

Title : More work in store for Singapore, Malaysia after ICJ ruling

By :

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SINGAPORE: The International Court of Justice has awarded sovereignty over Pedra Branca to Singapore, while the Middle Rocks went to Malaysia, but the court left open the ownership of South Ledge, a third disputed cluster of rocks.

Sovereignty over South Ledge was left to be determined later between the countries when they sort out their territorial waters, the ruling said. So more work is in store for Singapore and Malaysia.

Associate Professor Robert Beckman from the NUS Faculty of Law said: "Indonesia may have to intervene in this case if the boundary is to be determined because their interest will be affected as well... if you look at the map - at least the map in the court's decision - the islands are actually quite close to the Indonesian island of Bintan."

However, Professor Beckman believes an amicable agreement is within reach, given the 'very good' relations between Singapore, Malaysia and Indonesia.

He said: "Malaysia, Singapore and Indonesia (relations) have been very good for the past three years, and there is a cooperative mechanism in the Straits of Malacca that was agreed in Singapore at an unprecedented level of cooperation. So, I would expect that these talks would proceed quite smoothly."

In the meantime, Singapore and Malaysia will discuss the steps and procedures to implement the court's decision. For one thing, both sides have to discuss how to delimit the territorial waters in the Pedra Branca and Middle Rocks area.

A Singapore-Malaysia technical committee is already in place to discuss this and other related issues.

Prof Beckman said the committee will need to come up with an interim arrangement on who takes charge of certain areas in case there are incidents of ship collision or grounding in the area. This process can take months or even years.

Prof Beckman also said that while referring the Pedra Branca case to the ICJ shows a healthy development in bilateral relations, he does not foresee that all cases of territorial disputes in Asia will be brought before the international court.

He said: "Disputes like those between Korea and Japan are far more sensitive. (Korea-Japan dispute) involves a history of Japan and Korea and so much is at stake that they may not want an international negotiation. So, another way that states can resolve this issue is to leave - especially if resources are involved, like offshore gas - the sovereignty issue frozen. In other words, let's not talk about sovereignty, but talk about jointly developing the area for offshore gas and oil."

He added that another option countries can consider is to get a mediator to settle disputes. - CNA/ir