



INTERNATIONAL COURT OF JUSTICE

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

Conclusion of the public hearings on the Application for permission to intervene by the Philippines

Court ready to consider its Judgment

THE HAGUE, 29 June 2001. The public hearings 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) were concluded today. The Court will now start its deliberations.

During the hearings, which started on 25 June 2001, the delegations of the Philippines, Indonesia and Malaysia were respectively led by H.E. Mr. Eloy R. Bello III, Ambassador of the Philippines to the Netherlands, H.E. Mr. Hassan Wirajuda, Director General for Political Affairs of the Ministry of Foreign Affairs of Indonesia, and H.E. Mr. Tan Sri Abdul Kadir Mohamad, Secretary General of the Ministry of Foreign Affairs of Malaysia.

The Court's Judgment, binding and without appeal, will be delivered in four to five months. It will be read at a public sitting on a date to be announced in due course.

Parties' submissions

The Agents of the Parties presented the following submissions to the Court at the end of the oral proceedings.

For the Philippines :

"The Government of the Republic of the Philippines seeks the remedies provided for in Article 85 of the Rules of Court, namely,

— paragraph 1: "the intervening State shall be supplied with copies of the pleadings and documents annexed and shall be entitled to submit a written statement within a time-limit to be fixed by the Court"; and

— paragraph 3: "the intervening State shall be entitled, in the course of the oral proceedings, to submit its observations with respect to the subject-matter of the intervention".

For Indonesia :

"For this reason, as well as on the legal grounds presented by Counsel, the Republic of Indonesia respectfully submits that the Republic of Philippines should not be granted the right to intervene, the effect of which would be to tack on to the proceedings a new case which neither concerns Indonesia nor relates to the specific dispute jointly submitted to the Court by Special Agreement. This being said, in accordance with Article 62, paragraph 2, of the Court's Statute, Indonesia of course recognizes that it is for the Court to decide upon the Philippines' request."

For Malaysia :

"May I therefore respectfully urge the Court to deny the Philippines the undeserved privilege of any further participation in this matter, and reject its request to intervene in this case. After all, by its own admission, the Philippines does not have any territorial interest on the islands of Ligitan and Sipadan, the only subject matter of the present case."

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Internal Judicial Practice of the Court with respect to deliberations

The Court will first hold a preliminary discussion, at which the President will outline the issues which require discussion and decision by the Court. This discussion will be followed by a full deliberation, at the end of which, on the basis of the views expressed, a drafting committee will be chosen by secret ballot. That committee will in principle consist of two judges holding the majority view of the Court, together with the President, if he shares that view.

The committee will prepare a draft text, which will first be the subject of written amendments and will then go through two readings. In the meantime, judges who wish to do so will prepare a declaration, a separate opinion or a dissenting opinion.

The final vote will be taken after adoption of the final text of the Judgment at the second reading.

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NOTE FOR THE PRESS

The full transcripts of the hearings of 25-29 June 2001 can be found on the Court's website at the following address: <http://www.icj-cij.org>.

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