

Sulu claim nears its end



Good news: Anwar speaking to reporters before flying home from an official visit to Laos. - Bernama

PM: Hague Court decision can end the 'sham episode'

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PETALING JAYA: Malaysia is closer to finally putting an end to “the sham and abusive” compensation claims by eight self-proclaimed heirs of the defunct Sulu Sultanate against the country, says Datuk Seri Anwar Ibrahim.

“We won and ended an unpleasant episode which challenged the sovereignty of Malaysia.

“Thankfully they (claimants) failed,” the Prime Minister said in response to the decision by The Hague Court of Appeal yesterday to dismiss a bid by the claimants.

Anwar, who was in Laos for a two-day official visit, made the remarks to the media yesterday.

He also released a statement on the matter, saying that the decision in favour of Malaysia showed that the court had refused to recognise the claimant’s final award.

“This decision has blocked any attempt by the claimants to enforce their illegitimate claims against the Government of Malaysia in the Netherlands,” said Anwar.

The verdict by the Court of Appeal in The Hague, he said, was another landmark victory for Malaysia following the Paris Court of Appeal’s decision on June 6.

“The government of Malaysia is confident that we are now closer than ever to completely nullifying the sham and abusive final award amounting to approximately

US\$15bil (RM70bil) issued by Dr Gonzalo Stampa, thus consigning the claimants’ flawed claims to history,” he said.

On April 19, the Special Secretariat on Sulu Claims in a statement said The Hague Court of Appeal had heard submissions from the Malaysian government and the Sulu claimants in proceedings held on April 17.

During the proceedings, Malaysia submitted its defence that the Sulu claimants’ application for the recognition and enforcement of the purported final award issued by Stampa against Malaysia is null and void and their request is inadmissible and therefore, must be denied.

The secretariat said Malaysia is committed to safeguarding its sovereignty and upholding the sanctity of the international commercial arbitration process and laying bare the claimants’ frivolous attempts to enforce a sham award that is null and void.

The eight claimants initially made a claim of US\$14.94bil (RM68.8bil) via a Spanish arbitration court in 2019 through Stampa, a Spanish arbitrator.

His appointment as arbitrator was, however, nullified by the Spanish courts in June 2021 and subsequently upheld by the Spanish Constitutional Court in February this year.

Spanish authorities are currently taking criminal action against Stampa for ignoring a ruling to stop the arbitration case after a criminal complaint was filed by Malaysia against him in December 2021.

Stampa instead moved his seat of arbitration to Paris in February 2022 where he made the “final award” against Malaysia.

In September last year, the French Arbitration court, without knowing the decision of the Madrid court to nullify Stampa’s appointment as an arbitrator, went ahead with the Sulu descendants’ case against Malaysia.

In their bid to enforce the final award, the Sulu claimants were reported to have attempted to seize Malaysia’s oil firm PETRONAS’ assets in Luxembourg, assets in the Netherlands and also targeted Malaysia’s diplomatic assets in France.

On June 6 this year, a Paris Court of Appeal decided in favour of Malaysia and set aside a Paris Arbitration Court’s purported final award to the so called Sulu claimants.

Anwar said the government has stopped at nothing in order to protect the country’s sovereignty, national security and national interest, adding that the Sulu case demonstrated a grave violation of the nation’s sovereign immunity.

“The Government of Malaysia will fight by any means necessary against this flagrant exploitation and abuse of the international arbitral system as well as take all necessary actions to recover the costs for the public resources that Malaysia has been forced to expend in dealing with these claims,” he said.

There is still one arbitration case to be heard in Luxembourg in September.