



INTERNATIONAL COURT OF JUSTICE

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Sovereignty over Pulau Ligitan and Pulau Sipadan (Indonesia/Malaysia)

The Philippines requests permission to intervene in the proceedings

THE HAGUE, 15 March 2001. On 13 March 2001 the Philippines filed an Application for permission to intervene in the case concerning Sovereignty over Pulau Ligitan and Pulau Sipadan (Indonesia/Malaysia).

In its Application, the Philippines states that the purpose of its request is "to preserve and safeguard [its Government's] historical and legal rights arising from its claims to dominion and sovereignty over the territory of North Borneo, to the extent that these rights are affected, or may be affected, by a determination of the Court of the question of sovereignty over Pulau Ligitan and Pulau Sipadan"; "to intervene in the proceedings in order to inform the . . . Court of the nature and extent of the historical and legal rights of . . . the Philippines which may be affected by the Court's decision" and "to appreciate more fully the indispensable role of the . . . Court in comprehensive conflict prevention and not merely for the resolution of legal disputes". The Philippines makes it clear that it does not seek to become a party to the case

In support of its Application, the Philippines maintains that "[its] Constitution . . . as well as its legislation have laid claim to dominion and sovereignty over North Borneo". According to the Philippines, "this legal and historical claim to the territory of North Borneo has been the subject of diplomatic negotiations, official international correspondence, and peaceful discussions which have not been concluded. A decision by the Court, or that incidental part of a decision by the Court, which lays down an appreciation of specific treaties, agreements and other evidence bearing on the legal status of North Borneo will inevitably and most assuredly affect the outstanding territorial claim of . . . the Philippines to North Borneo, as well as the direct legal right and interest of the Philippines to settle that claim by peaceful means."

The Philippines Application was immediately communicated to Indonesia and Malaysia, and the Court fixed 2 May 2001 as the time-limit for the filing of written observations by those States.

It will be for the Court to decide whether the Application for permission to intervene submitted by the Philippines should be granted. Should an objection be raised to the Application, the Court will hear the Parties and the Philippines before deciding.

The Application of the Philippines for permission to intervene will shortly be available on the Court's website (<http://www.icj-cij.org>).

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