International Law Walks the Line: Border Disputes and Resolution for the 21st Century

Because you’re mine, I walk the line. - Johnny Cash

The Wisconsin International Law Journal’s Annual Symposium, hosted by the University of Wisconsin Law School on March 13, 2015, seeks to explore how international borders are a front line in current international conflicts, and how current and future international legal regimes will attempt to resolve border conflicts. The Symposium will broadly explore these central themes:

- Are borders important to governance in the 21st century? Some states have drastically reduced the roles of their international borders, such as those in Europe's Schengen Area. In other states, such as Georgia or Moldova, non-state actors have declared or effectively established their own borders within the state. As globalization increases through free trade agreements, military partnerships, and political partnerships, effectively softening or erasing international borders, what are the key legal roles for borders for the 21st century?

- Do international borders look forward, or do they look backward? ISIL has sought to demolish the borders of the Sykes-Picot Agreement from World War I. Russia seeks to reclaim its gift of Crimea to Ukraine in 1956. Yet, borders must adapt to future changes in political and economic relationships or, without change, will lead to more conflict. What are the historical features of international borders and future considerations that could lead to a less conflict-ridden international border regime?

- Who has the authority to determine borders in future conflicts? The rule at the International Court of Justice is US President Woodrow Wilson’s chief contribution to border resolution: self-determination shall establish the extent of the state. Following World War I and World War II, the modern *Uti Possestatis* rule, favored for its simplicity, shaped post-colonial states in South America and spread to post-colonial Africa and the Middle East, as well as provided the core principle for the post-Cold War breakup in the 1990s. With the advent of powerful non-state actors, a worldwide push for democratic self-determination, and the need for an authority for border resolution, who will be the best arbiter of future border disputes?

- Under what circumstances will international law recognize a secessionist movement as a new setting of international borders? South Sudan provides a recent example of a negotiated new set of international borders arising out of a long-standing secessionist movement. The list of noted secessionist movements is long and long-standing, from Somalia to Spain to Scotland to China. What features of secessionist movements will the international community recognize in order to provide a legal avenue towards new states out of secession?