

Foreword

It was a privilege and a pleasure to be asked by Professor Masahiro Miyoshi to write the Foreword to his Book on Considerations of Equity in the Settlement of Territorial and Boundary Disputes. For many years I have admired his scholarly application to his task and enjoyed the benefit of his warm friendship. He has been undaunted by the difficulty of the subject and the shifting sands on which he has had to tread. The present book is the product of patient and thorough examination of cases as they have been decided. Consequently, it was a matter of great frustration for the author not to receive the judgment of the Chamber of the International Court of Justice, dated 11 September 1992, in time for inclusion.

Professor Miyoshi lays stress on the Japanese point of view reflected in the Book. This is natural since his background is Japanese. He has been a professor of International Law at Aichi University in Japan since 1978 and is now a member of the Board of Editors of the *Journal of International Law and Diplomacy* published by the Japanese Association of International Law. However, his studies and experience have also given him a much wider perspective. In 1970, he participated in the Centre for Studies and Research at the Hague Academy of International Law. In 1973–75, he pursued studies in International Law at King's College London which eventually led to his receiving the Ph.D. degree from the University of London. In 1988, he was a Visiting Fellow at the Max Planck Institute in Heidelberg.

He was thus well-qualified to write a book on certain aspects of considerations of equity in International Law. He has been conscious of the difficulties and pitfalls of this elusive topic. Even the title has given him cause for careful reflection and it is after some hesitation that he has chosen the title mentioned above. This title avoids possible argument about the use of terms such as “arbitration” and “judicial settlement” and gives a good general idea of what the Book contains.

Sir Francis Vallat