



INTERNATIONAL COURT OF JUSTICE

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

The Court extends the time-limit for the filing of a Counter-Memorial by each of the Parties

THE HAGUE, 16 September 1999. The International Court of Justice (ICJ) has extended until 2 July 2000 the time-limit for the filing of a Counter-Memorial by each of the Parties in the case concerning Sovereignty over Pulau Ligitan and Pulau Sipadan (Indonesia/Malaysia).

Taking into account the provisions of the Special Agreement between the Parties by which they submitted the case, the Court initially fixed 2 March 2000 as the time-limit for the filing of the two Counter-Memorials.

However, in a joint letter of 18 August 1999, the Agents of Indonesia and of Malaysia asked the Court for a four-month extension of the above-mentioned time-limit, stating that it did not leave them sufficient time to address issues that might be raised in their respective Memorials. The Parties stressed that, apart from this modification, the Special Agreement remained unchanged, including the time-limit fixed for the filing of Memorials (2 November 1999).

Taking account of the agreement of the Parties, the Court granted the requested extension by an Order of 14 September 1999.

The subsequent procedure has been reserved for further decision.

Background information

Indonesia and Malaysia jointly seized the Court on 2 November 1998 of their dispute concerning sovereignty over Pulau Ligitan and Pulau Sipadan, two islands in the Celebes Sea. They did so by notifying the Court of a Special Agreement, which was signed between them on 31 May 1997 at Kuala Lumpur and entered into force on 14 May 1998.

In the Special Agreement, the Parties request the Court "to determine on the basis of the treaties, agreements and any other evidence furnished by [them], whether sovereignty over Pulau Ligitan and Pulau Sipadan belongs to the Republic of Indonesia or to Malaysia". They express the wish to settle their dispute "in the spirit of friendly relations existing between [them] as enunciated in the 1976 Treaty of Amity and Co-operation in Southeast Asia" and declare in advance that they will "accept the Judgment of the Court given pursuant to [the] Special Agreement as final and binding upon them".

Under the Rules of Court, in a case unilaterally brought by one State against another State (by means of an application), the applicant submits a Memorial, to which the respondent subsequently files a Counter-Memorial, within different time-limits. However, in a case brought jointly by two States (under a special agreement), each of the parties submits a Memorial and subsequently a Counter-Memorial, within the same time-limits.

The full text of the Order will shortly be available on the Court's website at the following address: <http://www.icj-cij.org>

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