

The Delimitation Dispute of the Maritime Jurisdiction Areas in the Eastern Mediterranean: Turkish Perspective Based on the Equitable Principles

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Abstract

With the exploration of hydrocarbon reserves since the early 2000s, the Eastern Mediterranean has become the focus of attention of global and regional actors. Following the exploration of oil and gas resources, some littoral states signed maritime delimitation agreements. However, due to the fact that the region is geographically a narrow sea, the disputed maritime jurisdiction areas of the parties caused several political problems. One important aspect of the political disputes in the Eastern Mediterranean (Cyprus problem, Arab-Israeli conflict, etc) is related with the undecided maritime jurisdiction areas in the region. This dispute is between Greece, Turkey, Cyprus (North and South), Israel, Egypt, Libya, Syria, Lebanon and the UK in the Eastern Mediterranean. This problem has become more important with the offshore hydrocarbon explorations (oil and gas) carried out around Cyprus. In this context, this article will analyse the delimitation of the maritime areas in the region and the recent hydrocarbon exploration activities. It will mostly focus on the Turkish view about the delimitation of maritime jurisdiction areas in the Eastern Mediterranean in terms of principles of international law of the sea.

Keywords

Cyprus problem, Eastern Mediterranean, maritime disputes, hydrocarbon reserves.

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Doğu Akdeniz'de Deniz Yetki Alanlarının Sınırlandırılması Uyuşmazlığı: Hakkaniyet İlkelerine Dayalı Türk Tezi

Özet

2000'li yılların başından itibaren hidrokarbon rezervlerinin keşfedilmesiyle Doğu Akdeniz, küresel ve bölgesel aktörlerin ilgi odağı haline gelmiştir. Petrol ve doğalgaz kaynaklarının keşfedilmesinin ardından, bazı kıyı devletleri deniz sınırlandırma anlaşmaları imzalamıştır. Ancak, bölgenin coğrafi olarak dar bir deniz olması nedeniyle tarafların ihtilafı deniz yetki alanları çeşitli siyasi sorunlara neden olmuştur. Doğu Akdeniz'deki siyasi sorunların (Kıbrıs sorunu, Arap-İsrail çatışması, vb.) önemli bir boyutu da Türkiye, Yunanistan, Kıbrıs (GKRY ve KKTC), İsrail, Mısır, Libya, Suriye, Lübnan ve Birleşik Krallık'ın Doğu Akdeniz'deki tartışmalı deniz yetki alanları ile ilgilidir. Bu husus Kıbrıs Adası çevresinde açık deniz doğalgaz ve petrol arama faaliyetleri nedeniyle daha da önemli bir hal almıştır. Bu çerçevede, bu makale bölgedeki deniz alanlarının sınırlandırılmasını ve son zamanlardaki hidrokarbon arama faaliyetlerini analiz edecektir. Uluslararası deniz hukuku ilkeleri açısından Doğu Akdeniz'de deniz yetki alanlarının sınırlandırılmasında daha çok Türk tezi üzerinden bir değerlendirme yapılacaktır.

Anahtar Kelimeler

Kıbrıs Sorunu, Doğu Akdeniz, deniz alanı uyuşmazlıkları, hidrokarbon rezervleri.

Introduction

The Eastern Mediterranean has witnessed some conflicts between numerous political actors throughout history. In particular, following the exploration of hydrocarbon reserves since the early 2000s, the conflicting claims of the littoral state on the maritime jurisdiction areas in this region has resulted in a jurisdictional crisis. The issue of sharing maritime areas in conformity with the equitable principles lies at the heart of the dispute. The Eastern Mediterranean is an important region due to energy resources, not only in terms of law of the sea for sharing, but also because it is located in a strategic position that enables the transportation of hydrocarbon resources of the Middle East to the Europe.¹ When we consider the international trade by maritime or land transport, the basin, which acts as an intercontinental passageway and facilitates transition to the most important trade routes of the world, and also overlooks to

1 Ş. V. Ediger, B. Devlen, and B. D. McDonald, "Levant'ta Büyük Oyun: Doğu Akdeniz'in Enerji Jeopolitiği", *Uluslararası İlişkiler*, 2012, Vol. 9, No. 33, p. 74.

the Suez Canal in the south and the Strait of Gibraltar in the west, we may say that it is a highly strategic area. In particular, the exploration of amounts of hydrocarbon reserves since the 2000s and the predictions that the amounts of the reserves have increased in recent years turns the region into a geopolitical, geostrategic and geoeconomic area where energy struggle is witnessed.

The Eastern Mediterranean has been a significant geopolitical region in terms of the advantages created by its location from past to present. The region also emerges as a geoeconomic area that influences political relations between states and the struggles for dominance after the recently explored hydrocarbon resources. In other words, the region, which has a geopolitical importance in the historical process, has also gained a geoeconomic importance because of the explored hydrocarbon resources. After these explorations, the states of the region have started research and studies on the production and trade of hydrocarbon resources, and thereby the region has become a geostrategic area. Tensions arising from the conflicts between states regarding the sovereign rights and the extraction of resources on both discovered and probable exploration areas have also been reflected in interstate discourses. As a matter of fact, after the exploration of hydrocarbon reserves, the struggle for maritime sovereignty showed itself intensely and international groupings emerged with the effect of various agreements. The parties to the disputes, which has legal concerns as well as economic and political concerns, are all the states that have a coast on the region.

The changing global and regional conjuncture after the Cold War has increased the importance of the Eastern Mediterranean as a new strategic interaction region. Among these interactions, the most prominent one today is the claims of the littoral parties of the Eastern Mediterranean over the maritime jurisdiction areas in the basin. In particular, the claims of Greece, Turkey, the Greek Cypriot Administration of Southern Cyprus (GCASC), the Turkish Republic of Northern Cyprus (TRNC) have been on the agenda since the early 2000s and have quickly become one of the main issues in the region in the last decade. The reflections of this conflict directly affect the other states such as Egypt, Israel, Lebanon, Syria, Palestine and the UK. It also concerns the economic and political interests of global actors such as the USA, Russia and the EU. What makes this dispute regarding maritime jurisdiction areas in the region so critical is the potential oil and gas reserves in the Eastern Mediterranean.² The 2,5 billion barrels of oil deposits and the 7 trillion cubic meters of natural gas explored in the Exclusive Economic Zone (EEZ) of numerous littoral states in

2 B. Shaffer, "Eastern Mediterranean Energy: A Decade After The Major Discoveries", *Turkish Policy*, 27 November 2018, <<http://turkishpolicy.com/article/936/eastern-mediterranean-energy-a-decade-after-the-major%20discoveries>>, Accessed on 5 August 2021.

the region, especially in Cyprus (Aphrodite, 2011), in Israel (Tamar, 2009; Leviathan, 2010) and Egypt (Zohr, 2015) have led to reevaluation of the importance of the region.³

Italian energy company Eni announced that Egypt's natural gas reserves in the Zohr amount to approximately 850 billion cubic meters. Estimated figures shows that there is 122 trillion cubic meters of oil and natural gas reserves in the Eastern Mediterranean.⁴ The littoral states with a high reserve share and market advantage will have a significant gain. Although it is very clear that it is difficult to reveal how much potential there is in the region without a full drilling, it is estimated that there is an ample oil and natural gas reserve within the framework of recent researches.⁵ Attempts to establish dominance over the explored or potentially seen hydrocarbon reserves lead to the emergence of new conflicts between the states on the one hand and deepen the current problems on the other hand. The global actors that do not have a coast in the region began to closely follow the developments and maritime activities of the coastal states bring great disagreements about sharing of the maritime jurisdiction areas. Actively pursued foreign policy by directly or indirectly involved parties in the region leads to conflict, particularly in energy policies.⁶ Moreover, bilateral agreements on the maritime areas, declared EEZs and military operations carried out lead to conflicts between the littoral states.

Considering that Turkey will be the biggest consumer of the energy resources in the region, it has a huge potential that will turn joint solutions to be created in the maritime jurisdictions in the region to its advantage. Also, Turkey may put the parties in the region in a competitive race for oil and natural gas sale to its economy.⁷ Yet, Turkey's main problem in the Eastern Mediterranean is its loneliness in regional energy cooperation. The developments have shown that the rights of Turkey and the TRNC are ignored by a broad coalition in the region. Especially the GCASC, Greece, Israel and Egypt want to isolate Turkey and the

3 Energy Information Administration, (EIA), "Overview of Oil and Natural Gas in the Eastern Mediterranean Region", <https://www.eia.gov/beta/international/analysis_includes/regions_of_interest/Eastern_Mediterranean/eastern-mediterranean.pdf>, Accessed on 5 August 2021.

4 C.J. Schenk et al, *Assessment of Undiscovered Oil and Gas Resources of the Levant Basin Province, Eastern Mediterranean*, U.S. Geological Survey Fact Sheet, 2010.

5 N. Hodgson, "Petroleum Systems of the Levant", Spectrum Report, 2015, <http://d8d673da5f0d55e3ea5a-6496b70fad7e6663b590babb0242de1.r89.cf1.rackcdn.com/FP%2020.10.2015%20Neil%20Hodgson_Spectrum%20presentation.pdf>, Accessed on 5 January 2021, p. 35.

6 I. G. Aoude, "Conflict Over Oil and Gas in the Mediterranean: Israeli Expansionism in Lebanon", *Arab Studies Quarterly*, Vol. 41, No. 1, 2019.

7 C. Ellinas, "Hydrocarbon Developments in the Eastern Mediterranean: The Case for Pragmatism", Washington: Atlantic Council, *Global Energy Center and Dinu Patriciu Eurasia Center*, 2016, p. 21.

TRNC by leaving them out of the game. The fact that Turkey did not have a maritime jurisdiction agreement (EEZ or continental shelf areas) with the other littoral states decreases the effectiveness of Turkey. However, with the Continental Shelf Delimitation Agreement signed between Turkey and the TRNC in 2011 and the Memorandum of Understanding on the Delimitation of the Maritime Jurisdiction Areas signed between Turkey and Libya in 2019, Turkey has achieved a significant gain in the Mediterranean energy equation. As can be seen, what Turkey needs to do in this regard is to cooperate with the other littoral actors in the region and act in accordance with international law of the sea.

The Maritime Delimitation Disputes and Hydrocarbon Exploration Activities

Cyprus stands in a very critical geostrategic position at the heart of the Mediterranean. The Eastern Mediterranean's changing strategic balance of power relations confirms the important position of Cyprus. Also, the classical realpolitik analyses about the Cyprus Problem turns out to be true. Strategic location of the Cyprus at the centre of many important developments or conflicts, including the so-called Arab Spring and Arab Israeli conflict, makes it a highly valuable geography. Furthermore, the uncertainties about the political future of the states like Libya, Syria and Iraq increases the risks and importance of the region. The presence of the sovereign British military bases in Cyprus is enough to highlight the regional and global strategic importance of the island.

The unsettled situation about the maritime jurisdiction areas in the Eastern Mediterranean and the new exploration of hydrocarbon reserves increases the complexities of the Cyprus problem and the importance of the island. While the territorial borders continue to be disputed between the states in the Eastern Mediterranean, explored offshore natural gas and oil reserves have led to new disputes, and further complicated the balance of power in this region. Today, the Cyprus island's strategic importance has increased due to its crucial location in the middle of states with disputed and unclear maritime jurisdiction areas. The dispute is mainly between Turkey, Greece, Cyprus (North and South), Egypt, Israel, Palestine, Syria, Lebanon, Syria, and the UK (due to sovereign British military bases in Cyprus). The geological research have shown that ample natural gas and oil resources exist in the northern and southern seas of Turkey.⁸

The Mediterranean Sea occupies 2,511,000 sq km or 0,7 per cent of the world's seas or oceans. Despite of its small size the Mediterranean is uniquely

8 S. Başeren, "Doğu Akdeniz'de Deniz Yetki Alanları ve Yeni Enerji Politikaları", *Deniz Hukuku Sempozyumu Bildiriler Kitabı*, Çağ Üniversitesi, Mersin, 2011, p. 50.

important to its 21 littoral states culturally, economically and strategically. The Mediterranean Sea's function as a maritime highway between the Atlantic and Indian oceans and its central role as a contact area between Asia, Africa and Europe give the Mediterranean global significance.⁹ As the historical experience showed, the countries in the Mediterranean would always fight for dominance in such an important geography, and this would be true even if the Cyprus island was not present.¹⁰ However, with its strategic position the Cyprus island is present in this geography, and this further increases the importance of the region. Furthermore, there are ongoing negotiations under the auspices of the United Nations and with its disputed political structure Cyprus also became a member of European Union. All of these make things in this geography more complicated.

In addition to this are the Greek-Turkish conflicts especially related to maritime jurisdiction areas in the Aegean Sea, and from a wider view, the competition between the UK and the US, as well as between Russia and the US in the Eastern Mediterranean.¹¹ In this respect, laying out the delimitation dispute of the maritime areas in the Eastern Mediterranean is the key with regards to the manoeuvring areas available to the states party involved. The biggest issue regarding the hydrocarbon (natural gas and oil) resources in the Eastern Mediterranean arises from the uncertainties in the delimitation of exclusive economic zones and continental shelves of the littoral states.¹²

The United Nations Convention on the Law of the Sea (UNCLOS; Turkey is not a party to this convention primarily due to its disputes with Greece on the Aegean Sea) defines the continental shelf of a coastal state (Article 76) as the seabed and subsoil areas of the submarine zones that extend to a distance of 200 nautical miles. If the continental shelf goes beyond this point, it stipulates that continental shelf shall not exceed 350 nautical miles from the baselines wherefrom the breadth of the territorial sea is measured or shall not exceed 100 nautical miles from the 2,500 meter isobaths. A continental shelf can be described as the extension of continental sovereignty of a coastal state to the sea, which assumes the ownership and usage rights of all the seabed and subsoil resources.¹³

9 G. Blake, "Coastal State Sovereignty in the Mediterranean Sea: The Case of Malta", *GeoJournal*, Vol. 41, No. 2, 1997.

10 N. Kliot, "Cooperation and Conflicts in Maritime Issues in the Mediterranean Basin", *GeoJournal*, Vol. 18, No. 3, 1989.

11 V. Coufoudakis, "The Solution of the Cyprus Problem and Its Security Implications for the U. S. and Europe", in A. Ioannou, A. Theophanous and N. Peristianis (Eds.), *The Cyprus Problem: Its Solution and the Day After*, Nicosia: Intercollege Press, 1998.

12 J. Stocker, "No EEZ Solution: The Politics of Oil and Gas in the Eastern Mediterranean", *Middle East Journal*, Vol. 66, No. 4, 2012.

13 R.R. Churchill and A.V. Lowe, *The Law of the Sea* (3rd Edition), Manchester: Manchester University Press, 2002.

Besides this, an EEZ (provided that it is declared by the coastal state) on the continental shelf, gives the ownership and the usage rights of the body of water in the area, to the coastal state.¹⁴

In most of the Eastern Mediterranean, neither Cyprus nor Greece nor Turkey has declared delimited maritime jurisdiction areas. Also, there is no clear consensus on the mutual agreements or the current propositions between other states of the region. The EEZ agreements signed between the Greek Cypriot Administration of Southern Cyprus (GCASC) and Egypt (2003), GCASC and Lebanon (2007), GCASC and Israel (2010) are highly problematic for several reasons. First of all, Turkey as a guarantor of Republic of Cyprus, does not recognize the GCASC as a sovereign state which has the right to sign such treaties and as representative of the whole island. Furthermore, Turkey criticizes the GCASC as it excluded the Cypriot Turks from the negotiation processes when delimitation agreements with Egypt, Israel and Lebanon were made.

There is also disagreement between Egypt and Turkey on the maritime jurisdiction areas. Egypt and the GCASC signed an agreement on the maritime delimitation on 17.3.2003, and these two states have claims on the maritime jurisdiction areas of Turkey, which may extend to the middle of the Mediterranean Sea. Due to this agreement and declared the EEZ, besides the controversial status of the Cyprus Island, Turkey's possible EEZ declaration becomes further complicated.

Additionally, there are also conflicts of the maritime areas between Greece and Turkey in the Eastern Mediterranean on the continental shelf and the EEZ. As Greece interrupts the continental shelf between Libya and Turkey by the Crete Island, a controversy exists about the maritime jurisdiction areas of these three states. Greece has a joint view with the GCASC that aims at acquiring the maritime jurisdiction areas of both Libya and Turkey in the region. The EEZ agreement between Egypt and the GCASC was signed with overthrown Egyptian government (led by Hosni Mubarak) and this agreement has become controversial recently as it was to the disadvantage of Egypt.¹⁵ Moreover, Greece signed an agreement with Egypt for the delimitation of maritime jurisdiction areas between the two states in 2020, which leads to the closure of the Mediterranean Sea to Turkish use.

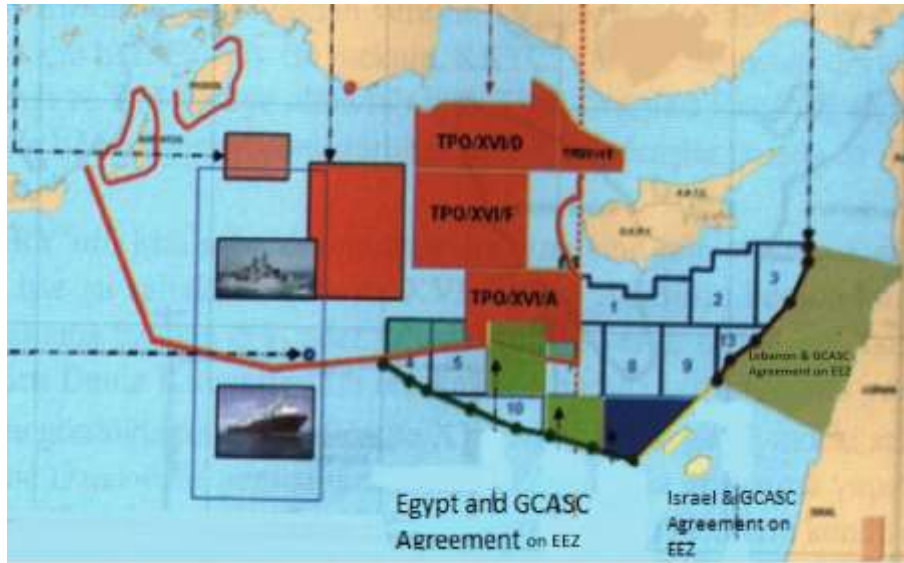
According to Figure 1, Turkey claims the area *in the North of the Red Line*, which is not accepted by Greece. The GCASC claims the area *in the North of Black and Green Line*, which is not accepted by Turkey. The GCASC explores

14 H. Caminos (Ed.), *Law of the Sea*, Surrey: Ashgate Publishers, 2001.

15 A. Antreasyan, "Gas Finds in the Eastern Mediterranean: Gaza, Israel, and Other Conflicts", *Journal of Palestine Studies*, Vol. 42, No. 3, 2013.

hydrocarbon reserves in the *Shaded Navy-Blue Area*. Turkey gave licences for the hydrocarbon exploration in the area of *Red Boxes*.¹⁶

Figure 1. The Recent Hydrocarbon Research Activities in the Eastern Mediterranean



Source: Başeren, “Doğu Akdeniz’de Deniz Yetki Alanları...”, p. 63.

By sending the war ships to the region, Turkey shows that it does not accept or recognize the current agreements the GCASC, Greece, Egypt and Israel or the targeted general status. One can easily say that the conflict in the region will increase in the future as new hydrocarbon reserves are explored and as the Cyprus problem continues.¹⁷

Moreover, the EU does not have a clear agenda on the region, and when it does, it generally follows the arguments raised by Greece and the GCASC. The EU has been searching for alternatives to the Caucasus and Russia for energy security, and the ample hydrocarbon resources of the Eastern Mediterranean are of major importance for the EU. Therefore, it wants to become a major player in the region and supports the Greek and GCASC’s theses. What is more, the EU and Turkey relations are not moving forward and as a result Turkey

¹⁶ Başeren, “Doğu Akdeniz’de Deniz Yetki Alanları ...”, p. 63

¹⁷ M. E. Bireselioğlu, “Clashing Interests in the Eastern Mediterranean: What about Turkey?”, *Insight Turkey*, Vol. 21, No. 4, 2019.

deprioritized its membership goal. Due to these reasons, Turkey has difficulties in seeing itself as a partner of the EU and its strategic aims.

Fearing the prospect of energy dependency on Russia, the EU wishes to strengthen the energy supplier alternative states that can be controlled more easily. In this context, one can say that the US and the EU act in harmony in the Eastern Mediterranean. As GCASC's and Greece's continental shelf and EEZ claims receive support from the US and the EU, this strengthens the belief in Turkey that what is going on in the region is part of a greater strategy, the closure of the Mediterranean Sea in general and the Aegean Sea in particular to Turkish access.¹⁸

The Turkish Perspective on the Delimitation of Maritime Jurisdiction Areas in the Eastern Mediterranean

The main issue regarding the sharing of existing and potential hydrocarbon resources in the region is the determination of the maritime jurisdiction areas of each state and the delimitation of the boundaries between their jurisdictions on the seabed where the hydrocarbon deposits are located. According to law of the sea, various principles and methods are used in delimitation of the maritime jurisdiction areas. Basically, every coastal state has the right to assert its sovereignty over the maritime areas off its coast. These maritime areas consist of different categories such as territorial seas, contiguous zone, continental shelf and EEZ, each of which gives sovereign rights of different nature and degree, and covers different distances.¹⁹ When the situation is analysed in terms of Turkey, the maritime jurisdiction disputes in the Eastern Mediterranean can be examined in two parts: First of all, the GSCAS aims to squeeze Turkey into a narrow area off the Gulf of Antalya, ignoring the large continental shelf areas Turkey may acquire in the Eastern Mediterranean due to its length of approximately 1870 km. Secondly, the GCASC wishes to represent the Republic of Cyprus alone in the delimitation agreements of the maritime jurisdiction areas and to own the natural resources of the island. Turkey, on the other hand, advocates that the continental shelf and EEZ delimitations in the region, which is a semi-enclosed sea, should be made in accordance with equitable principles among all littoral states, based on international law. If the islands are granted maritime jurisdiction areas except territorial waters, this will harm Turkey's sovereign rights in international law.

18 S. Başeren, "Akdeniz Türkiye'ye Kapatılmak İsteniyor", *Cumhuriyet Strateji*, 14 May 2007, <<https://egazete.cumhuriyet.com.tr/katalog/4926/2007/5/14/1>>, Accessed on 13 August 2021.

19 Y. Tanaka, *The International Law of the Sea*, Cambridge University Press, 3rd Edition, 2019.

The continental shelf and the EEZ cover the part up to 200 nautical miles from the baseline where the territorial seas of coastal states are measured. In fact, since the continental shelf is a natural formation, it can exceed this distance in exceptional cases and reach up to 350 miles (UNCLOS, art. 74). However, the Eastern Mediterranean, which is a narrow sea, does not provide the coastal states with the maximum maritime area recognized by the international law to the littoral states, and due to the presence of some islands and islets in the region, the demands and thesis of the littoral states regarding the maritime jurisdiction areas conflict with each other. According to the relevant rules of international law of the sea, the continental shelf does not require declaration, because the rights of the coastal state over the continental shelf have existed by itself (*ipso facto*) and from the beginning (*ab initio*). In other words, a coastal state has a continental shelf, although it is not declared; however, it will have an EEZ only if it has declared (UNCLOS, art. 77). Although Turkey has not declared any EEZ yet, it has rights with the *ipso facto* and *ab initio* factors, which is considered as the natural prolongation of its lands, and thanks to its continental shelf, which does not need to be declared.²⁰

On the other hand, Turkey requests the GCASC to act in accordance with the 1982 UNCLOS. According to the Convention, a state has the operating right over all its natural resources within the area up to 200 nautical miles. In other words, Turkey has also determined the areas where it can drill in the Eastern Mediterranean. However, despite the fact that Greece and the GCASC signed and put into effect the Convention, their refusal of Turkey's drilling areas causes the problems to grow. Greece and the GCASC abuse the geographical location of the islands, especially Rhodes, Meis and Cyprus, and the equidistance method of delimiting maritime jurisdiction areas in order to achieve their own rights. They are also trying to transform the median lines between Anatolia, Greece and Cyprus. In addition to this, Greece determined the relevant coasts to be used to delimitate the coasts of Crete, Kashot, Kerpe, Rhodes and Meis islands itself, and made delimitation agreements with Egypt, the GCASC and Lebanon on the basis of the equidistance principle.²¹

As the Cyprus Island is located between Egypt and Turkey (with a contentious political status), and as the EEZ agreement between Egypt and the GCASC (as well as the agreement between Egypt and Greece) coalesces with the Turkish maritime area claims, the delimitation of maritime jurisdiction areas in the Eastern Mediterranean remains a highly difficult task. Furthermore, there are

20 Y. Acer, "Doğu Akdeniz'de Deniz Yetki Alanları ve Türkiye-Libya Mutabakatı", *Seta Analiz*, No. 301, 2019, p. 8

21 L. El-Katiri, "Political Dialogue to Facilitate the Development of Energy Resources in the East Mediterranean", S. Colombo and N. Sartori (Eds.), *The OSCE's Contribution to Energy Governance*, New Med Research Network, 2016, p. 17.

diverging views between Greece and Turkey about the delimitation of continental shelf and EEZ in the region. Greece, supported by GCASC, aims to gain the sovereignty of a big portion of the Libyan maritime jurisdiction areas in the Aegean by using Crete as a pretext. For Turkey, due to the current unsettled nature of the Cyprus dispute, the existing EEZ agreements between Lebanon, Israel, Egypt and the GCASC are unacceptable.

The Figure 2 summarizes the EU's as well as Greek and GCASC's perspectives on the delimitation of maritime jurisdiction areas in the Eastern Mediterranean. As it can be seen here, both the Aegean Sea and the Eastern Mediterranean is greatly closed to Turkey if the Greek and GCASC claims are accepted, although Turkey has the longest coasts to the sea in the region. The Greek and GCASC's claims in extending their maritime boundaries are greatly based on its own interpretation of the 1982 UNCLOS convention, to which Turkey is not a signatory state.

Figure 2. The Perspectives of Greece and the GCASC on the Delimitation of Maritime Jurisdiction Areas



Source: Başeren, “Doğu Akdeniz’de Deniz Yetki Alanları...”, p. 54.

Furthermore, for Turkey, the development of defence and energy cooperation between Israel, Cyprus, and Greece is highly problematic. Beyond its different legal claims, Turkey also looks suspiciously at the prospect of closer cooperation among three countries that it views, to different degrees, as

antagonists.²² While the notion of a new alignment between Israel, Cyprus, and Greece, runs ahead of the realities on the ground, it is a prospect that cuts across a number of the objectives of Turkish foreign and energy policy, such as the concept of Turkey as regional natural gas hub.²³

As stated before, the great western powers, particularly the USA and the EU, do not want either Turkey or Russia to be a dominant power in the control of energy resources of the Middle East or the Eastern Mediterranean. In this context, the EU and the USA's foreign policy are parallel to each other and aim to close the Mediterranean and Middle East to both Turkey and Russia. Briefly speaking, Greece and the GCASC functions as a barrier against Russia and Turkey in the region.²⁴

Figure 3. The Memorandum of Understanding between Turkey and Libya on the Delimitation of the Maritime Jurisdiction Areas (F-E Line)



Source: “Strategic, Legal Aspects of Turkey-Libya Deal”, Analysis, *Anatolian Agency Website*, 13 December 2019, <<https://www.aa.com.tr/en/africa/analysis-strategic-legal-aspects-of-turkey-libya-deal/1673079>>, Accessed on 13 May 2021.

22 M. Ögütçü, “Rivalry in the Eastern Mediterranean”, *The Turkish Dimension-Mediterranean Policy Program Report*, The German Marshall Fund of the United States, Washington D.C, 2012.

23 S. Tagliapietra, “Towards a New Eastern Mediterranean Energy Corridor? Natural Gas Developments Between Market Opportunities and Geopolitical Risks”, *Fondazione Eni Enrico Mattei (FEEM) Report*, 2013.

24 Başeren, “Akdeniz Türkiye’ye kapatılmak...”.

To prevent the closure of the Mediterranean to Turkey, Turkey recently signed an agreement with Libya about the delimitation of maritime jurisdiction areas between the two countries and it can be considered as a game changer.²⁵ To a great extent, this agreement prevents the Greek and GCASC claims of closing the Mediterranean to Turkey (which can be seen in Figure 2). Turkey signed the agreement with Libya the internationally recognized government in Tripoli and registered it to UN. The agreement produced the F-E line of the above. Figure 3 and the remaining A-B-C-D-E-G-H line's logic emanating from law of the sea is explained in the following pages. Briefly, Turkey's maritime jurisdiction area delimitation perspective in the Eastern Mediterranean is based on the equitable principles of law of the sea.²⁶

Without doubt, the maritime region in the south of Turkey is highly valuable due to existing hydrocarbon and mineral reserves, as well as the fishing resources. It's also a crucial shipping route due to the Suez Canal. An ongoing Cyprus problem complicated by delimitation problems on maritime jurisdiction areas further increases the security related concerns in the region. However, the recent Iraq and Syria centred crises once again showed that the people of the region have no alternative than working together for a peace to prosper. If the people of this geography cannot find ways of peaceful co-existence, foreign interventions to the region will continue. An equitable and acceptable solution to the delimitation of the maritime jurisdiction areas problem of the Eastern Mediterranean will surely be a starting point for future peaceful solutions to territorial disputes. In this context, the Turkish perspective on the delimitation of the maritime jurisdiction areas of the Eastern Mediterranean (based on equitable principles of law of the sea) is summarized below.

To begin with, when the delimitation of the maritime jurisdiction areas in the Eastern Mediterranean is searched for (including the EEZ and the continental shelf), for states to claim rights over maritime areas, the existence of an unchallenged sovereignty is required. This is clearly stated in the relevant decisions of the International Court of Justice (ICJ).²⁷ Therefore, with regards to

25 Official Journal of the Republic of Turkey, 7 December 2019, No: 30971.

26 D.R. Rothwell (Ed.), *Law of the Sea*, Cheltenham: Edward Elgar Publishers, 2003.

27 For instance, The ICJ would observe that “the attribution of maritime areas to the territory of a State, which, by its nature, is destined to be permanent, is a legal process based solely on the possession by the territory concerned of a coastline”. See: *Maritime Delimitation in the Area between Greenland and Jan Mayen*, Judgment, ICJ Reports 1993, p. 74, para. 80. In another case, the ICJ stated that “it is by means of the maritime front of this landmass, in other words by its coastal opening, that this territorial sovereignty brings its continental shelf rights into effect.” See: *Continental Shelf (Libyan Arab Jamahiriya/Malta)*, Judgment, ICJ Reports 1985, p. 41, para. 49. For further information see: United Nations, *Handbook on the Delimitation of Maritime Boundaries*, Division for Ocean Affairs and the Law of the Sea Office of Legal Affairs, United Nations, New York, 2000.

finding a solution to the delimitation of the maritime jurisdiction areas problem in the Eastern Mediterranean, the Cyprus Island should be considered secondarily following the coastal states of this basin, as its status is unclear at least for some countries of the region. Following the solution of the coastal states' disputes, Cyprus should also be added to the picture and a joint broader solution then should be searched for.

In law of the sea, there are two main principles in the delimitation of maritime jurisdiction areas, and these are "equitable principles" and "equidistance principle". Equidistance principle generally helps when the two states coasts are opposite to each other and there is a dispute between the two. Here, it divides the maritime jurisdiction area in parallel with the geographic formation and length of both coasts, and by dividing it into half proportionately. Equitable principle on the other hand is used in more complex seas such as the Aegean Sea and the Eastern Mediterranean Sea. Here, all concerns of the states with regards to an equality/justice-based delimitation is taken into account (such as security), and issues other than the geographic formation and the length of the coasts are also considered. In the latest international treaties and the ICJ decisions this principle started to be used rather frequently.²⁸

When analysed from this perspective, the delimitation of the maritime jurisdiction areas in the Eastern Mediterranean should be made by equitable principles, and there is no doubt that it will be beneficial for a long-term peace in the region. All the states will benefit from such a thoroughly considered delimitation solution, as all the concerns of the coastal states will be taken into account in the delimitation process.

The Delimitation of Maritime Jurisdiction Areas Between Turkey and Greece (Based on Equitable Principles)

When one analyses the maritime jurisdiction area delimitation between Greece and Turkey, as the small island of Meis is very close to Turkey (by also taking into account proportionality and non-interference principles of law of the sea), Meis island should not have a maritime jurisdiction area other than territorial waters of 6 miles. Furthermore, Meis should not be taken into account when the delimitation of the maritime jurisdiction areas between Turkey and Greece is made (Red Line, Figure 4) As island of Meis is a natural extremity of Turkey's mainland and as it has a very short coastline when compared with the Turkish coasts, it cannot have a maritime area other than territorial waters of 6 miles. Furthermore, Turkey's security concerns should also be taken into account.

28 Tanaka, *The International Law of the Sea*.

Figure 4. The maritime jurisdiction area delimitation between Greece and Turkey in the Eastern Mediterranean based on equitable principles (red line)



Source: Google Earth Website.

As is well known, the Arbitration Court with its 1977 decision on the conflict between the UK and France, have decided to give British Channel Islands, 12 miles of territorial waters and that the area should be divided by equitable principle between the two countries. Furthermore, with the more recent decision on 3.2.2009, the ICJ have decided that the Serpents islands (between Romania and Ukraine) cannot have EEZ and continental shelf. In this context, when the conflict in the Eastern Mediterranean is analysed, the Greek islands close to the Turkish mainland should not have an EEZ and continental shelf. In the Aegean and in the Eastern Mediterranean, the islands are of secondary importance, and primarily the coastal states should be favoured when any maritime jurisdiction area delimitation is going to be made. The islands' potential impact on the coastal states should be decided upon by dialogue between countries and particularly with the equitable principle. Furthermore, these islands are natural prolongation of Turkey. Although the principles of entitlement to the continental shelf, which were initially defined in terms of the natural prolongation, have changed with the cases over time, it is not ignored completely.

The Delimitation of Maritime Jurisdiction Areas Between Turkey and Egypt (Based On Equidistance Principle)

Egypt has a coastline of approximately 550 nautical miles, and Turkey has a coastline of approximately 600 nautical miles. Therefore, proportionality of the coastlines can be considered as 1/1. In this context, with regards to delimitation of maritime jurisdiction areas, median line can be taken as the division line between two countries. The small island of Meis shall be given only territorial waters of 6 miles, but it shall not have a continental shelf or an EEZ. Therefore, the delimitation of the maritime jurisdiction areas between Turkey and Egypt shall be made based on equidistance principle according to the below figure in this instance (Yellow Line, Figure 5).

Figure 5. Turkey's maritime jurisdiction area delimitation perspective based on the equidistance principle in the area between Turkey and Egypt (yellow line)



Source: Google Earth Website.

The equidistance principle (midline) is only one of the methods used in delimitation in the law of the sea and does not always have any priority. Because the equidistance principle can create equitable solution in some cases. Of course, it should be applied as long as it creates equitable results. But midline rule may not create equitable results in every delimitation process.

Greece and Egypt signed an Exclusive Economic Zone agreement delimiting their maritime boundaries in the Mediterranean on 6 August 2020.

This agreement led to Turkey's objections and even it was declared as "non-existent" by Turkey. It also caused a complex situation that could lead to new problems in the region. The fact that the agreement does not take into account the border drawn by the Memorandum of Understanding between Turkey and Libya on Delimitation of the Maritime Jurisdiction Areas, which was signed in 2019, leads to new tensions and new legal problems that are difficult to resolve in the Eastern Mediterranean. On the other hand, the agreement also shows that Greece made concessions from its traditional and historical claims by giving reduced effect to some Greek islands in the maritime delimitation.²⁹

Delimitation of Maritime Jurisdiction Areas Between Turkey and Cyprus (Based on the Equidistance Principle and Proportionality Principle)

When the situation in Cyprus is analysed, it should be noted that Turkey has a strong position primarily for guaranteeing the rights of the TRNC, which, for Turkey is a sovereign state. Turkey has a coastline of 600 nautical miles and the TRNC has a coastline of 150 nautical miles, which makes the proportionality of coastlines as 1/4 (Figure 6).

Equidistance principle can be the primary basis for delimitation of the maritime jurisdiction areas between Turkey and TRNC. Yet, similar to Libya and Malta case in 1985 in the ICJ, where the court has taken into account proportionality principle, the proportionality of the coasts of Turkey and the TRNC should also be considered. The northern coasts of TRNC should have limited impact and TRNC shall not have EEZ or continental shelf in this region (only having territorial waters), by also taking into account the security concerns of Turkey (Figure 6). Therefore, the delimitation of the maritime jurisdiction areas between Turkey and TRNC should be made according to Figure 6 (Red line with TRNC / yellow line shows equidistance line).

29 Y. Acer, "Doğu Akdeniz'de Yunanistan-Mısır Deniz Sınırı Antlaşması ve Türkiye", *Adalet Dergisi*, Vol. 65, 2020, p. 17-21.

Figure 6. Turkey's maritime jurisdiction area delimitation perspective based on the equidistance and proportionality principles in the area between Turkey and the TRNC



Source: Google Earth Website.

At this point, it should be noted that although Turkey does not recognize GCASC as representative of the Republic of Cyprus established in 1960, because the Republic of Cyprus is a federal state, the Turkish Cypriots also have rights in the southern seas of the island. In this respect, Turkish Cypriots have given permissions to Turkey (guarantor of the Republic of Cyprus) to explore hydrocarbon reserves on their behalf in this region.³⁰ It's obvious that if a solution to the Cyprus problem is achieved, this new federal state (like the one that would be established with the 2004 UN Annan Plan) will have one maritime jurisdiction area, jointly used by Greek and Turkish Cypriots. This new state may sign valid maritime jurisdiction area agreements with Turkey, Israel, Syria, Lebanon and Egypt, with the consent of both Greek and Turkish Cypriots.

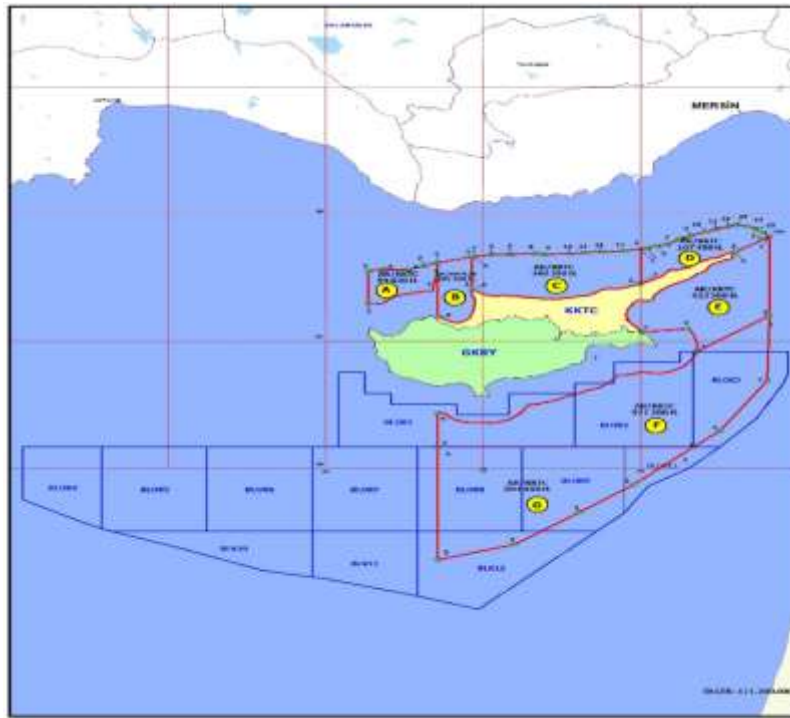
In practice, the agreement signed between the Republic of Turkey and TRNC in New York named as Delimitation of Continental Shelf between Turkey and TRNC, has been approved in parallel with the scientific view presented

³⁰ After the Continental Shelf Agreement signed between the TRNC and Turkey in 2011, the TRNC Council of Ministers convened extraordinarily. In this meeting, the TRNC Council of Ministers has decided to grant oil and natural gas exploration licenses in its maritime zones to Turkish Petroleum Corporation (TPAO).

above. This agreement has been published in Official Journal of the Republic of Turkey on 29th of June 2012 (Journal No: 28351), the law number 6344.

At this point it should be noted that both TRNC and GCASC have given licenses to petroleum companies for hydrocarbon research in the past and these maritime areas are overlapping with each other. Figure 7 shows these licenses. The licenses of the GCASC in the southwest of the island overlap with Turkey's maritime jurisdiction area given in Figure 8.

Figure 7. Licensing agreements; the TRNC (red) and the GCASC (blue)



Source: TRNC Ministry of Foreign Affairs Website, <https://mfa.gov.ct.tr>.

With regards to the solution of the delimitation of maritime jurisdiction areas problem in the south and southeast of the Cyprus Island, the solution of the Cyprus conflict is of utmost importance. Currently, all the treaties signed by GCASC are null and void for Turkey and Turkish Cypriots. After a solution within auspices of the UN is reached, a federal state (or another form of state)

may re-sign these agreements by taking into account the concerns of all the parties (particularly the Turkish Cypriots and Turkey).

At this point, it should be noted that the GCASC and Israel relations have improved following the exploration of the hydrocarbon reserves in the region. However, Turkey and Israel relations have deteriorated since May 2010 when Israel attacked Turkish *Mavi Marmara* aid flotilla headed toward Gaza, killing nine Turks. Turkey does not accept the validity of the agreements signed between the GCASC, Israel, Lebanon and Egypt. To show its position to the world, Turkey is sending war ships to the disputed maritime areas. Also, through its state energy company (TPAO - Turkish Petroleum Corporation), Turkey signed a gas exploration agreement with the TRNC.³¹ Additionally, it sends hydrocarbon exploration ships to the disputed maritime areas. Therefore, it's clear that the current status of Cyprus Island makes things highly complicated, and the delimitation becomes a harder target without the solution of the Cyprus problem. Therefore, the delimitation of maritime jurisdiction areas in region should be made by first taking into account the concerns of the coastal states and by mutual negotiations based on the equitable principles. By keeping the Cyprus conflict greatly out of analysis, Turkey insists that maritime jurisdiction area delimitation should be made according to Figure 8 below. This is also in parallel with the Turkey's historical declarations about this matter.

With regards to delimitation of maritime borders in Eastern Mediterranean, Turkey bases its arguments on equitable, equidistance and proportionality principles, which make Figure 8 of this article. The maritime jurisdiction areas of the Cyprus should be re-analysed in the future according to the newly emerging state's characteristics. In any case, a justice-based division between the two communities of the island should be searched for. The existing agreements (between GCASC and Israel, Lebanon, Egypt) should be re-formulated according to the future solution method of the Cyprus problem (Another UN plan for reunification or a two state solution or else). Here, it should be noted that these agreements have been signed without the consent of the Turkish Cypriots.

31 Antreasyan, "Gas Finds in the Eastern Mediterranean...".

Figure 8. Turkey's maritime jurisdiction area thesis based on equitable, equidistance and proportionality principles of Law of the Sea



Source: Google Earth Website.

From a geopolitical view it is clear that the Mediterranean cannot be closed to Turkey. Therefore, the current Western support to the Greek and the Greek Cypriot policies are not feasible. Turkey, having the longest coasts in the region, has inalienable rights in the region and it will undoubtedly fight for these rights. In this context, Turkey argues that the delimitation should be made by taking into account the geographical factors and the ratio between the coastal lengths of the littoral states. It also proposes that the delimitation should be done on the basis of an equitable solution, as the law of the sea rules on the delimitation of maritime areas clearly state.

An Analysis on the Solution of the Cyprus Problem as a Part of the Delimitation of the Maritime Jurisdiction Areas in the Eastern Mediterranean

The Cyprus problem has been an issue that the international community has kept out of the agenda for years. However, recently, the Cyprus and the Eastern Mediterranean have come to the fore once again due to the oil and natural gas found as a result of the explorations in the south of Cyprus. The Cyprus problem is now at the centre of the disputes over the delimitation of the maritime jurisdiction areas in region. The main reason behind the current tensions in the

Eastern Mediterranean is that the explorations made in recent years regarding the existence of hydrocarbon fields in the basin point to a great energy resource potential. With the explorations, the Cyprus problem, which arose from the inability to reach a joint agreement with Greece and the GCASC on the status of the island of Cyprus, revived and even overflowed into the sea areas by exceeding the land borders of the island.³² These developments are of interest to the Europe, which appears to be a natural market for the hydrocarbon reserves of Cyprus and present more opportunities of energy security for the EU.

Turkey does not accept the GCASC as the legal government of the Republic of Cyprus and also does not recognize the Greek Cypriot Administration. Turkey argues that there is no single authority that represents or actually has jurisdiction over Turkish Cypriots and Greek Cypriots as a whole. Meanwhile, defending that Turkish Cypriots have equal rights and interest in the maritime jurisdiction areas, Turkey states that the southern Cyprus does not represent the Cyprus alone and does not have the authority to conclude a maritime jurisdiction agreement on behalf of the whole of Cyprus.

The solution of the Cyprus problem is interrelated with the delimitation of the maritime jurisdiction areas around the island. Without a solution, questions about the delimitation will continue to exist and the countries of the region will not sufficiently benefit from the hydrocarbon and fisheries reserves of the Eastern Mediterranean. The problems between Turkey and the GCASC hinder the further development of common foreign and security policy of the EU. Turkey rightfully criticizes the isolations against Turkish Cypriots in the international arena. Also, Turkey vetoes NATO membership of the GCASC, and refuses any correlations between the Cyprus conflict and Turkey's EU membership process.

Therefore, one may say that the solution of the Cyprus problem will bring various benefits to region. It will also make the delimitation of the maritime jurisdiction areas an easier task. The oil companies' (such as Exxonmobil, BP, Shell, Total, Lukoil, Noble Energy) increasing interest in the Eastern Mediterranean may push the leaders of both communities of the island to work for a workable solution. Following the discovery of hydrocarbon reserves, the building of pipelines in the Mediterranean Sea and the surrounding region will be another important issue, and for this to happen the solution of the Cyprus problem will be again very important. Besides, as the Cyprus is the only EU member in the region and aligned to the EU regulatory systems, it has the long-term potential to develop into a trading hub-a location where gas trades are conducted. Clearly, political benefits of cooperation in the energy sector would

32 Başeren, "Doğu Akdeniz'de Deniz Yetki Alanları ...", p. 50

be immense for this region, which has always been characterized by inherent political fragility and tensions.³³ Therefore, the current conditions force all the parties involved, towards finding a settlement to the Cyprus problem.

Here, it should be noted that the EU membership of Turkey would make the solution of this problem easier. In a situation where Greece, a unified Cyprus and Turkey are members of the EU, these states will be willing to solve the delimitation of maritime jurisdiction areas problem more enthusiastically. Particularly, Turkey feels isolated from the developments in the EU.³⁴

In the EU, sovereignty disputes are solved more easily because the parties involved consider themselves as members of the same club and respect each other's views. Therefore, the EU's reluctance to include Turkey to the EU creates several problems in the region and makes Turkey an inflexible partner in these disputes. Furthermore, the EU has accepted the Republic of Cyprus (*de facto*: GCASC) as a member of the club, although the Greek Cypriots vetoed the re-unification of the island following the 2004 Referendum of the Annan Plan. Turkish Cypriots, although voted favourably to the re-unification of the island in this Referendum, has been left outside the EU, and been unjustly punished.³⁵ The Turkish Cypriots will feel more secure when a re-unified island emerges as a result of the UN negotiations and Turkey becomes a full member of the EU as their guarantor state.

As to the Turkish Cypriots, the accession of Cyprus to the EU as a divided island has led to a decrease of pro-EU attitudes and, for this reason, the EU has induced incentives to compromise on the dispute. Similarly, to Turkey, the neutrality of the EU has been undermined. Actually, the decision to allow the Greek Cypriots to enter the EU though their rejection of reunion, while the Turkish Cypriots who supported the Annan Plan remained outside, caused a lot of frustration. Therewithal, frustration with the EU grew even bigger, when the promises of the EU to develop relations with the Turkish Cypriots and address its isolation were not materialised since the Greek Cypriot objections. The appeal of the EU amongst the Turkish Cypriots is persistently decreasing. This is also reflected in political issues as more nationalist forces have increased their vote share (This is indeed the main reason of the recent two-state offer for the island by Turkish side).

33 C. Ellinas, "Cyprus As an East Med Gas Trading Hub - Centre of Attraction", *In-Cyprus*, 24 January 2020, <http://in-cyprus.com/40174-2>, Accessed on 20 August 2020.

34 A. Dessi, "Europe and The Eastern Mediterranean: Navigating Complexity, Mitigating Conflict(s) and Fishing for Compromise", in M. Tanchum (Ed.), *Eastern Mediterranean in Uncharted Waters: Perspectives on Emerging Geopolitical Realities Report*, Konrad Adenauer Stiftung, 2021, p. 103.

35 A. Sözen and K. Özersay, "The Annan Plan: State Succession or Continuity", *Middle Eastern Studies*, Vol. 43, No. 1, 2007, p. 139.

What's more, the EU internalised the dispute and allowed the Greek Cypriots to use their membership in order to their positions on the Cyprus problem in more recent years. It has harmed the EU's neutrality. The internalisation of the dispute into the EU has led to a decrease of the EU appeal amongst the Turkish Cypriots. For Turkey, the overall loss of the momentum in the EU accession process, which also directly concerned to barriers posed by internalisation of the Cyprus conflict, has decreased the clarity of the EU reward, the credibility of conditionality, thus incentives to negotiate conditions on the problem. It is indeed a stark contrast to early stages of the process of the EU accession, marked by widespread pro-EU attitudes.³⁶ Therefore, it is clear that the EU involvement in Cyprus problem with a more balanced approach particularly by taking into account Turkish Cypriots and Turkey's views is crucial for the solution of the problem. Moreover, obstacles about the Turkish accession to the EU should be eliminated and Turkey should be integrated to the club for stability in the Eastern Mediterranean. The delimitation of the maritime jurisdiction areas in the region will also be made more easily if the EU takes these steps.

Although the option of transporting the Eastern Mediterranean gas to Europe via Turkey is more convenient financially, in order not to involve Turkey in the process and not to depend on Turkey in energy, the gas extracted from the region is planned to be transported under the Mediterranean via a pipeline called EastMed. This was decided upon by an agreement signed on 2 January 2020 in Athens, Greece. The main aim of the project, signed by Israel, Greece and the GCASC, is to transport Israeli gas to Europe without using Turkey's maritime areas. According to this project, the natural gas to be extracted from Israel will first come to the GCASC through underwater pipelines, and continue to the island of Crete, then reach Europe via Greece and Italy. But energy experts state that excluding Turkey in the EastMed project will triple the cost of the project and the chance of implementation of the project is highly difficult.

Conclusion

The delimitation of the maritime jurisdiction areas in the Eastern Mediterranean is of crucial importance for the security of the region. The ample hydrocarbon reserves in the seabed increase the importance of this dispute. That said, the presence of the island of Cyprus conflict makes a possible solution a harder target to achieve. This article has summarized the Turkish perspective on the delimitation dispute of maritime jurisdiction areas in the Eastern

36 G. Kyris, "Europeanisation and Conflict Resolution: The Case of Cyprus", *IBEI (Institut Barcelona d'Estudis Internacionals) Working Papers*, No. 39, 2013, p. 11.

Mediterranean and offered a mutual settlement based on the equitable principles of international law of the sea. Hopefully, the ample hydrocarbon reserves will help the states of the region to reach a consensus about the delimitation of the maritime areas in the near future. Satisfying the legitimate interests of all states in the region is important, not simply as a matter of state's rights, but because the establishment of some degree of cooperation is essential to ensuring that the extraction of these ample resources takes place in a manner that is economically both safe and viable. Furthermore, the economic arguments for cooperation are highly strong. Although some might argue that energy conflicts are a zero-sum game, in which one state's gain with regards to hydrocarbon reserves is another's loss, cooperation would actually benefit all involved for several reasons. Conflicts over natural gas and oil could inhibit fishing and commercial ship traffic, which would take a toll on these economic sectors. Conflict is expensive, requiring states to increase their expenditures on security, which would in turn raise the cost of extracting hydrocarbon reserves. Additionally, cooperation between states could be associated with exploiting. In the case of hydrocarbon resources extracting along the borders of exclusive economic zones, shared pipelines and infrastructure could increase profits and make the extraction of reserves in the maritime areas more feasible.³⁷

In this context, the Turkish perspective on the delimitation of maritime borders in the Eastern Mediterranean is based on respecting all the parties' rights in the region. As a country, which has the longest coast in the Eastern Mediterranean, Turkey has always reiterated that it won't accept a solution that greatly closes Mediterranean to its use, the map of which is given with the Figure 2 of the article. Furthermore, with regards to the solution of the Cyprus problem and re-unification of the island, it has shown good faith, and this was particularly visible in its clear acceptance of the UN sponsored Annan Plan in 2004. Turkey's maritime jurisdiction area delimitation thesis based on the equitable principles in the Eastern Mediterranean, is also acceptable and reasonable. Turkey wishes to cooperate with the states of the region in finding a solution to the delimitation of maritime boundaries, yet it does not want its and Turkish Cypriots' rights to be disregarded.

This article has tried to show that Turkish perspective concerning the delimitation of maritime jurisdiction areas in the Eastern Mediterranean is indeed based on the law of the sea. In the future, Turkey will work together with the states of the region as long as they try to reach an equitable solution in accordance with the international law. The hydrocarbon reserves of the region should function as a catalyst for the states to work together and delineate the maritime borders.

37 Stocker, "No EEZ Solution...", p. 597.

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