



APPLICATION
FOR
PERMISSION TO INTERVENE

To: Permanent Court for Arbitration
Peace Palace
Carnegieplein 2
2517 KJ The Hague
The Netherlands
E: bureau@pca-cpa.org
<http://www.pca-cpa.org>

Case: PCA Case No 2013-19
Republic of the Philippines v People's Republic of China

Applicant: Kingdom of Colonia St John

Agent: Lady Anne Cary
Kingdom Secretariat
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(1.)
APPLICATION
FOR
PERMISSION TO INTERVENE

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CASE 2013-19

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REPUBLIC OF THE PHILIPPINES

v.

PEOPLE'S REPUBLIC OF CHINA

WHEREAS the Kingdom of Colonia St John, hereinafter
"Colonia," desires to avail itself of the Right to Intervention
pursuant to the ITLOS Rules of the Tribunal, Part III, Section C,
Subsection 4 "Intervention," Articles 99-104.

WHEREAS the Philippines is the Petitioner to the Arbitral
Tribunal to determine the legal entitlements to certain features
in the South China Sea.

1. The Petitioner seeks determination of maritime zone entitlements under UNCLOS to ten features.
2. The ten features include Scarborough Shoal, Mischief Reef, Second Thomas Shoal, Subi Reef, Gaven Reef, McKennan Reef, Hughes Reef, Johnson Reef, Cuarteron Reef, and Fiery Cross Reef.

(2.)

3. Colonia submits to the Tribunal the internationally acknowledged map of its territorial boundaries as Appendix A, attached hereto.
4. The Tribunal will note that only one feature, known as “Scarborough Reef,” is outside of the Colonia territory.
5. The Tribunal will note that the remaining nine of the features are wholly within Colonia territory.
6. Pursuant to Law under UNCLOS, Part IV, Art. 47, Par. 5.
“The system of such baselines shall not be applied by an archipelagic State in such a manner as to cut off from the high seas or the exclusive economic zone the territorial sea of another State.”
7. Those features that are within Colonia Territory are not eligible for maritime zone entitlements by another State.
8. Those features that are within Colonia territory are not eligible for jurisdiction under UNCLOS.
9. The Philippines does not have standing to Petition to the Tribunal for determination of maritime zone entitlements of features that are outside of UNCLOS jurisdiction.
10. Pursuant to Malaysia v Singapore, Case No 12 ITLOS,



(3.)

the Philippines should have engaged and consulted in advance with affected States.

11. Colonia submitted an Amicus Brief dated 15 May 2014 to the Tribunal and to the Philippines, to inform the Parties of its position.
12. The Tribunal did not respond to the Amicus.
13. The Philippines did not respond to the Amicus.
14. Colonia therefore makes formal representation that the nine features that are wholly within Colonia territory are not eligible for jurisdiction of the Tribunal.

NOW THEREFORE Colonia submits this Application to the Arbitral Tribunal for Permission to Intervene in Case 2013-19, in order to seek permission to present its position as an affected State to the Arbitral Tribunal pursuant to the referred case.

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(4.)

This Application for Permission to Intervene is hereby submitted to the
Arbital Tribunal of the Permanent Court for Arbitration at The Hague,
on this 15th day of November, 2015.



Lady Anne Cary
Secretary for Foreign Affairs
Kingdom of Colonia St. John

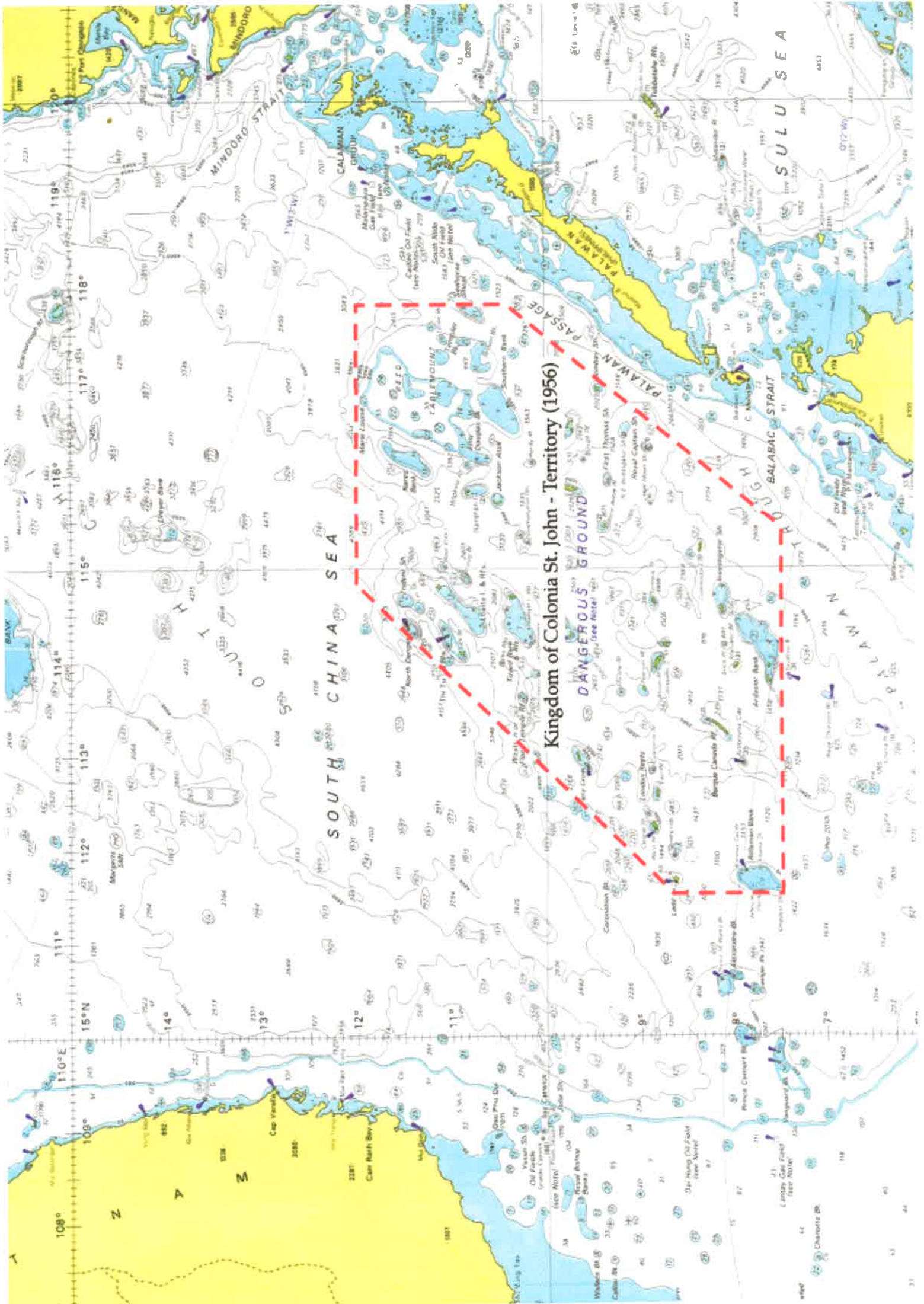
The above named person is hereby certified to be the authorised representative of the
Kingdom of Colonia St John, as the Secretary for Foreign Affairs, and the signature is
hereby certified as true.



Thomas de Lys
Secretary for State Council
Kingdom of Colonia St. John

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Appendix A, attached hereto
Map of Territory
Kingdom of Colonia St John



Kingdom of Colonia St. John - Territory (1956)

DANGEROUS GROUND

SOUTH CHINA SEA

SULU SEA

MINDORO STRAIT

PALAWAN PASSAGE

BALABAC STRAIT

CALAMIAN GROUP

PULEWANT

CULEON

Palawan

Culion

Palawan

