

**INTERNATIONAL COURT OF JUSTICE**

**YEAR 2003**

**2003  
1 September  
General List  
No. 130**

**1 September 2003**

**CASE CONCERNING SOVEREIGNTY OVER  
PEDRA BRANCA/PULAU BATU PUTEH,  
MIDDLE ROCKS AND SOUTH LEDGE**

**(MALAYSIA/SINGAPORE)**

**ORDER**

The President of the International Court of Justice,

Having regard to Articles 40 and 48 of the Statute of the Court and to Articles 39, 40, 44 and 46 of the Rules of Court;

Whereas, by a joint letter dated 24 July 2003, filed in the Registry of the Court on the same day, the Minister of Foreign Affairs of Malaysia and the Minister for Foreign Affairs of the Republic of Singapore notified to the Registrar a Special Agreement between the two States, signed at Putrajaya on 6 February 2003 and having entered into force on 9 May 2003, date of the exchange of instruments of ratification;

Whereas in the said Special Agreement the Parties request the Court “to determine whether sovereignty over (a) Pedra Branca/Pulau Batu Puteh; (b) Middle Rocks; (c) South Ledge, belongs to Malaysia or the Republic of Singapore”;

Whereas in accordance with Article 40, paragraph 3, of the Rules of Court the Governments of Malaysia and Singapore have informed the Court of the appointment as Agents of, respectively, H.E. Mr. Tan Sri Ahmad Fuzi Haji Abdul Razak and H.E. Mr. Tommy Koh; and whereas Malaysia and Singapore have further stated that they have appointed as their respective Co-Agents H.E. Dato’ Noor Farida Ariffin and H.E. Mr. A. Selverajah;

Whereas in Article 4, paragraph 2, of the Special Agreement the Parties have agreed that, without prejudice to any question as to the burden of proof, the written pleadings should consist of:

- “(a) a Memorial presented by each of the Parties not later than 8 months after the notification of this Special Agreement to the Registry of the Court;
- (b) a Counter-Memorial presented by each of the Parties not later than 10 months after the date on which each has received the certified copy of the Memorial of the other Party;
- (c) a Reply presented by each of the Parties not later than 10 months after the date on which each has received the certified copy of the Counter-Memorial of the other Party; and
- (d) a Rejoinder, if the Parties so agree or if the Court decides *ex officio* or at the request of one of the Parties that this part of the proceedings is necessary and the Court authorizes or prescribes the presentation of a Rejoinder”;

*Fixes* as follows the time-limits for the initial pleadings in the case:

25 March 2004 for the filing by each of the Parties of a Memorial;

25 January 2005 for the filing by each of the Parties of a Counter-Memorial; and

*Reserves* the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this first day of September, two thousand and three, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of Malaysia and the Government of the Republic of Singapore, respectively.

(Signed) SHI Jiuyong,  
President.

(Signed) Philippe COUVREUR,  
Registrar.

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INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING SOVEREIGNTY OVER  
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MIDDLE ROCKS AND SOUTH LEDGE

(MALAYSIA/SINGAPORE)

ORDER OF 1 FEBRUARY 2005

**2005**

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE RELATIVE À LA SOUVERAINETÉ  
SUR PEDRA BRANCA/PULAU BATU PUTEH,  
MIDDLE ROCKS ET SOUTH LEDGE

(MALAISIE/SINGAPOUR)

208 ORDONNANCE DU 1<sup>ER</sup> FÉVRIER 2005

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CASE CONCERNING SOVEREIGNTY OVER  
PEDRA BRANCA/PULAU BATU PUTEH,  
MIDDLE ROCKS AND SOUTH LEDGE

Official citation:

*Sovereignty over Pedra Branca/Pulau Batu Puteh,  
Middle Rocks and South Ledge (Malaysia/Singapore),  
Order of 1 February 2005, I.C.J. Reports 2005, p. 3*

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Middle Rocks et South Ledge (Malaisie/Singapour),  
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(MALAYSIA/SINGAPORE)

## ORDER

*Present: President* SHI; *Vice-President* RANJEVA; *Judges* GUILLAUME, KOROMA, VERESHCHETIN, PARRA-ARANGUREN, KOOIJMANS, REZEK, AL-KHASAWNEH, BUERGENTHAL, ELARABY, OWADA, TOMKA; *Registrar* COUVREUR.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Articles 44 and 46, paragraph 1, of the Rules of Court,

Having regard to the Special Agreement between the two Parties, which was signed at Putrajaya on 6 February 2003 and entered into force on 9 May 2003, date of the exchange of instruments of ratification,

Having regard to the Order of 1 September 2003, whereby the President of the Court, having regard to the provisions of Article 4, paragraph 2, of that Special Agreement, fixed at 25 March 2004 and 25 January 2005, respectively, the time-limits for the filing of a Memorial and of a Counter-Memorial by each of the Parties;

Whereas the Memorials and the Counter-Memorials of Malaysia and Singapore have been filed within the above time-limits;

Whereas in Article 4, paragraph 2 (c), of the Special Agreement the Parties have agreed that the written pleadings in the case should include, in addition to the Memorials and Counter-Memorials, "a Reply presented by each of the Parties not later than 10 months after the date on which each has received the certified copy of the Counter-Memorial of the other Party";

Whereas in the present case there is no reason for the Court to decide otherwise,

*Fixes* 25 November 2005 as the time-limit for the filing of a Reply by each of the Parties; and

*Reserves* the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this first day of February, two thousand and five, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of Malaysia and the Government of the Republic of Singapore, respectively.

(Signed) SHI Jiuyong,  
President.

(Signed) Philippe COUVREUR,  
Registrar.