



Şamil AYRIM

Deputy for Istanbul

Head of the Turkish Group to the Parliamentary Assembly of the Union for the Mediterranean

Member of the Committee on Public Works, Reconstruction, Transportation and Tourism

Chair of the Turkey-Azerbaijan Inter-Parliamentary Friendship Group

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**Dear Members of the PA-UfM,
Distinguished colleagues,**

In view of the current developments in the Eastern Mediterranean, I deem it necessary to brief you on Turkey's position. I would like to provide you with an information note which you may find enclosed.

Turkey, which has the longest coastline in the Eastern Mediterranean, has adopted a pro-active policy to achieve just and lasting settlement to the challenges that the Eastern Mediterranean is currently facing. Our priority is to promote dialogue and cooperation. As we have repeatedly stressed in the past, our hydrocarbon activities in the Eastern Mediterranean have two dimensions: the protection of our sovereign rights in our continental shelf and the protection of the legitimate rights of the Turkish Cypriots, who are co-owners of the Island, over the hydrocarbon resources of the Island. Turkey should not be expected to and will not retreat from defending either.

I would like to emphasize that Turkey will continue to keep the diplomacy and cooperation channels open while protecting with determination both its own rights and those of Turkish Cypriots in compliance with international law.

What we expect from our friends is to encourage and support a genuine bilateral dialogue towards a better future for our region.

Cordially yours,

Şamil AYRIM

Deputy for Istanbul

Head of the Turkish Delegation to the Parliamentary Assembly of the Union for the Mediterranean

Encl.: As stated

TURKISH POSITION ON THE EASTERN MEDITERRANEAN

The Eastern Mediterranean has become a region of increasing instability where complex and intertwined issues hinder peaceful settlement. In addition to complicated political challenges elsewhere in the region, a source of tension is the fact that maritime jurisdiction areas of the coastal states have not been delimited yet. The discovery of the natural gas resources and the unilateral actions of certain coastal States have deteriorated the current situation.

Turkey's policy towards the Eastern Mediterranean rests on two dimensions, which at this point need to be treated separately.

First dimension relates to the maritime boundary delimitation in the Eastern Mediterranean. According to international law, coastal states first and foremost are required to enter into meaningful negotiations in order to reach an agreement on maritime boundaries based on the principle of equity.

In honoring this legal requirement, Turkey has always been and is still ready to enter into meaningful negotiations with all coastal states in the Eastern Mediterranean, especially with Greece. Yet Turkey's willingness and readiness to enter into maritime boundary delimitation talks excludes the Greek Cypriot Administration (GCA), as they do not represent the Turkish Cypriots (TC) or the whole of the island.

Turkey believes that the issue of delimitation of maritime boundaries in the *west* of the Island of Cyprus can only be addressed after the settlement of the Cyprus issue either through a new partnership state or with two states if two sides on the island cannot agree on a partnership state based on political equality.

The second dimension of Turkey's Eastern Mediterranean policy concerns the protection of the rights of the TCs over the off-shore resources of the Island. The TCs as the co-owners of the Island do have equal rights along with the GCs over the off-shore resources. Yet the GCs have been violating these rights through unilateral actions since 2003 and refusing to enter into cooperation with the TCs.

GCA's unilateral actions

Current tensions in the Eastern Mediterranean date back to 2003 when the GCA concluded a delimitation agreement with Egypt. This agreement infringed upon the rights of not only Turkey, but also the Turkish Republic of Northern Cyprus (TRNC). Firstly, a part of the area delimited between Egypt and the GCA lies within the Turkish continental shelf, hence Turkey denounced the said agreement as null and void. Secondly, the GCA should not be signing any boundary agreements before the Cyprus issue is resolved as the GCA does not and cannot represent the TCs.

The GCA, despite our warnings, went on signing further delimitation agreements with Lebanon in 2007 and Israel in 2010, again disregarding the rights and interests of Turkey and the TCs and going so far as granting licenses for the maritime areas to the south of Cyprus in 2007.

The GCA's first drilling activity that took place on 19 September 2011 marked a turning point for Turkey's Eastern Mediterranean policy as, much to our dismay, all invitations to dialogue were unfortunately proven completely useless.

It is important to underline that Turkey did not take *any* action at sea from 2003 until the first off-shore drilling operation of the GCA in 2011. Instead Turkey, together with The TCs, made persistent calls to the GCA to cease off-shore activities until a comprehensive settlement of the Cyprus issue. Yet, the first drilling of the GCA left Turkey and the TRNC with no option but to react to these unilateral actions. Two days after the first drilling, Turkey and the TRNC have also signed a maritime boundary delimitation agreement to the north of Cyprus Island. TRNC then drew off-shore blocks like the GCA and granted survey and drilling licenses to Turkish Petroleum Corporation (TPAO) in order to protect its equal rights.

So-Called Seville Map, Kastellorizo and International Legal Jurisprudence

The so-called 'Seville Map', is a Greek/Greek Cypriot attempt to congest Turkey in a confined strip of maritime jurisdiction area in the Eastern Mediterranean (Map 1). The maximalist claims of Greek/Greek Cypriot duo aggressively manifest themselves in the Seville Map, which grants Gulf of Antalya as the only significant maritime jurisdiction area to Turkey. This is obviously not acceptable to the country with the longest continental coastline in the Eastern Mediterranean.

With regard to rights of islands to generate maritime zones, in case islands are located far away from their mainland or in legal terms, if they lie on the wrong side of the median line between two mainlands, then these islands can be ignored in determining the CS/EEZ delimitation. Likewise, if the coastal length of the islands facing the relevant delimitation area is minimal as opposed to other mainlands, such islands can be accorded territorial sea only. Many relevant factors and special circumstances such as proportionality, non-encroachment, proximity and jurisprudence of the ICJ have to be taken into account in maritime boundary delimitation.

The island of Kastellorizo is the flagship of and a case-in-point of these Greek maximalist claims. According to Greece, the island of Kastellorizo, which is merely 2 kms. away from the Turkish coast and 570 kms. away from the Greek mainland should generate a maritime jurisdiction area four thousand times larger than its territory (Map 2). Among many jurisprudence on this issue, the 1977-1978 Anglo-French Continental Shelf case is a remarkable example. According to the Court of Arbitration decision, Channel Islands of UK that are close to the French mainland were "enclaved", and ignored while determining the continental shelf boundary (Map 3). In the Nicaragua v. Colombia case of 2011, the Colombian islands having a cut off effect on Nicaragua's coastal projection were given either limited or no effect by enclaving them and the maritime boundary was determined according to the principle of proportionality (Map 4).

Memorandum of Understanding with Libya

From the outset, Turkey has prioritized diplomacy and stressed the importance of instrumentalizing diplomacy regarding delimitation of maritime jurisdiction areas. Unfortunately, our calls for dialogue have fallen on deaf ears.

Our calls for dialogue however echoed in with Libya. Following negotiations between Turkish and Libyan authorities in Ankara and Istanbul, the two parties have signed a Memorandum of Understanding (MoU) on 27 November regarding the delimitation of maritime jurisdiction areas in the Eastern Mediterranean, delimiting 18.6 nautical miles between the two countries. The MoU, following the precedent of various judgments by international bodies of adjudication, is based on the principles that: (a) islands cannot have a cut-off effect on the coastal projection; (b) the islands which lie on the wrong side of the median line between two mainlands cannot create maritime jurisdiction areas beyond their territorial waters; and (c) the length and direction of the coasts should be taken into account in delineating maritime jurisdiction areas.

Maritime Boundary Delimitation Agreement Between Greece and Egypt

Greece and Egypt concluded a maritime boundary delimitation agreement on 6 August 2020, which violates the MoU signed on 27 November 2019 between Turkey and Libya on the delimitation of maritime jurisdiction areas in the Mediterranean Sea and thus Turkey's continental shelf areas as declared to UN as well as the Turkish Petroleum's off-shore survey and drilling licenses (Map 5).

Not only the right-refusing nature of the so-called agreement, which Turkey considers null and void, but also the timing of it is rather noteworthy. It is important to underline that Turkey, upon the request of Germany and the EU representatives, decided to suspend temporarily the activity of the seismic research vessel *Oruç Reis*, which was planned on July 21st, in order to give diplomacy a chance.

In spite of Greece's attempts to present Turkey's gesture as a concession out of fear of Greece's military power, Turkey continued her dialogue with Greece through the series of meetings between senior advisors of Turkish and Greek leaders with German facilitation. A consensus was reached on revival of the existing channels such as exploratory talks, meetings for confidence-building measures and political consultations. However, just hours before the release on 7 August of the joint statement regarding the restart of exploratory talks prepared on the basis of this understanding, Greece declared the signing of a maritime boundary delimitation agreement with Egypt, which infringes upon Turkey's right in the region.

Following this decision, which indicates Greece's unwillingness to launch a sincere and honest dialogue, Turkey is left with no option but to resume her activities in order to exercise her legitimate rights stemming from international law.

Although Turkey's manifested good-will and efforts towards launching a constructive dialogue has remained unanswered, Turkey has proven her commitment to a peaceful and equitable solution in the region.

EU's Approach

EU's discourse regarding the Eastern Mediterranean issue has so far been far from impartial and constructive. Through providing unconditional support under a pretext of "union solidarity" to Greek/Greek Cypriot duo's claims and by acting as if it was an international court that is authorized to adjudicate the legality of a memorandum -despite the ruling by the European Court of Justice (Slovenia v. Croatia) that it is not competent to do so-, the EU continues on becoming part of the problem, and not the solution.

It is also worth noting that the EU has always remained, as it should, neutral on maritime disputes e.g. Morocco-Spain, Spain-France, Italy-Malta, Slovenia-Croatia. Spain for instance, does not claim EEZ for its islands close to the Moroccan mainland and did not resort to the EU to make a similar claim (Map 6 and 7). The EU has always put forward the necessity of conducting negotiations. The latest delimitation agreement signed between Italy and Greece in June 2020 further underlines that the importance of mutual dialogue and negotiations is recognized between the disputing parties. Turkey and Greece could not even initiate negotiations to delimit their maritime jurisdiction areas due to the categorical dismissiveness on the Greek part.

Peace and prosperity in the Eastern Mediterranean is in the best interest of the coastal states as well as the EU, thus a peaceful solution to existing issues and conflict resolution in the region, should be a priority. The consistent emphasis on dialogue and cooperation with Turkey and the acknowledgement of the rights and interests of the TCs promise much for the future of Turkey-EU relations. Conversely, any unjustified sanction against Turkey will only complicate the problems rather than helping to solve them. It is possible to move closer to a peaceful solution in the region if the EU promotes a spirit of cooperation and mutual dialogue.

The Way Ahead

(1) First of all, the EU should encourage the GCs to establish a formal or informal cooperation mechanism with the TCs on off-shore hydrocarbon resources regardless of the presence of the Cyprus issue. The relevant authorities of both sides can coordinate their off-shore activities and agree on a revenue sharing between them through this formal or informal mechanism without prejudice to the commercial contracts of the international oil companies. The TCs' 13 July 2019 proposal lays a suitable ground to establish such a cooperation mechanism between the TCs and the GCs. The proposal could be further developed with new ideas with the participation of the UN, the EU and international oil companies. Half of the Mediterranean issue can be solved if the TCs' rights are guaranteed through establishing such a cooperation mechanism between the TCs and the GCs.

In an effort to encourage the establishment of a cooperation mechanism on off-shore hydrocarbon resources between the TCs and the GCs, Turkey is prepared to support a 4+1 meeting with the participation of Turkey and Greece, two sides on the Island and the EU.

(2) Secondly, the EU should encourage dialogue and cooperation among all coastal states in the Eastern Mediterranean for maritime boundary delimitation rather than taking sides and acting as an international court. Turkey stands ready to achieve an equitable maritime boundary delimitation in the Eastern Mediterranean through dialogue and cooperation. In this regard, the EU's contribution should be to encourage Greece to enter into dialogue with Turkey and the GCs with the TCs.

(3) Some EU members have been blindly following the Greek/Greek Cypriot discourse and they seem to be unfamiliar with the realities or Turkey's approach and legal arguments. Therefore Turkey's position should also be heard at Foreign Affairs Council meetings.

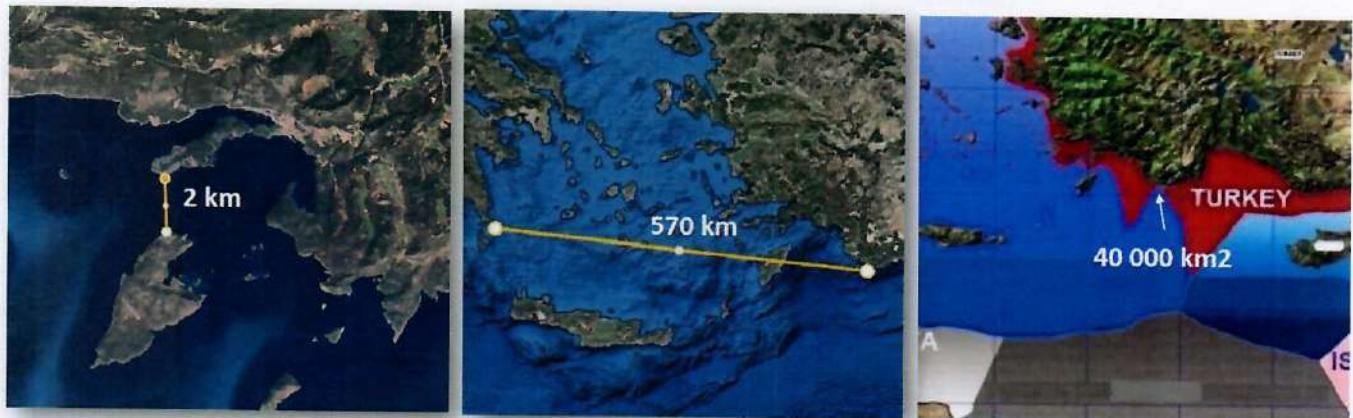
MAP 1



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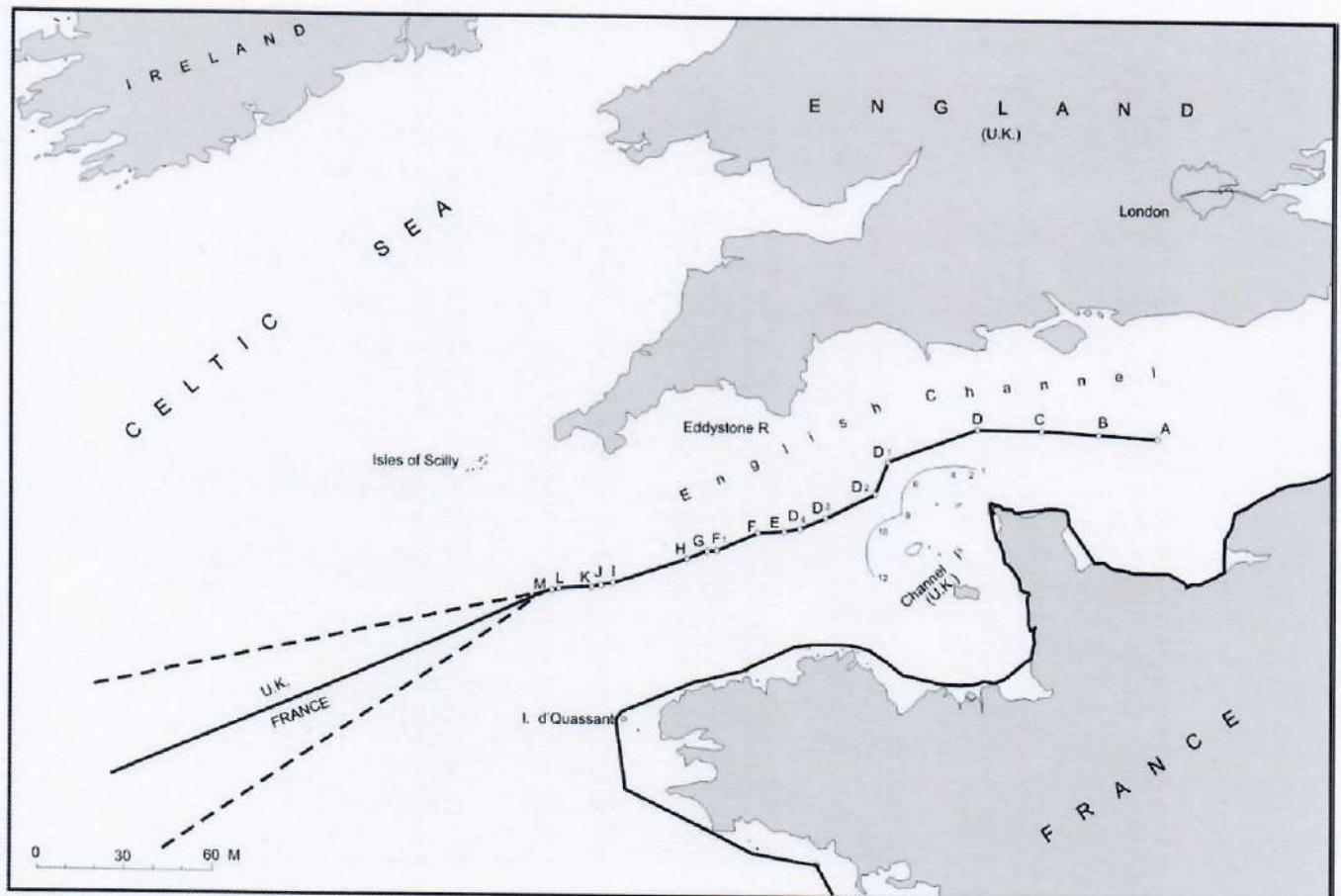
MAP 2

KASTELLORIZO ISLAND

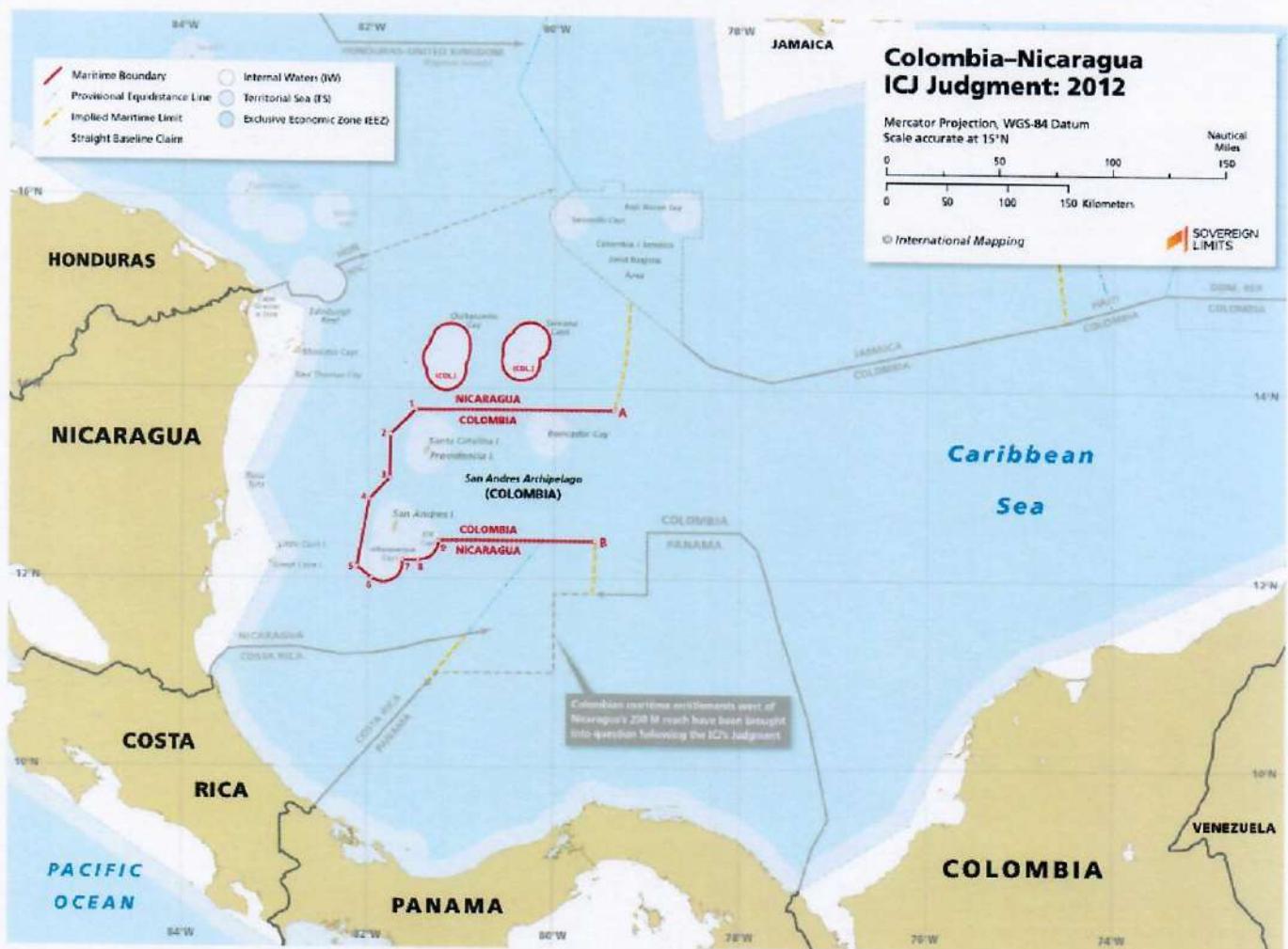


The claim that an island with a size of 10 km², which is located 2 km away from Turkey and 570 km away from Greek mainland generates 40.000 km² of maritime jurisdiction area, is against the principle of equity, international law and jurisprudence.

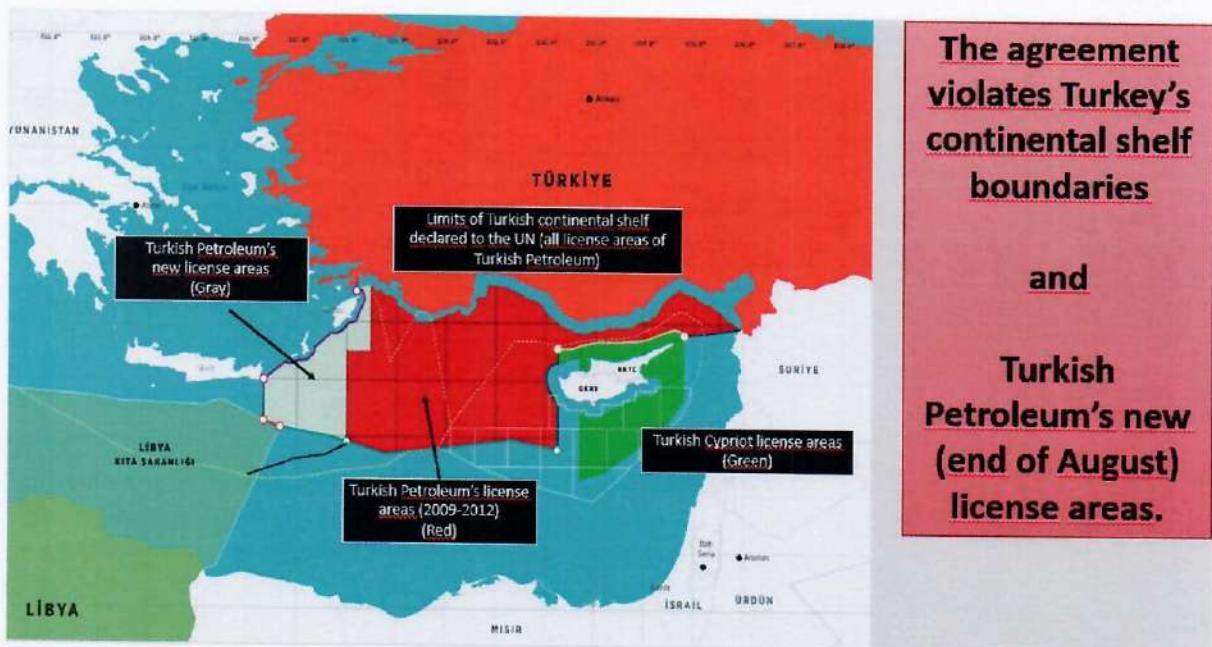
MAP 3



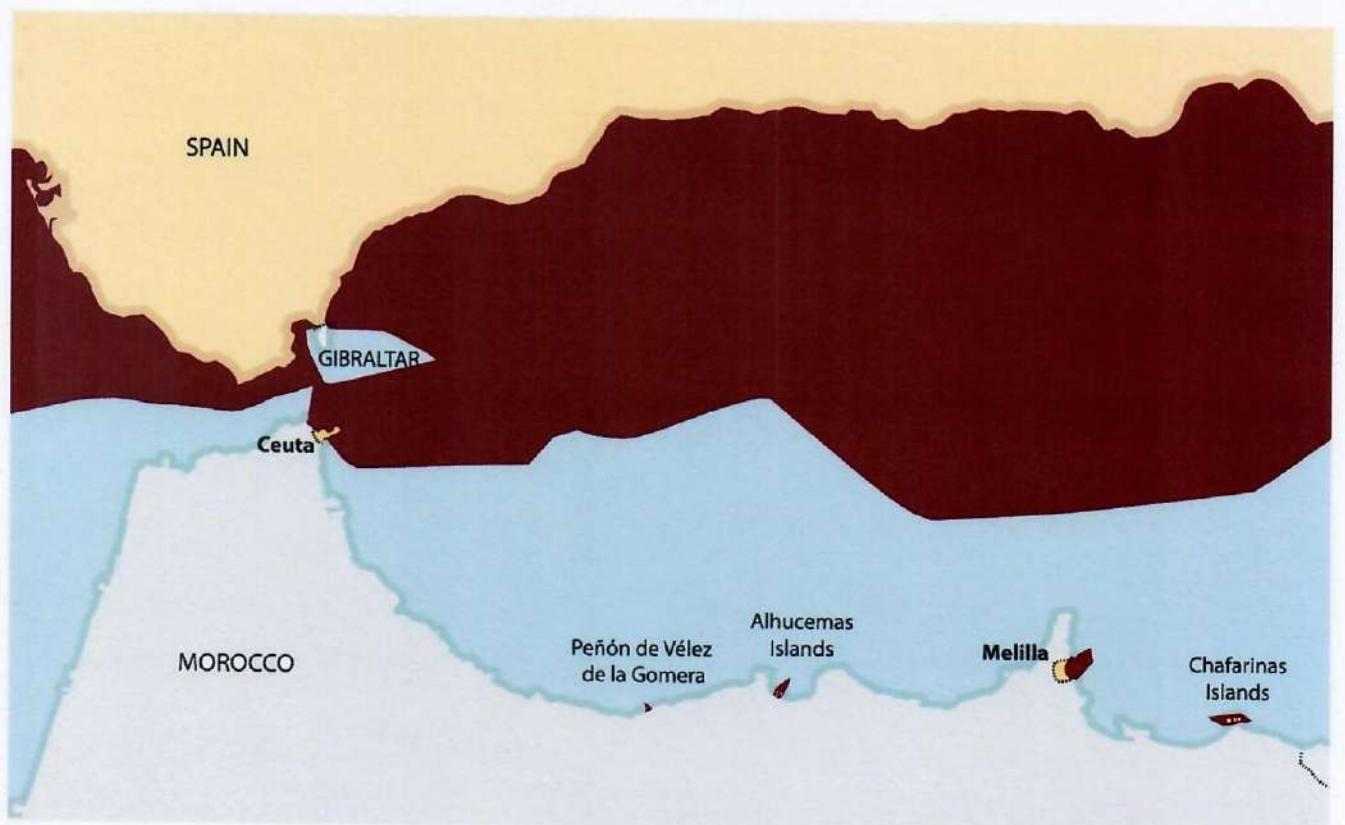
MAP 4



MAP 5

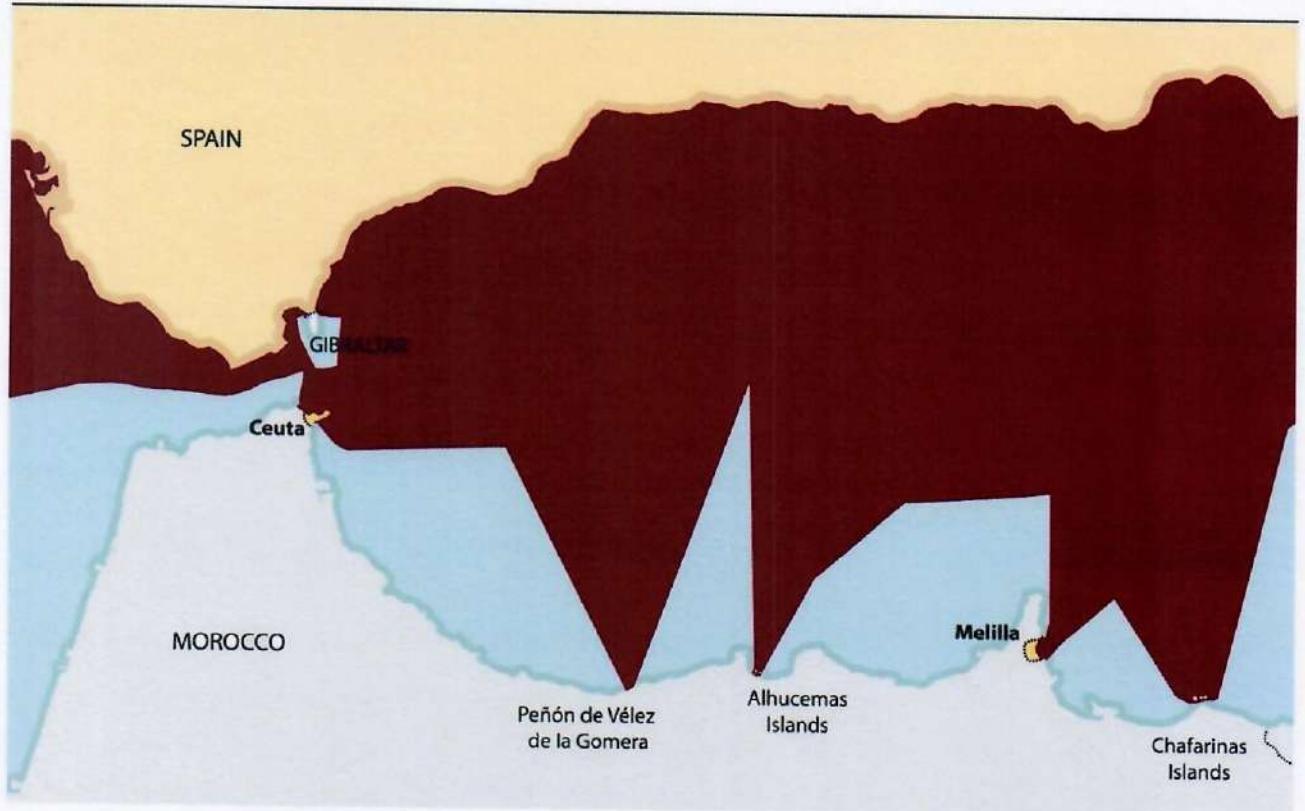


MAP 6



Spain EEZ

MAP 7



Spain EEZ (Greek Version)