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THE CONFLICT BETWEEN GREECE AND TURKEY IN THE MEDITERRANEAN SEA (INTERNATIONAL MARITIME LAW STUDY)

Edanur Yildiz

Konya Selçuk Üniversitesi Turkey, Email: yldzed97@gmail.com

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ABSTRACT

Turkey and Greece are again dragged into a new conflict in the East Mediterranean. Turkey and Greece vie for supremacy in the eastern Mediterranean. Turkey, for its part, indicated that Greece's claim to the territory would amount to a siege in the country by giving Greece a disproportionate amount of territory. This study aims to rethink the conflict between Greece and Turkey in the waters of the Mediterranean sea in the view of international maritime law. This study uses an empirical juridical approach. The Result of this research is Turkey does not ignore the Greece rights, Greece ignores the international law with its extended or excessive maritime claims. Greece tries to give full entitlement of the islands in Mediterranean and Aegean. Whereas the effect Formula is applied by international courts.

Turki dan Yunani kembali terseret ke dalam konflik baru di Mediterania Timur. Turki dan Yunani bersaing memperebutkan supremasi di Mediterania timur. Turki, pada bagiannya, menunjukkan bahwa klaim Yunani atas wilayah itu akan berarti pengepungan di negara itu dengan memberi Yunani sejumlah wilayah yang tidak proporsional. Penelitian ini bertujuan untuk memikirkan kembali konflik antara Yunani dan Turki di perairan laut Mediterania dalam pandangan hukum maritim internasional. Penelitian ini menggunakan pendekatan yuridis empiris. Hasil penelitian ini adalah Turki tidak mengabaikan hak-hak Yunani, Yunani mengabaikan hukum internasional dengan klaim maritim yang diperpanjang atau berlebihan. Yunani mencoba memberikan hak penuh atas pulau-pulau di Mediterania dan Aegean. Sedangkan Formula efek diterapkan oleh pengadilan internasional.

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A. INTRODUCTION

The tense relationship between Turkey and Greece is one of the oldest conflicts in the history of the world. Since 1999 until now, the two countries' international relations have never met harmony. Starting from issues about the Aegean, Cyprus, minority issues, to now issues regarding oil and gas exploration in the Mediterranean sea.¹ The Greco-Turkish conflict after the Second World War was a Cyprus issue from the 1950s onwards.

1 Ahmed Jassim Ibrahim Hamid, Turkish - Greek conflict In light of the international situation 1960-1994 (historical study), *Journal Of Babylon Center For Humanities Studies*, Volume 6 Number 1, 2016, Page.26

The second objective conflict is the complicated Aegean difference, which includes at least six differences in disagreement. The minority question is also a constant point of friction issues related to the Patriarchate in Istanbul.

At this time Turkey and Greece are again dragged into a new conflict which makes the European Union obliged to think about preventive measures. Tensions between Greece and Turkey have resumed due to resource extraction in the eastern Mediterranean Sea, when the Greek government attacked Turkey after announcing renewed exploration drilling in waters around Cyprus. The Greek military is on standby as Prime Minister Kyriakos Mitsotakis brings together the government's national security council to discuss Turkey's decision to send the research vessel Oruc Reis, along with two additional ships, to contested waters in August 2020. The Greek government will not accept deep pressure. whatever form and will defend the sovereignty and security rights in the area.²

Tensions between Greece and Turkey in the Mediterranean Sea began in November 2019. Turkish President Recep Tayyip Erdogan signed an agreement with Libya's UN-recognized Government of National Accord (GNA). The treaty initiates the maritime boundaries of the two countries in the Mediterranean Sea. These boundaries are defined as the exclusive economic zone. This means that both countries, both Turkey and Libya have exclusive rights to exploit the oil and gas contained therein.³

Turkey and Greece vie for supremacy in the eastern Mediterranean. Turkey, for its part, indicated that Greece's claim to the territory would amount to a siege in the country by giving Greece a disproportionate amount of territory.⁴ Greece argues that the islands of the Aegean Sea could provide their own Exclusive Economic Zone (EEZ) that would allow Greece to explore 200 nautical miles of Mediterranean waters. Turkey considers that the islands cannot have their own EEZ and Greece's EEZ must start from the mainland, not from hundreds of islands. Turkey, which has a significant coastline, will be denied rights to waters only a few kilometers from the mainland.⁵

The Exclusive Economic Zone is governed by the United Nations Convention on the Law of the Sea (UNCLOS) which was signed in 1982. Turkey never signed the Treaty, although it has used certain principles thereof to settle all maritime claims with state's Black Sea. The US, Peru, and Colombia are among the countries that have not ratified the UNCLOS agreement either.

Tensions in the East Mediterranean are not new, with NATO allies and neighbors Greece and Turkey on the brink of war over issues no less

2 Turkey-Greece tensions escalate over Turkish Med drilling plans, BBC News, <https://www.bbc.com/news/world-europe-53497741> accessed on 13 September 2020.

3 Ibid.

4 A.N. Atrashkevich, Turkey and Greece: Political and Economic Relations within the Conflict Circumstances (1999—2017), *Vestnik RUDN International Relations*, Volume 19 Number 4, 2019, Page. 676

5 Sfetis Spyridon, *The legacy of the Treaty of Lausanne in the light of Greek-Turkish relations in the twentieth century: Greek perceptions of the Treaty of Lausanne*, Balcania, 2015, Page. 197

than three times since the 1970s.⁶ Competing efforts over drilling rights in a region, which has seen a surge in oil and gas exploration in the past decade, is only the latest in a series of disputes spanning four decades. This study aims to rethink the conflict between Greece and Turkey in the waters of the Mediterranean sea in the view of international maritime law.

B. RESEARCH METHOD

This study uses an empirical juridical approach, it used to solve the problem with predominantly first researching primary data in the field then followed by research on existing secondary data.⁷ This research will produce descriptive reports in the form of written or oral data from the object of research holistically (intact).

C. DISCUSSION AND RESULTS

1. Exclusive Economic Zone InUnclos (United Nations Convention For The Law Of The Sea)

The Exclusive Economic Zone is a zone no more than 200 in width nautical miles calculated from the baseline. In this Exclusive Economic Zone, the coastal state has exclusive sovereign rights for the purposes of exploration and exploitation of natural resources as well as certain jurisdiction over the creation and use of artificial islands, installations and structures. Marine scientific research, and. Protection and preservation of the marine environment.⁸

The Exclusive Economic Zone is measured when sea water is receding. In the Exclusive Economic Zone there is the right to regulate all exploration activities as well as exploitation of natural resources at sea level, on the seabed as well as under the sea, as well as to conduct research on biological resources and other marine resources.⁹ In the Exclusive Economic Zone which covers 200 miles, the coastal state has the right to natural resources in the sea area and also has the right to use its legal policies, freedom of navigation to fly over it or to plant cables and pipes.¹⁰ The boundary in the Exclusive Economic Zone is the outer boundary of the territorial sea. This outer boundary zone shall not exceed the ocean 200 miles from the baseline over which the area of the territorial coast has been determined. The statement in this provision suggests that 200 miles is the maximum limit of the Exclusive Economic

6 Elena Becatoros, Suzan Fraser, Nato: Turkey, Greece Start Talks To Reduce Risk Of Conflict, AP News <https://apnews.com/568155857d077542a2fce289ab2a26e1> accessed on 13 September 2020

7 Melissa P. Johnston, Secondary Data Analysis: A Method of which the Time Has Come, Qualitative and Quantitative Methods in Libraries (QQML), 3rd edition, December 2013, Page. 620

8 Jing Geng, The Legality of Foreign Military Activities in the Exclusive Economic Zone under UNCLOS, *Merkourios Utrecht Journal of International and European Law*, Volume 28 Issue 74, 2012. Page. 24

9 M Lehto, 'Restrictions on Military Activities in the Baltic Sea – A Basis for a Regional Regime?' 2 Finnish YB Int'l L, 1991, Page. 38, 45;

10 Adrianus A. V. Ramon, The Legality Of Foreign Peacetime Military Activities In The Exclusive Economic Zone Of Another State, *Veritas et Justitia*, Volume 3 No. 2, 2017, Page. 328

Zone. This provides a provision that if there is a coastal country that wants its EEZ area to be smaller than that, then that country can submit it.¹¹

The Exclusive Economic Zone (EEZ) is a marine area owned by a coastal state and its international arrangements are regulated in the United Nations Convention on the Law of the Sea in 1982 where the EEZ is specifically regulated in Chapter V Articles 55 to Article 75 Convention or known as UNCLOS III in 1982.¹² The Exclusive Economic Zone which is located outside the territorial sea is determined to be 200 miles wide, measured from the baseline which in accordance with the provisions contained in Article 57 UNCLOS 1982 is divided into two types, namely a normal base line and a straight base line.¹³

Ordinary baselines are the lines drawn at low tide farthest from the coast, while straight baselines are the lines drawn by connecting the outer points of the outer islands. Outward of the baseline, a country can establish a maximum territorial sea width of 12 miles. In this regard, in accordance with the provisions of Article 57, the actual width of the Exclusive Economic Zone is 188 miles (200 miles minus 12 miles).¹⁴ The determination of the boundaries of the Exclusive Economic Zone between one country whose coast is opposite or adjacent to another country must be regulated by an international agreement.¹⁵ If an agreement is not reached, the dispute settlement must be pursued in accordance with Chapter XV, which basically implies peaceful settlement. The boundary line of the Exclusive Economic Zone must be indicated on a map with a sufficient scale, where it is necessary to include a list of points of geographical coordinates detailing the geodetic datum.¹⁶

The coastal State shall declare as appropriate the map or list of geographic coordinates and shall deposit a copy of each map with the Secretary-General of the United Nations in accordance with the provisions contained in Article 75 UNCLOS II.¹⁷ The rights of the coastal state in its EEZ are in the form of sovereign rights for the right to explore, namely the inventory of natural resources in the Exclusive Economic Zone, the right to exploit, namely carrying out management and utilization of natural resources in the Exclusive Economic Zone, and the right to carry out activities. conservation, namely activities that are protective in order to maintain the availability of reserves of living natural resources in the Exclusive Economic Zone.¹⁸

11 Ibid

12 United Nations Convention on the Law of the Sea, *supra* no. 5, Article 55

13 Ibid, Article 57

14 Stephen Rose, Naval activity in the exclusive economic zone—Troubled waters ahead?, 21 *Ocean Development & International Law* 123 (2), 1990, Page. 120

15 Francesco Francioni, Peacetime use of Force, Military Activities, and the New Law of the Sea, *Cornell International Law*, 1985, Page. 203

16 Ibid.

17 UNCLOS article 75

18 Katarzyna Skrzyszewska, Tihomir Luković, Ivo Šperanda, Comparative Analysis Of Polish And Croatian Maritime Policy In The Context Of The Integrated Maritime Policy Of The European Union, *Contemporary Economy*, Volume 7 No. 4, 2016, Page. 70

Meanwhile in the EEZ, other countries have the freedom to sail and fly, the right to lay cables and pipes, installations and buildings in accordance with the provisions of the law of the sea regarding the Continental Shelf and the EEZ, the freedoms of the high seas mentioned in Articles 88 to 115, covering various fields related to ships and shipping, and access to fisheries surplus that are not utilized by the coastal state.¹⁹ The Coastal State has sovereign rights and special jurisdiction to explore and exploit non-living natural resources contained in the continental shelf. This is regulated in the provisions of Chapter IV contained in Article 76 to Article 85 UNCLOS III concerning the continental shelf. The provisions in UNCLOS III have reinforced and confirmed the provisions of the continental shelf.

The 1945 Truman proclamation regarding the continental shelf shook the world at that time, especially the world of international law. Given the previous state practices that also seek to impart similar tenure rights over natural resources contained in the seabed and submarine land bordering its coasts, it is not surprising that this action by the United States was followed by other countries. The first country to follow the example of the United States was Mexico which was followed the following year by Panama and Argentina in a declaration of 9 October 1946 declaring sovereignty, followed by the Declaration of Chile (June 1947), Peru (1 August 1947), and Costa Rica (27 July 1948) which extends even further because it claims sovereignty over the continental shelf and the sea bordering its shores up to 200 miles from the coast.²⁰

These declarations were followed by other countries outside the American continent, such as Britain, Saudi Arabia, United Arab Emirates, Pakistan and the Philippines. The provisions of Article 76 paragraph (1) UNCLOS III contain the definition of the continental base that the Continental Shelf of a coastal state includes the seabed and the land beneath it from the area below sea level which lies outside its territorial sea along the natural continuation of the land area to the outer edge of the continental edge, or up to a distance of 200 nautical miles from the baseline from which the width of the territorial sea is measured in the event that the outer edges of the continental edge do not reach that distance.²¹

The provisions of Article 76 paragraph (4) through the provisions of Article 76 paragraph (7) stipulate that if the continental shelf exceeds the 200 nautical mile distance limit, the maximum width of the continental shelf is 350 miles from the baseline from which the width of the territorial sea is measured, provided that the outer limit of the shelf The continent is defined based on the provisions contained in the convention.¹⁵ The determination of the outer boundaries of the

19 Ibid.

20 Sébastien KiwonghiBizawu, Denise Sousa Sousa, The Law of the Sea a its Effective in International Context: An Analysis of Liability for Damages Caused in the Marine Environment, *Revista de Direito Ambiental eSocioambientalismo*, Volume No. 1, 2016, Page. 255

21 Ibid.

continental shelf is very important, because under the provisions of Article 76, a coastal state has the right to a continental shelf exceeding 200 nautical miles measured from its base line. This is known as the Extension Continental Shelf (LKE). The coastal state must delineate the outer boundaries of this EFI and submit it to the Commission on the Limits of Continental Shelf through the Secretary General of the United Nations (UN). The procedure for submitting an Existence Continental Shelf is regulated in Article 76 paragraph (8) and paragraph (9) of the 1982 Law of the Sea Convention (UNCLOS) which states that the outer boundary of the continent must be submitted to the Commission on the Boundary of the Continental Shelf. This continental shelf has extraordinary natural wealth. This fact is the basis for states to claim exclusive rights over exploitation of this territory. The coastal state has the right to exploit and explore its natural resources in accordance with the provisions contained in Article 77 UNCLOS III. And, according to the same article, it is stated if the right is exclusive so that in the event of a desire from another country to undertake exploitation or exploration, it must first obtain a permit from the coastal state.

2. Turkey's Maritime Delimitation on Mediterania Sea.

Turkey already observes almost all other principles of UNCLOS and has extended its territorial waters to 12 miles in the Black Sea and the Mediterranean Sea. Still, though, any possible litigation either at ITLOS or at ICJ of any maritime dispute between Greece and Turkey may not happen without mutual consent of both parties. In the absence of a binding treaty law, Turkey has no peaceful recourse to resolve disputes of Territorial Waters, CS or EEZs other than bilateral negotiations with Greece.²² In addition, it is important that a non-party to UNCLOS not only declines the treaty provision that would be contrary to its interests, but must also reject any tacit acceptance or acquiescence to a particular maritime delimitation, in order to avoid being bound to it as a custom in the future. In this regard, Turkey often conducts naval exercises as an instrument of gunboat diplomacy and grants seismic research rights for oil & gas exploration activities in its potential EEZs within close proximity of Kastellorizo and Cyprus islands as a way to demonstrate its refusal to accept Greek and Greek Cypriot claims to EEZs Resolution of the EEZ delimitation dispute in the eastern Mediterranean is of crucial importance for the region's security and economic prosperity.²³ If Kastellorizo is given full EEZ, Greece will have a maritime border with Cyprus and gain a strategic advantage that benefits the emerging Greece-Cyprus-Israel alliance by making it possible to transport offshore natural gas from Levant to Western Europe, thus bypassing

22 Petros Siousiouras and Georgios Chrysochou, *The Aegean Dispute in the Context of Contemporary Judicial Decisions on Maritime Delimitation*, *Laws*, Volume 3 No. 1, January 2014. Page. 14

23 Veniamin Karakostanoglou, *Coastal State Rights in the EEZ: Challenges and Perspectives for the Aegean Sea*, *The Aegean Sea and the New Law of the Sea*, Volume 4 No 6, November 1994, Page. 32

Turkey as a transit hub, despite the latter being the more economically feasible route. Turkey denies the claim that Kastellorizo is entitled to full EEZ and insists on bilateral negotiations to resolve the dispute, while Greece would like the issue settled in the ITLOS.²⁴

UNCLOS introduced the principle of "equitable solution" in place of "equidistance rule" as a basis to arbitrate maritime delimitations, which strengthened Turkey's position. The treaty gives consideration to proportionality of the length of adjacent coastlines in adjusting an equidistance line for maritime delimitation. Nevertheless, as a non-party to the treaty, Turkey may not appeal to ITLOS or ICJ for arbitration without a mutual consent with Greece and certainly not with Cyprus due to the issue of diplomatic non-recognition. This lack of legal and political instruments to settle the dispute has been a major cause of concern for thought circles at home in Turkey and abroad. In essence, Turkey's legal position is based on the "equity" principle that calls for consideration of special circumstances surrounding the well-positioned island of Kastellorizo and the adjacent, disadvantaged Turkish mainland. Kastellorizo's size, distance to mainland Greece, and relative length of total coastline has an undoubtedly disproportionate effect on a potential EEZ delimitation. Under these circumstances, Turkey defends the view that "proportionality" and "non-encroachment" rules as applied by ICJ in Ukraine-Romania maritime dispute resolution case should govern the EEZ delimitation with Greece in the Mediterranean Sea.²⁵

It is acknowledged by all parties to the dispute that delimitation of maritime zones will be a decisive step towards regional stability. Furthermore, international law stipulates that maritime delimitation in a semi-closed sea like the eastern Mediterranean should be done in the view of equitable principles and relevant circumstances with cooperation and consent of all littoral states, not the least of which are those with the longest stretch of coastlines – Turkey, Egypt, and Libya. In the case of marked disparity between ratios of respective coastal lengths, delimitation in contested waters should be affected by supremacy of physical geography based on the principle that "land dominates the sea".²⁶

The ICJ emphasized this principle on its decisions over the Aegean Sea and North Sea Continental Shelf cases in 1969 and 1978. Accordingly, Turkey's view is that delimitation should be done on geometrically objective basis by mutual agreement between adjacent states, which, in the mean time, should refrain from imposing maritime boundaries unilaterally as per UN Charter I, Article 2.

On the north-south axis, Turkey and Egypt have a potential to realize the longest adjacent EEZs. If Kastellorizo, as a populated island

24 Ibid.

25 Petros Siousiouras, Op.cit. 17

26 Byron Theodoropoulos, 1997, "The So-Called Aegean Dispute: What Are the Stakes? What Is the Cost?" In Greece and the Law of the Sea. Edited by Theodore C. Kariotis. The Hague: MartinusNijhoff Publishers, page. 325–31

with economic activity, is given full influence in maritime delimitation as per Article 121 of UNCLOS, Greece may encroach upon the area and have a common border with Cyprus on the east-west axis. This would be illicit in the interests of equity for Turkey and Egypt, because the general direction of coastlines in the semi-closed Mediterranean Sea is on the east-west axis. Maritime delimitation between opposite coastal states should be done on the north-south axis by priority to prevent encroachment into EEZs of third parties. It would, furthermore, be an unfounded attempt to redraw the map as though Greek islands of Kastellorizo, Rhodes, Karpathos and Crete constitute a contiguous national frontier facing eastward. Each and every island should be accorded treatment based to its own unique circumstances, since Greece is not an "archipelagic state" and may not be entitled to "draw straight baselines joining the outermost points of the outermost islands."²⁷

20.7% of Turkey's coastline is on the Mediterranean Sea and is 832 miles in length. The segment between Marmaris and Antalya that is opposite to the west coast of Cyprus is 656 miles, which is more than even the total coastline of Cyprus – 402 miles – including the Turkish part in the north. By comparison, the western coast of Cyprus is only 32 miles long. In Libya-Malta case, the ICJ adjusted the median line by 18 miles to the north against Malta in accordance with equitable principles of proportionality to reflect the lengths of the relevant parts of each state's coastlines. In doing so, nor did it take into account arguments about oil reserves and economic disparity. Given the more than 20 times difference in coastal length between Cyprus and Turkey, it would be a gross act of negligence to overlook equitable rights and to let the "equidistance" line be the rule that governs EEZ delimitation. Moreover, maritime delimitation between Cyprus and Egypt, Israel, Lebanon must be adjusted to establish a proportionate distribution of EEZ areas, and to prevent loss of over 30.000 km² of sea area to Cyprus.

Safe access to high seas and the underlying economic resources of the seabed are of key significance for Turkey's health and well-being. The Mediterranean Sea is host to 1/3 of world's maritime transport⁹⁹ and is a vital route for Turkey's foreign trade. Although the EU and Turkey have had a symbiotic economic relationship and their trade volume is once again on the rise, Turkey's membership negotiations with the union are at stalemate primarily due to the Cyprus Problem. Therefore, thanks to the government's diversification strategy and bilateral foreign trade agreements with developing nations of Middle East and Africa, Turkey's robust growth even in the face of economic turmoil in Europe led the two rating agencies to upgrade Turkey's debt to investment grade in 2012 and 2013.¹⁰¹ In particular, container traffic and energy trade via the ports of Antalya, Mersin, and Iskenderun became crucial to sustain the country's economic growth performance of 3-4% per annum.

Inasmuch as rival claims for EEZs in the eastern Mediterranean illustrate the substantial risk of escalation for crisis, there are

27 Petros Siousiouras, op.Cit. Page.18

opportunities to expand the pie and create mutually beneficial partnerships among neighbors. In Cyprus, independent confidence-building moves such as treatment of gas finds as a common heritage of Greek and Turkish Cypriots, possibly distributed through a UN-supervised arrangement, would ease the tensions and could offer Cypriot gas access to a growing market with relatively high import prices in Turkey. In terms of the cost element, although there is reason to believe that a pipeline to Turkey would probably entail lower development costs than other proposed monetization options, as long as the Cyprus Problem persists it would hinder rapprochement between Greece and Turkey, and might render regional energy projects unprofitable in the face of downward price pressure from alternative sources such as the U.S. shale gas.

3. Intervention in Greece's interests to the Turkish maritime boundary.

In a conflict, the involvement of a third party by intervening is usually carried out in several actions. The form of intervention carried out by third parties in a conflict is not only in the form of intervention using military forces, but can provide a neutral stance and assist in the distribution process of resources and not in the form of weapons distribution. From these actions, there are a number of actions that the Greek government has also taken, such as by helping weaponry by sending military personnel to the Mediterranean sea area. Interventions carried out by other countries in this conflict can be motivated by a number of reasons. instrumental motives related to state involvement in other state conflicts.

The state's instrumental motives are more directed to the political and economic motives of the state related to interests. The instrumental motives include international political considerations, economic advancement, domestic politics, and military interests. With the motive behind the participation of other countries in the conflict, the presence of third parties in the conflict can cause prolonged conflict and does not support the acceleration of the conflict resolution process.²⁸

Although Greece and Turkey have agreed to increase trade cooperation between the two countries, Greece and Turkey do not yet have an agreement on drilling rights in the Aegean sea.²⁹ The agreement with the European Union regarding the provision of alternative energy sources after the reduction of Russian gas supplies that moved to Asian markets via China and Russia's involvement in the Ukraine conflict. The European market's need for Russian gas supplies is enormous. Russia's agreement with China regarding meeting gas demand in China reduces the gas supply rate provided by Russia to the European market. This is

28 Kostas Oikonomidis., 1998, *International Law and Greek Foreign Policy Issues* (in Greek). Athens: Sakkoulasp. 53.

29 Sinan Kiyanc, Abd Merkezi İstihbarat Teşkilati (Cia) Arşiv Belgelerine Göre Ege Sorunu, *Dokuz Eylül Üniversitesi Sosyal Bilimler Enstitüsü Dergisi*, Volume 22 No. 1, March 2020, Page. 16

what drives the need for energy supplies from other sources provided by the Mediterranean and Middle Eastern markets through Greece. Greece's desire to become an anchor for oil and gas supplies from the Mediterranean and African regions will certainly benefit Greece's position in the region. By having the power to supply resources, Greece can take an important position for the European Union. From a geo-economic perspective, it is conveyed about the emergence of a struggle for control over resources, especially oil and gas. The control of these resources is related to the country's geopolitical strategy in expanding its influence.³⁰

Territorial control cannot be separated from control of the resources contained in the area. So that control of resources in an economic context can also increase the influence of countries in the region and the world. In the view of classical geoeconomics, the struggle for resources contained in an area can occur in adjacent areas. Conflict over territorial seizure and permits for oil and gas drilling in Mediterranean waters is proof that the wealth of energy sources in the Pebatasan region can trigger violent conflict, especially if the energy source is in the EEZ region. Apart from being related to territorial disputes, access to energy sources can also be a cause for the use of violence in the struggle for resources. If one party impedes access to existing resources. Then there is also a disputed factor over allocation when there are two neighboring countries collaborating in resource exploration and the allocation process is not in accordance with the agreement. The last is the profit sharing factor. Profits to be gained from exploring for resources such as oil and gas are huge can be problematic.³¹

D. CONCLUSION

Most of the Mediterranean states have signed and ratified International Regulations governing International Maritime Boundaries; those that have not include Morocco and Libya (which have signed but not ratified) and Israel, Syria and Turkey. Both sides are not parties of these convention but that not mean they dont have any right of maritime jurisdiction. Turkey and Libya as two mainland countries which opposite have the rights of territorial sea, continental shelf and EEZ and other maritime jurisdictions. Turkey is not ignoring the Greece, Greece tries to dismiss Turkey's maritime jurisdiction in Mediterranean. Because Greece claims EEZ in Mediterraenan, showing map such as maritime boundaries are drawn, tries to give entitlement to whole islands before the viable solution of the maritime delimitation with Turkey, acting to draw the maritime boundaries by the way of cutting off the open seas of Turkey. In the case of Libya and Turkey relations on maritime delimitation, no doubt is that continental shelf is an ipso facto and ab initio, due to the sovereign rights of

30 SamimAkgönül, Les relations gréco-turques au tournant du siècle : ruptures, évolutions et permanences, Cahiers Balkaniques, 33th edition 2004, Page.20-21

31 KraterosIoannou, 1989, The Jurisdictional Factor in the Greco-Turkish Relations, in International Law and in Hellenic Foreign Policy (in Greek). Komotini: Sakkoulas, Page. 234

Turkey and Libya. Equidistance method of delimitation can not be drawn without taken into consideration relevant circumstances. Various methodologies shall be determined in accordance with equitable principles which stated in the International Law Commission of the United Nations. In the light of this report of Commission, it is clear that the notion of equidistance or median line could not taken alone which never really envisaged to dismiss the relevant circumstances. At the end, Turkey does not ignore the Greece rights, Greece ignores the international law with its extended or excessive maritime claims. Greece tries to give full entitlement of the islands in Mediterranean and Aegean. Whereas the effect Formula is applied by international courts. Despite of the 1982 Convention states that islands have the right to territorial sea, contiguous zone, continental shelf and exclusive economic zone, these entitlements to the island creates disputes in many cases.

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