



October 11, 1999

VIA FACSIMILE AND MAIL

The Honorable Eduardo Valencia-Ospina
Registrar
The International Court of Justice
Peace Palace
2517 KJ The Hague
The Netherlands

Dear Sir:

I have the honor to refer to your letter dated 14 September 1999 transmitting a letter from the Agent of Nigeria dated 13 September 1999, and providing Equatorial Guinea with the opportunity to comment thereon by 15 October 1999. The letter from the Agent of Nigeria raises two points concerning the Application of Equatorial Guinea to Intervene in the Cameroon-Nigeria case. In response, it will be convenient to deal with the two points separately.

1. Status of Equatorial Guinea as a Non-party Intervenor

Equatorial Guinea believes its Application of 30 June 1999 is clear concerning the status it seeks through the process of intervention provided by Article 62 of the Statute of the Court. Equatorial Guinea does not wish to intervene as a Party in the Cameroon-Nigeria case; thus, there can be no question of the Court's eventual judgment determining the maritime boundaries of Equatorial Guinea, whether with Cameroon or Nigeria. Equatorial Guinea seeks the status of a non-party intervenor. If this status were to be granted by the Court, Equatorial Guinea would expect the right to comment at the appropriate time upon the arguments and positions adopted in the written pleadings of the two Parties, insofar as they pertain to interests of a legal nature that Equatorial Guinea may have in the maritime boundary and, also, to address the Court at an appropriate point in the oral proceedings between Cameroon and Nigeria to likewise indicate Equatorial Guinea's interests of a legal nature insofar as the maritime boundary is concerned.

It is clear that the Statute and Rules of the Court do not require a hearing on an Application to intervene, although that has been the practice of the Court. In its letter of 3 September 1999, Equatorial Guinea indicated its willingness to dispense with oral proceedings if the two Parties agreed in principle with Equatorial Guinea's intervention in the manner set

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forth by its Application, and if the Court was so inclined and sought no further information. In its letter of 13 September Nigeria agrees that there is no need for an oral hearing on Equatorial Guinea's right to intervene and accepts that right. Equatorial Guinea hopes that Cameroon's response of 16 August can be interpreted by the Court in the same way, and that the Court itself will take that view.

2. Organization of Further Proceedings on the Maritime Boundary in the Cameroon-Nigeria Case

Since Equatorial Guinea does not wish to become a Party, it would be inappropriate for Equatorial Guinea to take a position on how the Court should organize the proceedings in that case. Equatorial Guinea's only comment is that there would seem to be advantage in hearing the views of Equatorial Guinea in connection with the arguments of the two Parties regarding their maritime boundary. If the Court decides it is appropriate to hear the views of Equatorial Guinea, it is hoped that the opportunity afforded to Equatorial Guinea will be such as to give Equatorial Guinea adequate time to present those views and to consider and reply to any views expressed orally or in writing by the two Parties.

Please accept, Sir, the assurances of my highest consideration.

Sincerely,



Ricardo Mangué Obama N'Fube
Minister of State
In Charge of Labor and Social Security
Agent for the Republic of Equatorial Guinea