

## SEPARATE OPINION OF JUDGE BEDJAOUI

*[Translation]*

To my regret, I was unable to vote in favour of the idea of giving a hearing to the Republic of El Salvador.

As it had been shown to be impossible for the Court to proceed to a separate examination, first of the question whether a hearing should be held and, secondly, of that of the Application to intervene itself, it seemed to me that under these circumstances a decision on the Application to intervene would inevitably entail the same conclusion with regard to the question of holding a hearing.

One cannot, at one and the same time, support the rejection of the Application to intervene while agreeing to the holding of a hearing to examine such an Application. Once the Court reached the conclusion that the Application by El Salvador to intervene was inadmissible, to hold a hearing became logically pointless, procedurally artificial and equivocal, and dangerously likely to inspire El Salvador with vain hopes.

*(Signed)* Mohammed BEDJAOUI.

---