

# DIPLOMATIC VOICE

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## Message from the Director General



Welcome to the inaugural issue of the *Diplomatic Voice* for 2017.

This triannual bulletin of the Institute is in its seventh year of publication. It is one of the Institute's long-standing efforts to create a platform for the sharing of knowledge among practitioners and future practitioners of diplomacy as well as those who are interested in this field of study. It is also the Institute's endeavour to complement the Ministry of Foreign Affairs' public outreach programmes.

I was appointed to the post of Director General on 2 February 2017 after completing my tour of duty as the

Ambassador of Malaysia to Hungary. At Mission, we received copies of the *Diplomatic Voice* on a regular basis, and I have to say that the Institute has been doing a good job in sharing knowledge on diplomacy and international relations through the bulletin.

The Forum section is especially beneficial to practitioners of diplomacy and international relations. It consists of a selection of articles contributed by diplomats and former diplomats, researchers, visiting fellows, university lecturers, and other experts in their respective fields. The Forum is also a platform for IDFR's Research Officers as well as junior

officers at the Ministry of Foreign Affairs to hone their writing skills by contributing articles and opinion pieces. Articles that have been published thus far include on the South China Sea dispute; ASEAN Human Rights Declaration; Malaysia-Indonesia Relations; Countering Terrorism; Global Movement of the Moderates; Malaysia's Role as a Non-Permanent Member of the United Nations Security Council; and Public Diplomacy. In this issue, we feature articles on Malaysia's Application to the International Court of Justice to revise the decision on the sovereignty over Pulau Batu Putih/Pedra Branca, Middle Rocks and South Ledge; and Malaysia's palm oil quandary, among others.


On behalf of the Institute, I trust that you will benefit from what the *Diplomatic Voice* shares with you in this issue and future issues.

Thank you.

Datuk Mohamad Sadik Kethergany

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## UNSC's Resolution 2334 (2016) - Malaysia's Lead Role



*Council members vote in favour of the resolution.  
(UN Photo/Manuel Elias)*

Malaysia was one of the non-permanent members of the United Nations Security Council (2015/2016). Elected on 16 October 2014 with 187 votes, Malaysia advocated five priorities: promote moderation as an approach in conflict resolution, promote mediation as a tool for the peaceful settlement of disputes, promote the enhancement of UN peacekeeping operations, support peace-building in countries emerging from conflict, and encourage continued discussion on UNSC reform.

On 23 December 2016, the United Nations Security Council passed a much-awaited resolution – Resolution 2334 – demanding an end to the construction of Israeli settlements on occupied Palestinian territories. It was passed by a 14-0 vote.

The vote was sponsored by Malaysia and co-sponsored by New Zealand, Venezuela and Senegal. Malaysia was led by H.E. Ambassador Dato' Ramlan Ibrahim, Permanent Representative of Malaysia to the United Nations (who is now Secretary General of the Ministry of Foreign Affairs, Malaysia).

The following is H.E. Ambassador Dato' Ramlan Ibrahim's Statement before the Vote.

1. Thank you Mr. President, for convening this important meeting at such short notice.

2. Malaysia, together with New Zealand, Venezuela, and Senegal, as co-sponsors of the draft resolution on the issue of illegal Israeli settlements, are calling for this meeting to put the draft resolution to vote.

3. As representatives of various regional groupings at the UN – the Asia-Pacific Group, WEOG, the African Group, and GRULAC – we are bound by similar aims and sense of responsibility to take effective action on the Israeli-Palestinian conflict, especially on the issue of settlements.

4. In numerous Council meetings on Palestine, and at the Arria-formula meeting on settlements last October, we listened to repeated calls by Council members, the UN Secretary-General, the Special Coordinator for the Middle East Peace Process, the civil society, as well as other UN Member States, for urgent Council action, to halt settlement activities and reverse the negative trends that are threatening peace and the viability of

the two-state solution.

5. The latest unprecedented attempt by the Israeli Parliament to legalise outposts on private Palestinian lands added further urgency for the Council to send a clear signal on the issue of settlements.

6. Malaysia acknowledged the efforts by Egypt and the Arab League for engaging in consultations with Council members over the past two months on this issue. We fully support their effort and we share their aim for Council action.

7. We also observed an emerging consensus among Council members on the issue of settlements. We thus believed that it is urgent for the Council to seize the opportunity for effective Council action, without any further delay.

8. The draft resolution being put to vote today calls for the cessation of all Israeli settlement activities and for affirmative steps to reverse the negative trends on the ground that are endangering the two-state solution.

9. It also calls for immediate steps to prevent all acts of violence against civilians, including acts of terror, and calls for accountability. The text further urges all parties to intensify their efforts to achieve a comprehensive, just and lasting peace in the Middle East and to end Israeli occupation.

10. On the implementation of the resolution, the text is requesting that the Secretary-General report to the Council every three months.

Mr. President,

11. We realise that some Council

members may have legitimate concerns on the short period of time in which the draft was officially circulated, put to blue and tabled for adoption. In normal and ideal circumstances, we too, would have preferred a more transparent and inclusive process. However, we realise that this is anything but a normal situation and that we need to tread carefully in view of the sensitivities of the issue.

12. Exceptional circumstances require bold action and exceptional measures. Ultimately, our aim is to bridge the gap in the respective positions of Council members in order to reach a consensus.
13. The last time the Council adopted a resolution on settlements was over 36 years ago. Since then, the situation on the ground has worsened to a point where the very prospect of the two-state solution is now in question. There is no doubt that this falls under the responsibility of the Security Council under the UN Charter to maintain international peace and security.
14. We thus, appeal to all Council members not to lose this opportunity for peace and to exercise our legal, political and moral responsibility to vote in support of the draft resolution, which is based on previous Council resolutions, the values and principles of the UN Charter, international law, and international standard of human rights.
15. The time for action is now, to prove our long-held commitment, and to reinforce that the two-state solution is not a mere empty slogan.

I thank you, Mr. President.

(Source: Ministry of Foreign Affairs, Malaysia's Website)

Below is the text of Resolution 2334 (2016).

### Resolution 2334 (2016)

Adopted by the Security Council at its 7853<sup>rd</sup> meeting, on 23 December 2016

*The Security Council,*

*Reaffirming* its relevant resolutions, including resolutions 242 (1967), 338 (1973), 446 (1979), 452 (1979), 465 (1980), 476 (1980), 478 (1980), 1397 (2002), 1515 (2003), and 1850 (2008),

*Guided* by the purposes and principles of the Charter of the United Nations, and reaffirming, *inter alia*, the inadmissibility of the acquisition of territory by force,

*Reaffirming* the obligation of Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and *recalling* the advisory opinion rendered on 9 July 2004 by the International Court of Justice,

*Condemning* all measures aimed at altering the demographic composition, character and status of the Palestinian Territory occupied since 1967, including East Jerusalem, including, *inter alia*, the construction and expansion of settlements, transfer of Israeli settlers, confiscation of land, demolition of homes and displacement of Palestinian civilians, in violation of international humanitarian law and relevant resolutions,

*Expressing* grave concern that continuing Israeli settlement activities are dangerously imperilling the viability of the two-State solution based on the 1967 lines,

*Recalling* the obligation under the Quartet Roadmap, endorsed

by its resolution 1515 (2003), for a freeze by Israel of all settlement activity, including "natural growth", and the dismantlement of all settlement out-posts erected since March 2001,

*Recalling* also the obligation under the Quartet roadmap for the Palestinian Authority Security Forces to maintain effective operations aimed at confronting all those engaged in terror and dismantling terrorist capabilities, including the confiscation of illegal weapons,

*Condemning* all acts of violence against civilians, including acts of terror, as well as all acts of provocation, incitement and destruction,

*Reiterating* its vision of a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders,

*Stressing* that the status quo is not sustainable and that significant steps, consistent with the transition contemplated by prior agreements, are urgently needed in order to (i) stabilize the situation and to reverse negative trends on the ground, which are steadily eroding the two-State solution and entrenching a one-State reality, and (ii) to create the conditions for successful final status negotiations and for advancing the two-State solution through those negotiations and on the ground,

1. *Reaffirms* that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace;
2. *Reiterates* its demand that Israel immediately and completely



cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard;

3. *Underlines* that it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations;
4. *Stresses* that the cessation of all Israeli settlement activities is essential for salvaging the two-State solution, and calls for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution;
5. *Calls* upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;
6. *Calls* for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, calls for accountability in this regard, and calls for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism;
7. *Calls upon* both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint, and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, *inter alia*, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution, and creating the conditions necessary for promoting peace;
8. *Calls upon* all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process and within the time frame specified by the Quartet in its statement of 21 September 2010;
9. *Urges in this regard* the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet Roadmap and an end to the Israeli occupation that began in 1967; and *underscores* in this regard the importance of the ongoing efforts to advance the Arab Peace Initiative, the initiative of France for the convening of an international peace conference, the recent efforts of the Quartet, as well as the efforts of Egypt and the Russian Federation;
10. *Confirms its determination* to support the parties throughout the negotiations and in the implementation of an agreement;
11. *Reaffirms* its determination to examine practical ways and means to secure the full implementation of its relevant resolutions;
12. *Requests* the Secretary-General to report to the Council every three months on the implementation of the provisions of the present resolution;
13. *Decides* to remain seized of the matter.

(Source: United Nations' Website)

Malaysia is extremely proud that, among others, its two-year term at the UNSC culminated in the adoption of Resolution 2334. The plight of the Palestinian people is a cause that is very dear to Malaysia and Malaysians, and the country has been endless in doing its part to assist in achieving "a comprehensive, just and lasting peace in the Middle East."

## Pulau Batu Puteh Revision: Where are we Heading?

By Sufian Jusoh<sup>1</sup>

### Introduction

On 2 February 2017, Malaysia filed an application at the International Court of Justice (ICJ) in The Hague for a revision of the decision by

the ICJ on 23 May 2008 on the sovereignty over Pulau Batu Puteh (Pedra Branca), Middle Rocks and South Ledge in the water between Johor and Singapore. The ICJ's

decision on 23 May 2008 awarded Batu Puteh to Singapore, Middle Rocks to Malaysia and South Ledge to be decided between the two countries.<sup>2</sup>

This article discusses the grounds for the revision of the ICJ's decision and the relevant procedures for parties to satisfy the ICJ; first to accept the application for the revision, and second to allow for the revision proper to be heard by the Court. The article also discusses potential implications of any future decision of the ICJ.

### History of the Batu Puteh Dispute

Batu Puteh, also known as Pedra Branca by Portuguese navigators and Singapore, is situated at the eastern entrance of the Straits of Singapore from South China Sea. It is located at 1°19.8'N, 104°24.4'E as shown in Figure 1 on the right.

Based on the Bengal Marine Proceedings in 1851<sup>4</sup>, Batu Puteh consisted of several rocks and their visible size depends on the tide. Its greatest feature at low tide is 137 metres in a northeast/southwest direction. The original structure of Batu Puteh has since been altered, mainly due to the building of a lighthouse and after Singapore built a helicopter landing and radar facilities. The main structure on Batu Puteh is the Hosburgh Lighthouse, built in 1850 and came into operation in 1851. The building is described by Crawford in *A Descriptive Dictionary of the Islands and Adjacent Countries* (1971, originally 1856) as "... probably the most perfect of the kind that has ever been constructed to the eastward of the Cape of Good Hope."<sup>5</sup> The lighthouse was built to warn ships entering Straits of Malacca of dangerous spots in the area.

By definition under Article 121.3 of the United Nations Convention on the Law of the Sea (UNCLOS), Batu Puteh is considered a rock, and not an Island, which only generates a territorial sea which extends to 12 nautical miles from the baseline or low-water mark of a coastal state.

The dispute on Batu Puteh emerged after Malaysia issued its Map Showing the Territorial Waters and Continental Shelf Boundaries on 21 December 1978 where Malaysia included

Batu Puteh in its territorial water. On 17 February 1992, Singapore disputed Malaysia's claim and Malaysia later countered Singapore's claim through a Memorandum titled *Malaysia's Sovereignty over Pulau Batu Puteh*.

Malaysia argued that, based on the theory of State Succession under Article 2 of the Vienna Convention on Succession of States in Respect of Treaties, Batu Puteh belongs to Malaysia. Malaysia also argued that the Sultan of Johor had exercised sovereignty over Batu Puteh since the foundation of the Johor-Riau-Lingga sultanate. Singapore, on the other hand, argued that it has full territorial sovereignty and jurisdiction over Batu Puteh under the Anglo-Dutch Treaty and the lighthouse was built by the East India Timor Company. Singapore also argued that up to 1979, Malaysia had not objected to Singapore's jurisdiction of Batu Puteh nor made any claim to the contrary. Based on the historical documents, on 23 May 2008, the ICJ ruled that Batu Puteh is under the sovereignty of Singapore.

### Application for Revision of the ICJ's 2008 Decision

Malaysia filed an application for revision of the ICJ's decision at the ICJ on 2 February 2017. Malaysia based its application for revision on Article 61 of the Statute of the Court, paragraph 1 of which provides that

"[a]n application for revision of a judgment may be made only when it is based upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to the party claiming revision, always provided that such ignorance was not due to negligence."

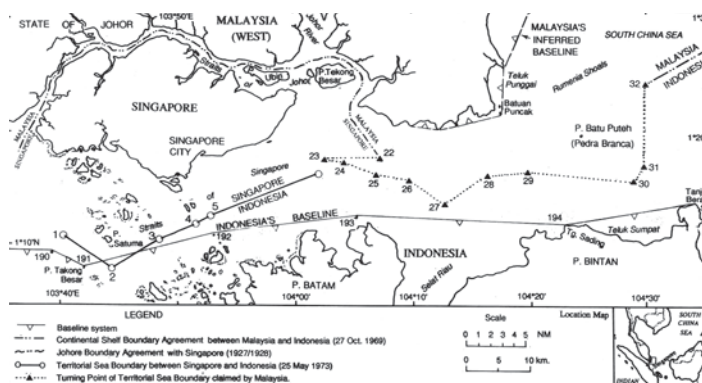


Figure 1: Location of Batu Puteh.<sup>3</sup>

The request for revision must be submitted within six months of the discovery of the new fact and not later than ten years from the date of the judgment. The proceedings for revision are opened by a judgment which decides whether an application for revision is admissible, i.e. whether the above conditions have been fulfilled.

Malaysia's revision application is based upon the discovery of some facts, according to the Attorney-General Chambers of Malaysia, "of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to Malaysia as the party claiming revision."<sup>6</sup>

The three documents were found in the National Archives of the United Kingdom between 4 August 2016 and 30 January 2017. The documents are internal correspondence of the Singapore colonial authorities in 1958; an incident report filed in 1958 by a British naval officer; and an annotated map of naval operations from the 1960s. According to the ICJ in Press Release 2017/6, Malaysia claims that these documents establish the new fact that "officials at the highest levels in the British colonial and Singaporean administration appreciated that Pedra Branca/Pulau Batu Puteh did not form part of Singapore's sovereign territory" during the relevant period. In its application, Malaysia argues that "that the Court would have been bound to reach a different conclusion on the question of sovereignty over Pedra Branca/

Pulau Batu Puteh had it been aware of this new evidence”.

The first document is a telegram from the Governor of Singapore to the Secretary of State at the Foreign and Commonwealth Office in 1958. The telegram proposed the establishment of an international sea corridor one mile from Pedra Branca. Malaysia argues that if the Governor considered Pedra Branca under Singaporean sovereignty, it would not have advocated the provision of an international passage near the rock. Malaysia also argued that the telegram would have been known to Singapore as the document originated from Singapore. The second document is a naval accident report from 1958 which cited the British navy's inability to assist a Malaysian vessel being followed by a gunboat near Pedra Branca as it “was still inside Johor territorial waters”. The third document is a map dated 1962 which shows that Singapore's territorial water “do not extend to the vicinity of Pedra Branca”.

Malaysia asserts that the new fact was not known to Malaysia or to the Court when the judgment was given because it was “only discovered on review of the archival files of the British colonial administration after they were made available to the public by the UK National Archives after the Judgment was rendered in 2008”. Malaysia also argues that its ignorance of the new fact was not due to negligence as the documents in question were “confidential documents which were inaccessible to the public until their release by the UK National Archives”. Finally, Malaysia states that its request is also in accordance with the relevant provisions of the Statute, in so far as the timing of its application is concerned. It indicates that the application “is being made within six months of the discovery of the new fact, since all of the documents that establish this fact . . . were obtained on or after 4 August 2016”, adding that it “is also being submitted before the lapse of ten years from the Judgment date of 23 May 2008”.

### Next Steps

From the revision application, the next steps will be a two-stage process. Stage one is to decide the admissibility of the application and the relevant documents under Article 61 of the Statute of the ICJ. Here, Malaysia has to prove that the three facts or documents “*are such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to the party claiming revision.*” Malaysia will have to show that it does not know the existence of the documents at the point of the decision of the original case in 2008. Malaysia also needs to show that the ignorance of the facts was not due to its own negligence. The proceedings for revision are opened by a judgment which decides whether an application for revision is admissible, i.e. whether the above conditions have been fulfilled. The ICJ will then proceed to the next level, which is the actual revision proceedings upon finding the three new facts adduced by Malaysia are admissible.

### Conclusions and Policy Implications

The Batu Puteh or Pedra Branca case is an important case for Malaysia as it will decide who has sovereignty over the main shipping lane which denotes the entry point from South China Sea to the Straits of Singapore. If the ICJ decides that it will not revise the original decision in 2008, Singapore will continue to have sovereignty over Batu Puteh. This will also mean Singapore will be able to exercise its jurisdictions within 12 nautical miles around the rock. This includes not only the ability to control the commercial and non-commercial navigation but also the ability to exploit economic resources in the area. This practically extends the existing sovereign area of Singapore and will provide higher economic opportunity and defence coverage for Singapore.

If, on the other hand, the ICJ decides the case in favour of Malaysia, Malaysia will be able to exercise its sovereignty over the territorial water. The ICJ will then have to decide who to

award South Ledge to as Middle Rock is already awarded to Malaysia. And if the ICJ decides the case in favour of Malaysia, the country will have to decide on who has the right to operate the Hosburgh Lighthouse. To exercise its sovereignty, Malaysia may need to take over the operation and ownership of the Hosburgh Lighthouse from Singapore.

At the same time, Malaysia also needs to decide about another lighthouse on Pulau Pisang near Pontian in the Straits of Malacca, which is also operated by Singapore. It is proposed that Malaysia needs to seriously think about not only owning the sovereign rights but also exercising the act of sovereignty over all islands in Malaysian water.

### ENDNOTES

<sup>1</sup>*Distinguished Fellow, Institute of Diplomacy and Foreign Relations, Ministry of Foreign Affairs, Malaysia; Senior Fellow, Institute of Malaysian and International Studies, Malaysia; External Fellow, World Trade Institute, Switzerland.*

<sup>2</sup>*Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia/Singapore), Judgment, I.C.J. Reports 2008, p. 12*

<sup>3</sup>*The map in Figure 1 is based on the map cited in R. Haller - Trost Historical Legal Claims: A Study of Disputed Sovereignty Over Pulau Batu Puteh (Pedra Branca) MARITIME BRIEFING Volume 1 Number 1, International Boundaries Research Unit, Durham University, 1993.*

<sup>4</sup>*Bengal Marine Proceedings P/169/60-67 (1844) Superintendent of Marine Proceedings, P/172/25-69 (1844-1852) Marine Department Proceedings, P/172/53 (1849), P/172/55-68 (1850).*

<sup>5</sup>*Crawford, J. (1856) [1971] A Descriptive Dictionary of the Islands and Adjacent Countries (Historical Reprints), Kuala Lumpur: Oxford University Press.*

<sup>6</sup>*International Court of Justice, Press Release, No. 2017/6 3 February 2017 Malaysia requests a revision of the Judgment of 23 May 2008, in which the Court found, inter alia, that sovereignty over the island of Pedra Branca/Pulau Batu Puteh belongs to Singapore.*



## Our Palm Oil Conundrum

By Helena Varkkey

Malaysia's latitude and tropical weather are ideal conditions for the oil palm tree to flourish. Currently Malaysia is the world's second largest producer of this 'golden crop'. We held the pole position until 2008, when Indonesia became the world's biggest producer, a position they still proudly hold today. Combined, Indonesia and Malaysia produce more than 80 per cent of the world's palm oil.

Palm oil is one of the most important types of oils and fats available in the world today. Its usability is ubiquitous; palm oil is not only a common ingredient in foodstuff, but it is also widely used in the cosmetics industry and in cleaning products, and nowadays increasingly for biofuel as well.

The demand for this 'green gold' has kept prices high on the commodity markets, and has been credited for bringing about national development and improving standards of living across the board in producing countries. As the world population continues to increase, the demand for oils and fats in the world is expected to continue to rise.

The oil palm is one of the most efficient crops for oils and fats. A relatively large amount of palm oil can be produced from quite a small area of land. For the same quantity, soybean oil production would require almost ten times the land area. This means that less land needs to be exploited to produce a target amount of palm oil, compared to any other vegetable oil.

Palm oil unfortunately has been linked to several environmentally unsustainable practices. These include deforestation, fires and haze pollution, habitat loss for endangered animals, and reduced biodiversity due to mono-cropping. Furthermore, some plantations have faced allegations of land grabs and human rights violations. The 'healthiness' of palm oil for consumption has also been an issue in the past, but this has

largely been debunked – palm oil's safety for consumption is no different than other widely available vegetable oils in the market.

Due to such perceived issues, there have been various campaigns in developed countries, especially in Europe and Australia, discouraging consumers from buying products containing palm oil. These have been relatively successful, and some products have met with commercial success simply by promoting the fact that they do not use palm oil. Most recently, the European Parliament approved non-binding resolutions for the phasing out of palm oil as a component of biofuel by 2020, and the introduction of a single EU-wide certification scheme for palm oil entering EU after 2020. While the requirements of the single EU certification are not yet clear, there are indications that no deforestation will be a major requirement.

While the percentage of palm oil presently imported by the EU is not huge (collectively EU is the third largest importer of palm oil after India and China, but individual country imports are small), this high-profile resolution has the potential to further damage palm oil's reputation in the world.

Many involved in the production side of palm oil believe that anti-palm oil publicity is a result of strategically and discreetly orchestrated campaigns by other vegetable oil producers in an attempt to win back their market share of the world oils and fats market. While there has not yet been conclusive proof of this, it is telling that while sustainability expectations are high for palm oil, this is less so for other types of vegetable oils.

Over the years, the governments of Malaysia and Indonesia, as well as the producers involved, have had to respond to this negative publicity in order to protect their hard-won market share. However, their responses have been somewhat defensive, and

shrouded in denial. In response to deforestation and haze pollution in particular, Indonesia and Malaysia have often denied that their companies are involved, and the companies likewise have pointed to their corporate sustainability policies in defence. This may not be the most productive way to respond to such allegations. No industry is perfect, and the first step to improving industry practices is acknowledging problem areas and transparently working towards improving these areas. While the allegations thrown towards the Malaysian and Indonesian palm oil industry may be conflated and exaggerated, the 'exaggeration' of denial on the side of the producers are not helping either.

My book, *The Haze Problem in Southeast Asia: Palm Oil and Patronage* is an attempt to shed light and encourage discussion and positive action in the regional palm oil industry where industry practices can be improved. The book is based on research carried out between 2009 and 2012. It discusses how some palm oil plantations in Indonesia were established on peatlands. Peatlands are highly fire-prone when drained for agriculture, and the disturbance of these peatlands have often resulted in fires that produce transboundary haze. This has been enabled by laxly applied land use and fire use policies, bolstered by patron-client protectionism.

While the book acknowledges that the palm oil industry is a lucrative comparative-advantage industry for both Malaysia and Indonesia, the book also delves into issues on how land is used, or sometimes misused, for this crop, especially in Indonesia. By highlighting this, it is hoped that plantations and governments involved will be encouraged to improve upon their land use practices in this industry.

Such improvements can potentially take away some of the ammunition

used by the anti-palm oil lobby in its claims that palm oil is not environmentally sustainable. However, the first step is to acknowledge that these are indeed real issues that are on priority lists to be addressed promptly. This way, instead of being turned off by denial and defensiveness, importer countries and consumers may instead be won over by the transparency and honest efforts of producers to improve their practices.

Indeed, with the increased academic research being published on land use issues within the palm oil industry since the early 2010s, there have been promising improvements in land use policy and implementation among the major actors in this sector. For example, Indonesian President Joko Widodo is personally overseeing the expedited completion of Indonesia's 'One Map' to properly map out the vast country. This, among other benefits, would help the authorities better determine areas suitable for sustainable agricultural development in the future, including for oil palm. Furthermore, many major palm oil producers in both Malaysia and Indonesia have in recent years been very actively and publicly pursuing important improvements in their fire management and conservation procedures.

This is an encouraging outcome for academicians who take pride that their work has successfully brought about policy changes and action on the ground. However, the fact that resolutions such as the recent EU one being passed shows that the Western world needs more assurance that producing countries and companies are serious about sustainability.

The main problem with the EU resolution is that the EU is painting the entire palm oil industry with a single brush-stroke. The resolution all but ignores the fact that palm oil can, in fact, be grown sustainably. In reality, as with any other industry, there are exemplary players, and there are some which are less so. By phasing out palm oil from biofuel completely, the

EU has failed to acknowledge the efforts of those actors who have been seriously trying to improve their practices.

A backlash from these increased barriers to import palm oil into the EU could, in the extreme, be that producers simply stop trying to be sustainable, if they feel that they cannot meet EU requirements. Such producers may instead concentrate on exporting to other parts of the world which are less concerned about sustainability. This could potentially result in a major step back for sustainability in the palm oil industry.

Despite the Western consumer backlash against palm oil, it is reassuring to note that many major consumer brands have chosen not to phase out palm oil from their products. This is because most of these brands do not see a viable alternative oil that is as versatile and cost-efficient as palm oil. For example, Unilever, a major international consumer goods company, has chosen to respond to this backlash by pledging that they will source all their palm oil sustainably by 2020. They are also working closely on the ground with corporate producers and smallholders to achieve their goal.

An ideal resolution to this palm oil 'conundrum' would be one where the producing and importing parts of the world find a middle ground where they can both make adjustments to encourage sustainable practices in the palm oil sector. The EU should re-think its counter-productive barriers to palm oil imports, while producing countries should be more forthcoming about problem areas while continuing to highlight local efforts to close these sustainability gaps.

Malaysia is especially well positioned to meet EU 'in the middle' in this respect. Our country has pledged to keep 50 per cent of its forests intact. We are just a few percentage points away from this limit, which means that the EU does not need to worry about much further deforestation (a major

EU concern) in Malaysia due to palm oil or other developments.

However, other areas of concerns still exist, particularly on the use of peat lands for oil palm in Sarawak and labour conditions in plantations. So long as Malaysia displays transparency and earnestness towards improvement in such areas, we may well win back the trust of Western consumers for our 'green gold'. In the long term, Malaysia should be able to sustainably reap the lucrative benefits from this 'golden crop' for generations to come.

*Helena Varkkey is a senior lecturer at the Department of International and Strategic Studies, University of Malaya. Her book, The Haze Problem in Southeast Asia: Palm Oil and Patronage is in the running for the International Convention of Asia Scholars Colleague's Choice Award. You can vote for her book at <https://www.surveymonkey.com/r/CCA17SM>*



## Cultural Diplomacy Lecture Series 1/2017: the Interface between Religion and Culture

By Major Hadzrie bin Abdul Khan (Retired)

The first Cultural Diplomacy Lecture Series for 2017 titled *The Interface between Religion and Culture* was successfully organised by the Centre for Languages and Cultural Diplomacy on 28 March 2017. The speaker was Dr. Muhammad Salah, a prominent Islamic scholar in the United States, who leads the Islamic Centre of Victoria, Texas and founded two Islamic and Arabic Schools, namely, the Iman Stems and the Muslim Generations. He also teaches at Al-Azhar University, Shariah Academy and London College.

In his lecture, Dr. Muhammad Salah deliberated a clear fundamental acceptance of any “good” culture in Islam. He dwelled upon providing a deep understanding that Islam is far from the word “rigid” when it comes to cultural practices. He expressed a strong stance that we must clearly digest that Islam has never rejected any culture which is presumed “good” for the society and which brings positive outcomes emotionally and physically. Dr Muhammad Salah supported this concept by relating the story of *Hilful Fudhur*, a treaty inked by the different races in Mecca to protect all individuals from mistreatment. *Hilful Fudhur* was later approved by Prophet Muhammad (peace be upon him), even though the incident took place before his prophecy.

Dr. Muhammad Salah also pointed out that the need to teach and disseminate understanding of religions is eminent. Based on his success in vast numbers of *dakwah* discourse, Dr. Muhammad Salah suggested that each Muslim should take the responsibility to share the true practice and teaching of Islam with the non-Muslim societies by inter-mingling with them. According to him, this would give a clearer and real picture that Islam practises high level of tolerance.

All religions in the world demand for peace, harmony, health, wealth (with limitation) and welfare of human be-



ings. However, in the pursuit of all these goals, any unlawful practices which are disapproved by the Creator and harmful to human beings shall not be allowed. On the same point, Islam approves of any cultural practices which aligns with the Islamic teaching and conforms to the concept of safeguarding the welfare of human beings.

Dr. Muhammad Salah also reminded the audience that no matter how great any culture is, it should be safeguarded by proper supervision. He shared how the Islamic culture is supervised by the understanding taught by the religion that Allah watches each and every action even if it happens behind closed doors.

In conclusion, Dr. Muhammad Salah indirectly inferred that Islam practises high level of tolerance in addressing the issue of culture. He noted that not all cultures should be dismissed and added that Islam does agree to any culture as long it is “good”. The definition of the word “good” relies on how it conforms to the principal faith of Islam and how it contributes to humanity. He also preached that every Muslim should bear the responsibility of disseminating and modelling the true practice and concept of Islam so that misinterpretation and misunderstanding pertaining to Islam and Muslims can be moderated. His

phrase; “Words of unity before unity of the word” reflects how human beings should submit to all aspects of life. Faith will determine destination; and faith will safeguard the actions, reactions and our practices in all kinds of circumstances. The “words of unity” (*Shahada*), according to him, will determine faith, and later, the faith will establish actions.

The lecture was followed with a question and answer session with the audience. Datuk Mohamad Sadik Kethergany, the Director General of IDFR then presented a memento to Dr. Muhammad Salah as a gesture of appreciation for his valuable contribution to the lecture series.



## Turkey and the New International (Dis) Order

By Dr. Wirdawati Abdul Rahim and Nik Luqman Wan Zainoddin



The Ambassador Lecture Series 1/2017 was delivered by Her Excellency Başak Türkoğlu, Ambassador of the Republic of Turkey to Kuala Lumpur, on 13 April 2017. The event was attended by 84 participants from various government agencies, universities, NGOs and think-tanks.

During the discourse, Her Excellency Türkoğlu pointed out issues on global political, economic and social (dis) order that Turkey is facing and how these elements have shaped Turkey's foreign policy approach and orientation. As the world is going through economic, political and social changes, Turkey's foreign policy has to respond to these global situations. The shifting drivers of Turkey's foreign policy approach are demography, economy, technological advancement, extremist tendencies, questioning legitimacy of state institutions, changing nature of conflicts and climate changes, environment and health conditions. The main elements of Turkey's foreign policy are developing relations with neighbouring and regional countries, reaching out to new geographies, deepening strategic relations and playing active role in international organisations and on international platforms.

According to Her Excellency Türkoğlu, Turkey's central geographical location is affected by those dynamics. Therefore, Turkey has to implement a multi-dimensional and multi-layered foreign policy that can generate peace and stability in the region and beyond.

The keywords to Turkey's foreign policy are enterprising and humanitarian. It is enterprising in the sense that Turkey takes initiatives to solve problems. The importance of this initiative is more evident than ever in fostering mutual respect and common values among various cultures and religions. While trying to solve problems, Turkey also aims to fortify friendship among its neighbouring countries through High Level Strategic Cooperation Councils (HLCC). To date, Turkey has established HLCC with 20 countries. Turkey's second foreign policy is humanitarian. This is a deliberate choice and it dictates Turkey's moral responsibility. Turkey believes that it is not enough to provide humanitarian aid but one must also work on the reason that creates and perpetuates humanitarian crisis. Turkey is currently the second biggest humanitarian donor after the US and is the most generous humanitarian actor in terms of GDP allocated for humani-

tarian assistance, in which it provided an official development aid amounting to 3.9 billion US dollars in 2015. Turkey also hosted the first ever World Humanitarian Summit in Istanbul in 2016 that served as a unique platform for the international humanitarian community to address the current challenges of the humanitarian systems. It was also the biggest UN summit ever held outside of New York.

Her Excellency Türkoğlu added that according to UNHCR figures, Turkey is currently the biggest host country to host around three million Syrians and Iraqis who seek refuge in the country. Around 260,000 of those refugees from Syria and Iraq live in 23 temporary protection centres in Turkey established specifically for them. Among them, there are 835,000 children of school age but only 508,000 of them are able to go to public schools in Turkey. However, the number showed an increase from 30 per cent to almost 60 per cent from the previous year. Over the past six years, more than 20 million polyclinic services were provided to Syrians; more than one million Syrians received inpatients treatment; almost 200,000 Syrian babies were born in Turkey and 25 billion US dollars were spent including on the NGOs' expenditures. This is nearly the total annual budget of around 150 states around the world.

Her Excellency Türkoğlu also stated that there is a pressing need for burden-sharing. Unfortunately, the international communities have so far failed the test of burden-sharing with Turkey. This is the reason why Turkey has been actively promoting a political situation, a solution based on a democratic, inclusive and non-sectarian system while preserving Syria's political unity and territorial integrity. To this end, Turkey has launched concrete initiatives, one example of which is how enterprising foreign policy is also humanitarian at the same time.



## Johor Student Leaders' Council Young Diplomats Programme 2017

By Siti Farsha Murni Izami

IDFR once again collaborated with the Johor Education Department and the Iskandar Regional Development Authority (IRDA) to organise the Young Diplomats Programme for Johor Student Leaders' Council (JSLC). Held from 13 to 17 March 2017, selected 16-year old students from various secondary schools in Johor benefited from the five-day programme.

The Young Diplomats Programme aims to provide the JSLC student leaders with the exposure and in-depth knowledge on the basic theme of diplomacy and diplomatic practices. During the five-day programme, the students were introduced to the *Roles and Functions of the Ministry of Foreign Affairs, Roles and Functions of Malaysian Missions Abroad, Consular Work at Missions, the importance of Public Diplomacy and Media Relations, ASEAN matters, Malaysia's Foreign Policy, Negotiation and United Nations General Assembly*. In addition, the students were also given hands-on training in presentation skills and social etiquette.

The highlights of the programme were the visit to the Ministry or better known as Wisma Putra, study tour to the High Commission of Australia in Kuala Lumpur and a dialogue session with Datuk Mohamad Sadik Kethergany, the Director General of IDFR. The visit to Wisma Putra was certainly a



golden opportunity that allowed the students to engage and discuss with Malaysian diplomats on Malaysia's foreign policy especially on bilateral and multilateral diplomacy. At the Australian High Commission, the student leaders were given a briefing and had a discussion on the High Commission's roles and functions. By visiting Wisma Putra and the Australian High Commission, the student leaders were able to relate to the importance of Malaysian diplomacy and foreign policy in maintaining good relations with other countries.

The programme completed on a high note with a Closing and Certificate Presentation ceremony on 17 March 2017. The ceremony began with a *Zapin* dance performance by the student leaders. Ambassador Norman

Muhamad, Director of the Centre for Political Studies and Economic Diplomacy delivered the Closing Remarks and presented the certificate of attendance to the participants. Meanwhile, the vote of thanks from JSLC was presented by JSL Anis Nazira Razali, the appointed representative.

Overall, the programme received commendatory feedback from the student leaders and the speakers. The Centre for Leadership, Negotiation and Public Diplomacy is indeed honoured to have had the opportunity to foster diplomatic learning experience among our young leaders and looks forward to continue collaborating with the Johor Education Department and IRDA in the future.

## Diplomatic Training Course for Saudi Young Diplomats 2017

By Haris Syarwani Razali

On 13 March 2017, Datuk Mohamad Sadik Kethergany, the Director General of IDFR, welcomed nine young diplomats from the Prince Saud Al-Faisal Institute for Diplomatic Studies in Riyadh, Saudi Arabia for the Diplomatic Training Course for Saudi Young Diplomats 2017. The Saudi diplomats were led by Dr. Khalid I. Ali

Al Ali, Assistant Professor at the Institute. They were in Malaysia and IDFR following Saudi Arabia's King Salman bin Abdulaziz Al Saud's month-long royal visit across Asia in February.

During the week-long course, the young diplomats were exposed to

Malaysia's diplomatic practices, economy and national development. At the end of the course, the delegates gave a highly positive feedback and indicated that they have gained valuable knowledge and established a new network.



## Official Visits by Delegations from Lao People's Democratic Republic and the Federal Democratic Republic of Ethiopia

By Amirul Khairi Mustafa Bakri



On 13 March 2017, IDFR received an official visit from H.E. Saleumxay Kommasith, Minister of Foreign Affairs of Lao People's Democratic Republic (Lao PDR). H.E. Kommasith was accompanied by H.E. Houmdaophone Soukhaseum, Ambassador of Lao PDR to Malaysia. They were received by Datuk Mohamad Sadik Kethergany, the Director General of IDFR.

H.E. Kommasith was interested to learn about IDFR's roles as the training arm of the Ministry of Foreign Affairs of Malaysia and expressed desire to establish a closer cooperation between IDFR and Lao PDR's Institute of Foreign Affairs. Both H.E. Kommasith and Datuk Mohamad Sadik agreed that future cooperations between both institutes be cemented in the form of

a Memorandum of Understanding.

IDFR also received the visit of Ambassador Dinberu Alemu, Director of In-Service Training of the Foreign Service Training Institute of the

Federal Democratic Republic of Ethiopia on 26 April 2017. Ambassador Alemu was accompanied by three members of the Ethiopian institute. They were welcomed by Datuk Mohamad Sadik and Heads of the various centres.

Ambassador Alemu and his delegation were also interested to learn about IDFR's roles and functions. They also discussed possible cooperation to be established between the two institutes.

Other than the two delegations, IDFR also received visits and courtesy calls from the Ambassador of the Republic of Peru to Malaysia; the Charge d'Affaires of the Hashemite Kingdom of Jordan; and a professor from the University of Sussex, United Kingdom, between January and April.



## 12<sup>th</sup> Annual Meeting of Deans and Directors of Diplomatic Training Institutions of ASEAN Plus Three

By Noraini Awang Nong

Datuk Mohamad Sadik Kethergany, the Director General of IDFR attended the 12<sup>th</sup> Annual Meeting of Deans and Directors of Diplomatic Training Institutions of ASEAN Plus Three held in Manila, the Philippines from 20 to 21 April 2017. The meeting discussed issues of modern diplomacy and trends in diplomatic

training which contributes to community-building efforts in East Asia.

With the theme *Building a Community of 21<sup>st</sup> Century Diplomats in East Asia*, the presentations over the two-day meeting covered the topic of *Contemporary Issues, Challenges and Trends, and their Impli-*

*cations on Diplomacy in Session 1; Innovation in Diplomatic Training in Session 2; and Strengthening Cooperation among ASEAN + 3 Diplomatic Training Institutions* in Session 3. The objective at the end of each presentation was to identify topics, methodologies and joint projects to be considered.

The meeting was attended by Deans and Directors or representatives of diplomatic training institutes from 13

countries, including Singapore, Thailand, Japan and South Korea. The next annual meeting will be

hosted by China in 2018.

What  
they  
say

## An Unwritten Lesson

By Syed Nizamuddin Sayed Khassim

As a desk officer in the Multilateral Economics and Environment Division of Wisma Putra – my daily routine has nothing to be envied of. From coordinating trade engagements and meetings to churning executive summaries – the list of mundane yet exacting labour could last for a few pages of ramblings. Fortunately my dear readers - this essay is not about that.

This essay is about a fortnight of learning process that is coupled with camaraderie, revelry and endless laughter. Few would have thought that I am describing a training programme but that is exactly how I would describe the Malaysian Technical Cooperation Programme (MTCP): Diplomatic Training Course (DTC) for International Participants, for which I was a participant a few weeks ago. The entire training programme involved engagements and discussions on various diplomatic aspects. By being forced to step out of our comfort zone, we were compelled to develop new analytic skills and leadership approaches in preparation for our diplomatic career.

The DTC is an intensive course that puts six-month training into the duration of two weeks. Our cohort was made up of 17 people from 15 different countries. Other than classes on foreign affairs, regional issues, negotiation and professional development, the participants were also introduced to the beautiful Malaysia.

You see, the participants from all over the world were placed right in the



middle of bustling Kuala Lumpur. There they witnessed the enticing roadside stalls, seductive bargains, the good food and a brush with the ugly traffic. It is safe to say that the course was arranged in such a way that it was also a love letter to Malaysia, detailing its eclectic, beautiful sides which remain unharmed by its flaws.

Here, what we in Malaysia took for granted were marvels to my international friends; how Melaka and Kuala Lumpur could be so different yet within a mere few hours' ride is actually a wonder. Or that we have nine sovereigns who took turn to reign over a constitutional federation. That a huge Hindu procession takes place in the middle of a majority Muslim country peacefully is an oasis that we often neglect.

Herein lies an important lesson to me as a Malaysian – that in this country we call home lies an abundant of gifts unheard of in other countries. Intangible as they may be, they are reminders of who we are as Malaysians. A lesson

that I never thought I would learn from these comrades whom I just met.

I never expected myself to say this but it was indeed one of the best training experience I have ever had. While I always thought that I knew about the things which were taught during that fortnight, I now feel that I have learned a lot more. I discovered many new techniques in negotiations, new insights into our own foreign policy and dealing with the ever-difficult Fourth Estate (the media). Stepping out of my usual habits and chores, being forced to deal with issues and situations which require level-headedness opened up my mind to new possibilities and further expanded my horizon.

IDFR deserves the accolade for arranging this course. My only regret was that the course was too short as I believe Malaysia has more to offer to the world.



## Diplomatic Training Course – A Seychelles' Perspective

By Veronique Morel

What  
they  
say

Coming from a small island developing state which is uniquely paired with a high income status, it is not every day that we receive offers for a mostly-funded short term training course for our junior diplomats and future leaders of our country. Seychelles is very fortunate and equally grateful for its relations with Malaysia in many ways, but specifically with regards to the short term courses such as the Diplomatic Training Course for International Participants offered by the Malaysia Technical Cooperation Programme (MTCP) through IDFR.



It is through these types of opportunities that we can build not only stronger bilateral and even trilateral relations, but more importantly, stronger and better equipped diplomats. Investing in the growth and development of our junior diplomats early on in order to shape their perspectives, characters and skills is one of the best investments any country can make. This is why the MTCP course is so valuable to a country like Seychelles, which does not have its own national diplomatic training institute. Throughout the course, we learned so many invaluable skills from the various experts who lectured and interacted with us.

One of the most memorable speakers was Ms. Shanta Nagendram, who focused on negotiation skills. She immediately caught our attention with her infectious enthusiasm and energy. One of the key learning moments in Ms. Shanta's session was when each group had to use analytical methods to understand an issue. Our group had to apply the PESTEL analytical tool to a fictitious country's decision to build a gas pipeline to China. In this case, we had to identify the political, economic, social, technical, environmental and legal (PESTEL) aspects of this country's decision to build the pipeline. Simultaneously, we applied the Force Field Analysis to identify the driving forces and the

restraining forces of this decision. By having to apply these two methods, it quickly became clear what the implications of this decision would be in the most important aspects.

This exercise proved to be very enlightening as it became evident that the next time any decision in work or life comes up that could have a multitude of implications that may be unclear at first thought, one of the best approaches would be to carry out the PESTEL and Force Field Analysis methods. As diplomats, we will certainly face many situations, especially later in our careers, when we have to brief a Minister or an Ambassador on certain projects or government decisions. In order to do so in the most comprehensive way, I would most certainly apply this method in my preparations.

Another speaker whose topic was most memorable was Mr. SW Chan. He taught us the ins and outs of facing the media as a diplomat. We learned the different types of interviews that can take place, such as an ambush interview where you have to think on your feet, or the traditional interview where you have a chance to prepare and gather your thoughts. However, even in the case of the latter, Mr. Chan explained that reporters can still throw questions at you that they were not meant to or phrase a question in a way that you were not expecting.

That was when the session got to be even more interesting. Mr. Chan taught us how to handle the hard questions, how to disengage with aggressive reporters, how to connect with nice ones and build rapport so that they ask you easier questions, so on and so forth. We then got a chance to put our learning into action through two mock interviews. With these lessons ingrained in my memory, I feel more confident going into an interview with the media. In Seychelles, because we are such a small country, media interviews for the local news channel are commonplace. In my role at the Department of Foreign Affairs (DFA), it is very likely that I will be interviewed on a conference or workshop that the DFA usually chairs. This is something I have been dreading from the time I started working at DFA and noticed my colleagues doing impromptu interviews. However, after the session with Mr. Chan, I felt much more prepared to take on this endeavour.

On that note, I would like to express my sincere gratitude and appreciation to IDFR and the MTCP for their generous offer to host us in Malaysia for this incredibly valuable experience. I will undoubtedly return to my country with many more acquired skills, general knowledge, and of course, some new friends. A big *terima kasih* to the IDFR Secretariat!







