

THE LEGAL ASPECTS OF THE EASTERN MEDITERRANEAN CRISIS

ANALYSIS

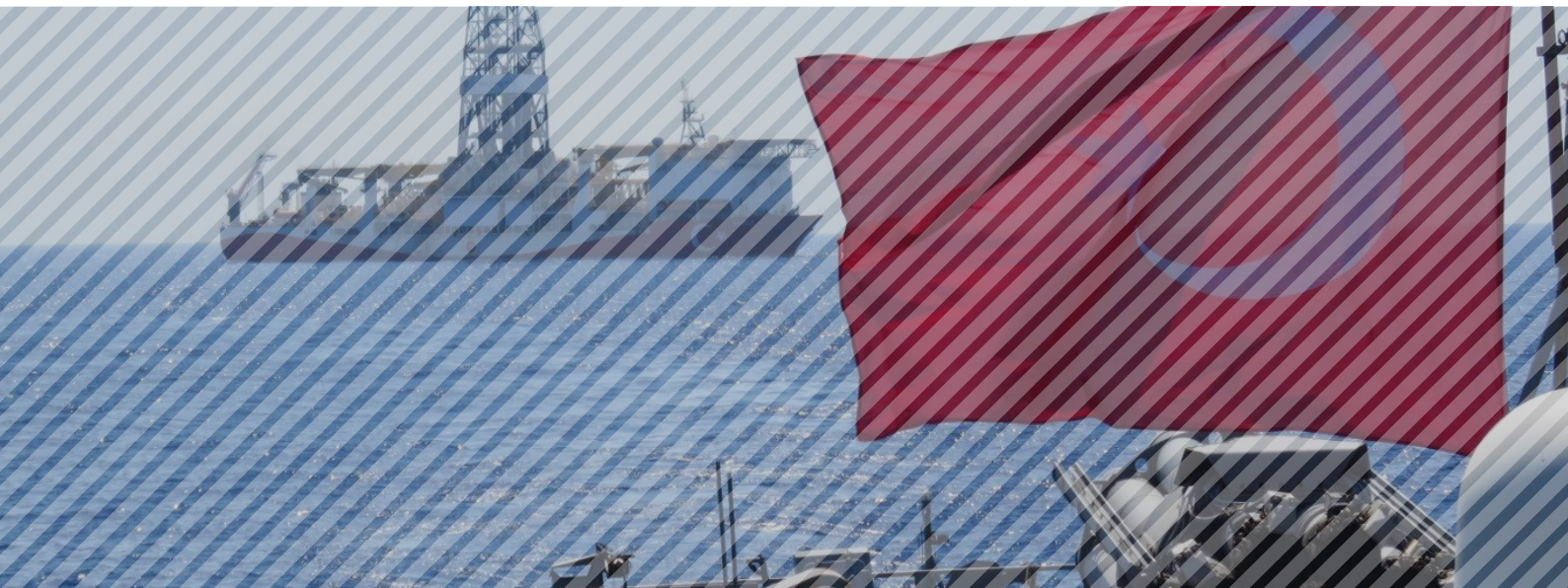


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23 SEPTEMBER 2020

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AL SHARQ
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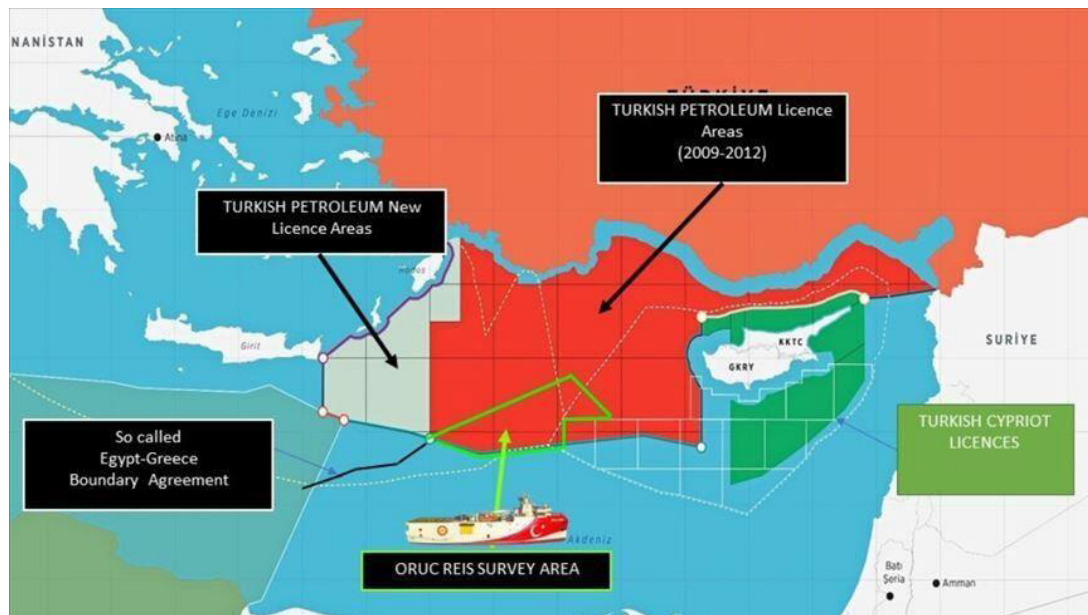
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Abstract: Currently, the Eastern Mediterranean region is undergoing one of the most intense crises the region has ever witnessed. The main reason behind the current crisis is the increasing discoveries of significant oil and hydrocarbon fields in the East Mediterranean Basin since the 2000's. Thus, the current maritime boundary disputes between the coastal states such as Turkey and Greece actually correspond to a crisis of distribution of the potential resources. In the current situation, the best way for a precise assessment of the Eastern Mediterranean crisis from an international law perspective is to examine two recently signed international agreements which embody the claims of the contesting parties: Turkey-Libya and Greece-Egypt maritime delimitation agreements. Therefore, in this expert brief, the most important features of both agreements and the contesting claims of the relevant parties are examined in detail in light of their reactions to those agreements. Finally, some previous maritime delimitation cases are analyzed in order to explore the possible approaches to be referred for an equitable solution of the Eastern Mediterranean crisis.

Today, the Eastern Mediterranean region is undergoing one of the most intense crises the region has ever witnessed. What is happening in the Eastern Mediterranean is a multi-faceted crisis encompassing vital and complicated disputes among the coastal states [Turkey, Greece, Egypt, Libya, Israel, Lebanon, the Turkish Republic of Northern Cyprus (TRNC) and the Greek Cypriot Administration of Southern Cyprus (GCA)]. These disputes regard the boundaries of the maritime zones and include the direct involvement of many regional and global powers such as the United Arab Emirates (UAE), United States (US), European Union (EU) and Russia, each of which is seeking to preserve their own interests.

The main reason behind the current crisis is the increasing discoveries of significant oil and hydrocarbon fields in the East Mediterranean Basin since the 2010's.¹ The current disputes on the boundaries of the maritime zones correspond to a crisis of distribution of the potential resources. The coastal states' ambitions for control of these resources inevitably sets them at odds with each other. So much so that the North Atlantic Treaty Organization (NATO) allies Turkey, Greece, and France astonishingly came to the verge of a military confrontation over the course of events following Turkey's plans for hydrocarbon exploration activities which were publicly announced with a Navigational Telex (NAVTEX) on July 21, 2020.²



Source: Official Website of Turkish MFA

From Turkey's point of view, its planned hydrocarbon exploration activities would be carried out entirely within the Turkish maritime jurisdiction as the exploration area corresponds to Turkey's continental shelf as declared to the UN.³ Nevertheless, Greece raised objections to Turkey's exploration activities on the ground that the projected seismic research area was actually within its own continental shelf.⁴ Greece's position found some strong support from its European allies,⁵ whose threats of sanctions were strongly opposed by Turkey.⁶ Such an exchange of verbal blows in late July had led to a sudden rise in tension between NATO allies in the Eastern Mediterranean. That was until, through German mediation, Turkey decided to suspend its planned exploration as a goodwill gesture for future negotiations.⁷ However, this relatively peaceful period drew to a close with the signing of the Maritime Delimitation Agreement between Greece and Egypt in the first week of August,⁸ which Turkey deemed null and void on the ground that the supposedly-delimited area within the agreement lies within the Turkish continental shelf and violates the rights of Libya and the TRNC arising out of their continental shelves.⁹ Turkey, in response, issued a series of new NAVTEX declarations throughout August.¹⁰ At the same time, EU High Representative Joseph Borrell warned that the "serious deterioration in the relationship with Turkey" was affecting the wider region¹¹ highlighted by Greek and Turkish warships colliding during a standoff in the Eastern Mediterranean on August 12th.¹²

Since France has decided to bolster its military presence¹³ in the Eastern Mediterranean due to their concern over Turkey's "unilateral" exploration activities,¹⁴ Turkish decision-makers have repeatedly stressed that any intervention against Turkish vessels would not be left unanswered and that Turkey is determined to protect its rights and interests in the Eastern Mediterranean.¹⁵ Turkish Foreign Minister Mevlüt Çavuşoğlu emphasized in his letters to the foreign ministers of EU members and the Foreign Policy Chief of the EU that Greece and the GCA had actually taken unilateral steps with respect to the Eastern Mediterranean issue in spite of calls by Turkey for collaboration and dialogue.¹⁶ However, the EU, which has repeatedly called on Ankara to halt its exploration activities off Cyprus, voiced their solidarity with Greece and called for de-escalation of the crisis.¹⁷

Towards the end of August, Germany's mediation efforts seemed to bear fruit when Heiko Maas, the German Minister of Foreign Affairs, met his Turkish counterpart in order to discuss de-escalation of the

ongoing crisis.¹⁸ Furthermore, Donald Trump, the US President, got involved in de-escalation efforts through phone calls with Greek and Turkish leaders.¹⁹ NATO's Secretary-General Jens Stoltenberg said that Turkey and Greece had agreed on starting initial talks to defuse the ongoing tension even though that statement was denied by Athens immediately.²⁰ To start initial talks, Greece has stipulated that Turkey shall withdraw its warships from so-called Greek waters which happened on September 13.²¹

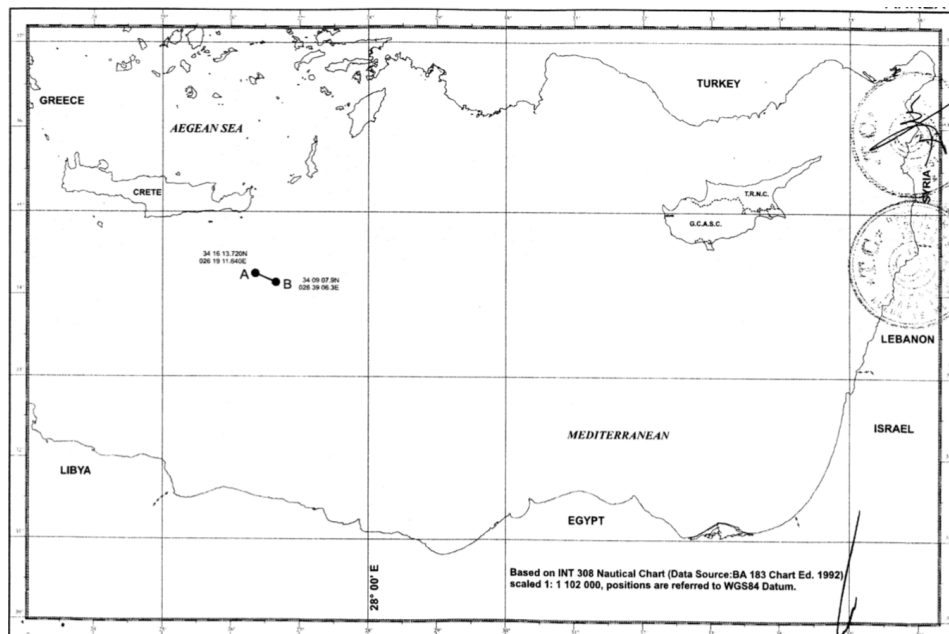
The summary of the current escalation in the Eastern Mediterranean to date is as noted above.²² What the future will bring is yet to be seen. In the current situation, maybe the best way for a precise assessment of the Eastern Mediterranean crisis from international law perspective is to examine two recently signed international agreements which embody the claims of the contesting parties: Turkey-Libya and Greece-Egypt maritime delimitation agreements.

This MoU was crucial as it showed Turkey's proactive manner for securing its own sovereign rights in the Eastern Mediterranean

Turkey-Libya Maritime Delimitation Agreement

On November 27, 2019, The Turkish government and the Libyan Government of National Accord (GNA) signed a memorandum of Understanding (MoU) with the purpose of determining the maritime boundaries between two states. The MoU came into effect on December 8, 2019.²³ Regardless of its title, this is an international agreement/treaty as per the definition of the Vienna Convention on the Law of Treaties, which is to say that its provisions are binding for the parties. It is also important to note that since the United Nations (UN) backed GNA is the internationally recognized and legitimate government of Libya, it was legally capable of undertaking such international obligations by signing such international agreements.²⁴

With this MoU, Turkey and Libya agreed on a 30-km long maritime boundary near the Greek island of Crete.²⁵ Hence, the parties clearly demonstrated that they do not recognize the broad maritime jurisdiction claims of Greece in the Eastern Mediterranean on the grounds of the existence of its islands such as Crete as well as the claims of GCA that overlap with Turkey's claims on the maritime area between Cyprus and Greece. This MoU was crucial as it showed Turkey's proactive manner for securing its own sovereign rights in the Eastern Mediterranean.




Source: Memorandum of Understanding between the Government of the Republic of Turkey and the Government of National Accord – State of Libya on Delimitation of the Maritime Jurisdiction Areas in the Mediterranean- Annex 1

It must be noted that the MoU determines only the maritime boundary between two countries and does not automatically entail the existence of exclusive economic zone (EEZ) of either country. That is to say, this boundary merely shows how the Turkey-Libya maritime boundary will be in case either of them announces their EEZs in the future. On the other hand, this boundary also shows how the continental shelves of both countries are delimited vis-à-vis each other.



Turkey's continental shelf in the Eastern Mediterranean as declared to the UN in the Letter dated 18 March 2020 from the Permanent Representative of Turkey to the UN addressed to the Secretary-General

Here we need to shortly explain the difference between an EEZ and a continental shelf, each of which entails different sets of rights for coastal states. Briefly, an EEZ gives a coastal state the right to exploit the marine, seabed and subsoil resources within an area which extends no more than 200 nautical miles from its coastlines, while a continental shelf grants similar rights only on the seabed and in subsoil. Furthermore, a continental shelf can extend to 350 nautical miles under some specific circumstances. Also, an EEZ does not exist by default and must be proclaimed by coastal states, while all coastal states are entitled to have their continental shelves without the need of proclaiming it (*ipso facto*).

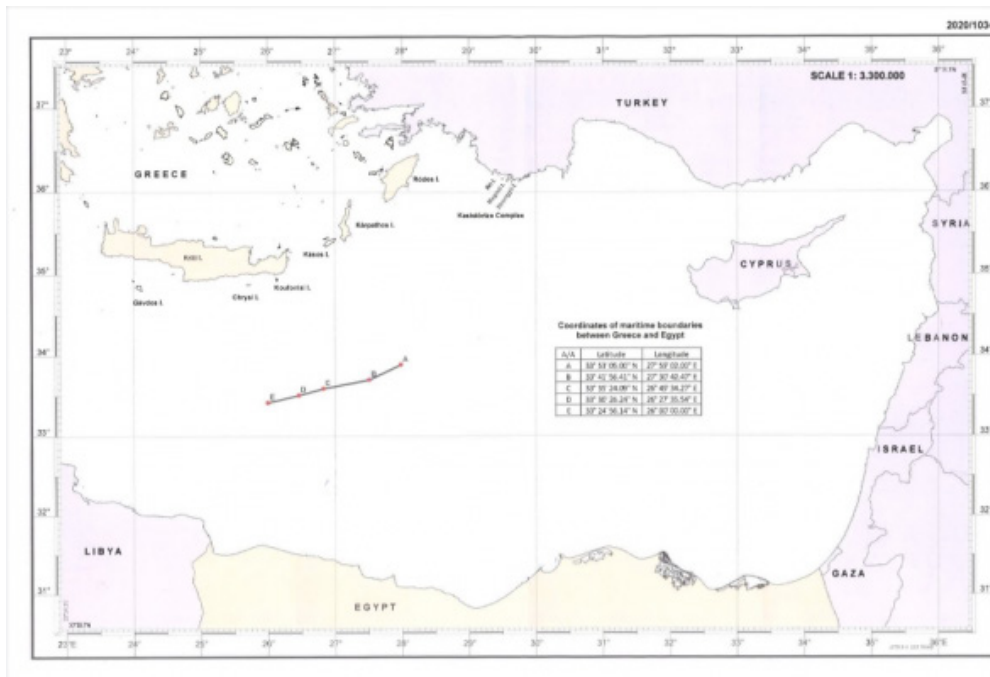
 EASTERN MEDITERRANEAN		
Maritime Zones		
COMPARISON	CONTINENTAL SHELF	EXCLUSIVE ECONOMIC ZONE
LIMITS	200nm (350 nm)	200 nm
SOVEREIGN RIGHTS	Exploration and Exploitation of natural resources of Sea Bed & Subsoil	Exploration and Exploitation of natural resources of Sea Bed & Subsoil + Conserving & Managing natural resources in the WATER COLUMN + Energy Production (Wind, Current, Water)
NEED PROCLAMATION	NO (ab initio -ipso facto)	YES
ARTIFICIAL ISLANDS, INSTALLATIONS AND STRUCTURES	✓	✓
FREEDOM OF NAVIGATION & OVERFLIGHT	✓ (Except for exploration and drilling vessels)	✓ (Except for exploration and drilling vessels) + Fishing Vessels
RIGHT OF LAND-LOCKED OR GEOGRAPHICALLY DISADVANTAGED STATES	X	✓

Source: Official Website of Turkish MFA

The MoU is a very brief international agreement with some outstanding provisions. Article 4 (3) of the Agreement obliges Turkey and Libya with negotiating with one another when they want to make a maritime delimitation agreement with third parties. Article 5 stipulates that the Parties may request the revision of the provisions, however, such a request cannot be made for Article 1 and 2 which are the main foundations of the MoU as these provisions are directly related to the determination of the maritime boundary. Such a restriction demonstrates that the parties strongly want to close all the doors for any future change of the determined maritime boundary as per the MoU.

Greece-Egypt Maritime Delimitation Agreement

Greece and Egypt signed an agreement on August 7, 2020 for the delimitation of the two countries' maritime boundaries in the Eastern Mediterranean.²⁶ The Greek Foreign Minister described the agreement as an exemplary one that "reconfirms and enshrines the effect and the right of islands to a continental shelf and EEZ in conformity with international law and UNCLOS,"²⁷ while the Egyptian Foreign Minister stated: "This agreement allows both countries to move forward in maximizing the utilization of the resources available in the exclusive economic zone, especially promising oil and gas reserves."²⁸



Source: Greece-Egypt Maritime Delimitation Agreement- Annex 1

The very first attempts for a Greece-Egypt maritime delimitation agreement date back to early 2000s.²⁹ It must also be noted that Egypt had already concluded a maritime delimitation agreement with the GCA in 2003.³⁰ However, at that time Egypt had prioritized fixing its maritime boundary with Turkey first without interfering in the dispute between Turkey and Greece before then concluding an agreement with Greece.³¹ Therefore, the talks between the parties throughout the 2000's did not result in any agreement. However, in result of the radical changes in the geopolitical relations and shifting alliances in 2010s, Turkey-Libya MoU pushed Greece and Egypt to swiftly conclude their own long-awaited maritime delimitation agreement.

Different from the Turkey-Libya MoU, the Preamble to the Greece-Egypt Agreement recognizes the relevance and applicability of UN Conventions on the Law of the Sea (UNCLOS) as well as emphasizing that each party shall exercise its sovereign rights in accordance with UNCLOS. The reason for this difference is the fact that both Greece and Egypt are party to UNCLOS while neither Turkey nor Libya (signed but not ratified) are.

The very first attempts for a Greece-Egypt maritime delimitation agreement date back to early 2000s. It must also be noted that Egypt had already concluded a maritime delimitation agreement with the GCA in 2003

The agreed boundary between Greece and Egypt is a straight layout that comprises five points between the 26th and 28th meridian. The boundary is based on the median line between the opposite coasts of two countries. Notably, the Greek coasts which were based on the determination of the median line are the coasts of some Greek islands such as Crete and Rhodes instead of the Greek mainland. It is an important point because this choice reflects Greece's longstanding position claiming that the Greek islands in the Eastern Mediterranean are entitled to generate maritime zones of their own, thus they should be taken as base points for the determination of median lines.

Having said that, it is also worth mentioning that the current boundary is not a strict median line but an adjusted line resulting in the allocation of the maritime zones at a ratio of about 9:11 favouring Egypt. That seems to be a remarkable concession from Greece.

Last but not least, the geographical scope of the Greece-Egypt Maritime Delimitation is limited because the current delimitation addresses only a part of the full length of the potential maritime boundary between Greece and Egypt. For instance, the island of Kastellorizo (Meis in Turkish) which is one of the most controversial points in the current dispute between Greece and Turkey is not included in the Agreement. Most probably, it is a deliberate decision in order to avoid a fierce confrontation with Turkey and to shield the Agreement from possible criticism on the grounds that it inequitably narrows down Turkey's maritime zone.

Contesting Legal Claims

As per the international law of the sea, every coastal state has a right to claim its sovereign rights on maritime zones off its own coasts. In general, the main problem with the allocation of the maritime zones is the high relativity of the principles and methods to be used for delimitation.

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Indeed, in the Eastern Mediterranean crisis, the contesting parties seem to be trying to maximize their maritime zones by taking advantage of the open-endedness of the delimitation methods in international law. In fact, currently the main legal contest in the Eastern Mediterranean seems to be between Turkey and Greece. Other coastal states such as Libya and Egypt are just tagging behind either Turkey or Greece on the basis of their various geopolitical considerations rather than genuine legal claims. Therefore, we should mainly focus on the legal dispute between Greece and Turkey in our assessment.

Today, the main sources of the maritime delimitation rules are UNCLOS, some other international treaties and international customary law (ICL). Here we need to especially touch upon a couple of relevant provisions of UNCLOS for a better understanding. As per Article 74(1) and 83(1) of UNCLOS, an agreement between the concerned coastal states is the primary way for the delimitation of an EEZ and a continental shelf. However, no specific method is mentioned in UNCLOS for delimitation. The only essential standard set forth is that the delimitation shall be on the basis of an “equitable solution.” Hence, it is understood that law of the sea is highly open to different interpretations in many aspects. Therefore, a case-by-case assessment is imperative for identifying the relevant methods for each delimitation.

In respect to the Eastern Mediterranean crisis, it must be kept in mind that Turkey is not a party to UNCLOS as well as the 1958 Convention on the Continental Shelf, another relevant treaty. So, for Turkey, the main source for determining laws of the sea is the rules of ICL. However, by its very nature, the ICL is not codified and in order to identify the relevant rules of ICL, the precedents of the case law are of great importance. That is to say, the previous judgements on the numerous disputes brought by the contesting states to the international tribunals or arbitration mechanisms provide important guidance for shedding light on the relevant rules and principles of ICL of the sea.

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Most Essential International Conventions	Turkey	Greece	Libya	Egypt
1982 UN Conventions on the Law of the Sea	Not Signed	Party	Signed but Not Ratified	Party
1958 Convention on the Continental Shelf	Not Signed	Party	Not Signed	Not Signed

The most prominent principle underlined in almost all of the cases has been, not surprisingly, to reach an “equitable solution” for all parties concerned. What constitutes an equitable solution has been decided according to some exclusive geographical (i.e. configuration of coasts, proportionality, location of islands) and/or non-geographical (i.e. historical rights, security) circumstances in each case.³² In the North Continental Shelf Case of 1969, one of the first maritime delimitation cases of the International Court of Justice (ICJ), the Court decided that the contesting parties (Germany, Denmark, and Netherlands) were not bound by any principle but only the application of an equitable solution by taking into account the exclusive geographical circumstances since reshaping the geography would not be possible.³³

That said, over time, the ICJ and other international tribunals or arbitration mechanisms have felt the necessity of articulating some specific steps for maritime delimitation contrary to high open-endedness and relative to ICJ’s approach adopted in North Continental Shelf Case. Here we will not go back to square one in every single case and delve into the evolution of the case law in this regard. However, it would not be inaccurate to argue that the case law- namely, the judgements of the ICJ, the International Tribunal for the Law of the Sea (ITLOS) and several arbitral tribunals- has contemporarily adopted the “three-stage delimitation approach.”³⁴ Accordingly, delimitation starts with a provisional equidistance/ median line drawn from the nearest base points of two adjacent or opposite coastal states. Then, it is adjusted for equity in light of the relevant circumstances and finally according to the proportionality requirements.

Greece argues that its islands should be able to generate maritime zones of their own, hence the median line of delimitation must be drawn between the Greek islands and the Turkish mainland coasts instead of the mainlands of two countries. However, Turkey champions the opposite

It is not easy to apply the three-stage delimitation method in the maritime boundary dispute in the Eastern Mediterranean between Greece and Turkey. There are a few relevant circumstances to take into consideration, the most challenging of which is the locations of a vast number of Greek islands. The final maritime boundary line will completely depend on the effect accorded by the Greek islands in the delimitation process.

Article 121(2) of UNCLOS says that “...the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf of an island are determined in accordance with the provisions of this Convention applicable to other land territory”. By lining up with this provision, Greece argues that its islands should be able to generate maritime zones of their own, hence the median line of delimitation must be drawn between the Greek islands and the Turkish mainland coasts instead of the mainlands of two countries. However, Turkey champions the opposite.³⁵ Greece also relies on the fact that most of its islands are closely-knit and form groups that represent a geographical unity, so that they could be taken as base points for delimitation.³⁶

Turkey's Claims	Greece's Claims
The median line of delimitation must be drawn between mainlands of two countries.	The median line of delimitation must be drawn between the Greek islands and the Turkish mainland coasts.
<p>The Greek islands cannot have a cut-off effect on the coastal projection of Turkey, which has the longest continental coastline in Eastern Mediterranean.</p> <p>The Greek islands which lie on the wrong side of the median line between two mainlands cannot create maritime jurisdiction areas beyond their territorial waters.</p>	Its islands should be able to generate maritime zones of their own as same as the other land territories generate.
Regardless of any other factor, the median line of delimitation must be drawn between mainlands of two countries.	Most of its islands are closely-knit and form groups that represent a geographical unity, so that they could be taken as base points for delimitation.

The official declarations of Turkey and Greece upon each other's recent maritime delimitation agreements with Libya and Egypt respectively are precise reflections of their traditional views on the issue of islands in maritime delimitation. Soon after the signing of Turkey-Libya MoU on February 19, 2020, Greece presented its objections to the MoU in detail with a letter sent to the UN and claimed that Turkey violated the inherent rights of Greece in the Eastern Mediterranean.³⁷ As expected, the main argument of Greece was built upon Article 121(2) of UNCLOS. Accordingly, the MoU seriously violated the maritime zones of the Greek islands, namely that of Crete. Greece emphasized that Turkey was attempting to justify the MoU by applying the principle of equitable solution and taking into account the relevant circumstances in a highly single-sided, subjective and abstract way. Turkey's response to Greece³⁸ aimed to prove that it was actually applying the principle of equitable solution and taking into account the relevant circumstances in accordance with the established practices, namely:

- (a) The Greek islands cannot have a cut-off effect on the coastal projection of Turkey, the country with the longest continental coastline in the Eastern Mediterranean,
- (b) The Greek islands which lie on the wrong side of the median line between two mainlands cannot create maritime jurisdiction areas beyond their territorial waters,
- (c) The length and direction of the coasts should be taken into account in delineating maritime jurisdiction areas.

Upon the conclusion of the Greece-Egypt Maritime Delimitation Agreement, both states have reiterated their claims, the roles of objector and defender swapped though. This time, Turkey claimed that the Agreement was in full violation of its continental shelf.³⁹

In fact, some Greek islands in the Eastern Mediterranean which are populous are covered by the definition of Article 121(2), thus they are theoretically entitled to generate their own maritime zones. That said, even though the general rule laid out in Article 121(2) has also become an ICL rule⁴⁰- which would normally be binding for Turkey even if it is not party to UNCLOS -could not be binding for Turkey because of Turkey's "persistent objection" to this rule since it has come into existence.⁴¹ It is one of the important features of ICL that if a state persistently

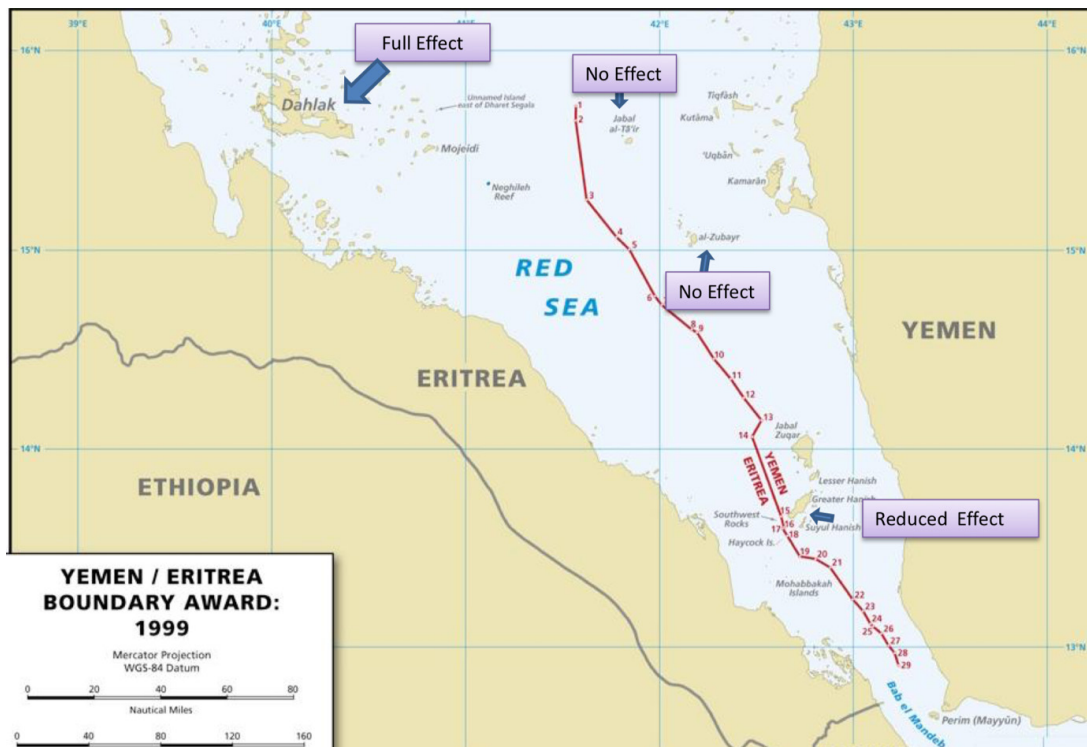
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objects to a certain ICL rule since that rule has come into existence, then that rule can exceptionally be nonbinding for the objecting state. The main reason behind Turkey's persistent objection has been the presence of Greece's more than 3000 islands in the Aegean and Eastern Mediterranean Seas, most of which are very close to the Turkish shores. Turkey has always been concerned about the fact that to recognize the rule laid out in Article 121(2) would allow Greece to expand its maritime zones extensively thus restricting Turkey into accepting a very narrow maritime zone. Eventually, the precise legal assessment of the dispute between Turkey and Greece on the treatment of islands in relation to maritime delimitation necessitates putting Article 121(2) aside and exploring the general international practice that is mainly reflected by case law.

The Case Law on the Treatment of Islands in the Delimitation Process

It is unfortunate for those searching for a clear answer about the treatment of islands in relation to maritime delimitation in the case law that the precedents so far are “unhelpfully inconsistent.”⁴² In past judgements, the treatment of islands in relation to maritime delimitation shows great diversity. In some cases such as St. Pierre and Miquelon Case in 1991, the arbitration court granted the small islands of St. Pierre and Miquelon, which are near Canada, a full seaward projection of 200 nautical miles towards the south on the grounds that those French islands had “a coastal opening that is unobstructed by any opposite or laterally aligned Canadian coast.”⁴³ Similarly, the Permanent Court of Arbitration (PCA), gave full weight to Eritrea's Dahlak Islands (a group of 350 islands) in the Eritrea-Yemen Case in 1998. In fact, Dahlak Islands do not lie on the wrong side of the median line between the mainlands of Eritrea and Yemen, so this decision seems unsurprising. Yet, this decision is still remarkable because PCA set forth a distinct criterion by emphasizing the importance of “geographical unity of Dahlak Islands” in its assessment⁴⁴ which might be of use for Greece's claims.

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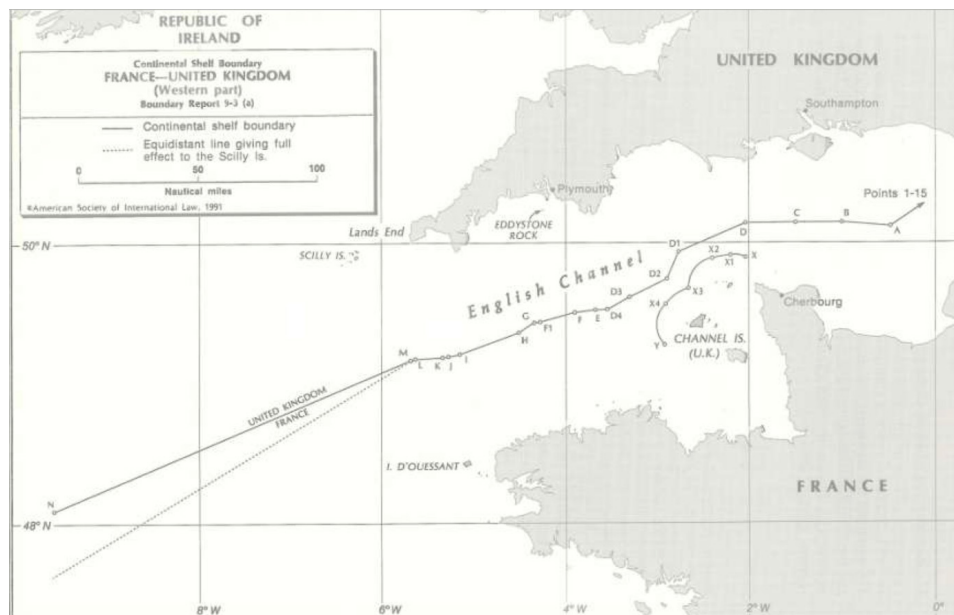
Source: Official Website of Turkish MFA

In many cases, islands have been accepted as base points in delimitation processes but ultimately granted less maritime zone compared to their opposing mainlands. The examples of it can be seen in Libya-Malta Continental Shelf,⁴⁵ Jan Mayen⁴⁶ and the Gulf of Maine⁴⁷ cases.

Crucially, islands were fully disregarded in some cases such as the Channel Islands Arbitration Case in 1977⁴⁸ and the Hanish Islands in the above mentioned Eritrea-Yemen Case in 1998. These cases are of particular importance because they bear a resemblance to the dispute between Turkey and Egypt in terms of the position of islands. In the former case, the Court decided that the Channel Islands possessed by the United Kingdom are

Crucially, islands were fully disregarded in some cases such as the Channel Islands Arbitration Case in 1977 and the Hanish Islands in the above mentioned Eritrea-Yemen Case in 1998. These cases are of particular importance because they bear a resemblance to the dispute between Turkey and Egypt in terms of the position of islands

not entitled to a maritime zone more than their territorial waters because of the fact that they are located on the other side of the mid-channel median line. In the latter case, in a similar vein, it was decided that Hamish Islands possessed by Yemen could not generate maritime zones beyond their territorial waters breadth in delimitation and those islands should have been discounted in drawing of the equidistance line between Eritrea and Yemen.



Source: John Briscoe & Peter Prows, *The Limits of Maritime Jurisdiction- Chapter 3*

There are also totally unique delimitation decisions such as the ITLOS' Bangladesh-Myanmar Case in 2012. In this judgement, the Court decided to give Bangladesh's St. Martin's Island full effect in the delimitation of the territorial sea while disregarding it as a base point in the delimitation of the EEZ and the continental shelf between two states.⁴⁹

Maybe one of the few consistent principles in the case law is that small, and usually uninhabited, islands have been ignored altogether for delimitation purposes. Recent examples of this include: Guinea-Guinea-Bissau (Island of Alcatraz),⁵⁰ Qatar-Bahrain (Qit'at Jaradah Island),⁵¹ Romania-Ukraine (Serpents' Island)⁵² and Nicaragua-Colombia (Quitassueño and Serrana islands)⁵³.

Conclusion

Undoubtedly, the maritime delimitation disputes in the Eastern Mediterranean have unique and highly challenging aspects. In particular, the existence of many Greek islands ranging from populous ones to tiny and uninhabited ones, some of which potentially interfere with the maritime entitlements of Turkey's large continental mainland, confuse the solution. While Greece usually asserts that its islands are entitled to generate their own maritime zones in accordance with the UNCLOS and ICL, Turkey does not refer to the ICL rules on the treatment of islands in the delimitation process in the same way as Greece does and points out the great diversity in the international practice with respect to islands. Turkey claims that the relevant circumstances of the Eastern Mediterranean issue necessitates that the Greek islands which lie on the wrong side of the median line between two mainlands not have any maritime zone beyond their territorial waters, and that the median line for delimitation must be drawn between the Turkish and Greek mainlands. As discussed above, Turkey can find some precedents in the case law supporting its approach.

In the case of the recognition of all of Greece's current claims, Turkey would be entitled to a tiny portion of maritime zone of around 40.000 km² out of its claimed projections between 150.000 and 190.000 km², being the longest coastal line in the Eastern Mediterranean. Such a result would be exceedingly maximalist for Greece and certainly would not bring about an equitable solution as required by international law. Both recent maritime delimitation agreements (Turkey-Libya and Greece-Egypt) must be assessed from this aspect.



Source: GCA Officials

One last opportunity is to develop at least some provisional arrangements of a practical nature such as a joint development & joint management formula for the use of any potential resources within the contested maritime zones as, for instance, Saudi Arabia and Sudan agreed on in 1974. Such arrangements can prevent the parties from getting involved in conflicts that could turn deadly and upset the regional security architecture

Last but not least, the existing and escalating crisis does not favour either side in the long term. For this reason, the contesting parties are in urgent need of creative maritime solutions. Of course, reaching a maritime boundary delimitation agreement between Turkey and Greece and adjusting their other delimitation agreements accordingly would be the most ideal way to resolve the crisis. At the moment, there seems to be a slim chance for such a solution but the mediation efforts⁵⁴ may result in such a possibility in the future. If the parties to the dispute ultimately fail to reach an agreement, they should at least agree on resolving the crisis through judicial means, be it by international tribunals or arbitration mechanisms. One last opportunity is to develop at least some provisional arrangements of a practical nature such as a joint development & joint management formula for the use of any potential resources within the contested maritime zones as, for instance, Saudi Arabia and Sudan agreed on in 1974.⁵⁵ Such arrangements can prevent the parties from getting involved in conflicts that could turn deadly and upset the regional security architecture.

Endnotes

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