

Currently, Nicaragua and Costa Rica are in a heated debate over the San Juan River Delta. The delta forms a natural outlet in Lake Nicaragua. However, before reaching its delta, it separates into the San Juan, and Rio Colorado, which flows entirely through Costa Rican territory. The 1858 Canas-Verez treaty states that Nicaragua has sovereignty over the waters, but Costa Rica has the ability to navigate freely. Also, a 2009 International Court of Justice ruling stated that Nicaragua has no power to tax or charge for use of the delta. Currently, the debate revolves around the idea of whether Costa Rica holds rights to free navigation of the delta and if Nicaragua holds sovereign rights over the body of water. The International Court of Justice has stated that Costa Rica holds the rights to free navigation over the water and that persons traveling on Costa Rican vessels do not need to obtain any form of Nicaraguan documentation or visas. Nicaragua has the power to stop and verify the legality of Costa Rican vessels, but does not have any power to impose charges or taxes of any kind. Additionally, Costa Rican fishermen are given the right to use the waters for fishing and day-to-day rights, and that Nicaragua should respect the integrity of the bank. However, recently tension has been growing due to the increase in border patrols, police intervention, and attempts to tax and tariff.

The International Court of Justice clearly states that Costa Rica has complete use of waterways for navigation, recreational, and cultural purposes. Also, the International Court of Justice has found that Nicaragua has not been acting in accordance to the 1858 treaty. Also demanding that Costa Rican vessels fly the Nicaraguan flag. In 2010 Costa Rica filed the first complaint against Nicaragua for alleged invasion by military personnel of a 3-square-kilometer territory which both countries claim as their own. A recent mistake by Google Maps has created more confusion between the two parties, with Nicaragua threatening a military intervention. Nicaragua also claims that Route 1856 has created extensive environmental damage to the delta, however the highway was made primarily to decrease river traffic at the request of the Nicaraguan military. It was not contested that the section of the San Juan River belongs to Nicaragua, since the border lies on the Costa Rican bank, with Costa Rica possessing a right of free navigation. However, the parties had different opinions regarding the precise extent of those rights.

The International Court of Justice should clearly vote in favor of Costa Rica. Currently, Costa Rica uses the river delta as a means of trade, transportation, fisheries, tourism and cultural purposes. In no way is Costa Rica overstepping the boundaries of the 1858 treaty and no environmental degradation is being caused by Costa Rica's use of the delta. Also, Costa Rica's use of the delta is in no way hindering Nicaragua's sovereignty. For the last 150 years, this debate has raged, with Nicaragua becoming increasingly more militant in nature. Costa Rica has traditionally used the delta for peaceful endeavors and calls upon the International Court of Justice to come to a conclusion that would favor Costa Rica's transparent and beneficial use of the San Juan River delta.