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Malaysia confident of winning case

Carolyn Hong

MALAYSIA closed its case at the International Court of Justice on Wednesday and expressed confidence that it had presented a strong case for continued sovereignty over Sipadan and Ligitan.

Ambassador-at-large Tan Sri Abdul Kadir Mohamad, who was Malaysia's agent, said the court's decision which was expected by the end of the year would be a permanent solution to the issue.

He told Malaysian reporters here that the decision would be a peaceful settlement of the issue which had arisen in 1969 when Indonesia laid claim to the two islands during negotiations over maritime borders.

"We have done everything that was necessary (to present Malaysia's case in court)," he said.

The team, which included officers from various ministries and researchers, had undertaken thorough research into historical records and maps.

Malaysia was represented by four public international law experts at the hearing which ran from June 3 to 12.

Abdul Kadir said Wisma Putra would present a full report to the Cabinet on the hearing.

The court could deliver its decision as early as September, following court vacation in August. The 17 judges have already begun discussing the matter.

The judges comprise the 15 permanent judges of the court and another two ad hoc judges nominated by Malaysia and Indonesia.

The ad hoc judges' roles are to ensure that the appointing country's case is fully considered by the court, but they are totally independent in coming to a decision.

A majority decision is adequate. Both Malaysia and Indonesia have pledged to accept the decision as final and binding upon them.

The dispute came to the court via a Special Agreement signed by both countries in 1998. The decision to go to court was agreed to by Prime Minister Datuk Seri Dr Mahathir Mohamad and the then Indonesian President Suharto in 1996 after four years of bilateral discussions failed to come to a resolution.

Sipadan and Ligitan lie in the Sulawesi Sea, off the southeastern coast of Sabah.

Malaysia's case rests on a foundation of a clear legal title and over 150 years of administering the islands. Indonesia is relying on the Anglo-Dutch Convention 1891, which it claims had given its colonial ruler, the Netherlands, a title.

This is the first time Malaysia has had its territorial dispute adjudicated by the ICJ and also the first such case involving two Southeast Asian nations.

Malaysia is expected to return to the court in a few years to resolve the tug-of-war over Pulau Batu Putih, which is claimed by Singapore.

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