

12 MAI 2010

ORDONNANCE

**CERTAINES QUESTIONS EN MATIÈRE DE RELATIONS DIPLOMATIQUES
(HONDURAS c. BRÉSIL)**

**CERTAIN QUESTIONS CONCERNING DIPLOMATIC RELATIONS
(HONDURAS v. BRAZIL)**

12 MAY 2010

ORDER

INTERNATIONAL COURT OF JUSTICE

YEAR 2010

**2010
12 May
General List
No. 147**

12 May 2010

CERTAIN QUESTIONS CONCERNING DIPLOMATIC RELATIONS

(HONDURAS *v.* BRAZIL)

ORDER

The President of the International Court of Justice,

Having regard to Article 48 of the Statute of the Court and Article 89, paragraph 1, of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 28 October 2009, whereby the Republic of Honduras instituted proceedings against the Federative Republic of Brazil in respect of a

“dispute between [the two States] relat[ing] to legal questions concerning diplomatic relations and associated with the principle of non-intervention in matters which are essentially within the domestic jurisdiction of any State, a principle incorporated in the Charter of the United Nations”;

Whereas the Application was signed by Mr. Julio Rendón Barnica, Ambassador of Honduras to the Kingdom of the Netherlands, appointed as Agent of the Republic of Honduras in a letter of 24 October 2009 from Mr. Carlos López Contreras, Minister for Foreign Affairs in the Government headed by Mr. Roberto Micheletti;

Whereas an original of the Application was transmitted on the same day to the Government of the Federative Republic of Brazil, and the Secretary-General of the United Nations was notified of the filing of the Application;

Whereas, by a letter of 28 October 2009 received in the Registry on 30 October 2009 under cover of a letter of 29 October 2009 from Mr. Jorge Arturo Reina, Permanent Representative of Honduras to the United Nations, Ms Patricia Isabel Rodas Baca, Minister for Foreign Affairs in the Government headed by Mr. José Manuel Zelaya Rosales, informed the Court, *inter alia*, that “Ambassadors Julio Rendón Barnica, Carlos López Contreras and Roberto Flores Bermúdez [had been] relinquished of their duties as Agents and Co-Agents [of] the Republic of Honduras to the International Court of Justice, and [should] not be recognized as [the] legitimate representatives” of Honduras, and that “Ambassador Eduardo Enrique Reina [had been] appointed as the sole legitimate representative of the Government of Honduras to the International Court of Justice”;

Whereas, by a letter of 2 November 2009 received in the Registry on the same day, Mr. Julio Rendón Barnica informed the Court that “the Government of the Republic of Honduras . . . [had] appointed Ambassador Carlos López Contreras to act as its Agent”;

Whereas a copy of the communication, along with its annexes, from the Permanent Representative of Honduras to the United Nations was sent on 3 November 2009 to the Federative Republic of Brazil, as well as to the Secretary-General of the United Nations;

Whereas the Court decided that, given the circumstances, no other action would be taken in the case until further notice;

Whereas, by a letter of 30 April 2010 received in the Registry on 3 May 2010 under cover of a letter of 3 May 2010 from the chargé d'affaires a.i. at the Embassy of Honduras in The Hague, Mr. Mario Miguel Canahuati, Minister for Foreign Affairs of Honduras, informed the Court that the Honduran Government was “not going on with the proceedings initiated by the Application filed on 28 October 2009 against the Federative Republic of Brazil” and that “in so far as necessary, the Honduran Government accordingly [was] withdraw[ing] this Application from the Registry”;

Whereas a copy of the letter from Mr. Mario Miguel Canahuati was transmitted on 4 May 2010 to the Government of the Federative Republic of Brazil;

Whereas the Brazilian Government has not taken any step in the proceedings in the case,

Officially records the discontinuance by the Republic of Honduras of the proceedings instituted by the Application filed on 28 October 2009; and

Orders the removal of the case from the List.

Done in French and in English, the French text being authoritative, at the Peace Palace, The Hague, this twelfth day of May, two thousand and ten, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Republic of Honduras and the Government of the Federative Republic of Brazil, respectively.

(Signed) Hisashi OWADA,
President.

(Signed) Philippe COUVREUR,
Registrar.
