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## **TURKEY, GREECE WARY OF TERRITORIAL WATERS CLAIMS**

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23.01.2013 SETimes Both countries appear poised to keep discussing the potential dispute amid reports that Greece may unilaterally claim an exclusive economic zone. Recent and highly publicised gas finds in the eastern Mediterranean between Israel and Cyprus, coupled with cash-strapped Greece's eagerness to better exploit natural resources, has thrust the question of exclusive economic zones into the spotlight. Over the past couple years Athens and Ankara have moved to mend once tense relations despite long-entrenched opposing views on sea rights in the Aegean. But recent reports in Greek media that the country is preparing to unilaterally delimitate the zones carries the potential for friction. Turkey's chief foreign affairs official insists, however, that the two countries have "channels" to discuss and deal with any dispute. At the crux of Athens' standing position on maritime jurisdictions is the landmark UN Convention on the Law of the Sea, or UNCLOS, of which Greece and all EU member-states are signatories, but Turkey is not. The convention, in force since 1994, recognises nations' rights to extend their territorial waters up to 12 nautical miles (22 kilometres) and an exclusive economic zone up to 200 nautical miles (370 kilometres) from a defined coastal baseline. To date, neither Turkey nor Greece have officially claimed an economic zone or extended their territorial waters to the full 12 miles in the Aegean. Greek foreign ministry spokesman Grigoris Delavekouras reiterated this month, during a regular press briefing, that "Greece's policy is the delimitation of all maritime zones with all its neighbours, and we are pursuing this not just for the obvious economic benefits \* but also because it is a decisive step toward strengthening regional stability." Conversely, Selcuk Unal, the spokesman for Turkish foreign ministry, told SETimes that the latest debate over delimitation has created "unnecessary expectations" in the Greek public opinion towards this issue. "We aren't objecting as long as Greece carries out its oil and gas drilling activities with no harmful effect on Turkey's rights and benefits," Unal said, adding, "In other words, there is no obstacle against Greek economic activities over uncontested regions." The Turkish spokesman was alluding to repeated references to the issue during the recent Greek elections in 2012, with vociferous demands by both the right and left that the next government unilaterally delimitate such zones around island-dotted and peninsular Greece. Aware of the growing attention to the economic zone question, Turkey Foreign Minister Ahmet Davutoglu told a gathering of Turkish diplomats in Izmir earlier this month that if Greece takes unilateral steps in that direction and disregards Turkey's national position, then Turkey will not hesitate to respond. "However, I expect that there would be no need for such an action," Davutoglu said. "We have already a functioning mechanism with Greece through other channels." Unal also noted that with high-level meetings between the two countries' leaders expected in the next few months, Turkey preferred to settle the issue through negotiations. "We want to preserve the positive agenda that exists over Greece-Turkey relations just in a period when both parties are in constant dialogue and mutual visits," Unal said. Adding to the mix of politics, economic interests and often acrimonious recent history is the 320 articles plus annexes and the intricate legal framework entailed in international maritime law, a body of work not easily

summarised into brief news reports. "At present, there are two different concepts, the exclusive economic zone is a new concept; continental shelf is an old concept. EEZ is a superior concept to continental shelf, as the latter involved only minerals in the subsoil and seabed, the EEZ includes fisheries, the environment and energy from the sea and above the waves," Theodore Kariotis, an economics professor who has written on the Aegean dispute, told SETimes. Ankara insists on bilateral negotiations, while Athens would like the issue settled in the International Court of Justice. For Kariotis, Ankara's deep aversion to UNCLOS lies directly with the convention's 121st article, specifically paragraph B, which gives complete economic zone rights to the mainland and islands as well. Turkey's long-standing position on the issue is that implementation of provisions in the convention are "complicated" when it comes to the Aegean because of its specific geographical properties. The arguments repeatedly used by Ankara over the decades are that the Aegean, with its 2,400 plus islands, is a "semi-enclosed sea" and that "special circumstances" exist, which have not been included in UNCLOS. Undoubtedly, one major obstacle in any possible future negotiations between Athens and Ankara will revolve around the small island of Kastellorizo located 570 kilometres southeast of Athens but only 2 kilometres across from the small Turkish coastal town of Kas. "If the area of Kastellorizo is given 'full effect' during a delimitation, then Greece will have a maritime border with Cyprus; if Kastellorizo receives 'partial effect' then Turkey will have a maritime border with Egypt, and Greece will not have one with Cyprus," Kariotis said. Referring to the Kastellorizo aspect, Haritini Dipla, a Swiss-educated professor of international law and specialist on maritime law and islands' status, said any international court would look at Kastellorizo and its islets' geographical position. In particular, a court would look at "the effect it has on the baseline \* the area of the maritime zone which it has a right to, in relation to the area of the island itself," she said. "Of course, Kastellorizo is populated, and has the right to maritime zones, possibly however, they [international judges] may give it a reduced influence in the median baseline. No one knows how much, this depends, of course, on the arguments of the two countries and on the judges' opinion," she said, highlighting the complexity of the issue.

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