

ABSTRACTS

Title: GENERAL PRINCIPLES AND RESULTS OCCURRED DURING ICSID'S ARBITRATION APPLICATIONS RELATED TO STATE'S INTERVENTION TO THE FOREIGN INVESTORS' PROPERTY RIGHT

Author: Enver BOZKURT and Süleyman DOST

Abstract: The state intervention to foreign investors' property right is leading international qualified investment disagreements. This intervention realizes by state led expropriation of foreign investments or by procedures as nationalization, distraint that causes expropriation. In international law the states have the right to intervene to property rights but to be subject to some conditions is also agreed. These are generally the provisions such as to be appropriate to the aims mentioned in the rules; not to make discrimination; to be appropriate to the procedures foreseen in the rules and to pay indemnity. In addition, during ICSID's arbitration applications basic principles related to which procedures are in the character of unfair intervention to foreigners' property right are settled.

Key Words: Arbitration, expropriation, investment, ICSID, property

Title: INTERNATIONAL LAW AND THE INTERNET

Author: Kemal BAŞLAR

Abstract: The advent of the Internet in academic life has been colossal effects in the last decade. Many disciplines have started being transformed with the introduction of the World Wide Web. No other law discipline has accrued the benefits of the e-world better than international law. The Internet has changed the way how sources of international law are formed, including soft law instruments. Thanks to an unprecedented potential for information dissemination and retrieval, the Internet has changed the medium of teaching and learning international law. As a result of which decades-lasting problems of getting access to foreign materials and keeping abreast of recent developments have, to a great extent, come to an end. Nevertheless, in order for making use of the Internet with academic aims, one has to learn the untapped facilities waiting to be explored. To this end, this article endeavours to guide the novice as to what kinds of resources are available at the Internet. With a view to furnishing this out, the Internet sites and portals, academic research engines and research centers have been pinpointed. Resources being easily accessible have been made known. No only does this article aim to guide researchers in international law, but also remarks that the spin-off of this article might be of some benefit for researchers working in various disciplines of political sciences.

Key Words: Academic research engines, International Law, Internet

Title: INTERNATIONAL CRIMES, INTERNATIONAL CRIMINAL COURT AND NEW TURKISH PENALTY CODE

Author: Yusuf AKSAR

Abstract: This study examines the evolution of International Criminal Court, and focuses on the international war crimes. The author also examines the national efforts to prevent international crimes in Turkey. He provides the legal background of war crimes, crimes against peace, human rights violations, crime of genocide etc. Dr. Aksar then moves to the new Turkish Penalty Code and its role in preventing international crimes.

Keywords: Crimes against Peace, Genocide, International Crimes, International Criminal Court, War Crimes

Title: THE EFFECTS OF EUROPEAN UNION'S CONSTITUTION ON EU'S INSTITUTIONAL STRUCTURE

Author: Mehmet ÖZCAN

Abstract: The structure of EU has been constantly changing since its establishment. European Union had successfully finished economic integration which was its first and main aim. Then by the time it began to welcome new members, which would cause difficulties in its institutions and decision making processes. EU is preparing to the new century by changing its complex structure by preparing a new constitution. In this article, European Constitution is examined throughout its *sui generis* structure and the modifications within the institutions. The Author in the article discusses the new functions and authorities of the institutions and the out comings. He also argued about Common Foreign and Security Policy (CFSP), voluntary withdrawal from the Union and suspension of certain rights resulting from Union membership. In addition he also touches upon the adjustments made about the decision making process which causes chaos in the Union, and discusses the expectations about the European constitution in the future.

Key Words: Convention, EU Constitution, European Council, EU Institutions, EU Presidency

Title: MARITIME DELIMITATION IN EASTERN MEDITERRANEAN AND TURKEY

Author: Yücel ACER

The recent developments regarding the Eastern Mediterranean and the States in that region have created a stronger need than ever to establish the maritime boundaries between Turkey and its neighbors in the region. The means of establishing the maritime boundaries and the nature of the settlement can be accomplished through bilateral talks. Whatever the means the parties chose for settlement, it is always a strong possibility that the settlement will be depended on the relevant legal principles and rules. The present study will try to identify the principles relevant to the establishment of the maritime boundaries between Turkey and its neighbors in the Eastern Mediterranean as well as to examine the possible outcome. In conclusion, the present study argues that the maritime delimitation in that region should be done on the basis of certain methods other than the equidistance method as a result of the relevant principles applicable to the delimitation in the region.

Key Words: Eastern Mediterranean, legal rules and outcomes, maritime delimitation

Title: RELIGION AND POLITICS IN US AND UK AFTER THE 9 / 11

Author: Sedat LAÇINER

Abstract: This article focuses on the religion-politics relations in the United States and United Kingdom after the 9 / 11 Attacks. The author argues that the world has focused on the religionist extremism in the East though the global policies regarding extremism and terrorism has been shaped by the extreme political movements in the east. Dr. Laciner says the world after 9 / 11 cannot be understood without understanding Blair's and Bush's religious approaches.

Keywords: 9 / 11 Attacks, international relations, religion, religionist, terrorism, UK, US

Title: USA IN POST SEPTEMBER 11: PERCEPTIONS, PSYCHOLOGICAL REFLECTIONS AND LEGAL ARRANGEMENTS**Author:** Didem YAMAN

Today terrorism is one of the most crucial problems of the international relations with which most countries directly deal with and the history of which could be traced back to the earlier times and. The most serious occurrence, in terms of the change in the perceptions to this multi dimensional problem, is the September 11 attacks to the World Trade Center and Pentagon in 2001. These attacks to the world's superpower has both highlighted the international dimension of the terrorism and accelerated the international cooperation initiatives against it. Within this framework, the main aim of this study is to analyze the domestic changes in the legal and physiological dynamics and also in terms of the threat perceptions of the United States. For this reason, changes in the American foreign policy within the same period will not be given in details. The underlined point in this study is; because of the very reason that the terrorism does not rely on a single factor (organization, leader or resource) solution to the problem by national attempts doesn't seem reliable. That's why a legal based international cooperation is a necessity for the struggle against the terrorism

Key Words: Legal arrangements, national security, September 11, terrorism**Title: EUROPEAN UNION'S COMMON FOREIGN AND SECURITY POLICY FROM MAASTRICHT TREATY TO TODAY****Author:** Halil BİLECEN

Europe has chosen the way of unification after the Second World War and taken many steps towards this goal. However, the unification has focused on the economic matters alone for many years. Following the end of the Cold War, the perceptions towards security have dramatically changed in the world. In order to accord to these global changes and to be an effective actor in a global sense, the European Union has also preferred to follow a common policy in its foreign relations and taken the first serious step in this matter with the Maastricht Treaty. In this study, it is going to be argued that despite these developments within the European Union, there are still many serious gaps and discrepancies in the European common foreign and security policy. To support this assertion, the attitudes of the European Union countries as to the recent events concerning Iraq are examined.

Key Words: Common Foreign and Security Policy, European Security, Founding Treaties, Iraq