



Predictability and Flexibility in the Law of Maritime Delimitation (Studies in International Law)

Yoshifumi Tanaka

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The principal focus of this book is the quest for a well-balanced legal system that reconciles predictability and flexibility in the law of maritime delimitation. As with all types of law, the law of maritime delimitation should possess a degree of predictability. On the other hand, as maritime delimitation cases differ, flexible considerations of geographical and non-geographical factors are also required in order to achieve equitable results. How, then, is it possible to ensure predictability while taking into account a diversity of factors in order to achieve an equitable result? This is the question at the heart of the law of maritime delimitation. The book addresses this issue in depth by looking at three aspects of the question: first, by looking at the two opposing and contrasting approaches evident in the evolution of the law of maritime delimitation; second, by undertaking a comparative study of the case-law and state practice; and third, by examining the theoretical problems underlying that case law.

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