

16 islands issue in Turkish domestic and foreign policy

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ABSTRACT

There are ongoing disputes between Türkiye and Greece over the Aegean Sea, specifically regarding territorial waters, the continental shelf, the demilitarized status of the Eastern Aegean Islands, the legal status of certain geographical features in the Aegean, and issues related to Aegean airspace and Search and Rescue (SAR) operations/activities. This study focuses on the legal status of certain geographical features in the Aegean, also known as 'gray zones.' The gray zones problem emerged in the late 1930s and has persisted ever since, with no resolution expected in the near future. While the issue appears to have receded from public attention for now, it is likely to resurface as the political agenda changes. This study addresses these questions: What is the legal status of geographical formations defined as grey zones in the Aegean? Why did the issue gain prominence between 2012-2018 and then diminish after that?

KEYWORDS

Türkiye, Greece, conflict, The Aegean Sea, Gray Zones.

Türk iç ve dış politikasında 16 Adalar meselesi

ABSTRACT

Türkiye ile Yunanistan arasında Ege Denizi konusunda karasalarının belirlenmesi, kıt sahanlığı, Doğu Ege Adalarının silahsızlandırılmış statüsü, Ege Denizi'ndeki bazı coğrafi formasyonların yasal statüsü, Ege Denizi üzerindeki hava sahasının paylaşımı ve Uçuş Bilgisi Bölgesi (FIR) sorumluluğu, Arama Kurtarma faaliyetlerinde sorumluluk olmak üzere devam eden anlaşmazlıklar bulunmaktadır. Bu çalışma, 'gri bölgeler' olarak da bilinen Ege'deki bazı coğrafi formasyonların hukuki statüsüne odaklanacaktır. Gri bölgeler sorunu 1930'ların sonunda gündeme gelmiş ve bu konuda kimi gelişmeler cereyan etmiştir. Ne var ki bu gelişmeler sorunu kesin bir biçimde çözememiştir. 1980'ler ve 1990'lar gibi sonraki dönemlerde de zaman zaman gündeme gelmiş; hatta iki ülkeyi savaşın eşiğine kadar getirmiştir fakat yine de çözüme kavuşturulamamıştır. Bu sorun yakın gelecekte de çözülecek gibi görünmemektedir. Konu şimdilik geri çekilmiş gibi görünse de siyasi gündem değişikçe yeniden gündeme geleceği söylenebilir. Bu çalışmada şu sorulara cevap aranacaktır: Ege'deki bazı coğrafi özelliklerin hukuki statüsü konusu nedir? Konu neden 2012-2018 arası dönemde popüler olmuş ve sonrasında azalmıştır?

KEYWORDS

Türkiye, Greece, conflict, The Aegean Sea, Gray Zones.

Introduction

Several disputes between Türkiye and Greece related to the Aegean Sea remain unsolved. According to the Turkish Ministry of Foreign Affairs' assessment, these conflicts include: i. maritime jurisdiction areas, covering the continental shelf and the territorial waters; ii. the demilitarization of the Eastern Aegean Islands; iii. the legal status of particular geographical

formations in the Aegean; iv. Aegean airspace; and v. Search and Rescue (SAR) operations/activities (Foreign Affairs Ministry, The Outstanding Aegean Issues).

Greece appears to hold a stronger position on some issues compared to Türkiye. Consequently, when crises arise, Greece tends to assume an active position while Türkiye adopts a more reactive stance. For instance, when the Greek Parliament announced its intent to declare 12 nautical miles of territorial waters in the Aegean Sea in June 1995, a declaration was read and applauded in The Grand National Assembly of Türkiye–GNAT (Türkiye Büyük Millet Meclisi–TBMM) on June 8, 1995, stating that:

"...The Grand National Assembly of Türkiye, while hoping that the Greek Government will not take a decision to extend territorial waters in the Aegean beyond 6 miles so as to disrupt the balance established by Lausanne, decided to fully authorize the Government of the Republic of Türkiye to take all necessary measures, including military ones, to preserve and protect the vital interests of our country and to declare the situation with friendly senses to Greek and world opinion."¹ (T.B.M.M. Tutanak Dergisi, 1995, p. 137)

This statement is widely accepted as a Turkish *casus belli*. Notably, the statement was never put to a vote. After the reading of the declaration, the Speaker of GNAT stated that the chairmanship would exercise the requirements of the declaration and proclaim it. Subsequently, some deputies asked the Speaker whether the declaration would be put to a vote, and the Speaker responded that voting was unnecessary and that they would fulfill the requirements (T.B.M.M. Tutanak Dergisi, 1995, p. 137). Regardless of the legal status of this declaration, it is considered by both sides to be a *casus belli*.² Since 1995, this *casus belli* has resurfaced periodically in line with the fluctuating Turkish-Greek relations. In 2018, amid rising tensions over the Eastern Mediterranean, Turkish Minister of National Defence Hulusi Akar referred to the 1995 Declaration and stated that Türkiye continued to support the decision and would take the necessary measures if any decision violating Türkiye's rights and interests were undertaken (Sabah, 2018).

This incident is presented to demonstrate the gravity of the situation for Türkiye, but this study focuses on the third issue mentioned above: the legal status of certain geographical formations in the Aegean. Between 2012 and 2018, this issue was far more prominent in Türkiye, but after 2018 the attention diminished although no substantive change occurred. This study also addresses these questions: What is the issue of the legal status of certain geographical formations in the Aegean? Why did the issue gain prominence between 2012-2018 and then diminish? A brief history of the problem will be presented to understand the historical and legal aspects of the problem. A political analysis will be conducted within the framework of the positions of political parties vis-à-vis one another (government/opposition) and their attitudes (opposing/cooperating).

Historical and legal background of Gray Zones in Aegean

Some use the term "gray zones" to refer to the islands, islets, and rocks whose legal status is contentious between Türkiye and Greece. Others use the term 'twilight zones' (Kurumahmut & Başeren, 2004). The Turkish National Security Council and Turkish Armed Forces General Staff use the acronym EGAYDAAK (*Eğemenliği Antlaşmalarla Yunanistan'a Devredilmemiş Ada, Adacık ve Kayalıklar*–Islands, Islets And Rocks in the Aegean Which Were Not Ceded To Greece By International Treaties) (Gürdeniz, 2014).

The Aegean Sea and islands remained under Ottoman sovereignty for a long period. The Ottoman Empire conquered and annexed Taşoz (Thasos), Semadirek (Samothrace), Limni

¹ Translation was made by the authors; it is not the official translation.

² I.e. http://www.mfa.gov.tr/interview-of-h_e_-mr_-mevlut-cavusoglu-to-ta-nea-1-sep-18_tr.tr.mfa, <https://www.mfa.gr/en/issues-of-greek-turkish-relations/> (Retrieved 16.01.2020).

(Lemnos), Gökçeada (Imbros), and Bozcaada (Tenedos) in 1456; Eğriboz (Evia/Negroponte) and Şeytan Adası (Sporad) in 1462; Sisam (Samos) in 1479; Rodos (Rhodes) and the other Dodecanese islands in 1522; Kerpe (Karpathos), Çoban (Kasos), and all the Kiklat (Cyclades) islands between 1534 and 1545; Sakız (Chios) and circumjacent islands in 1566; Girit (Kriti) in 1669; and İstendil (Tinos) in 1718 (Ince, 2013). This situation continued until 1830. The Russian Empire, The Kingdom of France, and The United Kingdom of Great Britain and Ireland signed The London Protocol on February 3, 1830. According to the Protocol, Greece became an independent state and the sovereignty of Evia/Negroponte, Skyros, Sporades, and the Cyclades islands including Amargos were granted to this newly established state (Karğın, 2010, p. 9).

During the Italo-Turkish War of 1911-1912, Italy invaded the Dodecanese islands along with Rhodes in order to block aid from the center to Tripoli and to force the Ottoman Empire to make peace. The Treaty of Ouchy of October 18, 1912, that ended the Italo-Turkish War stipulated Italy's withdrawal from the islands in exchange for the recall of Ottoman soldiers from Tripoli and Benghazi. However, Italy did not evacuate the islands, giving the local resistance as an excuse after the withdrawal of Ottoman soldiers. The Ottoman Empire could not object to that situation because the Balkan War was approaching and had to accept it tacitly (Durgun, 2014, p. 137).

The Greek invasion of the Aegean islands amid the Balkan Wars was the next step in removing Ottoman sovereignty over the islands. Greece occupied Lemnos, Imbros, Thasos, Evstratios, Samothrace, Tenedos, Ipsara, Ikaria, Chios, and Lesvos islands in 1912. When the negotiations reached a deadlock in the conference to end the Balkan War, Greece occupied Kastellorizo and Samos islands. The Treaty of London was signed on May 30, 1913, between the Ottoman Empire and Balkan states. The Ottoman Empire agreed that the future of the Kriti Island was going to be determined by Balkan states, renouncing its rights to the island, and that the status of other Aegean islands would be determined by the six great powers (Britain, Italy, France, Russia, Germany, Austria-Hungary). That decision was confirmed with the Treaty of Athens on December 14, 1913, between the Ottoman Empire and Greece. The six great powers declared their decision about the issue to Greece on February 13, 1914, and to the Ottoman Empire the next day. According to the decision, islands under Greek occupation other than Imbros, Tenedos, and Kastellorizo were put under Greek sovereignty on condition of not being armed by the date of February 13, 1914 (Ince, 2013, p. 108). Italy declared that it abrogated the Treaty of Ouchy amid World War I when Britain, France, and Russia agreed to give it the right of sovereignty over a piece of land in Anatolia and the Dodecanese. However, by the Treaties of Paris Article 14, which was signed to end World War I, Italy was required to renounce all its rights and property over Rhodes, Halki, Karpathos, Tilos, Leipsoi, Nisiros, Astipalaia, Kalimnu, Leros, Patmos, Symi, and Kos islands and the dependent islets thereon in favor of Greece. The status was altered by means of the Treaty of Sevres, and by Article 122 of the treaty, in favor of Italy, Türkiye waived all its rights and property over the Aegean Sea islands. The islands in question are as follows: Rhodes (Rhodos), Stampalia (Astropalia), Scarpanto, Calki (Kharki), Casos (Casso), Misirios (Nisyros), Pscopis (Tilos), Calymnos (Kalymnos), Leros, Lipsos (Lipso), Patmos, Sini (Symi), and Cos (Kos), which are now controlled by Italy, and the islets dependent thereon, and also over the Castellorizzo island (Karğın, 2010, p. 20).

Italy alienated the islands other than Rhodes and Castellorizo in favor of Greece by the Bonin-Venizelos Agreement, which was agreed to come into force by the Treaty of Sevres. But Italy declared that the agreement was nullified on October 8, 1922, and the islands would be under Italian mandate (Karğın, 2010, p. 21).

In the year 1923, the Treaty of Lausanne was signed after The Independence War of Türkiye (or the Greco-Turkish War). Through this treaty, the borders of the Turkish Republic—including sea borders—were defined. In accordance with Article 6, 'when no contrary provisions are present, the existing Treaty includes islands and islets located within three miles of the coast into the coastal State's frontier' and pursuant to Article 12 'if there is no contrary provision in the current

Treaty, control of the islands lying at less than three miles from the Asiatic coast belongs to Türkiye.' As per Article 15, in favor of Italy, Türkiye waived all its rights and property over the following islands: Rhodes (Rhodos), Stampalia (Astropalia), Scarpanto, Calki (Kharki), Casos (Casso), Misiro (Nisyros), Pscopis (Tilos), Calymnos (Kalymnos), Leros, Lipsos (Lipso), Patmos, Sini (Symi), and Cos (Kos), which are now controlled by Italy, and the islets dependent thereon, and also over the Castellorizzo island.' Through Article 16, Türkiye waived 'all rights and properties whatsoever over or concerning the territories located outside the borders conditioned in the existing Treaty and the islands apart from the ones over which her sovereignty is recognized by the aforesaid Treaty, the future of the mentioned territories and islands being settled or to be settled by the parties involved.' Article 12 is related to Greek sovereignty over certain islands. Article 12 notes that 'the decision made on February 13th, 1914, by the Conference of London, through Articles 5 of the Treaty of London of May 17th-30th, 1913, and 15 of the Treaty of Athens of November 1st-14th, 1913, the decision of which was conveyed to the Greek Government on February 13th, 1914, concerning Greece's sovereignty over the Eastern Mediterranean islands, aside from the islands of Imbros, Tenedos, and Rabbit Islands, especially the islands of Mytilene, Lemnos, Samos, Samothrace, Nikaria, and Chios, is approved.' (Ministry of Foreign Affairs, Lausanne Peace Treaty, Part I. Political Clauses).

In 1927, Türkiye-Italy relations started to thrive with then-Foreign Affairs Minister Tevfik Rüştü Aras's visit to Italy, and on May 30th, 1928, the Treaty of Neutrality, Conciliation, and Judicial Settlement was signed between The Republic of Türkiye and the Kingdom of Italy. Another visit by Tevfik Rüştü Aras brought about a decision to take the disagreement about Meis/Castellorizo and other islands to the Permanent Court of International Justice (PCIJ) pursuant to the 1928 treaty. The efforts continued to resolve the controversy through bilateral negotiations while the two parties applied to the PCIJ to determine the boundary of the territorial waters between the coasts of Anatolia and the island of Castellorizo. Based on the protocol formed by the Turkish-Italian Joint Commission, which met in Ankara on June 18th, 1931, the Convention was signed between Türkiye and Italy on January 4th, 1932. The case was removed from the Court's list by the PCIJ after the agreement of the two parties to break off the proceedings (Başeren, 2006). The sovereignty of Türkiye over Ochendra (Uvendire), Volo (Gatal-Ada), Kato Volo (Katovolo), Fournachia (Furnakya), Prassoudi (Prasudi) (south-east of Catovolo), and the islets of Tchatallota, Agricelia reef, Nissi-Tis-Pighi, Proussecliss (rock), Pighi, Kato Makri (including the rocks), Pano Makri, Marathi, Dacia (Dasya), Roccie Voutzaky (Rocci Vutchaki), Prassoudi (north of Dacia), Nissi-Tis Dacia, Caravola (Karavola), Alimentarya (Alimentaria) was recognized by the Government of Italy in accordance with Article 1 of the Convention. Turkish sovereignty over the Kara-Ada islet lying in the Bay of Bodrum was certified by Article 2. By Article 3, the sovereignty of Italy over the islets located in the zone was restricted by a circle, the dome of the Church of the town of Castellorizo being its center and the distance between that center and Cape San Stephano (windward side) being its radius, that is, St. George (two islands were included in No. 236 of the English map: St. George in the south and Agrielaia island in the north), Polyphados, Psoradia, Psomi (Strongylo, English map 236), Mavro Poinaki (Mavro Poinachi), Cutsumbora (Koutsoumbas) (Rocks), Mavro Poinis (Mavro Poini) was recognized by The Turkish Government. Besides the islets included in the above-stated circle, the islets of Ross, Hypsili (Strongyli), and St. George (Rho), and Dragonera were also to be under the sovereignty of Italy (Resmi Gazete, 1933, p. 2173).

Article 5 provides detailed specifications of the points to delimit the territorial waters. Article 5 contains the phrase 'the general maritime frontier which is not under discussion between Türkiye and Italy'. Regarding that expression, the Ministries of Foreign Affairs of both sides exchanged letters agreeing that technicians from both sides would convene to determine that frontier. Technicians met on December 28, 1932, and determined 37 points, of which the 30th point was situated between the Kardak/Imia rocks of Italy and the Çavuş/Kato Island of Türkiye (Denk, 1999). (The December 28, 1932, document would be brought against Türkiye during the Kardak/Imia crisis. Türkiye would counter that legal procedures with regard to the December

28, 1932, document were not completed. Neither was it registered with the League of Nations. (Ministry of Foreign Affairs, Background Note on Aegean Disputes)

Lastly, the 1947 Paris Peace Treaties should be referred to as they contain an article about the Aegean islands. Article 14 of the 'Treaty of Peace with Italy' is as follows:

"1. Italy hereby cedes to Greece in full sovereignty the Dodecanese Islands indicated hereafter, namely Stampalia (Astropalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipso), Simi (Symi), Cos (Kos) and Castellorizo, as well as the adjacent islets.

2. These islands shall be and shall remain demilitarized...."

Greece demanded that a reference be made to the above-mentioned January 4, 1932, Convention and the December 28, 1932, document while determining the frontiers of islands that would be transferred to it in the preparation phase of the Paris Treaties. However, this demand was not accepted by the Conference although it was accepted by the Law Commission and Subcommittee of Maritime Experts (Başer, 2006, p. 62-63).

The legal documents concerning the issue are summarized above. The issue of gray zones stems from divergent interpretations of these documents. Greece claims that it has all rights and titles over Aegean islands other than Gökçeada, Bozcaada, Tavşan islands, and the ones situated less than three miles from the Asiatic coast. In contrast, Türkiye claims there are Aegean islands whose sovereignty was not automatically transferred to Greece by the mentioned documents; thus, their status has to be determined between Türkiye and Greece.

Minister of Interior Şükrü Kaya, who was born on İstanköy (Kos) Island, reviewed and examined the Lausanne Treaty, especially the 12th and 15th articles that are about Aegean islands in the 1930s. He even sent inspectors to the field to assess the situation. After serious efforts, he realized that hundreds of islands were unclaimed. After the matter was communicated to Atatürk, many civil and official boats sailed to the islands. Numbers and markers were put on the unclaimed islands, and even lighthouses and posts were built on some bigger ones. As the story goes, an Italian attaché went to the Turkish Armed Forces General Staff asking about Turkish intentions and requesting evacuation of a small islet near Kalimnos Island. As no other objection was raised against those actions, hundreds of islands became Turkish soil (Tepedelenlioğlu, 1967; akt. Keser & Ak, 2013).

The disputed islands, islets, and rocks became popular all of a sudden in 1995 during the well-known Kardak/İmia crisis. There were some other minor crises, but none of them drew attention as the Kardak/İmia crisis did. In 1996, when Greece demanded that the Gavdos (Keçi) island be included in the NATO maneuver, Turkish authorities objected to this demand as the status of Gavdos was disputed. The Turkish action caused harsh repercussions. That crisis ended when US authorities declared Gavdos to be a Greek island (Fırat, 2002a, p. 470).

In April 2005, when a Greek fishing boat came near the Kardak/İmia rocks, Turkish and Greek forces embarked on the zone and pointed guns at each other. Tensions could be lowered only by top-level contacts. Similarly, in December 2006, January 2007, January, and December 2010, coast guard forces of each state confronted one another when the fishermen of both sides approached the zone (Dayoğlu, 2013, p. 584).

During this period, Türkiye and Greece started to negotiate confidence-building measures (CBMs) at the end of 2000. The CBM process aims to reduce the risk of conflict and to improve bilateral confidence (Dışişleri Bakanlığı, Son Gelişmeler). CBM negotiations are still continuing; Turkish and Greek Ministry of National Defence delegations convened in February 2020 in Athens. But it took a rocky road to reach this point. Türkiye granted the Turkish Petroleum Corporation 27 licenses to explore petroleum in the Aegean Sea on October 18, 1973. This was protested by Greece on February 7, 1974, and in response to this, Türkiye gave a note to Greece on February 27, 1974. A war of notes took place while and after the Turkish ship cruised in the

Aegean. On August 6, 1976, the Turkish ship Hora sailed to the Aegean Sea with the escort of ships of Turkish Naval Forces and entered the zone where Greece claimed to be under its sovereignty and Türkiye claimed to be the open sea. On August 10, 1976, Greece applied to both the International Court of Justice and the United Nations Security Council but could not achieve what was expected (Fırat, 2002b, p. 756-757). An agreement was signed between Türkiye and Greece on November 11, 1976, in Bern; under this agreement, 'The parties agreed to hold negotiations aiming to reach a settlement about the delimitation of the continental shelf' and to undertake 'to refrain from any interference or acts against the Aegean continental shelf' (Foreign Affairs Ministry, The Delimitation of the Aegean Continental Shelf). The Bern Declaration settled things down for a time until another crisis broke out in 1987. The mentioned crisis was concerning the exploration of petroleum on the controversial continental shelf one more time. The problems relevant to that crisis were settled, and the Davos Spirit prevailed in the relations between Greece and Türkiye for a while. Various agreements such as the 1988 Memorandum of Understanding on Confidence-Building Measures and Guidelines for the Prevention of Incidents on the High Sea and International Airspace were included in the Davos process. The year 1996 marked the widely-known Kardak/İmria crisis. After the crisis, the Madrid Declaration was released in 1997. 'Madrid Declaration referred to the demand for a peaceful resolution of conflicts, to the respect of the sovereignty of both states, and to complying with international agreements and international law' and 'to the respect of the legal and crucial interests of both sides in the Aegean Sea' (Heraclides, 2010, p. 135). In June 1988, an agreement was reached by Greece and Türkiye that the 1988 Memoranda of Understanding concerning the Confidence Building Measures in the Aegean would be completely put into practice (Foreign Affairs Ministry, Settlement Reached between Greece and Türkiye concerning the Confidence-Building Measures in the Aegean June 5, 1998).

In March 2002, 'Greek-Turkish exploratory talks' were launched between officials of the Ministries of Foreign Affairs of the two states. Nationalist Movement Party (Milliyetçi Hareket Partisi-MHP) Deputy Esat Öz submitted a written question in GNAT on February 14, 2002, to be answered by then-Minister of Foreign Affairs İsmail Cem. Öz stressed that Turkish and world public opinion had knowledge of contacts between Türkiye and Greece about common problems of the two countries and asked if the Cabinet was informed regularly about the theme and course of these contacts and if there were other common problems other than Cyprus, Türkiye's accession to the EU, and territorial waters in the Aegean Sea. That written question was not answered in the legal period. Later, Greek authorities proclaimed that only issues about territorial waters were negotiated, while Turkish authorities stated that all issues in the Aegean were approached. Kostas Simitis expressed, in his memoir he wrote after leaving the Prime Minister's Office, that the status of islands and islets like Kardak/İmria and territorial waters were negotiated in the exploratory talks, which proved Türkiye right (Ministry of Foreign Affairs, Agreement Reached by Türkiye and Greece Regarding the Confidence-Building Measures in the Aegean June 5, 1998). The exploratory talks started in 2002 in the period of a coalition government of Democratic Left Party (Demokratik Sol Parti-DSP), Nationalist Movement Party (Milliyetçi Hareket Partisi-MHP), and Motherland Party (Anavatan Partisi-ANAP). After the general elections in November 2002, Justice and Development Party (Adalet ve Kalkınma Partisi-AKP) came to power and has been ruling Türkiye since then. The exploratory talks did not stop despite the political change, and a total of 60 exploratory talks were held until 2016 (Anadolu Ajansı, 2021).

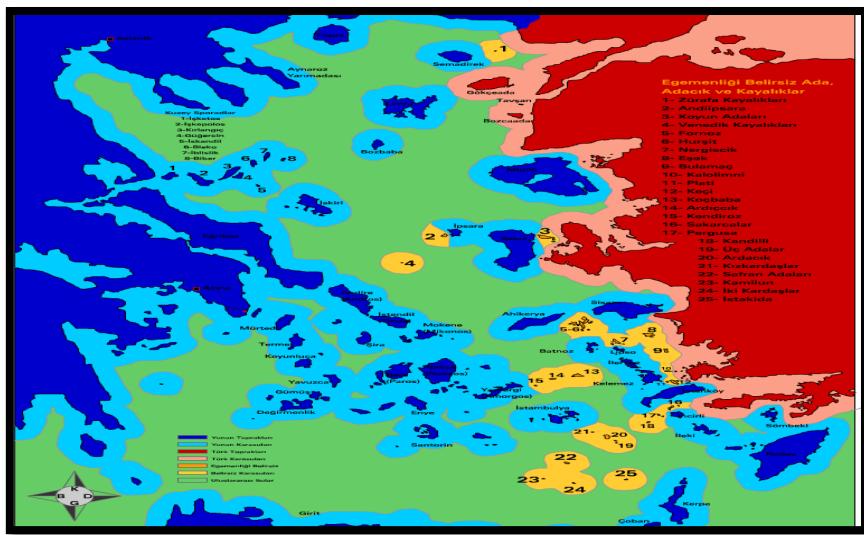


Figure 1 Gray Zones

(Yellow zones are undetermined territorial waters and the numbers in these zones show sovereignty-disputed islands, islets, and rocks. Source: F. Aydin, (2016, August 4). "Ege Denizi'ndeki Adalarımız İşgal Altında!", Stratejik Ortak, <https://www.stratejikortak.com/2016/08/ege-denizi-isgal-altindaki-adalar.html>, Retrieved on 10.04.2020)

Deputy Erkan Akçay (MHP) was concerned about the occupied Turkish islands in the Aegean Sea. He submitted many written questions to GNAT about the issue. In his written questions, he mentioned that Eşek and Bulamaç islands were brought under Turkish mandate in the era of Suleiman the Magnificent (Kanuni Sultan Süleyman) and had been displayed under Turkish sovereignty in every legal document for 463 years. Eşek and Bulamaç islands belong to Türkiye under the provisions of the Treaty of Lausanne and Paris. These islands were displayed under Turkish sovereignty on some military maps of England and the USA. People visited these uninhabited islands for picnics and seaside activities until 2004, but after that, Greek people and soldiers settled on them, and Turkish people were not allowed to travel without passports. In addition, the Republic of Türkiye paid the share of the islands of the Ottoman general debt under the provisions of the Treaty of Lausanne (Written Question of Deputy Erkan Akçay, 2012a). He tried to prove that those islands were undoubtedly Turkish soil that had been under Greek occupation. He also asked then-Minister of Foreign Affairs Ahmet Davutoğlu if they were committing a crime by ignoring the Greek occupation of these islands under the provisions of Article 302 of the Turkish Criminal Code, which states:

"Any person who causes partition of the country by allowing another country to rule part or whole of Territorial land, or breaches National Unity, or shows consent to separation of certain portion of the territory under the sovereignty and administration of the State and executes acts aimed to weaken the independence of the State, is punished with heavy life imprisonment."³ (Written Question of Deputy Erkan Akçay, 2012b).

Turkish political parties' approaches to the Gray Zones issue

Much news was made about the issue and some of them were brought to GNAT after 2004. On 26 November 2004 deputy of Republican People's Party (*Cumhuriyet Halk Partisi-CHP*) Onur Öymen submitted a written question to be answered by then-Minister of Foreign Affairs Abdullah Gül of AKP. In this question Onur Öymen stressed that according to the news Greece has hoisted

³Translation extracted from:
<https://staff.emu.edu.tr/alexanderchefranov/Documents/CMPE455/Turk%C4%B1sh%20Cr%C4%B1m%C4%B1nal%20Code.pdf>.
(Retrieved 11.02.2020)

her flag on some islands near Türkiye; whether these islands are on the disputed islands list which has been formed by Turkish Armed Forces General Staff or not; if they are on the list, what kind of reaction was raised by the government against Greek attempt to accomplish sovereignty over the islands by *de facto* actions and what precautions would the government take. That written question was not answered within the legal period. Another written question was submitted by another CHP deputy in 2004 but after that, the issue seemed to fade away for a period.

Greece embarked on some initiatives to open 11 islands –3 of them in the Mediterranean– for artificial settlement. In 2011 then-leader of Democrat Party (*Demokrat Parti-DP*) Namık Kemal Zeybek stated that Greece invaded *Bulamaç*/Farmakonisi and *Eşek*/Agathonisi islands since 2004, a church has been built on *Eşek* Island and the Greek flag has been hoisted. Ex-colonel and ex-Secretary General of the Ministry of National Defence Ümit Yalım mentioned Greece has opened *Eşek* and *Bulamaç* islands for settling, established municipality, police, and first aid organizations, hoisted Greek flag, deployed armed soldiers, equipment, and assault boats (Yılmaz, 2012). Ümit Yalım and then-deputy chairman of DP Bünyamin Altunelli exhibited the mentioned church and soldiers in Greek uniform in a press conference (CNN Türk, 2011). Thus "16 islands" has stepped into Turkish political life. The number varied from time to time and some rocks have been added to the list but the main interest has been on those islands: *Koyun*/Inuses, *Hurşit*/Fimena, *Fornoz*/Fournoi, *Eşek*/Agathonisi, *Nergizçik*/Arki, *Bulamaç*/Farmakonisi, *Kalolimnoz*/Kalolimnos, *Keçi*/Pserimos, *Sakarcılar*/Yali, *Koçbaba*/Levita, *Ardacık*/Sirna, *Gavdos*, *Dhia*, *Dionisades*, *Gaidhouronisi*, *Koufonisi*. Then *Venedik Kayalıkları*/Akrotiri was added to the list and there was news in the Turkish press of the Greek invasion of Marathi Island (Turkishnews, 2020).

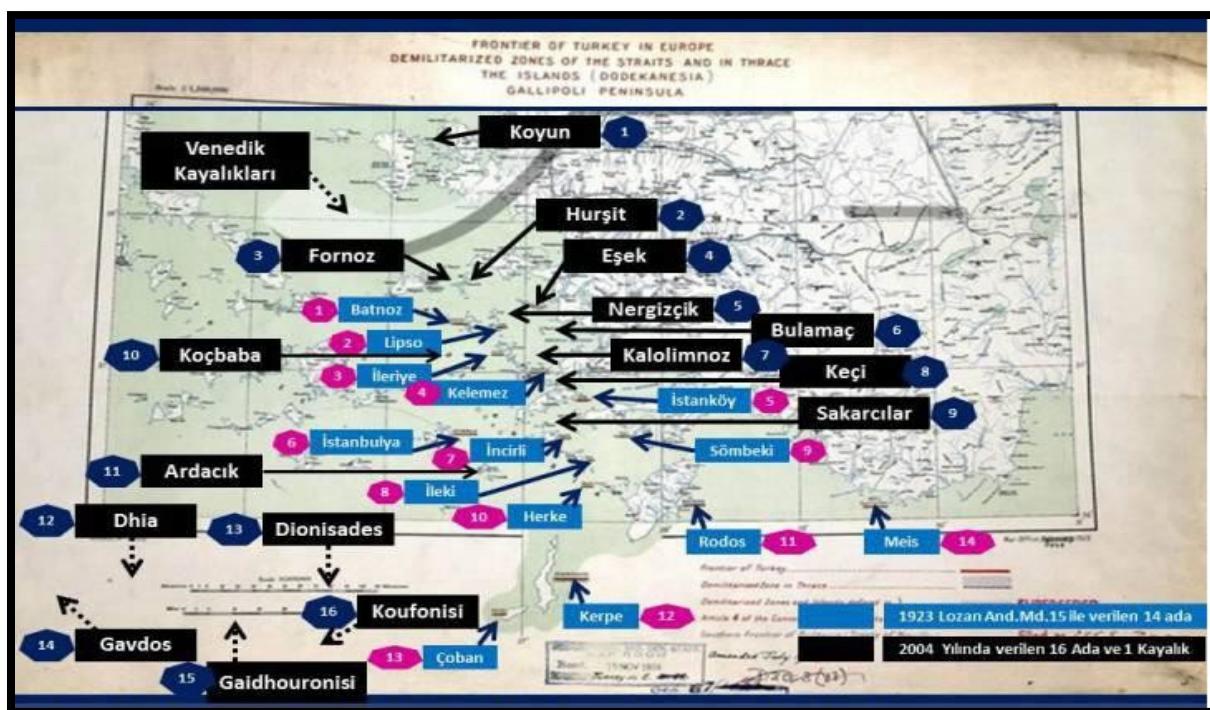


Figure 2 (In black) Occupied Turkish islands in Turkish media

(Blue: 14 islands that were disposed with the Article 15 of Treaty of Lausanne. Black: 16 islands and 1 rock that were disposed in 2004. Source: F. Aydin, (2016, August 4). "Ege Denizi'ndeki Adalarımız İşgal Altında!", Stratejik Ortak, <https://www.stratejikortak.com/2016/08/ege-denizi-isgal-altindaki-adalar.html>, Retrieved 14.04.2020).

In 2016, Kemal Kılıçdaroğlu, the leader of CHP, stated that Greek flags were hoisted on 18 Turkish islands. A few days later, there was news in the AKP opposition newspaper 'Sözcü' remarking that the number of occupied Turkish islands had risen to 18 as Marathi Island

appeared to be under Greek occupation since 2004, which was undoubtedly Turkish soil according to the January 4, 1932, Convention between Italy and Türkiye (Gürses, 2016). A few days after that news, another report appeared in the newspaper 'Star' (generally referred to as an AKP supporter) declaring that Kılıçdaroğlu and Sözcü were mistaken, as there were 2 different Marathi islands—one in the Aegean and one in the Mediterranean. The Marathi Island that was mentioned in the January 4, 1932, Convention between Italy and Türkiye was the one in the Mediterranean, and the Turkish flag has been waving over it since 1932; the name of the island was 'Gürmenli' (Star, 2016).

There were many other initiatives by Ümit Yalım about the Aegean islands, and they became popular through newspapers. A lot of news started to be made by newspapers and TV programs. When the issue became popular, it was immediately brought to the agenda of GNAT by the opposition parties through some control mechanisms like written questions and parliamentary inquiries. A written question is "a question asked by deputies to the vice presidents or ministers in written form, which is to be answered no later than fifteen days," and a parliamentary inquiry is "an examination conducted to obtain information on a specific subject" (TBMM, n.d.).

The year 2007 marked a major turning point in Turkish political life. The presidential election crisis—widely known as the "367 Crisis"—triggered early elections and gave rise to one of the most heated electoral contests in the country's history. In the general elections of July 22, 2007, the AKP secured 46.58 percent of the vote, emerging from the crisis with greater strength and consolidating its dominance within the political system. At the same time, the MHP re-entered parliament with 14.27 percent of the vote (Habertürk, 2007). Shortly thereafter, on October 21, 2007, a constitutional referendum was held. Among other changes, the referendum introduced the popular election of the president, and the package was approved by 68.95 percent of the electorate (YSK, 2007). Considering these developments, analyzing parliamentary written questions and motions for inquiry on the Aegean islands issue from 2007 onward can shed light on how the popularity of this matter evolved. Yet, between 2007 and 2011, the Aegean islands question was absent from the parliamentary agenda, both in the form of written questions and inquiry motions. This period was instead dominated by debates over civilianization, constitutional reform, and the consolidation of political power. Following the general elections of June 12, 2011, where the AKP won a third term with 49.8 percent of the vote, Turkish foreign policy largely revolved around the Arab Spring and the Syrian civil war. From 2012 onwards, however, the Aegean islands issue gradually resurfaced in parliament, mainly raised by retired military officers and opposition parties. Starting in 2012, numerous written questions were submitted to the Office of the Speaker of GNAT by deputies of opposition parties. As mentioned above, two CHP deputies submitted written questions to the Speaker of GNAT in 2004, but then gray zones seemed to be forgotten for a time. When the issue became popular in 2011-2012, the opposition parties began to act. A quick search on the official website of GNAT gives the results of written questions (including the keywords (Aegean) "Ege" or (Greece) "Yunanistan") about Aegean islands:

Table 1 Written questions submitted by parties

	CHP	MHP	İyi Parti
2007	None	None	-
2008	None	None	-
2009	None	None	-
2010	None	None	-
2011	None	None	-
2012	5	1	-
2013	3	3	-
2014	1	2	-
2015	6	4	-
2016	3	6	-
2017	8	None	2

2018	7	None	3
2019	4	None	1
2020	3	None	3
2021	None	None	1
2022	None	None	None
2023	1	None	1
2024	1	None	2

(December 2024)

The table may be misleading about the Good Party (İyi Parti, İP). There are no numbers for İP until 2017 because İP was founded in 2017. After 2015, a group within MHP criticized their leader Devlet Bahçeli, initiated serious opposition, and demanded change within the party. Prominent opponents like Meral Akşener were dismissed from MHP, and those opponents established İP in 2017. İP gained 43 seats in the parliament after the 2018 general elections. Before that, when the party was established in 2017, six deputies of MHP transferred to İP, and one of them submitted a written question in 2017 as an İP member. It is written '2' in 2017 for İP because one independent deputy submitted one question about the issue and then transferred to İP. That is why it was added to the İP column.

The decline in the number of submitted written questions after 2018 stands out. What might be the reason for that? The answer to that question is related to the very nature of the issue at hand: The opposition parties in GNAT do not have a holistic approach to the issue, and the numbers in question are related to the initiatives of the MPs from the opposition parties. Some MPs who made efforts about the 16 islands did not have seats in GNAT after the 2018 elections. For example, Durmuş Fikri Sağlar, who submitted 3 written questions in the 26th GNAT session, was absent in the 27th GNAT session. Likewise, Mustafa Hüsnü Bozkurt, who also submitted 3 written questions in the 26th GNAT session, was not an MP after the 2018 elections. There are other examples like them. Therefore, the decline in the number of submitted written questions should be correlated with the number of dissenting MPs keen to bring the issue up in GNAT. The altered stance of MHP toward AKP also contributed to the decline of dissenting MP numbers. The formation of the "People's Alliance" between MHP and AKP made MHP members refrain from criticizing AKP's policies. This can be observed in Table 1. The number of submitted written questions by MHP members went down to 0 after the rapprochement between MHP and AKP started in 2016.

In addition to that, many parliamentary inquiry motions about the Aegean islands were submitted to GNAT. The table below shows the number of parliamentary inquiry motions submitted by parties:

Table 2 Parliamentary inquiry motions about aegean islands submitted by parties

	CHP	MHP	İyi Parti
2007	None	None	-
2008	None	None	-
2009	None	None	-
2010	None	None	-
2011	None	None	-
2012	None	None	-
2013	2	None	-
2014	None	None	-
2015	1	1	-
2016	3	None	-
2017	4	None	None
2018	2	None	1
2019	1	None	None
2020	None	None	None
2021	None	None	None
2022	None	None	None
2023	None	None	None
2024	None	None	None

There are two points in the tables that draw attention. One is the decline in the number of written questions and parliamentary inquiry motions in 2014. The lowest numbers occurred in 2014: 3 for written questions and 0 for parliamentary inquiry motions. Moreover, all 3 written questions were submitted on the same day, August 12, 2014, and 2 MHP questions were submitted by the same deputy. It can be said that the Aegean islands issue remained in the background of the agendas of political parties in GNAT at that time. It can be explained by domestic factors. First, at the end of 2013, the 17-25 December operations were stirring Türkiye. At the beginning of 2014, all the attention was on the process after the operations. Second, there was another change coming. The president of Türkiye would be elected by a direct national vote in August 2014—the first ever in Turkish history. Debates were taking place largely among people and media; politicians were occupied with campaigns, strategies, and negotiations. In brief, everybody in Türkiye was too busy with domestic policy during 2014. Thus, it can be reasonable to attribute the decline in numbers to the precedence of domestic policy.

The other point in the tables that draws attention is MHP. As can be seen clearly, the numbers for MHP go down to zero between 2016 and 2017, and before that MHP was concerned about the Aegean islands. In 2015, MHP deputies fiercely criticized Minister of National Defence İsmet Yılmaz (AKP) about the Aegean islands. Deputies shouted that Greece had occupied Turkish islands in the Aegean Sea, and that the government did nothing about it. Tension rose so much that the Speaker had to give a break (Haberler.com, 2015). Considering the number of written questions by deputies and parliamentary inquiry motions by parties, it can be seen that MHP has been highly active in criticizing AKP about the issue of the Aegean islands. Then, AKP-MHP relations began to change after the July 15, 2016, Turkish coup d'état attempt. MHP nationalists and Devlet Bahçeli altered their oppositional stance against AKP. Devlet Bahçeli began to show his and the party's support for AKP in almost every case. The two parties acted harmoniously in GNAT after 2016. In fact, AKP and MHP established the "People's Alliance" (Cumhuriyet İttifakı) in February 2018 for the coming general elections. Consistent with this, MHP deputies did not submit any written questions or parliamentary inquiry motions about the Aegean islands after 2016, and no significant criticism was raised unlike before.

When the CHP is considered, it is observed that between 2012 and 2020, the discourse promoted by retired military officers and nationalist circles—framed as "the islands occupied by Greece in the Aegean"—was adopted by certain CHP deputies, who then submitted numerous written parliamentary questions on the matter. In these parliamentary questions and motions for inquiry, CHP deputies frequently alleged that Türkiye's sovereign rights in the Aegean were being violated and that government officials remained silent in the face of such infringements (Anadolu Agency, 2017). Indeed, in the run-up to the 2018 Turkish presidential elections, the Aegean islands emerged as one of the foreign policy issues through which the CHP sought to criticize the government. Between 2013 and 2015, the issue was largely raised through the initiatives of individual deputies. However, from 2016 to 2019—shaped also by the dynamics of general and local elections, it evolved into a broader tool for opposition against the government. After 2020, the CHP's foreign policy focus shifted more toward debates over the Eastern Mediterranean, Libya, and Türkiye's policy in Syria. The narrative of the "16 occupied islands" never became part of the CHP's official party line; it remained mostly associated with the Patriotic Party (Vatan Partisi) and other nationalist actors. Instead, the "Blue Homeland" (Mavi Vatan) doctrine gained greater prominence within the CHP's Eastern Mediterranean discourse. In this context, the party emphasized the importance of resolving disputes diplomatically while protecting Türkiye's sovereign rights, while simultaneously criticizing the government for not engaging adequately with regional actors (SETA, 2020, p. 37–38). It is worth noting that between 2020 and 2024, apart from a few written parliamentary questions from individual deputies, the CHP did not submit any formal parliamentary motions specifically regarding the Aegean islands.

Some of the fiercest critics of AKP about the Aegean islands came from the Patriotic Party (Vatan Partisi-VP, which can be seen as a marginal political party, obtaining a vote rate of

approximately 0.3%). VP, generally referred to as a nationalist party, made the severest criticisms of prominent figures of AKP in 2015-2016. VP organized a rally on April 26, 2015, in Kuşadası (an Aegean coastal district of the city of Aydın). The main slogan was '152 islands are homeland'. In his speech, Doğu Perinçek, the leader of VP, stated that when they came into power, they would take the islands back and put the President of Türkiye and the leader of AKP, Recep Tayyip Erdoğan, and other AKP leaders on trial for treason (Sansür, 2015). He repeated similar statements in 2016 (Sözcü, 2016). But after that, VP and Doğu Perinçek began to be warmer towards AKP, especially after the July 15, 2016, Turkish coup d'état attempt. In 2018, Doğu Perinçek stated that as the head of the Turkish government, Recep Tayyip Erdoğan had been fighting USA imperialism since July 25, 2015, (Sputnik Türkiye, 2018a) and expressed his support for AKP and Erdoğan on many occasions in 2017, 2018, 2019, and 2020. Therefore, no other significant criticisms about the islands were heard from VP members after 2016.

The political parties and their voters/supporters hold the party in power responsible for the status quo about the Aegean islands. Thus, AKP has been the primary addressee to protect Türkiye's national interests in the Aegean Sea since 2002 and has been accused of failing to do the task. The above-mentioned written questions were directed at then Prime Ministers, Ministers of Foreign Affairs, or Ministers of National Defense, who were all AKP members. In response to this, they naturally had answers to these allegations. The answers to written questions from opposition parties have very much in common; the same answer was given like a printed document many times. Generally, the AKP answers contained these points: There are a series of problems that are all connected, including the disputed islands in the Aegean Sea. The 1914 Decision, the 1923 Lausanne Treaty, and the 1947 Paris Treaty are the legal documents on those issues. The disputed islands issue stems from the divergent interpretations of those documents. Türkiye will not accept de facto actions of Greece that could result in its sovereignty over islands and declares that any attempt to do so will not be accepted. Türkiye has been sharing its opinion with global public opinion that Aegean issues ought to be solved through existing dialogue mechanisms equitably, in accordance with international law, and comprehensively. This policy is not unique to AKP and has been the official policy of Türkiye since the beginning of the problems.

2018 tensions

In 2016, while he was Prime Minister, Recep Tayyip Erdoğan made a statement that caused serious anger and reactions among Kemalists. In his declaration, he said that some tried to present to the Turkish people the Lausanne Treaty as a victory and that Türkiye had ceded the Aegean islands through Lausanne, which are at shouting distance, because of the ones who were sitting at the table during Lausanne (Habertürk, 2018). That attitude was followed by AKP supporters. They accused the first cadres of the Republic of Türkiye, pointing to M. Kemal Atatürk and İsmet İnönü, frankly or tacitly, of disposing of the Aegean islands. This can be seen as a reaction to criticisms towards AKP. As mentioned above, political parties and AKP opponents accused AKP of ceding the Aegean islands and of not taking any steps against the Greek occupation. So, AKP accused them back through their common ground: the founding fathers of Türkiye. And later, when AKP members had the chance to address the gray zones issue, they displayed a rigid stance at least at the level of discourse. They had that chance in 2018.

There was a series of stressful events in 2018. On March 2, 2018, two Greek soldiers were arrested on Turkish soil near the border zone on accusations of violating the forbidden military zone and of military espionage. This caused agitation in Turkish-Greek relations. In April 2018, Greek Minister of National Defence Panos Kammenos declared that they had sent an additional 3,500 troops to the Aegean islands and would send another 3,500 to the Greece-Türkiye border. On April 10, then-Commander of Turkish Armed Forces Hulusi Akar (who later joined AKP and became Minister of National Defence) said that Türkiye would not consent to any fait accompli

in the Aegean and Mediterranean. A few days later, a group of Greek civilians hoisted the Greek flag over Antrofotos (Anthropofagos) rocks in the Aegean. On April 16, then-Prime Minister Binali Yıldırım stated that Turkish coast guards had removed the flag on Antrofotos. He added that no one should think Türkiye would make compromises on its sovereignty rights and that they were determined to reciprocate any fait accompli (Sputnik Türkiye, 2018b). Some made assessments that Greece and Türkiye were inching toward war (Baboulias, 2018).

The timing of that tension was significant because early election debates were starting in Türkiye in April 2018. As mentioned above, in February 2018, the "People's Alliance" was formed between AKP and MHP for the coming elections on November 3, 2019. The early elections proposal first came from Devlet Bahçeli, and it was accepted by GNAT to hold early elections in June 2018.

Evaluation: Inching toward war?

The 2018 tensions made some think Türkiye and Greece were inching toward war, but it seems unlikely that the two neighbors will engage in an armed conflict. Türkiye is a candidate country for EU membership. Although the accession process seems to have slowed down in recent years, the European goal is still among the priorities of Turkish foreign policy. Therefore, it is irrational for Türkiye to get into a war against an EU member. Although Greece has been a traditional rival of Türkiye, none of the conflicts that occurred in the past, like the 1987 crisis or the 1996 Kardak/İmía crisis, led to weapon engagement. The probable losses will be much higher than the possible gains, so there will be no winner in a war between the two countries. In sum, no political will can take the risk of dragging Türkiye into a war against Greece in a rational world.

The opposing parties accuse AKP of responsibility for the gray zones issue, and sometimes some say that they will change the status quo when they take power, but it is not possible or feasible to do it in any way other than what has already been done. Greece has de facto control over the mentioned disputed islands, and it can be said that it will not give up its sovereignty with ease, nor will its de facto sovereignty over the islands be wrested from it by force.

Conclusion and recommendations

The legal status of some geographic features in the Aegean is a critical issue in both Turkish foreign and domestic policy. There are strong nationalist inclinations in the Turkish community, and when it comes to Greece, the traditional adversary, these inclinations become more apparent (i.e., 1995 Kardak/İmía crisis). Turkish politicians who need social support and approval use these inclinations for their political stances. As shown above, the issue of the legal status of geographic features in the Aegean is used as a tool to criticize and put pressure on the party in power. As seen in the MHP and VP cases, when the opposition and ruling parties cooperate for any reason, the issue is laid aside, and the other opponents keep going. And sometimes other political priorities emerge, and the voices about the issue lower. The Syrian civil war and its effects on Türkiye are much more prominent than other issues in Turkish foreign and domestic policy. Türkiye launched Operation Olive Branch in 2018 and Operation Peace Spring in 2019. The concerns of Turkish people have shifted to the south rather than the west in recent years. But this does not mean the gray zones issue itself will vanish. The gray zones issue emerged in the late 1930s and has lasted since then and does not seem to be solved in the near future. Like the fluctuating relations between Türkiye and Greece, the issue seems to have receded for now, but looking to the past, it can be said that it will come forward again as the political agenda changes.

Author contribution

The first author contributed 50%, second author contributed %50 to the study.

Conflict of interest statement

Our article titled "16 Islands Issue in Turkish Domestic and Foreign Policy" has no financial conflict of interest with any institution, organization or person. There is also no conflict of interest between the authors.

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