

The Aegean Dispute

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1996 will be remembered as the year of the “Aegean Crisis”. The old dispute reopened in January with the Imia crisis. It flared up in May with Turkey’s diplomatic claim on the island of Gavdos, reheated in August with its military academy’s allegation of sovereignty over a hundred islets and islands in the Aegean as far as Crete,¹ and continued unabated throughout the fall, punctuated by Turkish airforce flights over the archipelago.

The Aegean confrontation revolves around three major points of contention: territorial waters, continental shelf, and air space. The origin of this dispute dates from 1973, when Turkey raised the question of delimitation of the continental shelf. The coup d’état organized by the Greek junta against Cypriot president Makarios the following year gave Turkey the opportunity to invade Cyprus. Since then, Greco-Turkish relations have deteriorated from bad to worse and the Aegean issue has flared up periodically, threatening to explode into war.

According to the Turks, the roots of the problem lie in various unfavourable circumstances which had forced Turkey to gradually relinquish the Aegean islands since Greek independence in 1830.² After WWII, Ankara decided not to object to the transfer of the Dodecanese islands to Greece in order to ensure western protection against the Soviet threat.³ For more than a century, Turkey seemingly accepted this status quo in the Aegean and the global strategic balance of power in the region. Only with the aggravation in the Cypriot situation since 1974 did the Aegean issue come to the fore of the diplomatic agenda.

From the Greek point of view, it is the conjuncture of technological, economic and political developments of the past three decades that —adding new value to maritime zones— has given Turkey a pretext to renounce the status quo established formally by the Treaty of Lausanne in 1923.⁴ Turkey accepted Greek control in the Aegean by the Lausanne treaty in exchange for the exodus of more than a million Asia Minor Greek who became refugees in Greece. Under these circumstances Greece insists that any reconsideration of its historic, demographic, geographic and legitimate possession of the Aegean Sea and its islands is

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unfounded. Furthermore the Turkish challenge for Greece seems to be part of a larger strategy to make the Aegean a pawn in the overall conflict which involves Cyprus. This strategy was phrased by former Turkish prime minister Tansu Ciller after the Imia crisis when she declared that the entire Aegean must be negotiated.⁵ Overall, it would seem to many that the successors to Kemal Atatürk abandoned his efforts towards Greco-Turkish rapprochement and instead adopted a policy of expansionism.

On the outside, looking in or away, stand the British and the Americans whose influence cannot be denied. The deterioration of Greco-Turkish relations is also the result of British encouragement to Turkey to oppose Cypriot national aspirations. The former British prime minister Anthony Eden admitted this fact in his memoirs, and even a Turkish academic described it as «a blatant case of divide and rule».⁶ And of course, because of their strategic interest the Americans, «encouraged Turkey's revisionist objectives in the Aegean and in Cyprus».⁷

After a long history of disagreements, the two sides cannot even agree on the form and forum of searching for a solution to their dispute. Greece seeks an international legal decision; Turkey, negotiation between the two countries.

This thematic issue of *Études helléniques/Hellenic Studies* has risen to the occasion by inviting academics with knowledge of both countries to debate the Aegean issue in a scholarly manner. The nine articles which follow treat the question from various aspects and different points of view, thus giving the reader a balanced perspective of this critical conflict.

The first two articles deal with the history and strategy of this crucial problem. This general overview is followed by two articles each on the territorial waters and continental shelf from the Greek and Turkish perspective, as well as an article on the air space conflict. Finally, the last two articles analyze the involvement of the EU and US in the crisis. In this way, the issue is covered as evenly and as fully as possible.

Thanos Veremis opens the discussion with an article that provides readers with some historical background to current Greco-Turkish relations. In this article the Turkish invasion of Cyprus in 1974 is considered the trigger of the Aegean crisis. This event opened a Pandora's box of contentious issues involving ownership of the continental shelf, jurisdiction of territorial waters, and control over the air space. After discussing the historical evolution of the Aegean dispute, Veremis sums up the situation by saying that "in the long-run [its] future will depend on the larger Russo-Turkish antagonism and more so on Russia's relations with the West". With regard to the West's position, the author mentions that "at the end of every incident, the US urges Greece to accept bilateral negotiations" and con-

cludes that “given the declared importance the US attaches to its own relations with Turkey [...] Greek officials view American mediation with great concern”. Veremis also notes the lack of sensitivity from Greece’s European partners who refer to Imia simply as a rock. He points out the fact that one “must still point out [to them] that it is impossible to discriminate between sovereignty in Syntagma Square in Athens and a bare Aegean island.”

Athanassios Platias looks at the broad problems of Greek deterrence strategy in the face of Turkish expansionism. His realistic, up-to-date analysis concludes with a call to greater vigilance and proaction on the part of Greece in order to present a credible deterrent to Turkey.

What is most interesting in this article is the author’s attempt to “examine the calculus of asymmetrical conventional deterrence from the standpoint of a small state, that of Greece”. Comparing external balancing, “the added strength” resulting of alliances and internal balancing, the “mobilization of the country’s own resources”, the author considers the second as the « safest way to increase the cost of aggression to an opponent.” Platias concludes his article on the security of small states observing that: “the anarchical nature of the international system creates a serious security problem for all states and those with limited capabilities operate within narrow margins. Yet, even in asymmetrical confrontations, small states may succeed in dissuading possible aggression provided they adopt certain strategies. [...] Choosing a clever mix of strategies —one that is best tailored to unique conditions and circumstances— is the key to success for small states like Greece.”

In a detailed and well-documented article, Yuksel Inan and Sertaç Baseren focus on the territoriality issue in their analysis of the Aegean situation. Their article deals with the delimitation of territorial waters and the Imian rocks on the basis of international equity in light of historical and legal considerations. The thesis here is that Turkish claims should be understood in the context of the special circumstances. In this context Greece «ought to consider these special features while delimiting or determining the breadth of its territorial waters».

It is interesting that the authors present the Turkish point of view as the one of the international community while noting that “if the territorial waters are extended by Greece, the situation in the Aegean will shift to the advantage of Greece and the disadvantage of both Turkey and the international community”. Furthermore, Inan and Baseren justify the Turkish threat of war —“Turkey pronounced that any extension of Greek territorial waters will create a *casus belli* situation”, “because of this vital situation in the Aegean which strictly limits (in the case of extension) the rights and freedoms of states and also creates an abuse of rights”. The authors conclude that since Turkey’s and the international community’s interests are the same, “we (Turks) and the international community hope that Greece will respect its international obligations arising from interna-

tional law and to its commitments, and will not in any way extend its territorial waters and close the Aegean, thus preventing the international community from enjoying its freedoms”.

On the contrary, Haritini Dipla demonstrates in a solid article that the status quo conforms with both international traditional and conventional law. In adopting the 12-mile rule around its islands, Greece follows the recognized Law of the Sea legislation. Nevertheless, she concludes that a more moderate position of 10 miles could resolve the dispute by giving Turkey some leeway for its claims.

Dipla confronts the inconsistency of Turkish policy in that area and notes that “Turkey’s position on the 12-mile rule is not as consistent as that State claims it to be. Especially since Turkey itself adopted the 12-mile limit on the country’s territorial waters in the Black and Mediterranean Seas, and that it already admitted in 1956 that the “12-mile limit is already sufficiently accepted in practice to be considered a rule of international law.” It seems that “only in the seventies and during the Third Conference did Turkey start to contest the customary value given the 12-mile rule.”

Looking at the continental shelf issue from legal, geographic and historical angles, Aslan Gündüz discusses the discord between Greece and Turkey over the extent of their jurisdiction adjacent to their coasts and islands. His thesis is that large continents have greater weight in the 200-mile rule than small islands. Consequently the Asia Minor coast includes the nearby islands in its exclusive zone. Gündüz has gone one step further in presenting the Turkish point of view on a negotiated rather than a legal solution. He points out that “a third party solution of the Aegean continental shelf dispute is not legally necessary, and it is highly doubtful whether this type of solution would be politically wise”. Further on he suggests that “nevertheless, serious and meaningful negotiations with a view to effecting a delimitation of the continental shelf by agreement is an obligation in international law and would be politically wise”.

According to Gündüz, a negotiated solution is preferable because “the prevailing law of delimitation provides little guidance”. He refers primarily to “geopolitical-geomorphological features of the Aegean Sea” and “special circumstances” to support the point that international conventions are not applicable in this case. This seems to be the main Turkish argument.

In his analysis, Grigoris Tsaltas disagrees with this interpretation of the legal framework of the issue as it evolved between the Geneva Convention of 1958 and that of Montego Bay in 1982. From this analysis, he concludes that these particular treaties, as well as general international law, leave no doubt as to the right of islands, as all coasts, to their adjacent continental shelf. In fact, this is Greece’s position. Furthermore Turkey’s refusal to argue the opposite claim in the International Court of Justice proves the weakness of the Turkish case. As Tsaltas

points out in his article, for Greece, it is a question of respect of its rights in the Aegean as given in international treaties and international law. For Turkey, it is a question of legitimizing unfounded claims in international law. This position explains the country's refusal to go before the International Court of Justice and its desire for political negotiation. Undoubtedly Tsaltas expresses the Greek viewpoint of a legal solution contrary to that of Gündüz who argues for 'meaningful negotiations' and thus expresses the Turkish point of view.

The last aspect of this issue triad is taken up by Angelos Yokaris who discusses the international legal status of the Athens FIR, thus completing the land and water issues with a brief legal and historical review of the air dispute over the Aegean.

Yokaris points out that the limits of the Athinaï FIR «were determined during the Regional Air Navigation Meetings of Paris (1952) and Geneva (1958), based on the external limits of the territorial waters and boundaries of adjacent FIRs (Istanbul and Athens). Turkey participated in these meetings without any reserves». On the other hand "the recommendations of the Regional Conferences of 1952 and 1958 were unanimous; there was, therefore, the consent of Turkey. The Athinaï-Istanbul FIR border line coincided with the Western Turkish frontiers in the area of the Aegean Sea, as evidenced by the relevant ICAO Map No. 7 and by official Turkish International Air Navigation Map of 1953, published in Ankara."

Rounding out this discussion, Jean Catsiapis contrasts the passive stand of the EU to the active role of the US, thanks to which the Imia Crisis was defused and war was prevented. Unfortunately, in spite of membership in both the EU and the WEU, Greece did not succeed in getting either of these organizations to guarantee its borders against external threat. Greece only got European Parliament's declaration to that effect and nothing more.

Finally, Van Coufoudakis concludes the debate by examining the implications of American involvement in the deteriorating Greco-Turkish relations. In this light, he attributes the Aegean crisis to Turkey's overall policy in taking advantage of the unsettled international environment of the post cold-war era in order to promote its revisionist policies in the Balkans, the Middle East and Central Asia. By encouraging the dangerous ambitions of its ally in that unstable region, the US must accept part of the blame for the ensuing crisis, and hence the responsibility to contain it. In response to such US initiatives, Greece can best protect its national interests by pursuing realistic, consistent and credible policies.

At this point, it is worth citing the author directly: "What this paper has argued is that American policies have contributed to the inflation of Turkey's ego and self-importance and, thus, to Turkey's revisionism in the Aegean and Cyprus both before and after the Cold War. America's assumptions about Turkey have remained relatively constant since the end of World War II. This is why Athens and Nicosia ought to be realistic about forthcoming American initiatives in the region. Athens and Nicosia can protect their fundamental interests in the post-cold war environment by pursuing realistic, consistent and credible policies. These policies ought to place their national interests above party and personal interests and build on the strengths both countries bring to the post-cold war international environment."

Although no miraculous answer is given, the articles in this issue may provide new insight into the Aegean and highlight the vital need for a resolution of differences between Greece and Turkey.

NOTES

1. Niels KADRITZKE, "Athènes et Ankara se disputent la mer Égée", *Le Monde Diplomatique*, Octobre 1996
2. Semih VANER, *Le différend gréco-turc*, Paris, Editions L'Harmattan, 1986, Introduction, p.15.
3. *Ibid.*, p. 15.
4. Theodoros KATSOUFROS, *Les différends gréco-turcs en mer Égée*. in Semih VANER (sous la direction), *op. cit.*, p.74.
5. Niels KADRITZKE, *op. cit.*, p. 14.
6. Antony EDEN, *Full Circle*, London: Cassel, 1960, p.400; Tozun BAHCHELI, *Greek Turkish Relations since 1955*, Westview Press, Boulder, San Francisco & London, 1990, p.37.
7. See article of Van COUFOUDAKIS.