



*American Model United Nations*  
**International Court of Justice**

**IN THE INTERNATIONAL COURT OF JUSTICE**

**MALAYSIA/SINGAPORE**

**MEMORIAL OF THE REPUBLIC OF SINGAPORE**

COMES NOW the Republic of Singapore and for their Memorial to the Court states the following:

**STATEMENT OF LAW**

1. International law recognizes one treaty and one settlement on this case.
2. The Crawford Treaty in 1824 distributes the Island of Singapore and its surrounding Islands, including the island of Pulau Batu Puteh, Middle Rocks and South Ledge.
3. The water boundaries settlement in 1927 did not give Malaysia the Islands of Pulau Batu Puteh, Middle Rocks, and South Ledge.

**STATEMENT OF FACT**

The island of Pulau Batu Puteh is recognized by the Republic of Singapore to be under the sovereignty of Singapore. The state of Malaysia ceded the Island of Singapore, as well as its surrounding islands, to Britain in the 1824 Crawford Treaty signed by the Sultanate of Johor. These islands include the island Pulau Batu Puteh, Middle Rocks and South Ledge. The Republic of Singapore built and has been maintaining a lighthouse called the Horsburgh Lighthouse, on the Island of Pulau Batu Puteh. This lighthouse has been operating since 1944. A letter from the Acting State Secretary of Johor to the Colonial Secretary of Singapore written on 21 September 1953 stated that the Johor Government did not claim ownership of Pedra Branca. In 1979, the State of Malaysia published a map, "Territorial Waters and Continental Shelf Boundaries of Malaysia", which included the islands as part of Malaysia's territory. This map was the State of Malaysia's first claim of ownership of the islands. Prior to this, Singapore administered the Pedra Branca as part of its territory without protest from Malaysia.

**STATEMENT OF JURISTICION**

Under the ICJ Statute, Article 36, paragraph 1, The Republic of Singapore does recognize that the court has jurisdiction to hear this case because The Republic of Singapore and Malaysia signed onto a *special agreement* stating that they will call upon the ICJ to solve their long dispute for sovereignty over Pulau Batu Puteh/ Pedra Branca,

Middle Rocks, and South Ledge. The special agreement does not request that the court make declarations concerning fishing or other economic rights, but solely deliberate about the territorial dispute.

## **ARGUMENT**

I. The state of Malaysia ceded the Island of Singapore as well as its surrounding islands to Britain in the 1824 Crawford Treaty by the Sultanate of Johor.

- a) Singapore and all of its surrounding islands were ceded to Britain and therefore were no longer a part of Malaysia. It can reasonably be concluded that the islands of Pulau Batu Puteh, Middle Rocks and South Ledge were included because Malaysia did not have any governmental activity on them and Britain built its lighthouse.
- b) The Islands, Middle Rocks and South Ledge are part of Pulau Batu Puteh because they are geographically small and close to Pulau Batu Puteh.

II. The Republic of Singapore built and maintains the Horsburgh Lighthouse. This shows that the Republic of Singapore has uses for the island while the State of Malaysia does not.

III. Malaysia did not claim ownership until 1973. A letter from the Acting State Secretary of Johor to the Colonial Secretary of Singapore written on September 21, 1953 stated that the Johor Government did not claim ownership of Pedra Branca.

- a) The Johor Government was a part of Malaysia. Denial of ownership over the territory nullifies the State of Malaysia's current claims to ownership.
- b) Malaysia published a map titled "Territorial Waters and Continental Shelf Boundaries of Malaysia" in 1979 which included the islands. The publication of the map was the first claim of ownership. Prior to this Singapore administered Pedra Branca as part of its territory without protest from Malaysia.

## **SUMMARY AND PRAYER FOR RELIEF**

Seeing that the British Crown took lawful possession of Pedra Branca in 1847, Pedra Branca has been occupied and administered as part of Singapore's territory for over 130 years. It is clear that by Malaysia's lack of protests and passive conduct until 1989, Malaysia recognized Singapore's sovereignty over the islands. The Republic of Singapore prays that the Court also declare the Republic of Singapore as sovereign over Pedra Branca/Pulau Batu Puteh. Hence fourth, declaring Singapore's sovereignty over Middle Rocks and South Ledge since they are dependencies of Pedra Branca.