

TOWARDS A REGIONAL APPROACH TO MARITIME BOUNDARY DELINEATIONS

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More than ten years after the enforcement of the United Nations Convention on the Law of the Sea (UNCLOS) in 1994, few States have succeeded in maritime boundary delimitations that require cooperation with the bordering countries. Clear maritime boundaries are nonetheless very important in all areas of marine activities and even more so in economic development and environmental protection. There are two main ways to delineate maritime boundaries. One is through bilateral negotiations; the other is the involvement of the third party such as the International Court of Justice (ICJ). These traditional methods tend to take a long time and have high uncertainty for a successful outcome. Regional approach is presented as a viable alternative to facilitating the negotiation process and accelerating the resolution of boundary disputes.

The Caribbean region provides a good example of a regional approach. A conference on maritime delimitation was established in the Caribbean in 2002 to assist maritime boundary negotiations between the Caribbean coastal States. A similar forum in the Mediterranean basin is a good possibility as this region suffers from long-drawn complications in delimiting boundaries beyond the territorial sea. The Caspian Sea can pursue negotiations at the regional level dovetailing a recent Russian proposal to create the Caspian Economic Cooperation Organization. From examples chosen in different maritime regions of the world, this presentation analyzes the ways maritime boundaries have been negotiated and discusses the relevance of creating negotiation forums at regional level.

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