**DENİZ HUKUKUNDA SINIRLANDIRMA SORUNLARI**

**A.1982 BMDHS’de Yer Alan Sınırlandırma Düzenlemeleri**

1.Karasuları

2.Kıta Sahanlığı ve Münhasır Ekonomik Bölge

**B. BMDHS Sonrası Sınırlandırma Uygulamaları**

1. Uluslararası Adalet Divanı Kararları: Sonuçlanmış Olanlar

a. 1994’e kadar:

1967 North Sea Continental Shelf (Germany/Netherlands, Germany/Denmark)

1976 Aegean Sea Continental Shelf (Greece v. Turkey)

1978 Continental Shelf (Tunisia/Libyan Arab Jamahiriya)

1982 Continental Shelf (Libyan Arab Jamahiriya/Malta)

1986 Land, Island and Maritime Frontier Dispute (El Salvador/Honduras: Nicaragua intervening)

1988 Maritime Delimitation in the Area between Greenland and Jan Mayen (Denmark *v.* Norway)

#### 1991 Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Qatar *v.* Bahrain)

#### 1994 Land and Maritime Boundary between Cameroon and Nigeria (Cameroon *v.* Nigeria: Equatorial Guinea intervening)

b. 1994 sonrası:

2008 Maritime Dispute (Peru *v.* Chile)

 2004 Maritime Delimitation in the Black Sea(Romania v. Ukraine)

 2001 Territorial and Maritime Dispute (Nicaragua v. Colombia)

1999 Territorial and Maritime Dispute between Nicaragua and Honduras in the Caribbean Sea (Nicaragua v. Honduras)

2. Uluslararası Adalet Divanı Kararları: Devam Edenler

 2013 Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)

2013 Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua *v.* Colombia)

2014 Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)

2014 Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v. Nicaragua)

3. Hakemlik Kararları

1977 Continental Shelf Arbitration (France v. UK)

1985 Maritime Boundary between Guinea and Guinea-Bissau (Guinea v. Guinea-Bissau)

1999 Eritrea-Yemen Arbitration (Phase II)

4. Uluslararası Deniz Hukuku Mahkemesi (ITLOS)

2009 Dispute Concerning Delimitation of the Maritime Boundary between Bangladesh and Myanmar in the Bay of Bengal (Bangladesh/Myanmar)

2014 Dispute Concerning Delimitation of the Maritime Boundary Between Ghana and Cote d’Ivoire in the Atlantic Ocean (Ghana/Cote d’Ivoire) (devam ediyor)

5. Uluslararası Sürekli Hakemlik Mahkemesi

2009 Arbitration Between the Republic of Croatia and the Republic of Slovenia (territorial and maritime dispute) (Croatia/Slovenia) (devam ediyor)

2013 South China Sea (Philippines v. China) (devam ediyor)

**İLGİLİ DAVALAR VE METİNLERİ**

**Uluslararası Adalet Divanı:**

\*-2014 Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)

Tam başvuru metni: <http://www.icj-cij.org/docket/files/161/18362.pdf>

\*-2014 Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v. Nicaragua)

Tam başvuru metni: <http://www.icj-cij.org/docket/files/157/18344.pdf>

\*-2013 Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)

Tam başvuru metni: <http://www.icj-cij.org/docket/files/155/17978.pdf>

\*-2013 Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua *v.* Colombia)

Tam başvuru metni: <http://www.icj-cij.org/docket/files/154/17532.pdf>

-2008 Maritime Dispute (Peru *v.* Chile)

Karar: <http://www.icj-cij.org/docket/files/137/17930.pdf>

-2004 Maritime Delimitation in the Black Sea

Karar: <http://www.icj-cij.org/docket/files/132/14987.pdf>

-2001 Territorial and Maritime Dispute (Nicaragua v. Colombia)

Karar: <http://www.icj-cij.org/docket/files/124/14305.pdf>

#### -1999 Territorial and Maritime Dispute between Nicaragua and Honduras in the Caribbean Sea (Nicaragua *v.* Honduras)

#### Karar: <http://www.icj-cij.org/docket/files/120/14075.pdf>

#### -1994 Land and Maritime Boundary between Cameroon and Nigeria (Cameroon *v.* Nigeria: Equatorial Guinea intervening)

#### Karar: <http://www.icj-cij.org/docket/files/94/7473.pdf>

#### -1991 Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Qatar *v.* Bahrain)

#### Karar: <http://www.icj-cij.org/docket/files/87/6995.pdf>

#### -1988 Maritime Delimitation in the Area between Greenland and Jan Mayen (Denmark *v.* Norway)

Karar: <http://www.icj-cij.org/docket/files/78/6743.pdf>

-1986 Land, Island and Maritime Frontier Dispute (El Salvador/Honduras: Nicaragua intervening)

Karar: <http://www.icj-cij.org/docket/files/75/6657.pdf>

-1982 Continental Shelf (Libyan Arab Jamahiriya/Malta)

Karar: <http://www.icj-cij.org/docket/files/68/6393.pdf>

-1978 Continental Shelf (Tunisia/Libyan Arab Jamahiriya)

Karar: <http://www.icj-cij.org/docket/files/63/9501.pdf>

-1976 Aegean Sea Continental Shelf (Greece v. Turkey)

Karar: <http://www.icj-cij.org/docket/files/62/6245.pdf>

-1967 North Sea Continental Shelf (Germany/Netherlands)

(1968 Germany/Denmark ile birleştirildi)

Karar: <http://www.icj-cij.org/docket/files/52/5561.pdf>

**Hakemlik:**

-1977 Continental Shelf Arbitration (France v. UK)

-1985 Maritime Boundary between Guinea and Guinea-Bissau (Guinea v. Guinea-Bissau)

-1999 Eritrea-Yemen Arbitration (Phase II)

**ITLOS:**

-2009 Dispute Concerning Delimitation of the Maritime Boundary between Bangladesh and Myanmar in the Bay of Bengal (Bangladesh/Myanmar)

Başvuru: <https://www.itlos.org/fileadmin/itlos/documents/cases/case_no_16/Notification_Bangladesh_14.12.09.pdf>

Karar: <https://www.itlos.org/fileadmin/itlos/documents/cases/case_no_16/C16_Judgment_14_03_2012_rev.pdf>

Tüm ilgili belgeler: <https://www.itlos.org/en/cases/list-of-cases/case-no-16/>

\*-2014 Dispute Concerning Delimitation of the Maritime Boundary Between Ghana and Cote d’Ivoire in the Atlantic Ocean (Ghana/Cote d’Ivoire)

https://www.itlos.org/en/cases/list-of-cases/case-no-23/

**Uluslararası Sürekli Hakemlik Mahkemesi:**

\*-2009 Arbitration Between the Republic of Croatia and the Republic of Slovenia (territorial and maritime dispute) (Croatia/Slovenia)

<http://www.pcacases.com/web/view/3>

\*-2013 South China Sea (Philippines v. China)

<http://www.pcacases.com/web/view/7>

Yetki kararı: <http://www.pcacases.com/web/sendAttach/1506>