

## Peru vs Chile - The Role of International Communications in a Maritime Dispute

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Perú vs Chile - El papel de las comunicaciones internacionales en una disputa marítima

Peru vs Chile - O papel das comunicações internacionais em uma disputa marítima

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**Abstract:** Peru and Chile's maritime dispute was complex and globally relevant. While a lot of research has analyzed the legal and political strategies used during this dispute, none have studied the role of communications. What role does communication play during a maritime dispute? To answer this question, we will first need to define what constitutes a maritime dispute and understand how communications can be related to conflict resolution. The study will be conducted through analyzing a timeline consisting of data retrieved from past research. The timeline will help to identify the different types of communication applied by both countries. The results of this research indicate that the different types of communication used during the maritime dispute are categorized as international communications.

### **Keywords:**

Maritime dispute, role of communication, historical analysis, international communications

**Resumen:** La disputa marítima de Perú y Chile fue compleja y relevante a nivel mundial. Si bien, mucha investigación ha analizado las estrategias legales y políticas utilizadas durante esta disputa, ninguna ha estudiado el papel de las comunicaciones. ¿Qué papel juega la comunicación durante una disputa marítima? Para responder esta pregunta, primero tendremos que definir qué constituye una disputa marítima y comprender cómo se pueden relacionar las comunicaciones con la resolución de conflictos. El estudio se llevará a cabo mediante el análisis de una línea de tiempo que consiste en datos recuperados de investigaciones anteriores. La línea de tiempo

ayudará a identificar los diferentes tipos de comunicación aplicados por ambos países. Los resultados de esta investigación indican que los diferentes tipos de comunicación utilizados durante la disputa marítima se clasifican como comunicaciones internacionales.

**Palabras clave:**

Disputa marítima, papel de la comunicación, análisis histórico, comunicaciones internacionales

**Resumo:** A disputa marítima entre Peru e Chile foi complexa e relevante em todo o mundo. Embora muita pesquisa tenha analisado as estratégias legais e políticas usadas durante essa disputa, nenhuma estudou o papel das comunicações. Qual o papel da comunicação durante uma disputa marítima? Para responder a esta pergunta, primeiro, precisamos definir o que constitui uma disputa marítima e entender como as comunicações podem estar relacionadas à resolução de conflitos. O estudo será realizado através da análise de uma linha do tempo composta por dados recuperados de pesquisas anteriores. A linha do tempo ajudará a identificar os diferentes tipos de comunicação aplicados pelos dois países. Os resultados desta pesquisa indicam que os diferentes tipos de comunicação utilizados durante a disputa marítima são classificados como comunicações internacionais.

**Palavras-chave:**

Disputa marítima, papel da comunicação, análise histórica, comunicações internacionais

**1. Introduction**

For thousands of years, navigation, trading and fishing have made maritime territory an important resource for states' economy and growth. With a constant need to expand their national territories, states often went to war to increase their maritime reach. The creation of the United Nations in 1945 led to the end of violence over maritime territories and mandated that states resolve conflicts through pacifist means unless otherwise provoked (Gray, 2004, p. 28).

Peru and Chile have consistently maintained relatively peaceful diplomatic relations since the 19th century. Both nations are members of the Asia-Pacific Economic Cooperation, Organization of Ibero-American States, Organization of American States, Pacific Alliance, Rio Group and the United Nations. Despite their diplomatic relationship, Peru and Chile were unable

to agree on how their maritime borders should be drawn and tension grew. Until one day in 1980 during a UN conference, Peru made a statement regarding the unresolved maritime dispute and brought it back to life. From then until 2014, both countries were involved in a series of events that not only included lawyers and politicians but communication professionals.

This study analyzes the role of international communication during the Peru vs. Chile Maritime Dispute. Past research of this topic focused on the impact of a conflict in different fields (economy, politics, legal, etc.), but never on one main silent actor: communications. We will begin the research by explaining the objectives of conducting this study, then we will explain what methodology was used and how it was applied. The scope of this research has been built in order to understand the role of communications during a maritime dispute.

Secondly, for a proper analysis of the case study, we will briefly start with understanding what constitutes a conflict and how it develops. We will analyze how different communication strategies extended beyond a local level to an international one due to different actions taken by both states through diplomatic notes and newspaper articles that influenced public opinion.

Then we will reach the main part of this research, the historical analysis, which will cover the maritime dispute between Peru and Chile from a communication perspective. To achieve this, we will divide the conflict into two parts, each supported by a timeline, for a more comprehensible analysis. The analysis will reference two subfields of international communication: diplomacy and journalism.

The first part will analyze how the conflict escalated and how communication strategies were used. We will call it 'Pre-Hague'. The second part will discuss the peak and resolution of the conflict, as well as the impact shown through the communication tools. This section is called 'Hague'.

By analyzing both timelines, we will set a precedent on how international communications can be involved in other international conflicts. It is expected that this study will be a model for future research.

By the end of this paper, we will be able to conclude that international communications, through diplomacy and journalism, not only played a silent role during the conflict but was a necessary tool and strategy to accompany the process and deliver it in the right way to the concerned audiences.

## **2. Scope**

The main objective of this research is to highlight how different sublevels of communications are intertwined with the different phases of a maritime dispute. This main objective derives in three secondary ones: 1) to establish the communication components in a maritime dispute, 2) develop a relationship between communication and maritime disputes, and 3) predict a base for future similar cases.

The research has been conducted from a qualitative approach, such an approach is used when a detailed description is needed, especially in a complex situation or, like in this case, when analyzing a long-term conflict. This helps to understand not only what happened, but why and how.

To better understand the chosen approach, we are using a case study which is defined as “an empirical inquiry that investigates a contemporary phenomenon (the ‘case’) in depth and within its real-world context” (Yin, 2014, p. 16).

## **3. Methodology**

When performing case study research, collecting and analyzing data methods must be chosen carefully and accordingly, in order to answer the main and secondary objectives. For this research to be useful and valid, we have considered it necessary to use 3 main methods within the qualitative approach.

## **4. Observation**

The observation method is used to observe the individuals during an event we would like to analyze. Even though the actors involved in this case study knew they were being observed by many people, they were not aware that by the end of the dispute, their actions would be analyzed.

Since they were unaware that afterwards the whole situation would be researched, we will employ a method called ‘covert observation’, which is when no one knows they are being watched for analysis (Given, 2008). This method comes in handy to understand how a certain process works, or in this case how a maritime dispute is developed and what was the role communications played in it.

As mentioned before, in this case study, observation was applied to examine the people and actions involved in the maritime dispute. From listening to the hearings during the trial, to reading what newspapers published about it.

## **5. Data display**

Data display in a graphic format is a way of portraying information succinctly and efficiently, illustrating details provided in longer textual information. Visual displays provide a multidimensional space to organize data and show connections between different pieces of relevant data (Dey, 1993).

Due to the amount of information needed for this research, a timeline is necessary for better understanding and organization. This will help performing the historical analysis. The graphic representation will help us to identify the different actions and phases that occurred during the maritime dispute and will make the analysis much easier to process and to understand.

## **6. Content analysis**

During the second part of the conflict, which took place in trial, the press played an important role communicating what was happening. This creates the need to analyze what was released to the public, with which intentions and how it influenced public opinion.

Since the case study involves Peru and Chile, we have chosen a main newspaper for each country. El Comercio (Peru) and El Mercurio (Chile) are known to be the most reliable, famous, and oldest newspapers in their respective countries. We have chosen to focus only on printed media, but it is important to mention that given the magnitude of the case, it was followed up and published in all possible platforms. For an accurate and reliable content analysis of the press releases, we will follow the structure used by Matthew A. Baum and Yuri M. Zhukov (2018) in their research: *Media Ownership and News Coverage of International Conflict*, where they used three measures of news coverage:

1) Scope, whether a newspaper published an article about the conflict on a given day. 2) Focus, whether that article was hard or soft, and 3) diversity, the relative abundance of frames an article contains. For this case study, we will apply the mentioned aspects to only the front page of newspapers.

## **7. Analysis**

For any study, a theoretical framework is needed. In this case, the two chosen variables to be studied are a maritime dispute and the subfields of communications. The main analysis will be on how these two variables intertwined through the process of reaching a resolution.

For this research, we have divided the analysis in four main parts. During the first two, we will describe and understand what a conflict is, and which are its phases, while describing and pointing out the communication subfields relevant to the case.

Defining the phases of a conflict will help us divide our case study in two parts, through these, we will be able to observe and analyze how communication is a silent actor through the whole conflict process. It will also help us understand each communicative strategy and its importance.

### **7.1 Boiling water**

A conflict can be defined as “coming into collision or disagreement” (Dictionary.com, 2019) and can also be related to the word “dispute” (Merriam-Webster, 2019). Conflicts can happen between two people or among different actors. It is never easy to solve one, no matter the actors involved.

According to the Mavrommatis case, “A dispute is a disagreement on a point of law or fact, a conflict of legal views or of interests between two persons,” (Infante, 1987, p. 63) some controversies can be considered legal when its resolution can only be achieved by using international law (Infante, 1987), which is what happened between Peru and Chile during the maritime dispute being discussed in this paper.

Many researchers have studied the phases a dispute go through before reaching a resolution and could naively expect it to include a beginning, middle and end, but a conflict tends to be a bit more complex than that.

Some researchers have divided conflicts into seven stages. The first stage begins when the conflict itself is still not identified, while the last one is implementing a peace agreement or reaching any kind of resolution. Since this is not a research that aims to analyze every step of how the dispute was resolved, we have chosen the authors with the minimum phases that can help us divide the conflict in a better way.

William Ury (2000) identifies three stages of conflict in his work *The Third Side*. The first is Latent Tensions, when there is some tension among the parties, but it has not evolved into actions yet. The second is Overt Conflict, here all the issues have been identified but the lack of a clear way for resolution gives room for escalation. Lastly, is Power Struggle, during this stage many contentious tactics are used by the involved parties, and it could end with violence, through a third-party mechanism or be locked in a long-term disagreement.

Christopher Moore (2003) has a similar model, naming the stages: Latent Conflict, Emergent Conflict and Manifest Conflict, respectively. The difference between both theories is that Moore encompasses conflicts with potential violent tactics, while Ury classifies them mostly without the potential to cause a massive destruction.

Peru and Chile indeed had a conflicting relationship, especially when it comes to how they would divide their maritime territory, but under no circumstances was there ever a sign it could end up in violent actions. Based on the previously mentioned, the research will use Ury's model to divide the maritime dispute and analyze the role of international communications.

The Latent Tensions, as specified by Ury, between Peru and Chile can be traced back to a hundred years ago, let us keep in mind they did not only have issues because of the sea, but for land as well.

It would be a good moment to remind the reader that this research will only cover the maritime dispute from 1980 when the dispute was brought back onto the table again by Peru, until 2014 when a third-party resolution was given.

Overt Conflict and Power Struggle are the two phases left that will be analyzed in the following part of the research. As explained before, a timeline has been produced to map out the different international communication actions, and, for an easier understanding, the chosen data display will be divided in two parts, just like the mentioned phases.

The Overt Conflict phase will cover everything before both countries going to trial in front of a third-party, in this case the Hague court. The Overt Conflict phase mostly refers to the actions taken by both parties trying to avoid an escalation of the conflict.

The Power Struggle phase represents the whole - and long - process of obtaining a resolution for such an important and long-standing maritime dispute between two of the biggest countries in South America. Chile and Peru measured their powers in front of an international

court and proved to the world the capacity of their lawyers and the eagerness to set things straight about their maritime borders.

As said before, this conflict did not give any physically violent indications, although verbal and tactic fierceness were part of the international communication strategies used by both parties. You could easily say that this conflict ended up boiling South American waters.

## **7.2 Silent actor**

While the conflict was taking place and the lawyers were preparing their defenses and lines of action, a different actor was working in silence. As stated before, many papers have been written on the consequences of the Maritime Dispute between Peru and Chile in different fields (legal, political, etc.), but none in communications, which is the reason for this research.

We are all familiar with “local” communication. We see our journalists reporting on the local news, PR agents handling the reputation of big companies, publicists winning awards for the best advertising campaign, but we are not familiar with having these actors in the international arena.

For almost 70 years, different studies have focused on how communication works between states, all the research pointed out to the need to have a (sub)discipline of communication science, one that would be dedicated to the phenomena of how global communication works, this is now commonly known as ‘international communication’ (Madikiza & Bornman, 2007).

As one would expect, international communication as a field has developed from the study of international relations (Mowlana, 1996, 1997), that is why this new field is constantly associated with inter-state and inter-governmental interactions as diplomacy and government propaganda, or journalism if you prefer a broader term.

In a lighter and simpler way, Thussu (2000) defines international communication as what happens across international borders. The definition given by Thussu might sound simple, but the term itself has blurry boundaries between the technical, economic, political, social, and cultural domains (Tehrani, n.d.). It is not easy to tell where the local communication strategies differ from one state to the other.



Then, what is international communications? Local communication strategies in a larger level. International communications can be understood as two (or more) countries' communications strategies working out together.

In 2010, Chitty (2010) conducted a study regarding the Expert views on the field of international communication. The research showed 12 main subfields of international communications, but 4 were chosen: journalism, foreign policy, public diplomacy, and diasporic communication. This study adds up to what Mowlana (1996, 1997) associated with international communications: diplomacy and government propaganda.

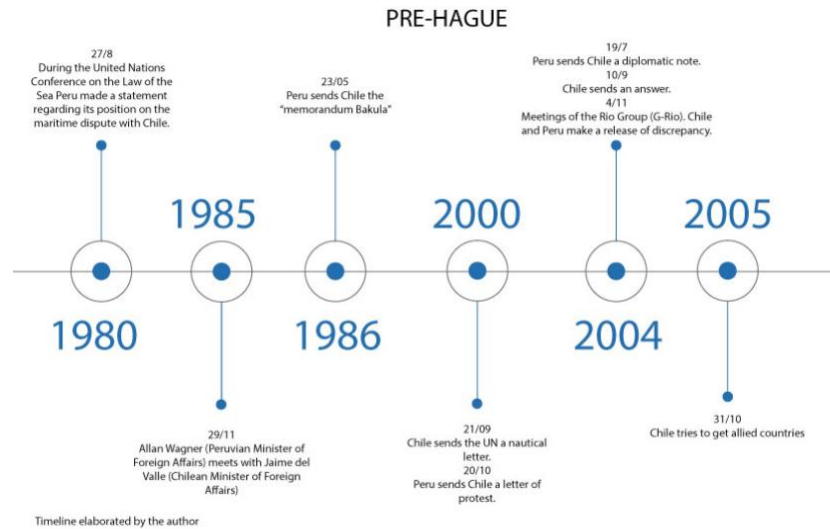
What are the common subfields found among Mowlana, Chitty and this case study? Diplomacy, which is observed during the first part of the maritime dispute; and journalism – or government propaganda – which will be analyzed in the second part; where diplomatic moves were not enough, and a trial had to be pursued.

International communications can, according to Chitty (2010), be defined as a set of identifiable events and issues that are in flux. The maritime dispute between Peru and Chile had a bunch of events and issues that could be grouped as international communication actions playing a silent role along the conflict.

### **7.3 Pre- Hague**

When negotiating an international conflict, the nature of communication can be dual, meaning and intent can be done through words or acts (Arquilla, 1992). This is not strict, you can have both in one strategy, or a bit of each, or just one of them. The analysis of how communication works helps the research to build the blocks of communications and label them as verbal or tacit.

During many years both countries applied a tacit communication strategy by having a silent agreement about their disagreement on how to solve their maritime dispute. The tacit strategy shifted to a verbal one when in 1980 during a United Nations Conference on the Law of the Sea Peru decided to speak up about the unsolved issue with Chile regarding their maritime borders. A tacit response was given by the Chilean party by making no reaction.



By 1985, Peru decided it is time to get the boat moving and send Allan Wagner, his Minister of Foreign Affairs, to have a formal meeting regarding the maritime delimitation with his Chilean counterpart, Jaime del Valle. This could and should be considered the first diplomatic move made by one of the states, in this case Peru, to start the long journey of reaching a resolution for the maritime dispute.

To consider this action as the first diplomatic move, it is necessary to check out Eytan Gilboa (2000), who describes diplomacy within the parameters of international communications with two main characteristics. Firstly, each party must be able to recognize its interests in the negotiation, and secondly, both will work to achieve mutual gains in large-scale political conflicts.

Both parties showed interest in achieving mutual gains during the Pre Hague phase by holding multiple meetings, sending diplomatic notes, and persuading allies to convince the other party on how to solve their maritime dispute. Based on the strategies applied, it can be understood that Peru and Chile were expecting to solve this preferably through diplomatic means.

A year after the first diplomatic meeting between both ministers of Foreign Affairs, Peru would try a different diplomatic strategy. On May 23, 1986, Juan Miguel Bákula, a Peruvian diplomat would meet with Juan del Valle, the Chilean chancellor.

Bákula would use this opportunity to deliver a diplomatic memorandum with a first official proposal on how to solve the maritime dispute. “Ever since May 23 on 1986, Peru

presented Chile the need to have conversations regarding the definition of maritime boundaries between both countries [...]” (Novak, 2014). The Chilean response would be simple, they needed to study previous agreements and would eventually act on this.

A diplomatic note can be presented in different modalities (Enciclopedia jurídica, 2019). A diplomatic note is any kind of document for official correspondence under the parameters of a diplomatic mission in a country and the government hosting it. The first modality identified in the Maritime Dispute of Peru vs. Chile was the diplomatic note sent by the Peruvian diplomat Bákula. It was a memorandum, the oldest and most classy note in the diplomatic world.

In September 2000 after ratifying the United Nations Convention on the Law of the Sea (UN General Assembly, 1982), Chile sent to the United Nations their new navigation charts with the maritime boundaries. Less than a year later Peru would send a diplomatic note to the UN offices claiming they do not agree with the charts presented by Chile.

In between Chile sending the navigation charts to UNCLOS (United Nations Convention on the Law of the Sea) and Peru giving a diplomatic note strongly disagreeing with the previous statement, another modality was identified. The protest notes (Enciclopedia jurídica, 2019), which goal is to formulate the disagreement of one state regarding another one.

The note can demand reparations, reestablishment of rights, announce retaliation or demand to go to an international instance for a pacifist resolution. In this case study, every diplomatic action was taken under the presumption of avoiding violence.

The first protest note (La República, 2012) in the Maritime Dispute of Peru vs. Chile was sent by Fernando de Trazegnies, a Peruvian chancellor, in October 20, 2000 (Ministerio de Relaciones Exteriores de Perú, 2000), right after the nautical letters were sent by Chile to UNCLOS. The letter would express the Peruvian discomfort about the Chilean statements on how the maritime boundaries should be defined. There is no register of an answer by the Chilean counterpart.

Peru and Chile go back to tacit communication until July 19, 2004 when the Peruvian Minister of Foreign Affairs, Manuel Rodríguez Cuadros sent a diplomatic note GAB N°6/43 to his Chilean counterpart, Soledad Alvear. The purpose of the letter was to invite Chile for bilateral negotiations.

The Chilean answer would arrive the same year by September 10 (Ministerio de Relaciones Exteriores de Chile, 2000), written by Soledad Alvear, a Chilean chancellor. The

protest notes sent by the Chilean party would emphatically notify that the nautical letters were draft according to the international law regulations.

Jose Rodríguez Elizondo (2009), a Chilean lawyer, indicated that Chile would always deny there was a case for negotiation. Despite the attempts performed by Peru, Chile would ignore the negotiation requests over and over. After the last note sent by Chile, the Peruvian group would manifest that the negotiation alternatives are over, and Peru might have to use a different controversy resolution method (Reuters, 2008).

In this case, international communications in its sublevel of diplomacy was being played in two different spheres and with three players. The first sphere would be with both states, where they would exchange protest notes between their corresponding chancellors. The second sphere can be identified with both countries sending communications to a third party, UNCLOS, and exchanging answers and disagreeing through it.

The same year that the last diplomatic note was exchanged between both countries (Schuster, 2013), their presidents met at the G-Río (Grupo de Río or Rio group in English). This group is a consultation mechanism for Latin America and the Caribbean, and it was founded in Rio de Janeiro, Brazil on December 18, 1986.

On November 4, 2004, after the G-Rio meeting was done, both Chile and Peru's Ministry of Foreign Affairs would make a release of discrepancy. In this document they would indicate that "maritime borders between both countries is a legal matter and it should not come in the middle of the positive relation between Chile and Perú" (Wagner, 2009, Anexo 113).

Once again, Peru and Chile shared a radio silence communication, nothing was being said regarding the maritime dispute. No less than a year of silence and Peru started to work on a project to set a maritime border different than the one defined by Chile. The project was meant to pass through the Congress and be released as a law.

By October 21, 2005, Chile would try to win over as allies some South American countries. This was considered a diplomatic offensive (García & Díaz, 2011), for two reasons, 1) because external forces cannot influence or have an opinion on what laws a country dictates, 2) Chile had refused to negotiate on several occasions and Peru wanted to be clear on the maritime borders.

As mentioned before, the Pre Hague phase is directly related to the Overt Conflict phase defined by Ury (2000). This is the moment where both parties have identified all the issues but

lack a clear way of resolution. Peru and Chile knew they had a problem regarding their maritime disputes. Peru offered, through several diplomatic moves, to sit down and negotiate, but Chile kept saying no.

Managing a conflict at the state level produces discursive documents (e.g., treaties, agreements), which can be productive or oppressive, but are designed for strategic effects (Ellis, 2018). Despite the diplomatic strategy used by Peru, Chile was of no help and changed the method of the game. The Peruvian government gave up on trying to reach a resolution through negotiation and gave room for the conflict to escalate.

One would think that based on all the different communication actions taken by both parties, an agreement should be achieved, but on the contrary, the conflict kept going and rising. Since this is a maritime dispute, the Law of the Sea has authority (Article 279) but leaves the choice of how to solve these disputes to the states involved (Article 280).

So, if none of the previous strategies worked, what solution does the Law of the Sea give? According to the Article 287, states can send disputes to the International Tribunal for the Law of the Sea (ITLOS), to the International Court of Justice in the Hague (ICJ), appoint an arbitral tribunal as in Annex II or appoint a special arbitral tribunal as in Annex III.

Negotiations will always be cheaper and more flexible than going to court, but what this case needed was a ruling that would be binding enough for both states to act and put this dispute to rest. Looking for a third-party ruling switched the phase of the conflict to the Power Struggle, and it would make both parties to face each other in court and make public appearances on who has more maritime power than the other.

#### **7.4 Hague**

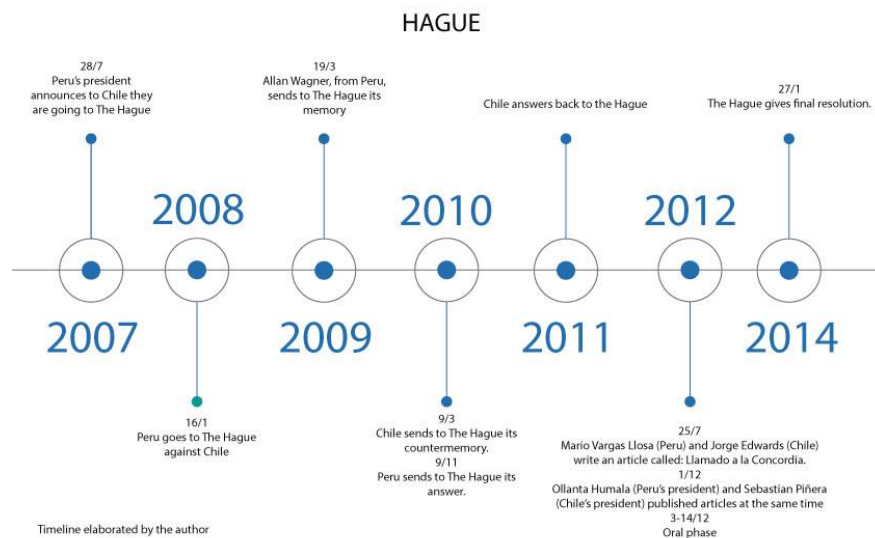
Peru and Chile had signed in the past treaties regarding territory and maritime boundaries, but Peru felt they were not clear enough. To achieve clarification, several actions were taken by both parties, Peru trying to offer a new and clearer agreement and Chile rejecting them all.

These actions not only included legal and political moves, but also diplomatic strategies included within the parameters of international communications. As identified in the timeline from the previous section, said diplomatic strategies worked just fine for the Overt Conflict

phase when both parties tried out several diplomatic measures before employing sterner options (Arquilla, 1992).

The escalation of a conflict happens when the Overt Conflict becomes a Power Struggle. As much as diplomacy is an important tool for soft power (Nye, 2008) to avoid an unwanted shift between the conflict phases, sometimes using military or other drastic actions might be necessary to reach an agreement. In this case, the drastic action was going for an international trial.

In this new timeline diplomacy will no longer be the focus of analysis. This section will make use of another relevant sublevel of international communications to analyze a maritime dispute: Journalism. Using this sublevel as a parameter for analyzing the Power Struggle between both countries' press reactions during the trial will be key to understand the impact of this case not only for Chile and Peru but for the maritime field of international law.



The maritime dispute between Peru and Chile was globally known and made it to the front cover of different press platforms around the globe. As much as the international opinion is important for understanding the impact of a case, this research will focus only on the front covers of the main journal of each country: El Comercio in Peru and El Mercurio in Chile.

The reader might wonder why this research only focus on the front cover of two newspapers and not an in-depth journalistic analysis. The reason is simple, the main focus of this research is to identify how the international communications strategies worked along the maritime dispute, and not how the press of each country reported about it. Although, an analysis with this methodology is highly recommended.

According to the timeline, we have identified the main dates during the trial when a press reaction was expected. To be precise in the analysis of the front covers, we have determined the dates of the research considering the day itself and the day after, as shown in the timeline. The chosen dates cover a period of 24 days starting on July 28, 2007 after Alan Garcia Perez, former president of Peru, informed the Chilean government about going to the Hague with no official press release on the matter; and finishing on January 28, 2014 after a binding resolution was given by the ICJ.

If the reader wonders why the research does not cover the press reports regarding the maritime dispute in the pre-Hague phase, the answer is easy: journalism was not playing an important role, both parties were mainly trying to use diplomatic resources to reach an agreement.

When revising both newspapers' covers and trying to find a common structure for analysis, the following was determined: a right column, a left column, and a central section. As we mentioned before, we were going to use the methodology employed by Matthew A. Baum & Yuri M. Zhukov (2018).

This method involves three levels, *scope*, *focus* and *diversity*. To analyze the *scope*, we gathered the 24 front covers of both newspapers corresponding to the days indicated in the timeline. From March 19, 2009, to 2011, there was no newspapers analysis since the activity by both countries only consisted of delivering documents to The Hague court for revision.

On those days, Chile only made a report regarding the trial at the Hague 18 times, while Peru did it 19. Meaning the Peruvian and Chilean newspapers did not do a full scope on the maritime dispute trial at the Hague.

After the announcement made by Alan Garcia in 2007, he formally started the process of presenting the case concerning maritime delimitation between the Republic of Peru and the Republic of Chile in front of the International Court of Justice.

The process officially started when on January 16, 2008 Peru introduced the mentioned case at the ICJ using as an argument the article XXXI of the Pact of Bogotá of 30 April 1948 to which both States were parties without reservation.

Why is studying the newspapers cover important? Because is the first thing a reader will check out when acquiring a newspaper. A newspaper can have different sections and news, but only the main ones will make it to the front cover.

When an editor chooses what to include in the cover he goes through a system - which can vary from one editor to another. Defining what will catch the readers' sight first, what is important for the world to notice first, what needs to be highlighted and what is a regular news.

Once the previous step is settled, the editor has to organize all the chosen news for the cover in the best possible way for it to look good and interesting to the readers' eyes. The editor would have to decide which news makes it to the central of the cover and which ones will go along side.

The second level was the *focus*, which in Matthew A. Baum & Yuri M. Zhukov's research (2018) would measure if the article had a hard or soft speech. This investigation is not analyzing the tone of how the highlights were written. For that reason, the focus of the front covers will be analyzed based on which section would the reader notice first. Several studies have been conducted trying to determine where will the reader start mapping the front covers' news.

A prominent aspect of viewing spatial bias is the tendency to look at the center of visual stimuli during the free exploration of images (Tseng, Carmi, Cameron, Munoz, & Itti, 2009). This implies that the reader will first look in the center of the document to analyze its content. Throughout the dates analyzed, El Comercio (Peru) gave the trial in the Hague 12 centers in their front covers, while El Mercurio (Chile) gave 11.

On the other hand, some eye-tracking studies of face perception have shown that perceptual biases are often accompanied by an initial exploratory bias to the left hemiface (from the viewer's perspective) (Butler & Harvey, 2005; Barton, Radcliffe, Cherkasova, Edelman, & Intriligator, 2006; Guo, Meints, Hall, Hall, & Mills, 2009).

Based on this, we could give the left column an important role. The analyzed front covers showed that El Mercurio (Chile) posted 6 times regarding the maritime dispute in the left side, while El Comercio (Peru) only did it twice.

Even though it was not possible to find supporting data, the Peruvian newspaper allocated in the right column of its front covers the maritime dispute 6 times, while Chile only did it once. This could, empirically, imply that Peruvians also take into consideration the right side, while Chileans do not.

The last level of the research conducted by Matthew A. Baum & Yuri M. Zhukov (2018) would be *diversity*, which meant the abundance of frames an article could have. It is more than



obvious than by choosing one newspaper per country, each would tend to write articles siding with its own state. Nonetheless, the diversity of frames can be measured by the times both countries collaborated for a publication. Presidents made press releases, and famous journalists joined together to try and influence the public opinion.

July 25, 2012, Mario Vargas Llosa, winner of the Nobel Prize in Literature, with Jorge Edwards, writer, and ambassador of Chile in France, held a press conference in Madrid (La República, 2012). The meeting had the purpose to present a document called: Called to Concord (Llamado a la Concordia, in Spanish).

The document was signed by 15 Peruvian artists and intellectuals, and the same number of people from Chile. Their goal was to show a united front, highlighting that Peru and Chile were not enemies and that the trial was an opportunity to find peace and serve as an example for other countries' disputes.

On December 1, 2012, 2 days before the oral phase of the trial would start, the presidents of Peru and Chile made a joint press release in El Comercio, the Peruvian newspaper. The joint press release was a public commitment that both countries would accept whatever the Hague resolution was and would continue to improve their interstate relations.

Before making this joint press release, Sebastian Piñera, then president of Chile, and Ollanta Humala, then president of Peru, held different meetings during the VI Unasur (Union of South American Nations, in Spanish) Summit. These meetings could be defined as diplomatic actions that would build up into a journalistic strategy.

Gilboa (2000) said it well, diplomacy is not only recognizing each one's interests but working together to achieve mutual gains. What did Peru and Chile win with a joint press release? In the long run, whatever ended up being the maritime dispute resolution, both countries' citizens were already internalizing that their leaders were willing to work together.

Based on the previous, the beauty of international communications in maritime disputes cannot be defined in a better way. To use a diplomatic strategy to negotiate within the parties and to make the results known to the public opinion through different journalistic channels, in this case, the traditional newspaper.

On January 27, 2014, the Hague made their resolution public. It took two memories (one by each country), two counter memories (one by each country), 11 days of trial and 2 years of

hold for both countries to put an end to a maritime dispute that had been going on for almost a 100 years.

On this day and the two following (January 27, 28 and 29) the *scope* was both newspapers including the results in the front cover. The *focus* given by each side was the central location, giving the news the importance needed. And the *Diversity*, was many authors giving their opinions through the different articles.

### **7.5 After the storm**

As we have stated several times, Peru attempted to solve the maritime dispute with Chile through diplomatic ways. After a series of attempts, Peru decided to move from working around the conflict, or soft power, to using a legal alternative, or hard power.

For Chile, the outcome was surprisingly favorable, they were expecting to lose the whole case. Most of the fish – worth more than \$100m a year – will remain in Chilean water. Despite Peruvians believing they would get the total of their request, Ollanta Humala, back then their president, publicly declared that the ruling gave Peru “grounds for satisfaction” since Peru was gaining access to extra swordfish, tuna, and giant squid.

It was briefly mentioned at the beginning that Peru and Chile had old grievances. Reaching a resolution by a third party gave both countries the possibility to bury some of those differences. The ruling given by the court of the Hague was the chance both countries needed to deepen their economic and political relations.

How one boundary is redrawn could end up affecting how maps were initially designed, and how many agreements were signed. Chilean politicians have suggested to the Peruvian government – who is looking for a swift implementation of the ICJ’s ruling – to agree on the International Convention on the Law of the Sea. If Peru agrees on this last Chilean demand, the ruling could be easily implemented.

Part of the ICJ ruling was for both countries to decide on their own how to implement the changes. Once again, we can see Peru and Chile needing diplomatic tools to work around the maritime dispute resolution. A research on how both countries used international communication strategies to implement the resolution is advised.

## 8. Conclusions

The Maritime Dispute of Peru vs Chile has inspired many academic papers. Both countries share a common story filled with wars, conflicts and disputes that kept ending up in a sociopolitical resentment between them. This Maritime Dispute gave both countries the chance to bury old problems and obtain a binding resolution given by a third-party.

When the research started, the main goal was to analyze in which moment of the conflict it was possible to identify any type of communication, we were trying to prove communication was present. The goal was achieved through both timelines presented. The chosen data display was helpful when grouping the communications strategies.

Through the analysis of both timelines, the communication strategies identified were allocated in an international field. This was backed up by the fact that when communications intervene in a global matter, they share the field with international relations, international politics and more (Mowlana 1996, 1997; Thussu, 2000; Madikiza & Bornman 2007).

The international communications have many sublevels Chitty (2010) that have been analyzed by different authors. Throughout this investigation it was possible to identify that diplomacy and journalism were the main types of international communications involved in the Maritime Dispute Peru vs Chile.

The case study divided the dispute in two parts, Pre-Hague, and Hague. During the first part we were able to identify how diplomacy was used to handle the conflict without making use of hard power strategies as going to war or going to court. It is known that during a conflict, it is not only about trying to reach a resolution but about the position and interests of the parties involved. Therefore, the conflict was escalated.

During the second part, Hague, the main actor was the trial itself, but in a secondary role was journalism, the other international communication strategy identified in this research. The beauty of this case, from a journalistic point of view, was not only the coverage it got in the main newspapers of both countries, but the collaborative actions between Chilean and Peruvian presidents and journalists.

Thanks to this research it has been established that while a conflict is taking place, communication strategies are needed. They might not be always public, as the diplomatic notes or lobby meetings, but communications are always working when a dispute is taking place.

While the resolution for the Maritime Dispute Peru vs Chile was being prepared by The Hague, it inspired other demands for maritime territory, as the one in 2013 filed by Bolivia against Chile. It is expected to see more research on how communications are involved in other maritime disputes.

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