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The Costa Rica - Nicaragua Border Dispute

In 2010, Costa Rica brought two complaints to the International Court of Justice (ICJ), the UN court that deals with territorial disputes between countries. First, it said its neighbor Nicaragua was illegally occupying a three-square-kilometer area of land near where the San Juan River flows into the Caribbean Sea. Called Isla Portillos, it is officially part of Costa Rica, but Nicaragua argues that it has historic rights there. In an aggressive move, Nicaragua had sent armed troops in to claim and occupy the territory. Furthermore, Costa Rica accused Nicaragua of harming the ecologically fragile wetlands around Isla Portillos by digging out three artificial waterways in an attempt to create better access from the San Juan River to the Caribbean.

In response, Nicaragua filed a suit in the ICJ in 2011, claiming that Costa Rica was causing costly damage to the San Juan River by building a road alongside it. According to Nicaragua, the construction of a 160-kilometer road on the Costa Rican side of the San Juan River - a natural border between the two countries which is under Nicaraguan control - had been pushing large amounts of dirt and other material into the river. Nicaragua claimed that between 190,000 and 250,000 tons of material was being released into the San Juan River every year, continually reducing the depth of the water, making navigation increasingly difficult, and leading to high maintenance costs in order to keep it accessible to commercial traffic.

The ICJ eventually ruled that, under existing international treaties, it was Costa Rica that had ownership rights over Isla Portillos and that Nicaragua's occupation of the territory was therefore a violation of Costa Rica's authority. Furthermore, the ICJ ruled that the unauthorized creation of artificial waterways had indeed caused environmental damage to Costa Rican territory. In a further blow to Nicaragua, the ICJ said the evidence failed to demonstrate that Costa Rica had caused environmental damage to the San Juan River by constructing the road, though it did acknowledge that Costa Rica should have carried out an environmental impact study before beginning the project. While the ICJ cannot actually enforce its decisions, both Costa Rica and Nicaragua agreed to accept the court's ruling before having their cases considered. It is not up to the two countries to negotiate a settlement and more toward a more peaceful coexistence.