

# Managing Editor's Comments

Dear *JTMS* Readers,

Greetings again from Seoul. As the onset of early summer weather signals the rapid approach of the end of the semester, I am struck by how quickly this past year has flown by in the wake of the Covid-19 pandemic. During the pandemic, the world seemed frozen and since then internal political strife seems to be stoked in many countries dealing with a return to normal amid abnormally high inflation. Internationally, the Russian invasion of Ukraine has entered its second year and tensions remain high in the South China Sea and Korean peninsula. Meanwhile, droughts, floods, and fires give constant reminders of the rapidly approaching climate crisis. Never have I felt like the world was so close to major conflict and disaster when we should all be breathing a collective sigh of relief following three stressful years of pandemic response measures. In such a world, sober minds providing balanced analysis are not just needed but urgently called for. In such a world, we need to double down on the rules-based international order to address and mitigate the challenges we face. This includes scholarship on international territorial disputes and the resolution thereof through international law. In line with such demands of the time, we are pleased to offer the Summer/Fall 2023 issue of *JTMS*.

First, Islam Attia performs an in-depth analysis of the position taken by the tribunal in the Chagos MPA Award by examining its reasoning under the broader international law principles of effectiveness and state consent. Attia encourages international courts and tribunals to adopt a systematic approach; in assessing whether and to what extent they can assert their subject-matter jurisdiction over ancillary disputes, by interpreting their dispute settlement and other relevant provisions following Articles 31–33 of the Vienna Convention on the Law of Treaties (VCLT). This implies that, as international courts and tribunals differ in their functions, it is expected that the extent of any court's jurisdiction over any ancillary issue will vary according to the court and the subject matter. Yet, there is a difference between variations based on a systematic approach that follows a consistent methodology and haphazard applications based on subjective positions.

Second, Abhishek Sharma asserts that the Indo-Pacific region's geopolitical climate is fluctuating due to the contestation between the U.S. and China. Amid this, the region is observing a quiet shift and increasing engagement between states whose interests align. India and South Korea have emerged as like-minded states practicing a balanced foreign policy in the region, as they face similar challenges and share values and respect for a rules-based order in the Indo-Pacific region. Sharma's research paper focuses on analyzing the defense cooperation in the Indo-Pacific region undertaken by India and South Korea with each other and other states. Sharma argues that "like-minded countries," here India

and South Korea, can work together and strengthen cooperation in the defense sector to bring stability and ensure the region's prosperity by avoiding the region getting drawn into great power contestation.

Third, using content analysis, Soumyodeep Deb and Amlan Dutta look into India's growing initiatives for enhancing maritime cooperation around the Indian Ocean under SAGAR (Security and Growth for All in the Region) and how it is enhancing maritime security and governance through capability development measures by providing assistance to the other IOR littoral states. It will also look at the regional mechanism where India is playing a significant role to enhance the capability of regional nations and uphold maritime security and governance in the region. The authors point out that through capability development, India can uphold its strategic influence and position in the IOR, which is becoming a zone of major power rivalry between India and China.

Fourth, Adam Mohammed interrogates the various maritime security governance regimes in the Gulf of Guinea. His paper assesses the opportunities and challenges faced by the states' regional and international architecture responses initiated to combat various maritime security threats such as piracy, oil theft, drug trafficking, smuggling, marine pollution, and other forms of sea-bond organized crime experienced in the region. Building on extant literature on the ambition and processes of maritime security governance regimes in the Gulf of Guinea, Mohammed's findings provide an original contribution for understanding the operational complexities involved in effective security response to numerous maritime threats in the region.

Fifth, in our first commentary essay of the issue, Neeraj Singh Manhas contends that availability and use of clean water has been a point of contention for many countries since time immemorial, particularly for countries with a vast population such as China and India. The use of existing resources is a fight for survival, and it is necessary to understand how the perspective of one country has implications for others to such a vast extent that countries have to be aware of their neighboring country's resources in order to formulate their own policies. Singh Manhas concludes that water issues are bound to only get worse, and that measures must be taken at all times to ensure the survival of the ecosystem.

Sixth, Kazuhiko Togo offers his insights into the conflict in Ukraine by providing highlights of the events of the past year, prospects for peace, some thoughts on the perspectives of the parties involved, and considerations that will be necessary if a peace deal is to be achieved. He concludes by offering thoughts on the prospect of third-party mediation and offers some suggestions and reminders for Putin, Zelensky and Biden in terms of their responsibilities to their peoples and to finding a path to peace.

Finally, in our book review section, we have a review of *Ports, Crime and Security: Governing and Policing Seaports in a Changing World* by Anna Sergi, Alexandria Reid, Luca Storti and Marleen Easton.

In closing, I would like to thank our readers, our authors, and our editorial board and staff for providing the support and labor to make yet another great issue of *JTMS* possible.

Lonnie Edge  
Managing Editor