



# INTERNATIONAL COURT OF JUSTICE

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

**Application for permission to intervene by the Philippines**

**The Court will hold public hearings from 25 to 29 June 2001**

THE HAGUE, 22 May 2001. The International Court of Justice (ICJ) will hold public hearings from 25 to 29 June 2001 on the Application for permission to intervene submitted by the Philippines on 13 March last in the case concerning Sovereignty over Pulau Ligitan and Pulau Sipadan (Indonesia/Malaysia).

The programme of the hearings has been fixed as follows:

First round

Monday 25 June 2001	10 a.m.-1 p.m.	Philippines
Tuesday 26 June 2001	10 a.m.-1 p.m.	Indonesia and Malaysia

Second round

Thursday 28 June 2001	10 a.m.-11.30 a.m.	Philippines
Friday 29 June 2001	10 a.m.-11.30 a.m.	Indonesia and Malaysia

The order in which Indonesia and Malaysia will present their arguments on Tuesday 26 and Friday 29 June 2001 has not been determined as yet.

In its Application for permission to intervene, the Philippines stated that it wished to intervene in the proceedings in order "to preserve and safeguard [its Government's] historical and legal rights . . . arising from its claim 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 inform the . . . Court of the nature and extent of [those] rights"; and "to appreciate more fully the indispensable role of the . . . Court in comprehensive conflict prevention". The Philippines made it clear that it did not seek to become a party to the case.

In its Application, the Philippines further maintained that "[its] Constitution . . . as well as its legislation, ha[d] laid claim to dominion and sovereignty over North Borneo". According to the Philippines, "[t]his . . . claim . . . ha[d] been the subject of diplomatic negotiations, official international correspondence, and peaceful discussions which ha[d] not been concluded. A decision

by the Court, or that incidental part of a decision by the Court, which [would] lay down an appreciation of specific treaties, agreements and other evidence bearing on the legal status of North Borneo [would] 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."

Pursuant to Article 83, paragraph 1, of the Rules of Court, 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.

In their written observations, Indonesia and Malaysia objected to the Application for permission to intervene by the Philippines. Indonesia *inter alia* stated that the Application should be rejected as untimely and that the Philippines had not demonstrated that it possessed an interest of legal nature which might be affected by a decision of the Court in the case. Malaysia, for its part, stated that the Philippines had no interest of a legal nature in the dispute, that its request had no proper object and that the Court should in any event reject that request.

Accordingly, pursuant to Article 84, paragraph 2, of its Rules, the Court decided to hold sittings in order to hear the arguments of the Philippines, Indonesia and Malaysia before deciding whether the Application for permission to intervene should be granted.

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#### NOTE TO THE PRESS

1. The public hearings will be held in the Great Hall of Justice of the Peace Palace in The Hague, Netherlands. Mobile telephones and beepers are allowed in the courtroom **provided they are turned off or set on silent mode**. Any offending device will be temporarily retained.

2. Members of the Press will be entitled to attend on presentation of a press card. The tables reserved for them are situated on the far left of the public entrance of the courtroom.

3. Photographs may be taken for a few minutes at the opening and at the end of the sittings. Television crews may film, but advance notice should be given to the Information Department (see paragraph 7).

4. In the Press Room, located on the ground floor of the Peace Palace (Room 5), the Court's proceedings will be relayed through a loudspeaker.

5. The verbatim records of the public hearings will be published daily on the Court's website (<http://www.icj-cij.org>).

6. Members of the Press who wish to make telephone calls may use the phone located in the Press Room for collect calls or the public telephones in the Post Office in the basement of the Peace Palace.

7. Mr. Arthur Witteveen, First Secretary of the Court (tel: +31-70-302 2336), and Mrs. Laurence Blairon, Information Officer (tel: +31-70-302 2337), are available to deal with any requests for information and for making arrangements for television coverage.