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Delimitation of Land and Sea Boundaries Between Neighbouring Countries, S.P. Sharma, Lancer Books, New Delhi.

Prof. S.P. Sharma is well known for his writings on legal aspects of border disputes and it is welcome that his quintessential thinking on the subject has come out in the form of a book. Though the title of the book speaks about boundary disputes on land also, the main focus is upon maritime delimitation, a subject of great topical interest. In fact five out of six essays of this book deal with international legal principles applicable to maritime delimitation.

The book opens with an apt quotation from Lord Curzon : "Frontiers are indeed the razor's edge on which hang suspended the modern issues of war and peace, of life and death of nations." The relevance of the statement is felt everywhere, and even to this day, considerable part of international tension is attributable to border disputes. With the advancement of modern technology, we are at the threshold of seaward exploration in a big way. While it holds the prospect of bounteous resources to our resource-starved planet, the immediate problem is one of the containment of international conflicts arising out of maritime delimitation. It is to this task that International law should address itself urgently. We have already got a broad legal framework for this purpose in the United Nations Convention on Law of the Sea, 1982; and it is to the credit of Prof. Sharma that he has provided an incisive analysis of the relevant provisions of the Convention against the background of historical evolution of law both in terms of Conventions (such as Geneva Convention, 1958) and judicial decisions and arbitral awards.

The first essay on land boundary disputes provides a good introduction with a clear elucidation of some of the basic concepts such as boundary disputes, territorial disputes and functional evolution of boundary-making, i.e., allocation, delimitation, demarcation and administration. All the remaining essays are on maritime delimitation between neighbouring countries.

The main weakness of International law is that it has been left to auto-determination of States and its efficacy is dependant upon auto-limitation exercised by individual states. A close perusal of Prof. Sharma's exposition reveals that we have not made much headway in this regard in the arena of the Law of the Sea despite the marathon exercise spread over for many years. His second essay on possible disputes under 1982 Convention shows that practically all grey areas in the Law of the Sea are left open with vague guidelines. The role of International Court of Justice, on which there is a detailed article, in interpreting and applying these principles has only made the confusion worse confounded. Most of the time, it has contented itself just by

asking the parties to settle disputes among themselves on the basis of equitable principles without stating exactly what those principles are.

Equidistance principle is the only definitive and objective principle for maritime delimitation and we have an exhaustive analysis of this principle in "Role of the Equidistance Principle in the Process of Delimitation of Maritime Boundaries". It seems that over a period of time the application of this principle has been diluted at least in jurisprudence, if not in practice (for the author cites numerous examples of State practice adopting this principle for maritime delimitation). From being the central axis of Article 6 of Geneva Convention, it has been reduced into a faceless and indefinable aspect of "equitable solution" in Article 83(1) of 1982 Convention. The judicial authorities also have continuously underplayed its importance holding that it would be applicable only when it is equitable. Similarly, the author ably proves that economic factors would also be used only to support so-called equitable solution. By and large, equitable solution signifies a solution based upon geographical features, though the exact scope of the so-called geographical features is not clear. On the whole, the law seems to be uncertain and this only reflects the fluidity and mutual distrust which characterize international relations in general.

From a book of this kind, one would generally expect a detailed treatment of maritime problems of India, but the book is disappointing in this regard. India has been mentioned only incidentally at some places and it hardly gives any idea about India's problems *vis-a-vis* its neighbours.

A. JAYAGOVIND