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QU Bo, 历史性权利的法律问题研究 (On Legal Issues of Historic Rights), Higher Education Press, Preface, 2019.

Preface

In international law, the emergence of a hot issue is mostly caused by an event, and so is the historic right. In 2009, in response to the joint submission of the outer continental shelf made by Viet Nam and Malaysia, China submitted a note to the United Nations with a map of the discontinuous line in the South China Sea, and the view on whether the discontinuous line is a historic rights line came into being accordingly. To determine the validity of this view, it is essential to have a clear understanding of historic rights and to analyze their basic theories, so as to provide theoretical guidance for practice.

Professor QU Bo's book, *On Legal Issues of Historic Rights*, is written with this goal in mind. After elaborating the applicable concepts of historic rights, such as historic ownership, historic consolidation, historic waters, and vested rights, the book defines historic rights and identifies their specific types (Chapter 1). After analyzing various viewpoints on the constituent elements of historic rights, the book distinguishes between the requirements for historic rights and the rights themselves, proposing that historic rights should have two elements (Chapter 2). Since international conventions do not explicitly define historic rights, the author analyzes their origins from the perspectives of customary international law and treaty interpretation (Chapter 3). The book also explains the impact of historic rights on international law (Chapter 4), and devotes a considerable amount of space to analyze the relationship between the South China Sea's discontinuous line and historic rights, exploring the legality and nature of the discontinuous line and its relationship with the United Nations Convention on the Law of the Sea (Chapter 5).

Professor Qu has a solid foundation in international law and English language proficiency. About 10 years ago, she was the translator of the book *Principles of International Law*, which China Renmin University Press introduced to meet the needs of Chinese-English bilingual teaching in Chinese law schools, while I was responsible for the annotation of this book, authored by a British scholar Timothy Hillier. Clearly, the book *On Legal Issues of Historic Rights* also proves her excellence in international law and English language skills. Due to linguistic differences, scholars use various expressions for historic rights.

Analyzing the concepts of historic rights, historic titles, historical rights, and historical titles, Professor Qu points out in this book that China stands for historic rights. She applies legal reasoning and indicates that historic rights should include historic ownership and non-territorial sovereignty rights. From the perspective of international law values, this book analyzes the legitimate position of historic rights. By using the analogy between international law and domestic law, it explores the relationship between territorial sovereignty and territorial ownership, as well as the evidentiary burden for historic rights with reference to the evidentiary burden in domestic law. From the perspectives of the fundamental principles of international law and legal origins, the book discusses the legality of the discontinuous line and conducts forward-looking research to analyze the relationship between the discontinuous line and maritime delimitation.

For over a decade, Professor Qu has been engaged in research on international law issues related to China, and *On Legal Issues of Historic Rights* is a product of her research in international law. Based on my knowledge of Professor Qu and my appreciation for this book, I am honored to write this preface for her.

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