

1. J. Bello and A. Holmer, 'After the Cold War: Whither International Economic Law?', 32 *Harvard ILJ* (1991) p. 323.
2. I. Seidl-Hohenveldern, *International Economic Law* (Dordrecht, Nijhoff 1989); A. Lowenfeld, *International Economic Law* (Oxford, Oxford University Press 2003).
3. Citing, *The Presbyterian Church of Sudan v. Talisman Energy, Inc.*, 49 *ILM* (2010) p. 4.
4. The Catholic papal dicta of 1991 contain a reference to private property and the universality of material goods. See, John Paul II, 'Centesimus Annus' (1991) Part IV, available at <[www.vatican.va/holy\\_father/john\\_paul\\_ii/encyclicals/documents/hf\\_jp-ii\\_enc\\_01051991\\_centesimus-annus\\_en.html](http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_01051991_centesimus-annus_en.html)>. For an analysis see, e.g., K. Minogue, 'The Pope, Liberty, and Capitalism: Essays on Centesimus Annus', 43(11) *National Review* (1991) supp. at p. 8; R. Huttinger, 'The Problem of the State in Centesimus Annus', 15 *Fordham ILJ* (1992) p. 952; F. Canavan, 'The Pope and the Economy', 11 *Notre Dame J L Ethics and Public Policy* (1997) p. 429.

D. ORTOLLAND; J.-P. PIRAT, *Atlas géopolitique des espaces maritimes: Frontières, énergie, transports, piraterie, pêche et environnement*, 2<sup>nd</sup> edn., Editions Technip, Paris 2010, xi + 333 pp. ISBN 978-2-7108-0947-0.  
doi:10.1017/S0165070X12001374

The voluminous and remarkably illustrated (by high quality maps (in colour)) *Atlas géopolitique des espaces maritimes* (2<sup>nd</sup> revised edition) lists nine French authors, but it was predominantly prepared by its Coordinator/Editor-in-Chief, Mr. Didier Ortolland, of the Paris Ministry of Foreign Affairs. This applies to as many as 16 of the 23 chapters covering a vast range of the world's oceans and seas and their uses, including: different maritime spaces under the UN Convention on the Law of the Sea (UNCLOS) as illustrated by an excellent Global Map, equitable maritime boundary delimitation and territorial questions in state practice and international jurisprudence (with particular reference to islands and rocks), the Atlantic Ocean, the Baltic, Mediterranean and Caspian Seas (with the Black Sea missing in this volume), the Caribbean and the Gulf of Mexico, the Indian Ocean, the Red Sea and the Persian Gulf, the Pacific Ocean, the Arctic, archipelagic waters, the outer continental shelf, straits and canals, and maritime transport. The remaining seven chapters of the *Atlas* written by other authors, who are mostly highly qualified governmental officials from various French ocean sectors, include chapters on Antarctica by Justice Michel Brumeaux and Professor Anne Choquet; on maritime piracy by Daniel Silvestre; on cultural underwater heritage and the deep seabed by a member of the International Seabed Authority (ISA), Professor Gwenaëlle Le Gurun; on submarine hydro thermalisation by the geologist Dr. Jean-Marie Auzende; on fisheries by Yann Becouarn; and on marine environmental protection at Rio+20 and beyond by Gaelle Kervella. Each of the chapters concerning various regions guides the reader through the relevant international straits and inter-oceanic canals located in these regions, as well as through the actual and unresolved delimitations and disputes illustrated by excellent maps. Very useful maps are also included in chapters dealing with various topics, such as piracy or maritime transport. All valuable coloured maps and sketches throughout the *Atlas* and its Annexes were prepared by the well-known French cartographer Jean-Pierre Pirat of the Paris Ministry of Foreign Affairs. The volume ends with a Bibliography relevant to each of the 23 chapters and with a useful index.

The for long not seen former Director of the UN Division for Ocean Affairs and the Law of the Sea (UNDOALOS) – Dr. Jean-Pierre Levy – also honoured the contributors and the readers of this *Atlas géopolitique* with his Preface, stressing that thankfully due to its multidisciplinary approach, the volume duly reflects the complexity and depth of multiple uses of the world's oceans and seas within and beyond the limits of national jurisdiction. Dr. Levy reiterated that the oceans and seas are fundamentally important to human survival and that it should be constantly reiterated to all the respective users that they are responsible for safeguarding those oceans and seas and their living and non-living resources not only for the present but also for future generations.

It is appreciable that the *Atlas*, both in the main text and in numerous maps, takes account of, as far as possible, the outer limits of maritime zones set forth in the legislative and treaty practice of states as well as judgments and awards of the International Court of Justice (ICJ) and Arbitral Tribunals. Similar to what experienced teams of the US International Mapping and the UK International Boundary and Research Unit (IBRU) do, the *Atlas* draws every still missing boundary along an equidistant line and applies straight baselines conservatively. In contrast to maps by International Mapping, where boundaries fixed in one or another ICJ judgment or arbitral award will only be recognized by well trained lawyers, all maps in the *Atlas géopolitique* clearly specify jurisprudential references. For instance, the reader will easily see the boundary determined by the landmark 2006 UNCLOS Annex VII *Barbados/Trinidad and Tobago Maritime Delimitation Award* in the maps of the *Atlas* concerning the Caribbean and the Gulf of Mexico (pp. 100-101) and the Antilles (pp. 110-111) and will also find interesting comments on the pertinent details, such as justified doubts by Didier Ortolland as to whether, after rendering of the 2006 Award, the 2003 Guyana/Barbados Joint Development Zone Treaty would play any further role (p. 108 *in fine*).

In view of its ambitious world coverage and the continuing amendments to existing and the adoption of new legislation and treaties, as well as the rendering of ever newer judgments and awards, the *Atlas géopolitique* will keep requiring frequent updates almost from the day its new revision is published. For instance, while the *Atlas* notes that there is a need for a Barbados/Martinique boundary delimitation (p. 108), the Barbados/France (Guadeloupe and Martinique) Agreement was in the meantime adopted on 17 October 2009. And more surprisingly, although it was published in 2010, the *Atlas* completely disregards (p. 104) confirmation by the 2007 *Nicaragua v. Colombia Territorial and Maritime Dispute (Preliminary Objections)* Judgment of Colombia's sovereignty over San Andres Archipelago.<sup>1</sup> The monumental 2009 *Romania v. Ukraine Black Sea Delimitation* Judgment is not scrutinized in the *Atlas*, which lacks a chapter on the Black Sea, but it is comforting that Dr. Ortolland at least gave that Judgment some attention in the maritime boundary delimitation chapter (pp. 27-28). The *Croatia/Slovenia Pirana Bay Arbitration* noted in the *Atlas* at the level of the 2009 Arbitration Agreement (pp. 78-80) was meanwhile re-channelled into strictly European Union membership.

The necessity of updates does not testify to flaws but rather to the strength of the *Atlas*, which due to its importance and usefulness will continue to require new revisions in an

area with so many new developments such as the geopolitics of the oceans and seas. Ever since the publication of the *Atlas géopolitique* in 2010, the spectacular (both within and beyond its 200-mile dimensions) Indian Ocean chapter is in urgent need of a new revision (pp. 113-124) in that in the meantime the excellent *Bangladesh v. Myanmar Bay of Bengal* Judgment was rendered on 14 March 2012 which inaugurated the maritime delimitation jurisprudence of the International Tribunal of the Law of the Sea (ITLOS) by fixing the boundaries not only up to 200 miles, but for the first time also beyond 200 miles, pending Submissions by both parties to the UN Commission on the Limits of the Continental Shelf (CLCS). It could, however, be wise to withhold such a new revision until the parallel and still pending UNCLOS Annex VII *Bangladesh v. India Bay of Bengal* Arbitration, and perhaps also the Annex VII *Mauritius v. UK Chagos Archipelago* Arbitration are resolved.

Given all the new developments which are but briefly exemplified in this review, the *Atlas géopolitique* will have to be used in combination with the resources of the UNDOALOS and with the more quickly updated International Mapping and IBRU projects referred to earlier, as well as with a number of several other high-level publications in English. The latter include notably: *Excessive Maritime Claims* by two academics and government officials of the US Department of State – J. Ashley Roach and Robert W. Smith, and Volumes I-VI of the *International Maritime Boundaries* by the American Society of International Law (ASIL), which have recently profited from their new Editor-in-Chief, Coalter Lathrop, and have also been updated online,<sup>2</sup> even though some previous contributions to this series were pretty weak (especially on the Caribbean and the Black Sea where international jurisprudence has played a major role).<sup>3</sup> Therefore, readers will in addition profit from consulting a variety of individual publications, such as *Géopolitique maritime du golfe de Guinée au XXI<sup>e</sup> siècle* by S.S. Ndutumu, or ‘Maritime Boundaries of the Baltic Sea Region’ by ITLOS Judge Stanislaw Pawlak,<sup>4</sup> who has also been a member of the unilaterally promoted Annex VII *Philippines v. China South China Sea* Arbitration. While the result of this Arbitration will require a revision of the beautifully illustrated Pacific Ocean chapter of the *Atlas géopolitique* (pp. 141-162), we could perhaps wish to see in this and other chapters of the *Atlas* dealing with various regions somewhat more attention being given to both resolved and still pending (actual and preliminary) Submissions to the UN CLCS and the numerous prospective delimitations which these Submissions involve, as now they are only briefly summarized in the Outer Continental Shelf chapter (pp. 203-215).<sup>5</sup> A separate section on these Submissions to the UN CLCS in each of the delimitation reports would also much increase the value of the ASIL *International Maritime Boundaries* series referred to earlier.

Further, the impressive and most useful Global Map of International Straits and Canals in the *Atlas géopolitique* (pp. 218-219) should in the next edition mark the Atlantic-Pacific Nicaragua Canal, which is now briefly noted (p. 230) and whose 50-year construction was in the meanwhile initiated by a Hong Kong company in June 2013. Part of West Africa facing Cape Verde in the Atlantic Ocean chapter of the *Atlas* (p. 52 and the map at pp. 50-51) is presently covered by the ITLOS Advisory Opinion which was launched on 28

March 2013 upon the request of the Sub-Regional Fisheries Commission (SRFC), which consists of Cape Verde, Guinea, Guinea-Bissau, Senegal, Mauritania and Sierra Leone. And the Pacific Ocean chapter of the *Atlas* will in a next edition need to cover the innovative Review Panel which issued its Recommendations under the 2009 South Pacific High Seas Fishery Convention on 5 July 2013.

It is to be hoped that the editors will provide us with new editions of the *Atlas géopolitique* in the future and that the *Atlas* will – together with the publications and projects in English referred to in this review – continue to make significant contributions to the sustainable use of the oceans and seas and their resources and will be ‘a must’ in the libraries of academics, international judges and other practitioners in the law of the sea and ocean affairs as part of the global system of peace and security throughout the 21st century.

Barbara Kwiatkowska

UNCLOS Independent Consultant

Former Deputy Director 1985-2009 and Senior Fellow 2009-2012

Netherlands Institute for the Law of the Sea (NILOS)

Faculty of Law, Utrecht University, The Netherlands

1. This omission is so surprising that it raises doubts as to whether it did not result from former ICJ President Guillaume continuously acting as Judge *ad hoc* in several of the Nicaragua cases at the ICJ. The maritime delimitation was resolved after the *Atlas*’ publication in the 2012 ICJ *Nicaragua v. Colombia (Merits)* Judgment, available at <[www.icj-cij.org/docket/files/124/17164.pdf](http://www.icj-cij.org/docket/files/124/17164.pdf)>, which could only be covered by the next revision.

2. J.A. Roach and R.W. Smith, *Excessive Maritime Claims*, 3<sup>rd</sup> edn. (Leiden, Martinus Nijhoff 2012). The invaluable Limits in the Seas series of the Bureau of Intelligence and Research of the United States Department of State which was started in 1973 was discontinued with the retirement of Roach and Smith, but it remains an excellent source of legislative and treaty limits until 2005.

3. See B. Kwiatkowska, ‘The 2006 *Barbados/Trinidad and Tobago* Award: A Landmark in Compulsory Jurisdiction and Equitable Maritime Boundary Delimitation’, 39 *George Washington ILR* (2007) pp. 573-620.

4. Judge Stanislaw Pawlak, ‘Maritime Boundaries of the Baltic Sea Region’, in J.M. van Dyke, et al., eds., *Governing Ocean Resources: New Challenges and Emerging Regimes: A Tribute to Judge Choon-Ho Park* (Leiden, Martinus Nijhoff 2013); S.S. Ndutumu, *Géopolitique maritime du golfe de Guinée au XXI<sup>e</sup> siècle* (Paris, L’Harmattan 2013).

5. Cf. B. Kwiatkowska, ‘Submissions to the UN CLCS: The Practice of Developing States in Cases of Disputed and Unresolved Maritime Boundary Delimitations or Other Land or Maritime Disputes’, Part One, 28(2) *International Journal of Marine and Coastal Law* (2013) pp. 219-341 and Part Two, 28(4) *International Journal of Marine and Coastal Law* (2013), forthcoming.