

# AN APPRAISAL ON MARITIME BOUNDARY DELIMITATION BY BANGLADESH AND NORWAY

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## **ABSTRACT**

This study analyses the maritime claims and maritime boundaries of Bangladesh and the Kingdom of Norway (Norway), including mainland Norway, the Svalbard archipelago, and the island of Jan Mayen. The object of this study is to explore the maritime boundary delimitation process followed by Bangladesh and Norway and to find out similarities between both countries in such delimitation. It is qualitative research. In identifying and interpreting data both primary and secondary sources are considered. Primary sources include international treaties, agreements, statutes, case decisions etc. whereas, secondary sources include books, journal articles, and reports of national and international organizations etc. Findings of the study reveal that there is a similarity in the maritime claims of both the countries. Both Bangladesh and Norway claimed straight baselines, 12 nautical mile

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territorial sea, 24 nautical mile contiguous zone, 200 nautical mile exclusive economic zone and extended continental shelf beyond 200 nautical miles. They have also completed maritime boundary settlement with all the neighbours.

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## **INTRODUCTION**

Human civilization and ocean are connected to each other inseparably. It is believed that life is evolved from the oceans. The oceans cover about five-sevenths of the surface area of the earth and play a crucial part in maintaining the biodiversity of the earth system (Islam, 2021). Every State in the world is somehow benefitted from the oceans, whether economically, politically, strategically, or socially. These benefits can be measured observing a variety of maritime activities that include fishing, shipping of goods, hydrocarbon and mineral extraction, naval missions, and scientific research. The uses of the oceans have significantly evolved from time to time. In ancient time, oceans were primarily used as trading routes and considered as a source of limitless fishes. Nowadays, oceans are the source unlimited minerals. All States now share interests in the way the oceans are used. These changes over the time have given rise of a complex pattern of ownership of maritime space and control of maritime activities over the last few decades. The United Nations Convention on the Law of the Sea (UNCLOS), 1982 is the primary instrument that governs the ownership and conduct of States in their uses of the oceans. UNCLOS is a constitutive treaty, setting out the rights and obligations of States and other international actors in different maritime areas and in relation to various uses of the oceans (Klein, 2005). Till today, almost all the coastal States of the world has defined their maritime zones in line with the provisions of UNLOS by enacting domestic laws. Bangladesh and Norway are not the exceptions to that. Both Bangladesh and Norway have a rich history in maritime law.

The aim of this paper is to analyse and assess different types of maritime zones established by Bangladesh and Norway in a critical manner and to explore whether they have complied with the relevant provisions of the UNCLOS in defining their rights and status in those maritime zones. This paper also attempts to find out how these two countries have delimited their maritime boundaries with the neighbouring countries.

## **MARITIME ZONES WITHIN NATIONAL JURISDICTION: GENERAL PROVISIONS**

Law of the sea is regarded as one of the oldest branches of international law (Tanaka, 2015). It is also the most revolutionary area in international

law over the last six decades. It took twelve sessions over a nine-year period (1973-1982) to conclude the third United Nations Conference on the Law of the Sea (UNCLOS III). The United Nations Convention on the Law of the Sea (UNCLOS) was adopted on the final day of the Conference in Montego Bay, Jamaica, on 10 December 1982 and came into force on 16 November 1994, twelve months after the ratification of the 60th State. The Convention revised the previous of Geneva Conventions of 1958 codifying customary laws and state practices and introduced new provisions regarding the sea. The Convention defined different maritime zones and set forth the rights and duties of the coastal States. The UNCLOS is the result of the constant efforts of coastal states to codify rights and duties over waters both adjacent to and distant from their territory and is the outcome of a long-time process beginning in antiquity (Kastrisios, 2017).

The Convention parcels the sea into a variety of maritime zones a coastal state may claim. Each zone grants certain rights to the coastal state and carries certain obligations to the foreign states and vessels (Kastrisios, 2014). In detail the maritime zones foreseen by the Convention are:  
Baseline

Baseline is one of the fundamental notions of the UNCLOS as it separates the land and the in-land waters from the sea and functions as the position from where the maritime zones are measured. Baseline is the low-water line as marked on large-scale charts officially recognized by the coastal State which is also known as normal baseline (Levy, 2000). However, in localities where the coastline is deeply indented or cut into, or if there is a fringe of islands along the coast in its immediate vicinity, straight baselines may also be used (Levy, 2000). The concept of straight baselines was introduced to the international law with the Anglo-Norwegian case in which Norway drew straight lines along the Norwegian coast in defining their land territory and the sea (Fisheries case, 1951). As stated in the Convention, straight baselines may not be drawn from or to low tide elevations unless a lighthouse or similar installation, permanently above sea level, is built on them. They also cannot be drawn in such a manner as to cut off the territorial sea of another State from the high seas or exclusive economic zone (Levy, 2000).

### **Internal Waters**

Internal Waters refers to all water on the landward side of the baseline. The internal waters form the part of State territory, and therefore, is not regarded as a maritime zone. The coastal state exercises full sovereignty in its internal waters. This sovereignty extends in the air space, on the seabed and in the subsoil. No country can enter the internal waters of another country without permission.

### **Territorial Sea**

Territorial Sea is measured seaward from the baseline, the breadth of which may not exceed twelve nautical miles (Art.3, UNCLOS) The

sovereignty of the coastal state extends beyond its land territory and internal waters to the territorial sea, and to the air space over the territorial sea as well as to its bed and subsoil (Art.2, UNCLOS), whereas the right of innocent passage for the foreign vessels is permitted (Kastrisios, 2017).

### **Contiguous Zone**

Contiguous Zone is adjacent to the territorial sea and may not extend beyond 24 nautical miles from the baseline. In the contiguous zone the coastal may exercise the control necessary to prevent and punish the infringements of its customs, fiscal, immigration or sanitary laws and regulations committed within its territory or territorial sea (Art.33, UNCLOS) Within contiguous zone the coastal state has no further rights and the certain freedoms of the high seas remain unaffected.

### **Exclusive Economic Zone**

The Exclusive Economic Zone (EEZ) may not extend beyond 200 nautical miles from the baseline. In EEZ the coastal state has sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, both living or non-living and the jurisdiction to establish artificial islands, installations or structures and to conduct scientific research. However, coastal state is responsible for the protection of marine environment in the EEZ. Foreign vessels enjoy the freedoms of navigation, the freedom of over flight and freedom of laying submarine cables and pipelines (Andreone, 2015).

### **Continental Shelf**

The continental shelf is the seabed and subsoil of the submarine areas that extend beyond the territorial sea throughout the natural prolongation of land territory of the coastal state to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines where the outer edge of the continental margin does not extend up to that distance. More precisely, the outer limit of the continental shelf is delineated as the combination of the following lines (Kastrisios, 2017):

- (a) The Gardiner Line, which is defined as the line where the thickness of sedimentary rocks is at least 1% of the distance to the foot of the continental slope,
- (b) The Hedberg line, which is the line 60 nautical miles from the foot of the continental slope,
- (c) The depth constraint line, which is 100 nautical from the 2500-meter isobaths, and
- (d) The distance constraint line, which is a line 350 NM from the territorial sea baselines.

The regime of continental shelf is like that of the EEZ but the rights it grants are limited to the seabed and subsoil, excluding the superjacent waters and airspace. Unlike EEZ, which must be announced, the sovereign rights of the coastal state over the 200 nautical mile continental shelf exist ipso facto and ab initio. In other words, coastal state's rights over

continental shelf do not depend on occupation, effective or notional, or on any express proclamation and, therefore, can be exercised at any time (Kastrisios, 2017):

Besides these maritime zones, there are high seas and the Area where states cannot exercise any national control. These zones are opened to all states and the resources of them are the common heritage of humankind. All states enjoy certain freedoms in the high seas and the rights and freedoms of the states are regulated by the International Seabed Authority (ISA) in the Area.

### **MARITIME ZONES OF BANGLADESH**

Bangladesh, located in the southeast side of Asia, emerged as an independent country in the world map in 1971 after a bloodshed historic war of independence against Pakistan. Historically this territory had been originated in the time of Christen Era; later, it was governed and administered by Hindus, Muslims, British and Pakistan successively (Hosen, 2019). Bangladesh has 147,570 square kilometre land territory with its undisputed sea territory of 207,000 square kilometre of which 111,631 square kilometre won from Myanmar by the decision of International Tribunal of the Law of Sea (ITLOS) and 19,467 square kilometre won from India by the award of Permanent Court of Arbitration (PCA). India, Myanmar and Bay of Bengal surround Bangladesh. India is situated her west, south and partial east sides, Myanmar is located other partial side of east and Bay of Bengal is located her north littoral side. Total surrounding boarder length is about 5000 kilometres of which land boarder is about 4427 (4156 kilometres with India and 271 kilometres with Myanmar) and coastline is about 710 kilometres connected with the Bay of Bengal (Belal, 2012).

According to the power conferred in Article 143(2) of the Constitution of the People's Republic of Bangladesh, the Government enacted the Territorial Waters and Maritime Zones Act in 1974 to determine the maritime claims of Bangladesh. This law came into force on 14 February 1974. The maritime zones claimed by this law are discussed as follows:

#### **Territorial Sea Baselines**

The Government of Bangladesh is empowered by the Act (The Territorial Waters and Maritime Zones Act 1974 as amended by the Territorial Water and Maritime Zones (Amendment) Act 2021, Section 2C) to determine the base points of Territorial Sea Baseline (TSB) by notification in the official Gazette. The Government has already determined the base points of territorial sea baseline by official Gazette notification in 2015. As per the notification, the baseline of Bangladesh consists of normal and straight baselines that join the outermost points of the lowest low water line, islands and reefs along the coast marked on the large-scale charts published or notified from time to time by the Government of Bangladesh. The baseline are the straight lines linking successively the baseline points 1 to 4 as shown in the figure below:

| Baseline Points   | Baseline Point Identifier           | Latitude in WGS 84 | Longitude in WGS84 | Outer Limit |
|---|-------------------------------------|--------------------|--------------------|-------------|
| 1.  | Land Boundary Terminus Point (LBT)  | 21-38-40.2N        | 89-9-20.0E         | TS, CZ      |
| 2.  | Putney Island                       | 21-36-39.2N        | 89-22-14.0E        | TS, CZ, EEZ |
| 3.  | Dakhin Bhasan Char                  | 21-38-16.0N        | 90-47-16.5E        | TS, CZ      |
| 4.  | Cox's Bazar                         | 21-25-51.0N        | 91-57-42.0E        | TS, CZ      |
| From Baseline point 4, the baseline shall follow the low water line up to Teknaf point and St. Martin's Island. |                                     |                    |                    |             |
| 5.  | Southern end of St. Martin's Island | Low water line     |                    | TS, CZ, EEZ |

Figure: Baseline points of Bangladesh

### Internal Waters

According to the Territorial Waters and Maritime Zones Act 1974 as amended by the Territorial Water and Maritime Zones (Amendment) Act 202, Internal Waters of Bangladesh include the area of the sea that is on the landward side of the territorial sea baseline up to the mouths of all rivers, historic waters, outer limits of the ports, and harbours. The sovereignty of Bangladesh extends beyond its land territory to the water column, the seabed and its subsoil, and the air space over the Internal Waters. The Government may suspend the movement of any vessel and warship in the Internal Waters (Kałduński, 2014).

### Territorial Sea

The Territorial Sea comprises areas of the sea covering the water column, seabed, subsoil and the airspace over it, not exceeding 12 nautical miles from the nearest base points of the Territorial Sea Baseline (TSB) and measured seaward from the baseline. For the purpose of delimiting the Territorial Sea, the outermost permanent harbour works which form an integral part of the existing harbour system of Bangladesh, like Chattogram and Mongla Port, Matarbari Port, Payra Port and such other ports as may, from time to time, established and their assigned outer

anchorages and Saint Martin's anchorage etc. all be treated as forming part of the coast of Bangladesh. The sovereignty of Bangladesh extends beyond its land territory to the water column, the seabed and its subsoil, and the air space over the territorial sea. The Government may make rules regarding entry of foreign vessels into the internal waters and territorial sea and to designate the sea lanes and prescribe traffic separation schemes and laying of submarine cables and pipelines. The Government of Bangladesh can make rules and regulations relating to innocent passage through in the territorial sea in relation to safety of navigation, preservation of the environment and prevention of infringement of customs, fiscal, immigration and sanitary laws among others (Rahman,1987).

### **Contiguous zone**

The contiguous zone is an area seaward of the territorial sea not exceeding 24 nautical miles from the Territorial Sea Baseline. The Government is authorised to alter the limit of the contiguous zone from time to time by notification in the official Gazette. The Government may prevent and punish the contravention of its custom, immigration and sanitary laws and regulations and other fiscal matters in the contiguous zone. Furthermore, the Government is also entitled to make rules to exercise such powers and take such measures in or in respect of the contiguous zone as it may consider necessary to restrict the entrance of vessels into the contiguous zone and to take actions if any vessel has committed or likely to commit an offence mentioned (Rahman,1987).

### **Exclusive Economic zone (EEZ)**

The Exclusive Economic Zone (EEZ) of Bangladesh comprises area of sea extending to a line every point of which is at a distance of 200 nautical miles from the nearest base point of the Territorial Sea Baseline. The Government may, by notification in the official Gazette, alter the limit of the EEZ. In the EEZ, Bangladesh has sovereign rights for the purpose of exploration, exploitation, conservation and management of the natural resources; exclusive rights and jurisdiction for construction, maintenance or operation of artificial island, off-shore terminal, installations and other structures and devices necessary for any other purposes; exclusive jurisdiction to authorize, regulate and control of marine scientific research, to preserve and protect the marine environment and to prevent and control of marine pollution; exclusive jurisdiction to enforce customs, fiscal, sanitary and immigration laws over artificial islands, installations and structures; and such other rights as recognized by international law. Other States shall enjoy internationally lawful uses of the sea related to those except military exercise in the EEZ. Anyone may, in accordance with the terms of a license or letter of authority granted by the Government, drill or construct, maintain or operate any artificial island, offshore terminal, installation or other structure or device for any purpose in the EEZ (Ahmed, 2020).

### **Continental shelf (CS)**

The Continental Shelf of Bangladesh comprises the seabed and subsoil of the submarine areas that extends beyond the limit of Territorial Sea throughout the natural prolongation of its land territory to the outer edge of the Continental Margin. If the outer edge of the Continental Margin extends beyond 200 nautical miles from the territorial sea baseline, the Government may, by rules, establish the outer limits of the Continental Shelf based on the principles and methods of delineation of the Continental Shelf beyond that point in accordance with the provisions of the Convention. The Government may make rules relating to declaration of Designated Areas and Safety Zones and laying of submarine cables and pipelines by other States in the Continental Shelf (Ahmed, 2020). Bangladesh has the following sovereign rights and jurisdiction in the Continental Shelf-

- (a) exploration and exploitation of its natural resources.
- (b) authorization and regulation of the construction, operation, maintenance and use of artificial islands, offshore terminals, installations and other structures and devices including Designated Areas and Safety Zones, necessary for the exploration and exploitation of the resources of the Continental Shelf or for the convenience of shipping or for any other economic purposes.
- (c) authorization and regulation of drilling for any purposes.
- (d) authorization, regulation, and control of marine scientific research.
- (e) preservation and protection of marine environment.
- (f) prevention and control of marine pollution; an
- (g) enforcement of customs, fiscal, sanitary and immigration laws about construction of artificial islands, installations, and structures.

No person including a foreign government or an international organization, may explore or exploit any natural resources in the Continental Shelf. However, in accordance with the terms of a licence or letter of authority granted by the Government, anyone can drill or construct, maintain or operate any artificial island, offshore terminal, installation or other structure or device for any purpose in the Continental Shelf (Huang, 2014).

### **BANGLADESH: DELIMITATION OF MARITIME BOUNDARIES WITH NEIGHBOURS**

After the independence in 1971, Bangladesh has settled her most of the land boarder issues with India and Myanmar but could not reach in a final solution regarding the sea issues till 2008. Although, it has been proved, Bangladesh and Myanmar entered into a mutually agreed minutes in 1974 through a number of round table conferences between the State representatives of these two States in Dacca and Rangoon. Till 2008, both the countries peacefully followed that mutually agreed minutes of 1974.



When in 2008, controversies have been raised, both the States went to the ITLOS in 2009. Finally, on 14 March 2012, conflict of interests of both parties were dissolved peacefully and Bangladesh obtained 111,631 square kilometres sea territory by this decision (Alam, 2010).

After the 35 years settled sea territory between Bangladesh and India, in 2006 India disagreed to follow the settled issues of 1974 about their sea territory sharing agreement. India and Bangladesh both claimed that south talpatti was within their territory. When India disagreed to follow their previous agreed settlement agreement and without any authorization, Indian Ship entered in Bangladesh territory in 2006, and then this two friendly neighbouring States mutually went to the Permanent Court of Arbitration in 2009 to settle their maritime boundaries. Later, on 14 March 2014, Permanent Court of Arbitration gave its award mostly in favour of Bangladesh. From the disputed area of 25,602 square kilometres, Bangladesh got 19,467 square kilometres. South-Talpatti was awarded in favour of India; it was discovered later on that there is no existence of the South-Talpatti in the mouth of Hariyabhanga river. With these two landmark decisions of ITLOS and Permanent Court of Arbitration, the sea territory demarcation of Bangladesh finally ended (Chowdhury, 2008).

### **Maritime Zones of Norway**

Norway is located in northwest Scandinavia. Its mainland coast borders the Norwegian and North Seas in the North Atlantic Ocean and the Barents Sea in the Arctic Ocean. Norway shares land boundaries with Finland, Russia, and Sweden. The Kingdom of Norway includes the mainland Norway, the archipelago of Svalbard and the island of Jan Mayen. Svalbard, Jan Mayen, and almost half of Norway's mainland coast lie above the Arctic Circle. Different maritime zones claimed by Norway are discussed below:

### **Baselines**

Norway has established baselines for its mainland, Svalbard archipelago and Jan Mayen Island. Norway appears to use straight baselines for all of its coastlines, with the exception of three areas along the coast of Jan Mayen where the normal baseline is used. Each of Norway's straight baseline systems is defined by geographic coordinates, connected by geodetic lines.

### **Mainland Norway**

Straight baselines around mainland Norway are set forth by the Royal Decree of June 14, 2002. This straight baseline system consists of 103 points and 102 segments, extending from the Norway-Russia boundary in north to the Norway-Sweden boundary in south, for a total length of 1,365 miles (Kaye, 2004).

Norway's straight baselines were previously laid down in Royal Decrees in 1935 and 1952. The historical context of Norway's straight baselines is significant because the straight baselines promulgated in the

Royal Decree of 1935 were examined by the ICJ in its 1951 judgment in the Fisheries Case (Kaye, 2004).

#### *Svalbard*

Royal Decree of June 1, 2001 declared Norway's straight baselines around Svalbard. This straight baseline system consists of 196 points connected by geodetic lines around five separate islands or island groups; Hopen, Bjørnøya, Kong Karls Land, Kvitøya, and the main Svalbard islands, including Spitsbergen and Nordaustlandet.

#### *Jan Mayen*

Royal Decree of August 30, 2002, proclaimed Norway's normal and straight baselines around Jan Mayen.

### **Internal Waters**

Norway's Act No. 57 of 2003 provides that the internal waters of Norway comprise all waters landward of the baselines. The validity of Norway's internal waters claims depends upon the validity of its straight baseline claims. The claims with respect to the Norwegian mainland and the main Svalbard archipelago are generally consistent with international law, as reflected in Article 7 of the Convention. But Norway's straight baseline claims with respect to its smaller islands and island groups-Hopen, Bjørnøya, Kong Karls Land, Kvitøya, and Jan Mayen, are not consistent with international law. Accordingly, Norway's internal waters claims with respect to these islands and island groups are not valid, and maritime zones from these islands should be measured from the normal baseline (Churchill, 2010).

### **Territorial Sea**

Act No. 57 of 2003 establishes a 12 nautical mile territorial sea for Norway. The terms of this Act pertaining to the territorial sea are consistent with the Law of the Sea Convention. Pursuant to this Act, Norway has already deposited with the Secretary-General of the United Nations lists of geographic coordinates of points defining the outer limits of the 12 nautical miles territorial sea around mainland Norway, Svalbard, and Jan Mayen (Churchill, 2010).

### **Contiguous Zone**

The contiguous zone of Norway shall be established beyond the territorial sea and that the King of Norway determines the date on which the contiguous zone is to be established and the maritime areas it is to comprise. The Act also provides that the outer limit of the contiguous zone is 24 nautical miles from the territorial sea baselines and also sets forth jurisdictional provisions pertaining to the contiguous zone of Norway. These terms of the Act are generally consistent with the relevant provisions of the Law of the Sea Convention (Aznar, 2014).

### **Exclusive Economic Zone**

Act No. 91 of 1976 contains provisions for an economic zone of Norway that extends 200 nautical miles from the territorial sea baselines, but not beyond the median line in relation to adjacent and opposite states. Royal Decree of 1976 established this economic zone with respect to mainland Norway, effective January 1, 1977, and subsequent enactments established a 200 nautical miles economic zone for Svalbard (1977) and Jan Mayen (1980). The Act and Royal Decree establish restrictions on fishing and hunting within the economic zone and authorize the government of Norway to issue regulations on fishing and hunting. In addition, the Act authorizes the issuance of regulations on the protection of the environment, scientific research, artificial islands and installations, cables and pipelines, and exploration and exploitation of the economic zone for other economic purposes, including the production of energy (Ahmad, 2020).

### **Continental Shelf**

Consistent with Article 76 of the Convention, Act No. 89 of 2021 provides that Norway has a continental shelf extending beyond the Norwegian territorial sea, throughout the natural prolongation of the Norwegian land territory to the outer edge of the continental margin, but not less than 200 nautical miles from the territorial sea baselines. This Act, and also other enactments of Norway, describes the continental shelf rights and jurisdiction of Norway in a manner generally consistent with Part VI of the Convention (Mangerud, 2004).

In 2006, Norway submitted information on the limits of its continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf (CLCS). This submission concerned the outer limits of the continental shelf of Norway in three separate areas of the Northeast Atlantic and the Arctic: a) the “loophole” in the Barents Sea; b) the Western Nansen Basin in the Arctic Ocean; and c) the “banana hole” in the Norwegian Sea. In 2009, the Commission provides its recommendations pertaining to all three areas, and these recommendations were generally consistent with the outer limits submitted to the Commission by Norway in 2006 (Mangerud, 2004).

## **NORWAY: DELIMITATION OF MARITIME BOUNDARIES WITH NEIGHBOURS**

Norway has settled maritime boundary agreements with five neighbouring States- Denmark, Iceland, Russia, Sweden, and the United Kingdom. These agreements establish boundaries pertaining to the Norway mainland as well as Svalbard and Jan Mayen.

### **Norway-Russia**

Norway and Russia have already delimited their maritime zones in the maritime areas north of their land boundary. Norway and the former Soviet Union concluded a maritime boundary agreement in 1957

delimiting the territorial sea and continental shelf within Varangerfjorden, a fjord lying seaward of the Norway-Soviet land boundary. The 1957 agreement was superseded by a 2007 agreement between Norway and Russia that delimited the territorial sea, continental shelf, and EEZ in the Varangerfjorden area. Norway and Russia concluded a maritime boundary agreement in 2010 delimiting the EEZ and continental shelf of the two countries in the Barents Sea and Arctic Ocean (Elferink, 1997).

#### **Norway-Sweden**

Norway's maritime boundary agreement with Sweden was concluded in 1968. It establishes a continental shelf boundary on the basis of equidistance principle that is composed of lines connecting five points (Alexander, 1982). The boundary is located in the sea area south of Oslofjorden and extends from the territorial sea boundary of Norway and Sweden to the tri-point between Norway, Sweden, and Denmark in the North Sea. The length of the boundary is approximately 48 nautical miles (Churchill, 1993).

#### **Norway-Denmark**

Norway has established maritime boundaries in four areas with Denmark, including with respect to Greenland and the Faroe Islands, which are part of the Kingdom of Denmark. The maritime boundaries of the two countries lie between: a) their mainland coasts in the North Sea, b) the Norway mainland and the Faroe Islands in the Norwegian Sea, c) Jan Mayen and Greenland in the Greenland Sea, and d) Svalbard and Greenland in the Greenland Sea.

In 1965, Norway and Denmark concluded a treaty establishing a maritime boundary delimiting the continental shelf in the North Sea on the basis of equidistance. This agreement was amended in 1968 and again in 1974. In 1979, Norway and Denmark concluded a treaty establishing a maritime boundary delimiting the continental shelf and fishery zone near the Faroe Islands and economic zone of Norway in the Norwegian Sea on the basis of equidistance. In 1993, the ICJ issued its judgment establishing a maritime boundary delimiting the continental shelf and fisheries zones between Jan Mayen (Norway) and Greenland (Denmark). Norway and Denmark concluded an agreement in 1995 implementing the terms of this judgment. As neither the 1993 ICJ judgment nor the 1995 agreement defined a southern terminus of the boundary, the two countries concluded an additional protocol in 1997. Norway and Denmark concluded another maritime boundary agreement in 2006 delimiting the continental shelf and economic zones on the basis of equidistance between Svalbard (Norway) and Greenland (Denmark) in the Greenland Sea and Arctic Ocean (Alexander, 1982).

#### **Norway-United Kingdom**

In 1965, Norway and the United Kingdom concluded a treaty establishing a maritime boundary delimiting the continental shelf on the basis of

equidistance in the North Sea. This agreement was supplemented by a Protocol in 1978 that extended the continental shelf boundary further north. The two countries agreed by an exchange of notes in 2009 to amend both the 1965 Agreement and the 1978 Protocol such that the continental shelf boundaries also apply to the EEZ (Churchill, 2010).

### **Norway-Iceland**

Norway has established a maritime boundary with Iceland with respect to Jan Mayen. In 1980, the two countries agreed to an EEZ boundary that follows the 200 nautical mile limit of Iceland. The 1980 agreement also formed a Conciliation Commission to make recommendations to the parties regarding a continental shelf boundary. On the basis of the Conciliation Commission's recommendation, Norway and Iceland agreed in 1981 to a continental shelf boundary that follows the same course as the EEZ boundary agreed to in 1980. In 1997, Norway and Iceland agreed to extend the delimitation line to the west, such that it connects with an agreed tripoint dividing the maritime zones of Jan Mayen (Norway), Greenland (Denmark), and Iceland (Charney, 1994).

### **Norway-Iceland-Denmark**

In 2019, Norway, Iceland, and Denmark (Faroe Islands) concluded continental shelf boundary agreements pertaining to the 'banana hole', which is an area beyond 200 nautical miles from these States' territorial sea baselines in the North Atlantic Ocean. These 2019 agreements were consistent with the Agreed Minutes adopted by the three countries in 2006 (Charney, 1994).

## **CONCLUSION**

In conclusion it can be said that the maritime boundaries of Bangladesh and Norway are well defined, and they are established without contravening the relevant provisions of the 1982 UN Convention on the Law of the Sea. Bangladesh has set forth her maritime zones with a single piece of legislation namely, the Territorial Waters and Maritime Zones Act of 1974 whereas, Norway enacted several legislations to define the maritime zones under national jurisdiction. Both the countries claimed straight baselines due to exceptional nature of their relevant coastlines, 12 nautical mile territorial sea, 24 nautical mile contiguous zone, 200 nautical mile exclusive zone and extended continental shelf.

It is also found that the provisions of both countries' legislation and other enactments pertaining to its maritime zones, including provisions relating to navigation, exploration and exploitation of resources appear to be generally consistent with international law as reflected in the Law of the Sea Convention.

Furthermore, Norway has a large number of maritime delimitations with its neighbouring States. Bangladesh has also completed the maritime boundary delimitation with its two neighbours through international

courts. So, it can be said that both the countries have finally settled their rights over the sea.

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