

## Research Article

# THE THEORETICAL BACKGROUND ON THE BOUNDARY PROBLEM: THE COMPARISONS OF SOME COUNTRIES CASES

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Received 15<sup>th</sup> December 2024; Accepted 20<sup>th</sup> January 2025; Published online 15<sup>th</sup> March 2025

### ABSTRACT

We studied the concepts about border, state, state border in our study. Every country is bounded by a state border, which is an internationally recognized line separating it from neighboring countries across land, sea, ocean, subsoil, and airspace. The concept of a border is a complex social and political phenomenon that involves demarcation and separation, akin to philosophical concepts like measure, which define beginnings and ends. A state, as a fundamental concept in social sciences, exercises sovereignty over its territory, governs through laws and regulations, and assumes international responsibilities, with its borders defining the scope of its authority and jurisdiction. We compared some countries' border concepts' framework.

**Keywords:** border, state, state border.

### INTRODUCTION

Every country in the world is bounded by a certain line on the surface of the land, sea, ocean, their subsoil and airspace with its neighboring countries, and this certain line that separates one country from its neighboring countries is internationally known as the "State Border" of that country. The term "border" or "limit" of any country is a concept that expresses a complex social and political phenomenon and consists of independent and closely related concepts such as "Border", "Limit", and "State".

The original concept of the concept of "border" expresses the meaning of separating one object from another (demarcated line), and is a common philosophical concept comparable to the concept of "measure" in that it contains the interacting and related ideas of the beginning and end of a real thing or thing. The concept of "State" is a basic concept in many branches of social science, a regular application of social relations, an international legal subject or an independent participant in interstate border issues by exercising rights and assuming responsibilities established by international legal norms. The basic characteristics of being in an independent state are understood as having its own territory, maintaining sovereignty, having state governance, and having citizens. Within this space and scope, the state of the country governs, the laws, decrees, and regulations issued by it are implemented, and each country develops with its own characteristics.

The concept of "State" and its "Border" contain characteristics related to the elements of existence that constitute the state, such as the expression of a system with social and political content, territorial integrity, independence, and security.

The concept of "state border" is a concept related to many branches of science, such as philosophy, sociology, politics, military, and border. In this context, the state border defines the territorial scope of the primary subject of the state, the scope of state governance and legislation, and the spatial limits of policies and activities.

The state border is established on the basis of international treaties and agreements between two neighboring states, and the registration of relevant documents with the United Nations is a legal arrangement that allows any border issues and border disputes to be under international control and resolved in accordance with international legal norms with their participation.

The concept of "state border" is adjusted to its common characteristics and is generally formulated as "A state border is the boundary of the territory where a large group of people with a socio-political structure called "State" lives and operates under one government and one law." "State border" is a vital issue for every country because it defines and delimits the boundaries of the land and all the resources on it, which are the vital material conditions of the life of the state and society.

A border is the legal boundary of a country's territory and is a concept inextricably linked to geographical location, international law, political conditions, and national security<sup>1</sup>. In other words, a border is a legal boundary line that a country uses to separate its territory from other countries, and is a symbol of a country's independence, a guarantee of territorial integrity, and an important element of national security (Smith, 2018). Countries establish their borders as a result of international treaties, diplomatic relations, and historical processes, and borders are an important factor in determining many political, economic, security, and cultural issues<sup>2</sup>.

According to the theory of border region development, the border is not only a political and legal boundary, but also a zone of economic and cultural exchange<sup>3</sup>.

<sup>1</sup>Newman, D. (2006). *The Lines That Continue to Separate Us: Borders in the 21st Century*. *Geopolitics Journal*, 10(2), 25-38.

<sup>2</sup>Jones, R. (2012). *Border Walls: Security and the War on Terror in the United States, India, and Israel*. Zed Books.

<sup>3</sup>Newman, D. (2011). *Contemporary Border Studies: Theoretical Approaches and Analytical Perspectives*. *The Geographical Review*.

## THE COMPARISONS SOME COUNTRIES' FRAMEWORK

The dictionary (China's largest national dictionary, the "Chinese Dictionary") defines the concept of "state border issues" in relation to the sovereignty and established boundaries of the territory it has formed. The explanatory note states that: "state border issues" include all issues related to the territorial integrity of a state, the establishment of geographical boundaries, border disputes, border control, and the exercise of state sovereignty in the territory.

For the "state border issues" include several basic issues and focus on resolving various issues related to the integrity of the state's borders and territory. The PRC attaches great importance to the international recognition of its territorial borders and the expression of its position on disputed border areas. China's position on the "state border issues" is usually directly related to national security, sovereignty, and territorial integrity.

In the explanatory dictionary of the countries of the European Union, the concept of "state border issues" is used mainly to refer to issues related to the sovereignty, territory, and border relations of states. In the European Union and other international legal documents, border issues include the following basic concepts:

- Sovereignty: The protection of national borders is a fundamental part of sovereignty, which is the legally guaranteed right of each state to define and protect its territory and borders.
- Territorial and cross-border issues: These include issues related to the delimitation of territory and borders, the settlement of border disputes, and the use of adjacent territory. The European Union is concerned with the border issues of its member states, which affect relations, trade, and the movement of people between member states.
- Border protection and border security: The European Union respects the right of member states to protect their borders, but also respects the right to open borders and the free movement of passengers between member states. This is linked to the concept of the European Union's "Schengen area".
- International law and agreements: Border issues are governed by international treaties and agreements, and border disputes and border delimitation are regulated by international law. Member states of the European Union comply with international law in this area.

In summary, in the European Union countries, the "State Border Issue" encompasses multiple levels of legal regulations related to political sovereignty, international treaties, and cross-border issues. However, in our country's legal documents and the relevant explanatory dictionary of the border troops, the term "border issue" is not explained, and other sources include it as follows.

In the explanatory dictionary of military terms: A border violation is defined as "an act of violating the international treaties of Mongolia on border issues, other acts of border legislation, and the procedures established by the competent authorities in accordance with them."

In the Russian border explanatory dictionary: A border violation (issue) is defined as "a problem or dispute that has arisen on the state border due to various violations by citizens, local authorities, or other parties of the provisions of international treaties or border agreements that affect the interests of neighboring states, regulate issues related to the state border, or cause property and other damage." Border violations are investigated on the territory of the border post, and measures are taken to prevent violations and strengthen the protection of the state border. In principle, border

violations are investigated at the place where the border violation occurred. It is explained that the investigation can be carried out jointly with the participation of representatives of one or both countries.

The Border Dictionary of Kazakhstan explains: A border conflict is "a conflict on the state border that affects the interests of the Republic of Kazakhstan and one or more neighboring states and is associated with a violation of the state border regime." So what is an international treaty or agreement on border issues?

"An international treaty or agreement on border issues" means an international agreement concluded between two neighboring states to regulate relations on state border issues, including, first of all, agreements on delimitation, agreements on demarcation and protocols annexed to them, agreements on the state border regime, and procedures for resolving border disputes."

State borders are practical tools of governance, sources of tension, conflict, and negotiation. They are deeply intertwined with various political, historical, and social issues and continue to shape relations between and within states. Borders may seem to be fixed and immovable lines, but in reality they are subject to change through legal processes, changes in political power, and evolving international treaties and agreements.

This issue occupies an important place in international law, treaties, and agreements, as well as in bilateral and international relations. Based on some of the definitions and border issues discussed above, it can be said that the state border issue consists of the following main issues. From the above, it can be said that the state border issue consists of: the establishment and definition of border boundaries, border disputes, border security, international treaties and agreements, and border openness. Since border issues are related to the national security, territorial integrity, and foreign policy of countries, such issues are an important topic that constantly arises in international relations.

However, there is no clear and concise understanding of the state border issue among our border guards and scholars, and there are still no legal acts explaining it. The following is a summary of the content of this "issue" in the laws, regulations, and documents issued regarding the border of our country. According to the Mongolian Border Law, the following content of the "border issue" in the international treaties of Mongolia concluded on border issues is summarized from each provision of the law and is included below.

As we have said above, the "state border issue" is a state policy and activity that a country must implement to define and protect its territorial borders in order to maintain its independence, territorial integrity, and the inviolability of its borders. This issue is guaranteed by international laws, treaties, and agreements. However, in many countries, the following issues are considered as the main issues in the state border issue:

- The state border is historically recognized and correctly established,
- The state that the border of the once-existing territory has been determined on the ground by two neighboring states,
- The current territorial boundaries are indisputable,
- Whether the security of the state border can be ensured,
- Whether the international treaties and agreements concluded regarding the state border are being implemented,
- Whether the state maintains a policy of keeping its borders open.

Since these broad border issues have been fully resolved for Mongolia, it is not wrong to consider border violations reflected in current legal documents as part of border issues in the Mongolian Border Law and the border agreements and agreements concluded between Mongolia and China.

State border issues cover all issues related to the territorial boundaries of a country and its neighboring countries. This includes border disputes, border protection activities, state control of the border area, border protection capacity, border security, and border agreements with foreign countries.

For Mongolia, the border issue has a historically and politically important position, and Mongolia is located between two major powers, so it has successfully developed its relations with China and Russia without border disputes.

The border issue is a broad concept covering international relations, geopolitics, security, law, and economics. The border policy of countries is inextricably linked to the sovereignty, independence, and security of the country, and international law, diplomatic measures, and geopolitical factors play a key role in resolving this issue. When considering the theory and concept of the border issue, it is clear that the border system is based on the intersection of multiple factors such as the country's sovereignty, territorial integrity, security, and international legal regulations. The state border is the basic concept for determining the territorial boundaries of a country, and it also has a broad impact on the political, economic, cultural, and social environment. Therefore, the border issue needs to be considered in the context of many fields such as geopolitics, international relations, security theory, law, and economic research.

## CONCLUSION

In conclusion, state border issues are deeply tied to the concepts of sovereignty, territorial integrity, and national security, as they encompass the establishment, definition, and protection of a country's borders. These issues often involve resolving disputes, ensuring border security, and adhering to international treaties and agreements. Countries like China emphasize the importance of territorial recognition and sovereignty in border matters, while the European Union balances border protection with principles like free movement within the Schengen Area. Border issues also reflect broader geopolitical, legal, and economic dimensions, influencing international relations and domestic governance. Ultimately, effective management of state border issues is essential to maintaining a country's independence and fostering stable relationships with neighboring states.

Actually, state border issues encompass a wide range of challenges, including border violations, disputes, security concerns, and adherence to international treaties and agreements. These issues are deeply intertwined with national sovereignty, territorial integrity, and foreign policy, making them critical for maintaining stability and protecting a country's interests. Borders are dynamic and subject to change due to legal processes, political shifts, and evolving international agreements. Effective management of border issues requires cooperation between neighboring states, as well as adherence to international law to resolve conflicts and ensure mutual respect. Ultimately, state borders are not just physical demarcations but also tools of governance that shape political, economic, and social relations both within and between nations.

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