

Borderlines

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NEWSLETTER AND CALENDAR OF EVENTS

30 Years of IBRU



The NEW 2020
professional
training workshop
programme

An interview with
boundary scholar
Professor Akihiro
Iwashita



Durham
University

IBRU proudly celebrates 30 years

For three decades, IBRU has remained true to its central mission of sharing knowledge and building expertise to enable the peaceful management of boundaries and settlement of boundary disputes. Here, IBRU's history is recounted by **Professor Phil Steinberg**, with contributions from **Professor Martin Pratt** and **Professor Gerald Blake**, as a story of evolution and continuity in three eras.



1989-2002

1989 was a propitious year for international boundary studies. On the one hand, the break-up of the Soviet Union meant that new international boundaries were being established at a pace not seen since African and Asian decolonisation of the 1950s and 1960s. On the other hand, the fall of the Soviet bloc, combined with new technologies enabling the rapid, global movement of commodities, funds, and ideas was fostering predictions that the world map was about to change further, giving way to a borderless world. At the same time, advances in offshore drilling and fishing technologies and the codification of maritime zones in the recently negotiated United Nations Convention on the Law of the Sea gave a new urgency to maritime boundary delimitation. There were few, if any, academic institutions anywhere in the world specialising in international boundary studies, and Durham University's International Boundaries Research Unit (IBRU) was formed to fill this gap.

IBRU was formally launched at Britain's Royal Geographical Society in January 1989, as the brainchild of Jim Dening, publisher of Archive Editions, and Gerald Blake, Professor of Geography at Durham University. The two had collaborated previously in producing a 25-volume series of primary documents on Arabian boundaries, and Archive Editions provided an initial grant to get IBRU off the ground. Within a year, IBRU had compiled a database of 4,000 influential border scholars and managers, and in September 1989 it sponsored its first conference. From this point on, IBRU developed six areas of programming:

Conferences: Between 1989 and 2002, IBRU organised nine major, international conferences. Most attracted over 100 participants.

Training workshops: IBRU offered its first training workshop in 1996, as a one day course attached to a conference. Shortly thereafter, IBRU adopted the format that continues to this day: three-day workshops on a specialised topic, such as maritime boundary delimitation, boundary negotiation and dispute resolution, river boundaries, border management, archival research, or the use of geographic information systems in boundary delimitation, where four to eight international experts in boundary law lead up to 35 participants (from government organisations, NGOs and boundary scholars) in lectures and practical exercises.

Publications: During this early period, IBRU developed several different publication streams. Six of the nine conferences resulted in edited volumes (three published by Kluwer and one as the five volume Routledge *World Boundaries* compendium). IBRU also published 46 *Briefings* on specific international boundary disputes, as well as 36 issues of the quarterly *Boundary and Security Bulletin*. Although these series were discontinued in 2002, archived *Briefings* and items from the *Boundary and Security*

Bulletins remain available on the IBRU website.

Research: IBRU began undertaking research just a year after its founding, with the receipt of a grant from the Leverhulme Trust to create a boundaries database that identified potential flashpoints around the world. Research has remained central to IBRU's mission and at most points in its history IBRU has been supporting two or three ongoing research projects associated with boundary delimitation or border management.

Education: In 1997, IBRU brought together staff from Durham's Department of Geography and Law School to offer a joint master's degree in international boundaries. The degree programme was subsequently transferred to the Law School in 2001 and discontinued in 2005.

Consultancy: Already by the early 1990s, IBRU was engaging in consultancies for governmental, corporate, and third-sector clients, on a range of boundary delimitation topics. IBRU staff have frequently been involved in the preparation of written and oral pleadings by states in cases submitted to the International Court of Justice and arbitral tribunals.

2002-2013

The early 2000s saw a number of changes for IBRU. Gerald Blake retired in 2001 and leadership of IBRU passed on to Martin Pratt, who oversaw changes in IBRU's strategy. Training and consultancy became the foundation of IBRU's activities, with the training workshop schedule increased to generally three per year.

Consultancy activity increased as well. IBRU staff acted as advisors to the United Nations Geographic Information Working Group and the African Union Border Programme, and served as mediators and technical experts in a range of land and maritime boundary disputes around the world. Field work was undertaken along remote and challenging boundaries such as Algeria-Libya, Cambodia-Thailand, and Guinea-Sierra Leone.

The conference and workshop programme continued, but became more focused, with IBRU sponsoring three conferences: the *International Symposium on Land and River Demarcation in Support of Borderland Development* (Bangkok, 2006) the *Border Management in an Insecure World* conference (Durham, 2006) and the *State of Sovereignty* conference (Durham, 2009).

The publication programme saw significant changes as well. The conference proceedings and *Briefings* series were discontinued and the *Boundary and Security Bulletin* was replaced by the online *Boundary News* series as well as the annual *Borderlines* newsletter.

Additionally, IBRU developed a new strand of publications: maps and databases connected to specific research projects. These included

the *Map of Maritime Jurisdiction and Boundaries in the Arctic Region* (2008, with frequent updates since), the *Map of UK and Argentine Claims in the South Atlantic and Southern Ocean* (2010), and the *International River Boundaries Database* (2010).

This period also saw IBRU extend its remit beyond international boundary delimitation, as its staff and affiliated research began engaging in studies of migration, security, and border management.

2013-present

In 2013, IBRU underwent a number of further changes. In recognition of IBRU's growing research agenda beyond the core issue of international boundary delimitation, the International Boundaries Research Unit was relaunched as IBRU: Durham University's Centre for Borders Research. To create stronger bonds between IBRU's research activities and its training and consulting, Professor Philip Steinberg was appointed IBRU's director and a new management board was established with staff from the Department of Geography and the Law School. Shortly afterwards, Martin Pratt left IBRU to start his own consulting firm, Bordermap Consulting Ltd.

Under Professor Steinberg's leadership, IBRU has redoubled its research activities, sponsoring projects on topics ranging from the legal status of sea ice in the Arctic to migration management in Southeast Asia to conflicts over offshore oil and gas development in the eastern Mediterranean. At the same time, IBRU has continued performing consulting work, delivering bespoke training and producing bespoke mapping products for a range of governmental and non-governmental clients, while its library in Durham continues to host visiting scholars conducting their own research projects.

IBRU has also maintained its training workshops, in partnership with Bordermap Consulting. Increasingly these are delivered in collaboration with legal, commercial, and university partners from around the world. To date, IBRU has offered over 60 workshops, training over 1,600 participants from over 120 countries. The workshop programme for 2020 is announced at the end of this newsletter.

2020 and beyond

When IBRU was formed in 1989, some scholars were predicting a continual proliferation of new borders whilst others were heralding their imminent disappearance. In retrospect, both predictions were unwarranted. Borders are here to stay, but their locations and functions are continually changing. We fully expect that professional, scholarly knowledge of border issues will be as necessary in 2050 as it is 2020, and we hope that in another 30 years IBRU will be there, still, to meet this need.



Professor Akihiro Iwashita- an insight into the winner of the 2019 Raymond Milefsky Award

In 2019, IBRU awarded the second annual Ray Milefsky Award to Professor Akihiro Iwashita of Hokkaido University. Professor Iwashita has been a leading boundary practitioner and scholar of Asian borders, with expertise on the border between Russia and China as well as various disputes involving Japan. IBRU Director Philip Steinberg interviewed Professor Iwashita following his receipt of the award.



You have been involved in border and boundary issues for several decades. Have you seen any changes in how politicians and the general public approach borders?

Essentially, when I began my career, questions and practices of boundary delimitation and border management were considered issues of state “sovereignty” and competence, and were thought to be the concern of a high-politics that was far removed from the lives of ordinary people. However, beginning with my work along the

Sino-Russian boundary, I discovered that local administrations and the people living in these borderlands were able to affect not only the demarcation and administration of their borders, but also through their actions influence international relations between the two states. I have advocated this understanding and approach to the Russo-China and Japan-related cases that I have spent the bulk of my career focussed on. In this post-Cold War, globalized world, it is more difficult for states to ignore the voices and interests of borderland peoples, although their level of influence depends on the case in question. I believe that this phenomenon, of greater influence and weight being accorded to borderland populations, will continue and develop. It is therefore vital that border studies researchers encourage this phenomenon, in order to work towards a situation where relations between people and institutions on either side of the border serve to define not only the characteristics of a particular border, but to shape relations between the two countries.

Could you say a bit more on why it's so important to consider the livelihoods and cultures that characterise borderlands?

Any particular border is socially constructed, and it obtains its meaning from the particular communities within which it is located. Whether adjudged natural or otherwise, borders are always the creation of human beings. Therefore, the emergence, shifting and removal of borders is not the result of inexorable, impersonal forces, but the responsibility of human actors. It is impossible to envisage the complete disappearance of borders, for borders grant humans the ability to conceptualize the spaces within which they live their lives. The removal of particular borders does not result in their absolute disappearance, but instead their reappearance and reanimation elsewhere. Nevertheless, the ways in which particular borders are envisaged and enacted stem from how communities think about them. It is for this reason the cultures and livelihoods of the borderlands, both the space surrounding borders and the people who live there, are so crucial, precisely because improving the relations of those living on opposite sides of the border is capable of having out-sized effects far beyond the border itself.

Is this need to consider cultures and economies in the areas around a border equally important when determining maritime boundaries?

Essentially, yes, although practically speaking there are normally differences in the two cases. The possibility of marking and materializing a border over terrestrial spaces serves as a prison for people's imaginations. By contrast, maritime space is just an (endless) moving wave of water without any physical fence or object. It still remains the case that it is impossible for humans to enclose maritime spaces in the same manner as conceived on land, given the inherent mobility of the seas. Consequently,

the maritime boundary is more artificial than that on land, because there is no way to map these borders back out into the world. The management of maritime boundaries is therefore far more dependent upon the global governance mechanism provided by UNCLOS. This does not mean that local communities, and their cultural and economic specificity, are unaffected or unable to influence these processes, but merely that the governing and administrative framework is far more restricted. However, there is no guarantee that this will remain the case. In the future, humans will want to border the deep sea floor, Antarctica and other maritime zones, once it is feasible to do so. Bordering processes are liable to expand into the atmosphere, cosmos and cyberspace. As these processes advance, the livelihoods and processes of those affected by them will come to be of increasing importance.

You have played an active role in leading study tours to disputed regions. Why is that so important?

Many people are not aware of the realities that prevail in borderlands or disputed regions. They just sit at the center of the state, or at least view the areas in question from the state's perspective, and imagine a solution that suits those interests. The result is that concerns about the state as a whole come to be refracted through these borderlands, resulting in a border consciousness that is totally divorced from the realities of local life along the border. Most obvious is the conception of borders as being the origin of threats to the state and society, such as terrorism, smuggling, poaching, or illegal migration. As Oscar Martinez noted many years ago, the result is an understanding of the border as a “fortress”. However, when one recognises borders as “gateways” it is possible to invoke a more positive and constructive image.

The border tourism we conduct encourages people to make different associations with the border, such as “innovation”, “opportunity”, and “discovery”. Of course, it is certainly possible to draw lasting boundaries without such visits, but the aim is to see local voices and interests accounted for in decisions which are frequently taken far from them, and over which they have no control.

What do you see as the greatest challenge in boundary dispute resolution?

The greatest challenge to resolution is the human imagination. Once people's thinking about a border is captured by fear it becomes difficult to resolve disputes in a rational way. This has certainly been the case for the Dokdo/Takeshima, Senkaku/Diaoyu and South Kurils/ Northern Territories disputes with which Japan is involved. At the same time, this is also where the key to resolutions may lie, as with Damansky/Zhenbao Island for the Soviet(Russia)-China dispute. In the 1960s and 70s, the island was a symbol of Sino-Soviet military confrontation, with the nation across the border represented as the enemy. However, under Gorbachev and Deng Xiaoping, the meaning associated with the island changed, and under the slogan of “Never repeat Damansky/Zhenbao” the island became a metaphor for the importance of peace and mutual understanding, which led to the resolution of the dispute in the 1990s. Clearly, the meaning accorded to a particular border can be transformed, but how to achieve this is a big question for border studies.

Do you have any final thoughts for the IBRU Borderlines readership?

IBRU is a pioneering institution for border studies. When we began our border studies project in the mid-2000s, we sought to learn from IBRU. We have been influenced by IBRU's contention that practice is of vital importance, that border studies in the absence of practical activities is ineffectual. However, we have tried to develop IBRU's model in order to facilitate practical engagement with not only experts, but also a broader range of society.

Boundaries in the news 2019

In January, tensions mounted between **Guyana** and **Venezuela** after the Venezuelan Navy intercepted a research vessel subcontracted by ExxonMobil to work on behalf of Guyana in disputed waters. The International Court of Justice set a date for Oral Hearings on jurisdiction in the case. Hearings are expected to be held March 23-27, 2020.

In February, Pakistan started to build a border fence to divide **Pakistan** from **Afghanistan**. When completed, the fence will stretch more 1,800-miles and ascend more than 12,000-feet above sea level.

The International Court of Justice rejected the claims by the **United Kingdom** to sovereignty over the **Chagos Islands** in the Indian Ocean.

Ethiopia and **Djibouti** agreed to build a pipeline that will carry gas from land-locked Ethiopia to an export terminal in its neighbouring coastal port nation, Djibouti.

The **Thailand-Cambodia** General Border Committee (GBC) reached an agreement to enhance mutual border security and economic deals despite their continued border dispute.

Chinese and **Japanese** Ministers held talks in February to discuss the sovereignty dispute over the Senkaku/Diaoyu Islands, which are located in the East China Sea.

In April, **Malaysia** and **Singapore** began negotiations to delimit their maritime boundaries. By May the two countries agreed to what effectively constitutes a pause in their ongoing maritime dispute.

May saw **Israel** agreeing to discuss disputed land and sea borders with **Lebanon**, which is looking at hydrocarbon exploration off its coast.

Also in May, **Turkey** insisted on the right to drill for energy reserves off **Cyprus** in a dispute likely to escalate after Cyprus said it would seek to arrest anyone caught drilling.

June saw **Canada** join **Denmark**, **Russia**, **Norway** and **Iceland** by formally submitting its claims to the Commission on the Limits of the Continental Shelf (CLCS).

The International Court of Justice scheduled an oral hearing for July in the case that **Slovenia** brought against **Croatia** due to its failure to implement the award of the border arbitration tribunal.

Belize and **Guatemala** agreed to take their boundary dispute to the International Court of Justice after it was decided by the people of both countries via referendum that this was the best course of action to resolve a centuries old dispute.

Also in July, **Australia** ratified its maritime boundaries with East Timor.

An agreement establishing the boundary between the overlapping exclusive economic zones (EEZs) of the **Philippines** and **Indonesia** came into force on 1 August, following two decades of negotiation between the two nations.

In September, **Mauritius** and the **Maldives** agreed to resolve their dispute over their maritime boundary in the Indian Ocean by ITLOS rather than by arbitration.

Also in September, **Brazil** extended its continental shelf claims after the UN Convention on the Law of the Sea's Commission on the Limits of the Continental Shelf (CLCS) partially approved Brazil's April 2015 southern margin request, which allowed Brazil to add 170,000km² to its continental shelf beyond its exclusive economic zone.

Somalia and **Kenya** agreed to end the border disputes between the two countries at the UN General Assembly, with the case currently before the International Court of Justice in The Hague. The International Court of Justice approved a request by Kenya to delay the public hearing of its maritime boundary case with Somalia. The case, which has been delayed until June 2020, was initially set for September 9-13.

Following the ITLOS ruling in October 2017, which settled the maritime boundary dispute between **Côte d'Ivoire** and **Ghana**, the two countries officially signed maps showing the maritime boundary between the two neighbours in October.

In October there was a breakthrough in negotiations between **Sudan** and **South Sudan** when talks in the Sudanese capital resulted in significant progress in resolving the boundary dispute between the two nations.

The building of the largest hydroelectric dam in Africa reignited a dispute between **Egypt**, **Ethiopia** and **Sudan** about how the resources from the Nile should be distributed.

Also in October and for the first time since they went to war in 1962, **India** and **China** patrolled Fish-Tail II, one of the 13 disputed areas along the Line of Actual Control (LAC) in southeast Arunachal Pradesh, in coordination with each other in an attempt to build mutual confidence and maintain peace along the border.

In December, **Turkey** and **Libya** signed an agreement defining their maritime borders, which was rejected by EU Leaders as they feel it ignores and interferes with the rights of neighbouring countries Greece, Cyprus and Egypt.

JRV Prescott Student Scholarship Programme

Thanks to a generous donation from the estate of international boundaries scholar JRV Prescott, IBRU is pleased to announce a scholarship programme to support postgraduate attendance at IBRU training workshops.



Beginning in 2020, IBRU will award the annual Prescott Scholarship to one deserving postgraduate student to attend an IBRU training workshop. Each year, applications will be due at the end of March.

The annual Prescott Scholarship recipient will receive a full waiver of workshop registration fees (typically around £2,000) as well as access to up to £500 to offset costs associated with travel and subsistence.

For more information, including instructions on how to apply, see www.dur.ac.uk/ibru/boundarynews/prescottscholarship/

The deadline for applying to attend a 2020 training workshop is

2020 Raymond Milefsky Award nominations

Since 2018, IBRU has offered an award to honour Ray Milefsky, a long-time employee of the US Department of State's Office of the Geographer and Global Affairs and a great supporter of IBRU's mission of encouraging peaceful settlement of border disputes through education and research.



The award, made possible by a gift from Ray's estate, is awarded annually to a leading border practitioner, an individual or an organisation, who:

- Has advanced knowledge of boundary-making or cross-border cooperation, OR
- Has implemented a programme over that past year that has contributed substantively to boundary-making or cross-border cooperation.

The awardee will receive an award of £745, as well as a profile in the next edition of *Borderlines*.

IBRU is requesting nominating letters of no more than one page in length. They should briefly detail what the individual or organisation has contributed to boundary-making or cross-border cooperation, and how they meet the criteria noted above. Self-nominations are permitted and nominations received last year will be automatically rolled in to the 2020 award.

Nominations should be sent to IBRU's email address (ibru@durham.ac.uk) and must be received by 1 June 2020.

Selection of the awardee will be made by a committee consisting of the members of the IBRU Steering Community, plus one external representative.

2020 TRAINING WORKSHOP PROGRAMME

IBRU's unique boundary training programme has been running since 1996 attracting over 1,600 participants from 123 countries around the world.

Our workshops are led by teams of expert tutors and provide a relevant combination of background theory and practical application in an informal teaching environment. Numbers are limited to maximise interaction between tutors and participants so we advise you book early to guarantee your place.

There will be three unique workshops held in 2020, with IBRU working with partners around the world to deliver a compelling programme.

6-8
May 2020

Venue:
Washington DC, USA
Price £1,900 per person*



Preparing for Third-Party Settlement of Boundary and Sovereignty Disputes

Although it is widely recognised that boundary disputes are best settled through negotiation, there are times when recourse to third party settlement also needs to be considered as an option. This workshop is designed to help governments evaluate the benefits and disadvantages of boundary litigation and arbitration, and to equip them with information and skills to ensure a successful outcome from the process.

Led by highly experienced international lawyers and boundary practitioners, the workshop will offer practical instruction on topics such as: choice of forum; assembling and assessing evidence; building and managing a team; presenting your case and rebutting your opponent's case. The workshop will also examine options for non-binding dispute resolution mechanisms such as mediation and conciliation.

The workshop, organised in collaboration with leading international law firm Foley Hoag, will be of value not only to countries currently involved in boundary litigation or arbitration but also to any country seeking to achieve a peaceful boundary settlement with its neighbours.



17-19
June 2020

Venue:
The Hague, Netherlands
Price £1,900 per person*

Negotiating Maritime Boundaries

Clearly defined maritime boundaries are essential for good international relations and effective ocean management, yet few coastal states have agreed all their maritime boundaries with their neighbours. Part of the reason for this is that boundary delimitation requires a range of specialist legal and technical skills which are not always readily available to governments.

This workshop, led by some of the world's most experienced boundary negotiators, is designed to equip participants with the knowledge and skills required to conclude a successful maritime boundary agreement.

The programme will be structured around a full day boundary negotiation exercise in which participants will work in teams to resolve a boundary dispute based on a real-world scenario. The course will also include practical instruction on building and preparing a negotiating team, negotiation strategy and tactics, and drafting an agreement.



7-9
September
2020

Venue:
Durham, UK
Price £1,980 per person
(£1,650+VAT)*

Geographic Information in Boundary Dispute Resolution

Geographic information, particularly as presented on maps and charts, has always been central to the process of creating and managing international boundaries. Access to accurate geographical information does not guarantee that a boundary will be problem-free, but boundaries created on the basis of poor geographical information almost invariably become a source of friction and occasionally even armed conflict between states.

This workshop is designed to help boundary practitioners make the best use of geographical information in their work. The workshop will examine the use of maps, charts and other traditional sources of geographic information in boundary settings and explore how modern Geographic Information Systems (GIS) can contribute to effective boundary creation, management and dispute resolution.

The workshop will include hands-on exercises designed to allow participants to evaluate key geographic technologies and resources in a range of boundary-related settings.



To make an enquiry about our workshops, please contact the IBRU Events Team

Tel: +44 (0)191 334 1965 Email: ibru-events@durham.ac.uk Find out more and book online at www.durham.ac.uk/ibru/workshops

*price does NOT include accommodation

ICE LAW PROJECT CONCLUDES

IBRU announces the conclusion of the Project on Indeterminate and Changing Environments: Law, the Anthropocene, and the World (the ICE LAW Project).



First conceived in 2014, and funded from July 2016 through July 2019 by a grant from the Leverhulme Trust, the ICE LAW Project gathered an interdisciplinary team of anthropologists, geographers, international relations scholars, and lawyers to investigate the potential for a legal framework that acknowledges the complex geophysical environment in the world's frozen regions and to explore the impact that an ice-sensitive legal system would have on topics ranging from the everyday activities of Arctic residents to the territorial foundation of the modern state.

The ICE LAW Project carried out its work through workshops, conferences, and community meetings organised by five subprojects: Territory (led by Stuart Elden), Resources (led by Gavin Bridge), Migrations & Mobilities (led by Claudio Aporta, Aldo Chircop, Kate Coddington, and Stephanie Kane), Law (led by Timo Koivurova), and Indigenous & Local Perspectives (led by Jessica Shadian and Anna Stammier-Gossmann). The project culminated in a final conference, held in April 2019 in Durham.



For more information on the ICE LAW Project and its outputs, see the project website at <https://icelawproject.weebly.com/>.



Borderlines is the newsletter of IBRU, the Centre for Borders Research at Durham University. It has a readership of more than 3,500 boundary scholars, practitioners and enthusiasts around the world.

Since its founding as the International Boundaries Research Unit in 1989, IBRU has been the world's leading research centre on international boundary making and dispute resolution. Today, IBRU brings together work in international boundary law with the geographic study of borders and bordering in the 21st century.

For more information about IBRU visit our website at www.durham.ac.uk/ibru

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