this year, in which you conveyed to me that in the coming days Costa Rica aims to undertake "small infrastructure works ... to the south and east of the *caño* built by Nicaragua in Isla Portillos ... ", under the Mechanism for Security Cooperation, signed in Guatemala on 6 May 2011.

In this regard, I would like to inform you that any work related to the monitoring and vigilance that any of our countries may carry in the area referred to as disputed by the International Court of Justice, will be agreed at the next follow-up meeting in December, therefore Nicaragua asks that those works are not executed until they are agreed, Nicaragua will not perform any work in this regard until it is agreed at said meeting.

I would like to state that my country has never built any *caño* in the area that the International Court of Justice referred to as disputed territory in its Order of 8 March 2011.

Likewise, under the Final Disposition number 2 of the Mechanism for Coordinated Police and Security Actions between Costa Rica and Nicaragua, and in relation to your proposal to hold a follow up

meeting in the month of December, I communicate our readiness to attend it, for which I am at your disposal in order to finalize its details, being one of these the content and approval of the agenda to be developed, for which I propose the inclusion, as one of the items, of the works of infrastructure that your country intends to develop in accordance with the note referred to above.

Yours sincerely,

First Commissioner
Aminta Granera Sacasa
Director General of the National Police of Nicaragua

CC: Lic. Samuel Santos, Minister of Foreign Affairs
File

Annex 98 (c)

Note from the Deputy Minister of Public Security of Costa Rica to the
Chief of the Police of Nicaragua, Ref: 1283-11 DV-WN,

21 November 2011

TRANSLATION

Office of the Deputy Minister of Public Security

21 November 2011
Note N° 1238-11 DVM-WN

**First Commissioner
Aminta Granera
Director General
National Police of Nicaragua**

Dear Madam Director,

I refer to your note dated 15 November 2011, whereby you give response to my communication of 7 November last.

According to your letter, Nicaragua requests Costa Rica to refrain from carrying out works related to monitoring and surveillance in the area determined as in dispute by the International Court of Justice, until they are not agreed with Nicaragua. In this regard, let me clarify that Costa Rica does not plan to carry out or is currently carrying out any work in that area. The works that are being carried out are located south of the so-called *caño*, and as such, are not subject to the agreement with other States.

However, I do think it is appropriate to discuss operational actions that are developed by our police corps, in accordance with the mechanism agreed in Guatemala, for which I express my appreciation for your kind response agreeing to participate in the meeting that we have proposed, to be held in the next month of December. In that sense, we will prepare a draft agenda in the coming days, as well as a proposal about the date and the exact location where the meeting will take place.

Please accept the assurances of my highest consideration,

Commissary
Walter Navarro Romero
Deputy Minister of Public Security
Republic of Costa Rica

Annex 99

Note from the Agent of Costa Rica to the Registrar of the International
Court of Justice, Ref: DM-AM-565-11,
8 November 2011



*Ministerio de Relaciones Exteriores y Culto
República de Costa Rica*

8 November 2011
DM-AM-565-11

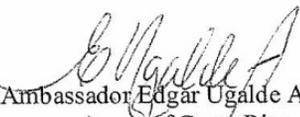
Excellency,

I have the honour to refer to the Order for Provisional Measures of 8 March 2011 in the case concerning *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*.

The purpose of this communication is to transmit to the Court a letter sent to the Ramsar Convention Secretariat, and another letter sent to Nicaragua, in relation to activities that Costa Rica is carrying out south and east of the “caño”, in Isla Portillos, in observance of the Court’s Order. More specifically, the communications relate about the building of a monitoring platform and two small shelters, south and east of the “caño”.

Both communications are annexed.

Accept, Excellency, the assurances of our highest consideration,


Ambassador Edgar Ugalde Alvarez
Agent of Costa Rica



His Excellency
Mr. Philippe Couvreur
Registrar
International Court of Justice
Peace Palace 2517 KJ The Hague

MINUTES OF MEETINGS

Annex 100

Minutes of the First Meeting of the Sub-Commission on Limits and
Cartography

7 November 2002

TRANSLATION

Minutes of the First Meeting of the Sub-Commission on Limits and Cartography

San José, 7 November 2002

At the seat of the Ministry of Foreign Affairs and Worship of the Republic of Costa Rica, and in compliance with the agreement reached by the Deputy Foreign Ministers of the Republics of Nicaragua and Costa Rica on 6 September 2002 for initiating talks aimed at establishing the maritime delimitation between both countries, the meeting took place with the delegations made up of the following members:

For the Republic of Nicaragua:

Dr. Julio Cesar Saborío Argüello
Director General of Sovereignty, Territory and International Legal Affairs
Ministry of Foreign Affairs

Dr. Alejandro Montiel Argüello
Legal Adviser
Ministry of Foreign Affairs

Lic. Ligia Margarita Guevara Antón
Directorate General of Sovereignty, Territory and International Legal Affairs
Ministry of Foreign Affairs

Eng. Pedro Miguel Vargas
Director General of Geodesy and Cartography

Nicaraguan Institute of Territorial Studies
Eng. Gonzalo Medina
Technical Adviser
Directorate of Geodesy and Cartography
Nicaraguan Institute of Territorial Studies

Dr. Ricardo Wheelock Román
Head of the Military History Centre
Nicaraguan Army

Lic. Carlos Arroyo Borgen
International Relations Adviser
Ministry of Defence

Lic. Mauricio Díaz
Ambassador of Nicaragua in Costa Rica

Margarita Guerrero de López
Adviser
Embassy of Nicaragua in Costa Rica

For the Republic of Costa Rica:

Dr. Carlos Alvarado
Adviser to the Minister of Public Security and Ad Hoc Adviser for the
Ministry of Foreign Affairs

Ambassador Rodrigo Carreras
Director of the Manuel Maria de Peralta Diplomatic Institute

Ambassador Alvar Antillón
Adviser to the Minister
Ministry of Foreign Affairs and Worship

Eduardo Bedoya
Director of the National Geographic Institute

Clotilde Obregón
Adviser to the Ministry of Foreign Affairs and Worship

Sergio Ugalde
Coordinator of the International Law Commission
Ministry of Foreign Affairs and Worship

Arnoldo Brenes
Adviser to the Minister
Ministry of Foreign Affairs and Worship

Adriana Murillo
Member of the International Law Commission
Ministry of Foreign Affairs and Worship

In the welcome speech made by the Minister of Foreign Affairs and Worship of Costa Rica, both countries congratulated each other for the new era of neighbourly relations marked by the ties of fraternity and good neighbourliness, and the will to deepen cooperation for sustainable development. In this regard, emphasis was placed on the fact that it would be advisable to review the talks on maritime delimitations that were held in Cibalsa in 1976.

In accordance with the agenda established and approved by the Sub-Commission, as the first point of the meeting the following agreements were made for consideration by the Deputy Foreign Ministers:

I.- Establish a database with documentary and mapping material.

Based on the agreements of the Final Act of the 4th Binational Nicaragua-Costa Rica Meeting held in the city of Granada, Nicaragua on the 12th and 13th of May 1997, and updating the list indicated therein with the most current material, it was agreed that:

I.1.-The following cartographic material will be used as an open list with the possibility of including new documents in the process:

- a. Chart “21547. Central America. NICARAGUA-COSTA RICA, San Juan del Sur and Approaches, Mercator Projection, World Geodetic System (WGS)” 1:75 000. Prepared and published by the Defense Mapping Agency Hydrographic/Topographic Center, second edition, 1995.
- b. Nautical Chart “OMEGA 21540. West Coast. NICARAGUA-COSTA RICA. Corinto to Punta Guiones. Mercator Projection, World Geodetic System (WGS), 1972 Datum” 1:300 000. Prepared and published by the Defense Mapping Agency Hydrographic/Topographic Center, 36th edition, 1995.
- c. Nautical Chart “OMEGA 21500. North Pacific Ocean. Central America – West Coast. Punta Remedios to Cabo Matapalo. Mercator Projection, World Geodetic System (WGS), 1972 Datum” 1:100 000. Prepared and published by the Defense Mapping Agency Hydrographic/Topographic Center, 1st edition, 1994.
- d. Chart “28110. Central America – East Coast. NICARAGUA-COSTA RICA, Laguna de Perlas to río Colorado, San Juan del Sur and Approaches, Mercator Projection, World Geodetic System (WGS)” 1:175 000. Prepared and published by the Defense Mapping Agency Hydrographic/Topographic Center, second edition, 2001.
- e. Chart “LORAN C. 28006. Caribbean Sea. Southwest Part. Mercator Projection, World Geodetic System (WGS)” 1:1 200 000. Prepared and published by the Defense Mapping Agency Hydrographic/Topographic Center, 1st edition, 1992.
- f. Chart 1025, Central America. West Coast of Nicaragua and Costa Rica. SALINAS BAY”. Published in 1887, Hydrographic Office, Secretary of the Navy. 14th edition.
- g. Topographic sheets at a scale of 1:50 000: “Salinas Bay”, 2nd edition – IGNCR, 1988. Lambert Projection. Clarke Spheroid of 1866, Ocotepaque datum. National Geographic Institute, Costa Rica, with the collaboration of the Directorate General of Cartography, Nicaragua, and the Inter-American Geodesic Service, and Caribbean Sea (Punta Castilla). National Geographic Institute, Costa Rica. “Punta Castilla”, 2nd edition – IGNCR, 1988. Lambert Projection. Clarke Spheroid of 1866, Ocotepaque datum. National Geographic

Institute, Costa Rica, with the collaboration of the Inter-American Geodesic Service.

h. Topographic sheets at a scale of 1:200 000: “Liberia”, CR-2CM-1. Lambert Projection. Clarke Spheroid of 1866, Ocotepeque datum. National Geographic Institute, Costa Rica, with the collaboration of the Inter-American Geodesic Service. “Barra del Colorado” CR-2CM-3. Lambert Projection. Clarke Spheroid of 1866, Ocotepeque datum. National Geographic Institute, Costa Rica, with the collaboration of the Inter-American Geodesic Service. “San Carlos” CR-2CM-2. Lambert Projection. Clarke Spheroid of 1866, Ocotepeque datum. National Geographic Institute, Costa Rica, with the collaboration of the Inter-American Geodesic Service. “Nicoya” CR-2CM-4. Lambert Projection. Clarke Spheroid of 1866, Ocotepeque datum. National Geographic Institute, Costa Rica, with the collaboration of the Inter-American Geodesic Service.

i. Topographic sheets at a scale of 1:250 000 of the Americas Series, for the Pacific Ocean and the Caribbean Sea.

j. Nautical Chart “Cabo Gracias a Dios to Puerto Colombia” N° 26,000.

k. Topographic sheets at a scale of 1:50,000 INETER

l. Aerial photographs at different scales, both recent and old.

m. Satellite, scanned or radar images at different scales.

I.2.-Include all the cartographic information in an integrated information system for use by both countries.

I.3.-Use the following legal instruments:

- a. Jerez-Cañas/Cañas-Jerez Treaty of Limits, Nicaragua-Costa Rica, of 1858.
- b. Grover Cleveland Award of 1888.
- c. E. P. Alexander Awards (Awards from N°1-5).
- d. Internal legislation of both countries.
- e. International legislation both countries are bound by.

f. The United Nations Convention on the Law of the Sea (1982).

g. The Manual of Delimitation of Maritime Boundaries of the UN Division of Ocean Affairs and the Law of the Sea.

I.4.-Both delegations exchanged cartographic and legal material.

II.-Identify aspects on which international technical cooperation would be required.

Both delegations highlighted the importance the Deputy Foreign Ministers placed on the possibility of assistance provided by the United Nations Division of Ocean Affairs and the Law of the Sea. In this respect, it was agreed to:

II.1.- Support and praise the technical capacity of the respective cartographic institutions represented by the Nicaraguan Institute of Territorial Studies and the National Geographic Institute of Costa Rica.

II.2.-Instruct the Ambassadors of both countries to the United Nations in order that they may make a joint request for a detailed inventory of the possibilities of cooperation – both financial and technical – to the Division of Ocean Affairs and the Law of the Sea, following the note of 6 September sent by our Deputy Foreign Ministers to the Secretary-General of the United Nations.

II.3.-At the same time, entrust the cartographic institutions of both nations to begin an inventory of actions to be undertaken, resources that will be required in the process and the technical and financial needs that will result from these.

III.-Consideration of the possible contents of the agreement to be signed.

The Sub-Commission agreed to propose to the Deputy Foreign Ministers that the delimitation agreement include, among others, the following components:

- a. Solution of possible controversies
- b. Sustainable management of marine resources, including fishing and its commercial regulation
- c. Conservation and protection of biodiversity
- d. Exploration and exploitation of hydrocarbons
- e. Security, including the fight against drug trafficking, illegal fishing and illegal human trafficking
- f. Transborder pollution
- g. Scientific and oceanographic cooperation

Both delegations expressed their interest in dealing with and developing these issues in the future. They, likewise, expressed their enthusiasm for the possibility of developing an agreement based on the most modern international legal framework.

IV.-For the purposes of the future work programme, it was agreed that on 12 December 2002 the cartographic institutions will meet in the city of Liberia, Costa Rica, in order to assess the resources that will be required, the basic principles and method of delimitation, and to discuss the respective proposals of cabinet work.

V.-It was agreed that the second meeting of the Sub-Commission of Limits and Cartography will be held on the 6th and 7th of February 2003 in Nicaragua.

MEDIA REPORTS

Annex 101

La Prensa (Nicaragua), “They are going after the flow of the San Juan”, 25 August 2009.

Available at:

<http://archivo.laprensa.com.ni/archivo/2009/agosto/25/noticias/nacionales/345585.shtml>



<http://archivo.laprensa.com.ni/archivo/2009/agosto/25/noticias/nacionales/345585.shtml>

They are going after the flow of the San Juan

Wilder Perez R.

nacionales@laprensa.com.ni

The dredging of the San Juan river, which will start in September, seeks to recover the former volume and islands lost in recent decades, due to Costa Rican interference.

This was confirmed by the manager of the National Port Company (EPN), Virgilio Silva, after announcing the construction of several ports across the country.

Silva made it clear that the person responsible for the dredging is Eden Pastora, remembered as "Comandante Zero", as the Chairman of the Board of Development of the San Juan River, but confirmed that Nicaragua wants to recover the 1,700 cubic meters per second that it had before Costa Rica dredged its Colorado River, to divert the flow of the San Juan to their country.

Nicaragua will be able to dredge problem-free this year after the International Court in The Hague confirmed the country's supreme authority over the River San Juan. The dredging will take place from the mouth of the delta, in the estuary, to the town of San Juan de Nicaragua, a distance of 45 kilometres. Its cost is estimated at around four million dollars.

MORE PORTS

Silva also confirmed the construction of four new ports, both in the Gulf of Fonseca and in Rivas.

In addition, on Friday the port of Sapoá will be inaugurated, to promote tourism in the area of San Juan del Sur.

The EPN also reported that the four million dollars invested in the Carlos Fonseca and Salvador Allende ports will be recovered through a membership system, in which tourists buy a bond of \$ 100 per year, entitling them to travel free along with five companions in any vessel owned by the EPN.

Annex 102

El 19 Digital (Nicaragua), “Guardabarranco Youth movement in favour of environmental protection”, 29 August 2009.

Available at:

http://www.el19digital.com/index.php?option=com_content&view=article&id=6083:movimiento-juvenil-guardabarranco-en-pro-de-la-defensa-del-medio-ambiente-&catid=23:nacionales&Itemid=12



http://www.el19digital.com/index.php?option=com_content&view=article&id=6083:movimiento-juvenil-guardabarranco-en-pro-de-la-defensa-del-medio-ambiente-&catid=23:nacionales&Itemid=12

Born of July 19 Sandinista Youth

Guardabarranco Youth Movement in favour of environmental protection

29 August 2009 | Pedro Ortega Ramirez



The July 19 Sandinista Youth movement as part of its revolutionary commitment, and to abide by the mandate of the IX Congress, will form the Guardabarranco Youth Movement, whose main objective is to implement environmental conservation programmes and projects.

Bosco Castillo, the national coordinator of the Sandinista Youth, said the creation of this environmental movement seeks to organize groups of members in each of the neighbourhoods, counties and municipalities of Nicaragua.

He said the youth, especially young Sandinistas, have a strong commitment to the environment and that is how the Guardabarranco Youth Movement came about.

"It's a proposal and a way for the Sandinista Youth to set its goals for the future, in order to protect the environment, it is about creating citizenship values with respect to environmental issues", said Bosco.

The environmental movement seeks to create its own agenda to encourage people to raise awareness of the danger that our environment continues to be destroyed due to neo-liberal and capitalist policies.

"For us it is essential that the kids become sensitized and aware that our planet is dying and that Nicaragua is part of this planet", said Ayesa Balladares of the Sandinista Youth movement in Estelí.

He stressed that many young people in Estelí are unaware that their rivers are drying up, that the mountains are being deforested and that what remains is to find ways to avoid this situation in favour of the population and the planet itself.

He pointed out that this environmental problem has to do with the education that young people received during the years of neoliberal governments which encouraged the policy of consuming our natural resources.

Meanwhile, Julio Cesar Cuadra, of the Sandinista Youth of Granada, said he has decided to join this movement, and that in this city reforestation brigades are being organized to work on reforesting the shores of Lake Cocibolca.

"Everything is secondary, if your house is in danger of falling down, planet earth where we live is our house and everything else is secondary if this planet is destroyed", said Julio Cesar.

Annex 103

La Prensa (Nicaragua), “For the protection and sovereignty of our San Juan river “, 2 February 2010.

Available at:

<http://www.elpueblopresidente.com/MEDIO-AMBIENTE/5313.html>

2011: Unidos por el bien común

El Pueblo Presidente!

PORTAL INFORMATIVO DEL PODER CIUDADANO • NICARAGUA LIBRE

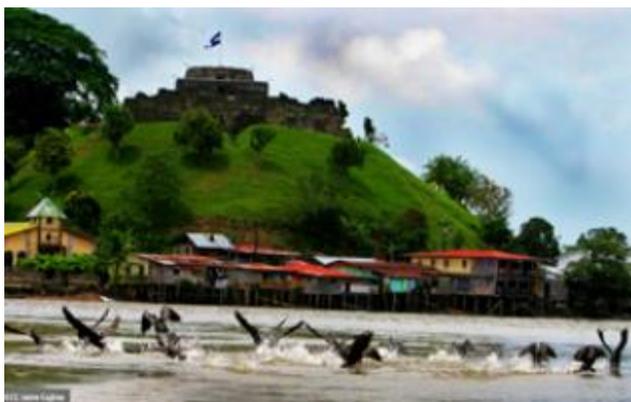


<http://www.elpueblopresidente.com/MEDIO-AMBIENTE/5313.html>

For the protection and sovereignty of our San Juan river

An Interagency Commission is established for the protection and sovereignty of our San Juan river

2 February, 2010 [MARENA](#)



In the municipality of San Carlos, Rio San Juan, an Inter-institutional Commission of the Government of National Unity and Reconciliation was officially established, which aims to develop and implement the regulation of navigation on the San Juan river, specifically the part where the International Court of Justice-ICJ-granted limited rights of navigation to the Republic of Costa Rica.

The creation of this interagency commission is due to the Presidential Decree, issued by Commander Daniel Ortega last 24 September 2009,

which refers to the reception, control and clearance of vessels, navigation systems, monitoring and immigration controls, public health and customs regulations.

In this regard, comrade Juanita Argeñal, Head of the Ministry of Environment, said that "the MARENA has to ensure, in accordance with national legislation, what is established for the protection and conservation of the environment and the natural resources of the San Juan River and its surroundings, The water resources should be monitored to prevent pollution and regulate subsistence fishing made by riparian Costa Rican citizens.

According to this Decree, the creation of a permanent interagency commission is established, integrated by various ministries, including the Ministry of Foreign Affairs (MIREX), the Ministry of Interior (MINGOB), the Nicaraguan Institute of Territorial Studies (INETER), the Attorney General of the Republic (PGR), the National Port Enterprise (EPN), the Ministry of Agriculture and Forestry (MAG), the Nicaraguan Institute of Tourism (INTUR), the Ministry of Health (MINSa), the Ministry of Environment and Natural Resources (MARENA) and the Nicaraguan Institute of Forestry (INAFOR), among others, which will be coordinated by the Army of Nicaragua.

Annex 104

El Pueblo Presidente (Nicaragua), “PGR achieves 8 guilty sentences in cases of environmental crime”, 12 January 2010.

Available at:

<http://www.elpueblopresidente.com/MEDIO-AMBIENTE/5227.html>

2011: Unidos por el bien común

El Pueblo Presidente!

PORTAL INFORMATIVO DEL PODER CIUDADANO • NICARAGUA LIBRE



2009 ended with positive results

PGR achieves 8 guilty sentences in cases of environmental crime

12 January 2010 [PGR](#)



The National Council for the Defence of the Environment and Natural Resources, Jose Luis Garcia, said that for the first time the Attorney General's Office directly promoted legal action against environmental crimes, which in 2009 resulted in 14 charges of direct environmental crimes, leading to 8 convictions while the others are under consideration.

The crimes for which accused the Attorney General is making the accusations through the Environmental Attorney are: forest crimes, illegal exploitation of natural resources, noise pollution and related crimes within protected areas, encroachment of public property and possession of stolen goods.

“We managed to de-bureaucratize, because before the Penal Code

came into force the Attorney General, as far as environmental issues were concerned, had to wait for other institutions responsible for criminal procedures to decide if they made the accusations or not; the Attorney General depended on the Public Prosecutor's Office for adhering to the accusations and had to wait; however, now the Attorney General coordinates with the Administrative Authorities and with the Directorates of Legal Aid of the different districts in Managua and the country's departments independently in relation to these crimes", the Attorney General explained.

Another of the Attorney General's achievements in environmental issues has been the penalties against land traffickers in Protected Areas (for violating the regulations of protected areas, invasion and land trafficking in protected areas in the southeast of the country, such as the Indio Maiz Reserve). In this case, the Attorney General obtained two convictions, thus contributing to curbing and preventing these people who had gone unpunished from continuing to invade these areas. This work was carried out in coordination with the MARENA, the police and the army. In another of these cases work was coordinated with the Public Prosecutor's Office.

Garcia stressed that for the first time the Attorney General endorsed a trial against noise pollution trial and convicted those in question for this misdemeanour.

The Attorney General assessed as positive the fact that judges are attuned to environmental issues for acting in accordance with the law in cases promoted by that authority.

The Attorney General's Office supported the Augusto Cesar Sandino Airport Bird Danger Committee, and, for the first time, independently promoted a criminal charge against slaughterhouses that deposit their waste in areas surrounding the airport and that began attracting scavenger birds, which constitutes a hazard to aviation.

The Environmental Attorney explained that the Local Interagency Pesticide Commissions had been reactivated, which allowed insecticides or pesticides that had expired, or had been altered, restricted or banned in the country due to their high pollution content and danger to the health of the population, to be withdrawn from the

market. In Estelí a conviction was obtained against those trafficking in the “tablet of love” or aluminium phosphide, a product smuggled through the borders of Honduras.

Another achievement of the Attorney General’s Office in 2009 was the training of 78 municipalities in dealing with environmental complaints and the development of municipal ordinances.

Annex 105

El Nuevo Diario (Nicaragua), “Ortega rejects permission request to Costa Rica to dredge the San Juan River”, 15 July 2010.

Available at:

<http://www.elnuevodiario.com.ni/imprimir/78950>



<http://www.elnuevodiario.com.ni/politica/78950>

15 July 2010

Managua | Reuters

Ortega refuses to ask Costa Rica for permission to dredge San Juan River

* The president considered it "absurd" to have to request authorization from the Costa Rican government to undertake cleanup operations in the river

By elnuevodiario.com.ni | **Politics**

Related Articles

[Foreign Ministry "will make Costa Rica see" the mistakes it has made regarding the San Juan River](#)

The president of Nicaragua, Daniel Ortega, said the Costa Rican Foreign Ministry "mistakenly" told his country that in order to be able to perform cleanup work in the River San Juan it had to ask the Costa Rican government for permission, which he considered "absurd".

"That cannot be, that's absurd," Ortega said in a speech to inaugurate 24 child development centres (CDIs) and 15 health centres in different locations throughout Nicaragua, in an event broadcast on radio and television from a hotel in Managua.

The president said he has instructed his country's foreign minister, Samuel Santos, to prepare a "respectful and fraternal" response to "explain to our Costa Rican brothers" that if they dredge the rivers in the border area they don't have to ask Nicaragua for permission. "It's

absurd,” said Ortega, “that now they (the Costa Ricans) tell us we have to ask for their permission to use a dredger and clean up the River San Juan to improve its flow, so people can navigate along it in winter and summer.”

According to Ortega, the dredger can now enter the river waterway border because the water level is higher, which is why this work cannot be done during the summer or dry season.

The dredger, which was doing work at the port of El Rama, 300 kilometres northeast of Managua, has been transferred to the San Juan River area, the Sandinista leader said. “I hope that when they receive the response from us the Foreign Ministry in Costa Rica will remain calm and not raise the issue (of permission) because what we want is to improve our relations with their country,” said Ortega.

In this regard, he said they are trying to open two new border posts with Costa Rica in the Peñas Blancas and Las Tablillas sectors “to jointly develop the (border) area but respecting the territory of each country, for as long as these borders exist”.

In July of last year, the International Court of Justice (ICJ) in The Hague (Netherlands) issued a ruling putting an end to a dispute between Costa Rica and Nicaragua over navigation on the River San Juan.

The ICJ ruling recognized the sovereignty of Nicaragua over the San Juan River, but also Costa Rica’s perpetual rights of navigation at a distance of 140 kilometres with certain limitations established by the Nicaraguan authorities.

Annex 106

El Nuevo Diario (Nicaragua), “Dredging of the San Juan begins”, 18 October 2010.

Available at:

<http://www.elnuevodiario.com.ni/politica/85986>

18 October 2010

After several months of conflict

Managua | END

Dredging of the San Juan begins

* Daniel Ortega claims that the cleaning operation will make Nicaragua "comparable in development" to neighboring Costa Rica *
The dredger has been built by a Russian scientist who lives in El Viejo

By Matilde Córdoba | **National News**



Dredging begins in the San Juan River This afternoon the dredger began work on the River San Juan, after the president, Daniel Ortega,

refused to ask the Costa Rican government for permission for the cleanup in river.

The government of Nicaragua this afternoon began cleaning the river San Juan. "My hair's standing on end with emotion because this is a historic moment," said Eden Pastora, who has been at the forefront of these efforts and serves as a representative of President Daniel Ortega in the area.

During a satellite communication with Ortega, Pastora turned on the engines to start to operate the dredger. "This is our San Juan River, so much history! So much expansionism defeated!" Ortega said as the images of the river were shown on the official television broadcast.

The president explained that the dredger was built by a Russian scientist who was "discovered" by Pastora in El Viejo, Chinandega municipality.

In July of this year the Costa Rican Deputy Foreign Minister, Carlos Roverssi, demanded that Nicaragua "immediately stop" any plan to dredge the San Juan River, and this stance angered the president Daniel Ortega, who claimed that Nicaragua has sovereignty for carrying out the work to clean up the river. "It is absurd that they now tell us we have to ask them for permission" to carry out the dredging, Ortega reacted at that time.

Roverssi, in the absence of the Costa Rican Foreign Minister, and serving as interim minister, at that time reminded Nicaragua that undertaking dredging without the necessary impact studies "constituted a violation of international obligations." He made the complaint in a note addressed to the Nicaraguan Foreign Minister Samuel Santos.

Last year the International Court of Justice, ICJ, in The Hague confirmed the full sovereignty of Nicaragua over the river, however, it recognized the navigational rights of Costa Rica on part of the flow to the mouth of the river, with due permission from Nicaragua, and only for commercial purposes.

Annex 107

El 19 Digital (Nicaragua), “Nicaragua tells Costa Rica that there are no reasons to play the drums of war”, 8 October 2011.

Available at:

http://www.el19digital.com/index.php?option=com_content&id=3060

2



http://www.el19digital.com/index.php?option=com_content&id=3060

2

NATIONAL NEWS

Call for joint recovery of the Harbour Head wetland

Nicaragua tells Costa Rica there are no reasons to play the drums of war

8 October 2011 | Carlos Espinoza Flores

Nicaraguan president, Daniel Ortega Saavedra, said on Saturday from the border department of Rio San Juan that the territorial disputes between Nicaragua and Costa Rica must be tempered by dialogue and international law, not by belligerent language.

"I want to tell our Costa Rican brothers that we are fraternal nations, neighbouring countries (and) there is no reason whatsoever to be playing drums of war," said Ortega.

He said that Nicaragua is a country that has opted for peace, which is why it will never get involved in a situation that threatens this principle.

"The problems that have to do with territories in dispute between Costa Rica and Nicaragua should not, in any way, be resolved by force. They must be resolved through dialogue and through international law," he said.

He recalled that the Costa Rican province of Guanacaste used to be Nicaraguan territory and that thousands of Nicaraguans currently live

there, but nonetheless it has never occurred to Nicaragua to recover that territory by force.

We have the right to dredge the San Juan

The president stressed that in keeping with the resolutions of the International Court of Justice in The Hague, Nicaragua is dredging the San Juan River and will continue to do so in the delta area until its navigability throughout the year is fully recovered.

He urged commander Eden Pastora, who is the leader of the project to recover the flow of the river, the president of the National Port Company, Virgilio Silva, and the Nicaraguan workers to continue working hard to achieve this goal.

"It is our right to recover the flow of the San Juan River and that is what we are doing," he said.

Joint recovery of the wetland

Ortega also reiterated a proposal to the government and people of Costa Rica to work together in restoring the Head Harbour wetland in the river delta, which has been a bone of contention between the two nations.

According to the president, the proposal involves environmentalists from both Costa Rica and Nicaragua, as well as Latin America, going the site and working together to recover the ecosystem, which had been invaded by farmers.

He said this area is in the process of recovery thanks to groups of young Sandinistas who come regularly to the place to work on environmental tasks.

Annex 108

El 19 Digital (Nicaragua), “Costa Rica looking to provoke Nicaragua”, 18 October 2011.

Available at:

http://www.el19digital.com/index.php?option=com_content&id=3104

4



http://www.el19digital.com/index.php?option=com_content&id=31044

NATIONAL NEWS

Costa Rica looking to provoke Nicaragua

18 October 2011 | Carlos Mikel Espinoza



In addition to illegally entering Nicaraguan airspace, Costa Rica continues to insist on provoking renewed escalations in diplomatic relations with Nicaragua.

Nicaraguan Army Chief, General Julio Cesar Aviles, reported that certain Costa Rican individuals are trying to get young Nicaraguans who are doing environmental work in Harbour Head to enter Costa Rican territory so they can arrest them claiming they had entered illegally.

Since the end of last year, Costa Rica and Nicaragua have maintained a border dispute in Harbour Head, a marshy area of the San Juan River

delta, which historical documents clearly describe as Nicaraguan territory.

Aviles claimed that, according to intelligence reports, the Costa Ricans plan to lure these youngsters into Costa Rican territory and capture them, or, failing that, violate Nicaraguan territory, arrest them and then take them into Costa Rican territory by force.

“This is serious because it means we would be facing yet another provocation”, declared Aviles, whilst making an appeal for caution to those attempting to carry out these plans.

“The work the youngsters have carried out is very noteworthy. I think all Nicaraguans should feel represented by them because they have been out there in an area where the only interest is to try to contribute to conserving the environment”, he pointed out.

Aviles declared that the military chiefs in that territory had been warned of the Costa Ricans’ intentions.

He likewise stated that the Army was keeping watch over the youngsters in the area, as is its duty to do so.

The Head of the Armed Forces also lodged complaints against the repeated violations of Nicaraguan airspace from Costa Rican territory, which is part of the provocation strategy to contribute to deepening the border conflict with Nicaragua.

Annex 109

La Prensa (Nicaragua), “Costa Rica admits Nica right to dredge the San Juan”, 20 October 2010.

Available at:

<http://www.laprensa.com.ni/2010/10/20/nacionales/41173>

Managua, 20 October 2010

<http://www.laprensa.com.ni/2010/10/20/nacionales/41173>

National News

Costa Rica admits Nica right to dredge the San Juan

SAN JOSE / AFP

The Government of Costa Rica yesterday recognized the sovereign right of Nicaragua to perform maintenance dredging in the San Juan River, although he said he hoped the works will not have any environmental impact on Costa Rica territory.

"Nicaragua has sovereignty over the San Juan River, it has every right to carry out such dredging and to build a dam, but this does not mean we cannot have the necessary information to ensure there are no environmental problems," said the Minister of the Interior, Mark Vargas, at a press conference,.

"With the level of cordial relations we have with Nicaragua at this time, I'm sure there will be no problem in obtaining the information we are requesting," he added.

On Monday Nicaragua's government began dredging on a stretch of the River San Juan, over which it exercises "dominion and sovereignty."

Managuan authorities have made it clear that the goal of this work is to remove the sediment that has accumulated in the river, hampering navigation.

Initially, Costa Rica objected, arguing that this operation would have a big impact on water resources in their territory, and the Foreign Ministry even sent a note asking the Nicaraguan authorities to suspend the work until an environmental impact study had been carried out.

Subsequently their position softened and they have only insisted that Nicaragua report on the development of the work.

The president of Nicaragua, Daniel Ortega, said on Monday: "We are formally initiating, on this historic day (...), the dredging operation (of the River San Juan). That river we were losing and that we are now recovering. "

The San Juan River, which is 200 km long, begins at Lake Cocibolca in southern Nicaragua and flows into the Caribbean Sea, bordering, along its course, part of the Nicaraguan border with Costa Rica.

See the printed edition, pages: 14 A

Annex 110

La Nación (Costa Rica), “Family reports Nicaraguan chief invasion”,
22 October 2010.

Available at:

[http://www.nacion.com/2010-10-22/ElPais/NotasSecundarias/
ElPais2564028.aspx](http://www.nacion.com/2010-10-22/ElPais/NotasSecundarias/ElPais2564028.aspx)

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[22/EIPais/NotasSecundarias/EIPais2564028.aspx](http://www.nacion.com/2010-10-22/EIPais/NotasSecundarias/EIPais2564028.aspx)

Family reports Nicaraguan chief invasion

OVIEDO ESTEBAN eoviedo@nacion.com 22/10/2010 12:00 AM

A Costa Rican family filed a complaint against the director of the River San Juan dredging operation, saying the Nicaraguan ex-guerrilla, Eden Pastora Gomez, entered his estate by force and took possession of it.

According to the complaint, the incident occurred on the Aragon ranch on Calero Island, north of Limon.

Incera Giovanni, a lawyer for the family of Marcos Reyes Reyes and his brothers, said Pastora entered with the help of the Nicaraguan Army, beat workers and took some of them away, as well as also attacking cattle and other animals.

The case will be brought before the courts in Limon, he said.

Deputy Claudio Monge, of the Citizen Action Party (PAC), said Pastor offered to buy the estate under the terms "buy or buy" and that two workers have gone missing.

Danilo Castillo, the supervisor of the Police in Sarapiquí, Heredia, also informed that a report had been sent to the Security Ministry with statements made by locals testifying to the incursions.

"They say there is a presence of Nicaraguan Army officials, who are dredging, and that there is guard staff. They are in Costa Rican territory, of course", Castillo said.

[http://www.nacion.com/2010-10-](http://www.nacion.com/2010-10-22/EIPais/NotasSecundarias/EIPais2564028.aspx)

[22/EIPais/NotasSecundarias/EIPais2564028.aspx](http://www.nacion.com/2010-10-22/EIPais/NotasSecundarias/EIPais2564028.aspx) 02/11/2011

Annex 111

Tico Times (Costa Rica) “Nicaragua Denies Reports of Intrusion into
Costa Rica” 2 November 2010.

Available at:

http://www.ticotimes.net/News/Daily-News/Nicaragua-Denies-Reports-of-Intrusion-into-Costa-Rica_Tuesday-November-02-2010/

tico times.net

http://www.ticotimes.net/Current-Edition/News-Briefs/Nicaragua-Denies-Reports-of-Intrusion-into-Costa-Rica_Tuesday-November-02-2010

Nicaragua Denies Reports of Intrusion into Costa Rica

Posted: Tuesday, November 02, 2010 - By Tim Rogers

Nicaragua's Edén Pastora says Isla Calero, claimed by Costa Rica, is actually part of Nicaragua. Said Pastora: "I have the responsibility to the people of Nicaragua, to the government, and to the party to clean the river and rescue it."



Tim Rogers Edén Pastora insists no Nicaraguans have set foot inside Costa Rican territory during the river-dredging mission.

MANAGUA – Former Sandinista guerrilla leader Edén Pastora is categorically denying that the Nicaraguan Army or any other member of his 80-man river-dredging team has entered Costa Rican territory, as Costa Rican officials claim.

Pastora, who is heading the Nicaraguan government's efforts to dredge the Río San Juan and restore the Nicaraguan border river to its historic channel to the sea, insists that Costa Rican officials are wrong about where the border lies. In fact, Pastora said in comments to a local Nicaraguan television channel Tuesday afternoon, the Nicaraguan government maps are incorrect in their delineation of the border.

The real border, Pastora insisted, is spelled out in the Cañas-Jerez Treaty of 1858, which he insists proves that the so-called Isla Calero is part of Nicaragua, not Costa Rica. Therefore, Pastora said, it's not Nicaraguan troops who have invaded Costa Rica, but rather Costa Rican police officers who crossed into Nicaraguan territory.

“The maps are not going to tell me where the borders are, the treaties are,” Pastora told TV channel 100% Noticias.

Pastora, a flamboyant former rebel leader who turned on the Sandinista government in the 1980s and led a counterrevolutionary war from Costa Rica, reconciled with Sandinista leader Daniel Ortega in 2008, after running against him unsuccessfully for president two years earlier. As part of that reconciliation, Pastora was put in charge of the government's effort to dredge the San Juan River and return it to its historic route, as specified in the treaties signed 152 years ago.

“We (Nicaraguans) are proud because we are the owners of the Rio San Juan, which in part is true but it's also a lie because the last 28 kilometers of the river go through Costa Rica,” Pastora told *The Nica Times* in [a 2008 interview](#). “The Costa Ricans feel like they are the owners of the front door. And the owners of the front door of a house are the owners of the house. So they are the owners of our Rio San Juan.”

Pastora added, “So I have the responsibility to the people of Nicaragua, to the government, and to the party to clean the river and rescue it.”

Still, Pastora insists that in “rescuing the river” he has not set foot inside Costa Rican territory, nor has he dumped any dredged sediment on Costa Rican soil, as the Tico officials and media contest.

“We haven’t put one drop of sand in Costa Rica,” Pastora said yesterday.

He insisted that the Nicaraguan military troops stationed along the border are there as part of the war on drugs, and have nothing to do with the dredging project.

Indeed, months before the dredging controversy started, Nicaraguan Navy Admiral Róger González told The Nica Times that the border area around Costa Rica’s Barra de Colorado has become a new [staging area](#) for narcotraffickers to divide and load drugs into smaller crafts.

Pastora said in response to Costa Rica’s appeal to the Organization of American States (OAS) that the dredging project has shifted directions and is now going up river towards Lake Nicaragua, rather than down river in the contested border area. However, he insisted, the project will continue as soon as the issue is sorted out.

“This will continue undeterred,” he told 100% Noticias.

The Tico Times attempted to interview Pastora Tuesday afternoon, but the usually approachable and chatty former revolutionary said he first had to get authorization from the Nicaraguan Foreign Ministry before giving comments to the foreign press.

Annex 112

CNN International, “Call for troop withdrawal in Nicaragua, Costa Rica dispute”, 13 November 2010.

Available at:

<http://edition.cnn.com/2010/WORLD/americas/11/12/nicaragua.costa.rica.dispute/>

Call for troop withdrawal in Nicaragua, Costa Rica dispute - CNN.com*By the CNN Wire Staff*

CNN.com

Washington (CNN) -- The permanent council of the Organization of American States has approved a resolution asking troops to withdraw from the disputed border area between Costa Rica and Nicaragua.

In a resolution issued early Saturday, the council said both nations should "avoid deployments of the armed forces or security forces in the area where their presence could generate tensions."

Tensions between Nicaragua and Costa Rica have flared over Calero Island, a parcel of land on the Atlantic coast. Managua claims the area is Nicaraguan and denies its troops are in Costa Rican territory. Costa Rica claims it has been invaded.

The resolution supported a report by OAS Secretary-General Jose Miguel Insulza that said both sides should resume binational talks and not escalate the military and police presence near the disputed area.

The council's Washington meeting was contentious, however, beginning Friday afternoon and lasting until early Saturday as diplomats tried to reach consensus. Ultimately, the resolution passed with 22 votes, the organization said in a statement. Three countries abstained and two voted against it.

Denis Ronaldo Moncada, Nicaragua's ambassador to the Organization of American States, said early Saturday that officials from his country would challenge the resolution.

"In the end, an agreement was reached that is really without any value," he said.

"We are going to challenge this resolution. We are going to question it, and we are going to document our position against this resolution, which was flawed from the outset and flawed in its conclusion," he said.

Costa Rican officials claimed the vote was a "triumph of peace and law."

"Now, more than ever, the Nicaraguan authorities must know to listen to the clamor of all of the hemisphere in favor of peace and peaceful relations between neighboring nations, and withdraw their armed forces from Costa Rican territory," Costa Rica's foreign ministry said in a statement.

Costa Rica claims that in addition to the Nicaraguan troops, a dredging project in the river is dumping sediment on its side of the border, and that a Costa Rican flag in the area was replaced with a Nicaraguan flag.

Nicaragua has accused Costa Rica of breaking diplomatic relations between the countries.

Wednesday, Costa Rican President Laura Chinchilla said her country would take its border dispute with Nicaragua to the

United Nations and the International Court of Justice if a resolution is not found.

Chinchilla has said her country accepted the recommendations made by Insulza, but that before there are binational talks, the Nicaraguan troops must move back into undisputed Nicaraguan territory.

If the Nicaraguan troops pull back from the disputed area, Chinchilla said she gives assurances that Costa Rican police will not move in.

In response, Nicaraguan Vice President Jaime Morales Carazo acknowledged that Costa Rica may have no standing army, but said that means little, given that members of the Costa Rican police are better armed than Nicaragua's soldiers.

In an earlier interview with CNN en Espanol, he called on Costa Rica and Nicaragua "to resolve this as brothers" and "for a ceasefire in the verbal war," but added that Nicaragua is not the aggressor.

"We cannot invade our own floor of our own house," he said. "Neither can we accept from anyone conditions or ultimatums."

CNN en Espanol's Ione Molinares contributed to this report.

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Annex 113

Speech given by President Daniel Ortega on Nicaraguan National television, 13 November 2010.

Available at:

<http://xa.yimg.com/kq/groups/16527265/1054631603/name/Discurso+del+presidente+Daniel+Ortega+caso+OEA+%2811-13-10%29.doc>

**Appearance by President Commander Daniel defending the
Sovereign Right of the Nicaraguan People over the San Juan
River**

13 November 2010 | 19:25:36|

Words of Rosario:

Dear brothers, dear sisters, dear Nicaraguan families, we are in this House of the Presidency to broadcast the appearance of the President of the Republic in relation to the fight for our Sovereignty, for our Sovereign Rights over the San Juan River, Natural Heritage of Nicaragua and pride of all our people, National Pride.

Joining the President, His Eminence, the Cardinal for Reconciliation, Peace and Unity for the Common Good, Miguel Obando y Bravo; the Head of the Nicaraguan Army and the Joined Chiefs of the Nicaraguan Army; the Police Leadership and his Senior Staff; the Foreign Ministry, its Minister, fellow Samuel Santos, the Vice-Minister, fellow Waldrack Jaentschke; the Minister for the Environment, fellow Juanita Argeñal, the Director of the Nicaraguan Institute for Territorial Studies, fellow Alejandro Rodríguez; the Chief of Legal Affairs of the Foreign Ministry, Doctor César Vega. Fellow Leaders of Environmental Organizations, Social Movements and Distinguished Members of Juventud Sandinista 19 de Julio.

To begin this appearance on behalf of our Sovereign Rights, we will listen to the message of His Eminence, the Minister of the Nicaraguans, of Unity for the Common Good, Miguel Obando y Bravo.

Message of His Eminence, Cardinal Miguel Obando y Bravo:

Commander Daniel Ortega Saavedra, President of Nicaragua, Madam Rosario Murillo, Coordinator of Social Communication and Citizens; a respectful greeting to all the authorities; all brothers in Christ our Lord.

The Motherland has right to our soul, to our talent, to our reason, [we] shall consecrate [our] best and most noble faculties; we were not born

for ourselves, but for our country, Plato said.

Let's congratulate the President, the First Lady and the National Assembly, the Army, the Police, the people of Nicaragua, who have united to try to solve the problem through civilized ways. Nicaraguans have shown that we are people who love Peace, the behaviour of an individual is fully human when it is born out of Love, expresses Love and is aimed at Love.

This truth is also valid in the social sphere; it is necessary that Christians be profoundly convinced witnesses and that they be able to show with their lives, that Love is the only force that can lead to personal and social perfection and move History towards the Good.

Ancient Romans said: 'If you want peace, be prepared for war'. But us, who are Peace loving people, will continue to exhaust all the means at our reach to avoid, as much as possible, the spilling of blood.

We must pray, begging for lights to the Divine Spirit, so that he illuminates our minds and give light to our neighbours as well, so that we can achieve a Peace based in Love, Justice, Truth and Liberty.

All-powerful and eternal God, who created us with ineffable love, shed your Holy Spirit over our authorities, so that in making considered and wise decisions, they safeguard the integrity of our Motherland and through the intersection of 'la Purísima Concepción', Patron of Nicaragua, we may reach Harmony and Peace, for Jesus Christ, our Lord, Amen.

Daniel's words:

Good evening, Nicaraguan brothers, Nicaraguan families, we are in this weekend of the month of November, approaching the festivities of 'las Purísimas', Christmas and the New Year. In the middle of the daily work of all Nicaraguan families, of the studious youth, the farmers and all the sectors of the Nicaraguan society, today we have been summoned to discuss this topic that has come to alter the relations between two brother nations, Costa Rica and Nicaragua...

We are two brother nations!

It is important to note the way in which Nicaraguans in general have

‘closed rank’; during the visit of the National Assembly to the area where the Nicaraguan people, the Nicaraguan State, exercise their Sovereignty; the River of San Juan of Nicaragua, now the official name of the River, after the Resolutions adopted by the National Assembly of Nicaragua.

We have not seen here demonstrations against the Costa Rican people, or against the authorities that here represent the Costa Rican people. Even in the last few days, in the coast of the Caribbean Sea four Costa Rican fishermen were helped, who were very well inside Nicaraguan territorial sea, quite up north. This logically worried us, the authorities, because they could well be lost fishermen or they could have been the famous drug-trafficking operations.

Protection and attention were afforded to them, but also, logically, they were asked the corresponding questions; and today they were surrendered to the Costa Rican authorities, to the Consulate, with whom we had been fulfilling the corresponding arrangements and who were responsible for giving us the corresponding details. But there have been demonstrations, in the Costa Rican brother people, not of the people but only of some groups, who are trying to make the situation more serious than it really is.

Yesterday, the Nicaraguan embassy in Costa Rica was the object of an attack, Molotof cocktails were launched against it from a vehicle that has been identified; a member of the Costa Rican police who was in that place is a witness; immediately other police units were called. But these are manifestations of violence that have not occurred, nor will occur in Nicaragua. Equally, the detention of some trucks coming from Panama and they tried to stop them, thinking they were army trucks; trucks originating in Germany that were traveling to Nicaragua from Panama. This was an action of the Costa Rican authorities, and when they found out that they were not trucks for the army, but that they were of the normal commercial operations that exist in our State, then, logically, they were let go. But these are signals that worry us and we must denounce the attack of which the Nicaraguan embassy in Costa Rica was a victim. Thanks God the ‘cocktail’ did not penetrate the Mission, if it had penetrated to its interior it would have taken fire! with all the consequences that this entails.

We see the importance of the message of His Eminence... We must face these problems with strength, respect, with a constructive spirit, but without fostering confrontation, without fostering xenophobia, without fostering racism, which are elements that have been incited there in our sister Republic of Costa Rica. There are groups, forces interested in this situation being complicated further, instead of being solved through unconditional dialogue. I have here, in my hands, a map of the famous disputed zone. This is a satellite shot, a radar image, it says 1960; here we have this other image of 24 February 2010... This is the focus of the conflict, look closely. This has been the object of abundant arguments, justifications, in the presentation that we made here for the OAS delegation; in the presentation made by the Head of the Army, General Avilés, to the National Assembly in San Carlos, San Juan River; in the presentation that the presidential consultant and Nicaraguan scientist Jaime Incer made before the OAS in last night's session. It is clear, here is Punta Castilla, where the first marker is located, or how do we call this, the first landmark, which is the one that serves as point of departure for the marking down of the boundary between Nicaragua and Costa Rica; here is the lagoon Harbour Head, here is the lagoon which logically belongs to Nicaragua. Here is the famous channel that goes to Harbour Head, that is, here goes the San Juan River and the San Juan River should in its normal course, retake this route and reach this lagoon, in an area where many years ago there was a great bay.

In that bay, with the passage of time, many factors of different types were combined, and especially, the development of Costa Rica in this area. That is, Costa Rica decided to sacrifice the forest, the reserve. It decided to sacrifice it, for what? To develop projects, stockbreeding programs, farming projects, namely to take modernity there, but at the cost of what used to be a Reserve, where practically, all here was a corridor, the Reserve from Costa Rica and then reaching the Reserve in Nicaragua, in Indio-Maiz.

There the Reserve disappeared... Here, the Reserve remained and from there the fight to maintain it, because it is not once that this Reserve of Indio Maiz has been invaded by individuals manipulated by wood drug-traffickers, so much they have manipulated both Nicaraguan and Costa Rican farmers that they have been taken to the Reserve. And the army, the Police, with MARENA have had to go

there to tell them: see, please leave this site, this is a sacred site that we must respect; it is life for our country, it is life to the region and it is life for the Planet.

So we have the two shots of 1960 and 2010, this one is recent, here is the lagoon; and as you can see, the San Juan River, is a river that in summer loses its volume of flow, it cannot yet reach its historical mouth in conformity with the same Treaties, Awards, Resolutions, etc, which established in the years 1858. We cannot yet recover, and that is what we are doing with the cleanup of the river, using the dredger 'Sovereignty'; the cleanup of the river, the cleanup of the channels, to be able to allow the river to regain its volume of flow. This happens necessarily, due to the dredging of the area where Nicaragua feeds in about 90% the Colorado River. And I am going to now go onto another map... Look carefully this is the Colorado River, which was a river that did not have the volume of flow as it has today; and with the passing of time and obstructions caused in this point, then the water of the San Juan River was diverted to the Colorado River. In such a way that the Colorado River is fed in about 90% by Nicaraguan waters. Which are these Nicaraguan waters? The waters that come from the north of our country, to drain to the Managua lake, to drain to the Great Lake of Granada and then through to the San Juan River. In those times, when the Transit Route, the flow was sufficient to be able to also count on an immense bay, and that here, where the river flowed, normal navigation could be had at all times. But insofar as the waters were diverted towards the Colorado River, the volume of flow of the San Juan River was affected, the flow of the San Juan River lost intensity. Note that the San Juan River until the Colorado River flows with great strength, but there, in this point... it begins to lose strength, to lose volume of flow, why? Because the bulk of the waters of Nicaragua go to feed the Colorado River.

As I was saying, this means that we have a San Juan River that during the rainy season is navigable, without being able to recover its historical line; during the summer season it is not navigable, and there are kilometers and kilometers that are no more than sand; places in which all that remains are small puddles. People who have visited the river know this, it is possible to walk in the river bed for kilometers and kilometers! Because simply what its water is doing is feeding the Colorado River.

Now what are we doing? We are simply working for the cleanup of the River, what for? To restore our volume of flow, and as I was saying, this leads necessarily to cleaning this area that goes towards the Colorado River. In such a way that in cleaning this area that goes to the Colorado River, there will be a decrease of the flow of waters of the River to the Colorado River; that is, there will be a decrease of the waters of the Lake of Nicaragua through the San Juan River into the Colorado River. Which does not mean that the Colorado River will dry out, but it will allow the San Juan River to regain its volume of flow and that, in a permanent manner and at all times, we may have a navigable route. This is all that we are defending. What the Treaties order, what the awards order, what the resolutions of the International Court of Justice order, this is what we are defending! To recover the flow of the river to the level it had in 1858, which is clearly established in all the Awards, in all the Resolutions that have been taken on this subject.

In the meantime, also in accordance with a resolution of the Court, we recognize the right of our brother people of Costa Rica, to use the river in an area that is already clearly established, which is the area of the Castle, three miles down... From there onwards Costa Rican motorboats and boats can enter and navigate without any problems, to the mouth, if it [only] existed! If we had a river mouth, they would benefit because they could easily exit with their boats through the river mouth.

And to this traffic, which is commercial, which is touristic, are not applied those rules that are applied when it comes to the navigation in a river in a country that has transit rules, [and] corresponding established rules, of migration; in this sense, they are only elementary steps, already defined, that they have to comply with, but they can navigate the river, and they do navigate it! I invite our Costa Rican brothers to continue to navigate it, we are not closing transit of Costa Rica towards the River.

Further, as they are celebrating, starting today in San Carlos, San Juan River, the aquatic holiday of San Juan of Nicaragua, then we have left the doors open, so that with no problem Costa Rican brothers go to the celebrations and together with the Nicaraguan brothers enjoy the resources of nature.

Let's see now... Which is Calero Island? Because here has started a campaign that Nicaragua has militarily taken Calero Island. That is the campaign that the Costa Rican authorities have launched. Which one is Calero Island? It is this territory... Here comes the Colorado River, look and here comes the San Juan River; then, as this territory is found between the Colorado River and the San Juan River, they called it Calero Island. In this territory that is Calero Island, it's close to 180 square kilometers, in this territory, I can assure you Nicaraguan brothers, Costa Rican brothers, there is not one single Nicaraguan soldier! Nor has any Nicaraguan soldier or policeman entered this territory, they have not entered at any time.

Then there is the area they called Portillo Island, as well; and then there is this area where we have the Lagoon and the channel where we are working on, and here, we are already in Nicaraguan territory. In Costa Rican territory, we have neither occupied Calero Island, that is not true! Nor occupied what they call Portillo Island... there are no soldiers or police there.

Where Nicaragua is exercising its Sovereignty is in this area, in which we are developing the operation for the cleanup of the River to recover our volume of flow, by recovering our volume of flow both will benefit, since we both navigate this River. But we have the following situation... Costa Rica has the advantage that it can navigate the San Juan River without any [of the] obligations of foreign visitors, they can navigate in all this 140 kilometer stretch; in winter times they can navigate the 140 kilometers, because the River takes water, it has water; but during the summer they can no longer do so.

And what is it that they do? They do their routes, touristic tours; they go through the San Juan River and then descend through the Colorado River, because the Colorado River does permanently have water, because Nicaragua is giving water to it! 90% of the water is given to it by Nicaragua. I was speaking on the phone with my fellow Carlos Argüello, our agent to defend Nicaragua before the International Court of Justice in The Hague; in conversation with him, we reached a conclusion, which is the following and that we are going to work on, I will later explain how.

Since Nicaragua has a problem, because it has not yet recovered the volume of flow of the River, nor its exit, what is the position of Nicaragua? While we continue with the cleanup, the dredging, cleaning the channel, so that we can fulfill everything that the awards order us to do and we can establish an exit through Harbour Island... This would open a space that would benefit Costa Rica and Nicaragua, because they have a right to exit through there as well, for both commerce and tourism.

While we work and finish these works, Costa Rica should allow, accept, that Nicaragua receive the same treatment to navigate through the Colorado River... these are waters that come from Nicaragua! But also starting from a principle that is established in international law, which is the principle of passage, the passage that is in all parts of the world. There are rivers in Europe, which are of common passage, all European States use them; similarly, there are rivers in Africa; and also rivers in Latin America.

Let's say that what we are looking for is simply to search for a point of balance, of justice; just like they benefit from the San Juan River, we should also count on the same conditions that they have to navigate through the San Juan River; us too, for commercial reasons, touristic reasons, we do not suggest, like they were doing, to enter with armed people, no, that never! But tourism, commercial [reasons], with the same prerogatives, with the same facilities, with the same privileges that Costa Rica has to navigate the San Juan River.

When Nicaragua will have finished the cleaning works with the dredges and will have recovered the River's flow and the passage from the river to the Harbour lagoon, and we will have recovered this passage permanently, both in summer and in winter; then, at that moment, I would not say that we should renounce that right, rather I think that we should also maintain it, because they will benefit from works that are a cost for Nicaragua, because that is what the Awards say... Nicaragua has to do it; an effort that represents a cost for Nicaragua.

I would like to salute, in this moment, the brothers that are out there in Nicaraguan territory working on the cleanup of the river with the dredge; to the brothers who are working in the cleanup of the channel.

Who are doing it in very difficult, harsh conditions, for they are working in swamps and they are working with pickaxe and shovels! That is to say, they are working to recover the full Sovereignty of our River and its navigation, shedding sweat, enduring mosquito bites, enduring the rain, enduring the humidity, we know how humid that inhospitable area is. Let's remember that they are in areas where a person, no matter its great strength, can easily get sick.

At this moment we have a contingent of Nicaraguan patriots, whose weapons are pickaxes and shovels, those are their weapons! And the strength, the fists that support those weapons, that the pickaxe and the shovel are in the conscience of those brothers, in the hearts and in the spirit of those brothers, who are working for the benefit of Nicaragua, and for the benefit of Costa Rica! And this is what is most incredible... that Costa Rica opposes works that will benefit them, since they already have a right to transit.

Until today we will formally propose, with a proposal that I will explain at the end, the navigation of Nicaragua on the Colorado River on the same conditions of Costa Rican navigation in the San Juan River.

Last night we were all witness to a failure of the OAS. It is not the first one, that is an institution which every day loses its minimal credibility, if it has any credibility left. We were witness to the manner in which the session was manipulated, there was a manipulation, a conspiracy, that was already in plain view. Manipulation that even tried to surprise with fast voting [procedures], where the percentages required by qualified majority [voting] were not taken into account, or where this was circumvented. Because the Permanent Council of the OAS has a total of 35 members, of these 35 members 28 States were present in the debates, in the discussion and in the voting, that is 7 States were not present. And according with what the OAS establishes in its mechanisms, that were read there on several opportunities, because it appeared that nobody knew [them] clearly, not even the Directive Body.

It said: 'The Permanent Council in exercise of its functions by article 89, will adopt its decisions by the affirmative vote of two thirds of its members, excluding the parties, except for those decisions that can be approved by a simple majority as authorized by its rules'. This last

part was not complied with and a voting procedure was imposed where neither Costa Rica nor Nicaragua were excluded. Why? Because they were clear that if Costa Rica and Nicaragua did not vote, they would not have reached the 21 votes needed, they would have had only 20 votes, and vote number 21 was provided by Costa Rica.

But further in accordance with what is established in the rules and procedures, it is needed two thirds of the members of the Permanent Council for the approval of the resolution... Which meant that 22 votes were necessary to approve this Resolution 22 votes to approve it and not 21, as they falsely said there. They lied, they manipulated!

Even worse, they also included Costa Rica and Nicaragua to be able to count on vote 21, because they said that they were 21, when that was not so, they were 22. But since they were proceeding from the basis of the lie, of the falsehood that they were 21, then they included Costa Rica, because they knew that with that vote they would have obtained 21. That had been decided beforehand! The plan had been arranged, logically a political plan, to try to impose conditions, conditions that cannot be imposed!

It was well-known how the initiative in all these discussions, logically setting aside the Costa Rican delegate he is there to defend Costa Rica at all cost and did it in his way; the leadership of Colombia was emphasized... We all know what Colombia means! Colombia is an expansionist policy that has tried to take possession of the Caribbean Sea; it maintains occupied through armed force San Andres, Providencia and of the Keys of Roncador, Quitasueños, Serranías. It maintains by the force of arms, against a resolution of the Court in the Hague, its patrolling in areas where those Colombian warships should not be.

They have already lost the first battle in the Court, precisely, in the decision that the Court adopted in the year 2008 in favour of Nicaragua, and where it tells Colombia... no, the maritime boundaries are not where you claim them to be, they are not there. And the decision of the Court is pending, in which the Court will determine where the maritime boundary is located and where, logically, all indicates that Nicaragua is going to win this decision, to the benefit of what belongs to it, its territorial sea. The stage has been clear... A conspiracy led by Colombia, to which Costa Rica added itself, to

which Honduras added itself and they all ran to the Court to say that they have to intervene as parties that can be affected in the judgment that the Court will adopt in a dispute that is exclusively between Nicaragua and Colombia. What has Costa Rica to do there? What has Honduras to do there? Ah, but Costa Rica and Honduras appeared there!

This was only a part of a plan that had been arranged and that they led it to come to the surface, the saddest thing is that they brought it to the surface following reports made by drug-traffickers. Notice this! That is, the Costa Rican authorities echoed the claims [made] by drug-traffickers who, escaping Nicaraguan authorities, took refuge in San Jose and there they said that the Nicaraguan army had occupied Costa Rican territory... The drug-traffickers are leading Costa Rican foreign policy! Since when? This must worry us... And this desperation to have us withdraw our army from the area? An army that is only in confrontation with drug-trafficking... Who will benefit from this request, with the proposal that Costa Rica makes that the army should stop to operate in Nicaraguan territory to combat drug-trafficking? Who benefits? Drug-traffickers.

And we know that drug-traffickers have large tentacles, tentacles that enter the State's Institutions, tentacles that move multibillion resources and tentacles that have currently brought into crisis, an extreme crisis, brother Latin American States like Mexico. Mexico has been taken over by drug-trafficking! Mexico is in a war where drug-trafficking has even taken Mexican military institutions, entire detachments of soldiers of the Mexican Army, of the special forces of the Mexican Army, have come to be detachments of the drug-traffickers. War weapons are everywhere, deaths, homicides, damages everywhere in Mexico.

Mexico is a State occupied by drug-trafficking, and Mexico should be worried that drug-trafficking does not extend towards Nicaragua; because it has already extended over Guatemala, which is another country occupied by drug-trafficking. Drug-traffickers killing members of the Salvadorian parliament in Guatemalan territory, members of the Central-American Parliament. Notice this! Like drug-trafficking were moving behind these States, behind Mexico, behind Guatemala, Colombia, to try to influence, and for what? To

have influence in an operation against the efforts of Nicaragua, to stop the operation against drug-trafficking.

They did not speak about drug-trafficking last night. They, the Mexicans that are completely contaminated by drug-trafficking, did not speak; the Colombians did not speak about the problem of drug-trafficking; the Guatemalans did not speak, what they did was, simply, to make a common cause with a political position, where areas that are strictly legal are also being invaded, bordering, that should not be addressed, decided and conditioned by the OAS, the OAS has nothing to do in this sense!

Then one gets the impression that drug-trafficking has become so powerful, that it takes the representative of Panama and he too throws himself... They don't want Nicaragua to fight drug-trafficking! That is the conclusion that I take from their interventions. It appears as if they were given the line... We must work hard there to prevent Nicaragua to continue fighting drug-trafficking. What are the interests behind these political positions? From Colombia, from Panama, from Costa Rica, from Guatemala, from Mexico, which are States that are completely contaminated by drug-trafficking. And some of them are completely destabilized, have already become impossible to govern, as is the case of Guatemala and of Mexico.

What happened there was simply a battle between States who defend drug-trafficking and Nicaragua, who is fighting drug-trafficking because in that area that Costa Rica claims that we have invaded... First, it is Nicaraguan territory and we are fighting against drug-trafficking! There have been no confrontations between Costa Ricans and Nicaraguans. There has not been a single bullet shot between Nicaraguans and Costa Ricans.

Because some were speaking, giving the example of other Latin American States where there have been bullets... if there had been bullets, there would have been deaths! But here, there have not been bullets or dead people, simply because the presence of the army in this Nicaraguan area is, has been, and will continue to be to fight drug-trafficking. It already appears that the influence of drug-trafficking, is really advancing, it continues to advance.

But anyway, we want to emphasize the position of ALBA in that

debate and during the famous manipulated and distorted voting... We want to emphasize the brother people of Venezuela; I was precisely speaking now on the phone with President Hugo Chávez, he called us. And he is really not surprised, because who would be surprised? We already know what the OAS is, but he is outraged; as are we, about what happened.

Because at the OAS a consensus should have been sought, that has been the principle. Voting merely leads to confrontations and to the fracture and eventual disappearance of the so-called OAS, which should have disappeared a while ago, is the truth. We continue to be there out of habit, but it should have disappeared a while ago! But they are breaking the principle of consensus, that was defended with much strength by the Venezuelan representative. I would say that the representative of Venezuela, with the representative of Nicaragua, maintained a firm position until the last second, fighting the battle for consensus and for dialogue without conditions, that was the position!

We also recognize the position of Bolivia, who had a good intervention; and the Bolivian representative said: in this situation we prefer not to participate in that vote. That is they did not simply abstain they erased themselves, namely, Bolivia said: I am not here; Guyana abstained, a dignified attitude; Ecuador abstained, a dignified position; Dominica abstained and, as was to be expected, Venezuela and Nicaragua, fighting for Latin America, fighting for our people.

And, especially, fighting against drug-trafficking...! Because I consider that this has turned into a battle between the interests of drug-traffickers, which are transnational, and the interests of our people and of the institutions that are in the fight, because Nicaragua in this moment is the point of restraint. Drug-trafficking has already taken Guatemala, it advances over El Salvador, it advances over Honduras and the point of restraint is Nicaragua. Costa Rica should be thankful that Nicaragua is the point of restraint, so that Costa Rica is not completely taken over by drug-trafficking in the same way as Guatemala, Mexico have been taken, which does not mean that drug-traffickers are not present in Costa Rica, as they are in Panama.

This meeting of the OAS really killed the possibility of unconditional dialogue, it killed it! Because they started to include conditioning elements, and that kills unconditional dialogue. And we, I repeat, as

of principle, are not withdrawing from any part of the Nicaraguan territory in the borders with the brother people of Costa Rica and with the brother people of Honduras, nor in maritime zones... We are not withdrawing our forces, our Army, or our Police in the fight against drug-trafficking. There is no withdrawing here. And that proposal from the OAS last night... 'Approved', in inverted commas [sic], what the OAS is telling us is that we should leave free the territory to drug-trafficking. Note well... That we leave free the territory to drug trafficking! We do not accept this.

But now I want to conclude, because President Hugo Chávez, dear fellow Commander, he said he would pay attention to this intervention. He is a sports lover and here we are sports lovers and there is great expectation today, dear brother President Commander Hugo Chávez, because today there is a fight here between a great Mexican boxer, Margarito, and a great Philipino boxer, Pacquiao, and they will broadcast it. But we still have time. I will not abound to repeat so many arguments that have already been presented, but I think we must continue to work, that our people, or youth should be aware and master this subject, because the way in which Nicaragua has lost many square kilometers is painful. We lost it in Mocorón to Honduras, we lost Guanaste and Nicoya to Costa Rica; they wanted to take the San Juan River from us, which led the Court to a judgment in 2009 saying that the San Juan River belongs to Nicaragua! Colombians continue to want to take from us our seas and our maritime platforms; the Honduran, Costa Rican and Colombian interests continue to conspire to attain their expansionist objectives. And, logically, we cannot discontinue this battle.

I want to say that yesterday afternoon, when the discussions were about to begin, there was no place in our country, even in the middle of a working day... Where there were televisions, the debate was being broadcast; even commercial centres, the televisions for sale, on offer, were broadcasting the debates; and the citizens of all economic layers, of all social layers, of all political views, all, following the debate... With a deep sense of dignity and pride for being Nicaraguan! And we are defending a just cause, because what we are defending is to prevent that they continue to destroy us, enough damage has been caused to Nicaragua in relation to its territory.

I see the image of Nicaragua, like they want to repeat the story of the Nicaraguan brother there in Costa Rica, who in the sight and patience of the camera-man, wardens, what they did was to enjoy the photos of how very ferocious dogs destroyed that Nicaraguan brother, as if they wanted to destroy the motherland! But the motherland cannot be destroyed anymore... Enough, we cannot allow that the territory of Nicaragua be cut off!

I want to express that, making a summary of what would be our conclusions, and what the course of action that we are developing is... first, I have here the letter that the fellow Deniss Moncada Colindres sent to Joaquín Alexander Maza Martelli, President of the Permanent Council of the OAS, where he says that Nicaragua withdraws its request for the calling of the OAS Foreign Ministers' meeting. You will remember that this was part of the debate and it was the opportunity to impulse consensus, if the ambassadors could not find consensus, the practice of the OAS had been to continue until consensus was reached, and then to convoke the Ministers to be the ones to find consensus.

At that moment we were still betting that consensus could be achieved, but when we are subjected to a manipulated, fixed, false voting, then, simply, we see no sense in calling a meeting of Foreign Ministers; simply, we have lost all faith in the OAS. It would even be convenient to start working in our withdrawal from the OAS. What are we doing in the OAS?

Cuba was expelled from the OAS in a barbarous act, and then, in an historical event, the right of Cuba was vindicated. Those unjust sanctions imposed against Cuba were lifted. What was the role of the OAS during the coup in Honduras? Could by any chance the OAS stop the coup? No. What the OAS did was to promote dialogue with the coup [government]. And, at this point, there is a great number of States which have been opening relations with Honduras and have normal relations with this country. So I ask myself, what is the point of being in the OAS? We must seriously consider our withdrawal from the OAS, work so that the new front of Latin American and Caribbean nations is formed, the project of the Community of Latin American and Caribbean Nations, which is the project we approved last year in Mexico, Cancun, and there will be a meeting next year in

Caracas, Venezuela, in the month of July, to lay the bases for this. The meeting in Mexico was a historic meeting, because there all the Caribbean nations, without exclusions, Cuba was there, agreed to integrate this force of Governments, of Latin American and Caribbean States.

Venezuela will be the seat of the next meeting, where the foundations will be laid and there, for the first time in our history, us the Latin Americans will have an instrument that we have not been able to have; then the Supreme Dream of Bolívar will come true, [the dream] of which Sandino spoke about in that famous manifesto from the mountains of Nicaragua, when he was confronting the Yankee intervention.

So we are not interested in the meeting of Foreign Ministers; if Costa Rica calls for it, it is their business if they want to call for it; we no longer have any interest in the meeting of Foreign Ministers, nor any interest to participate... What would be the point of taking part in that meeting of Foreign Ministers? None. If they call for it, then be it, we will not be there, we will not take part in the meeting of Foreign Ministers.

Nicaragua will proceed, I have been speaking with fellow Carlos Argüello, we will proceed doing the work and the refinement, preparing everything to form the team. I have already told Carlos to advance some ideas and to meet in the next few days here in Managua to work on the strategy in front of the International Court of Justice in the Hague, which is the place where these subjects should be discussed.

That is, us as the harmed party [of the case], because we are being harmed by Costa Rica, will have recourse to the Court and denounce Costa Rica for wanting to occupy Nicaraguan territory, because this is what Costa Rica wants! To take possession of Nicaraguan territory. And also to proceed with the demarcation, densification of the terrestrial boundary and the delimitation of the maritime boundaries. To find an integral solution, because if we solve this today and not solve the whole [dispute], at any point we could have another conflict; and we do not want to be in conflict with brother people, with sister Nations, since, at the end of the day, [it is the] people [that] are involved and manipulated in these conflicts.

We will propose there, and have already proposed to Costa Rica, we publicly propose... If they do not agree, we can take the case to the Court, that Nicaragua may immediately use the Colorado River to navigate in the same conditions as Costa Rica navigates in the San Juan River. These are the fundamental points that we will work on, from the starting point that this subject died in the OAS, where we no longer have anything to do; the OAS, at least with respect to this topic... 'Requiescat in pace', as His Eminence would say.

And make a call to the Costa Rican people not to be carried away by the confrontation. See the difference, here in Nicaragua, here we are seeing this with maturity, seriousness and responsibility. They say that they have a very high level of culture, they pride themselves to be the most cultured of Latin America and the Caribbean, well the Nicaraguan people are showing more culture and responsibility in addressing these matters; workers, women, youth, different economic and social sectors of the country, the different political forces.

I want to leave this matter very clear here, that this is a matter that unites us and that with this matter that unites us I am not ignoring or trying to evade, nor am I interested in covering the matters that do not unite us Nicaraguans, topics of a political and institutional order... There we have differences, there they are! And those differences, in the end, will be resolved, will be decided by the Nicaraguan people in a peaceful manner, next year in the month of November, depositing their vote... That is the solution!

Nicaraguan brothers, let's continue to work in all fields, in the economic field, in the social field; in the political field, each contributing their ideas, their proposals. There are people who will organize marches in the next few days, wonderful, organize your march! Go protest against the Government, protest, there is no problem! Protest all you want... But in this matter: united, all united! Which is the most important thing, and there we are being consistent with our being Nicaraguans.

Many thanks, dear brothers, dear sisters, dear Nicaraguan families, good night and may God give us the patience and wisdom to resolve this situation. Thank you.

Annex 114

La Prensa (Nicaragua), “Ortega will ask the ICJ navigation on the Colorado River”, 13 November 2010.

Available at:

<http://www.laprensa.com.ni/2010/11/13/nacionales/43540>



<http://www.laprensa.com.ni/2010/11/13/nacionales/43540>

National News| Saturday 13 November 2010

Ortega to ask the ICJ for permission to navigate the River Colorado

DIGITAL EDITION

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President Daniel Ortega said a few minutes ago on national radio and television that they will ask the International Court of Justice (ICJ) in The Hague to allow Nicaragua to navigate the River Colorado until the conclusion of the dredging work in the San Juan River in Nicaragua.

Ortega said he will make a request to the court that the permission to navigate along the Costa Rican river be based on the international principle of passage. And that Nicaragua will have the same rights as Costa Ricans have to navigate the San Juan River, which during the rainy season is a length of 140 km, since in the dry season the river narrows and feeds 90 percent of its waters into the River Colorado.

The president explained that the Head Harbour area, in Nicaraguan territory, work is being carried out to allow an outlet that will connect the area with the San Juan. Once this dredging work is finished, Nicaragua would use the River San Juan without renouncing the use of the Colorado when necessary.

At the hearing, Ortega explained in detail that some parts of the San Juan are not navigable in summer due to the sandbanks that have formed over decades as a result of harsh winters.

Annex 115

La Prensa (Nicaragua), “Nicaragua will not obey request by OAS”, 14
November 2010

Available at:

<http://www.laprensa.com.ni/2010/11/14/nacionales/43575>



<http://www.laprensa.com.ni/2010/11/14/nacionales/43575>

National News | Saturday 13 November 2010

Nicaragua will not comply with OAS

ORTEGA'S PROPOSAL

“Just as they benefit from the River San Juan, we should also be able to opt for the same conditions...We are not planning to send armed personnel there, as they are”, said the president while explaining that the petition would be for the duration of the dredging and cleanup work, although “it should be a permanent privilege”.

In a less conciliatory tone than he had used since the beginning of the conflict caused by the dredging of the San Juan River, President Daniel Ortega adjourned the mediation of the Organization American States (OAS) and announced that he will take the case to the International Court of Justice (ICJ) in The Hague, to request a comprehensive and definitive solution to the dispute through the densification of land border demarcation and delimitation of the maritime border.

In addition, Nicaragua asked to be granted the right to navigate the Colorado River in Costa Rica, 90 percent of the flow of which is fed by Nicaraguan waters, under the same conditions that Costa Rica navigates the River San Juan. He also left open the possibility of initiating a process to conclude with the withdrawal of Nicaragua from the OAS.

Ortega undermined the resolution adopted by the OAS Permanent Council, which recommended "avoiding the presence" in the conflict zone "of armed or security forces," because, he said, it was approved by a "rigged" vote that violated the established mechanisms.

That is why we will not comply with it and will take the dispute to the ICJ.

He explained that on contacting Nicaragua's representative in The Hague, Carlos Argüello, he came to the conclusion that, through the right of "passage" referred to in international law, Nicaragua could solve a problem that occurs during the summer in the San Juan river by navigating along the Colorado.

According to President Ortega, it is "a question of balance and justice" that until the cleaning and dredging work to recover the output flow and outlet of the San Juan River through Harbour Head Island is completed, Costa Rica "admit" Nicaragua to navigate along the Colorado under the same conditions it does along a stretch of 140 kilometres of the River San Juan. The request would be for the duration of the dredging and cleaning operations, although he believes it "should be a permanent privilege".

TROOP WITHDRAWAL WOULD BENEFIT DRUG TRAFFICKING

The president said he was "outraged" by the way in which a group of countries led by

Colombia and joined by Costa Rica, Panama, Mexico and Guatemala "manipulated" the session in order to benefit giving drug trafficking a free reign in the area.

"The Costa Rican authorities echoed the complaints of drug traffickers who, fleeing Nicaraguan authorities, went to San Jose to hide and there said the Nicaraguan Army had occupied Costa Rican territory. Drug traffickers conducting Costa Rican foreign policy", said Ortega.

He added: "This is a cause for concern ... and why are they so desperate for us to withdraw the army from the area, an Army that is not in any confrontation other than with drug trafficking. Who is going to benefit from this proposal? With this demand that Costa Rica makes for the Army to stop operating in Nicaragua combating the drug trade. Who are the beneficiaries? The drug traffickers," said the President.

Accompanied by high-ranking authorities from the police and the army, and foreign ministry officials and other cabinet members,

Ortega also condemned the attack suffered by the headquarters of the Nicaraguan Embassy in San Jose and criticized the Ticos' reaction to the conflict. He compared it to the assassination of the Nicaraguan Natividad Canda, ravaged by dogs in San Jose a few years ago, "they seem to want to destroy the country", he said.

On confirming that Nicaragua withdrew the request for the meeting of foreign ministers, originally requested by Costa Rica in the session on Friday, he reiterated that the agency once again demonstrated its ineffectiveness, which is why he is contemplating initiating a process for the country to withdraw from the organization.

COSTA RICA PLANS STRATEGY

Costa Rican Deputy Foreign Minister, Carlos Roverssi, told LA PRENSA by telephone at the close of this edition, that he had hoped for a different response from Managua following last Friday's events at the OAS, and added that are working on a strategy that he refused to disclose in the interests of his country.

"We had hoped that with the overwhelming response of the American people President Ortega would be more humble. Unfortunately this was not his reaction. It doesn't surprise us either. We are prepared for different scenarios. We were still hopeful that he would act more rationally. His position comes as no surprise and we are ready to establish our strategies, which will be equally forceful in response to Nicaragua's invasion of Costa Rican territory. I would prefer to keep to myself, for reasons of state, these strategies and mechanisms we have already established, and that since yesterday we are working on to continue to defend the Costa Rica's sovereignty", Roverssi said.

The Deputy Foreign Minister rejected Ortega's statements claiming his country is linked to drug trafficking. He described them as offensive. "I think he is justifying the diplomatic defeat they suffered at the heart of the OAS. The position of the Americas was firm, requesting the Government's withdrawal of troops from Costa Rican territory", he added.

Roverssi said that in addition to being "laughable" Ortega's opinion offends the efforts in the fight against drug trafficking made by Colombia, Mexico, Panama and Costa Rica. "In that respect, let me remind you that the figures themselves show that the country that has

made the most drug seizures is Costa Rica. President Ortega's comments make no contribution whatsoever to the peace of the continent, they just prove he is stung by his diplomatic defeat", the Costa Rican official declared.

ORTEGA BURIES DIALOGUE

Mauricio Diaz, former Ambassador to Nicaragua in Costa Rica, last night considered that President Daniel Ortega gave the "coup de grace" to any possibility of bilateral dialogue and he predicted an escalation of the conflict in international fora, as Costa Ricans may take the case to the UN Security Council.

The former Nicaraguan official said the world's image of Nicaragua is of an intransigent nation. "For once and all (Ortega) gave the coup de grace to something that was working, which was the proposal that Nicaragua and Costa Rica return to the path of dialogue, the peaceful resolution of controversy, but I do worry about the accusations to third countries of being linked to drug traffickers. It is outrageous to say drug traffickers are controlling Costa Rican foreign policy. I was very shocked", Diaz criticized, by phone.

SUPPORT FOR COLORADO RIVER NAVIGATION

Diaz shares the Government's position of keeping the military on the border with Costa Rica and praised the idea of using the Colorado River, which he attributed to the Nicaraguan representative in The Hague, Carlos Argüello.

The diplomat described the presidential address as "sentimental", when the president compared Nicaragua's fate with that of Natividad Canda Mairena, who was bitten to death by dogs in Costa Rica.

"I was the government official who took the complaint and take this opportunity to say that this was not the result of Costa Rican State policy. It was a savage act from every point of view, but did not have the blessing of the government of the day. We are now going to appear an intransigent nation", said the former ambassador.

Annex 116

Confidencia.com (Nicaragua): “The Southern Border changes with the river”, 28 november 2010.

Available at:

<http://www.confidencial.com.ni/articulo/2509/1lquo-la-frontera-sur-varia-con-el-rio-rdquo>



<http://www.confidencial.com.ni/articulo/2509/ldquo-la-frontera-sur-varia-con-el-rio-rdquo>

**"The southern border changes with the river",
28 November to 4 December 2010.**

(Excerpts)

[...]

“In the case of the San Juan River is not only nature that has made these changes, but the main changes that have taken place in there, sedimentation and practically that no water flows in the summer, that has been caused by Costa Rica. Anyone who navigates on the river San Juan will see that the whole area of Costa Rica is completely deforested, that there are actually no forests, and they are going to realize that the river San Juan now simply empties through the Colorado River, that was not the situation when the Award, nor was that the situation when the Treaty of 1858.

Then the river has changed for natural reasons and effects of the works carried out by Costa Rica. Nicaragua accepts the natural changes of the river, because that's what rules international law, but it does not have to accept, and it is not mandated by law, the changes caused by Costa Rica, and that is part of the issues that we have to discuss in the Court, because is not only the damage on the river itself, but the changes that the river has been suffering are mainly the fault of Costa Rica, and basically that's going to be the law suit of Nicaragua. But not right now, because the issue simply is about what Costa Rica is asking, they just want to limit the matter to the question of the cleaning that is being done in a caño, which is not the core of the problem.”

[...]

Annex 117

Confidencial.Com (Nicaragua), “Pastora: I interpreted the Alexander Award”, 30 November 2010.

Available at:

<http://www.confidencial.com.ni/articulo/2522/pastora-ldquo-yo-interprete-el-laudo-alexander-rdquo>



<http://www.confidencial.com.ni/articulo/2522/>

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He says defense of sovereignty is a matter for “machos”

Pastora: "I interpreted the Alexander award"

*** He explains the reasons for the canal-dredging in Harbour Head, "I have on-site knowledge of that area, I know it caño for caño."**

[Carlos Salinas Maldonado](#) | 30/11/2010



Photo: Eden Pastora

In Edén Pastora's view, defending sovereignty is a matter for machos. He made this clear during an appearance before a group of students from the Central American University (UCA) that welcomed without question and to the extreme, the occurrences of the legendary

Comandante Zero, the only rebel to discover his identity after the successful takeover of the National Palace in 1978.

For Pastora, "only machos" have the will to protect national sovereignty, and not "filthy politicians who want to lose these wetlands so they can blame Commander Daniel Ortega." He was referring to an area of two square kilometres on the south-easternmost tip of the border between Nicaragua and Costa Rica.

Pastora has become Ortega's protégé after long-standing differences with both Ortega and the Sandinista National Liberation Front (FSLN), since he left the revolutionary project dissatisfied with its change of direction, and veered towards armed dissidence that included flirtations with the so-called Contra. He denies claims that he belonged to the guerrilla funded by Washington, although Central Intelligence Agency documents link his name with this armed movement. The armed actions in which he participated in the 80's include the burning of the old village of San Juan del Norte, or Greytown. Now the former guerrilla has, following Ortega's orders, become the technical manager of a dredging project that has sparked much controversy with Costa Rica. The government of President Laura Chinchilla has opposed the dredging and argues that Nicaragua is violating Costa Rican sovereignty.

The controversy has led the two countries to the Permanent Council of the Organization of American States (OAS), where Nicaraguan diplomacy was defeated, and possibly before the tribunals of the International Court of Justice in The Hague, where Costa Rica has brought a case against Nicaragua.

Pastora has instigated a media frenzy. To some he is a hero reborn defending national sovereignty, while for others he is recklessly irresponsible, and an embarrassment to Nicaraguan diplomacy.

He defends himself from criticism by saying he knows what he is doing. That morning at the UCA, in the presence of law professors, diplomats and experts in geography such as Jaime Incer, Eden Pastora said that the route mapped for the dredging of the San Juan is correct,

according to his interpretation of the Cleveland and Alexander awards, which establish the border between Nicaragua and Costa Rica.

"I studied the awards and it was easy for me to interpret them," said Pastor, modulating his voice, opening up his eyes in exaggerated fashion, and moving his hands as if giving a speech. "It became easy to interpret in situ because I know that area, caño by caño, lagoon for lagoon. I know where Punta Castilla is. I have been on the right bank of Harbour Head. So that made it easy for me to interpret the awards".

"We started at that point," he went on, "because that is where the border is. We started the dredging because of what used to be said, in the old days, of trading." He then added: "I am familiar with the problem; I don't need to be an engineer, I am happy to head this project because what is needed is a love for Nicaragua."

The audience then broke into applause, congratulating him, and requesting autographs and photographs. Minutes later, the man known as *Comandante Zero* agreed to talk to *Confidential*, but made it clear that the interview had to be short: "Make it quick, brother, I'm hungry" were his words.

How did the idea come about to start dredging the River San Juan?

In 1973 I would see the waters of Lake Apanas, of the Tuma River, and all the waters of our Caribbean basin passing in front of me in Barra del Colorado, and I would say to myself "one day I am going to dredge this." It couldn't be done because of the war, because of many things. When Violeta Chamorro won the elections I went to her, but could not get the support. The same happened with Arnaldo Alemán and Enrique Bolaños. Until Daniel Ortega came to power. We talked of this issue at length with him several times.

Did you ask him directly or did he call you?

Yes, definitely, just as I went to Violeta Chamorro, Aleman and Bolaños. But the difference was I found him. I found a receptive ear, a patriot, a Nicaraguan who was interested in the problem.

Despite the differences that existed between you? There is the case of the Contras, for example.

But I never belonged to the Contras, I was a dissident. He (Ortega) knows that, the CIA makes this clear in its statements, saying that when I spoke I drained the capacity of the CIA, I did them more harm than ten battalions of the Sandinista Popular Army.

They know I maintained my position combating the political and moral errors of many members of the national leadership, including the most radical, who are now in the MRS, such as Henry Ruiz, and Dora Mary (Tellez) herself. They were the Taliban, they were the Taliban! If in the eighties they had caught Eduardo Montealegre and Fabio Gadea Mantilla they would have melted them in a barrel of acid. That was who they were!

When did you meet with President Ortega for the first time to discuss this project?

A year after he took office, when I saw that he had seized all the reins, all the keys. I went to talk to him of this subject, and after two or three conversations we came to the conclusion that we needed to make a dredger. He told me to make the dredger, then he gave the order and the economic resources, and here I am working. If they want to lay the blame for all this on someone, if they want to put someone in jail, if the Costa Ricans want to lock someone in jail it is Daniel, not me. I am just a civil servant obeying orders. The public should know these things.

But it was against you that a judge issued an arrest warrant.

Ah, that's a pathetic excuse for a judge from a dump who wants to be known for being the one who arrested the famous Commander Zero.

I'm sure he's now going to set up a law firm, because now he is famous in Costa Rica.

What was that first conversation with President Ortega like?

Well, I spoke of the need for dredging, I told him the territory had been abandoned by God and by us Nicaraguans. I asked him: "Daniel, you know why we lost Nicoya and Guanacaste? Because we left! We have abandoned everything. And we are abandoning San Juan del Norte. When you're dead, when I'm dead, your great grandchildren and mine will say San Juan del Norte used to be in Nicaragua." His expression became serious, and stern, he banged his fist on the table and said, "Go dredge that shit right now."

Is the current design of the dredging, the area being dredged today, was that your idea? How was it decided?

It was logic. The elementary formal logic says that if we open the sandbank at the mouth of the river, the outlet, we will clean the caño, we will do it for Harbour Head. I talked to the engineers and we decided that it would be done there. We also talked with the environmentalists, who make sure there is no toxic material, no polluting or radioactive substances; we are just removing sand and vegetation, not rubbish or any contaminants.

But Costa Rica is accusing you of dumping waste products on the Tico side

We are in Nicaraguan territory we are not even polluting Nicaragua. Contaminating with what? Sand?

Why was it important to start precisely in that area?

Because that was the trade route! The awards state this, history states this, the Cañas-Jerez Treaty states this. And to go back to how we were, we had to start there. We are going to do the work along the river so it will be navigable, it's not enough to do the first three, four, or first five kilometres. In order for it to be navigable we have to

dredge 33 miles from the delta to its estuary in Punta de Castilla. And the lakes have to be cleaned, and the caños too. We want to get everything back to how it was before, and get the sawfish to return, and the sharks to enter from the river, and the bass ... just like they used to before.

What maps and references did you use to select the current zone as the dredging area?

The Cleveland and Alexander awards. According to the Costa Rican Constitution the border was established by the awards, not by maps.

But you talked about Google Maps, you said you had used those maps.

Right, because Google had used the Alexander awards to map the border there. They say they were wrong, but everything happens for a reason. Why were they wrong? Because they used the Cleveland and Alexander awards. And now they ask Costa Rica where it wanted them to put the markers and they corrected the issue. Who's going to believe Google now where maps are concerned?

Tell us about the dredging. How does the dredger work?

At the front it has a cutter, and a suction pump absorbs water and sand and the vegetation it cuts up. That pump expels it through a tube, which is 100, 200, 300 to 1000 metres long, and it is deposited in it. Who is going to be polluted by soil? Who will be contaminated with sand? Absolute nonsense! There is nothing there.

What is the dredging capacity of the machine?

600 cubic metres per hour at full capacity. It is working at full capacity, it cuts up soil, and sand, as if they were butter.

How long will the project take?

I hope that around two or three years.

How much did the dredging cost exactly?

One million one hundred thousand dollars, which if we had sent someone else to do it, it would have cost five million.

Was that how much the government gave you, through what agency?

I don't know where the Government got the money, President Daniel Ortega delivered it to me. I do not know who collaborated or how.

How much is the total cost of the project?

I want to do it the cheapest way: two or three million. Others say it will cost ten or twenty million.

How much do you have exactly?

We are planning on two or three million, I think. The Assembly will approve 25 or 50 million cordobas ... I don't know how much, but it would come to about two million dollars.

You mentioned a second dredger. When would the second dredger be ready?

In late December, the last two weeks of December, in the delta, 30 kilometres upriver. It is an old dredger from the Nicaraguan Port Company, which the president also ordered be sent to the river. And there is a third dredger, which is being completed: the Sovereignty II. It will operate in the entire river, in the lagoons.

Since the start of the dredging Costa Rica has objected. The Government of San Jose says that Nicaragua invaded its territory. What happened in the area in late October, when Costa Rica accused the army of a military invasion?

What happened was that Nicaragua was carrying out an anti-drug operation, it arrested six illegal Honduran immigrants, seized

speedboats, fuel, satellite mobiles, weapons ... And Costa Rica said nothing! And they entered the Aragon ranch, in Costa Rican territory ... I mean, in Nicaraguan territory.

Did the complaints include accusing you of participating in that operation in Costa Rican territory? You were accused of invasion.

No, I did not participate, I don't have anything to do with the army. I am involved in the dredging operation, I'm not a policeman or soldier so I'm not involved in their operations.

So you did not enter Costa Rica?

I did not, I did not enter at all!

Your participation in the project is not welcomed by many sectors, both in Nicaragua and Costa Rica. Doesn't it bother you that there is criticism from some sectors in Costa Rica that remind you of the assistance they provided when you were a guerrilla?

It is rude to be throwing favours back in people's faces. We never speak of the great favours we have done for them. It was the Nicaraguans who provided arms for Pepe Figueres. Thousands of Nicaraguans died fighting alongside Figueres. We've done them great favours; we are producing 25 billion dollars for them over ten years, with 300 thousand Nicaraguans. We do not throw these favours back in their face because we are educated and macho.

Annex 118

La Prensa (Nicaragua), “Alexander’s Channel gets cleaned”, 8
December 2010.

Available at:

<http://www.laprensa.com.ni/2010/12/08/nacionales/45805>

December, 2010

<http://www.laprensa.com.ni/2010/12/08/nacionales/45805>

National News

Alexander *caño* cleared

- The condition of the "first caño" mentioned by Alexander is navigable
- "Chinchilla is the only one who doesn't see it," said Eden Pastora, confirming existence of the caño

By: Wilder Pérez R.



Nicaragua waited for the ruling of the International Court of Justice (ICJ) last year to start planning the dredging of the River San Juan. The ICJ ruled that

Nicaragua has dominion and sovereign jurisdiction over this body of water. A PRESS / B.

The caño described by the engineer arbitrator Edward Porter Alexander, which defined the border between Nicaragua and Costa Rica, is "clean" and can be navigated in small boats.

This was confirmed by the head of the cleaning operations on the River San Juan, Eden Pastora, also known as "Comandante Zero" at the time of the Sandinista revolution.

Pastora said the thousand-metre caño has been cleared of trees and sediment.

"It is already open, and clean; we are already sailing along it in motorboats," said Pastora, after reopening the waterway through the caño.

Although Costa Rica does not recognize the existence of the caño, as a strategy to seize Harbour Head, it appears drawn on the map of the explorer Ephraim George Squier, of 1852, and photographed on satellite images taken this year.

"Comandante Zero" stated that there was no need to dredge the caño in order to make it navigable, they only needed to cut down some trees.

"Chinchilla is the only one who doesn't see it," said Pastora, referring to the President of Costa Rica, Laura Chinchilla, who recently put Nicaragua on its list of "enemy countries".

According to Alexander, in his award number one, the border between the countries passed through the southernmost tip of the caño, described by the arbitrator as the "first caño" that connects Harbour Head to the River San Juan.

Alexander made a detailed interpretation of Jerez-Cañas Treaty between 1887 and 1900 with the aim of defining the exact border between the two countries as Costa Rica wanted to profit from the

interoceanic canal that the U.S. wanted to build in Nicaragua, but in the end was built in Panama.

Although Costa Rica ignores the point that defines the border at the easternmost end, Alexander said in his First Award that "on reaching the waters of Harbour Head Lagoon the dividing line will turn left or towards the southeast and will continue to be marked by the water's edge around the Harbour until reaching the river itself via the first caño it finds. Going up the caño, and up the river itself."

Far from quoting this, Costa Rica maintains a smear campaign against Nicaragua, accusing it of invading Harbour Head and causing environmental damage.

Nicaragua's position is that they must respect the binding historical documents, which indicate that Nicaragua has sovereign jurisdiction over the San Juan River, the mouth of which is the "first caño" and the area of sedimentation (Harbour Head) that the Government of Costa Rica aspires to.

Added to this are the rumours that Nicaragua intends to build an interoceanic canal.

"THEY DEMONSTRATE IT IS NOT THEIRS"

"Comandante Zero" further added that he has not felt any form of harassment by the armed police of Costa Rica, which speaks of peace while tightening security on the border with Nicaragua with "gunners".

However, Pastora said, despite the political harassment of Costa Rica, its government is proving to be far removed from the Nicaraguan territory known as Harbour Head.

"They say it is theirs, but they never have gone there, they have never arrested any criminal there, but Nicaragua has done so ... they were there for about two days and then they went back, if the place is theirs why not stay, that proves that it is not theirs," said Pastora.

Armed Costa Rican reinforcements are stationed in the areas of Sarapiquí, San Carlos and the Colorado River, according to the former guerrilla.

MAKING IT WIDER

Despite Costa Rica's international smear campaign against Nicaragua, "Comandante Zero" insisted that it will continue with the cleanup of the River San Juan, based on historical documents.

This includes the project to widen the "first caño" to prevent sedimentation coming from Costa Rica from easily clogging it up.

Pastor said that the caño is currently around ten metres wide.

The plans are to dredge the caño on its left bank to avoid problems with Costa Rica, whose border is on the right bank of this caño, as part of a branch of the River San Juan in its estuary.

Pastora is currently working with a single dredger, but before the end of the year will be reinforced by another dredger being assembled in Granada.

Alongside these two, a third dredger currently being built in El Viejo, on the Pacific coast, will be added in January, and a fourth dredger will begin operating that same month, in order to dredge the sea area.

- **They are sediments**

Eden Pastora, director of operations for the San Juan river cleanup, said that Nicaragua has no qualms about increasing the width of the "first caño" of Harbour Head mentioned in Alexander Award One. "Of course we are going to expand on our side (Nicaraguan territory), I mean, it's sand, it's sediment in the area," remarked "Comandante Zero".

- **They insist on dialogue**

The Consultation Meeting of Ministers of the Organization of American States (OAS) decided to reiterate the call for dialogue to Nicaragua and Costa Rica, to resolve their differences with respect to Harbour Head.

On October 21, Costa Rica accused Nicaragua of invasion before the OAS. Nicaragua maintains that Harbour Head belongs to Nicaragua, according to mandatory historical documents.

The OAS had already invited both countries to talks under certain conditions.

Nicaragua refused, arguing that they cannot force it to leave its own territory, and that the OAS is not the appropriate forum for resolving border disputes.

See the printed version: 4 A

Annex 119

El 19 Digital (Nicaragua), “INETER presents updated official map that marks the border with Costa Rica”, 1 February 2011.

Available at:

http://www.el19digital.com/index.php?option=com_content&view=article&id=20621:ineter-presenta-mapa-oficial-actualizado-que-fija-frontera-con-costa-rica&catid=23:nacionales&Itemid=12 ,

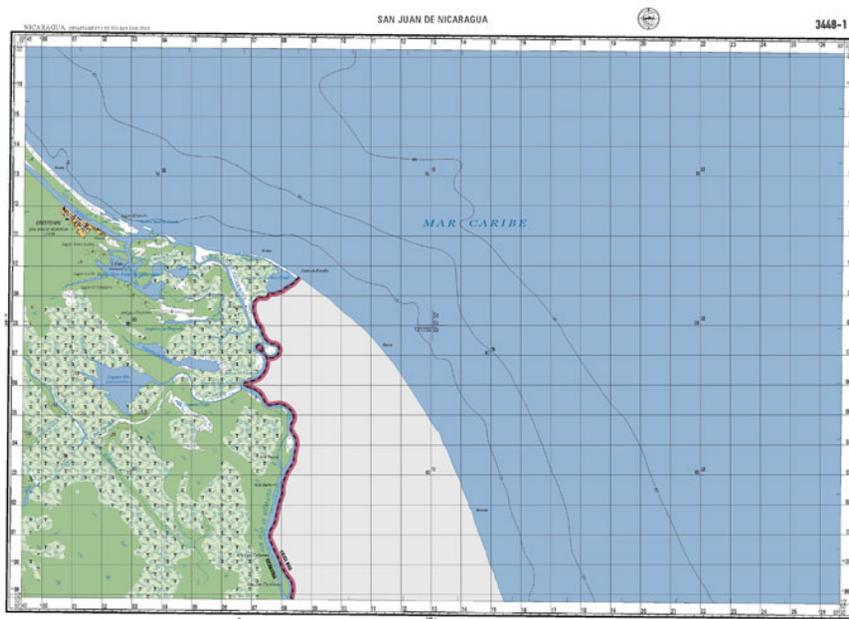


http://www.el19digital.com/index.php?option=com_content&view=article&id=20621:ineter-presenta-mapa-oficial-actualizado-que-fija-frontera-con-costa-r&catid=23:nacionales&Itemid=12

NATIONAL NEWS

INETER presents updated official map that marks that border with Costa Rica

1 February 2011 | El 19 Digital



The Government of National Unity and Reconciliation, via the Nicaraguan Institute of Territorial Studies (INETER) published an updated map on the Political Administrative Division of Nicaragua.

The map confirms that what Nicaragua considers its right to territory and sovereignty, regarding the delimitation of the border with Costa Rica, corresponds to the treaty of 1858, which coincides with the map that nation published over 40 years ago.

On the new map, it is clear that the Head Harbour lagoon, that Costa Rica claims, as well as the San Juan River, belong to Nicaragua.

INETER director, Alejandro Rodriguez, explained that a map of Costa Rica made in 1971, 40 years ago, shows that Harbour Head is in Nicaragua.

Rodriguez read a statement on the issuing of the map of the Political Administrative Division of Nicaragua, which reads:

Statement on the new maps INETER

The Government of Nicaraguan National Unity and Reconciliation wishes to state the following:

The boundary delimitation between Nicaragua and Costa Rica was established by the Treaty on the Delimitation of 1858, the Arbitral Award of the President of the United States, Mr. Grover Cleveland, in 1888 and the 5 Arbitral Awards of General E.P. Alexander, 1897 to 1900.

The first award of General Alexander issued on September 30, 1897 marked the starting point of the delimitation, identifying what in his opinion was the tip of Punta de Castilla, Mr. Alexander stated:

"I declare that the initial line of the border runs as follows, to wit:

Its direction is straight Northeast and Southwest through the sandbank from the Caribbean Sea until touching the waters of Harbour Head Lagoon. At its nearest distant point three hundred feet (300 from the northwest side of the cottage which is currently in that vicinity. Arriving at the waters of Laguna Harbor Head the line turns left or towards the Southeast and continues to be marked by the water's edge around the Harbor up to the river proper through the first caño you come across. Moving up this caño, and up the river proper the line continues ascending as established in the Treaty."

This Award is limited to noting that the dividing line, on reaching the waters of Harbor Head, would turn to the left or to the southeast and

continue to be marked by the water's edge around the Harbor until reaching the river itself via the first caño it comes across, after which it continues to follow the course of the river upstream.

This is a part of the border that is changeable by nature, since the river varies, and the boundaries had not been measured or reviewed in the field for more than 100 years. This is why the maps published to date were not fixed, since they did not reflect the changes in the course of the river and less still because they had not been drawn up based on field work, for over a century.

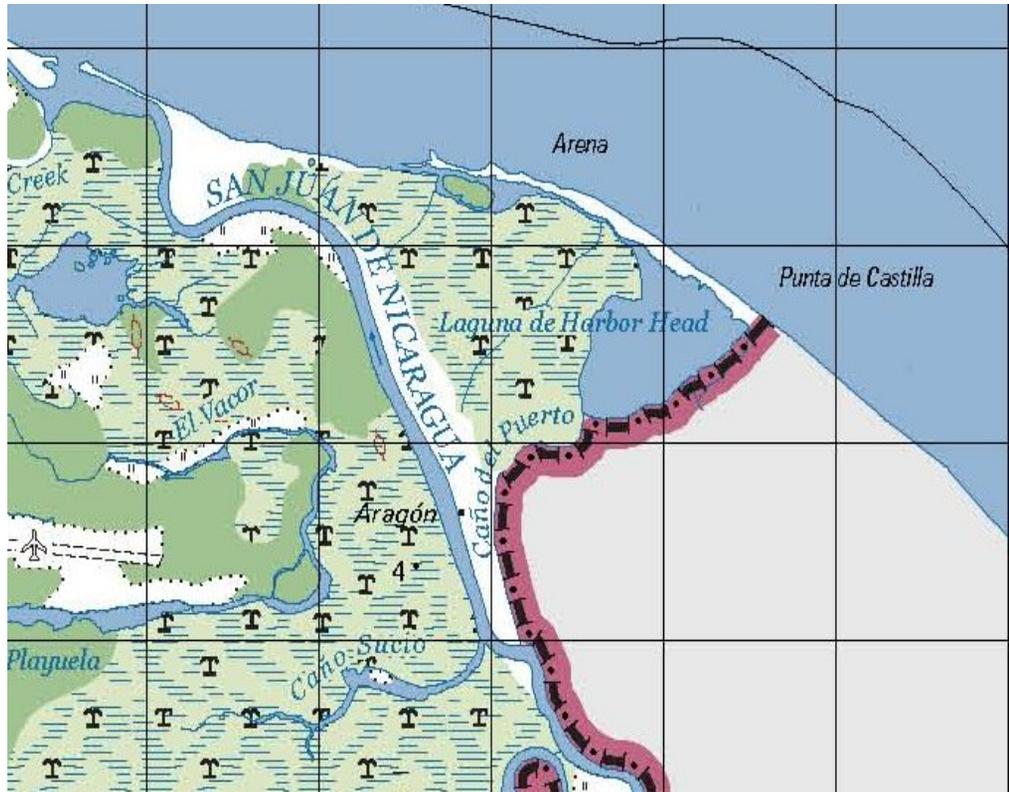
This is why the official maps of both Nicaragua and Costa Rica clearly state that the data they are based on "have not been verified in the field."

That is why the Republic of Nicaragua insisted, in the Bilateral Commission meetings with its sister Republic of Costa Rica, for over 10 years, that the border should be verified in the field, and also that the existing demarcation be densified. However, the verification in the field was never carried out. The lack of clarity regarding the direction of the border due to this lack of verification is the reason why, in the earlier dispute with Costa Rica in the International Court of Justice on the rights of navigation on the San Juan River which concluded with the Judgement of 13 July 2009, Nicaragua made a general reservation of its rights regarding all issues related to the mouth of the river.

Until the second half of 2010 inspections were carried out in the field in the area of the mouth of the river when the cleaning and dredging of the river began. Based on these checks and in light of the abovementioned arbitration awards, it was concluded that "first caño" established in the Alexander awards currently begins at the following coordinates: 10 ° 55'34 .2"N 83 ° 40'32 .3" W and ends at the coordinates: 10°54'56 .0" N 83°40'43 .3" W which joins the Harbor Head Lagoon with the San Juan River itself. Between these two points INETER has determined the coordinates of 25 extra points, as shown in the table below.

In view of this, the Republic of Nicaragua has proceeded to publish updated maps which define more precisely our south-eastern border with Costa Rica. These maps are as follows

DETAILED MAP WITH THE AREA



This is a general map of the Administrative Political Division and we will point out the famous Harbor Head area, this is the area of Harbor Head. Head Harbor is in this area and Costa Rica is here. This scale is difficult to see, but let's move to a scale of 1:50,000 where you can see the details. This is the Harbor Head Lagoon, Punta Castilla was here, this is the line as described by Alexander.

This is the updated map, I want to mention that this is nothing new, I will now show you a map of Costa Rica drawn up by Costa Rica in 1971, 40 years ago. I will show you here the same detail again of Punta Castilla, this is Harbor Head.

Annex 120

El Nuevo Diario (Nicaragua), “New Territorial Map including Harbour Head”, 2 February 2011.

Available at:

<http://www.elnuevodiario.com.ni/nacionales/93851>

EL NUEVO DIARIO.com.ni

<http://www.elnuevodiario.com.ni/nacionales/93851>

2 February 2011

INETER MADE PUBLIC ANNOUNCEMENT YESTERDAY

New land map includes Harbour Head

* Tico media "shocked" when they found out and reported that Nicaragua published a new map "in which they annexed Calero Island to their country"

By Jessie Ampié | National News

Alejandro Rodriguez 1 Ineter

The director of Ineter shows the new map of Nicaragua to which is added 25 points, including Harbour Head. Lisandro Roque / END

The Nicaraguan Institute of Territorial Studies, Ineter, yesterday published a new version of the land map, which includes the Head Harbour area, under dispute with Costa Rica, as part of our country.

However, shortly after the announcement, the Costa Rican media reported that the Nicaraguan government annexed in this new version the area known as "Isla Calero" as part of the Nicaraguan topography.

The Ineter director, Alejandro Rodriguez, said that the updating of the maps confirms the sovereignty of that 2.5 km stretch of land located on the Nicaraguan Caribbean.

He likewise pointed out that the new maps were drawn up based on field checks made during the second half of 2010, at the mouth of the river, when the cleaning and dredging of the river began.

"Based on these checks and the awards, it was concluded that currently the first caño established in the Alexander Award starts at coordinates 10 degrees 55 minutes, 34.2 seconds north, and 83 degrees, 40 minutes 32.3 seconds west, and ends at coordinates 10 degrees, 54 minutes 56 seconds north and 83 degrees, 40 minutes, 43.3 seconds west, joining Harbour Head Lagoon to the San Juan River", said Rodriguez.

"Between these two points 25 additional points have been established on maps that currently exist," said the director of Ineter.

Similarly, he explained that "the boundaries had not been measured or reviewed in the field for over 100 years, and therefore the maps published to date were not decisive, because they did not reflect the course of the river."

Data needs to be updated

Rodriguez pointed out that in the new map some roads and towns needed to be updated, but it can already be considered official because it was drawn up in accordance with the awards and treaties.

Costa Rica's government has accused the government of Nicaragua before the International Court of Justice, ICJ, of violating its sovereignty by stationing soldiers in a Costa Rican area.

Ticos "shocked" at new map

The Costa Rican media reported that "Nicaragua has published a new map that takes over the region of "Isla Calero", the subject of a conflict between both countries.

"According to this new map, Calero Island and the Los Portillos lagoon form part of Harbour Head, in Nicaragua. Before the start of the conflict between both countries, Ineter maps placed this 2.5 square kilometre area within the Costa Rican border. However, they emphasized that the borders were defined only in historical documents, but not physically," indicates the information published in Costa Rica's *La Nacion* newspaper.

Annex 121

La Nación (Costa Rica), “Nica Army impedes teacher access to Isla Calero”, 16 February 2011.

Available at:

<http://www.nacion.com/2011-02-16/EIPais/NotasSecundarias/EIPais2685154.aspx>

LA NACIÓN

[http://www.nacion.com/2011-02-](http://www.nacion.com/2011-02-16/EIPais/NotasSecundarias/EIPais2685154.aspx)

[16/EIPais/NotasSecundarias/EIPais2685154.aspx](http://www.nacion.com/2011-02-16/EIPais/NotasSecundarias/EIPais2685154.aspx)

Nica Army impedes teacher access to Isla Calero

Teacher needs to travel along San Juan to the centre, but is not allowed

No teacher and damage to school caused by flooding prevents classes at two points in Sarapiquí

JAIRO VILLEGAS AND CARLOS HERNANDEZ jvillegas@nacion.com 10:36 PM
16/02/2011

Students from three schools still have blank pages in their exercise books because of lack of classes, even though the school year should have started last Thursday.

A lack of teachers, damage caused by the River San Juan bursting its banks and even the border conflict with Nicaragua prevent lessons from taking place in the sectors of the cantons of Sarapiquí (Heredia) and Pococí (Limon).

One of such cases is the Jobo School, the education centre at Calero Island (river), in the Canton of Pococí, a territory claimed by Nicaragua.

Mario Mora, the Deputy Minister of Planning of the Ministry of Public Education (MEP), said that the teacher cannot reach this school because he has to travel along the River San Juan to get there.

In response, the Army of Nicaragua required the teacher to present a letter of authorization issued by Managua, despite the fact that five of the eight students are Nicaraguans and that Costa Ricans have the right of navigation.

It was not possible to obtain the opinion of Harold Rivas, Nicaragua's ambassador here, since he did not return a message left yesterday with one of his assistants.

Meanwhile, Silvia Víquez, administrative Deputy Minister of the MEP, said this case will be discussed today and one possible solution is to relocate the school so there is no need to travel along the river.

No teacher. In another case, 17 children are waiting for the MEP to appoint a teacher to give them lessons in the Costa Rica Delta School, located in Llanuras de Gaspar, Sarapiquí, also in the border area.

Olga Retana, a resident of the area, said that last year they built a simple structure to function as a school.

"The government should acknowledge the efforts the parents made to set up the structure, which demonstrates their desire for the children to learn," Retana said.

If the school does not open, the little ones must travel about two miles along unpaved and dirt roads to reach the nearest school in San Antonio.

However, not all families are willing to send their children to that place, as is the case of Alexander Fernandez, 12, who said yesterday that he does not know how to read or write due to the lack of schooling.

In this regard, Silvia Víquez said that at today's meeting they will discuss the option of opening the school, provided that the residents have complied with all due procedures.

The third border school that is struggling is Fatima, also in Sarapiquí, where 30 children study.

The headmistress Flora Montenegro said that, upon arrival, she found the facilities flooded due to the San Juan bursting its banks and, therefore, spent the first few days cleaning up.

In addition, the canteen and a new classroom were badly damaged, and all the teaching material was ruined. "I will ask the Department of Infrastructure to go and see how we can help", said Víquez.

Annex 122

La Nación (Costa Rica), “MEP will relocate the school located in Isla Calero”, 17 February 2011.

Available at:

<http://www.nacion.com/2011-02-17/EIPais/NotasSecundarias/EIPais2686441.aspx>

LA NACIÓN

<http://www.nacion.com/2011-02-17/ElPais/NotasSecundarias/ElPais2686441.aspx>

NICA ARMY DID NOT ALLOW ACCESS TO TEACHER

MEP will relocate the school located in Isla Calero

Centre to operate in Delta Costa Rica, where parents called for primary school to open

Ministry rushes to appoint teacher and start classes because the former one was transferred

JAIRO VILLEGAS S. jvillegas@nacion.com 17/02/2011 12:00 AM



Fatima School is one of the centres located on the Costa Rican bank of the River San Juan.

The Ministry of Public Education (MEP) had no choice but to relocate the school located in Calero Island, Pococí, in Costa Rican territory claimed by Nicaragua.

The eight students at the Jobo primary school, including five Nicaraguans, were unable to resume classes this year because the Nicaraguan Army demanded of the teacher a letter of authorization from Managua to navigate along the River San Juan, according to the MEP.

That is the quickest way to access that school.

Although the river is Nicaraguan, Costa Ricans have the right to free navigation.

Silvia Víquez, administrative deputy minister of Education, said yesterday they agreed to move the primary school to the Delta Costa Rica community in Llanuras del Gaspar, in Sarapiquí.

The goal is to avoid the children being affected by missing lessons.

The Ministry took this opportunity to comply with the request of the residents of that town, who are eager for an education centre so their children do not have to travel three kilometres to the nearest school, located in the town of San Antonio.

The residents of Delta Costa Rica even built premises to house a primary school.

Viquez said that the families of some of the Jobo students moved to Delta Costa Rica, so they would not have to travel every day to class.

"The students who are Nicaraguan can come to Delta, we have no problem in accepting them. In Jobo can not continue because of the impossibility of transferring the educator," he said Viquez.

To reach the town of Delta from Jobo is necessary to navigate the San Juan about 15 minutes, because the ground is very difficult due to bad roads or lack of roads.

Backwardness. The MEP will have to appoint another teacher to teach in Costa Rica Delta.

"The man who gave (classes) in Jobo was transferred to another school. The educational center will be one teacher Delta, as about 20 students attend," he said Viquez.

The Deputy Minister said yesterday asked the Department of Human Resources to manage the recruitment for classes to begin next week.

In addition, the Deputy Minister announced that next week will send officials from the Directorate of Infrastructure and Educational Equipment (DIEE) to determine if the new school in Delta requires some additional support.

The same staff will visit the border of Fatima School, also located on the banks of the river San Juan, which was damaged by the flooding of the tributary. *Collaborated: Carlos Hernández, correspondent.*

Annex 123

La Prensa (Nicaragua), “Army provides support for 19 July Sandinista Youth in River San Juan”, 5 April 2011.

Available at:

<http://www.laprensa.com.ni/2011/04/05/nacionales/56957>

Managua, 5 April, 2011

<http://www.laprensa.com.ni/2011/04/05/nacionales/56957>

National News

Army provides support for July 19 Sandinista Youth in River San Juan

- Treated as if it were in a humanitarian emergency



Sandinista Youth members were protesting against the visit of Costa Rica and Ramsar in the River San Juan on Tuesday, because they consider it illegal. PRESS / C. Malespin.

By Wilder Perez

The Costa Rican Government mission, accompanied by members of the Ramsar Convention, may encounter more than 150 members of the Sandinista Youth organization who are still protesting against the Harbour Head visit, in the south-easternmost tip of Nicaragua.

For this protest the youth received the full support of the Central Government, a situation which occurs only in humanitarian emergencies.

The members of the Sandinista Youth are gathered in the ranch house on the farm Los Aragon, which belongs to the family of the same name, and is famous for receiving protection from the Government of Costa Rica as a result of allegations made by the Nicaraguan Army that they are drug dealers.

There, young people are given food and water provided by sales in San Juan del Norte, as when a state of alert is declared.

They also have at all hours to an ambulance boat from Greytown Health Centre, and even express visits from journalists arriving in Air Force helicopters, for reporting the mobilization.

This situation only occurs in Nicaragua in case of a catastrophe.

However, this is a case of government support for an organization that belongs to the Sandinista National Liberation Front (FSLN), the party in power.

The ranch house faces the Indio Maiz river, the basin of which is located over a kilometre north of Harbour Head, even though the family Aragon registered it as being on Costa Rican territory.



Young people take turns to visit the Aragon ranch, where they protest against Costa Rica and Ramsar. PRESS / C. Malespin

There are two buildings, a wooden one and a somewhat ramshackle dairy farm, and another of unfinished concrete with the ceiling on the outside and a corridor. Both have hammocks tied to all their pillars, which are used as beds for the 24-hour shifts carried out by the young people of San Juan de Nicaragua or Greytown.

The place is desolate; there is only water and jungle. But members of the Sandinista Youth do their best to have fun.

They have a generator and music speakers to liven up the atmosphere. During the day it is boring, but at night there's always a party.

It has been this way since Saturday and will remain so until Thursday, according to the plans of the pro-government group leaders.

Nicaragua's military gave no further details on the media visit to the area for the second day running, to see what the young people on the Aragon ranch will do.

Cesar Collado, the group leader, said that the youngsters make trips to the edge of the conflict zone, but these are not always made by the same people, as they do 24-hour shifts or less to avoid interrupting classes.

Some of them study on Saturdays and others received permission from their teachers to protest against the visit of Costa Rica.

The routine of the youth on the Aragon farm is so important for the Government of Nicaragua that it authorized the delay of the flight back from the River San Juan to Managua so that pro-ruling party media could cover the arrival of at least 80 protesters to the area, which goes against Nicaraguan Army rules to not make flights around nighttime.

However, the Sandinista Youth members are convinced that the Nicaraguan territory must be defended, especially since this is considered a piece of land that has been stolen from the town of River San Juan.

"Our Costa Rican brothers should stop making these false claims, that we are destroying the environment," said Adam Borge, one of the protesters.

Since last October Costa Rica accused Nicaragua of causing "ecocide" in Harbour Head. Ramsar supported the Costa Rican version without verifying the facts, but the International Court of Justice dismissed the charges.

See the following printed pages: 1 A, 6 A

Annex 124

Inside Costa Rica (Costa Rica), “Ramsar Inspects the Area of Conflict Despite Protests by Nicaragua”, 6 April 2011.

Available at:

<http://www.insidecostarica.com/dailynews/2011/april/06/costarica11040601.html>

COSTA RICA NEWS | Wednesday 06 April 2011

Ramsar Inspects The Area Of Conflict Despite Protests By Nicaragua

Border tensions between Costa Rican and Nicaragua flared up again on Tuesday with the announced inspection of the Isla Calero by experts from the Ramsar convention on wetlands was to carry out environmental tests, prompting an angry response from Nicaragua.



Costa Rica, who had advised Nicaragua last week, said the mission, including 13 of its officials and three experts from the Ramsar Convention on wetlands, were seeking to assess environmental damage in the area from Nicaraguan dredging which triggered the border dispute last year.

The three Ramsar experts were María Rivera (colombia), Manuel Antonio Contreras (Chile) and Alfonso Rivera (Canada).

Managua called the action a "provocation" that violated the United Nation's International Court of Justice in The Hague (ICJ) order to refrain from deployments during the court's deliberations in the case.

Heading the mission which arrived by helicopter, Costa Rica's Deputy Foreign Minister Roverssi said his country was prepared for possible interference by the Nicaraguan military.

"We have planned for an evacuation program if it is needed," Roverssi told reporters at Barra del Colorado, a tiny river island on the Caribbean coast accessible only by boats and aircraft.

But the Nicaraguan army chief, General Julio Cesar Aviles, said the move appeared to be aimed at gaining territory.

Aviles said that Nicaragua has not increased military deployment, but had ordered troops on the border to "take precautions due to the constant provocation of Costa Rica."



Nicaragua's deputy environment minister said around 100 members of the ruling Sandinista party would be demonstrating and waving Nicaraguan flags around the border "to show them where Nicaragua is."

On March 8 in The Hague, the UN court ordered both countries to refrain from deploying or maintaining any military or civilian personnel in the disputed area.

"Each party shall refrain from any action which might aggravate or extend the dispute before the court or make it more difficult to resolve," said judge president Hisashi Owada of the International Court of Justice.

But the court also indicated it would be permissible for Costa Rica to send environmental officials to the area to

avoid "irreparable" harm to the wetlands, as long as Nicaragua was notified in advance.

Costa Rica has claimed Nicaraguan troops were illegally occupying an area of three square kilometers (1.16 square miles) in its northeast in a move that "endangers stability and peace between two brother countries."

It also sought a stop to all canal construction activity, which it claimed would impede the flow of water to its own Colorado River.

Nicaragua had asked the court to dismiss the case, which it said concerned "a swamp of three square kilometers."



Photo shows the presence of some of the at least a hundred young Sandinistas who arrived on a mission of "reaffirmation of sovereignty " of the San Juan de Nicaragua, near the disputed area in Costa Rica. Photo courtesy of the Presidencia de Nicaragua.

Annex 125

La Jornada (Nicaragua), “Costa Rican plan to stay, says General Aviles”, 6 April 2011.

Available at:

<http://www.lajornadanet.com/diario/archivo/2011/abril/6/1.php>

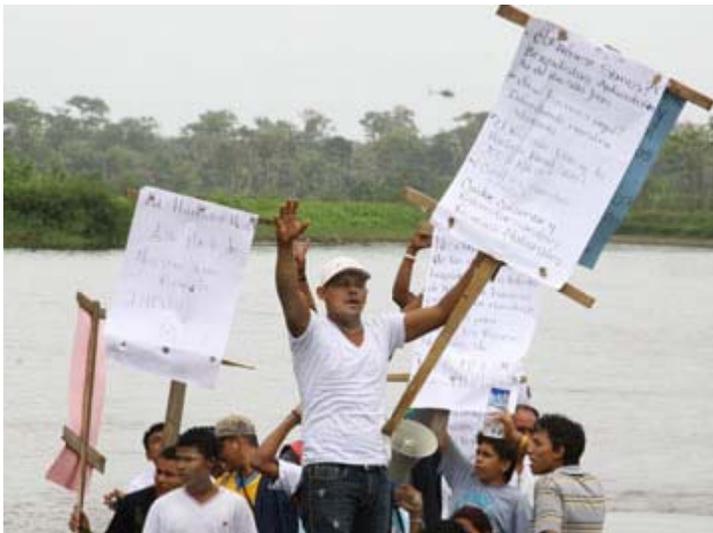
<http://www.lajornadanet.com/diario/archivo/2011/abril/6/1.php>

updated 6 April 2011

Costa Rican Plan to stay, says General Avilés

By Raul Arevalo Aleman

Nicaragua filed a document before the ICJ



A group of young people travelled to Harbour Head to assert this area as Nicaraguan. (Photo J. Cajina)

The arrival yesterday of the global Convention on Wetlands, Ramsar, to the Harbour Head area in Nicaraguan territory, along with Costa Rican civilian authorities, in open violation of national sovereignty and in breach of that agreed by the International Court of Justice in The Hague, ICJ, that neither party should approach the area in dispute between Nicaragua and Costa Rica, as provisional measures adopted by the highest court on the planet, was considered by the Chief of the

Nicaraguan Army, General Julio Cesar Aviles Castillo, as a "short, medium and long term" strategy for taking over that part of the territory.

"There is an element that I would like to highlight; it is not only the intention of arriving at that time on those days to the swamp in question, where no-one should be present, as established by the ICJ, but if you read that article, they talk about taking short, medium and long term action, in other words Costa Rica is thereby saying that if they enter they are not going to leave. The Court has not proposed that and here what we see is a provocative attitude on a systematic basis from Costa Rica," he said.

"I question Ramsar's credibility, since they have not sent the information which they should have sent us, and we can see Ramsar's position is biased" he said. He called on Costa Rican authorities to reflect on the provocations that, according to Nicaragua, are made every day.

The military chief said that "once again, we call on the Costa Rican authorities to reflect on what it is they want, that is my question," said the military high commander who did not rule out mobilizing more troops if the situation required it.

"We have troops, we have a presence that has been there for many years, it is an appropriate presence, if we consider at any given point that we have to reinforce it, we will do so, that is our sovereign right as Nicaraguans, but the contingent we have there is adequate for safeguarding our sovereignty and for combating drug trafficking," he said.

Costa Rica's Deputy Foreign Minister, Carlos Roverssi, said that in the event of any contingency on the part of the Nicaraguan military safeguarding Nicaragua's border "we have budgeted for an evacuation programme in case any incident occurs," Roverssi told reporters at Barra del Colorado, before leaving the area.

Yesterday the Deputy Minister of the Environment and Natural Resources, MARENA, Roberto Arquistain, said "we are waving flags for them (the Costa Ricans) so they can see where Nicaragua is," he told the Sandinista publication on the El 19 Digital website.

The senior official was accompanying the Guardabarranco youth movement who were on their way to the border area of the San Juan River when the Tico delegation and Ramsar arrived by helicopter.

"This was practically a commando operation that we were subjected to, and the two helicopters flew down more than ten times, around twenty staff got out, but they got a categorical response from the youngsters, from the Guardabarranco Movement."

Nicaragua filed a document before the ICJ detailing the position of this Central American country regarding Costa Rica's acts in relation to the provisional measures issued by the world's highest court on 8 March and the alleged violations of this ruling, said Araquistain.

Annex 126 (a)

El Nuevo Diario (Nicaragua), “Ticos continue inspection, rejected by Nicaragua, in disputed area”, 6 April 2011.

Available at:

<http://www.elnuevodiario.com.ni/nacionales/99035>

EL NUEVO DIARIO.com.ni

<http://www.elnuevodiario.com.ni/nacionales/99035>

6 April 2011

SAN JOSE | AFP

Ticos continue inspection, rejected by Nicaragua, in disputed area

Field work was hampered yesterday by persistent rainfall in the remote jungles and swamp area near the Caribbean

By elnuevodiario.com.ni | **National News**



Ramsar

Members of the global convention for the protection of wetlands during their visit to the area in dispute between Costa Rica and Nicaragua to verify the alleged environmental damage. AFP

Costa Rican officials, along with delegates from the global convention for the protection of wetlands, today continued an environmental assessment in a jungle area under dispute with Nicaragua, which has been hampered by weather and by demonstrations carried out by young Sandinistas.

The Costa Rican mission assessing the alleged environmental damage caused by Nicaragua as a result of the dredging of the River San Juan, which runs the length of the border, is undertaking its task in a portion of the tiny river island Portillos, which both countries claim as theirs.

The environmental mission has increased the tension between the two countries, locked in a border dispute since October, but both have indicated their willingness to participate in a bilateral meeting on the border next week.

The president of Nicaragua, Daniel Ortega, is scheduled to speak tonight about the Costa Rican mission.

The field work of the 13 Costa Rican officials and three representatives of the Ramsar Convention on wetlands protection was hampered on its first day, yesterday, by persistent rainfall in the remote jungles and swamp area near the Caribbean, which can only be reached by air or by boat.

Bad weather delayed the start of the inspection by several hours, but the biggest surprise for the technicians was when they landed by helicopter in the disputed area and found a hundred or so Sandinista protesters chanting slogans demanding their country's sovereignty over the area.

"They shouted insults at the members of the scientific mission," said the lawyer, Sergio Ugalde, from the Costa Rican Foreign Ministry.

"If they were soldiers in civilian clothes, that we cannot confirm," he added.

The Nicaraguan protesters crossed the river in small boats to reach the

disputed area, where they sang and chanted slogans about 10 metres from the technicians, separated by a swamp.

"The River San Juan and Harbour Head are proudly Nicaraguan," read a banner that protesters planted at the site.

"We didn't expect this kind of reception, they practically assaulted us," complained one of the Ramsar delegates, the Chilean Manuel Contreras.

The other Ramsar envoys are the Colombian Maria Rivera and Canadian Alfonso Rivera, who are based in the Costa Rican village of Barra del Colorado, a few miles south of the disputed area.

Nicaragua has rejected outright this environmental assessment, another chapter in the dispute that erupted after the start of the dredging operations in the River San Juan, which belongs to Nicaragua, on 18 October.

Costa Rica then accused Nicaragua of a military invasion and took this case to the International Court of Justice (ICJ) in The Hague, claiming that the dredging caused damage to the island and lagoon of Portillos, an area that Nicaragua calls Harbour Head.

Nicaraguan Army chief, General Julio Cesar Aviles, said on Tuesday that Costa Rica is sending this mission because it seeks to appropriate the territory.

Nicaragua filed a complaint with the ICJ, which on 8 March had ruled on this dispute, although it has yet to issue a final decision.

Annex 126 (b)

El Nuevo Diario (Nicaragua), “General Aviles applauds the ‘heroic deed’ of the 19 July Sandinista Youth”, 6 April 2011.

Available at:

<http://www.elnuevodiario.com.ni/nacionales/99034>

6 April 2011

General Avilés applauds the ‘heroic deed’ of the JS19 of July

The mission of the Army is to watch over the young persons to make sure that nothing happens to them, the Army has specified.

JOSÉ ADÁN SILVA | **Local news**



General Julio Cesar Aviles
Nicaraguan Army Chief. Lisandro Roque / END

The Commander-in-Chief of the Army of Nicaragua, General Julio César Avilés, praised the young persons of the “Guardabarranco” Movement and the Sandinista Youth of 19 July, who organized a protest on the River San Juan against Costa Rican representatives and members of Ramsar that entered Harbour Head to “evaluate the damage”.

“I applaud the attitude of these boys and girls who have done this, it is a highly patriotic attitude, and I feel proud of them in so far as this situation was brought about by Costa Rica, such a quantity of girls and boys have appeared and they have travelled to the area to protect the wetlands”, said the military boss yesterday, during a protocol ceremony with the French Ambassador at the headquarters of the Army of Nicaragua.

The young persons travelled last Sunday in civilian boats to the area of San Juan del Norte, at the mouth of the River San Juan to the Caribbean Sea. The Army provided military helicopters to transport media and public officials to the area where the young persons had set up camp and from where they set off to protest in boats to the area where the Costa Ricans and Ramsar were carrying out “their inspection”.

The place is a forested area where it rains incessantly and there are no comfortable conditions. “I must highlight the strong will of them to stay at this place, and we acknowledge this” said Avilés, who noted that one of the missions of the Army is to guarantee the security of the boys and girls from natural and external risks in the area.

“We are going to protect them, we cannot let anything happen to them, absolutely nothing can happen to these comrades”, said the military boss.

Annex 127

El Nuevo Diario (Nicaragua), “The Army would capture Costa Rican pilots if they land”, 7 April 2011.

Available at:

<http://www.elnuevodiario.com.ni/nacionales/99114>

EL NUEVO DIARIO.com.ni

<http://www.elnuevodiario.com.ni/nacionales/99114>

7 April 2011

Army chief's warning against flights into Nicaraguan airspace

MANAGUA | END

Army would capture Costa Rican pilots if they land

The Army warned it would not allow "any more violations of Nicaraguan sovereignty" * Ortega calls for dialogue, but warned that Costa Rica wants confrontation and Nicaragua wants "the right to defend itself"

ADAM JOSEPH SILVA | **National News**



General Julio Cesar Aviles
Nicaraguan Army Chief. Lisandro Roque / END

Nicaragua's army will arrest pilots or personnel landing helicopters, flying the Costa Rican flag, on Nicaraguan soil in the San Juan River, announced the Commander-in-Chief of the Nicaraguan Army, Julio Cesar Aviles, last night.

According to the site [El Radar.Net](http://www.elradar.net) (www.elradar.net), the military chief 'warned on Wednesday that violators of airspace flying over the area in dispute with Costa Rica in helicopters from that country, will be captured if they land these aircraft on the Nicaraguan side."

"We're not going to allow them to land on the Nicaraguan side and if they do we will arrest them," warned the military chief, during an activity in the western city of Leon, during an event where President Daniel Ortega gave the inaugural lecture of the 2011 semester at the National Autonomous University of Nicaragua in the department of Leon (UNAN-Leon).

The day before the statements made by General Aviles, the Deputy Minister of the Ministry of the Environment and Natural Resources, Roberto Araquistain, who is in the area of the San Juan River, reported to the Army and the Presidency that two helicopters flying the Costa Rican flag, and with Ramsar acronyms, flew into Nicaraguan airspace on Wednesday eleven times, and that in an allegedly provocative act flew low over an area of the San Juan River where young pro-government environmentalists were resting after protesting against a Tico delegation that had entered the area.

The expedition to the disputed area and the helicopter flights carrying Costa Rican personnel were described as "provocations" fuelled by minority and extremist groups, according to the senior military commander, who are stirring up an eventual confrontation with Nicaragua because "obviously they do not know what a war is" and are provoking "in an attempt to test the patience of the Nicaraguans "he denounced.

At the event, President Ortega accused San Jose of inciting a confrontation and defended the presence of young members of the Guardabarranco Movement, the July 19 Sandinista Youth, and various

environmental groups, who were transferred near the Nicaraguan territory of Harbour Head "in order to defend it against the invasion of national sovereignty by Costa Rica, with the complicity of the Ramsar Convention."

"They decided to go to face up to what is, in effect, an invasion. How? In a peaceful, unarmed way, simply because who better to take care of a wetland than environmentalists?", said Ortega.

"Don't young people have the right to demonstrate? Don't they have the right to defend this wetland? Isn't it their duty to defend their Nicaraguan heritage?" Ortega mused.

The president reiterated that Nicaragua has always fought for the integration of Latin America, but in the meantime it has to defend the integrity of its territory.

"We are obliged to defend our territory and the Army has an obligation to protect the area (of the Harbour Head wetland)," he said.

He accused Costa Rica of wanting to take the conflict to a higher level of confrontation.

"Costa Rica will probably try to turn this situation into one that will push dialogue aside and that will lead to more serious confrontation, especially before international organizations," he said.

Annex 128

La Prensa (Nicaragua), “Hidroelectric Brito Project, amid fears and benefits”, 11 April 2011.

Available at:

<http://www.laprensa.com.ni/2011/04/11/nacionales/57531>

Managua, 11 April, 2011

<http://www.laprensa.com.ni/2011/04/11/nacionales/57531>

National News

Hydroelectric Brito project, amid fears and benefits

- Environmentalist specialists say Brito would cause immeasurable damage, have negative effects on tourism and would not produce the power it claims it could. The Andrade Gutierrez group, which is proposing the project, says it would generate clean power, there would be less pollution and the country would save money by importing less oil.



Damming the waters of the San Juan river would have a serious ecological impact on the area, say specialists.

LA PRENSA/ARCHIVO



Salvador Montenegro, CIRA specialist.

LAPRENSA/ARCHIVE

By Meyling Marín

Outright rejection of the hydroelectric Brito Project is perceived in the communities of Boca de Sabalos and El Castillo, some 70 kilometres from San Carlos, in the San Juan River district.

Since a team from the Andrade Gutierrez group and representatives of Government institutions arrived in the communities of the San Juan river midway through 2010 to present the project, its residents and non-government organizations said “No”,

- **Less aggressive alternatives**

- **According to Salvador Montenegro, from the Nicaraguan Water Resources Research Centre (CIRA) the country has other renewable resources that can be used to generate power without having to destroy such an important ecosystem as the lake.**

One of those resources is wind power. “In Nicaragua we have tremendous potential for producing wind power in the order of 850 megawatts. Only 10 per cent of that capacity is currently being used.

Other areas with potential for generating hydroelectric power could also be used, said Jaime Incer Barquero. According to Incer there are areas of the country that could be put to better use and are less controversial than the lake waters.

As of that moment, and over the course of several weeks, the idea of developing a hydroelectric project in Lake Nicaragua became a topic for debate among environmental specialists, who argued that the Brito project would unleash a series of environmental problems they described as “irreparable”.

However, representatives of Andrade Gutierrez (the company in charge of the hydroelectric project), said they are committed to sustainable development and that is why they are looking into the best possible conditions for its implementation.

BRITO WOULD BLOCK THE BIOLOGICAL CORRIDOR OF THE SAN JUAN

The scientists Salvador Montenegro and Jaime Incer Barquero, specialists in water resources and the environment, believe the project will cause irreparable damage to the ecosystems of Lake Cocibolca, the San Juan river and the Pacific coast off Rivas.

One major impact would be the ecological imbalance resulting from damming the waters of the Cocibolca, assured Salvador Montenegro, from the Nicaraguan Water Resources Research Centre (CIRA), who explains that the aquatic fauna which arrive via the San Juan river to lay their eggs in the lake would not be able to enter due to the construction of the dam on the river.

The San Juan river is used as a biological corridor by different aquatic species, but the construction of the dam would limit the mobilization of these species.

“Aquatic species such as shads and sharks do not have the ability to jump up the steps or ladders they will install so that they can move up”, said Montenegro. He also explained that the presence of these species in the lakes is essential for maintaining the food chain in the Lake Cocibolca.



Jaime Incer Barquero, environmental adviser to the government.
LAPRENSA/ARCHIVE

Moreover, the specialist believes it would not make any sense, given the dredging currently being carried out in the San Juan river, to extend it if a wall is built to retain the flow of water.

“We had hoped the dredging of the San Juan river would increase the flow of sharks from the Caribbean to the lake, but now if a dam is built all that effort will have gone to waste”, he pointed out.

TOURISM WOULD DISAPPEAR

According to Montenegro, the river’s navigability would not be lost, but only a few small boats would be able to pass through the trickle of water that would remain. “This was not to be the case with the flow of trade expected as a result of the dredging”.

The non-government organizations working on the sustainability of resources in the San Juan River have also voiced their opposition to the project.

“It seems the only thing that matters is whether a boat can sail along the river, but what of all the life forms in this area, here everything centres around the aquatic ecosystem, everything has to do with the river”, says Teresa Mariscal, of the *Fundación del Río*.

Mariscal claims the Brito project threatens the sustainable development being promoted in the river's communities.

“The *Fundación del Río* encourages people to take care of the river and its resources so that they can improve their income through ecotourism, however, the Brito project would practically put an end to the river”, remarks Saul Obregon, a specialist from this Foundation.

In Obregon's opinion, the idea of putting a plug in it to raise the level of the lake and divert its natural flow to Rivas is ridiculous. The San Juan river is an ecotourism destination. “Tourists come here to see trees, the river, and the species, not a dam”.

The *Fundación del Río* is supporting the inhabitants of El Castillo, who, together with the municipal government of Boca de Sabalos, sent the central government a petition rejecting the project, saying “No to Brito”.

As president of the tourist board, Danny Aragon believes tourism would disappear if the dam is built. “The majority of the inhabitants of this community of El Castillo (the place where one of the dams would be built) make a living from tourism and fishing; the construction of this dam would eliminate the job options of this community”, he said.

Hotel and cafeteria owners, as well as shopkeepers in the area feel threatened by the dam construction.

Yerleni Obregon, 36, has been making handicrafts for over 20 years. Her creativity and artistic flair for design have made her small business well-known in El Castillo. Her pieces sell very well, they greatly appeal to tourists visiting this community.



Alberto Vega, environmental consultant./ LA PRENSA/BISMARCK PICADO

For this artisan the construction of the dam would put an end to her business because tourists would no longer visit the area. “Tourists aren’t interested in looking at a concrete wall (dam), they see enough of those” she said.

According to Salvador Montenegro this social and environmental impact is the basic principle for not continuing with the idea of developing Brito.

“The ecosystem of Lake Nicaragua is very damaged, why don’t they first invest in a project for restoring the lake and then decide on its use”, Montenegro commented.

BRITO WILL MEAN MORE CLEAN ENERGY AND LESS DEPENDENCY ON OIL

Contrary to that expressed by the population and environmental specialists, Andrade Gutierrez claims the Brito Project will be sustainable, otherwise it will not be implemented.

Alberto Vega, from the consultancy firm Environmental Resources Management (ERM), is the environmental specialist in charge of the hydroelectric project’s environmental impact studies.

In his experience, Vega is certain that Brito will mean progress for the country’s development through the production of clean renewable energy.

Vega claims that, with Brito, carbon dioxide gas emissions will be reduced and there will be less dependence on fossil fuels with the creation of clean energy without the use of oil.

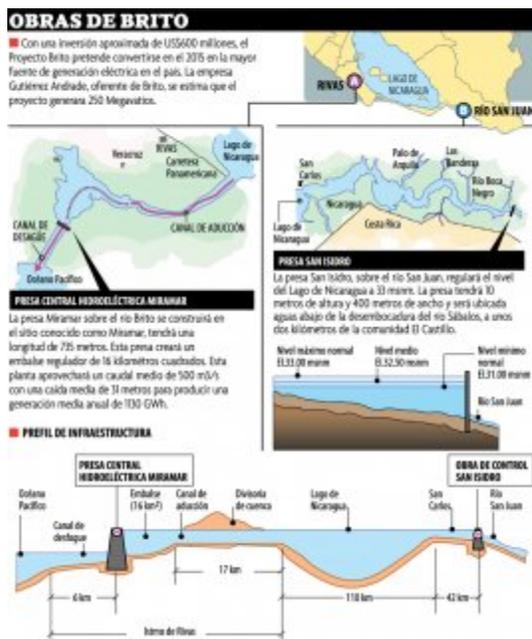
Vega has worked on over 10 environmental studies for hydroelectric projects and insists he is not willing to risk his career to destroy such an important ecosystem as the lake and San Juan river.

“We are going to do a very in-depth study of the areas and conditions of Lake Nicaragua so that the mitigation, prevention and compensation measures will be adequate”, he added.

In Vega’s opinion, every project has its positive and negative impact, and the most viable options for compensating any possible damage will be sought for the negative impact of Brito.

Andrade Gutierrez, the company bidding for Brito, has infrastructure projects in over 30 countries around the world and more than 60 years' experience.

Given the controversy sparked by the project, Brenno Machado, the commercial director of the Andrade Gutierrez group, made known its commitment to the sustainability of the natural resources of the area.



[Enlarge graphics](#)

“Andrade Gutierrez is not going to risk its long-standing reputation in order to cause a natural disaster”, he added.

DOUBTS AS TO PLANNED POWER GENERATION

In the technical study carried out by the Andrade Gutierrez group it was estimated that the Cocibolca, with a water level of 32 metres above sea level, discharges approximately 500 cubic metres of water per second into the San Juan river, which could produce 250 megawatts.

However, in Salvador Montenegro's opinion the greatest benefit (the 250 megawatts) this project proposes will not be produced because the lake's level has historically been 31.10, only increasing in extreme cases such as hurricane Mitch and last winter.

Montenegro's estimates, based on an average of 250 cubic metres, imply that the project would only generate 125 megawatts, in other words, half of what it promises.

According to this specialist, it is not worth putting the San Juan river biosphere reserve, the wetlands and the lake at risk for this amount of energy when other renewable sources could be used.



The Brito river would act as a drainage canal for the lake waters.

LA PRENSA/OSCAR NAVARRETE.

See page 9 A in the printed version

Annex 129

La Prensa (Nicaragua), “The drawbacks of the Brito Project”, 11 April
2011.

Available at:

<http://www.laprensa.com.ni/2011/04/11/nacionales/57600>

Managua, 11 April 2011

<http://www.laprensa.com.ni/2011/04/11/nacionales/57600>

National News

The drawbacks of the Brito Project

Hydroelectric Brito Project, amidst fears and benefits

By: Meyling Marín



Brenno Machado, commercial director of the Andrade Gutiérrez group.
LAPRENSA/ARCHIVE

The hydroelectric Brito Project, which is in the process of carrying out environmental impact studies, faces more criticism than praise including that expressed by the country's renowned experts and environmentalists who view the construction work of the dam for redirecting water from the Cocibolca lake as an environmental threat.

According to the specialist from the Water Resources Research Centre (CIRA), Salvador Montenegro, and Dr. Jaime Incer Barquero, one of the main consequences is the ecological imbalance that redirecting the course of water from the Cocibolca would cause since the water fauna that go to spawn in the lake via the San Juan river would not be able to enter it due to the construction of the dam.

There are other areas with hydroelectric energy potential which could be used, said Jaime Incer Barquero, who stresses that there are certain areas much less controversial than the lake waters which have not been taken full advantage of.

For his part Montenegro acknowledges that the navigability of the river would not be lost but he says that only a certain number of small motorboats would be able to pass through the tiny strand of water that would remain. "As opposed to the flow of trade that was expected as a result of the dredging".

Non-government organizations that work in favour of the sustainability of the resources of the San Juan River have also expressed their opposition to the project. "It seems that the only thing that matters is whether a boat can navigate the river, but what about all the living organisms in that area, here everything revolves around the aquatic ecosystem, everything centres on the river", says Teresa Mariscal, from the *Fundación del Río*. The inhabitants of El Castillo together with the Town Council of Boca de Sábalos have said "No to Brito" and sent the central government a declaration rejecting the project due to its environmental impact as well as its impact on tourism.

"We are going to carry out an in-depth study on the areas and conditions of Lake Nicaragua in order that the mitigation, prevention and compensation measures are adequate", said Alberto Vega, of the consultancy firm Environmental Resources Management (ERM),

which is undertaking the environmental impact study for the Andrade Gutiérrez group.

In light of the controversy this project has caused, Brenno Machado, the commercial director of the Andrade Gutierrez group expressed the firm's commitment to the sustainability of the area's natural resources. "Andrade Gutierrez is not going to risk its reputation by causing an ecological disaster".

Annex 130

Multinoticias Canal 4 (Nicaragua), “Deputy head of MARENA praises Youth work in San Juan de Nicaragua ”, 28 April 2011.

Available at:

http://www.multinoticiastv4.com/index.php?option=com_content&view=article&id=416:vice-titular-de-marena-destaca-labor-de-juventud-en-san-juan-de-nicaragua-&catid=55:politica&Itemid=410



MULTINOTICIAS
EL ENFOQUE DE LA DIGNIDAD SANDINISTA



http://www.multinoticiastv4.com/index.php?option=com_content&view=article&id=416:vice-titular-de-marena-destaca-labor-de-juventud-en-san-juan-de-nicaragua-&catid=55:politica&Itemid=410

Deputy Head of Marena praises youth work in San Juan de Nicaragua.

THURSDAY, 28 APRIL 2011 10:54 **DIGITAL POLITICS 19**



The deputy head of the Ministry of Environment and Natural Resources (Marena), Roberto Araquistain, considers the work being carried out by the Guardabarranco Environmental Movement and the 19 July Sandinista Youth is a commendable act and show of patriotism in defence of national sovereignty.

Araquistain said that the area, near the Harbour Head lagoon and which is under dispute with Costa Rica in the International Court of Justice in The Hague, was, for over 15 years, subject to extensive

farming promoted by the southern neighbour, but that the young Nicaraguans are working on restoring the ecosystem.

"With the support of NGO environmentalists they are working on projects that they themselves will implement in order to restore the area, with respect to areas of scientific research that need to be developed", he said.

"Our president has said that it is only by means of major popular mobilizations that we will be able to restore and preserve our ecosystems, and that is being proven", he added.

He said the ICJ ordered the governments of Nicaragua and Costa Rica to withdraw all civilian or security authorities from the area, leaving it "in the lap of the gods", which is why the work of the Nicaraguan youth has proved essential.

He recalled that it was these young people who came out to encounter the Costa Rican civil servants, in league with Ramsar Convention officials, who entered national territory in open violation of the provisions established by The Hague.

"With slogans and songs of patriotism they rejected this intervention, making it known to the world that the Nicaraguan people, represented by their youth, were safeguarding this site which is so important for Nicaragua", he said.

He said that many of the Tico officials who entered the area were security officers dressed in civilian clothes, hence the courage of the young Nicaraguans.

"I want to give recognition to these young people for such an action, for being so brave. It allowed us to show the world that our territory was being violated," he said.

The deputy head of Marena said that the various delegations of young people who have come to the area have learned to live in harmony with nature and understand Costa Rica's desire to take possession of this wealth.

Annex 131

La Nación (Costa Rica) “Border School started lessons with a 100 days delay”, 19 May 2011.

Available at:

<http://www.nacion.com/2011-05-19/EIPais/NotasSecundarias/EIPais2782533.aspx>

LA NACIÓN

<http://www.nacion.com/2011-05-19/EIPais/NotasSecundarias/EIPais2782533.aspx>

MEP got teacher for centre near Calero Island

Border School started lessons with a 100 days delay

Centre built by parents has no desks, books, toilet or drinking water

School year began with only five of the 15 students enrolled

CARLOS HERNANDEZ **CORRESPONDENT**

19/05/2011 **12:00 AM**

Sarapiquí. Heredia. No civic event but the singing of National Anthem was heard yesterday at the Delta's school in Costa Rica, in front of the border Calero Island, as it opened its doors to begin the school year.

It did so 100 days late, without a desk for its only teacher, or individual desks for each of its 15 students, or a canteen or textbooks.

Nor is there electricity, running water or toilets, just one pit latrine.

Despite these shortcomings, the school began classes because the Ministry of Education got a teacher who agreed to move to the area.

This teacher is Vinicio Mendez Chacon, a resident of Venecia de San Carlos, who has seven years teaching experience.

"I accepted the post for two reasons: I like to teach in remote areas where living and working conditions are difficult and, in addition, I will have better pay" he said yesterday.

He used to work at the Mario Salazar school in Aguas Zarcas, 13 kilometres from his home. Now he will work 100 kilometres away, which is why he needs to find a place to live.

They gave him the position closed last year when the teacher of the community of El Jobo left due to the start of the conflict in Calero Island.

"We will support the teacher so he stays here a long time. In this area which is so remote, the children are extremely eager to study," said Jose Morales, a parent.

Yesterday only five of the 15 students who enrolled turned up for class, none in uniform. The parents of the other 10 not send their children because they thought it was a joke.

Mendez began assessing the level of this small group in order to decide what level to place each student.

Among them is an 18-year student who wants to take second grade.

Soon they will be joined by five more students from the neighbouring community of San Antonio.

Annex 132

La Prensa (Nicaragua), “Let’s eliminate the San Juan’s ‘bottleneck’ ”,
17 July 2011.

Available at:

<http://www.laprensa.com.ni/2011/07/17/nacionales/66915>



<http://www.laprensa.com.ni/2011/07/17/nacionales/66915>

Managua, 17 July 2011

National News

Let's eliminate the San Juan's 'bottleneck'

- Commander Eden Pastora announced the start of dredging work at the mouth of the river as of next week
- Government of San Jose upset by the presence of JS July 19

Clearing the mouth of the San Juan will allow larger boats such as yachts to sail upriver

LA PRENSA / ARCHIVE

Managua and San Jose

Eden Pastora, the presidential delegate for the dredging of the River San Juan, said by telephone that as of tomorrow (Monday), the dredgers Sovereignty I, II and III will begin work on the "delta cap" as part of the cleanup work on the river.

Pastora stated to LA PRENSA that "inasmuch we recover the flow [of the San Juan] as it was in 1800, they [the Costa Ricans] will be affected".

Commander Zero said that for the first time in decades, thanks to the dredging of the River San Juan - work that began last year - boats could, in the summer, do their rounds without the need to lower their load or make passengers disembark from vessels.

Pastora estimated that when the dredging in the Delta is finished, yachts and larger boats will be able to navigate the River San Juan, the first caño of which, in the Head Harbour area, which Costa Rica claims as theirs, was cleaned last year.

• Ticos plan more actions

The Costa Rican Foreign Ministry still protests against the young Sandinistas entering the Head Harbour area and is planning actions against Nicaragua because it has not replied to two notes of protest sent from San Jose, said Deputy Foreign Minister Carlos Roverssi.

Although Roverssi did not specify what measures they will take, press accounts reported that Costa Rica will not send Adriana Prado to Managua as its ambassador for "strategic reasons" even though she has already won the approval of the government headed by Daniel Ortega.

Prado is still in El Salvador, where she was ambassador to Costa Rica, because the Foreign Ministry still considers that relations with Nicaragua are not at their best.

Costa Rica filed a lawsuit against Nicaragua before the International Court of Justice (ICJ), when dredging started last year in the San Juan River, including the Harbour Head area, which the southern neighbour claims, despite international treaties confirming that it belongs to Nicaragua.

ACCUSATIONS AGAINST THE NICARAGUAN GOVERNMENT

Meanwhile, Costa Rica reiterated yesterday that the arrival of groups of young members of the July 19 Sandinista Youth movement in the San Juan River area is encouraged by the Government of Nicaragua, in breach of a provision issued by the International Court of Justice (ICJ) on 8 March, which orders the two countries to withdraw military and civilian personnel from the area.

According to pro-government media in Managua, the youngsters go to the area to carry out "environmental work and defend our sovereignty,

in the vicinity of our Harbour Head, in the municipality of San Juan de Nicaragua.”

"We have been insisting that the Nicaraguan government act, since we have observed, and continue to monitor the presence of civilians in Portillos Island (Harbour Head), who we believe are members of the Sandinista Youth", Deputy Foreign Minister, Carlos Roverssi, told local media.

However, when consulted in relation to this matter, Pastora said that the activities of members of the July 19 Sandinista Youth will not be undertaken in the disputed area.

"They (the Costa Ricans) always talk nonsense, and it won't end until landmarks are put in place, until they accept once and for all that the demarcation of the area" Pastora reiterated.

See printed edition page: 3 A

Annex 133

La Voz del Sandinismo (Nicaragua), “Cleaning of the San Juan River advances according to projections”, 23 August 2011.

Available at:

<http://www.lavozdelsandinismo.com/nicaragua/2011-08-23/limpieza-del-rio-san-juan-avanza-de-acuerdo-a-lo-proyectado/>

La Voz del Sandinismo

2011: Unidos por el Bien Común... ¡Viva Nicaragua Libre!

<http://www.lavozdelsandinismo.com/nicaragua/2011-08-23/limpieza-del-rio-san-juan-avanza-de-acuerdo-a-lo-proyectado/>

Cleaning of the San Juan River advances according to projections



As reported by commandant Edén Pastora, in charge of the task

23 August 2011 | 17:05:12

Commandant Edén Pastora, in charge of the dredging of the San Juan River, assured that the cleaning of the watercourse advances as expected and that the cleaning task is carried out with four dredgers.

“Three are working, and one is being repaired, which is the D1, the one with the “clanché”, which will be used to open the outlet, the bar of the River, once the International Court of Justice declares that Harbour Head is ours, that the caño is ours, and it is through there that we are going to make entry to and exit from our River to the Caribbean Sea” said Pastora at Channel 13.

He explained that they have been removing sand banks across 34 kilometres of the River, so that “pangas” can navigate fluidly. “Right now, for example, we are at the Delta, the three dredgers are working, removing the bottleneck, so that a large volumen of water may enter and allow us to better navigate the San Juan River. We are about to break the bottleneck, I think in the next seven, ten days that will be ready” he added.

In regard to the complaints from Costa Rica that there have new land incursions and that because of that they will install video cameras to surveil us, Pastora said that Nicaragua has respected what the ICJ ordered.”

“They can do what they want, but the Court will resolve according to what the Alexander and Cleveland Awards say, and they say that the border is the right margin of Harbour Head, and that it is first caño, until the river proper. That’s were the border must go, that’s what the The Hague has to resolve” he stated.

(Redacción Central La Voz del Sandinismo- Informe Pastran)

Annex 134

El Nuevo Diario (Nicaragua), “Disrespect to Sovereignty”, 18 October 2011.

Available at:

<http://www.elnuevodiario.com.ni/nacionales/230343-irrespeto-a-soberania>

EL NUEVO DIARIO.com.ni

<http://www.elnuevodiario.com.ni/nacionales/230343-irrespeto-a-soberania>

18 October 2011

AT LEAST 48 TICO AERIAL INCURSIONS AND EVEN POLICE FORCE SPOTTED IN THE AREA

Disrespect for sovereignty

Diplomatic sources reported provocation in the Harbour Head area, and the Army confirmed they have recorded flights in Nicaraguan territory

By José Adán Silva | **National News**



Panoramic view of the San Juan river area. ARCHIVE / END

At least 48 violations of Nicaraguan airspace and a recent incursion by land into the Harbour Head area by the Costa Rican police force and aircraft have been reported since October 2010 in the San Juan River area, according to senior diplomatic sources that entrusted the confidential information to EL NUEVO DIARIO.

The information from reliable sources indicates that the aerial incursions from Costa Rican territory into national airspace have been accompanied by moving police forces to the area surrounding the Nicaraguan zone of Harbour Head, which Costa Rica claims as its own in the dispute being heard before the International Court of Justice in The Hague.

The most recent incursion into national territory, according to information from diplomatic sources linked to the Nicaraguan Government, occurred on 12 October when young environmentalists from the Guardabarranco Movement and the 19 July Sandinista Youth organization, who travel to the area to carry out environmental work on the northern bank of the river and in the area surrounding Isla Aragon, in Nicaraguan territory, witnessed the arrival of 12 members of the Costa Rican Border Police, who planted themselves in the area known as Caño Pastora.

According to the report, in the afternoon the uniformed officers in combat gear, carrying war weapons, binoculars and cameras, arrived at the river bank, took photographs of the area, make markings on the ground, stayed for a while and left almost at sundown.

The information indicates that the following morning, when the environmentalists returned by boat to the area to continue work cleaning the Nicaraguan river, they saw signs of the incursion among the foliage, boot marks that crossed the caño in Nicaraguan territory, and other evidence of an incursion by land, which led them to alert the authorities in charge of the dredging so that they could inform the Nicaraguan Army.

According to the sources the incident was reported to the highest authorities in the country so that they could decide whether to make present a protest note to San Jose or document the incident in order to include it as evidence for the case being heard in The Hague.

Army confirms invasion of airspace

EL NUEVO DIARIO contacted the office of the Nicaraguan Army's Directorate of Public and International Relations in order to confirm the information.

Colonel Juan Ramón Morales, the military's spokesperson, briefly stated that this information has been supplied to the Foreign Ministry, which is the government institution responsible for international relations and the border dispute in the San Juan River.

“We remain in Nicaraguan territory undertaking our operations to combat drug trafficking, and patrol national territory, as well as carrying out missions to safeguard sovereignty in accordance with our Constitution”, Morales commented initially.

“You can obtain more accurate information from the Foreign Ministry, which is the institution in charge of the border issue. We continue to carry out our day-to-day operations in the area within Nicaraguan territory”, the military spokesperson added.

Although Colonel Morales maintained that “there have been aerial incursions in light aircraft and helicopters departing from Costa Rican territory near the San Juan River, and the Caribbean Coast estuary that have entered our airspace, which has been registered by our troops, but you can find more accurate accounts of all this information at the Foreign Ministry” he declared.

EL NUEVO DIARIO, likewise, made inquiries in this respect at the Foreign Ministry’s Public Relations office to confirm the aerial and land-based incursions.

Vilma Aburto, of the Public Relations office at the Ministry of Foreign Affairs requested a letter in writing be sent to her office in order to process the information in question. The Foreign Minister Samuel Santos is out of the country and could not confirm this information.

New Tico foreign minister belligerent

Over the past few weeks Costa Rican authorities have raised the tone of the dispute with Nicaragua that is being heard before the International Court of Justice in The Hague.

This past September, the new foreign minister of San Jose, Enrique Castillo, branded the government of Nicaragua an enemy of his country, announcing that he will take a “firmed line” with regard to the dispute begun by Costa Rica in October 2010.

The bilateral dispute broke out in October 2010, when Costa Rica denounced that the Nicaraguan military and civilians had “invaded” a part of its territory in a marshy area of the Nicaraguan San Juan River known as Harbour Head.

Costa Rica assured that this “incursion” was made within the framework of the dredging of the San Juan River, under Nicaraguan sovereignty. The government of Nicaragua has confirmed that the

work is being carried out in its territory, and that the military are undertaking operations to combat drug trafficking and organized crime there, in accordance with Nicaraguan law.

Costa Rica took the case to the ICJ, which, this past March issued provisional measures that include, in particular, preventing both countries from sending civilians or official, military or police personnel to the area.

Annex 135

El Nuevo Diario (Nicaragua), “Tico plot confirmed”, 19 october 2011.

Available at:

<http://www.elnuevodiario.com.ni/nacionales/230470-confirman-trama-tica>

EL NUEVO DIARIO.com.ni

<http://www.elnuevodiario.com.ni/nacionales/230470-confirman-trama-tica>

19 October 2011

ARMY CHIEF CONFIRMS SIGHTINGS OF VESSELS AND MOVEMENT OF TICO TROOPS IN THE SAN JUAN

Tico plot confirmed

General Julio César Avilés denounced Costa Rican provocation tactics in Harbour Head, and warned of kidnapping plans; former Foreign Ministers and experts talk of more diplomatic tension, and Costa Rica keeps quiet

Carlos Larios and Matilde Córdoba | **National News**



Army General, Julio César Avilés. MANUEL ZAPATA / END

Nicaraguan Army chief, General Julio César Avilés, denounced a plot that Costa Rican authorities intend to carry out with a view to prejudicing our country in the case being heard before the International Court of Justice in The Hague, by provoking young environmentalists in the Nicaraguan San Juan River area in order to make them look like invaders of Costa Rican territory.

Avilés confirmed that information provided by Military Intelligence had made known to them that the Costa Ricans intended to trick the “kids” into the southern part of Nicaragua’s Harbour Head in order to then arrest them and present them before the Costa Rican and international media as assailants of Costa Rican sovereignty and destroyers of the environment.

The other variant of the neighbouring country’s strategy, under consideration by military authorities, is the entry of special forces into our territory, capturing the youngsters and then moving them onto Costa Rican soil to simulate “a new invasion”, as San Jose describes the dredging and cleaning work being carried out in the San Juan River, which began in 2010.

Grave allegations

“This is serious because we are facing renewed provocation, and we make an appeal for caution, as we have done in the past, to those who intend to carry out plans such as these that are being made known. The youngsters out there have been doing very noble work, I think we all, as Nicaraguans, should feel represented by them”, Aviles remarked.

He stated that they have already warned the young environmentalists of the Guardabarranco and 19 July Sandinista Youth movements to not fall prey to the provocation.

Avilés assured that the Nicaraguan Army will provide protection to avoid that said supposed plans are carried out, and will keep a constant vigil over the area.

Minister of Communications of the government headed by Laura Chinchilla, but the declarations made by Nicaraguan government official Eden Pastora, in charge of the dredging, and who recently called the Foreign Minister of San Jose, Enrique Castillo, a “madman” and who he suggested be sent to a psychiatric hospital.

In Minister Gallardo’s opinion, it is Pastora who should be going to a psychiatric hospital, according to his brief statements to the Costa Rican media.

For his part, Pastora, in statements made by phone and later broadcast on local television, in addition to branding the Foreign Minister Castillo a madman, also highlighted the construction of a Costa Rican road running parallel to the San Juan River, but regretted the deterioration of the area, as Costa Rica has done over recent years in the area.

Pastora said this road could benefit Nicaraguans wishing to travel to Costa Rica, just as the dredging in Costa Rican territory may benefit Costa Rican tourism with the permission and supervision of the Nicaraguan authorities.

Almost a year ago, the Reyes Aragon family, suspected of cooperating with drug trafficking activities according to Nicaragua, accused Eden Pastora of having invaded Costa Rica.

Annex 136

Ministry of Foreign Affairs and Worship of Costa Rica, Press Release,
“Costa Rica accuses Nicaragua of ploy to justify military presence in
Isla Portillos”

19 October 2011



Ministry of Foreign Affairs and Worship
Directorate of Institutional Communication

TELEPHONE (00 506) 2256 65 61 FAX 2256 67 37

E-mail: comunicacion@rree.go.cr Portal: www.rree.go.cr

Costa Rica accuses Nicaragua of ploy to justify military presence in Isla Portillos.

The Costa Rican Government denies the statements made by Nicaraguan Army General, Julio César Avilés, regarding Costa Rica's so-called plan to capture young Nicaraguans who regularly occupy Isla Portillos.

Any statement indicating that actions on the part of the Costa Rican Government intend to adversely affect Nicaragua in order to gain the advantage in the international legal dispute being heard in the International Court of Justice is unfounded, fictitious and outrageous.

Costa Rica regrets the fact that Nicaraguan Government and Army officials continue to violate the provisional measures issued by the International Court of Justice in March 2011, in which, among other things, it was ruled that the area should be cleared and that Costa Rican

environmental authorities would have sole legal custody over it.

These statements made by the Nicaraguan General, however, constitute an explicit recognition that the government of Nicaragua supports the incursion and presence of young people in Isla Portillos, and Costa Rica will inform the International Court of Justice of this.

Costa Rica declares that, should the Nicaraguan government and Army proceed as indicated by General Avilés, this would represent a worsening of the situation, which would be interpreted as a ploy on the part of the Government and the Army to justify the direct presence of the Nicaraguan military in the area of Isla Portillos.

Costa Rica is a country with a long-standing and renowned tradition of democracy and has no need or wish to become involved in political-electoral or military ploys on the part of the Nicaraguan government, especially at the height of the ongoing electoral process.

Our country has shown unshakable determination to resolve any disputes with fellow nations through international legal channels, and reiterates its compliance with the International Court of Justice's order of 8 March 2011. In this respect, it urges its neighbouring country to adopt a similar attitude.

The Government of Costa Rica, likewise, reiterates the fact that it will continue, in a sovereign manner, to undertake the civilian actions within its reach for ensuring peaceful and democratic development, in particular with regard to the inhabitants of the northern zone.

Institutional Communication

(2088 CR denies)

Wednesday 19 October 2011.

Annex 137

Castillo, Enrique: “Our Cause”, published at La Nación, 21 September 2011.

Available at:

<http://www.nacion.com/2011-09-21/Opinion/nuestra-causa.aspx>

LA NACIÓN

<http://www.nacion.com/2011-09-21/Opinion/nuestra-causa.aspx>

Our cause

Enrique Castillo

Minister of Foreign Affairs

Between October and November last year, Costa Rica experienced one of the bitterest pages of its recent history. A peaceful, democratic, with no army, home with love and respect to hundreds of thousands of his brothers, was the subject of an infamous assault that, however small the territory outraged, does not diminishes the seriousness of the act of invasion.

153 years ago Costa Rica and Nicaragua have had and do have an agreed and defined its land border, which demarcation in the field, with the precision and clarity how this was done by the Delimitation Commission, headed by the engineer and arbitrator Edward Porter Alexander, made it possible for another 113 years that the two countries enjoyed a peaceful and indisputable border, which also helped the technical cartographical institutions of our countries to support all its official cartography. Given the clarity and certainty of our border, the occupation of Costa Rican territory in Isla Portillos becomes a blatant act of violation of the sovereignty and territorial integrity of Costa Rica.

However, in order to justify a weak legal position, our neighbours considered relevant to sow doubt about the certainty of the boundaries, not only distorting the text of our border agreements, but also rewriting its own cartographical history. Its strategy is to distort what we say and do. That is the situation in which they want us to be and that they defend internationally. This is the context in which Costa Rica has to defend himself before the highest court of law of the United Nations.

What has been done by Costa Rica. It is true that every new administration, in a democratic republic such as Costa Rica, sets its foreign policy paths which seek to advance the agenda of governance that is considered more convenient. However, there can be no doubt that the

implementation of Costa Rica's foreign policy in the last 50 years, on the defence of the sovereignty and territorial integrity, has been consistent, regardless of political colour of the administration in power. This consistency is reflected in the unequivocal rejection of any and all action that jeopardizes the integrity of national territory.

Particularly on the issue of dredging of the river San Juan, Costa Rica took a clear position of opposition to dredging since 2006, because such as it was announced by Nicaragua, it would affect our rights. This opposition has its genesis in a political decision, but supported by the instruments that govern the border regime.

Like my predecessors, and consistent with the country's position, I believe that Nicaragua can carry out works on the river San Juan, provided there is assurance to the satisfaction of Costa Rica, that such work will not harm, occupy or affect the national territory, its rivers, or the rights that Costa Rica has in the San Juan River, or, as the case may be, in the Bay of San Juan del Norte. I have said that there is not a rule stating that Costa Rica can oppose the dredging by the opposition itself, but there can be no doubt that our country does have a legitimate and indisputable right of opposition, duly recognized by the bilateral instruments and by international law, when there is the risk of threat or may affect its territory or rights.

By contrast, Nicaragua banal attempt to rewrite international law and make the international community believe that the rights it may have on the San Juan River enables it to damage not only Costa Rica but to feed the anxiety and constant threat. To all Costa Ricans and to the members of the international community, I assure unambiguously, that Costa Rica will not allow that the stability of its border be used for political or rhetorical games.

It saddens me greatly when I hear some people suggest that the events taken place in Isla Portillos are the responsibility of the Ministry of Foreign Affairs. The responsibility for the actions of Nicaragua at the border is of the Government of Nicaragua, simply and plainly. Everyone who has occupied the chair I am honoured to fill today, has made the efforts that has considered that are necessary in the light of prevailing realities and the challenges that the weak multilateral system imposes on us to protect our sovereignty.

It is true that the actions of one or another includes a component of style that is inherent in the personality that every human being has, but all have done their best motivated by the cause of the motherland, and that is a fact that must be strongly defended because it is the truth. Costa Rica will continue fighting and will not give up on the actions taken and that may be needed to take until the last inch of our homeland is completely restored.

To our neighbours we let them know that we are a country of peace, that we want the brotherly coexistence, and that our people expect the return of the bonds that unite us, but such aspirations can only be achieved when there is genuine and unequivocal show of respect to the instruments that govern our relationships and the faithful fulfilment of the obligations that international law imposes on us.

Annex 138

Excerpts. Roberto Salinas G. (Director) “The Truth about a Contingent (Managua, July 2011) Video documentary: Transcription and translation of audio

Original video available at:

<http://www.vivanicaragua.com.ni/?s=la+verdad+de+un+contingente>



<http://www.vivanicaragua.com.ni/?s=la+verdad+de+un+contingente>

Resultados de "la verdad de un contingente" - Windows Internet Explorer

http://www.vivanicaragua.com.ni/?s=la+verdad+de+un+contingente

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Favoritos Sitios sugeridos Más complementos

Resultados de "la verdad de un contingente"

Portada Sociales Política Economía Internacionales Deportes Mujer Farándula Cultura Turismo Medio Ambiente Programación

Resultados

Documental: La verdad de un contingente
Viernes, 12 de agosto 2011 a las 7:22 pm

Filiberto Hodgson
Coordinador del Campamento

14:37 blip.tv

Inicio Resultados de "la ver..." 14:31

The San Juan de Nicaragua River has been for more than two hundred years, a resource coveted by the greatest powers for its potential as a canal. But besides that, it protects a unique natural wealth, among which stand out mangroves, wetlands, manatees, freshwater sharks, alligators and more. The environmental movement Guardabarranco, organized in contingents, are present in our river, where they discover and protect our nature and resources of our country.

Labels: Documentaries

Documentary: The Truth about a Contingent (La verdad de un contingente)

Director: Roberto Salinas Garcia.

Camera: Leandro Zúñiga.

Edition: Jorge Montoya.

Acknowledgments: Movimiento Ambientalista Guardabarranco, Municipality of San Juan de Nicaragua, 14th Contingent de la 5th Region: Boaco, Chontales, Zelaya Central

...

A Nicaraguan Production.

Managua, Nicaragua, July 2011.

Total length: 23:06

...

Karen Zamora, El Rama Contingent:

01:07 “The reason I came here was because I like it, the truth is I like nature, and visiting new places. They came and said to us “We need 8 to 12 of you to go to San Juan. I was the first to put my hand up and the teacher laughed and asked me “Are you going to go?” “Yes, I’m going”, I said. “But what about permission?” she said. “I’m going to call my Mum right now”, and I asked the teacher if I could go leave

the classroom and I phoned my Mum and asked her “Mum, give me permission to go to San Juan for eight days”, and she said “Alright, come and get your things ready”, but then she said “But are they going to give you permission at school?” “Oh, of course” I said, and so I left the classroom with the permission of the teacher and the director, and we went to get ready, around 8 of us came here from the same school”
01:56

Heyling Urrutia, El Rama Contingent

02:04 “The reason we’re going on the trip is to protect and conserve the Harbour Island and this is the first time I’m going, I don’t have any experience” **02:14**

...

Maykelin García, In charge of the 14th Contingent:

04:28 “We’re staying in San Carlos, it’s 5:40 in the morning and we’re getting up to get ready because at 7 (am) we’re taking the boat to San Juan, in Nicaragua, and we’re going to stay in San Juan in Nicaragua so we can leave very early tomorrow at 5 (am) for Harbour Head where we’re going to stay for 8 days.” **04:52**

...

Unidentified youth:

06:19 “Tomorrow we’re going to Harbour Head island” **06:23**

Deylin José Campos, Boaco Contingent:

06:23 “We’re going to work hard to learn, for example, from what nature can teach us, learn to maintain it, conserve it and keep it clean, as long as we keep working, as long as we are present to reforest this area” **06:41**

...

Maykelin García, In charge of the 14th Contingent:

08:09 “There are 82 of us, young people, 27 from Chontales, 30 from Boaco , 15 young people from Agraria [University]and 8 from Zelaya

Central. **08:21** It's Commander Daniel Ortega's initiative. He wants us, as young people involved in the different movements that make up the Sandinista Youth organization, to be defending the sovereignty of our San Juan River." **08:35**

Héctor Mairena, Universidad Agraria:

08:42 "We are taking soil samples in this part of the territory, because if we look closely we can see the soil is green with a high iron content, and reddish colour, and the trampling of cattle creates pools, so it's a sampling to see if we can somehow drain the soil, and if the sampling works then we can implement it in the area to avoid excess water and see if we can also implement planting some types of crops." **09:14**

...

Kevin Rodríguez, In charge of the Chontales Contingent:

09:31 "There are three delegations here, those that are coordinated according to groups in different activities, one of the first groups are the ones that carry the precious liquid that is water for drinking, others collect fallen logs, dry timber, and others do reconstruction work, as I said before we call them the engineers group." **10:08**

...

Enoc Castillo, Chontales Contingent:

11:21 "Of all the contingents, I don't know if someone else has spoken so enthusiastically but it's just that I feel it in my bones. I remember the birth of radio "Rope", it was even me who thought of the name for the radio, I think, well, the name Harbour Head just didn't stick, and I would say the island in dispute, sorry, the island in dispute direct from The Hague, we have contact with The Hague, and then the volleyball and football started, when I got up to start describing what was happening." **11:55**

Meylin González, In charge of the El Rama Contingent:

12:26 "My Mum asked me what I was going to do there, that if it was so far away it was very dangerous, risks of accidents and all that.

From the moment they told me we were coming I felt so excited, I thought “Wow, I’m going to go to the San Juan River”. I told her it was an opportunity our Commander Daniel was giving us, and that we were never going to have that opportunity again because this had never happened before, and then she said yes, but be careful, and then she had to give me permission to come here.” **13:08**

...

Meykel Sandoval, doctor:

18:08 “The environmentalist comrades here at Harbour Head in San Juan, Nicaragua, in the San Juan River, are being vaccinated against yellow fever right now, which is a disease produced by a virus carried by any type of mosquito and can be transmitted to anyone in contact with large quantities of earth being moved, such as dredging, or construction such as the road we have here. So it is in the interests of our government of Reconciliation and National Unity via the MINSA [Nicaraguan Ministry of Healthy] to safeguard the health of our comrades here in the contingent in the San Juan River.” **18.42**

...

Meylin González, In charge of the El Rama Contingent:

20:39 “Everything you see here around you, everything on this island is very important for the Nicaraguans, and we defend it because everything here is ours. As members of the Sandinista Youth we are brave and it doesn’t matter where we have to go to defend our sovereignty, we’ll be there as the Sandinista Youth and I believe this says a lot for us, to those who think this is crazy, that there’s no need to come here and go hungry, and suffer the cold and whatever, and we are showing them that we don’t care where we have to go as Sandinistas, especially as young Sandinistas, we’ll go wherever we need to, to defend our territory, and we’re always ready and willing to do whatever it takes to carry out the missions that our Commander Daniel Ortega sends us on” **21.57**

...