

Pedra Branca: South African jurist is Malaysia's judge ad hoc

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Malaysian Attorney-General says John Dugard's reappointment has been conveyed to the international tribunal in The Hague, the Netherlands.

PETALING JAYA: Malaysia, which wants a review over the findings on sovereignty of Pedra Branca, has reappointed John Dugard as its judge ad hoc at the International Court of Justice (ICJ), Attorney-General Mohamed Apandi Ali said.

"Our judge ad hoc is John Dugard from South Africa and the ICJ has been informed of his appointment," he told FMT in a WhatsApp reply.

He said this in response to Singapore's choice of appointing Gilbert Guillaume, a former ICJ president, to sit as judge ad hoc on behalf of the island republic.

In the territorial dispute hearing between the two neighbours in 2007, Dugard represented Malaysia on the 16-man bench while Singapore relied on Pemmaraju Sreenivasa Rao from India.

Under the statutes of the court, a state to a case which does not have a judge of its nationality on the bench may choose a person to sit as judge ad hoc.

Malaysia had on Feb 2 filed the application to review the ICJ's May 23, 2008 judgment over Pedra Branca, Middle Rocks and South Ledge.

In its filing, Malaysia cited three documents recently declassified by the United Kingdom to support the application.

Apandi had on Feb 16 said he would be leading the seven-member team, comprising three foreign experts.

"I have a high-calibre team whose expertise and knowledge are at par with the legal team representing Singapore.

"I will announce my team closer to the date of hearing," he had said.

Singapore Prime Minister Lee Hsien Loong last week said he was confident of retaining Pedra Branca as the republic has "a strong case".

"I am confident of the eventual outcome because we have a capable and experienced team in the AGC (Attorney-General's Chambers)... and furthermore, not only we have strong lawyers but we have a strong case.

“So I think we’re all right,” he said in his speech at an event celebrating the AGC’s 150th anniversary on Friday.

Singapore has set up its legal team to respond to Malaysia’s application.

The team includes Attorney-General Lucien Wong, Professor S Jayakumar, Professor Tommy Koh and former chief justice Chan Sek Keong.

In its 12-4 majority judgment, the ICJ in The Hague, the Netherlands, had ruled that sovereignty over Pedra Branca, which is half the size of a football field, belonged to Singapore.

The bench in a majority 15-1 held sovereignty over Middle Rocks belonged to Malaysia, and the sovereignty over South Ledge is to be determined later by both nations when they sort out their territorial waters.

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