

# Visualising historical trends in global maritime boundary delimitations since the 1940s

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This presentation is based on personal research in a master course of Durham University, UK. It does not represent any position of the organisation or the government, to which the speaker is belonging. The original paper is available through *Marine Policy* (2016, vol. 71, pp.29-37)

# Content

- Background
- General introduction of maritime boundary delimitation (MBD)
- Visualisation of historical trends of MBD
- Findings and furthermore ...

# Background

- Based on two years research in Durham University and King's College London
- For five years, having engaged in GIS data management of baselines or other maritime area in JHOD  
(basically hydrographer/cartographer: kind of technical ... or geeky mathematician)

Between the quantitative analysis and qualitative analysis ...

- Judgments and papers have qualitatively argued the three-stage approach was the most dominant and influential method. Can we really visualise such historical trend?

# Background

- The early estimation of global MBD cases by Blake (1987)
- The early work by Hankey and Legault (1993)
  - Analysis of global MBD cases from 1942 to 1989
  - Quantitative treatment of those cases

However,

<UNCLOS: entered into force in 1994>

<Many judicial cases treating MBD since 2000>

Why not extend their finding into 2010s?

With the spreadsheet-like, transparent compilation of almost all MBD cases from 1942 to 2014!

# General introduction

1958 Geneva Convention: Continental Shelf (art. 6)

*1. Where the same continental shelf is adjacent to the territories of two or more States whose coasts are opposite each other, the boundary of the continental shelf appertaining to such States shall be determined by agreement between them. In the absence of agreement, and unless another boundary line is justified by special circumstances, the boundary is the median line, [...]*

*2. Where the same continental shelf is adjacent to the territories of two adjacent States, the boundary of the continental shelf shall be determined by agreement between them. In the absence of agreement, and unless another boundary line is justified by special circumstances, the boundary shall be from the nearest points of the baselines from determined by application of the principle of equidistance [...]*

1982 UNCLOS (art. 74 and 83)

*1. The delimitation of the exclusive economic zone [continental shelf] between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.*

# Visualisation of historical trends of MBD

## Variables:

- Coastal geography (adjacent or opposite)
- Settlement types (bilateral negotiation, Arbitral Tribunal, or ICJ/ITLOS)
- Delimitation method (equidistant, modified equidistant, or non-equidistant)
- Maritime area (TS, EEZ, CS or multi-purpose)
- Regional difference? ...
- Historical context? (oversea territories)

# Visualisation of historical trends of MBD

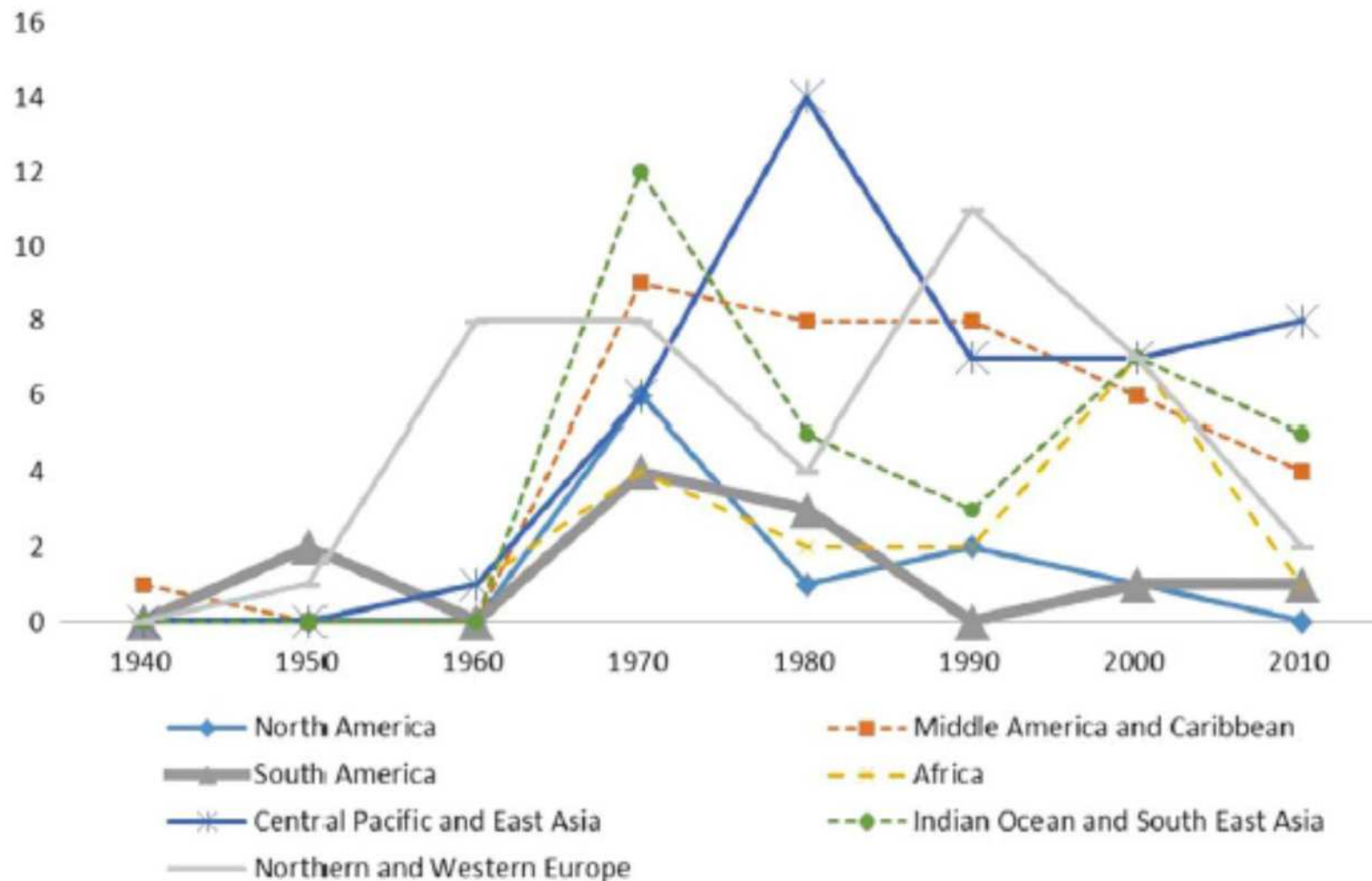
Information source:

*“International Maritime Boundaries”* by the American Society of International Law

Cases:

291 cases from 1942 to 2014  
(probably, it is almost all)

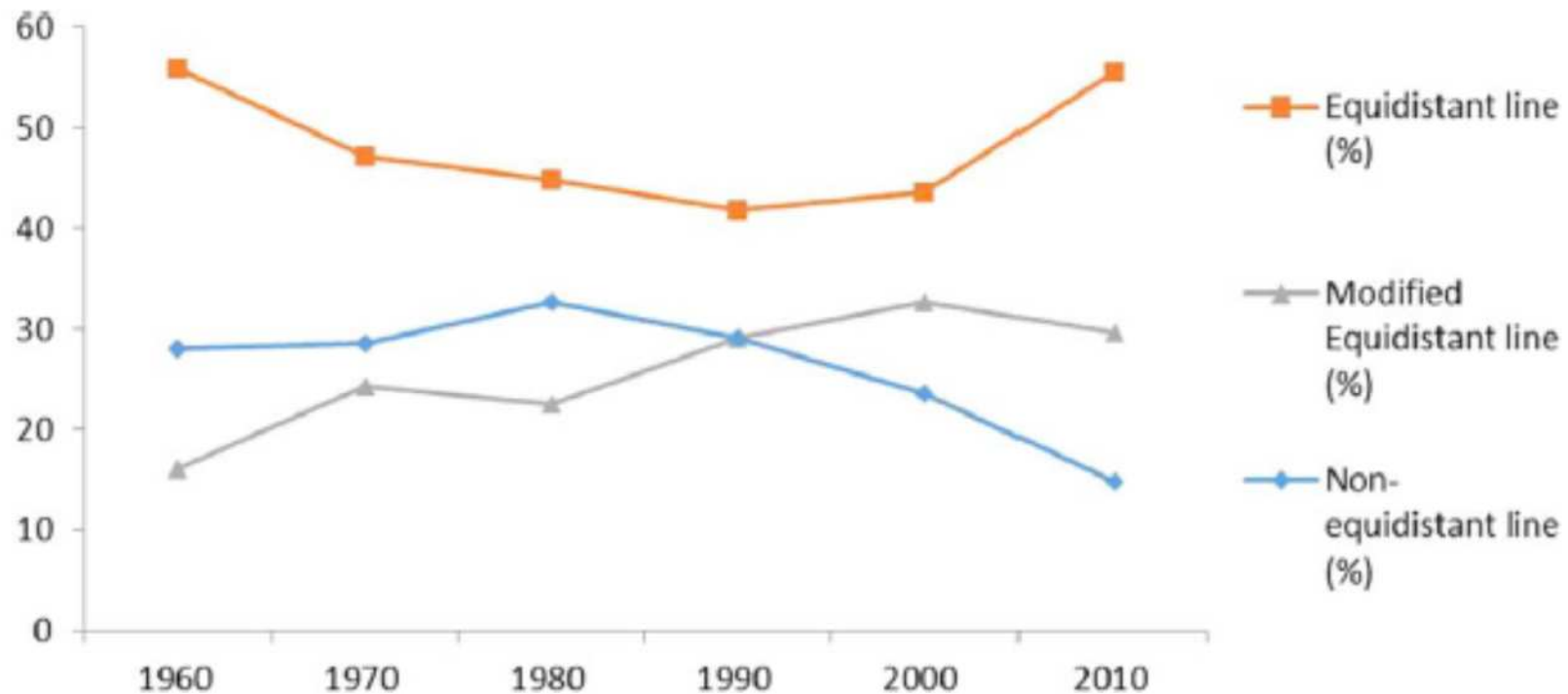
# Visualisation of historical trends of MBD



**Fig. 1.** Historical development of maritime boundary delimitation for seven regions (cases).

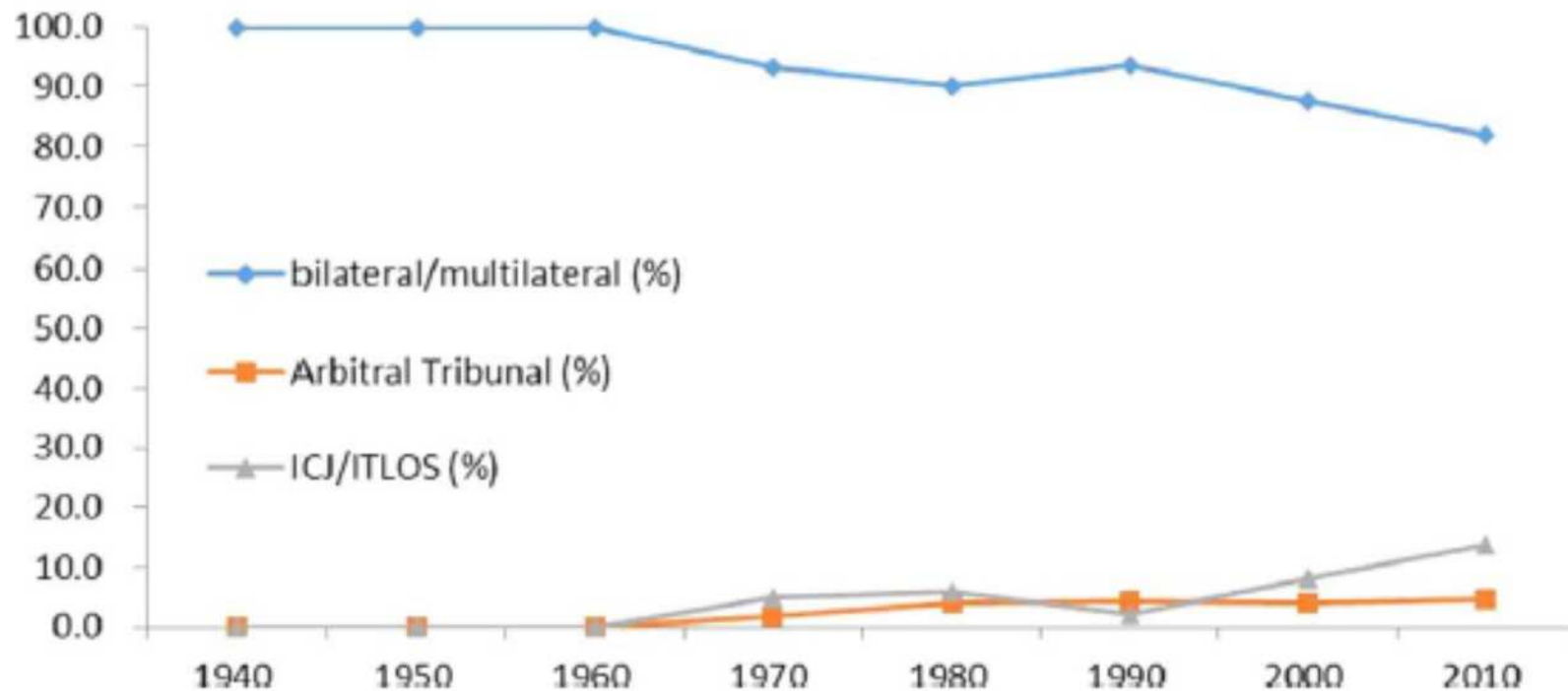


# Visualisation of historical trends of MBD



**Fig. 4.** Historical development of delimitation methods (%).

# Visualisation of historical trends of MBD



**Fig. 5.** Historical development of settlement types (%).

# Visualisation of historical trends of MBD

**Table 5.**  
Relationship between “geography” and “delimitation methods”.

	Equidistant line	Modified Equidistant line	Non-equidistant line
Opposite	76	46	25
Adjacent	21	16	33
Opposite/ adjacent Cases	39	14	25

# Visualisation of historical trends of MBD

**Table 13.**

Comparison between overseas territories and other areas (opposite coasts and opposite/adjacent coasts).

	Equidistant line	Others
Others (opposite and opposite/adjacent)	86	94
Oversea territories cases (opposite and opposite/adjacent) Cases	29	16

# Findings and furthermore ...

- Certain correlation between coastal geography and delimitation methods
- Gradual increasing to adopt equidistant based methods
- Shedding a new light on socio-historical factors on delimitation as observed in the cases concerning overseas territories

With the accumulation of MBD (approx. 260 cases), the quantitative analysis has been available for practitioners. Having said that, all cases treated in International Court is still less than 20 and the limitation of quantitative method is obvious.

In that sense, as all MBD cases are based on the context of society, history and the development of rules and norms, how to integrate the multi-disciplinary methodology for the analysis would be the further challenge for practitioners to understand the historical evolution of MBD since 20C.

Thank you for your attention!