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Jing Zhi Wong
University of Western Australia

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JING ZHI WONG*

I What the Book Addresses

This book provides an interesting account of Singapore's response to Malaysia's 2017 application for revision and request for interpretation of the 2008 Judgment in the Case concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge,[1] which were subsequently discontinued when Malaysia (with the consent of Singapore) withdrew from these proceedings on 28 May 2018.[2] In this account,[3] Professors Jayakumar and Koh,[4] and Lionel Yee[5] take us from the beginning, explaining how and why the proceedings were instituted (Chapters 1 & 2); how Singapore had prepared for the written pleadings and oral hearings (Chapters 3, 6 & 7); the legal arguments of both countries as regards the interpretation request and the revision application (Chapters 4 & 5); Malaysia's delays in submitting their written pleadings and delays in oral hearings (Chapter 8); Malaysia's

* JD (Research by Invitation) Candidate, University of Western Australia. The author would like to thank the anonymous reviewer for their comments.

1 *Case concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Judgment)* [2008] ICJ Rep 12.

2 *Application for Review of the Judgment of 23 May 2008 in the Case Concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Order of 29 May 2018)* [2018] ICJ Rep 284, 285; *Request for Interpretation of the Judgment of 23 May 2008 in the Case Concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Order of 29 May 2018)* [2018] ICJ Rep 288, 289.

3 S Jayakumar, Tommy Koh and Lionel Yee, *Pedra Branca: Story of the Unheard Cases* (Straits Times Press, 2018).

4 Both of the National University of Singapore. Professor Koh is Singapore's Ambassador-At-Large and was Singapore's Agent in the 2008 *Pedra Branca/Pulau Batu Puteh* proceedings. Professor Jayakumar was Singapore's former Deputy Prime Minister and Co-ordinating Minister for National Security and Minister for Law. See Sienho Yee, 'S. Jayakumar and Tommy Koh, *Pedra Branca: The Road to the World Court*' (2017) 16(3) *Chinese Journal of International Law* 617.

5 Lionel Yee is Singapore's Deputy Attorney General and was part of the Singapore team in the 2008 *Pedra Branca/Pulau Batu Puteh* case, as well as the 2017 proceedings. He also served as Solicitor-General, and as Judicial Commissioner of the Supreme Court of Singapore 2013-14.

discontinuance of the proceedings (Chapter 9); and finally their own reflections (Chapter 10). This book also provides insight into the procedure of the International Court of Justice from the perspective of a party to a case, as well as Singapore's legal culture as regards their commitment to international law and third-party dispute settlement. As the legal arguments in the revision application and interpretation request were never ventilated, nor considered by the World Court, it remains difficult to distinguish which party had the superior case. Consequently, this book provides some closure, in the form of opinions and reflections by those who participated in Singapore's preparations, pertaining to the legal merits (pp 18-19, 121-122).

II Revision Application

The International Court of Justice held in the 2008 *Pedra Branca/Pulau Batu Puteh* judgment that Malaysia had historic title to the islands but lost it to Singapore as a result of its acts of commission and omission. As the 2002 *Pulau Ligitan and Pulau Sipadan* judgment demonstrated, the relevant enquiries in the absence of an existing title to territory prompted the Court to examine the activities which the disputant governments had carried out in respect of the territory, to decide the legal effects of such activities (*effectivities*) and to determine whether any such activities amount to acts of a sovereign (acts *à titre de souverain*).[6] This enquiry relies heavily upon historical facts that evidence such conduct.[7] Singapore did not have historic title over *Pedra Branca/Pulau Batu Puteh*, but acquired sovereignty because of its effectivities.[8]

In its 2017 application for revision, Malaysia claims that there were 'newly discovered documents' of historical facts which existed at the time of the 2008 judgment and were not considered by the World Court, yet would have materially altered the outcome of the 2008 judgment if known to the Court at that time (pp 41-57).

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6 *Sovereignty over Pulau Ligitan and Pulau Sipadan (Judgment)* [2002] ICJ Rep 625.

7 Earlier cases such as the *Sovereignty over Pulau Ligitan and Pulau Sipadan (Judgment)* [2002] ICJ Rep 625 demonstrate that in the absence of a title to territory, the Court had to examine the activities which the disputant governments had carried out in respect of the territory, and decide the legal effect (*effectivies*) of such activities and whether any such activities amount to acts of a sovereign (acts *à titre de souverain*). See also D S Ranjit Singh, *Indonesia-Malaysia Dispute Concerning Sovereignty Over Sipadan and Ligitan Islands* (ISEAS, 2020). Professor Singh is a historian who led the Malaysia's research on the historical evidence which supported the *Pulau Ligitan and Pulau Sipadan* and *Pedra Branca/Pulau Batu Puteh* cases.

8 Coalther Lathrop, 'Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge' [2008] 102(4) *American Journal of International Law* 828; *Case concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Judgment)* [2008] ICJ Rep 12, [239], [274]-[277]; S Jayakumar and Tommy Koh, *Pedra Branca: The Road to the World Court* (NUS Press and the MFA Diplomatic Academy, 2009); Tommy Koh (Facebook, 1 May 2020, 10:29pm AWST) <https://www.facebook.com/tommy.koh.752/posts/2496841447200127>.

This account provides a succinct analysis of how these newly discovered documents 'had absolutely nothing to do with sovereignty over Pedra Branca' and could not in any case affect the 2008 judgment (p 58).[9] The authors' characterisation of Malaysia's contentions in the revision application is accurate, and the analysis is even-handed, reasonable and objective. While the authors' account omits discussion of past decisions of the World Court that were discussed in Singapore's Written Observations, the account concisely reflects what was canvassed in the written proceedings. The effect of this application's discontinuance, as the authors note, is that Malaysia can no longer seek revision of the World Court's 2008 Judgment (p 125). Since the 10-year time limit for applications for revisions of the 2008 Judgment expired on 23 May 2018,[10] Singapore's sovereignty over Pedra Branca/Pulau Batu Puteh is no longer open to challenge by Malaysia through a revision application.[11] The authors' analysis of the merits of the revision application is therefore unlikely to be superseded.

III Request for Interpretation

As the World Court in the 2008 Judgment had not been mandated to delimit the maritime boundaries between the two countries, it was held that South Ledge, as a low-tide elevation, belongs to the state in the territorial waters of which it is located.[12] This left the determination of Sovereignty over South Ledge and the extent of the maritime entitlements around Pedra Branca/Pulau Batu Puteh and Middle Rocks that each country should be allocated to the open texture of the judgment and the parties' post-judgment negotiations. With the contention that the judgment was unclear and required further clarification, Malaysia sought in its interpretation request rulings that waters surrounding Pedra Branca/Pulau Batu Puteh remain within territorial waters of Malaysia, and that South Ledge is located within the territorial waters of Malaysia (p 64).[13]

As regards the interpretation request, this account provides an analysis of how Malaysia's request, as Singapore contends, had no

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9 For further discussion, see, Jing Zhi Wong, 'Malaysia's Application for Revision of the Pedra Branca Judgment: Case Note on the Question of Admissibility' (2017) 2 *Perth International Law Journal* 62, 77.

10 *Statute of the International Court of Justice*, art 61.

11 *Statute of the International Court of Justice*, art 61(5); Robin Geiß, 'Revision Proceedings before the International Court of Justice' (2003) 63 *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 167.

12 *Case concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Judgment)* [2008] ICJ Rep 12, [297]-[299].

13 *Request for Interpretation of the Judgment of 23 May 2008 in the Case Concerning Sovereignty Over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia/Singapore) (Application Instituting Proceedings, 30 June 2017)* [2017] ICJ General List No 170, [31]-[33].

jurisdictional basis because 'Malaysia … [had] … artificially manufacture[d] a dispute under Article 60 [of the ICJ Statute] where none existed' (p 73),[14] and was procedurally 'inadmissible', because it requested the World Court to determine the maritime boundaries of Singapore and Malaysia.[15] This, as the authors describe, was 'an attempt to obtain new substantive rulings on matters that the Court was never mandated to deliver' in the 2008 judgment (pp 65, 72-73, 80),[16] and 'an abuse of Article 60 of the Court's Statute' (p 65).

At the core of the authors' arguments (and Singapore's Written Observations) are four propositions. The first two are jurisdictional in nature and are directed towards the Court's judicial functions and its power to hear the interpretation request.[17] The third is an argument that the interpretation request is inadmissible because it is not appropriate for the Court to hear it.[18] The fourth is an argument that Malaysia's requested rulings directly contradicts the 2008 judgment.[19]

First, while 'the parties may have a dispute over the extent of their respective maritime and airspace entitlements', this 'does not provide a jurisdictional basis for the Court to entertain Malaysia's [request]'.[20] Since the Court, in the original Judgment, had not been mandated to draw the delimitation line with respect to the parties' respective territorial waters, its mandate had been limited to the question of sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge. Consequently, the Court did not rule on the extent of the parties' maritime entitlements, as it had no jurisdiction to do so.[21] The Court has no jurisdiction to issue an interpretation beyond the limits of the original Judgment.[22]

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14 *Request for Interpretation of the Judgment of 23 May 2008 in the Case Concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Written Observations of Singapore)* [2017] ICJ General List No 170, [3.32], [4.4].

15 Ibid [3.33], [4.34].

16 See also *Written Observations of Singapore* (n 14) [2.11].

17 The distinction between 'jurisdiction' and 'admissibility' was recently explored in *BBA v BAZ* [2020] SGCA 53, [74]-[79], referring to Chin Cheng Lim, Jean Ho and Martins Paparinskis, *International Investment Law and Arbitration: Commentary, Awards and Other Materials* (Cambridge University Press, 2018) 118.

18 *BBA v BAZ* [2020] SGCA 53, [74]-[79].

19 It is arguable that by making an argument that has no direct bearing on the question of jurisdiction, the Court may perfect its jurisdiction through the principle of *forum prorogatum*. The better view is that this principle does not apply when, as this argument appears to be, 'clearly designed as measures of defense which it would be necessary to examine only if the objections to jurisdiction were rejected': *Anglo-Iranian Oil Case (Preliminary Objections)* [1952] ICJ Rep 101, 114.

20 *Written Observations of Singapore* (n 14) [3.19].

21 Ibid [3.30].

22 Ibid [2.9]-[2.10], referring to *Request for Interpretation of the Judgment of 15 June 1962 in the Case Concerning the Temple of Preah Vihear (Cambodia v Thailand)* [2013] ICJ Rep 281,

Second, 'the facts and history of the Parties' conduct following the delivery of the Judgment show that there is no dispute over the meaning or scope of the third paragraph of the operative clause of the Judgment'[23] (ie, 'that sovereignty over South Ledge belongs to the State in the territorial waters of which it is located'). The authors (and Singapore) contend (at p 66) that since there was common understanding between both parties that the determination of sovereignty over South Ledge requires post-judgment maritime delimitation, a dispute about maritime entitlements in negotiations over maritime delimitation is not a dispute that arises out of the meaning and scope of the 2008 Judgment.[24] Consequently, the requirements of Article 60 is not met.

Third, Malaysia's requests is 'patently inadmissible' as it requests for an answer to 'the extent of parties' entitlement to the waters surrounding Pedra Branca – that was simply not decided by the Court in the judgment, and could not be decided by the Court because it was not within its mandate to do so'.[25]

Fourth, the authors (and Singapore) argues (pp 66, 70-72) that under Article 121 of the *United Nations Convention on the Law of the Sea* (UNCLOS) and customary international law,[26] 'the island of Pedra Branca generates its own maritime entitlements'.[27] The authors (and Singapore) advance the argument that the Court, through its judgment that it would 'proceed on the basis of whether South Ledge lies within the territorial waters generated by Pedra Branca/Pulau Batu Puteh, which belongs to Singapore',[28] impliedly recognised that Pedra Branca/Pulau Batu Puteh has the capacity to generate a territorial sea of its own. The authors (and Singapore) further argue that the 'Court also excluded the possibility that its Judgment could be interpreted to mean that Pedra Branca had no territorial waters by noting that "South Ledge falls within the apparently overlapping territorial waters generated by the mainland of Malaysia, Pedra Branca/Pulau Batu Puteh and Middle

295 [32], 306 [66]; *Interpretation of Judgment No. 3 (Treaty of Neuilly) (Chamber of Summary Procedure)* [1925] PCIJ Rep, Ser A, No 4, 7.

23 *Written Observations of Singapore* (n 14) [4.4], [4.19].

24 Ibid [4.9], [4.19]-[4.20]; See also, Andreas Kulick, 'Article 60 ICJ Statute, Interpretation Proceedings, and the Competing Concepts of Res Judicata' (2015) 28(1) *Leiden Journal of International Law* 73, 88.

25 *Written Observations of Singapore* (n 14) [3.24], [4.5].

26 *United Nations Convention on the Law of the Sea*, opened for signature 10 December 1982, 1833 UNTS 3 (entered into force 16 November 1994).

27 *Written Observations of Singapore* (n 14) [3.18].

28 Ibid, referring to *Case concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Judgment)* [2008] ICJ Rep 12, 101 [297].

Rocks"'.[29] Together with the second proposition, the authors argue that this necessarily requires maritime delimitation,[30] which was an issue not dealt with by the Court in its 2008 Judgment.

The potential flaw with the authors' (and Singapore's) arguments perhaps lies in the mischaracterisation of the 'dispute'. As apparent from the authors' first two propositions, there is a dispute about maritime entitlements. However, the actual dispute may not be about the *extent* of maritime entitlements, but the *existence* of maritime entitlements. The World Court has jurisdiction to hear the latter characterisation of the dispute. In an Interpretation Request, the World Court is not bound to give a "yes" or "no" answer to either of the parties' propositions as to the correct interpretation of the judgment and the dispute arising from it,[31] but has flexibility in its approach to the interpretation of the 'dispute' among the parties.[32]

First, it may be difficult to see how the authors' fourth proposition that Pedra Branca/Pulau Batu Puteh has a territorial sea of its own could be reconciled with their first proposition, considering that the first proposition advances the position that the Court in the 2008 Judgment was not mandated to delimit the extent of maritime boundaries of the parties. Making the proposition that the 2008 Judgment stood for the affirmation that Pedra Branca/Pulau Batu Puteh had a territorial sea of its own could be based on an inference beyond what the Court had been mandated to do. The first and fourth proposition can only be reconciled if the fourth proposition was not about the *extent* of maritime entitlements, but whether, as an *existential* question, Pedra Branca/Pulau Batu Puteh has the capacity to generate a territorial sea of its own.

Second, as regards the fourth proposition, it is arguable, in light of the *South China Sea Arbitration*,[33] that Pedra Branca/Pulau Batu Puteh (on which Horsburgh Lighthouse stood) and/or Middle Rocks, like the Spratly Islands (on which Chinese Military installations stood), is not capable of sustaining human habitation or an economic life of its own, and cannot generate a territorial sea in the first place.

Third, it is arguable that the authors' first three propositions do not present a jurisdictional nor admissibility obstacle to Malaysia's request for interpretation. While the Court could not rule on the *extent* of the parties' maritime entitlements, it could rule on whether Pedra

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29 *Written Observations of Singapore* (n 14) [3.30], referring to *Case concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Judgment)* [2008] ICJ Rep 12, 101 [297].

30 Ibid [4.9].

31 *Chorzow Factory (Interpretation of Judgments Nos 7 and 8)* [1927] PCIJ Rep. Ser A, No 13, 15-16.

32 Kulick (n 24) 78.

33 *South China Sea Arbitration* (n 34) [645]-[647].

Branca/Pulau Batu Puteh (on which Horsburgh Lighthouse stood) has the capacity to generate a territorial sea of its own under Article 121 of the UNCLOS. This is for three reasons.

First, in *South China Sea Arbitration*, the Arbitral Tribunal established under the auspices of the Permanent Court of Arbitration found that

> none of the high-tide features in the Spratly Islands (on which several Chinese Military installations stood) are capable of sustaining human habitation or an economic life of their own within the meaning of those terms in Article 121(3) of the Convention … and do not generate entitlements to an exclusive economic zone or continental shelf. There is, accordingly, no possible entitlement by China to any maritime zone in the area of either Mischief Reef or Second Thomas Shoal [both of which are low-tide elevations] and *no jurisdictional obstacle* to the Tribunal's consideration of the Philippines' Submission No 5. [34]

This determination was made despite China making a declaration excluding maritime boundary delimitation from its acceptance of compulsory dispute settlement under the UNCLOS,[35] and objections from China that the Arbitral Tribunal 'lacks jurisdiction to consider any of Philippines' claim'.[36] The Arbitral Tribunal came to this conclusion without engaging with the question of sovereignty.[37] Likewise, the determination of whether Pedra Branca/Pulau Batu Puteh can generate a territorial sea of its own is not barred by the authors' first three propositions. Such a determination is separate from the question of the *extent* of the maritime entitlements and does not engage with the question of sovereignty over Pedra Branca/Pulau Batu Puteh. All that the Arbitral Tribunal needs to consider is whether the factual elements in Article 121 of the UNCLOS are met. Further, while it may be that the parties had a common understanding that the *extent* of maritime entitlements needs to be delimited post-judgment, the question of the *existence* of maritime entitlements is a prerequisite consideration of the *extent* of maritime entitlements. If a party's maritime entitlements do not exist, then it is unnecessary to consider the extent of that party's maritime entitlements.

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34 *South China Sea Arbitration (Philippines v China) (Award of 12 July 2016)* (Permanent Court of Arbitration, Case No 2013-19, 12 July 2016) [645]-[647] (emphasis added).

35 Ibid [6].

36 Ibid [12]-[14].

37 Ibid [5]: 'The Convention, however, does not address the sovereignty of States over land territory. Accordingly, this Tribunal has not been asked to, and does not purport to, make any ruling as to which State enjoys sovereignty over any land territory in the South China Sea, in particular with respect to the disputes concerning sovereignty over the Spratly Islands or Scarborough Shoal. None of the Tribunal's decisions in this Award are dependent on a finding of sovereignty'.

Second, the determination of whether Pedra Branca/Pulau Batu Puteh has the capacity to generate a territorial sea is not beyond the meaning and scope of the 2008 Judgment's *res judicata*. As the World Court stated in the *Preah Vihear Interpretation Case*,[38] an interpretation request is valid when it is instituted to clarify two governments 'difference of opinions or views'[39] as to the meaning and scope of the aspects of the judgment which forms the *res judicata*.[40] This includes the judgment's operative part and reasons that are inseparable from the operative part.[41] In the authors' second and fourth proposition, they (and Singapore) placed reliance on two excerpts from the Judgment for support that Pedra Branca/Pulau Batu Puteh was entitled to a territorial sea because it could generate one of its own, that the approach which the Judgment took in explaining its reasons proceeded on this basis, and that the Judgment implied that post-judgment delimitation is necessary. Consequently (and if we accept the authors' contention that the two excerpts are an inseparable part of the *res judicata*), it is not difficult to see that a dispute about whether Pedra Branca/Pulau Batu Puteh is entitled to its own territorial sea in the first place is not beyond the scope of the Judgment.

Third, Judge Parra-Aranguren in his separate opinion, as well as Judge *ad hoc* Dugard in his dissenting opinion, expressed strong views to the effect that South Ledge is under/falls within the territorial sea of Middle Rocks and, accordingly, the sovereignty of Malaysia.[42] The necessary implication in this may be that Pedra Branca/Pulau Batu Puteh is not entitled to a territorial sea of its own. The rulings sought by the interpretation request that South Ledge and the waters around Pedra Branca/Pulau Batu Puteh belong to Malaysia may not necessarily be beyond the meaning and scope of the Judgement's *res judicata*. As Professor Alain Pellet (Singapore's External Counsel in the 2008 *Pedra Branca/Pulau Batu Puteh* case and the revision/interpretation proceedings) opined, 'dissenting or individual [separate] opinions are always useful to appreciate the exact scope and meaning of the

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38 *Request for Interpretation of the Judgment of 15 June 1962 in the Case Concerning the Temple of Preah Vihear (Cambodia v Thailand)* [2013] ICJ Rep 281, 295 [32], 306 [66].

39 Ibid 295-6 [33].

40 Kulick (n 24) 88.

41 *Statute of the International Court of Justice*, art 60; *Request for Interpretation of the Judgment of 15 June 1962 in the Case Concerning the Temple of Preah Vihear (Cambodia v Thailand)* [2013] ICJ Rep 281, 296 [34]; Kulick (n 24) 88. Contra *Obligations Concerning Negotiations Relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v United Kingdom) (Preliminary Objections) (Judgment of 5 October 2016)* [2016] ICJ Rep 833, 849 [37], [41].

42 *Case concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Judgment)* [2008] ICJ Rep 12, 114-5 [8] (Sep Op of Judge Parra-Aranguren); 151-2 [44] (Diss Op of Judge *ad hoc* Dugard).

Judgment or of the Advisory Opinion to which they are attached'.[43] These opinions could form part of the reasons that are inseparable from the operative part.

IV Criticisms

One main shortcoming of this book is that it was written for a layperson audience and has consequently omitted detailed discussions about the written proceedings and international law. It is a missed opportunity for the authors to engage in some of the broader questions of international law alluded to in the interpretation request, especially in light of the 2016 *South China Sea Arbitration* award that was handed down well in advance before the commencement of the interpretation request, of which there can be no doubt that the parties were aware of.

The authors' omission of more detailed discussions of international law is, however, understandable. The tract of reasoning in the *South China Sea Arbitration* award was vaguely alluded to in Malaysia's Response to Singapore's Written Observations,[44] but neither party discussed nor made submissions advancing the Arbitral Tribunal's reasons in *South China Sea Arbitration*. The authors' omission is also understandable in light of a potential mischaracterization of the dispute arising out of the Judgment. These points perhaps might have been raised and considered in greater detail if the proceedings went to trial.

While the authors did not address with whether an island (Pedra Branca/Pulau Batu Puteh) could generate a territorial sea of its own, the account is a valuable source of Singapore's and Malaysia's state practice and *opinio juris* on the unsettled question of whether islands could generate a territorial sea of its own and all the maritime entitlements (eg, Exclusive Economic Zone, etc) that came with that (pp 70-73).[45]

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43 Alain Pellet, 'Decisions of the ICJ as Sources of International Law?' (2018) 2 *Gaetano Morelli Lecture Series* 1, 22. See also *Application for Review of Judgment No 333 of the UN Administrative Tribunal (Advisory Opinion)* [1987] ICJ Rep 18, 45 [49].

44 *Request for Interpretation of the Judgment of 23 May 2008 in the Case Concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Written Observations by Malaysia in Response to Singapore's Written Observations Contesting Jurisdiction and Admissibility)* [2017] ICJ General List No 170, 15 [41].

45 This question is not settled, both as a matter of fact and law. Small islands can also be characterised as rocks or rocky outcrops under the United Nations Convention on the Law of the Sea. Papanicolopulu opines that 'there seems to be a general presumption that – in principle – any island will generate not only its own territorial sea, but also its exclusive economic zone and continental shelf ': Irini Papanicolopulu, 'The Land Dominates the Sea (Dominates the Land Dominates the Sea)' (2018) 47 *QIL Zoom-In* 39, 44. See also Florentina Moise, 'Islands and their Capacity to Generate Maritime Zones: Case Law in Romania v Ukraine' (Masters Thesis, University of Oslo, 2008) 6-18.

V Audience for the Book

This book is of great value to anyone interested in international law and international dispute settlement, territorial disputes, as well as the history of Singapore and Malaysia's foreign relations with each other. In particular, legal practitioners and students of law will find in Chapters 6 & 7 an instructive demonstration of how dedicated counsels prepare outstanding written pleadings and rehearse for oral proceedings before International Courts and Tribunals. Students participating in the Philip C Jessup International Law Moot Court Competition will find the authors' anecdotes useful in their preparations to become skilful advocates. As the authors note (p 122), the book (and the revision application/interpretation request) provide 'excellent materials for law schools to have moot court competitions'.