

taken alternative views on many issues of international investment law. This is a wish not a defect. Another wish is that the book had been written as a text for a postgraduate course on the subject.

The work is outstanding. It could be looked upon as a complete text in itself on international investment law as, in the context of dealing with disputes under investment treaties involving intellectual property, it comprehensively explains the field of the law in which such conflicts occur, or could occur. In addition, it provides many insights into intellectual property law and public international law. It deserves a wider readership than the field its title suggests.

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International Law and Sea Level Rise: Report of the International Law Association Committee on International Law and Sea Level Rise

edited by Davor VIDAS, David FREESTONE, and Jane McADAM. Brill Research Perspectives in the Law of the Sea Series Leiden/ Boston: Brill Nijhoff, 2019. 180 pp. Softcover: €70.00/USD\$84.00; eBook: €70.00/USD\$84.00. doi: 10.1163/9789004398191_002

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One of the most compelling signs of climate change is the rising sea due to melting glaciers. The increasing average sea level has been described as a pressing threat by the scientific community. Various questions surrounding the legal implications of sea level rise (SLR) have recently arisen at the domestic and international levels. In November 2012, the International Law Association (ILA) on International Law and Sea Level Rise Committee was established with the mandate of first studying the legal effects of sea level rise under international law and, second, providing “proposals for the progressive development of international law” (p. 4). Accordingly, the Sea Level Rise Committee extensively examined the topic and produced various reports and resolutions.

This book consists of the final version of the 2018 Sydney Report of the ILA Sea level Rise Committee and the Committee’s two *de lege ferenda* proposals: Resolution 2018/5 and 2018/6.¹ The great merit of this work, edited by Davor Vidas, David Freestone, and Jane McAdam, is its consideration of the most important findings of the Committee, which demonstrates the authors, the Committee’s chair, and the co-rapporteurs’ expertise on the topic.

The main benefit of transforming the report into a book is to share the study and recommendations of the ILA with a broader audience. In the first part, the report starts with some background information about the establishment, mandate, work of the

[†] This article has been updated since original publication and the error rectified in online PDF and HTML versions. A notice detailing the changes has also been published at <https://doi.org/10.1017/S2044251322000078>.

¹ *Final Report of the Committee on International Law and Sea Level Rise*, Report of the 78th Conference of the International Law Association, held in Sydney, 19–24 August 2018, vol. 78 (2019), at 866.

Committee, and scientific context of the topic. The second part describes the possible impacts of SLR and the implications to baselines, maritime boundaries, and coastal jurisdictions. The third part focuses on the human mobility aspect of the problem, which refers to migration, displacement, and relocation scenarios resulting from SLR. The last part of the report provides nine principles with commentaries complementing “The Sydney Declaration of Principles on the Protection of Persons Displaced in the Context of Sea Level Rise”.

The book highlights the mismatch between the defence capacities of the least developed low-lying States against coastal inundation that has led to the emergence of legal strategies aimed at ensuring the protection of the rights of States, and of those people who have least contributed to the climate change. The book suggests two general approaches for maintaining existing maritime claims, despite the effects of SLR: freezing the existing baselines or freezing the outer limits of maritime zones. It then discusses the pros and cons of both options and recognizes the significant, associated, legal, and political challenges.

Nevertheless, the book is silent on the required course of action to permanently freeze the location of their baselines or outer limits of their maritime zones. Considering unsettled maritime boundaries, underlying historical geopolitical tensions, and scarcity of natural resources, one may accept that the possible trajectories as suggested by the book should be followed to legally oblige other States to accept the freeze of baselines and/or outer limits of maritime areas. The book also did not consider the theoretical reflection of the proposed solutions on the law of the sea and international law’s development.

All in all, this book successfully analyses the emerging state practice in addressing the adverse effects of SLR on maritime areas and, whilst valuable for scholars of international environmental, maritime, and human rights law, it lays a foundation for further analysis of the international law regarding SLR.

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The South China Sea Arbitration: Toward an International Legal Order in the Oceans

by Yoshifumi TANAKA. Oxford, Great Britain: Hart Publishing, an Imprint of Bloomsbury Publishing, 2019. 312 pp. Hardcover: £80.00; eBook (PDF): £35.99. doi: 10.5040/9781509924844

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Two leading international law scholars have accepted that international courts and tribunals have played a part in the development of international law.¹ Arguably, on the one hand, international courts and tribunals recognize and apply the law; on the other, they also help to articulate it. From this perspective, the *South China Sea Arbitration* has

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¹ Alan BOYLE and Christine CHINKIN, *The Making of International Law* (Oxford: Oxford University Press, 2007) at 263–311.