# Finally — Let's think about it

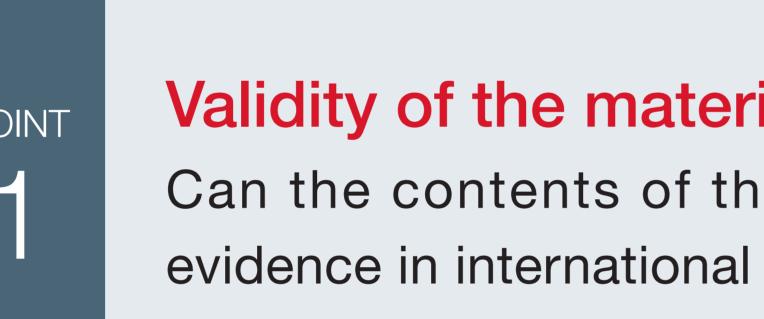
## 1. Cases in which territorial disputes were resolved in international courts

There have been many cases where inter-state disputes over territories were peacefully resolved in international courts and tribunals in accordance with international law.

Year of Judgment	Case name	Court (basis of referral)	Parties	Judgment
1928	Island of Palmas Case	Arbitral Tribunal	Netherlands v. USA	Belongs to the Netherlands
1931	Clipperton Island Case	Arbitral Tribunal	France v. Mexico	Belongs to France
1933	Legal Status of Eastern Greenland Case	Permanent Court of International Justice (Optional Clause)	Denmark v. Norway	Belongs to Denmark
1953	Minquiers and Ecrehos Case	International Court of Justice (Special Agreement)	United Kingdom/France	Belongs to the United Kingdom
2002	Case concerning Sovereignty over Pulau Ligitan and Pulau Sipadan	International Court of Justice (Special Agreement)	Indonesia/Malaysia	Belongs to Malaysia
2008	Case concerning Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge	International Court of Justice (Special Agreement)	Malaysia/Singapore	Belongs to Singapore (Middle Rocks belongs to Malaysia)

## 2. Three points to bear in mind when considering evidentiary materials

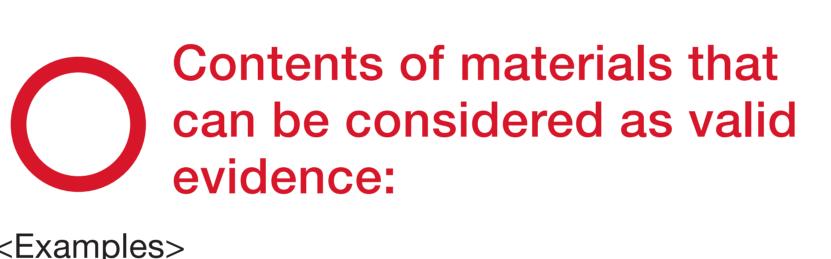
When states make conflicting territorial claims, many forms of evidence are presented to prove that their claims are correct. Here are some points to bear in mind when examining those materials.



## Validity of the materials

Can the contents of the material be considered as valid evidence in international courts?

Although circumstances are unique to individual cases, the aspects (right) can be drawn from legal precedents.



Anything that indicates effective control, e.g. taxation, land registration, establishment of related legislations, regulations on hunting and fishing, establishment of natural protected areas, regulations on border control, activities of individuals permitted by the authorities.



- The island of concern is indicated on a map in an ancient document of the country. - The island of concern is physically visible from a territory of the country. - The color of the sea changes from beyond the island of - A high-ranking official passed nearby the island of concern.



#### Credibility of the contents set out in the materials

Is the material based on accurate information?

In some cases, the materials may include content that is based on oral histories or ancient myths, or not based in fact, such as measurement errors. For instance, some maps of the Sea of Japan made in the late Edo Period or the early Meiji Period depict an imaginary island known as Argonaut. It is necessary to be particulaly careful when dealing with ancient documents.



#### Accuracy of the interpretation of the materials

Are the arguments relying on the evidentiary material based on an accurate interpretation?

In some cases, there may be a weak causal relationship between the content of the materials and the conclusion being drawn in the argument, or the interpretation of the materials in the argument is not appropriate when put in the full context or compared with other related materials. In particular, the interpretation of ancient maps and documents tends to be difficult, and views of experts can sometimes be split.