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Influence of various legal subjects on territorial sovereignty and alternative dispute resolution[1]

Stanislav Aleksandrovich Vasilev

Candidate of legal sciences, associate professor, head of the department of «Constitutional and Administrative Law» of Sevastopol State University; 299053, Sevastopol, st. Universitetskaya, 33, Russia. *E-mail*: mnogoslov@mail.ru. ORCID: 0000-0003-2752-240X.

Sergey Sergeevich Zenin

andidate of legal sciences, associate professor, director of the Institute of State and Law, Vice-Rector of the University of Tyumen; 625003, Tyumen region, Tyumen, st. Volodarsky, 6, Russia. *E-mail*: zeninsergei@mail.ru. ORCID: 0000-0002-4520-757X.

Yulia Nikolaevna Motsnaya

Junior researcher at the Scientific Expert Center of Sevastopol State University; 299053, Sevastopol, st. Universitetskaya, 33, Russia. *E-mail*: yuliya.mocnaya@icloud.com. ORCID: 0009-0003-2545-5546.

Lyubov Sergeevna Potapova

Junior researcher at the Scientific Expert Center of Sevastopol State University; 299053, Sevastopol, st. Universitetskaya, 33, Russia. *E-mail*: lybovpssev@yandex.ru. ORCID: 0009-0009-0385-6529.

Abstract: Contemporary scholarship and policy discussions increasingly acknowledge the ongoing transformation of the established world order. This paradigm shift is accompanied by significant changes in international legal frameworks across multiple jurisdictions. The present study examines the evolving dynamics of territorial governance and the multifaceted influences exerted by various actors in this process. Through interdisciplinary analysis, this work develops a comprehensive theoretical framework that addresses the politico-legal dimensions of territorial sovereignty. The research offers original typologies: (1) a classification of external influences on territorial governance, and (2) a categorization of territories based on their vulnerability to external interventions and the strength of state sovereignty in today's geopolitical landscape.

Keywords: Territory. Sovereignty. Legal regulation. Political influence. Transnational corporation. National minorities. Indigenous peoples.

Summary: Introduction – The Struggle for Territory – The Traditional Approach to Extending State Sovereignty over National Territory – Traditional Inhabitation Territories Within States – Impact on Remote Territories – Bilateral agreements – The Impact of Transnational Corporations on Specific Territories – Conclusion – References

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Introduction

This study aims to underscore and rigorously establish the paramount importance of territoriality in advancing the geopolitical interests of sovereign states and interstate entities. While emphasizing the critical role of territorial considerations, the research unequivocally affirms the paramount importance of peaceful coexistence among all subjects of international law. To this end, the study delineates a range of innovative and pragmatic alternative approaches for the effective resolution of emergent conflicts and contradictions related to territorial disputes. Methodologically, the research employs a comprehensive suite of philosophical, scientific, and legal inquiry methods. Notably, synthesis is utilized to analyze the influence of key global powers in shaping international dispute resolution. Expert assessment facilitates a nuanced understanding of prevailing doctrines concerning sovereignty and territorial integrity. At the same time, modeling techniques underpin the development of strategic proposals for resolving territorial conflicts through alternative dispute resolution mechanisms.

The Struggle for Territory

Despite the rapid development of modern technologies and the shift of many social interactions into the virtual space, the creation of similar values in the digital environment,[2] and the decision-making by artificial intelligence,[3] the importance of extending state sovereignty over different territories remains. For example, the resource-rich Arctic attracts China, Japan, and South Korea because of its wealth, even though these countries are geographically far from the region. Meanwhile, Russia, which holds the largest share of sovereignty in the Arctic,[4] plays a key role in solving a wide range of issues related to the area.

[2] OIKARINEN, Emilia, et al. Detecting virtual concept drift of regressors without ground truth values. Data Mining and Knowledge Discovery, vol. 35, no. 3, pp. 726-747, 2021.; LOWE, Benjamin H., OGILTHORPE, David R., CHOUDHARY, Sonal. Shifting from volume to economic value in virtual water allocation problems: a proposed new framework and methodology. Journal of Environmental Management, vol. 275, 110239, 2020; 1. VASILIEV, Stanislav A. Transformation of constitutional and legal relations in the context of modern technologies implementation. Tomsk State University Journal, no. 480, pp. 244-249, 2022. https://doi.org/10.17223/15617793/480/27. [*In Russian*] *Васильев С.А. Трансформация конституционно-правовых отношений в условиях внедрения современных технологий // Вестник Томского государственного университета. 2022. N. 480. С. 244-249. DOI: 10.17223/15617793/480/27.*

[3] SALES, Philip. Algorithms, Artificial Intelligence, and the Law. Judicature, vol. 105, p. 22, 2021.; KUTEINIKOV, Dmitry L., IZHAEV, Osman A., ZENIN, Sergei S., LEBEDEV, Valerian A. Artificial Intelligence and Law: From Fundamental Problems to Applied Tasks: Monograph. Moscow: Prospekt, 2022. [In Russian] Кутейников Д.Л., Ижаев О.А., Зенин С.С., Лебедев В.А. Искусственный интеллект и право: от фундаментальных проблем к прикладным задачам: монография. – М.: Проспект, 2022. – 104 с.

[4] VYLEGZHANIN, Alexander N., KIENKO, Ekaterina V. Consultative meetings of non-Arctic states on the status of the Arctic. St. Petersburg University Journal of Law, vol. 14, no. 2, pp. 296-318, 2021. https://doi.org/10.21638/spbu14.2021.204. [In Russian] Вылегжанин А.Н., Киенко Е.В. Консультативные

According to the Russian government, the ongoing military operation in Ukraine has the stated objectives of denazification and demilitarization.[5] Official statements frame these actions as measures aimed at preventing the deployment of weapons of mass destruction in certain territories and addressing perceived threats to the security of the Russian Federation.

Perhaps the most vivid example of territorial disputes on the current global agenda is the Israeli-Palestinian conflict, which has persisted with varying intensity for decades but reached new proportions in 2023, culminating in a large-scale military confrontation in Gaza area.[6] In this case, the main issue is that the borders were never clearly established in legal terms, with each party defining them independently.[7] Different countries have taken different positions on this issue. For example, according to paragraph 9 of the Joint Declaration on Further Deepening the Relations of Friendship and Cooperation between the Russian Federation and the Syrian Arab Republic of January 25 2005,[8] The parties acknowledge the borders of Syria, Lebanon, and Palestine as they existed in early 1967 before their occupation by Israel. In this context, international recognition and respect for state borders remain essential; yet, territorial disputes persist in various parts of the world, making them increasingly difficult to resolve. Therefore, according to paragraph 91 of the Johannesburg Declaration-II "BRICS and Africa: Partnership for Mutually Accelerated Growth, Sustainable Development, and Inclusive Multilateralism" of

совещания неарктических государств по статусу Арктики // Вестник СПбГУ. Серия 14. Право. 2021. №2. С. 296-318. DOI: 10.21638/spbu14.2021.204.

5 ADDRESS by the President of the Russian Federation // Official website of the President of Russia. URL: http://www.kremlin.ru/events/president/transcripts/statements/67843 (accessed: 03.01.2024). [in Russian] Обращение Президента Российской Федерации // Официальный сайт Президента Российской Федерации. URL: http://www.kremlin.ru/events/president/transcripts/statements/67843. (дата обращения – 3 января 2024 г.); BAGDASARYAN, Vardan E. Denazification of Ukraine: Phenomenology of Neo-Nazism. Central Russian Journal of Social Sciences, 2022, vol. 17, no. 2, pp. 13-28. https://doi.org/10.22394/2071-2367-2022-17-2-13-28. [In Russian] Багдасарян В.Э. Денацификация Украины: феноменология неонацизма // Среднерусский вестник общественных наук. 2022. Т. 17. № 2. С. 13-28. DOI: 10.22394/2071-2367-2022-17-2-13-28.

6 SHUMILIN, Alexander I. The European Union and the Middle East Crisis – 2023: Between Values and Pragmatism. Scientific and Analytical Bulletin of the Institute of Europe of the Russian Academy of Sciences, no. 5 (35), pp. 7-17, 2023. https://doi.org/10.15211/vestnikieran52023717. [*In Russian*] *Шумилин А.И. Евросоюз и ближневосточный кризис - 2023: между ценностями и прагматизмом // Научно-аналитический вестник Института Европы РАН. 2023. № 5 (35). С. 7-17. DOI: 10.15211/vestnikieran52023717.*

7 HUGHES, Sara S. Unbounded territoriality: Territorial control, settler colonialism, and Israel/Palestine. Settler Colonial Studies, vol. 10, no. 2, pp. 216-233, 2020. https://doi.org/10.1080/2201473X.2020.1741763.

8 JOINT DECLARATION on Further Deepening the Relations of Friendship and Cooperation between the Russian Federation and the Syrian Arab Republic (25 January 2005) // Official website of the President of Russia. URL: http://www.kremlin.ru/supplement/2167 (accessed: 25.03.2023). [*In Russian*] *Совместная декларация о дальнейшем углублении отношений дружбы и сотрудничества между Российской Федерацией и Сирийской Арабской Республикой от 25 января 2005 года // Официальный сайт Президента Российской Федерации. URL: http://www.kremlin.ru/supplement/2167. (дата обращения – 25 марта 2023 г.).*

August 23, 2023,[9] Ethiopia joined BRICS on January 1, 2024, and as of January 2, it already recognized the independence of part of Somalia to establish its military base in that territory.[10] A month earlier, Venezuela claimed a large part of Guyana as its own territory,[11] etc.

This suggests that territorial disputes are still fought using various legal and political methods today, just as they were centuries ago.[12] Maritime areas also hold great importance, which is why diplomatic efforts to define jurisdictional maritime boundaries between nations continue as an ongoing process.[13]

This case highlights how most states proactively pursue alternative dispute resolution methods for territorial and jurisdictional conflicts among various actors. Neglecting these conflict resolution approaches often leads to the imposition of economic sanctions and armed conflicts, which typically cause human rights violations. Diplomatic agreements across multiple platforms remain one of the most effective ways to reconcile opposing positions. At the same time, the general public ideally remains unaware of such international disputes. The most effective governance and world order are those that stay largely unnoticed by the masses in their everyday legislative and law enforcement activities.

The Traditional Approach to Extending State Sovereignty over National Territory

The traditional view of sovereignty assumes that public authority is autonomous and independent from both domestic and external legal actors. Usually, sovereignty is held by the people, while its implementation is assigned to

[9] JOHANNESBURG DECLARATION-II. BRICS and Africa: Partnership for Mutually Accelerated Growth, Sustainable Development, and Inclusive Multilateralism (23 August 2023) // Official website of the Ministry of Foreign Affairs of the Russian Federation. URL: https://www.mid.ru/ru/foreign_policy/news/1901504/ (accessed: 04.01.2024). [*In Russian*] *Йоханнесбургская декларация-II. БРИКС и Африка: партнерство в интересах совместного ускоренного роста, устойчивого развития и инклюзивной многосторонности от 23 августа 2023 года // Официальный сайт Министерства иностранных дел Российской Федерации. URL: https://www.mid.ru/ru/foreign_policy/news/1901504/. (дата обращения – 4 января 2024 г.).*

[10] MEDIA: Somalia to Challenge Ethiopia-Somaliland Memorandum // Official website of TASS. URL: https://tass.ru/mezhdunarodnaya-panorama/19666743 (accessed: 04.01.2024). [*In Russian*] *СМИ: Сомали оспорит меморандум между Эфиопией и Сомалилендом // Официальный сайт ТАСС. URL: https://tass.ru/mezhdunarodnaya-panorama/19666743. (дата обращения – 4 января 2024 г.).*

[11] MEDIA: Venezuela and Guyana Agree Not to Use Force in Territorial Dispute // Official website of RBC. URL: https://www.rbc.ru/politics/15/12/2023/657bade79a7947a74d2365bb (accessed: 04.01.2024). [*In Russian*] *СМИ: Венесуэла и Гайана решили не применять силу в территориальном конфликте // Официальный сайт «РБК». URL: https://www.rbc.ru/politics/15/12/2023/657bade79a7947a74d2365bb?from=copy. (дата обращения – 4 января 2024 г.).*

[12] CASHMAN, Greg, ROBINSON, Leonard C. An introduction to the causes of war: Patterns of interstate conflict from World War I to Iraq. Lanham: Rowman & Littlefield, 2021.

[13] ØSTHAGEN, Andreas. Maritime boundary disputes: What are they and why do they matter? Marine Policy, vol. 120, 104118, 2020. https://doi.org/10.1016/j.marpol.2020.104118.

the state.[14] Within the scope of this research, it is the responsibility of competent state authorities to uphold territorial integrity and to oversee the implementation of constitutional and legal regulations throughout the entire national territory, in strict accordance with established international legal norms.

D. Vigneswaran observes that the concept of territorial sovereignty emerged in 17th-century Europe, while today most states – including European countries – have developed specific instruments for applying sovereignty theory[15] to public governance, including in the international arena.

Certain traditional methods of establishing legal order within sovereign territories raise concerns among foreign stakeholders. For example, while Russia's Ministry of Transport and its subsidiary, the Northern Sea Route Administration, have regulatory authority over maritime transit through the region, some international experts question the binding nature of these provisions.[16] This regulatory approach faces criticism both under international maritime law standards[17] and, more fundamentally, for potential inconsistencies with the Russian Constitution's provisions on territorial integrity and nationwide sovereignty.

Territorial sovereignty allows states to establish different legal systems and create zones with unique legal statuses. For example, China – experiencing rapid economic growth – has granted special economic freedoms to its southwestern Yunnan Province, turning this administrative region into a thriving area.[18] Historically, similar approaches were implemented in Shanghai and Hong Kong,[19] while Macau has been strengthening its position under this framework in contemporary conditions.

Contemporary technological developments are demonstrably reshaping conventional notions of sovereignty under specific conditions. Traditionally

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14 WALKER, Neil. The sovereignty surplus. International Journal of Constitutional Law, vol. 18, no. 2, pp. 370-428, 2020. https://doi.org/10.1093/icon/moaa051.

15 VIGNESWARAN, Darshan. Europe has never been modern: Recasting historical narratives of migration control. International Political Sociology, vol. 14, no. 1, pp. 2-21, 2020. https://doi.org/10.1093/ips/olz025.

16 VYLEGZHANIN, Alexander N., NAZAROV, Vladimir P., BUNIK, Ivan V. The Northern Sea Route: Towards resolving political and legal issues. Herald of the Russian Academy of Sciences, vol. 90, no. 12, pp. 1105-1118, 2020. https://doi.org/10.31857/S0869587320120270. [*In Russian*] *Вылегжанин А.Н., Назаров В.П., Буник И.В. Северный морской путь: к решению политико-правовых проблем // Вестник Российской академии наук. 2020. Т. 90. № 12. С. 1105-1118. DOI: 10.31857/S0869587320120270.*

17 International Maritime Law: Public and Private: Textbook. Ed. by D.K. Labin and V.N. Koval. Moscow: Knorus, 2023. [*In Russian*] *Международное морское право: публичное и частное: учебник / под ред. Д.К. Лабина и В.Н. Коваля. – М.: Кнорус, 2023. – 412 с.*

18 SU, Xiaobo, LIM, Kean Fan. Capital accumulation, territoriality, and the reproduction of state sovereignty in China: Is this "new" state capitalism? Environment and Planning A: Economy and Space, vol. 55, no. 3, pp. 697-715, 2023. https://doi.org/10.1177/0308518X221093643.

19 NG, Mee Kam, LAU, Yuk Tai, CHEN, Huiwei, HE, Sylvia. Dual Land Regime, Income Inequalities and Multifaceted Socio-Economic and Spatial Segregation in Hong Kong. Urban Book Series, pp. 113-133, 2021.

conceptualized as the indivisible unity of political authority and territorial control, sovereignty is undergoing fundamental reconceptualization as digital capabilities decouple these constitutive elements, rendering physical space increasingly peripheral in this emerging paradigm.[20]

Nevertheless, for the purposes of this study, territorial sovereignty is examined within its traditional conceptual framework. However, current political and legal realities demonstrate that not all states maintain complete autonomy and independence. They experience significant influence from both domestic actors and foreign states regarding governance of specific territories— and in some cases, entire nations— as will be demonstrated in subsequent analysis.

Traditional Inhabitation Territories Within States

Special legal regulations apply to indigenous and minority peoples at both national and international levels across various territories. Russian statutory regulation is specifically designed to support and preserve these communities, including through protective measures that shield their residential territories from adverse external impacts.

Under Article 5(1)(2) of Federal Law No. 82-FZ "On Guarantees of the Rights of Indigenous Minorities of the Russian Federation" dated April 30, 1999,[21] the legal foundations are established for according special protected status to territories of traditional habitation by these designated population groups. In turn, the List of Territories of Traditional Residence and Traditional Economic Activity of Indigenous Minorities of the Russian Federation, approved by Decree No. 631-r of the Government of the Russian Federation on May 8, 2009,[22] provides specific designation of such territories.[23]

However, state policies are not uniformly structured in this manner across all jurisdictions. A notable historical example is the distinctive approach taken by

[20] MUELLER, Milton L. Against sovereignty in cyberspace. International Studies Review, vol. 22, no. 4, pp. 779-801, 2020. https://doi.org/10.1093/isr/viz044; MARTIN, Aaron, et al. Digitisation and sovereignty in humanitarian space: Technologies, territories and tensions. Geopolitics, vol. 28, no. 3, pp. 1362-1397, 2023. https://doi.org/10.1080/14650045.2022.2047468. OVCHINNIKOVA, Oksana, UPADHYAY, Niteesh Kumar. The Level of Cybersecurity of the BRICS Member Countries in International Ratings: Prospects for Cooperation. BRICS Law Journal, vol. 10, no. 1, pp. 7-34, 2023.

[21] On Guarantees of Rights of Indigenous Small-Numbered Peoples of the Russian Federation: Federal Law No. 82-FZ of April 30, 1999 (as amended on July 13, 2020) // Collection of Legislation of the Russian Federation. 1999. May 3. No. 18. Art. 2208.

[22] List of Territories of Traditional Residence and Traditional Economic Activities of Indigenous Small-Numbered Peoples of the Russian Federation [approved by Decree of the Government of the Russian Federation No. 631-r of May 8, 2009 (as amended on July 21, 2023)] // Collection of Legislation of the Russian Federation. 2009. May 18. No. 20. Art. 2493.

[23] KRYAZHKOV, Vladimir. Traditional Reindeer Herding in Russia: Legal Issues of Land Provision and Rational Use. BRICS Law Journal, vol. 12, no. 1, pp. 161-183, 2025.

U.S. authorities toward Native American peoples. Contemporary challenges persist regarding sovereignty and territorial integrity for various ethnic communities, particularly concerning lands inhabited by indigenous minority groups.[24]

Such issues yield varying outcomes across different countries. For instance, in Bolivia, a leader of indigenous communities, upon assuming the presidency, implemented the demands of this population group regarding granting the right to manage natural resources within their territories.[25] As a result, the residential areas of the affected population groups stay protected from government or other outside interference in managing natural resources.

Another example can be seen in the Indian government's persistent pursuit of compromise with the numerous indigenous peoples inhabiting its territory and residing compactly in specific areas. This approach fosters stability in implementing state policies, maintaining the rule of law and public order. Conversely, rigid confrontation or disregard for the demands of ethnic minorities may result in protracted conflicts lasting for years or even decades.[26]

This case requires a reasonable balance between state sovereignty and guarantees for the affected population groups. Numerous theoretical studies and diverse interpretations of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) of September 13, 2007, have led to various conceptions of sovereignty and its different forms.[27] In this context, it appears appropriate to adopt the position of the Russian Federation Constitution and several other countries regarding sovereignty belonging exclusively to the entire people of the state, rather than to its individual parts, regardless of any additional statuses they may be granted.

Simultaneously, safeguarding the identity and significance of these population groups represents an important international priority. Currently, with advancements in genomic medicine, legal regulations are being adopted to prevent interference with the genotypes of these communities.[28] In this regard, it appears advisable to employ conciliation procedures and incorporate the perspectives of indigenous

[24] BAUDER, Harald, MUELLER, Rebecca. Westphalian vs. indigenous sovereignty: Challenging colonial territorial governance. Geopolitics, vol. 28, no. 1, pp. 156-173, 2023. https://doi.org/10.1080/14650045.2021.1920577.

[25] LAING, Anna F. Re-producing territory: Between resource nationalism and indigenous self-determination in Bolivia. Geoforum, vol. 108, pp. 28-38, 2020. https://doi.org/10.1016/j.geoforum.2019.11.015.

[26] HAUSING, Kham Khan Suan. Autonomy and the territorial management of ethnic conflicts in Northeast India. Territory, Politics, Governance, vol. 10, no. 1, pp. 120-143, 2022. https://doi.org/10.1080/21622671.2021.1884591.

[27] LIGHTFOOT, Sheryl R. Decolonizing self-determination: Haudenosaunee passports and negotiated sovereignty. European Journal of International Relations, vol. 27, no. 4, pp. 971-994, 2021. https://doi.org/10.1177/13540661211024713.

[28] VASILYEV, Stanislav A., BURTSEV, Alexander K., SARMANAEV, Salavat H., et al. Defining practical importance of introducing limitations into the genome editing procedure. International Journal of Engineering and Advanced Technology, vol. 8, no. 6, pp. 2369-2373, 2019. https://doi.org/10.35940/ijeat.F8691.088619.

minority groups when making socially consequential decisions. In any event, disputes affecting their interests should be resolved in a manner that optimally safeguards the legal status of both individual members and the community as a whole.

Impact on Remote Territories

In contemporary political-legal contexts, territorial governance participation does not necessarily require the extension of sovereignty. Regarding the Arctic Council's operations, numerous states seek observer status within this organization to indirectly influence the region's legal regime through expert committees and other means. For instance, even without physical access to the Arctic Ocean, states maintain strategic interests in securing favorable conditions for aircraft overflight and maritime transit[29] – objectives achieved through such mechanisms.

Even in its domestic legal instruments, China explicitly addresses its role in Arctic affairs, emphasizing positive cooperation with regional states while respecting their sovereign rights over exclusive economic zones, continental shelves, and associated resources.[30] Notably, the organization of tourism activities in the region, governed by specific national regulations, represents one of its practically implemented objectives. Through these measures, China exerts discernible influence over geographically distant territories – a phenomenon well-documented in academic literature.[31]

Another example is the influence of the United States on many countries far beyond its borders. For instance, the American military presence in Afghanistan lasted for several years, affecting the country's political landscape.[32] The U.S. has also been funding Ukraine during the special military operation, allocating resources not only for military purposes but also for financing government officials and implementing social and humanitarian projects[33] thereby similarly influencing the country's political landscape.[34]

[29] VYLEGZHANIN, Alexander N., KIENKO, Ekaterina V. Consultative meetings of non-Arctic states on the status of the Arctic. St. Petersburg University Journal of Law, vol. 14, no. 2, pp. 296-318, 2021. https://doi.org/10.21638/spbu14.2021.204. [In Russian] Вылегжанин А.Н., Киенко Е.В. Консультативные совещания неарктических государств по статусу Арктики // Вестник СПбГУ. Серия 14. Право. 2021. №2. С. 296-318. DOI: 10.21638/spbu14.2021.204.

[30] Op. cit. Pp. 305-306.

[31] BENNETT, Mia M., IAQUINTO, Benjamin L. The geopolitics of China's Arctic tourism resources. Territory, Politics, Governance, vol. 11, no. 7, pp. 1281-1302, 2023. https://doi.org/10.1080/21622671.2021.1887755.

[32] CONNAH, Leoni. US intervention in Afghanistan: Justifying the Unjustifiable? South Asia Research, vol. 41, no. 1, pp. 70-86, 2021.

[33] SHIFRINSON, Joshua. American Interests in the Ukraine War. College Park, MD: Defense Priorities, University of Maryland, 2022.

[34] KRYSENKO, Dmitry S. The role of the USA in organizing the "Euromaidan" movement in Ukraine (November 2013 – February 2014). Arkhont, no. 1 (22), pp. 15-29, 2021. [In Russian] Крысенко Д.С. Роль США в организации движения «Евромайдан» на Украине (ноябрь 2013 - февраль 2014 гг.) // Архонт. 2021. № 1 (22). С. 15-29.

The influence of the United States on other countries through its domestic legal system and judicial institutions is not merely acknowledged but actively promoted within American legal doctrine as a positive— and to some extent historically underappreciated— practice, both retrospectively and in contemporary contexts.[35] This approach of extraterritorial legal ambition, whereby domestic legislation purports to govern foreign territories through judicial mechanisms characteristic of Anglo-Saxon legal systems, appears fundamentally inequitable. It contravenes established principles of international law while manifesting distinct neocolonial characteristics— a tendency similarly exhibited by other so-called developed nations.

France continues to exert significant influence over several African states. However, in recent years, it has faced growing local resistance, including popular rejection, military coups, and other challenges to its political leverage.[36]

Within the aforementioned context of U.S., French, and other states' activities, one can observe manifestations of neocolonialism or postcolonialism[37] – systems preserving the core principles of traditional colonialism.[38] while being obfuscated through selective interpretation and deliberate misapplication of international legal instruments and domestic legislation.

Another dimension of this issue merits examination. The United States, United Kingdom, and France maintain numerous so-called overseas territories— remote island possessions situated far from their metropolitan cores yet recognized as sovereign territories of these states. Citing the UN Convention on Biological Diversity (CBD) of June 5, 1992, these powers station military contingents on such islands, ostensibly to fulfill the objectives of the convention. Through such deployments, they inevitably exert strategic influence over surrounding maritime regions,[39] affecting both neighboring states and transiting vessels/aircraft pursuing diverse purposes. The actual extent of biodiversity preservation achieved through these measures remains empirically questionable. While the legal right to maintain military installations on sovereign territory is undisputed, a more transparent

[35] POTTS, Shaina. Law as geopolitics: Judicial territory, transnational economic governance, and American power. Annals of the American Association of Geographers, vol. 110, no. 4, pp. 1192-1207, 2020. https://doi.org/10.1080/24694452.2019.1670041.

[36] FILIPPOV, Vasily R. Emmanuel Macron's African Policy. Scientific Notes of the Institute for African Studies of the Russian Academy of Sciences, no. 1 (58), pp. 31-48, 2022. https://doi.org/10.31132/2412-5717-2022-58-1-31-48. [In Russian] Филиппов В.Р. Африканская политика Эммануэля Макрона // Ученые записки Института Африки РАН. 2022. № 1 (58). С. 31-48. DOI: 10.31132/2412-5717-2022-58-1-31-48.

[37] KOHNERT, Dirk. French domination of markets in Francophone Africa: Post-colonialism at its finest? GIGA Focus Afrika, no. 1, Hamburg: GIGA German Institute of Global and Area Studies, 2022.

[38] MÜLLER-CREPON, Carl. Continuity or Change? (In)direct Rule in British and French Colonial Africa. International Organization, vol. 74, no. 4, pp. 707-741, 2020. https://doi.org/10.1017/S0020818320000211.

[39] DE SANTO, Elizabeth M. Militarized marine protected areas in overseas territories: conserving biodiversity, geopolitical positioning, and securing resources in the 21st century. Ocean & Coastal Management, vol. 184, 105006, 2020. https://doi.org/10.1016/j.ocecoaman.2019.105006.

framing— at the very least acknowledging these as security measures for overseas possessions— would better reflect geopolitical realities.

It is impossible to overlook the presence of military bases in foreign countries, which has been partially addressed above. The placement of such facilities on the sovereign territory of another state inevitably affects that very sovereignty. Typically, the stationing of U.S. armed contingents elicits a certain degree of dissatisfaction among local civil society groups. Undoubtedly, the elites and ruling circles of the host country tend to view these actions positively,[40] deriving various benefits from this arrangement. However, empirical evidence demonstrates that even in states generally considered loyal to the United States, such as Japan and South Korea, segments of the population exist that oppose this situation,[41] including through legal means.

Regarding U.S. influence over territories remote from its sovereign borders, no one – including scholars – makes any secret of this fact. This approach achieves a broad spectrum of social, political and economic outcomes from such activities, while simultaneously shaping fundamental norms and principles of international law.[42]

However, influence over remote territories extends beyond these circumstances. U.S. military personnel conduct training programs for foreign armed forces, enabling scholars to develop the framework of the "soft power" theory. This approach facilitates subtle pressure on decision-making processes in host nations,[43] ultimately affecting their normative legal frameworks.

This leads to the conclusion that indirect territorial governance can be exercised by various actors physically distant from the governed territory, influencing virtually all spheres of public life. Simultaneously, remote areas often remain "disconnected" from the sovereign center, particularly in terms of shared social and cultural values, as well as certain organizational aspects. Consequently, contractual arrangements appear to be an appropriate mechanism for establishing systems of public administration in such contexts.

[40] KIM, Claudia, BOAS, Taylor C. Activist disconnect: Social movements, public opinion, and US military bases in East Asia. Armed Forces & Society, vol. 46, no. 4, pp. 696-715, 2020. https://doi.org/10.1177/0095327X19864127.

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[42] ALLEN, Michael A., FLYNN, Michael E., MARTINEZ MACHAIN, Carla. US global military deployments, 1950-2020. Conflict Management and Peace Science, vol. 39, no. 3, pp. 351-370, 2022. https://doi.org/10.1177/07388942211030885.

[43] MARTINEZ MACHAIN, Carla. Exporting influence: US military training as soft power. Journal of Conflict Resolution, vol. 65, no. 2-3, pp. 313-341, 2021. https://doi.org/10.1177/0022002720957713.

Bilateral agreements

In the current era of heightened geopolitical competition among major powers, bilateral agreements have become increasingly relevant.[44] The People's Republic of China actively employs this mechanism to advance its strategic objectives in the Arctic region by concluding specific agreements with circumpolar states. Through such instruments, China secures access to biological and energy resources while formalizing transit rights through the Arctic Ocean, among other privileges.[45]

This international legal instrument can also serve as a means of influencing remote territories. However, such agreements may be concluded under varying degrees of political influence. Nevertheless, establishing positive cooperation enables more effective utilization of a region's potential through the application of technologies, expertise, and other resources available to foreign stakeholders.

Regarding the aforementioned influence through bilateral agreements, the treaties between the European Union (hereinafter, EU) and Georgia, Moldova, and Ukraine warrant particular examination. These nations aspire to join the most extensive interstate association of the Old World; consequently, the agreements are structured to require candidate states to fulfill specific conditions. Through this mechanism, the EU exercises partial governance over these territories without conferring the full benefits of Union membership.[46]

An inverse dynamic can be observed in the cases of Iceland and the United Kingdom, which remain outside the EU while retaining their sovereignty and deriving distinct advantages from alternative cooperation frameworks. Iceland, for instance, participates in the Schengen Agreement (effective June 14, 1985), attracting substantial foreign investments irrespective of its EU membership— a privilege not uniformly extended to other states.[47] The UK, having exited the EU, has relinquished certain obligations while preserving fiscal resources and strategic trade linkages, concurrently implementing stricter controls on migration from the

[44] KOVAL, Vladimir N., OCHKURENKO, Sergei V., VASILIEV, Stanislav A. On the problem of maritime security: The Asian region. Moscow Journal of International Law, no. 4, pp. 56-67, 2022. https://doi.org/10.24833/0869-0049-2022-4-56-67. [In Russian] Коваль В.Н., Очкуренко С.В., Васильев С.А. К проблеме обеспечения безопасности на море: Азиатский регион // Московский журнал международного права. 2022. № 4. С. 56-67. DOI: 10.24833/0869-0049-2022-4-56-67.

[45] VYLEGZHANIN, Alexander N., KIENKO, Elena V. Consultative meetings of non-Arctic states on the status of the Arctic. St. Petersburg University Journal of Law, vol. 14, no. 2, pp. 296-318, 2021. https://doi.org/10.21638/spbu14.2021.204. [In Russian] Вылегжанин А.Н., Киенко Е.В. Консультативные совещания неарктических государств по статусу Арктики // Вестник СПбГУ. Серия 14. Право. 2021. №2. С. 296-318. DOI: 10.21638/spbu14.2021.204.

[46] TYUSHKA, Andriy. The Power and Performance of 'Association Bodies' under the EU's Association Agreements with Georgia, Moldova and Ukraine. JCMS: Journal of Common Market Studies, vol. 60, no. 4, pp. 1165-1189, 2022. https://doi.org/10.1111/jcms.13309.

[47] KRISTJÁNSDÓTTIR, Helga, ÓSKARSDÓTTIR, Stefanía. European FDI in Ireland and Iceland: Before and after the financial crisis. Journal of Risk and Financial Management, vol. 14, no. 1, 23, 2021. https://doi.org/10.3390/jrfm14010023.

Middle East and North Africa. Notably, Britain now exercises discretion over EU environmental regulations, a divergence that prompts concerted efforts among member states to negotiate compensatory bilateral agreements.[48]

Another avenue for developing bilateral agreements involves establishing special governance regimes in shared territorial zones. For instance, international maritime law scholars have proposed joint Russian-Canadian cooperation in the Arctic regarding the transit of foreign vessels along the Northern Sea Route. Analysts have observed that the domestic legislation of both nations in this domain exhibits significant convergence, theoretically enabling treaty ratification without the need for extensive preliminary legal harmonization.[49] However, under current geopolitical conditions, the adoption of such an agreement appears highly improbable.

Bilateral agreements also serve as the legal foundation for demarcating territorial boundaries between states. For instance, the rapidly developing nations of India and China frequently engage in border disputes concerning boundary delineation and frontier regulation, which are often governed by treaties between these countries. As K.D. Raju emphasizes, the effective legal implementation of these agreements impacts not only the welfare of the signatory states but also neighboring nations,[50] while significantly influencing stability across Southeast Asia. The absence of universally binding international rules— or their consistent enforcement— may precipitate conflicts with spillover effects on uninvolved parties.

These issues are partially linked to cases of bilateral agreement violations, where one party attempts to negotiate separately with a region claimed by the other. For example, the Court of Justice of the European Union (CJEU) has adjudicated disputes concerning breaches of EU-Morocco agreements, arising from the EU's efforts to establish separate terms with Western Sahara— a territory Morocco considers its own.[51] This again raises the aforementioned question of sovereignty, whether over an entire state or a specific region, and its recognition (or non-recognition) by other legal actors. Such actors may facilitate legal engagements with

[48] LEONELLI, Giulia Claudia. From Extra-Territorial Leverage and Transnational Environmental Protection to Distortions of Competition: The Level Playing Field in the EU-UK Trade and Cooperation Agreement. Journal of Environmental Law, vol. 33, no. 3, pp. 611-637, 2021. https://doi.org/10.1093/jel/eqab010.

[49] VYLEGZHANIN, Alexander N., NAZAROV, Vladimir P., BUNIK, Ivan V. The Northern Sea Route: Towards resolving political and legal issues. Herald of the Russian Academy of Sciences, vol. 90, no. 12, pp. 1105-1118, 2020. https://doi.org/10.31857/S0869587320120270. [In Russian] Вылегжанин А.Н., Назаров В.П., Буник И.В. Северный морской путь: к решению политико-правовых проблем // Вестник Российской академии наук. 2020. Т. 90. № 12. С. 1105-1118. DOI: 10.31857/S0869587320120270.

[50] RAJU, K. D. Doklam and beyond: revisiting the India-China territorial disputes: an international law perspective. India Review, vol. 19, no. 1, pp. 85-105, 2020. https://doi.org/10.1080/14736489.2019.1710081.

[51] SUÁREZ-COLLADO, Ángela, CONTINI, Davide. The European Court of Justice on the EU-Morocco agricultural and fisheries agreements: an analysis of the legal proceedings and consequences for the actors involved. The Journal of North African Studies, vol. 27, no. 6, pp. 1160-1179, 2022. https://doi.org/10.1080/13629387.2021.1917122.

provinces or unrecognized states, thereby granting them a degree of independence and autonomy while undermining the interests of the larger sovereign state. Nevertheless, this very problem can be addressed through multilateral treaties involving a limited number of countries. This approach should be regarded as the primary, not alternative, means of resolving international disputes.

The Impact of Transnational Corporations on Specific Territories

The economic dimension often serves as the most significant determinant in decision-making processes concerning the activities of various legal entities within a given territory. In this regard, transnational corporations possess considerable potential, exerting diverse forms of influence on specific localities and even entire nations.[52]

Moreover, while pursuing economic objectives, these global entities are compelled to address additional challenges. Scholars have documented instances of environmental legislation transformation in certain states under the influence of transnational corporations. Judicial practice substantiates this phenomenon, as evidenced by cases of direct environmental harm caused by corporate activities, exemplified by the UK court ruling in Vedanta v. Lungowe, which recognized the liability of a British company for environmental damage in Zambia.[53] Consequently, major commercial enterprises exert significant influence over governance in territories where they often lack residency status. Furthermore, legal precedents confirm that these entities have committed human rights violations in the host countries where they operate.[54]

Russian domestic legislation, compared to the legal systems of other countries, imposes significantly more restrictions on commercial entities entering into contracts that would grant foreign residents access to Russian resources.[55]

[52] KOVAL, Vladimir N., VASILEV, Stanislav A., ZENIN, Sergei S. Territory as a feature of the state in terms of modern public relations development. International Journal of Innovative Technology and Exploring Engineering, vol. 8, no. 9, pp. 2075-2079, 2019. https://doi.org/10.35940/ijitee.I8316.078919.

[53] VARVASTIAN, Samvel, KALUNGA, Felicity. Transnational corporate liability for environmental damage and climate change: Reassessing access to justice after Vedanta v. Lungowe. Transnational Environmental Law, vol. 9, no. 2, pp. 323-345, 2020. https://doi.org/10.1017/S2047102520000138.

[54] ARISTOVA, Ekaterina. The future of tort litigation against transnational corporations in the English courts: Is forum [non] conveniens back? Business and Human Rights Journal, vol. 6, no. 3, pp. 399-422, 2021. https://doi.org/10.1017/bhj.2021.11.

[55] VYLEGZHANIN, Alexander N., KIENKO, Elena V. Consultative meetings of non-Arctic states on the status of the Arctic. St. Petersburg University Journal of Law, vol. 14, no. 2, pp. 296-318, 2021. https://doi.org/10.21638/spbu14.2021.204. [In Russian] Вылегжанин А.Н., Киенко Е.В. Консультативные совещания неарктических государств по статусу Арктики // Вестник СПбГУ. Серия 14. Право. 2021. №2. С. 296-318. DOI: 10.21638/spbu14.2021.204.

The passivity of the state engenders various adverse consequences. In Laos, for instance, Chinese and Vietnamese corporations have maintained vigorous economic operations, with each being subject to distinct legal regimes governing resource utilization across different regions. This circumstance has, in some instances, resulted in mutually beneficial territorial arrangements favoring foreign corporate interests, while in others, it has provoked labor protests— predominantly by local workers— demonstrating the dualistic nature of such engagements.[56]

Nevertheless, policymakers across many developing nations acknowledge at least the economic benefits of transnational corporations' influence on their territories. For instance, a research team from the National Aviation University (Kyiv, Ukraine) has documented positive developmental impacts stemming from Coca-Cola Company's operations in Ukraine.[57]

Another significant dimension of private sector influence on territorial governance involves private military companies (PMCs) and similar militarized entities that have gained legal status in several states. Governments frequently employ their services[58] as a cost-saving alternative to maintaining national armed forces. These organizations often operate as independent commercial entities, with some transnational corporations maintaining dedicated PMC divisions. Crucially, armed coercion remains one of the most effective means of influencing decision-making processes, constituting a substantive factor in compromising territorial sovereignty and governance at both local and national levels.

Recent empirical evidence demonstrates that the majority— if not all— transnational corporations (TNCs) operate under the substantial influence of nation-states. Consequently, ostensibly independent corporate entities may effectively serve as instruments of geopolitical leverage. A paradigmatic example emerges from the political stance toward Russia, where imposed economic sanctions have compelled numerous TNCs to withdraw from the Russian market despite significant financial losses.[59] This phenomenon warrants analytical consideration as a distinct

[56] KENNEY-LAZAR, Miles. Relations of sovereignty: The uneven production of transnational plantation territories in Laos. Transactions of the Institute of British Geographers, vol. 45, no. 2, pp. 331-344, 2020. https://doi.org/10.1111/tran.12353.

[57] ZHAVORONKOVA, Galina, MIZIUK, Svitlana, ZHAVORONKOV, Vladimir. The influence of transnational corporations on the economy of developing countries (Contemplating the example of how the Coca-Cola Company influences the economy of Ukraine). Science. Business. Society, vol. 5, no. 1, pp. 9-13, 2020.

[58] GRANOVSKY-LARSEN, Simon, SANTOS, Larissa. From the war on terror to a war on territory: corporate counterinsurgency at the Escobal mine and the Dakota Access Pipeline. Canadian Journal of Latin American and Caribbean Studies/Revue canadienne des études latino-américaines et caraïbes, vol. 46, no. 1, pp. 121-145, 2021. https://doi.org/10.1080/08263663.2021.1855892.

[59] CROZET, Matthieu, HINZ, Julian. Friendly fire: The trade impact of the Russia sanctions and counter-sanctions. Economic Policy, vol. 35, no. 101, pp. 97-146, 2020. https://doi.org/10.1093/epolic/eiaa006.

modality of territorial governance, producing, at a minimum, substantial economic impacts that frequently manifest as broader political stratagems at the global level.

Conclusion

Based on the preceding analysis, this study proposes a nuanced classification of the political and legal influences exerted upon specific territories, delineated as follows:

1. Sovereignty of the state over its territory in relation to external claims by other states.

2. Internal sovereignty enforcement mechanisms that uphold balanced governance within territories hosting significant populations of ethnic minorities and indigenous peoples.

3. Territorial disputes or claims, including implicit or explicit threats indicative of such conflicts.

4. Political, economic, and treaty-based influences exerted over geographically distant territories by the sovereign state.

5. The impact of transnational corporations on various territories through their operational activities.

Furthermore, the study suggests categorizing territories into the following classes:

1. Territories under the sovereignty of a state are free from external state or organizational influence.

2. Territories characterized by the presence of concentrated ethnic minority or indigenous populations.

3. Territories governed by joint multilateral or universal sovereign state agreements.

4. Territories subject to competing sovereign claims.

5. Territories under the influence of foreign states.

6. Territories impacted by transnational corporate influence.

Applying this classification framework within the realms of international diplomacy and legal norm formulation can facilitate a more nuanced understanding of territorial dynamics. Such an approach can support the development of tailored legal mechanisms and promote alternative dispute resolution methods in international conflicts, especially those traditionally addressed through coercive domestic measures. Nonetheless, the intrinsically complex nature of international relations and global legal practices often inherently favors dispositive contractual arrangements over unilateral, coercive actions.

Influência de diversos sujeitos de direito sobre a soberania territorial e os meios alternativos de resolução de disputas

Resumo: A produção acadêmica contemporânea e os debates de política internacional reconhecem, de forma crescente, a transformação em curso da ordem mundial estabelecida. Essa mudança de paradigma é acompanhada por alterações significativas nos marcos jurídicos internacionais em múltiplas jurisdições. O presente estudo examina as dinâmicas em evolução da governança territorial e as influências multifacetadas exercidas por diversos atores nesse processo. Por meio de uma análise interdisciplinar, o trabalho desenvolve um arcabouço teórico abrangente que aborda as dimensões político-jurídicas da soberania territorial. A pesquisa apresenta tipologias originais: (1) uma classificação das influências externas sobre a governança territorial; e (2) uma categorização dos territórios baseada em sua vulnerabilidade a intervenções externas e na robustez da soberania estatal no cenário geopolítico contemporâneo.

Palavras-chave: Território. Soberania. Regulação jurídica. Influência política. Corporação transnacional. Minorias nacionais. Povos indígenas.

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