

**THE DEMILITARISATION OF THE GREEK
EASTERN AEGEAN ISLANDS
THE CASE OF THE CENTRAL AEGEAN AND
DODECANESE ISLANDS**

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The purpose of this article is to address the question of demilitarisation of the islands of Lesbos (Mytilene), Chios, Samos, Ikaria (Nikaria) as well as the Dodecanese Islands and their adjacent islets. The demilitarisation of the islands of Lemnos and Samothrace, which are attached to the Strait of Dardanelles, will not be discussed in this article but will be subject of another.

In contrast to the Turkish position, this article argues that a comprehensive interpretation of the Treaty of Lausanne reveals that the application of the 'principle of reciprocity' allows Greece to maintain a military presence in the said islands relative to that of the Turkish forces stationed on the coast of Asia Minor. This argument is fundamentally different that those advanced by Athens regarding the right of Greece to re-militarise its Eastern Aegean islands.

In so doing, the article will first provide a critical analysis of the views of the Turkish and Greek governments. Second, drawing on the records of proceedings of the Lausanne Conference, it will give an interpretation of the Lausanne Treaty that shows why and how Greece obtains the legal right of militarising the islands in question. One should, however, begin by discussing what the international law itself provides for the interpretation of treaties.

1. Interpretation of Treaties

There are three approaches to treaty interpretation.¹ First, the Commission and the Institute of International Law have taken the view that what matters is the intention of the parties *as expressed in the text*. This approach centres on the actual text of the agreement and emphasises the analysis of the words used. In this context, the demilitarisation question can be addressed with reference to the text of the Lausanne Treaty. This approach is favoured by both the Turkish and Greek Governments.

The second approach emphasises the *objects and purpose* of the treaty. Thus, to judge whether Greece has violated the Lausanne Treaty by militarising the said islands requires an examination of the object and purposes of that treaty. Neither of the two governments has tried so far to resort to this type of interpretation.

The third approach looks to *the intention of the parties* adopting the agreement. This implies that the demilitarisation issue can be examined in relation to the intentions of the signatories of the Treaty of Lausanne. Usually, such intentions are made clear during the negotiation process. Thus, the records of proceedings of the Lausanne Conference as well as the treaty draft are valuable to the interpretation of the treaty concerned. Once again, neither the Turkish nor the Greek Government has been so far interested in this type of interpretation.

The three approaches are mentioned in the articles 31 and 32 of the Vienna Convention on the Law of Treaties. The jurisprudence of the International Court supports the textual approach that is adopted in substance in the article 31 of the Convention. Nevertheless, the International Law Commission and the Vienna Convention itself gave cautious qualification to the textual approach by permitting resource to further means of interpretation.

¹M. N. Shaw, *International Law*, 3rd edition, Cambridge: Cambridge University Press, 1991, pp. 583-584. See also I. Brownlie, *Principles of Public International Law*, 4th edition, Oxford: Clarendon Press, 1990, pp. 626-632.

Article 32, therefore, specifies that:

Resource may be had to supplementary means of interpretation, including the preparatory work of the treaty and the circumstances of its conclusion, in order to confirm the meaning resulting from the application of article 31, or to determine the meaning when the interpretation according to article 31: a) leaves the meaning ambiguous or obscure; or b) leads to a result which is manifestly absurd or unreasonable.

The practice of the International Court, however, has shown that the textual approach has considerably followed the doctrine of 'ordinary meaning'² which involves the presumption that a meaning, other than the ordinary one, may be established, but its proponent has the burden of proof.³ Reliance on the doctrine of 'ordinary meaning' seems to be the preference of the Greek Government. As it will be shown later, Athens has identified a number of issues that are viewed as a reasonable justification for its decision to increase the degree of its military presence in the Eastern Aegean islands.

Examining the demilitarisation question, the author of this article also relies on the doctrine of 'ordinary meaning' in interpreting the Lausanne Treaty. The purpose of this paper is, therefore, to provide the necessary proof that justifies the employment of that doctrine. In so doing, emphasis will be given to the preparatory work of the Lausanne Conference.

As it has been shown, a corollary to the principle of 'ordinary meaning' is the principle of 'integration' which implies that the meaning must emerge in the context of the treaty as a whole, and in the light of its objects and purposes.⁴ This means that in the court practice the first two approaches to treaty interpretation mentioned above may merge with one another. Moreover, on a number of occasions, the International Court has used preparatory work to confirm a conclusion reached by other means.⁵ Thus, in

²Browlie, *Principles of Public International Law*, p. 628.

³Ibid., p. 629.

⁴Ibid.

⁵Ibid., p. 630.

the court practice the first and third approaches to treaty interpretation may also merge with one another.

Additionally, textual treaty interpretation is based on two different methods: the 'restrictive' and the 'effective' interpretation.⁶ In a number of cases, the International Court committed itself to the principle that provisions implying a limitation of state sovereignty should receive restrictive interpretation. Because the demilitarisation requirement embodied in the Lausanne and Paris Peace Treaties impose a limitation to the sovereign right of Greece to militarise the islands in question, the Turkish Government may invoke a restrictive textual interpretation of those treaties. However, it has been argued that restrictive textual interpretation, as a general principle of treaty interpretation, is questionable.⁷ Indeed, in recent years various tribunals have given less scope to the restrictive principle which did not, in fact, find a place in the provisions of Vienna Convention. Instead, the principle of 'effective' interpretation has been often invoked which implies that a treaty should be interpreted according to the doctrine of 'ordinary meaning'.

Due to the above factors, it has been argued that any true interpretation of a treaty will have to take into account all aspects of an agreement, from the words employed to the intention of the parties and the aims of the particular document, and that it is not possible to exclude completely any one of these components.⁸ Consequently, for providing a comprehensive interpretation of the Lausanne Treaty, as it is related to the demilitarisation question, the present article will employ all three approaches to treaty interpretation.

This practice seems to be encouraged by the Turkish Government itself. Specifically, in response to the Greek argumentation that the text of the Lausanne Treaty does not recognise to Turkey any special interests in the Aegean, the Turkish Government has claimed that its vital interests are found their expression not in the text itself, but in the 'Basic Thinking' of

⁶Ibid., p. 631.

⁷Ibid.

⁸Shaw, *International Law*, p. 584.

the Lausanne Treaty. If the Turkish Government resorts to the 'spirit' of the Lausanne Treaty so does this article.

2. The Turkish View

According to the Turkish Government, the demilitarised status of the Eastern Aegean islands has been an essential element of the Aegean *status quo* ever since they were placed under Greek sovereignty.⁹ Turkey accuses Greece of violating the demilitarised status of those islands in contravention of its contractual obligations and argues that the Greek Government itself has admitted a military presence on those islands since the 1970s.

Particularly, Ankara formally raised the demilitarisation issue in 1964, but Athens denied the Turkish claim. In its Diplomatic Notes of 1964 and 1969, the Greek Foreign Ministry assured the Turkish Government that no violations had taken place, and that the Hellenic Government continued to respect all its obligations with regard to the central Aegean islands and the Dodecanese Islands arising from the 1923 Lausanne Treaty and the 1947 Paris Treaty.

The Turkish Government maintains that Greece continues to violate international agreements concerning the demilitarisation of the Greek Eastern Aegean islands. In support for its position, Ankara points to recent Greek press reports according to which MM-40 EXOCET guided missile batteries are to be deployed on the Aegean islands which are under demilitarised status. Ankara considers such a deployment as totally unacceptable and most provocative.

Turkey maintains that no international document has ever even implicitly given Greece the right to re-militarise the islands in question and that Greek claims to the contrary have been based on allegations and interpretations that carry neither conviction nor validity. To substantiate its arguments, Ankara has put forward the following arguments:

⁹Turkish Ministry of Foreign Affairs, *Background Note on Aegean Disputes*, at <www.mfa.gov.tr>, p. 4.

First, the islands of Mytilene, Chios, Samos and Nikaria were ceded to Greece by the 1914 Decision of the Six Powers (England, France, Russia, Germany, Italy and Austria-Hungary) on condition that they will be kept demilitarised and Greece agreed to this status.

Second, in its Article 12, the Lausanne Peace Treaty of 1923 confirmed the 1914 Decision in its entirety. Article 13 of the said treaty stipulated the modalities of demilitarisation for those islands and imposed certain restrictions related to the presence of military forces and establishment of fortifications, which Greece undertook to observe.

Finally, the demilitarisation principle was re-confirmed in 1947, by the Paris Peace Treaty which ceded the Dodecanese Islands and their adjacent islets to Greece. This Treaty sought to reconcile Greek sovereignty over these islands with the security of Turkey by stipulating in Article 14 that 'these islands shall be and shall remain demilitarised'.

In response to the Greek claim that the Turkish Fourth Army (popularly known as the Aegean Army) constitutes a threat to the security of the Greek islands and whose re-militarisation is, consequently, imperative, Ankara advances the following arguments:

First, contrary to the status of the Greek Eastern Aegean islands, the Turkish territories of the Aegean region are not under any demilitarised status.

Second, the Fourth Army is basically a training army that has been established on legal ground and has a defensive character.

Third, the rules of international law and the provisions of treaties should not be invoked selectively or arbitrarily. The Greek arguments to evoke certain provisions of the Vienna Convention of the Law of Treaties in order to circumvent internationally binding obligations are groundless and consequently unacceptable.

Fourth, the same is true of Greek appeals to the applicability of the concept of legitimate self-defence. Except for the circumstances stated in the United Nations Charter, this principle

cannot be evoked. Moreover, historically, no Greek territory has ever been occupied by Turkey to demonstrate that such Greek claims are nothing but vacuous and inappropriate.

Fifth, the Greek Notes of 1964 and 1969 accentuated that Greece respected its treaty obligations and did not argue, as Athens has more recently done, that since Turkey was not a party to the Paris Treaty, Ankara cannot claim any right from the said Treaty, while on certain other issues, Greece has tried to resort to the principle of *pacta sunt servanda*.

Finally, the data provided by Greece under the Vienna Document of 1992 and the Treaty regarding the Conventional Forces in Europe (CFE), indicating the military forces deployed on the Islands of Lesbos, Chios and Samos, is a simple ruse, abusing one international agreement in a futile attempt to gloss over deliberate violation of previous commitments. As such, they can have no effect on the permanent demilitarised status of the islands other than demonstrating a new consistent disregard by Greece of its Treaty obligations, thereby contributing to the erosion of confidence in the Aegean.

According to the Turkish Government, the demilitarisation established not only a legal, but also a real political *status quo* that was expressly recognised and accepted by Greece.¹⁰ For Ankara, this means that neither the demilitarised status of the islands nor the treaty obligations of Greece in this respect can be unilaterally reversed under any pretext. Therefore, the relevant international treaties and the contractual obligations arising therefrom remain binding on Greece.

3. A Critical Examination of the Turkish View

A number of comments can be made regarding the Turkish argumentation. First, Ankara agrees with the fact that although the Article 13 of the Lausanne Treaty imposes certain military restrictions, it does not, nevertheless, prohibit a certain degree of

¹⁰Turkish Ministry of Foreign Affairs, *Demilitarized Status of the Aegean Islands*, at <www.mfa.gor.tr>, pp. 1-3.

Greek military presence in the Eastern Aegean islands. Then, the Turkish argument according to which the Greek Government itself has admitted a military presence on those islands since the 1970s does not make any sense. Actually, the Greek Government never said that there were not military forces at all stationed in the above islands.

Second, in its long relationship with Greece, Turkey seems to underestimate the operation of the power-security dilemma.¹¹ In other words, Ankara overlooks the impact of its declarations and actions on the behaviour of Greece. For instance, to justify the militarisation of its Eastern Aegean islands, Greece points to declarations of Turkish officials. On 10 January 1974, for example, the Turkish Defence Minister İlhami Sancar declared that 'The future of Turkey lies in the Sea. Turkey is obliged to become a Mediterranean nation. All politicians have accepted this line for Turkey's future'. In the aftermath of the Cyprus crisis and specifically on 22 January 1975, the Turkish Foreign Minister Melih Esenbel stated that:

In the Aegean, one must necessarily pursue a dynamic policy. The conditions today are different from the conditions in 1923. Turkey's power has grown. When we talk of the need for dynamic policy *we do not mean that the army must act at once and that we should occupy the islands...*[my emphasis] Cyprus is the first step towards the Aegean.

Following the same line of policy, the Turkish Foreign Minister İhsan Çağlayangil, argued on 4 April 1975 that 'Neither the government nor the Turkish public opinion can accept that the Aegean belongs exclusively to Greece. Half of the Aegean belongs to Turkey and the other half to Greece'. On 5 May 1975 the Turkish Premier Süleyman Demirel stated that '...the lessons of history reinforce the lessons of geography. Up to recent years the Aegean islands have always belonged to whoever occupied Anatolia'. On 19 August 1976, he was quoted saying 'Do not call these islands Greek islands but Aegean islands. It is preferable to call them Aegean islands', while on 24 August 1976, he repeated

¹¹For the operation of the power-security dilemma in international relations see B. Buzan, *People, States and Fear*, 2nd edition, London: Harvester and Wheatsheaf, 1991, chapter 8; and R. Jervis, *Cooperation Under the Security Dilemma*, *World Politics*, Vol. 30 (2), 1978.

that 'For six hundred years the Aegean islands were ours and in the hands of the Ottomans'.¹²

Without having recovered from the tragic events of 1974, with the Cyprus question unsettled, with new issues raised and political statements, like those mentioned above, coming in, not only Greece, but any other state, could inevitably become subject to the operation of the power-security dilemma.

Moreover, Greece never maintained that the Turkish territories of the Aegean region are under a demilitarised status and that the Aegean Army has not been established on legal ground. What Greece rather says is that in the light of recent historical facts, it is impossible to distinguish whether the Turkish Aegean Army has a defensive character or not. In fact, the landing capabilities of this army rule out its defensive character irrespectively of whether Turkey targets Greece. Since, a distinction between what is offensive and what defensive cannot be established in this case, the Greek Government, as any other government, is obliged to prepare the country for the worst-case scenario. It is, therefore, the working of the power-security dilemma and not any intentions against Turkey that has led Greece to increase the degree of its military presence in the Eastern Aegean islands.

Third, the Turkish Government does not distinguish between treaties that restrain Greece from re-militarising its Eastern Aegean islands and principles of international law that recognise Athens the right to self-defence. It is a question whether legality takes precedence over the maintenance of territorial integrity. It is not that Greece wants to be unlawful, but rather whether it is pushed by the circumstances and the operation of the power-security dilemma to be as such.¹³ Indeed, it is this dilemma that pushes Athens to consider the worst-case scenario according to which Turkey is an aggressive, revisionist and anti-*status quo* state, irrespectively of whether Turkey is really such a state.

¹²All cited in *Threat in the Aegean*, Athens: The Journalists Union of the Athens Daily Newspapers, 1984, pp. 4-5.

¹³For the issue of interpretation of actions of rival states see R. Jervis, *Perception and Misperception in International Politics*, Princeton: Princeton University Press, 1976.

Fourth, by characterising its 'Aegean Army' as defensive, Turkey accepts the fact that there are some parameters that allow one to identify whether an army has offensive or defensive dispositions. But as far as the Greek forces stationed in the Eastern Aegean islands is concerned, Ankara makes no distinction between offensive and defensive dispositions. In fact, Turkey appears to be against the existence of all types of weapon systems on the said islands, no matter whether are capable of reaching its Asia Minor coast or not.

The main reason for this seems to be the Turkish belief that these weapons can be used in the event of a Greek invasion. If this is true, then, Ankara does not take account of four factors. First, the considerable advantage that the defence enjoys which is further enhanced by the new weapon technologies. If Greece is the aggressor then the defence advantage belongs to Turkey. Second, the military superiority of Turkey of which the Turkish military establishment and Turkish politicians are very proud. Turkish statements and declarations about this superiority have served as a means for deterring Greece as well as of re-assuring the Turkish public. Third, the Eastern Aegean islands do not possess the necessary landing fleet to invade Turkey. And fourth, history shows that in case that Greece wishes to invade Turkey, the use of those islands is not imperative.

It is true that sometimes it is extremely difficult, if not impossible, to distinguish between offensive and defensive weapons and fortifications. However, many times certain weapon and fortification systems can be easily identified as offensive while others as defensive. Making no distinction between offensive and defensive systems, Ankara points to an important paradox. Because the use of advanced military technology provides considerable advantages to the defence, Turkey would oppose even to extreme measures of non-offensive defence undertaken by Greece.¹⁴ In other words, Turkey would argue that is threatened by the high degree of Greek defensiveness.

¹⁴On the issue of non-offensive defence see J. Galtung, 'Transarmament: From Offensive to Defensive Defence', *Journal of Peace Research*, Vol. 21, 1984; G. Sharp, *Making Europe Unconquerable*, London: Taylor and Francis, 1985; and A. Roberts, *Nations in Arms*, Basingstoke: Macmillan, 1986.

Moreover, relating its security to the existence or not of weapons systems in the Greek Eastern Aegean islands, Ankara leads one to wonder whether Turkey is primarily interested in its own security or in the insecurity of the Aegean islands. Thus, Turkey allows Greece to think and argue that Ankara does not want the islands to be defended because it is much easier for it to take them over. Such a thought is conditioned by the operation of the power-security dilemma, while at the same time adds another element to its operation.

Fifth, although it is not part of the official argumentation, many Turkish circles have pointed to threats arising from the dual use of civilian facilities existing in the Greek islands. In other words, it has been suggested that in case of war the ports of those islands can be used by the Greek navy and the civilian airports by the Greek air force. Although this argument is sound, it may lead one to wonder whether those islands should not have any ports or airports and, therefore, no communication with the outside world during peace-time. This argument also obscures the fact that neither the Greek navy uses the ports of the islands in question nor the Greek air force makes use of their civilian airports; a fact that shows that Greece tries to stick to the arrangements of the Lausanne and Paris Peace Treaties.

Sixth, the Turkish side appears to ignore the strategic distribution of Greek naval and air forces. Because under the influence of the power-security dilemma Greece is obliged to consider Turkey as a revisionist state, it would never put its naval and air forces in the front line and, consequently, in the mercy of a Turkish surprise attack. The Aegean morphology makes it clear that Greece can use many other islands that are not included in the said treaties as bases for its naval and air forces.

Seventh, declarations by Turkish officials appear to weaken the Turkish legal stance on the demilitarisation issue. For instance, on 22 January 1975, the Turkish Foreign Minister Melih Esenbel stated that 'In the Aegean, one must necessarily pursue a dynamic policy. The conditions today are different from the conditions in 1923. Turkey's power has grown'. Does this mean that the Turkish Government wishes to invoke the doctrine of the 'fundamental change of circumstances'? If yes, then, does this imply that Ankara wishes to alter or terminate the Lausanne and Paris Peace Treaties?

If yes, then, why does Turkey complain against Greece for violating the above treaties while Ankara itself wishes to alter or terminate them?

Finally, Turkish declarations or actions have allowed Athens to question Ankara's commitment to, and respect for international law. For instance, Greece wonders what is the value of international law for the then Turkish Premier Suleyman Demirel who on 5 May 1975 stated that 'Many Greek islands lie less than 12 miles from the Turkish coast. According to international law, Greek sovereignty would extend to the Turkish coast and Turks would need passports to bathe in the sea'?

In fact, within the international community the belief that Turkey is committed to international law and international legal practice has been seriously weakened. This is not only due to the reluctance of Ankara to accept the International Court of Justice as the most appropriate means for settling its disputes with Greece, but also due to its practices on issues like the delimitation of the Flight Information Region (FIR) and Search and Rescue (SAR) Operations in the Aegean, and most recently the re-negotiation of the Montreux Straits Convention. It is not that Turkey does not have legal rights or powerful legal points to present, but rather that instead of doing it within the relevant international fora, it resorts to unilateral policies. In fact, it does what it accuses Athens of doing. The result is that it gives the impression that international law and legal practices count only in specific circumstances; an impression that actually Ankara has of Athens.

4. The Greek View

The Greek view on the demilitarisation of the Eastern Aegean islands does not bear uniformity. In fact, there are two competing views: that of the Ministry of Foreign Affairs and that of the Ministry of Press and Mass Media. Although they are based on the same set of facts, the views of those ministries are diametrically opposed. Though both views will be presented, the competence of the Foreign Ministry on international matters leads one to conclude that the official Greek policy on the demilitarisation issue is that of the particular ministry.

The View of the Ministry of Press and Mass Media

According to the Ministry of Press and Mass Media, the fortification of the Greek islands is not contrary to international law because the situation in the Aegean after 1974 is completely different than when the treaties of Lausanne and Paris were signed.¹⁵ According to the said ministry, in 1974 Turkey overturned the conditions on which the said treaties were based and ever since Ankara has repeatedly advanced claims concerning the Greek islands. Moreover, the above ministry maintains that Turkey has not restricted its claims to words alone and that the countless threats of war by Turkish politicians and the innumerable violations of Greek territorial sea and air space are practical illustrations of the Turkish revisionist intentions. For the said ministry, what is extremely threatening is the presence of the Turkish Aegean Army that comprises 120,000 men. According to the Ministry of Press and Mass Media, this army has no NATO commitments and is supplemented by a large landing fleet of 120 craft, which further attests to its offensive posture.

A Critical Analysis of the View of the Ministry of Press and Mass Media

Two important points should be made here. First, although, according to US estimates, the Turkish Aegean Army is equipped with landing-craft and an amphibious capability which is the second largest among NATO members, it does not comprise 120,000 men, but its peacetime force is that of 35,000 combat personnel.¹⁶ Exaggerations in numbers do not assist the Greek case, while add to the power-security dilemma that both Greece and Turkey are faced with.

¹⁵C. Arvanitopoulos and A. Syrigos, *The International Legal Status of the Aegean*, Athens: Institute of International Relations, Panteion University and Ministry of Press and Mass Media, 1998, p. 46.

¹⁶T. Veremis, 'The Ongoing Aegean Crisis', *Thesis: A Journal of Foreign Policy Issues*, Vol. 1 (1), Spring 1997, p. 25 and United States Senate, *Turkey, Greece and NATO: The Strained Alliance*, Washington D.C.: US Government Printing Office, 1980, p. 57.

Second, the Greek Ministry of Press and Mass Media suggests that due to the change of circumstances, Greece is allowed to fortify its Eastern Aegean islands. But if this is the case, then, Greece appears to make use of the doctrine of the 'fundamental change of circumstances'. No doubt treaties often need to be altered, to bring them into line with changing conditions. But the doctrine of the 'fundamental change of circumstances' is an unsuitable method for achieving this end. It applies only in extreme cases, and, when it does apply, its effect is not to alter a treaty, but to terminate it.¹⁷

Thus, resorting to the above doctrine is like that Greece wishes to terminate the Lausanne and Paris Peace Treaties. Moreover, if the fortification of the Greek Eastern Aegean islands is justified with reference to the said doctrine, Greece should not complain that Turkey violates the Lausanne Treaty for the simple reason that Greece itself has terminated the validity of that treaty. Yet, if Greece wishes to make use of the doctrine of 'fundamental change of circumstances', then, it justifies the Turkish position that negotiations should begin between the two countries with the scope of determining the new *status quo* in the Aegean. Greek references to the International Court become, consequently, irrelevant because the Lausanne and Paris Treaties cannot any more serve as a basis for judgement.

If Greece wanted to alter and not to terminate the above treaties, it could have done so by referring the issue to the UN General Assembly that has the power to recommend alterations of treaties under Article 14 of the UN Charter. Alternatively, alterations to the said treaties could be brought about only by agreement between Greece and Turkey. But neither of the two countries is prepared to agree to amendments that go against its interests. Due to the operation of the power-security dilemma, both Turkey and Greece fear that making concessions will induce the other side to demand similar changes in other treaties.

Because the argumentation of the Ministry of Press and Mass Media leans towards the doctrine of 'fundamental change of

¹⁷P. Malanczuk, *Akehursts Modern Introduction to International Law*, 7th revised edition, London: Routledge, 1997, p. 145.

circumstances', it is expected to having received the hidden but powerful reaction of the Greek Foreign Ministry which has a different view on the demilitarisation issue. It will not be, therefore, a surprise if the Foreign Ministry has had charged the Ministry of Press of undermining with its argumentation line the Greek national interests.

The View of the Foreign Ministry

According to the Foreign Ministry, Turkey is the only country that demands that the Greek islands of the Eastern Aegean be demilitarised without exception.¹⁸ This is a strange argument that makes one to wonder which state other than Turkey could do so. After 1947, the demilitarisation issue was bound to be a matter between Greece and Turkey as the only states relevant to the demilitarisation provisions of the Lausanne and Paris Peace Treaties.

In response to the Turkish legal claims, the Greek Foreign Ministry advances the following arguments.¹⁹

First, by virtue of Article 13 of the Treaty of Lausanne, the islands of Lesbos, Ikaria, Chios and Samos were granted partial and not full demilitarisation, as Turkey maintains. On the contrary, the presence of some military forces is foreseen, and Greece does indeed maintain a military presence on these islands in light of the need to protect its eastern frontier.

Second, for the same reasons, Greece maintains on the Dodecanese Islands a certain number of National Guard units that have been registered within the framework of the Treaty for Conventional Forces in Europe.

¹⁸Hellenic Ministry of Foreign Affairs, *Turkish Claims in the Aegean*, at <www.mfa.gov.gr>, p. 5; and, *European Perspectives: Economic and Foreign Policy Issues*, Athens: Hellenic Republic, Ministry of Foreign Affairs and Ministry of Press and Mass Media, 1997, pp. 44-45.

¹⁹Hellenic Ministry of Foreign Affairs, *Greek-Turkish Relations*, at <www.mfa.gov.gr>, pp. 2-3.

Third, the 1947 Treaty of Paris between Italy and the Allies provides for the demilitarisation of the Dodecanese Islands. Turkey, however, was not a contracting party in the above Treaty, since she never participated in the Second World War.

Fourth, Article 51 of the UN Charter foresees that every country has the inalienable right of legitimate defence of its territory. Greece has not resigned its '...inherent right of individual or collective self-defence if an armed conflict occurs against a Member of the United Nations...'. The exercise of this right is particularly applicable and necessary in the case of Greece, given the 1974 Turkish intervention in Cyprus, the Turkish *casus belli* in the Aegean, transgressions of the Greek National Airspace and the dispute of Greece's sovereign rights. These do not leave Athens with much choice as to means for the defence of the country. Turkey cannot threaten Greece with war over Greek sovereign rights and then demand that Greece unilaterally disarm itself.

Fifth, the right of legitimate defence, one of the fundamental rights of the international legal order, possesses the character of *jus cogens*. Article 103 of the UN Charter states that the right of legitimate defence contained in Article 51 overrides any conventional obligation to the contrary.

Sixth, the formation, after the invasion of Cyprus, of the Turkish Aegean Army, which is stationed exactly opposite the Greek islands, and is equipped with the largest fleet of landing-craft in the Mediterranean, reveals in the most dramatic way, Turkey's aggressive intentions against Greece and forces the latter to take all necessary measures to shield the Greek islands in the Eastern Aegean Sea.

To support its reference to the Article 51 of the UN Charter, the Greek side often quotes Turkish declarations, such as that of the Turkish Defence Minister Hasan Isik who on 1 July 1974 stated that 'Turkey will never allow the Aegean to become a Greek Sea neither will it allow to usurp Turkish rights in this area'. The Turkish Premier Sadi Irmak was also quoted declaring on 18 January 1975 that 'The Aegean Sea belongs to us. This is something that must be understood by all. We do not intend to innovate in matters of foreign policy. If the honour and interests of the Turkish nation are threatened, we shall knock the enemy's

block off. Finally, the Turkish Foreign Minister İhsan Çağlayangil has been quoted saying on 29 September 1976 that 'The demographic factor (in the Aegean) must not be ignored also. The population of the thousands of Aegean islands is not more than 300,000 while that of the Turkish coastal areas is ten million'.²⁰

In addition, the Greek side has attempted to show to the international community that Turkey pays no respect to international rules and agreements. Athens argues that when Turkey refers to international law, it mentions it in full reluctance. In every case, references to it remain a last resort that follows a failure of bilateral negotiations. Instead of the International Court of Justice, the Turkish Government prefers the invitation of a third party and if this fails, international arbitration when, evidently, bilateral negotiations have not succeeded. Finally, the Greek Government has criticised the Turkish practice towards international treaties, like the Convention on the Use of the Waters of International Rivers and the Convention on the Law of the Sea which Turkey does not consider as binding.

5. A Critical Analysis of the Greek View

A series of important points can be made. First, Greece, like Turkey, should not overlook the operation of the power-security dilemma and should, therefore, take account of the impact of its declarations and actions on the behaviour of Turkey. It is not a matter of whether Athens has the right to do something, but of the way in which it does it. Thus, Greek declarations and actions should make Turkey neither insecure nor suspicious about the Greek intentions. National pride is one thing, national security is another. The former may lead to war; the latter seeks to prevent it.

Second, even if Turkey does not respect international law, as Athens claims, this does not mean that Ankara should not be free to speak against any state that feels proud of respecting the international legal system like Greece does. Numerous cases show that even states that have consistently displayed their respect for

²⁰*Threat in the Aegean*, pp. 4-5.

international law have violated international agreements, the UN Charter as well as decisions of international tribunals. Yet, even if Turkey does not respect international law this does not mean that other states should do the same. If Greek actions are contrary to international law and practice, Turkey has the right and duty of pointing that out. The law does not make a distinction between similar crimes but only between the conditions under which the criminal acts take place.

Third, the fact that Turkey considers some treaties as not binding upon it is not something necessary illegal. In fact, there are international rules that may point to the right of Ankara not to be bound by those treaties. What really weakens Turkey is its reluctance to solve legal questions associated with the application of international law by bringing its case before the International Court of Justice.

Fourth, unlike the Ministry of Press, the Greek Foreign Ministry does not resort to the doctrine of the 'fundamental change of circumstances'. This means that for Greece, the treaties of Lausanne and Paris remain the bases of international legal order in the Aegean.

Fifth, the Foreign Ministry correctly points out that the Treaty of Lausanne granted the Greek Eastern Aegean islands only partial and not full demilitarisation.

Sixth, the Turkish declarations and actions not only add to the operation of the power-security dilemma, but they also seem to justify Greek references to Article 51 of the UN Charter.

Finally, the Greek argument that Turkey was not a contracting party in the Paris Peace Treaty is irrelevant. The said treaty itself specifies in the Article 14 that the Dodecanese Islands and their adjacent islets '...shall be and shall remain demilitarised'. This leads to the conclusion that the degree of militarisation for those islands should be similar to those of Lesbos, Chios, Samos and Ikaria. Having analysed the Turkish and Greek views on the issue, the article will proceed to the interpretation of the Lausanne Treaty.

6. The Lausanne Peace Treaty: Textual Interpretation

Article 13 of the Lausanne Treaty stipulates:

With a view to ensuring the maintenance of peace, the Greek Government undertakes to observe the following restrictions in the islands of Mytilene, Chios, Samos and Nikaria: 1) No naval base and no fortification will be established in the said islands. 2) Greek military aircraft will be forbidden to fly over the territory of the Anatolian coast. Reciprocally, the Turkish Government will forbid their military aircraft to fly over the said islands. 3) The Greek military forces in the said islands will be limited to the normal contingent called up for military service, which can be trained on the spot, as well as to a force of gendarmerie and police in proportion to the force of gendarmerie and police existing in the whole of the Greek territory.

Leaving aside the conditions that may allow Greece to invoke Article 51 of the UN Charter, a 'restrictive' textual interpretation of Article 13 leads to the following conclusion. Unless the current Greek forces, bases and fortifications in the said islands as well as the Dodecanese Islands and their adjacent islets match the conditions specified in the above article, Greece violates the demilitarisation clauses of the Lausanne and Paris Treaties. On the other hand, an 'effective' interpretation leads to another conclusion.

Dealing with countries with a long history of conflict between them and just coming out from a war with each other, the makers of the Lausanne Treaty could have never allowed Greece and Turkey to pose threats to each other. This condition was not only to apply in 1923 or immediately after, but also for the years to come. The treaty makers were confronted with two problems. First, what it should be done to minimise the potential for a new conflict between Greece and Turkey in a short and medium-term; and second, what military measures should be undertaken by both Greece and Turkey to prevent a future war between them.

The answer to the first problem was the definition of military measures that should apply immediately. But the answer to the second problem required that a balance between the then present and the future to be found. The Lausanne Treaty-makers established this balance with reference to the 'principle of reciprocity' that is mentioned in Article 13. According to this principle, a balance of forces should exist in the Eastern Aegean so that neither the Greek forces stationed in the Eastern Aegean

islands can threaten Turkey nor the Turkish forces stationed at the Asia Minor coast can threaten the Greek Eastern Aegean islands. If Turkey was to decide for any reason to increase its military presence in the Asia Minor, then, Greece was to be allowed to reciprocate by increasing its own military presence in the said islands. This did not mean that the Greek forces in the Eastern Aegean islands should be necessarily similar to those of Turkey located at the coast of Asia Minor. It rather meant that the Greek forces should be adequate to resist a possible attack from the Turkish forces.

The 'principle of reciprocity', as it has been applied by the Lausanne Treaty, works one way. In other words, the Greek forces in the said islands should never exceed the power of the Turkish forces stationed at the Asia Minor coast. On the other hand, Turkey is free to proceed to any type of militarisation of its Aegean coast. But this would automatically recognise Greece the right to reciprocate by building up its military presence in the Eastern Aegean islands. Thus, the degree of the Greek military presence in the above islands is absolutely determined by the degree of the Turkish military presence in the Asia Minor. This means that if Turkey wishes the Greek forces to be limited to the level specified in Article 13 of the Lausanne Treaty, it should also reduce its own forces stationed at its Asia Minor coast.

This conclusion can be supported by an interpretation based on the intentions of the signatories of the Lausanne Treaty. To identify those intentions, however, one should draw on the said treaty's preparatory work which implies the examination of the record of proceedings.²¹

7. The Lausanne Peace Treaty: The Preparatory Work

Questions related to the demilitarised status of the central Aegean islands were discussed during the sixth and seventh meetings of the Commission on Territorial and Military Questions

²¹*Lausanne Conference on Near Eastern Affairs 1922-1923, Records of Proceedings and Draft Terms of Peace*, London, Printed and Published by His Majesty Stationery Office, 1923. Public Record Office (PRO), *Turkey*, No. 1, 1923.

that took place in the afternoons of 25 and 29 November 1922. They were also discussed during the meetings of the Sub-commission of Experts that was appointed to consider questions of sovereignty and demilitarisation.

Political and Military Commission: The Meeting of 25 November 1922

On 25 November 1922, the Territorial and Military Commission met at 3 p.m. to discuss for first time the question of the Aegean islands.²² İsmet Pasha was invited by Lord Curzon, the chairman of the Commission, to state his views on the question.

İsmet Pasha said that the Aegean islands, which depended geographically on Asia Minor, were of great importance for the peace and security of Anatolia and thus should be under Turkish sovereignty. Specifically, the islands of Mytilene, Chios, Samos and Nikaria that were given to Greece by the Great Powers were, according to İsmet Pasha, of vital importance from the point of view of the security of Turkey, and it was economic necessity for them to be united to Asia Minor. The disposal of these islands, he explained, had been confined to the Great Powers on the condition that the decision should be in conformity with the interests of the parties concerned. However, the solution of the Great Powers did not, according to İsmet Pasha, fulfil this condition, and therefore, did not satisfy Turkey.

The imperialist designs of Greece in Anatolia, İsmet Pasha continued, had shown Turkey how dangerous it was for the security of Asia Minor that these islands should be owned by Greece. Thus, it was necessary in the interests of general peace that an undertaking be given for the complete demilitarisation of these islands. According to İsmet Pasha, all existing fortifications and batteries should be entirely destroyed and dismantled and no new fortifications should be constructed in the future, while none of the said islands should be utilised as a military base. No planes should be brought there and no sheds for aircraft be constructed. Except

²²For the discussion followed see *Lausanne Conference on Near Eastern Affairs, Records of Proceedings*, pp. 95-100.

for a police force sufficient to keep order, no armed forces should be maintained, and these islands should not serve as a centre for agitators or as a refuge for smugglers. İsmet Pasha demanded that Turkey should receive guarantees for the strict observance of the undertakings given in these respects. It was, therefore, necessary that these islands should enjoy a neutral and independent political existence.

Replying to İsmet Pasha, Venizelos, the Head of the Greek delegation, disputed the Turkish claim that the said islands should obtain a neutral and independent status. He argued that those islands could not compromise the security of Turkey and recalled some military events according to which when disembarking at Smyrna, the Greek troops were transported direct to Anatolia and the islands were not used as a stopping-place. He thus made clear that the possession of the islands by a state other than Turkey did not constitute a menace for the latter.

Venizelos agreed to examining the question whether it was necessary to demilitarise these islands, but he noted that in no case could there be any question of re-establishing Turkish sovereignty over territory which had long since ceased to belong to Turkey. He stated once more that he had no objection to the demilitarisation of these islands and said that it ought to be remembered that no decision had been taken regarding the adoption of such a measure. It had only been decided that the commission should examine the question whether demilitarisation of the islands was expedient, and if so, to what degree.

Taking the floor, Lord Curzon said that he had discussed the matter with his Allied colleagues and was speaking on their behalf, as well as on his own. He began his discourse by attempting to address the question of sovereignty of the Eastern Aegean islands and concluded that the Great Powers decision of 1914 had made clear that these islands had come under Greek sovereignty.

Summarising the positions of İsmet Pasha, Lord Curzon observed that the Turkish delegation had put forward the suggestion that the islands of Lemnos, Mytilene, Chios, Samos and Nikaria, which had been given to Greece, should be taken away from it and placed under a special regime. At that moment, Venizelos intervened in the discussion and said that he was under

the impression that these islands were merely to be demilitarised. Rıza Nur Bey, a Turkish delegate, replied in the negative and stated that they were to have a neutral and independent political existence.

Lord Curzon noted that this meant that the islands were not to be assigned to Turkey, but should be taken from Greece and given some form of political autonomy. This would result, according to Lord Curzon, in great difficulties, both from the point of view of law and right and also as regards practicability. The islands in question, Lord Curzon continued, were a lawful Greek possession by treaty and their populations were entirely Greek in character. Previous experience, Lord Curzon argued, offered warnings against such an experiment. Citing the cases of Samos and Crete, he concluded that the suggestion of a constitutional experiment in autonomy for those islands should be rejected on account of the warnings offered by the past.

As regards İsmet Pasha's point, namely demilitarisation in a very stringent form, Lord Curzon replied that much more could be said. While the question of detaching them from Greek sovereignty could not be contemplated, he made clear that their demilitarisation should be examined by the military experts. Concerning the advisability of carrying out stringent demilitarisation there, he agreed with Venizelos that these islands had not been a source of danger to the Turkish military position in Anatolia, as the Greeks had made no use of them as bases. They could not, therefore, be reasonably regarded as a menace.

İsmet Pasha agreed to the question of demilitarisation being referred to a sub-commission and reserved the right to reply to both Lord Curzon's and Venizelos's arguments. Barrère, the French delegate, explained that except of the question of autonomy that had been rejected, the conference had all the elements necessary for a reference of the whole matter to a sub-commission of experts. Lago, the Italian delegate, enquired which islands were to be referred to the experts. It was then decided that the sub-commission should discuss the question whether the islands of Chios, Mitylene, Lemnos, Samos and Nikaria should be demilitarised, and if so to what degree. The commission rose at 5:20 p.m.

The Meeting of the Sub-commission of Experts

In the light of the war occurred between Greece and Turkey, the sub-commission took the view that some demilitarisation measures were necessary for assuring the security of both countries. Consequently, at its meeting of the 28 November, the sub-commission unanimously recommended that it is desirable to take certain measures of demilitarisation.²³ As regards these measures, for the islands of Mytilene, Chios, Samos and Nikaria, the majority considered that the measures of demilitarisation should consist in the following restrictions:

- No Naval base and no fortifications.
- Military aircraft on either side to be forbidden to fly respectively over the islands and over Turkish territory.
- Limitation of military forces in the islands to the normal contingent called up for military service, which will thus be able to receive instruction on the spot, and to a strength of gendarmerie and police calculated on the basis of the strength of the gendarmerie and police existing in the whole of the Greek territory.

The sub-commission made clear that:

The majority is opposed to the proposal of more extensive restrictions, which, by placing the Greek islands at the mercy of Turkey, might call for the application of corresponding restrictions to Anatolian territory. The object of the provisions indicated above is, in fact, to make it impossible for Greece to proceed to offensive preparations in her islands against Turkey, while granting her the means which she needs to maintain order in her islands and to protect their territory against the incursions of bands and other attempts of a like order.

The Turkish delegation, constituting the minority, presented their reservation to the above proposal. This reservation was based on four points. First, according to the Turkish Delegation, at the morning's meeting, the President of the Sub-commission had argued and adduced, after long discussions, evidence to prove that the islands in question constituted a base for operations for an attack against Anatolia, and that the very heart of Asia Minor could

²³Ibid., pp. 109-111.

thence be threatened. After this, the Turkish side maintained, the necessity for the demilitarisation of these islands had been accepted in principle. Second, the Turkish Delegation argued that discussing the limits of this demilitarisation, the French Admiral Lacaze had argued that the phrase proposed by the President, 'no naval base and no military port', included a prohibition to maintain hydroplanes. Third, the Turkish side noted that when the President proposed to forbid the introduction of any artillery into the islands, His Excellency M. Venizelos asked for permission to maintain anti-aircraft guns there, and the President replied that as anti-aircraft guns could equally well be used as field guns, it was impossible to grant this permission. Fourth, the Turkish Delegation maintained that General Weygand had opposed the maintenance of hydroplanes in these islands, basing his argument on the wide radius of action of aircraft and on numerous inconvenient results which might ensue therefrom.

The Turkish side also argued that:

It was recognised at the same meeting that the military establishments of the islands were capable of threatening Anatolia, whereas the batteries placed on the Anatolian coast could in no way constitute a danger to Greece herself, and that, consequently, there was no occasion to consider the military establishments on the Anatolian coast as having the same importance.

The Turkish delegation were therefore astonished to observe that the proposals made to them at the afternoon meeting had no relation to the decision taken, on purely military grounds, in the course of the morning meeting. They were equally surprised to see that these proposals had the character of a decision taken by the other delegations beyond what was agreed upon during the morning meeting of the sub-commission. From the standpoint of the maintenance of tranquillity and security in the Asia Minor and for reasons of a technical nature, the Turkish Delegation explained, Turkey was obliged to insist upon a different régime for the demilitarisation of the islands according to which,

- There shall be no military and naval base and no port of war in the islands of Mitylene, Samos, Chios and Nikaria.
- No works of fortification of any sort shall be undertaken and no military establishment shall be maintained there.

- With the exception of the gendarmerie, no armed forces shall be stationed and no depot shall be established there, nor shall any military preparations whatever be undertaken.
- No aeroplane or hydroplane, nor any establishment capable of being utilised for aviation purposes, may be maintained there.

Political and Military Commission: The Meeting of 29 November 1922

At the invitation of Lord Curzon, General Weygand read the report of the sub-commission of experts convoked.²⁴ General Weygand wished to make some remarks on the reservation of the Turkish delegation. He said that as far as the statement of the views of the Turkish delegation was concerned he had no observation to make. However, he wished to address the Turkish claim that at the second meeting of the sub-commission the decisions reached at the preceding meeting had not been taken into account. This assertion was, in his opinion, due to a misunderstanding.

General Weygand recalled the fact that at the end of its morning meeting, the sub-commission had reached agreement on the necessity of demilitarising Mitylene, Chios, Samos and Nikaria, and also on the need for discussing the demilitarisation of Lemnos together with the Straits problem, but not as regards the kind of demilitarisation to be applied to the four-named islands. No decision had been arrived at on the latter point. The Turkish delegation were, according to General Weygand, under a misapprehension in thinking that the sub-commission had pronounced on this question at its first meeting.

At its second meeting, the sub-commission, General Weygand explained, had examined the question of demilitarising the islands near the Straits. He had then pointed out that by its terms of reference the sub-commission was directed to examine the measures of demilitarisation to be taken in these four islands. The Turkish delegation had remarked that the question was so closely bound up with that of the Straits that it was impossible to examine

²⁴Ibid., pp. 101-109.

it unless all the Powers interested in the Straits problem were present, particularly the Powers bordering on the Black Sea.

To this Turkish argument, General Weygand had answered, as he himself explained, that the sub-commission could make a provisional examination of the subject without prejudice, of course, to the decisions which might be taken later on as regards the Straits. The Turkish delegation had, nevertheless, maintained their view, and had announced that they did not intend to take part in the discussion. In order that the meeting of the sub-commission should not be entirely fruitless, he had, therefore, thought it well to invite a summary discussion of the question. The Turkish delegation had not refused to remain present during that discussion.

When General Weygand completed his discourse, İsmet Pasha took the floor. He shared the view expressed by the Turkish Delegation at the sub-commission and endorsed the reservations made in regard to the demilitarisation of Mytilene, Chios, Samos and Nikaria. He argued that the measures and restrictions proposed were inadequate and that because aviation was the most modern of all weapons of war, it should be forbidden in these islands while no military detachments should be stationed there. The insufficiency of the restrictions recommended in the sub-commission's report made the demilitarisation, according to İsmet Pasha, almost illusory. He maintained that the report recognised that said islands could serve as bases of operations, and that the very object of the proposed measures was to make it impossible for Greece to prepare offensive operations against Turkey in these islands. It was, therefore, essential to demilitarise them effectively from the strategic and military point of view, prohibiting, for example, aeronautics there as well as the presence of armed contingents. He, therefore, confirmed the reservations made by the Turkish delegation at the Sub-commission.

Caclamanos made a brief statement on behalf of the Greek delegation with which he agreed to the measures proposed by the sub-commission. Immediately after Lord Curzon took the floor. He first thanked the sub-commission for its work and for its report which stated very clearly and concisely the reasons on which its members based their opinion. After he dealt with the demilitarisation of the four islands for which the sub-commission

had recommended a modified form of demilitarisation. The latter, according to Lord Curzon, 'was designed to protect the Turks of Anatolia against an attack based on these islands, while leaving to the Greek Government the necessary power to defend the islands and preserve order there'.

Lord Curzon repeated the Turkish reservations and asked the commission to take note of this, but he also asked the commission to accept the sub-commission's conclusions. He went on congratulating General Weygand on having so successfully cleared up the misunderstanding which he regarded as quite accidental. He stated that it had now become clear that the Turkish delegation had misunderstood General Weygand's statements at the first meeting of the sub-commission and had misinterpreted the alleged change of attitude at the second meeting. He hoped that the incident was now closed.

İsmet Pasha asked his two objections respecting aviation and military contingents to be included in the draft resolution relating to the measures of demilitarisation to be enforced in Mytilene, Chios, Samos and Nikaria. Nevertheless, the commission rejected his proposal. Lord Curzon then read a resolution with which the commission adopted the recommendations contained in the report of the sub-commission of experts regarding the measures of demilitarisation to be applied to the above islands. The resolution made also reference to İsmet Pasha's objections. The commission rose at 6:20 P.M.

The sub-commission's report was later embodied in the draft treaty which did not include the Turkish reservations. From the moment that the draft treaty was presented to the conference participants for review to the time of delegations departure no discussion took place concerning the demilitarisation of the Greek Eastern Aegean islands.²⁵ In his memorandum dated 4 February 1923, İsmet Pasha announced the acceptance of the treaty arrangements concerning the Aegean islands and proclaimed that in regard to this issue peace could be concluded immediately.²⁶

²⁵For the subsequent negotiations and concessions see *Lausanne Conference on Near Eastern Affairs, Records of Proceedings*, pp. 832-53.

²⁶*Ibid.*, p. 838.

8. The Intentions of the Parties

The review of the facts mentioned above makes clear that the Lausanne Treaty-makers took the view that any military measures should assure the security of both Greece and Turkey. Although the demilitarisation of the Greek Eastern Aegean islands was necessary to ensure the security of Turkey, the treaty-makers thought that demilitarisation measures should not impair the security of the Greek islands. The intention of treaty-makers is evident in the sub-commission's report which stated that:

The majority is opposed to the proposal of more extensive restrictions, which, by placing the Greek islands at the mercy of Turkey, might call for the application of corresponding restrictions to Anatolian territory. The object of the provisions indicated above is, in fact, to make it impossible for Greece to proceed to offensive preparations in her islands against Turkey, while granting her the means which she needs to maintain order in her islands and to protect their territory against the incursions of bands and other attempts of a like order.

This intention was repeated by Lord Curzon who declared that the demilitarisation measures were 'designed to protect the Turks of Anatolia against an attack based on these islands, while leaving to the Greek Government the necessary power to defend the islands and preserve order there'. The inter-relationship between the Greek forces stationed in the Eastern Aegean islands and the Turkish ones placed on the coast of Asia Minor is confirmed by the phrase 'extensive restrictions [in the Greek islands]... might call for the application of corresponding restrictions to Anatolian territory'. It is also confirmed by the Turkish statement, according to which;

It was recognised...that the military establishments of the islands were capable of threatening Anatolia, whereas the batteries placed on the Anatolian coast could in no way constitute a danger to Greece herself, and that, consequently, there was no occasion to consider the military establishments on the Anatolian coast as having the same importance.

Actually, by stating this, the Turkish side pointed to the fact that if one day the Turkish forces placed on the Asia Minor coast could be in a position to threaten the Greek Eastern Aegean islands, then, the military establishments on that coast could be of significant importance for security relations in the Eastern Aegean.

The Turkish Aegean Army, no matter if targets Greece or not, is in a position to threaten the above islands and, therefore, its existence has important consequences for the security relations between Greece and Turkey. Undeniably, Turkey is free to distribute its armed forces in the way it wishes. The 'principle of reciprocity', however, allows Greece to undertake the necessary defence measures aimed at preventing 'placing the Greek islands at the mercy of Turkey'.

The necessity to ensure the security of the Greek Eastern Aegean islands is confirmed by the rejection of the Turkish proposals for a stringent demilitarisation. İsmet Pasha had demanded first, that all existing fortifications and batteries in the islands to be entirely destroyed and dismantled and no new fortifications to be constructed there in the future. Second, none of the said islands to be utilised as a military base. To this extent, no military and naval base and no port of war should be established in these islands. Third, neither planes should be brought to these islands nor sheds for aircraft to be constructed there, nor any establishment capable of being utilised for aviation purposes should be maintained in these islands. And fourth, no armed forces should be stationed in the islands in question, no depot should be established there and no military preparations whatever should be undertaken.

In contrast to these proposals, the Lausanne Treaty does not invoke the destruction and dismantlement of the fortifications and batteries existing in these islands prior to 1923. Second, although the said treaty prohibits the establishment of naval bases, it does not preclude the establishment and maintenance of military bases in the Eastern Aegean islands. Third, the Lausanne Treaty does not prevent Greece either from bringing its military planes to these islands and keeping them there, or from constructing sheds for those aircrafts, or from maintaining any establishment capable of being utilised for aviation purposes. And fourth, the above treaty does not prohibit either the stationing of armed forces in the islands in question, or the establishment of depot there, or the undertaking of military exercises.

9. The Lausanne Peace Treaty: Objects and Purposes

The main object of the Lausanne Treaty was the relations between Turkey on the one hand, and the rest of the states involved in the war in the Near East on the other. The main purpose of the treaty was to re-establish peace in the Near East and secure the borders of the newly established Turkish State.

The treaty-makers sought to address military questions the management of which could provide the fertile ground for a long-lasting peace. One of their main concerns was to ensure the security of Turkey. To this end, they defined relevant demilitarisation measures that should be undertaken by Greece. However, being aware of the hostile nature of the Greek-Turkish relations and the potential for a Greco-Turkish War in the future, the treaty-makers sought to create a military balance between the two countries so that neither Turkey could threaten the Greek Eastern Aegean islands, nor Greece could use these islands in offensive operations against Turkey.

Reciprocity and military balance were the only way in which a long-lasting peace between Turkey and Greece could be achieved. No peace could last for long if the treaty-makers have allowed one of the two competitors (Turkey) to unrestrictively arm itself preventing at the same time the other party (Greece) of taking the necessary measures for defending itself. The Lausanne Treaty defined demilitarisation measures for Greece with the presupposition that the Turkish military presence on the Anatolian coast would remain at a level relative to that of the Greek forces as specified in Article 13 of the Lausanne Treaty. But because the Turkish military presence and might in the Eastern Aegean has increased, the application of the 'principle of reciprocity' allows Greece to reciprocate by building up its own military presence and power in the Eastern Aegean islands, thereby re-establishing a military balance between the two countries.

10. Conclusion

The purpose of this article was to address the question of demilitarisation of the islands of Lesbos, Chios, Samos, Icaria as well as the Dodecanese Islands and their adjacent islets. Providing a

comprehensive interpretation of the Lausanne Treaty, the article argued that the application of the 'principle of reciprocity' allows Greece to maintain a military presence in the said islands relative to that of the Turkish forces stationed on the coast of Asia Minor. This argument is fundamentally different than those advanced by Athens and stands in sharp contrast to the Turkish view.

Three are the most important implications stemming from this interpretation. First, Greece obtains a legal right to militarise the above islands irrespectively of the existence of Turkish threats . Thus, it is not necessary for Athens to invoke Article 51 of the UN Charter. Second, the Lausanne Treaty prohibits Greece from maintaining a military presence in the islands in question that exceeds that of Turkey on the coast of Asia Minor. The Lausanne Treaty allows Greece to reciprocate but not to drive for military superiority in the Eastern Aegean. Finally, the degree of the Greek military presence in the said islands can only be determined by Ankara itself since it is the degree of the Turkish military presence on the Anatolian coast that generates the right to Greece to reciprocate.