



## CHAPTER 5

# Offshore Energy Exploration Activities and the Exclusive Economic Zone Regime: A Case Study of the Eastern Mediterranean Basin

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**Résumé :** *Le concept de zone économique exclusive (ZEE) a été décrit comme une « révolution pacifique » en droit international et comme le développement le plus significatif du droit de la mer, depuis que Grotius a écrit son célèbre ouvrage « Mare Liberum ». Avec la création de la ZEE, le conflit entre Grotius (Mare Liberum) et Selden (Mare Clausum) semble avoir été gagné par ce dernier. Bien que cela soit vrai - et il exprime la victoire de l'extension de la juridiction côtière aux zones maritimes au détriment de sa libre utilisation et de son exploitation par tous les États -, le plus important est que l'utilisation rationnelle et fonctionnelle de la mer par tous ses utilisateurs devrait l'emporter, conformément aux dispositions de la Convention des Nations Unies sur le droit de la mer de 1982 (CNUDM). Cela est vrai puisque la promotion de la coopération internationale pour parvenir à une exploitation plus rationnelle de la richesse des océans est primordiale pour la communauté mondiale. L'établissement de la ZEE a entraîné une réduction drastique de la zone couverte par la haute mer. Ainsi, environ 95 % des zones mondiales de pêche et plus de 80 % des réserves de pétrole sous-marines connues dans les plateaux continentaux sont placées sous le contrôle exclusif des États côtiers. Il est intéressant de noter que, parmi les droits des États côtiers dans leurs ZEE, se trouve la question des activités énergétiques extracôtières qui ont traditionnellement créé des tensions entre les États voisins en ce qui concerne la délimitation de cette zone. En conséquence, une relation*

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*problématique entre ces activités d'exploration énergétique et le régime juridique de la ZEE est identifiée ; les problèmes de délimitation maritime entre États adjacents peuvent également avoir une influence négative sur l'utilisation de certaines routes d'approvisionnement en énergie maritime.*

*Le bassin de la Méditerranée orientale constitue un parfait exemple (étude de cas) de la considération susmentionnée, car il occupe une place prépondérante dans le système de transport maritime mondial contemporain. Dans le même temps, sa partie sud-est dispose d'un énorme potentiel géoéconomique pour la sécurité énergétique de l'Europe. Grâce à la région spécifique et bien sûr via la mer Égée, d'énormes quantités de pétrole sont livrées à partir de la mer Noire (Russie) et du golfe Persique vers le monde occidental. Cependant, à la lumière des rivalités énergétiques et des formes possibles de coopération entre les acteurs régionaux et internationaux respectifs, les questions pertinentes de délimitation maritime entre les pays voisins acquièrent une dimension de sécurité importante. Dans ce contexte, il est plutôt décevant que les pays de la région, piégés dans de vieilles relations antagonistes, n'aient pas encore développé une politique globale de coopération énergétique prenant en compte à la fois la position géopolitique actuelle de la région et leur croissance économique globale. Des synergies énergétiques intégrées dans l'ensemble de la Méditerranée orientale contribueraient certainement à un avenir pacifique pour la région et, si elles étaient bien gérées, elles pourraient initier des partenariats importants qui pourraient constituer une base solide pour la coopération à long terme et le développement économique.*

*Par conséquent, les États voisins de la mer Méditerranée orientale, en particulier Chypre, Israël, la Grèce et la Turquie, devraient chercher à maximiser leur rôle en tant que fournisseurs d'énergie alternative de l'Union européenne. Cette perspective, avec le résultat futur attendu de fourniture du premier gaz non russe du corridor énergétique dit du sud de l'Europe, présente des avantages considérables, en particulier en ce qui concerne le financement européen potentiel pour une construction de pipeline (Eastern Med Pipeline), qui transférerait en Europe centrale et occidentale de grandes quantités de gaz naturel. Pour le moment, il est évident que les ressources énergétiques près de Chypre pourraient être exploitées pour la sécurité énergétique de l'UE dans son ensemble. Outre certains pays européens, d'autres protagonistes importants de la scène internationale font également partie de cette équation complexe, avec tous ceux qui participent au conflit en cours en Syrie.*

*Néanmoins, lié à la dimension géopolitique, il existe un autre paramètre essentiel : le droit international de la mer. La CNUDM fournit le cadre nécessaire pour définir les limites des frontières maritimes entre États adjacents, puisqu'il s'agit du document central du droit international conventionnel et coutumier qui régit les questions liées à l'établissement et à la délimitation des ZEE. Il va sans dire que certains obstacles doivent être résolus afin que les activités énergétiques offshore dans la mer du sud-est soient harmonisées avec le régime juridique de la ZEE et vice-versa. Pour le moment, la question de la délimitation des frontières de la zone maritime dans le sud-*



*est de la Méditerranée reste un point de friction pour de nombreux États impliqués. Considérant que tous les États voisins ne sont pas signataires de la CNUDM, cela complique davantage la situation dans son ensemble.*

*L'analyse en cours vise à aider à mieux comprendre qu'en vertu des exigences du droit international, la résolution des problèmes de délimitation maritime de la zone en ce qui concerne le régime des ZEE sera un facteur décisif, permettant à l'Europe d'utiliser les réserves énergétiques de la région dans le but de diversifier ses sources d'approvisionnement en énergie. Comme il découle de la logique susmentionnée, le but est de mettre en évidence la relation problématique entre le régime juridique de la ZEE, en particulier son aspect de délimitation et les problèmes fonctionnels, et le profil géopolitique des activités énergétiques offshore sur cette zone maritime. Étude de cas du bassin méditerranéen oriental.*

**Abstract:** *The concept of an exclusive economic zone (EEZ) has been described as a «peaceful revolution» in international law and as the most significant development in the Law of the Sea, since Grotius wrote his famous work, «Mare Liberum». With the establishment of the EEZ, the conflict between Grotius (mare liberum) and Selden (mare clausum) seems to have been won by the latter. Although this is true, and it expresses the victory of the extension of coastal jurisdiction to maritime areas at the expense of its free use and exploitation by all states, what is most important is that the rational and functional use of the sea by all its users should prevail, in conformity with the 1982 Law of the Sea Convention (LOSC) provisions. This stands true since the promotion of international co-operation to achieve a more rational exploitation of the wealth of the oceans is paramount for the global community. The establishment of the EEZ has resulted in a drastic reduction of the area covered by the high seas. Thus, around 95% of world fishing areas and more than 80% of the known underwater oil reserves have come under the exclusive control of coastal states. Interestingly enough, among the rights of coastal states within their EEZs is the issue of offshore energy activities, which has traditionally created tension between neighboring states regarding the delimitation of that zone. Consequently, a problematic relation between these energy exploration activities and the legal regime of the EEZ is identified; maritime delimitation issues between adjacent states can also negatively influence the use of certain maritime energy supply routes.*

*The Eastern Mediterranean Basin stands as a perfect example (case study) of the aforementioned consideration, since it holds a paramount position in the contemporary global maritime transport system. At the same time its south-eastern part has a huge geo-economic potential for Europe's energy security. Through the specific region and, of course, via the Aegean Sea, enormous quantities of oil are delivered from the Black Sea (Russia) and the Persian Gulf towards the Western world. However, in the light of energy rivalries and possible forms of co-operation among the respective regional and international actors, relevant issues of maritime delimitation among the neighbouring countries acquire an important security dimension. In this context, it is rather disappointing that the countries in the region, trapped in old antagonistic relations,*

*have not yet developed a comprehensive energy cooperative policy that takes into account both the region's current geopolitical posture and their economic growth as a whole. Joined energy synergies in the whole Eastern Mediterranean would certainly contribute to a peaceful future for the region and, if managed in the right way, they could initiate important partnerships, which could provide a solid basis for long-term cooperation and economic development.*

*Therefore, the neighbouring states of the Eastern Med Sea, especially Cyprus, Israel, Greece and Turkey, should seek to maximise their role as alternative energy suppliers of the European Union. This prospect, with the expected future outcome of providing the first non-Russian gas of the so-called southern European energy corridor, produces considerable benefits, particularly in relation to potential European funding for a pipeline construction (Eastern Med Pipeline), which will transfer large amounts of natural gas to Central and Western Europe. For the time being, it is a self-explanatory fact that the energy resources near Cyprus could be exploited for the energy security of EU as a whole. Apart from certain European countries, other important protagonists of the international arena are also part of this complex equation, with all those that participate in the on-going conflict in Syria standing out.*

*Nonetheless, linked to the geopolitical dimension there is one more essential parameter: the International Law of the Sea. LOSC provides the necessary framework to define the limits of maritime boundaries between adjacent states, since it is the core document of international conventional and customary law, which regulates issues related to the establishment and delimitation of EEZs. Needless to say, there are certain obstacles to be resolved to enable offshore energy activities in the Southeastern Med Sea to be harmonised with the EEZ legal regime and vice-versa. For the moment, the question of delimitation of maritime zone boundaries in the Southeastern Med remains a point of friction for many of the states involved; the fact that not all the neighbouring states are signatory parties to LOSC further complicates the whole situation. The analysis taking place here aims to help to better understand that, under the requirements of international law, resolving the maritime delimitation issues of the area with regard to the EEZ regime will be a decisive factor, rendering Europe able to use the energy reserves of the specific region for the purpose of diversifying its energy supply sources. As it derives from the abovementioned rationale, the purpose is to highlight the problematic relation between the legal regime of the EEZ, especially in relation to delimitation and functional issues, and the geopolitical profile of the offshore energy activities over this maritime zone, through the case-study of the Eastern Mediterranean Basin.*



## 1. Introduction

The key characteristic of the contemporary world is interconnectedness among societies and people across the national boundaries of nation-states. This complex process is called globalisation and is obviously a phenomenon with multi-level influences.<sup>3</sup> With oceans covering almost three quarters of the earth's surface and with well over 80% of all international trade transported by sea,<sup>4</sup> maritime transport should be considered as the backbone of globalisation and absolutely vital for all "just-in-time economies", such as those of Europe and the United States.<sup>5</sup> Today, shipping is by far the most international of the world's industries, serving vast quantities of global trade. Each and every day, ships of different sizes and capabilities carry huge quantities of cargo cost-effectively, cleanly and safely. In any case, due to the massive availability of commercial ships, meeting the transports needs of a society that is subject to increased levels of consumption in goods and raw materials is made technically and financially possible. In this respect, maritime transport is a very important sector of the European Union's (EU) economy as well: the 70,000 km of coastline and the increased number of maritime states among its members<sup>6</sup> provide a very strong argument that accessible and secure waterways are crucial for Europe's future. The EU member states, having recognised the need to work harder and closer in the domain of maritime affairs, have agreed upon the contents of a uniform maritime strategy, although their interests might be conflicting and their performance in the specific financial sector varying. Consequently, in June 2014, the European Council adopted a Maritime Security Strategy (EMSS) which intends to provide a common framework for coherent national policies.<sup>7</sup>

On the other hand, pending maritime delimitation issues between adjacent states can be a source of ongoing tensions, creating serious problems for freedom of navigation and consequently hampering maritime transport and the respective energy supply routes. In this context, and highly interrelated to maritime delimitation disputes with regard to the establishment of EEZs, stand the adjacent states' respective actions concerning offshore energy, such as licensing hydrocarbon explorations, or drilling

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3) See Sioussiouras P. & Dalaklis D., 'High Politics and Low Politics in EU-China Relations: Do they Meet?', in the collective work *EU – East and South Asia trade, investment, logistics and e-business* (in Greek), N. Nikitakos & G. Dourmas (editors), I. Sideris Publications, Athens, 2009.

4) In 2015, estimated world seaborne trade volumes surpassed 10 billion tones for the first time in the records of the United Nations Conference on Trade and Development. See United Nations Conference on Trade and Development (UNCTAD), *Review of Maritime Transport 2016*, UNCTAD/RMT/2016.

5) Dalaklis D. (2012), 'Piracy in the Horn of Africa: Some good news, but a lot of work has still to be done...', *Maritime Security Review-MSR In Depth*, No.9, December 2012.

6) See European Commission, *EU Transport Scoreboard*, available at [http://ec.europa.eu/transport/facts-fundings/scoreboard/compare/index\\_en.htm?indicators=& modes=maritime](http://ec.europa.eu/transport/facts-fundings/scoreboard/compare/index_en.htm?indicators=& modes=maritime) (accessed 16.10.2016).

7) For the complete details, see European Commission, *Maritime Security Strategy*, available at [http://ec.europa.eu/maritimeaffairs/policy/maritime-security/index\\_en.htm](http://ec.europa.eu/maritimeaffairs/policy/maritime-security/index_en.htm) (accessed 17.12. 2014).

and exploitation of natural gas and oil deposits. Without doubt, offshore energy activities belong to the rights of coastal states within their EEZs. However, in cases where no EEZ (or even continental shelf) limit has been agreed or decided by international jurisprudence, much tension between neighbouring states has usually been noticed (geopolitical/geo-economic rivalries). Considering this, the EU's maritime security strategy is clearly seen to be maritime transport oriented, while at the same time linked to the freedom of navigation. Subsequently, this high-level document is especially concerned with uninterrupted/free maritime energy supply routes, the latter being threatened by, among other factors, maritime delimitation issues among adjacent states. With all that in mind, there is obviously a bond, but also, in some cases, a problematic relationship between these energy exploration activities and the legal regime of the EEZ. A typical situation of such a kind of relation is the case of Eastern Mediterranean Sea, the epicentre of the analysis at hand.

## 2. Geopolitical importance of the Eastern Mediterranean Sea

The Mediterranean Sea (Med Sea) is among the world's busiest waterways. Fifteen per cent of global shipping activity by number of calls and 10 per cent by vessel deadweight tons (DWT) were noted in the wider region per year in the last decade. In the same decade, 13,000 merchant ships made 252,000 calls at Mediterranean ports, totaling 3.8bn DWT on average per year. Statistics also clearly indicate that, at the same time, around 10,000 (mainly large) vessels transited the area under discussion en-route between non-Mediterranean ports. Merchant vessels operating within and through the Mediterranean are getting larger and carrying more trade in larger parcels. Vessels transiting the Mediterranean Sea average around 50,000 DWT and are (again, on average) over three times larger than those operating within the Mediterranean.<sup>8</sup> The Med's significance is exemplified by the fact that it is a common area for three different continents: Europe, Asia and Africa. Additionally, there are two very important sea straits in its eastern basin: The first one is the Dardanelles, through which the Mediterranean Sea (and the Aegean) communicate with the Black Sea and the various countries whose coastlines are located on the wider region (of the Black Sea); of course, for the latter the access to open (warm) seas is secured. The second gate of interest is the Suez Canal. Subsequently, the following two basic axes with special importance for maritime transports are formed: a) Atlantic Ocean-Mediterranean Sea-Red Sea and b) Black Sea-Aegean Sea-Mediterranean Sea-Indian Ocean (Figure 1).

As a result, the Mediterranean Sea is often characterised as an extremely important element in the contemporary maritime transport system and, above all, as the most

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8) See GRID ARENDAL, A Centre Collaborating with UNEP, *Maritime Transportation routes in the Mediterranean*, 19 Nov 2013, available at [www.grida.no](http://www.grida.no) (accessed: 05.12.2016). See also Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), *Study of Maritime Traffic Flows in the Mediterranean Sea*, 2008-2012.



important link in the transport chain between Asia and Europe.<sup>9</sup> Both the continental land mass of south-eastern Europe and its surrounding sea areas – in particular the broader area of the Eastern Med region – constitute a subset of Eurasia with very high geopolitical importance. The geo-economic importance of the Med Sea, as a whole, is further enhanced by the fact that this is the "common place" of three different continents. It should also be noted that both the Mediterranean and the Persian Gulf are geopolitically placed among the same broader periphery, while Turkey and Egypt (Suez) can be treated as land and sea bridges at the same time between Europe and the Middle East / Southwest Asia.<sup>10</sup>

**Figure 1. Major global transport routes**



Source: J. P. Rodrigue, C. Comtois & B. Slack, *The Geography of Transport Systems*, Routledge, New York, 2009.

Historically, the Med Sea has been a cultural synthesis zone, as well as a confrontation/conflict area, mainly due to the cultural legacies of its inhabitants (i.e. the crossover of different cultures such as European, Muslim, and Arab). The fact that some of these diversities still meet today on the southern side of the Med is explained, in part, by the geopolitical and geostrategic importance of the region under discussion, especially its south-eastern part. Thus, it is more than evident that the role of the broader area of the Eastern Med Sea is paramount in the evolution of history. It should be noted that the land mass of the Balkan Peninsula and the various countries along the Mediterranean coastline constitute basic targets of any attempt coming from the classical continental powers that concerns access to warm seas.<sup>11</sup> It is also evident

9) See Dalaklis D., Sioussiouras P. & Maniatis A., *EuroMed Academy of Business 2014 conference proceedings*: 'Dealing with the Need of Greek Ports Expansion. A public-private partnership opportunity?', Kristiansand-Norway, 18th September 2014.

10) See Vlachou, G.P. and Nikolaidi, E. (2002), *Maritime Economic Geography*, Piraeus, J & J Hellas, pp.63-67.

11) See Mackinder, H. J. (1904), 'The Geographical Pivot of History', *Geographical Journal*, vol. 23, Flint, C. (2006), *Introduction to Geopolitics*, New York: Routledge, p.13, Mahan, A. T. (1890), *The Influence of*

that with the collapse of the socialist block and the advent of globalisation, the role of the Eastern Med in international politics has become more multidimensional. Thus, besides its geostrategic dimension manifested in the backstage or the aftermath of intrastate conflicts, both during the overthrow of supposedly everlasting ruling regimes in Libya and in Egypt or in the unceasing relentless civil war in Syria, the wider region of the Eastern Med has additionally acquired an upgraded role in the domain of "energy geopolitics". This is taking place due to the ongoing "*pipelines confrontation*", which will be in the focus of south-eastern Europe's politics for the years to come since it enables many geopolitical complexities with a wider impact,<sup>12</sup> as well as the issue of transporting the recently discovered deposits of energy resources available in the Med sea-bed.

The Suez Canal and the Dardanelles Straits are two extremely important choke points for maritime traffic. They both gather a significant high number of ships, with the technical construction between Suez and Port Said steadily exceeding the number of 20,000 crossings per year. For example, in 2016, a total of approximately 34,000 vessels passed through the Canal.<sup>13</sup> Although the current financial crisis and piracy activities in the Gulf of Aden had a negative impact on the number of Suez crossings, since the second quarter of 2013 associated numbers are going up: the EU's naval operation ATALANTA has clearly suppressed the Somali pirates' actions.<sup>14</sup> In any case, a considerable proportion of the world's energy resources, mainly oil and natural gas, passes through the Mediterranean and also through the Aegean Sea (see Figure 2). It is not only those originating in the Persian Gulf: it is through this particular maritime corridor that the entire trade of energy resources coming from the Caspian

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*Sea Power upon History, 1660-1783*, Boston: Little, Brown and Company, Mackinder, H. J. (1902), *Britain and the British Seas*, Oxford: Clarendon Press, Mackinder, H. J. (1962), *Democratic Ideals and Reality*, New York: Norton, and Chaliand, G. and Rageau, J. P. (1985), *Strategic Atlas*, Harmondsworth: Penguin Books, pp.20-25. See also Till, G. (2009), *Sea power: A Guide for the Twenty-First Century*, London: Routledge, Taylor & Francis, Group LLC.

12) This is evident through the Russian support for the South Stream, a pipeline for the implementation of the southern natural gas supply itinerary of Western and Central Europe (this itinerary is also known as the 'South Corridor' and both Russia and US/Europe are in continuous rivalry for the dominance of the pipelines of their sole interest). Furthermore, the recent events of the de facto annexation of the Crimea suggest that Russia wants to be less dependent on Ukraine, that has gradually turned into a western-oriented country. See Desipris, I., *President of Energy Institute of Southeastern Europe, The battle of pipelines (in Greek)* [Online], available at: <http://www.iene.gr> (accessed 05.08.2011).

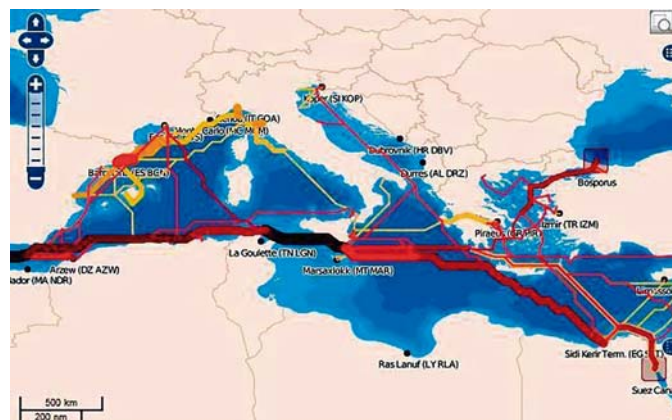
13) See Egyptian Government, Official Site, Suez Canal Traffic Statistics, Yearly Number and Net Tone by Ship, Direction and Ship Status, 2016, available at <https://www.suezcanal.gov.eg> (accessed 20.01.2017). See also Sioussiouras P. and Chrysochou G., *Geography of Energy: Energy Antagonism and Exclusive Economic Zone in the Eastern Mediterranean Sea*, (in Greek), Andreas Sideris Publications, ISBN: 978-960-08-0703-5, Athens, 2017, pp.38-39.

14) See Dalaklis D. (2013), 'Suppressing Piracy in the Horn of Africa: Operation Atalanta', in the Conference *EUROPEAN MARITIME WEEK: Current Trends & Challenges Ahead*, the Jean Monnet Centre of Excellence of the Department of Maritime Studies of the University of Piraeus, Athens, 21st -24th May 2013.



Sea and Russia is transported, either solely by oil tankers or through a combination of pipelines and medium or large tankers.<sup>15</sup>

**Figure 2. Major transport routes within the Mediterranean Sea<sup>16</sup>**



Source: [www.rempec.org](http://www.rempec.org), (accessed February 2016)

In addition, as already mentioned, the wider region of the Eastern Med Sea has started to play a primary role in diversifying the energy supply routes of Central and Western Europe, making it an influential factor in the "*pipelines confrontation*". Indicatively, in 2013, the government of Azerbaijan decided the selection of the TransAdriatic Pipeline (TAP), as a continuation of the TANAP pipeline (Trans-Anatolian Natural Gas Pipeline), with the latter to run through the territory of Turkey. This project prevailed over other proposed projects (i.e. Nabucco, or Italy-Turkey-Greece Interconnector) which had the same aim: to transport natural gas from the deposit of the Shah Deniz II field in the Caspian Sea (see Figure 3). The gas flow is estimated, by optimistic forecasts, to start in 2017-18.<sup>17</sup> Selecting TAP has proved to be beneficial for both Greece and Turkey. As soon as the necessary additional quantities of natural gas from Azerbaijan, Turkmenistan and Northern Iraq to Europe are allocated both by TAP and other additional projects, then they will certainly be able to serve

<sup>15</sup> See Dalaklis D., Siousiouras P. & Nikitakos N. (2009), 'Enforcing Safety and Security in the Eastern Mediterranean: The Greek Effort to Implement Vessel Traffic Services', *International Hydrographic Review*, May 2009.

<sup>16</sup> Yellow lines refer solely to cargo and container ships, while the red mainly to tankers but also to all other types of ships. Additionally, the thickness of the line represents the number of ships following the specific route. Furthermore, there is the Corinth Canal (6 km long), which connects the Gulf of Corinth with the Saronic Gulf and shortens the sea voyage from the Adriatic Sea to the port of Piraeus by 325 km.

<sup>17</sup> TAP is considered as the shortest route in the Southern Gas Corridor, which connects Europe with new gas resources of the Caspian and the Middle East. Shareholders are the Swiss EGL (42.5%), Norwegian Statoil (42.5%) and German E.ON Ruhrgas (15%).

proportionately Europe's energy supply. The final result will be a "South European Gas Corridor" of a medium capacity of at least 40 billion cubic metres (bcm).<sup>18</sup> Therefore, as Greece is also a potential participant in the project of the Russian pipeline, "South Stream", it is aiming to upgrade its role in the wider geopolitical gas transit game to the European market, rendering both itself and the neighbouring state of Turkey strong future transit nodes (hubs). In this respect, there is much potential for cooperation between traditionally conflicting nation-states. Unfortunately, this does not constitute a common rule, as explained below.

**Figure 3. The TANAP, TAP and Nabucco pipelines**



Source: [www.energycorridors.wordpress.com](http://www.energycorridors.wordpress.com), (accessed: 10.4.2015)

### 3. Energy deposits of Eastern Med

The Southeastern Mediterranean Sea (from now on, SE Med), which constitutes a special subject of the analysis at hand, can be described as a maritime area of energy competition. Well before the outbreak of World War II, it was at the heart of the research interest of well-known companies in their quest to confirm the existence of enormous quantities of hydrocarbons in the region.<sup>19</sup> Specifically, according to the data of a United States Geological Service (USGS) study, in the bed of the Levantine Basin, (which is circled by Cyprus, Israel, the

18) See Maniatis I., 'Energy Pipelines and Geostrategy in Crisis Seasons – The Role of Greece' (in Greek), *2011 Mediterranean Oil and Gas Conference*, Athens, 30 May 2011.

19) The exploration operations for oil and gas fields in the area began in 1930 and lasted almost until 2000, conducted by English, French, American and Russian companies, without leading at that stage to safe conclusions. See Iosifidis I. (in Greek), *Energy Planning 2011-2030 and Geopolitics. Cyprus: APE, Natural Gas. 27+1 countries for ... and 1 against*, Nicosia, Parga, 2011, pp.15-17.



strip of Gaza, Lebanon and Syria) there are great deposits of natural gas and petroleum. Companies which serve American-Israeli and Norwegian interests have already been granted the permission to research the sea area between Cyprus and Israel, and they have announced their discovery of large natural gas deposits. The greatest deposits of natural gas seem to exist in the common boundaries of the Exclusive Economic Zones (EEZs) between Cyprus and Israel, thereby promising an alternative and more stable corridor for the energy sufficiency of the EU in its effort to reduce its dependency on Russia. Additionally, the existence of a significant amount of natural gas deposits is possible not only in the areas between Cyprus and Israel and between Cyprus and Egypt, but also in the sea area in the west of Cyprus, which is, between the islands of Cyprus and Crete (see Figure 4). For this reason, the Greek government is in the process of an ongoing licensing round with several interested energy companies (Hellenic Ministry of Environment and Energy, 2012).<sup>20</sup>

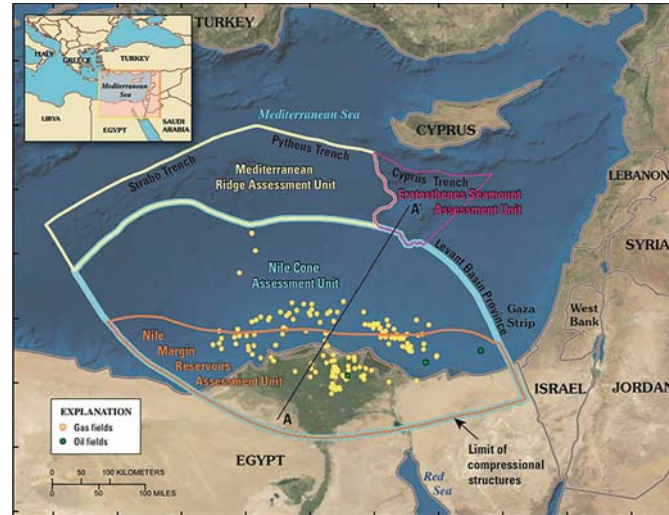
However, not all the EEZs between the neighbouring states have yet been determined (except for the zones between Cyprus and Israel, Cyprus and Egypt, Cyprus and Lebanon), even though intensive consultations among some of the interested parts have commenced for the delimitation of these zones. It should be noted that there are major disputes regarding the issues of the territorial waters and the EEZs in the specific region (e.g. between Lebanon and Israel, or Israel and the Palestinians in Gaza), while the above-mentioned discoveries have also created new components in the hot issues of the Greek-Turkish differences, the Arab-Israeli conflict, the Cyprus problem and the Kurdish question.<sup>21</sup> Hence, political events and decisions in the wider region are decisively influenced by the discoveries of new energy resources of carbohydrates in the sea bed between Cyprus and Israel, as well as in the area of the triangle formed by the islands of Crete–Kastelorizo–Cyprus.

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20) That is why, in July 2014, in London, the Greek government conducted the auctioning of sea plots of Greece's new licensing round, including nine plots in the most interesting and promising area south of Crete. In parallel, an area south of the Peloponnese will be also auctioned, while the rest relate to the Ionian Sea. The total number of plots to be auctioned amounts to 20. Among the companies participating in the presentation were the BP, EXXONMOBIL, SHELL, TOTAL, CHEVRON, STATOIL, ANADARKO, REPSOL etc. The tender for the round of concessions was published in August 2014. See Hellenic Ministry of Environment and Energy, available at <http://www.ypeka.gr/Default.aspx?tabid=765&language=el-GR>, (accessed: 05.12.2015).

21) See Chrysochou G., 'Energy Geopolitics in Southeastern Mediterranean Sea and Maritime Delimitation Issues', *Athena 14 Journal, Security and Crisis Management International Conference*, Hellenic EU Presidency 2014, Ministry of Defence, Athens, 17-19 June 2014, pp.60-74., available at <http://www.geetha.mil.gr/media/ATHENA2014/files/journal.pdf>

**Figure 4. Assessment of undiscovered oil and gas resources in the SE Med basin**



Source: United States Geological Survey, *World Petroleum Resources Project*, 'Assessment of Undiscovered Oil and Gas Resources of the Nile Delta Basin Province, Eastern Mediterranean', USGS, May 2010.

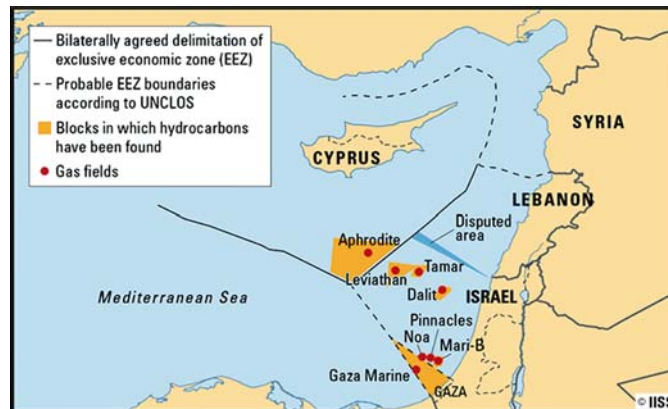
#### 4. Cyprus-Egypt-Israel: Cooperative and antagonistic relations

In 2000, Cyprus, took advantage of the aforementioned geopolitical circumstances by systematising the procedures for hydrocarbon exploration in the maritime area between Cyprus and Egypt. The outcome of the negotiations with the Egyptian government was the recognition and demarcation of the boundaries of their EEZs and the 2003 agreement for exploration and exploitation of any natural gas within these areas.<sup>22</sup> In addition, in 2010, Cyprus collaborated with Israel to achieve an agreement on a common exploitation of the adjacent energy deposits, 'Leviathan' and 'Venus' (which lie within Block 12 of Cypriot surveys), of the 'Levantine' basin, considering them a unified area of common interest for the two states (see Figure 5). At the same time, Cyprus legitimated internationally this cooperation by signing an agreement on the delimitation of the EEZ with Israel.<sup>23</sup>

22) Since 2007 until today, rapid development has been observed in the region. Typical examples are the seismographic studies carried out in 2009 by Noble Energy in the wider region between Israel and Cyprus, as well as the discovery of 'Leviathan's' Israeli deposit, which is estimated to contain 16 trillion cubic feet (tcf) of exploitable natural gas and is located in the marine subsoil of the neighboring Israeli fields Alon A and Alon B. See, I. Iosifidis, op.cit.

23) However, recent developments in the SE Med sea basin, in particular estimates for new hydrocarbon resources in the sea area between Cyprus and Israel, but also in the maritime triangle area of the southern sea basin of Crete-Kastelorizo-Cyprus, complicate the geopolitical landscape of the wider region. See

**Figure 5. The Cypriot and Israeli energy deposits in Southeastern Med**



Source: International Institute for Strategic Studies (IISS).

In the aftermath of the abovementioned agreement, there is a widespread belief that Israel has seriously considered Greece and Cyprus as a transfer node towards Europe of the gas that is discovered within its EEZ (the so called 'East Med Pipeline'; see also Figure 6). That may stand true both because Israel has estimated that the construction of relevant infrastructures could possibly receive financing from Europe and because the alternative route (via Turkey) seems for the moment not to be feasible, on the grounds that Tel Aviv does not regard (correctly, according to what has been recorded so far) its relatively recent crisis in its relationships with Ankara as a temporary circumstance.

On the other hand, of course, the option of transferring Cypriot-Israeli gas to the West via pipeline linked to the Arab Gas Pipeline<sup>24</sup> and through the projection to Turkey seems difficult for the time being because of the increased pipeline security issues due to the volatility in the specific region. The option of the cheapest solution, namely the construction of a pipeline from Cyprus to Turkey and then to Western and Central Europe, has so far been politically forbidden, at least for the near future, because of the 'Cyprus Question'.<sup>25</sup> Nevertheless, Nicosia is worried about any Israeli thought that it may proceed, even without a solution to the Cyprus problem, in agreement with Turkey on the laying of a pipeline for the transport of natural gas from 'Leviathan' to

Chrysochou G. and Dalaklis D., 'The Declaration of a Cypriot Exclusive Economic Zone (EEZ) and the Law of the Sea (in Greek)', *Nausivios Chora – A Journal of Naval Sciences and Technology*, Volume 4/ 2012 (ISSN: 1791-4469), Hellenic Naval Academy, Piraeus, December 2012, pp. 245-263.

24) Which connects Egypt, Israel, Syria and Lebanon.

25) See *Southeastern Mediterranean Hydrocarbons: A new energy corridor for the EU*, available at: <http://www.defencegreece.com/index.php/2012/04/southeastern-mediterranean-hydrocarbons-a-new-energy-corridor-for-the-eu/>, (Accessed: 02.02.2013).



the Turkish market. However, it considers that the two countries (Israel and Turkey) are far from signing a framework agreement. With regard to the debate over whether Israel and Turkey or the companies concerned are legally obliged to deposit a request to Cyprus for granting permission to lay a pipeline passing through the Cypriot EEZ before reaching the Turkish coast, the Cypriot government strongly believes that no pipeline can be demarcated without its consent. It refers in this regard to Article 79 (3) of the UN Convention on the Law of the Sea, which provides that the coastal state's consent is required wherever another state wants to lay a submarine pipeline on its continental shelf.<sup>26</sup>

An indication of Israel's intention to export gas to Turkey (but also through Turkey to Greece and Europe) had been the statements by Netanyahu and Steinitz, as well as the attempted normalisation of Israeli-Turkish relations through contacts between top officials and committees of the two countries. However, beyond the Cyprus issue, Turkey's attitude to the Palestinian conflict, accompanied by the Israeli demand for the closure of Hamas offices in Turkey, is also a significant factor in such an agreement. Moreover, the resulting security issues between Lebanon-Israel-Syria and the general instability in the region (with emphasis on the civil war in Syria, the riots in Egypt, and the resurgence of the Israeli-Palestinian conflict) have made – until at least the discovery of the giant "Zohr" deposit in the Egyptian EEZ – such a plan impossible.<sup>27</sup>

On the other hand, another alternative and/or complementary solution being considered by Israel is the liquefaction of natural gas at Egyptian terminals (in Damietta and Idku) and its shipment to the markets of Europe and Asia. This solution has its own difficulties as it will depend on the viability of the current regime and on the overall stability of Egypt's political life, due to both the Egyptian debt settlement (\$1.7 billion) against Israeli energy companies and the cost of extracting, liquefying and transporting gas to Europe.<sup>28</sup>

In that respect, until recently, the EastMed Pipeline had been discussed as a possible solution. This solution, though feasible, is costly in that it requires the future confirmation of larger recoverable gas reserves in the region. In particular, the construction of the Israeli-Cyprus-Greece pipeline, although it will be the subject of a further study according to the decisions taken at the tripartite summit in Nicosia, is unlikely to become a reality as it presents technical difficulties (water depth, pipeline diameter), and furthermore, it is economically unprofitable as it requires a gas price of around \$10 while the current market price is about half that. In order to have such a pipeline, the

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26) See Kalatzis M., 'Cyprus: Drilling in Block 11 starts tomorrow – Barbaros changed course (in Greek)', *Proto Thema* [online] available at: <http://www.protothema.gr/greece/article/697329/arhizei-aurio-i-geotrisi-sto-oikopedo-11-rota-barbaros-gia-aigaio-/> (accessed: 14.07.2017).

27) See Diakantonis M., (in Greek), *The energy landscape in Greece, Cyprus and Israel: Prospects and Challenges*, 2 March 2016, available at: [www.liberal.gr](http://www.liberal.gr)

28) Ibid.



prices will have to rise significantly and additional gas quantities should be found in the SE Med region to justify the construction cost. However, it is the best long-term solution, not only for the countries concerned but also for the EU, in that it releases the latter from the great energy dependence on Russia and other unstable or at times "hostile areas", since the source and the means of transport will be controlled by EU countries and Israel respectively. Bearing in mind that in the future (after the confirmation of possible energy deposits in the maritime area south of Crete) the construction of a natural gas pipeline to Greek mainland and the rest of Europe will be required, then the most ambitious project would certainly be the interconnection of this pipeline with Cyprus and Israel, or even with the Arab Gas Pipeline.<sup>29</sup>

**Figure 6. The 'East Med Pipeline via Greece'**



Source: 'Southeastern Mediterranean Hydrocarbons: A new energy corridor for the EU', available at <http://www.defencegreece.com/index.php/2012/04/southeastern-mediterranean-hydrocarbons-a-new-energy-corridor-for-the-eu/>, (Accessed; 02 February 2015)

The potential perspective of the above project had been already confirmed by the President of the European Commission during the proceedings of the Council of 22 May 2013, in the general context of determining the future energy priorities of the EU. The energy dependence of the EU on countries belonging to the Arab-Muslim world, which are in a highly sensitive political and geostrategic transition, but also on countries like Russia, which demonstrate a high level of geostrategic competition against the dipole 'Great Britain-USA', forces the Western world, and particularly the EU, to pay attention to the promising hydrocarbon reserves of the Republic of Cyprus, Israel and Greece. Europe's gas imports increased markedly last year, reflecting the strong increase in demand, together with weakness in the domestic production of natural

<sup>29</sup>) Ibid.

gas. But virtually the entire rise in European imports was met by pipeline gas, from a combination of Algerian and Russian supplies. Indicatively, Europe needs 6 tcm for the next 30 years, a quantity that certainly cannot be covered with Russian stocks. The Russians export 130 bcm gas each year to Europe.<sup>30</sup> If, for example, we think that Russia is selling gas at \$12,000 per 1000 cubic feet, then its annual revenue from this is about \$55 billion. If Greece, Cyprus and Israel occupy one third of the European market, which is currently controlled by Russia (thus export to Europe about 1.5 tcf of natural gas at \$6 per 100 cubic feet, which is half the price of that of Russia), then the exportable Russian quantity will drop to about 3 tcf with a consequent loss of revenue of about \$36.6 billion per year.<sup>31</sup>

Of course, Israel has not yet finally decided how to exploit its own deposits, thus what quantities will export to Europe and how will this be achieved, whether by Liquefied Natural Gas tankers (LNG), or via pipeline. The type and depth of strategic relationship that Israel develops with Cyprus-Greece and the EU will largely depend on this decision. Nevertheless, the new evidence of the discovery of the large Zohr gas field in Egypt by ENI (see Figure 7) has alarmed Israel and Turkey as well as Cyprus, since Egypt could now play a bigger role in the provision of natural gas to international markets. The additional factor that the Zohr deposit is managed by the ENI, which is licensed on three blocks of Cyprus, in connection with the fact that the company itself is a major shareholder at the liquefaction terminal in Damietta of Egypt, creates a very fragile environment with regard to the plans of other countries, especially Israel.<sup>32</sup> While Egypt celebrates the discovery of the new large deposit, Israel follows these developments with some suspicion, since it realises that in the future it may suffer significant economic losses. This is because the companies licensed on Israeli blocks (Delek Group Ltd and Noble) have signed a letter of intent with Egypt for supplying natural gas for liquefaction. However, this is not a binding agreement and, in addition, the gas extraction from the Zohr deposit is expected in 2020, just one year after the beginning of the extraction of natural gas by Israel's Leviathan deposit (2019). As a

30) See British Petroleum (BP) Statistical Review of Energy 2017.

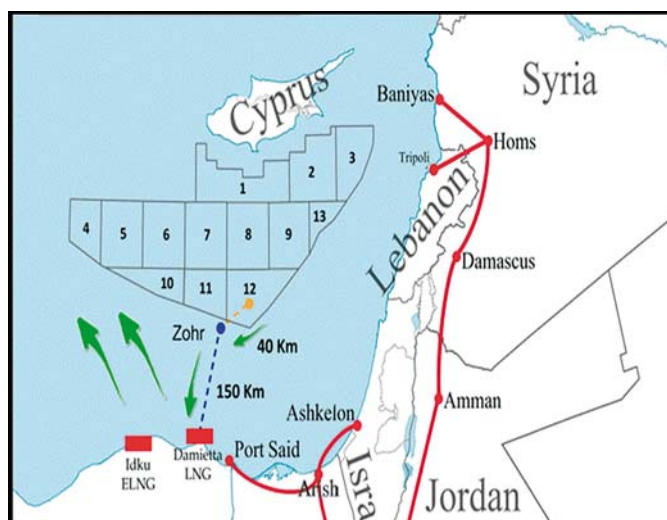
31) Here, it can be noted that Liquefied Natural Gas (LNG), although not the perfect solution, offers market flexibility and the possibility of ship transfer to markets where prices are higher. However, due to the high cost of building a liquefaction plant, the LNG costs a lot more than the transportation of gas via pipeline. In addition, since LNG investors want to secure long-term commitments for this market, the quantities of Aphrodite's deposit in the Cypriot EEZ are insufficient for this (in the case that no larger quantities are confirmed). Nevertheless, Israel, referring to an interministerial committee, originally proposed that gas export infrastructure should be under Israeli control, which would probably exclude Crete's choice of transferring Israeli gas to Western Europe. See Dokos Th., 'Important strategic approach' (in Greek), *Fileleftheros tis Kyriakis*, p. 10, Nicosia, 12 August 2012. See also Chrysochou G., 'The Energy Security Dimension of Southeastern Mediterranean Sea: Geopolitical Rivalries and Prospects for Greece and Cyprus', *Naval Review*, Volume 176, Issue 597, pp. 16-39.

32) See Tsagaris P. (in Greek), Natural Gas: Between Hammer and Thorn is Cyprus, available at: <http://www.offsite.com.cy/articles/kyria-themata/politiki/17504-analysi-fysiko-aerio-metaxy-sfyryas-kai-akmonos-i-kypros> (accessed: 01.03.2016).

result, there are many who believe that Egypt (after Zohr's discovery) will not depend on Israel's natural gas and, of course, neither on Cyprus, as has been the case so far due to the fact that one of the two Egyptian liquefaction terminals were down because of an unsatisfactory amount of gas.<sup>33</sup>

In this context, on March 24th 2016, the 3rd Cyprus Licensing round was announced, aiming to attract new oil and gas exploration production investments from oil companies into the Cypriot blocks 6, 8 and 10 of the Cypriot EEZ.<sup>34</sup> This movement represents an important step for improving further the existing already positive economic development of Cyprus. The 3rd Cyprus licensing round was entirely based in the new geological exploration model which permitted to the Italian oil company ENI to discover the Egyptian supergiant gas field "Zohr" located in the Cyprus EEZ border with Egypt.<sup>35</sup>

**Figure 7. 'Zohr' Energy Deposit**



Source: I. Parisi & E. Konofagos, *Energy Surprises and Geopolitical Turnovers in Eastern Mediterranean*, Academy of Strategic Analyses, available at <http://www.acastran.org>, (accessed: 7 Feb 2017)

Moreover, beyond the abovementioned largely cooperative relations between Cyprus, Israel and Egypt with regard to their offshore energy activities, there is a serious impediment to the smooth exploitation of the energy resources of the East Med basin:

33) Ibid.

34) See Republic of Cyprus, Ministry of Energy, Commerce, Industry and Tourism, available at: [http://www.mcit.gov.cy/mcit/mcit.nsf/dmlhcarbon3en/dmlhcarbon3\\_en?OpenDocument](http://www.mcit.gov.cy/mcit/mcit.nsf/dmlhcarbon3en/dmlhcarbon3_en?OpenDocument) (accessed: 27.10.2016).

35) See Konofagos E., Lygeros N. and Foskolos A. (in Greek), *Zohr Deposit: Turning over all geopolitical balances*, available at [www.energypress.gr](http://www.energypress.gr) (access: 27.01.2016).

the fact that Turkey, a major geostrategic regional player has not been a part of any of the aforementioned cooperation and EEZ delimitation agreements, having also long-lasting disputes with Cyprus and Greece regarding maritime and sovereignty issues as well as the 'Cyprus Question'. Moreover, Turkey is not a signatory of the United Nations Convention on the Law of the Sea (UNCLOS); this complicates the situation even more. As a result, in order to obtain a thorough view of the parameters taken into account for the delimitation of EEZs of the adjacent states of the wider area of Eastern Med, it is first prudent to set out a brief outline of both the legal regime of offshore energy activities in the EEZ / Continental Shelf and the relevant theory for the EEZ delimitation. Following that, the analysis will proceed to the depiction of a comprehensive picture of the maritime delimitation status of the Eastern Med region, before highlighting the problematic of the maritime delimitation security issues among Cyprus-Turkey-Greece in the SE Med Sea.

## 5. Offshore energy activities in the EEZ and delimitation aspects

The existing law of the sea has been codified by the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which also deals with navigation issues at the global level, based on the vast number of its member states. Nevertheless, there are states that have not yet proceeded towards signing and/or ratifying the Convention; these include a major state in international affairs: the United States. However, regarding the maritime delimitation issues, UNCLOS is the cornerstone for setting the basic principles and regulations. Accordingly, UNCLOS defines the Exclusive Economic Zone (EEZ) as a maritime zone which can extend up to 200 nautical miles. Hereinto, a coastal state can exercise its sovereign rights upon the Continental Shelf up to 200 nautical miles (nm) for research and exploitation purposes,<sup>36</sup> except in cases where the Continental Shelf (CS) extends beyond 200 nm.<sup>37</sup> In both the EEZ and Continental Shelf, coastal states have sovereign rights for the purpose of exploring, exploiting as well as conserving and managing the natural resources, whether living or non-living. Those resources may be found in the waters superjacent to the seabed, on the seabed, or on its subsoil. Coastal states also have sovereign rights with regard to any related marine scientific research, meaning that the coastal state's consent is required for any other country or institution/organisation that wants to conduct this kind of research in the specific maritime zones. In addition, the coastal state has the right to withhold permission if the marine scientific research is intended directly for the exploration or exploitation of the natural resources of the coastal state. The same rule applies if drilling or the use of harmful substances or explosives is proposed.<sup>38</sup>

<sup>36</sup>) See UN (1982), *United Nations Convention on the Law of the Sea (UNCLOS)*, Articles 76, 77, 83 and 121.

<sup>37</sup>) See Oikonomidis, K. (1985), 'Primal Regulations of the New Law of the Sea' (in Greek), *9 International Law and International Politics*, p.182.

<sup>38</sup>) Coastal states are expected to consent to marine scientific research by other states and international

The extension of coastal state jurisdiction in the EEZ limited by 36% the area covered by the open sea, accumulating in their favor 95% of world fishery.<sup>39</sup> Along with the adoption of the EEZ, the problem of its delimitation arose, given the close linkage between the Continental Shelf and the EEZ. According to UNCLOS article 74(1), the EEZ delimitation between states with adjacent or opposite coasts is regulated following an agreement, aiming to achieve a fair solution. If reaching an agreement is not possible, according to UNCLOS Part XV, the interested parts must resort to conciliation for the settlement of the difference (article 74(2)).

Anyhow, the EEZ delimitation line needs to identify with the corresponding line of the Continental Shelf, to the degree that the very same sovereign rights in the seabed and the submerged lands of the continental shelf are recognised in favor of the coastal states<sup>40</sup> (see Figure 8). Self-evidently, despite the obscurity of the clauses concerning the EEZ delimitation, given the overlap of the continental shelf zone and the EEZ, the international application and the corresponding case law, the clauses on the continental shelf delimitation are applied *mutatis mutandis* for the EEZ as well, with the following highlights: the equity provided by UNCLOS for the delimitation of overlapping Continental Shelves<sup>41</sup> has as a starting (provisional) delimitation line the median line (as a general customary delimitation rule), which is then examined to be modified in the light of the relevant circumstances of the delimitation area, mainly the geographical configuration of the coastline and the proportionality criterion. It is also necessary to point out that the principle of equity as a delimitation method has a technical character, when compared to the median line or to equidistance.<sup>42</sup>

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organisations, providing certain conditions are met. These include: a) the research is not related to the exploration or exploitation of the living or non-living resources in the region; b) the research does not involve drilling on the continental shelf, the use of explosives, the use of harmful substances, the construction, operation or use of artificial islands, installations or structures; c) in accordance with UNCLOS, information related to projects to be undertaken in an area must be provided to the coastal state. This includes the nature and objective of the project, the methods and means, including the names, tonnage, type and class of vessels and equipment to be used, the precise geographical area, the dates of first arrival or deployment of vessels or equipment and the final departure date, the sponsoring institute, the names of its director and person in charge and the extent to which the coastal state may participate in the project. If any of this information is inaccurate or not forthcoming, or if there are any other outstanding issues, it could be grounds to deny consent; d) the coastal state may designate specific areas where exploration will shortly commence and therefore decline consent; and e) the coastal state may also undertake projects with international organisations. See UNCLOS, Part XIII, 1982.

39) See Karakostanoglou, V. (1994), 'Coastal State Rights in the EEZ: Challenges and Perspectives for the Aegean Sea' (in Greek), *The Aegean Sea and the New Law of the Sea – Symposium proceedings*, Rhodes, 4-5 November, p.179.

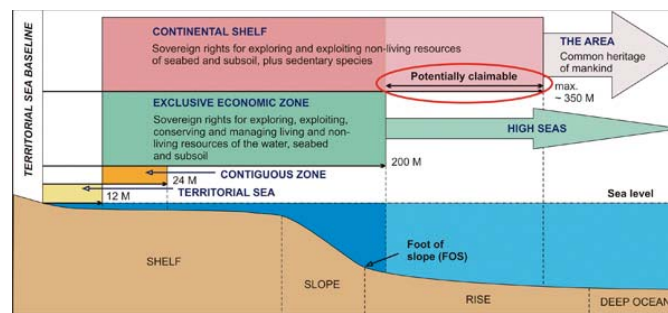
40) See Evans, M. (1989), *Relevant Circumstances and Maritime Delimitation*, Oxford: Clarendon Press.

41) See UN (1982), *United Nations Convention on the Law of the Sea (UNCLOS)*, op.cit.

42) See Rozakis, Ch. (1988), *1923-1987 Greek-Turkish Relations, The International Legal Regime of the Aegean Sea and the Greek-Turkish Crisis. The Bilateral and the International Institutional Issue* (in Greek), Athens, Gnosi, p.326.

The above are much more valid in the case of EEZ to the degree that the standard of the distance from the land deadens the corresponding geological standard (natural prolongation) of the Continental Shelf. At this point it is worth remembering that the Geneva Convention (1958) on the Continental Shelf defines the legal Continental Shelf by emphasising on the geological standard, an emphasis based on the Truman Declaration influence, particularly for the point it referred to the geological linkage of between the coastal state and the bottom of the sea.<sup>43</sup> On the other hand, UNCLOS, by introducing invariable standards for the EEZ and Continental Shelf delimitation (in particular the equidistance standard) limited to a minimum any controversies its estimation could cause,<sup>44</sup> while it fortified the equidistance rationale during delimitation.<sup>45</sup> In favour of this reasoning is the fact that the distance standard is the decisive one for the Continental Shelf measurements up to the 200 nm margin, whereas the geological standard maintains its importance only for the continental-shelf extending beyond the 200 nm margin.<sup>46</sup>

**Figure 8. The Maritime Economic Zones**



Source: German Federal Institute for Geosciences and Natural Resources

## 6. The maritime zones status of the Eastern Med and delimitation issues

With regard to the Eastern Med, the fact that many states are not signatories to UNCLOS (Turkey, Israel), combined with the number of maritime delimitations which are required to be settled between countries with contradictory interests and historic rivalries in the wider area, leaves little room for plotting commonly accepted applicable

43) See UN (1958), *United Nations Convention on the Continental Shelf*, Articles 1, 56, 57 and Part VI.

44) See UN (1982), *United Nations Convention on the Law of the Sea (UNCLOS)*, op.cit.

45) See Strati, A. (2004), 'The Exclusive Economic Zone' in Dipla, Ch. And Rozakis, Ch. (eds.) *The Law of the Sea and its application in Greece* (in Greek), Athens: Sideris, pp. 77-78 & 145-209, and particularly the commentary on the ICJ Libya-Malta Decision par. 33.

46) See *ILM* (1985), vol. XXIV, no. 5, September 1985.



rules for delimitation purposes. Nevertheless, the Continental Shelf and EEZ boundary delimitations that have taken place in the Eastern Med through agreements and unilateral declarations are the following:<sup>47</sup>

- In 1968, Italy and Federal Yugoslavia by agreement between them, delimited their Continental Shelf, and after the collapse of the latter, Croatia announced in 2000 that it considers this delimitation boundary to be valid for the EEZ as well, except in some sections.<sup>48</sup>
- In 1977, Greece and Italy delimited their Continental Shelves by agreement, based on the principle of equidistance/median line.
- France proceeded to the unilateral declaration of its EEZ in the Mediterranean in November 2013.<sup>49</sup> However, the designated area overlaps a part of the EEZ delimitation area between Spain and Italy. This fact causes friction between France and Spain, with the latter state considering that France encroaches part of its EEZ. Furthermore, Spain has declared an EEZ up to the isobaths' limit of 50 m in the Gulf of Gabès.<sup>50</sup>
- Additional unilateral proclamations of EEZ have been issued as well by Syria and Morocco, while Libya asserts a fishing zone of 62 nm.
- Between Egypt and Cyprus in 2003, there has been an EEZ delimitation agreement on the basis of median line principle.<sup>51</sup> This bilateral agreement between Cyprus and Egypt entered into force on 7 March 2004.<sup>52</sup> A fact of

47) See Chrysochou G., 'Contemporary Status of Maritime Zones in Southeastern Mediterranean in the light of energy antagonism', *NATO Maritime Interdiction Training Centre (NMIOTC) Journal*, 2nd Issue, Dec 2015, ISSN: 2241-438X.

48) Croatia even named this area an 'Area of Ecological Protection'. However, other adjacent states of the Adriatic Sea which have emerged from former Yugoslavia, namely Montenegro, Slovenia and Bosnia-Herzegovina, assert their participation in the delimitation procedure. However, there has been no result yet, because the latter two countries either have no coastline on the Adriatic Sea or the coastline they have is very limited, and as a result, so far any possible settlement of the delimitation boundary remains pending. Moreover, there has not yet been an official confirmation of the delimitation agreement between Croatia and Montenegro. Finally, in 2005, Slovenia unilaterally defined the coordinates of a specific but temporary area in the Adriatic region, while naming that region as an 'Area of Ecological Protection', until the settlement of the Continental Shelf between it and Croatia.

49) Until 2013, France had only declared an EEZ for its western coastal side in the Atlantic Ocean.

50) See United Nations Division for Ocean Affairs (2011), *Table of claims to maritime jurisdiction* [Online], available at: [www.un.org/Depts/los/table\\_summary\\_of\\_claims.pdf](http://www.un.org/Depts/los/table_summary_of_claims.pdf) (accessed: 17.07.2011).

51) See *Agreement between the Republic of Cyprus and the Arab Republic of Egypt on the Delimitation of the Exclusive Economic Zone*, 17 February 2003. That agreement contains the provision that 'the delimitation of the exclusive economic zone between the two Parties is effected by the median line of which every point is equidistant from the nearest point on the baseline of the two Parties'. See Article 1, (a). The demarcation is drawn very carefully so as not to create interference with Greece in the south-eastern region of Kastelorizo Island. However, Turkey has issued a *note verbale* to the UN with regard to that particular delimitation, stating that it should have been involved because it affects its national interests.

52) See Strati, A. (2004), 'The Exclusive Economic Zone' in Dipla, Ch. And Rozakis, Ch. (eds.) *The Law of the Sea and its application in Greece* (in Greek), Athens: Sideris, pp. 77-78 & 145-209.

particular importance was the approach taken in determining the westernmost point of the median line between Cyprus and Egypt. On the advice of Greece, citing reasons of avoiding tension with Turkey, the set point of the EEZs between Cyprus and Egypt was shifted about 15 to 20 kilometres east of its previous location, so as to keep a potential Greek-Turkish issue of awarding or not a delimitation effect to the Greek island of Kastelorizo temporarily neutral and out of the context of the present agreement.<sup>53</sup>

- A similar agreement with Egypt was reached between Cyprus and Lebanon in 2007, following a decision by Cyprus to undertake the initiation of the first licensing round for hydrocarbon exploration activities in 2007, and the resulting pursuit of reaching EEZ agreements with other neighbouring countries. The delimitation has been achieved by agreement on the basis of equidistance/median line on the same content and procedure followed in the respective agreement between Cyprus and Egypt. However, the prolonged instability that prevailed in Lebanon's political scene, together with border disputes with Israel, were the main reasons why the ratification of the agreement by the Parliament of Lebanon has not been possible to date.<sup>54</sup> The border dispute between Lebanon and Israel concerns an area of 850 square kilometres.<sup>55</sup>
- Finally, on 17 December 2010, the EEZ delimitation agreement between the Republic of Cyprus and Israel was signed, based on the delimitation method mentioned above in the existing agreements with Egypt and Lebanon. This agreement was ratified by the relevant law of the House of Representatives of Cyprus in February 2011.<sup>56</sup>

Regarding the possibility of delimitation of the EEZs between Greece and Cyprus, there has not been any agreement so far, despite insistence on the part of the Republic of Cyprus. However, the length of the maritime border between the two countries is

53) Greece supports the assertion that the delimitation of the respective zones must be done on the basis of equidistance/median line, asserting full effect to the southeastern Greek islands of the Aegean, including Kastelorizo island, while Turkey seems to support the reduced effect to those particular islands due to its assertion in favour of handling of the relevant area as an area of special legal status that justifies the use of equity principles. See Kassinis, S. (2012), 'The EEZ of Cyprus Republic: From Theory to Practice', in Kikilias, V. (ed.) *EEZ: From Strategic Movement to Economic Solution* (in Greek), Athens: Kastaniotis, p.77-78 & 81-82.

54) See Chrysochou, G. (2014), op.cit.

55) However, in the course of an official visit to Cyprus in 2012, the President of the Parliament of Lebanon expressed the intention of the Lebanese Government to sign the agreement immediately after the border settlement with Israel. See Press General Secretariat of Cyprus Republic (2012), *Cyprus Today*, 07 Mar.

56) Israel, being a non-contracting party to UNCLOS, and, therefore, not contractually bound by its provisions – except those which constitute rules of customary international law, and only if they do not conflict with the rules of Israeli domestic law – should have adopted relevant domestic law as a basic condition for the initiation of official negotiations and then concluding an EEZ delimitation agreement with another country. That kind of law was adopted in mid-2010. See Kassinis, S. (2012), op.cit.

estimated at 27 nm approximately.<sup>57</sup> In addition to the abovementioned agreements of maritime delimitation, as well as unilateral declarations of EEZs in the Mediterranean region, there are also two maritime delimitation decisions by the ICJ for the cases of the Continental Shelves of Tunisia-Libya and Libya-Malta.<sup>58</sup> In addition, lately, there has been a growing desire on the Greek side to start negotiations with the Libyan side in order to reach an agreement on maritime delimitation.<sup>59</sup> However, according to the Libyan side, these issues will need to be addressed within a framework which will include third countries with common maritime borders, namely Turkey and Egypt.<sup>60</sup> Furthermore, it should be made clear that the non-declaration of EEZs by any coastal state in the region is not a factor that reduces its full sovereign rights in the seabed and subsoil, which are fully guaranteed by the legal regime of the Continental Shelf. Given that the EEZ is – if the coastal State wishes – the possible extension of its sovereign rights at the overlying bottom water column, aiming to control fishery and energy production, in accordance with Article 56 of UNCLOS, the sovereign rights over the Continental Shelf exist for a coastal state *ab initio* and *ipso facto*, regardless of any express proclamation.<sup>61</sup>

## 7. Maritime delimitation issues among Cyprus-Turkey-Greece

The Republic of Cyprus has always complied with international law requirements and, in particular, with regard to International Law of the Sea, has always followed international customary and conventional practice. Thus, the Law Act 64(I)/ 2004 established and therefore proclaimed an EEZ for Cyprus.<sup>62</sup> According to this Act, if

57) See Strati, A. (2012), *Greek Maritime Zones and Delimitation with Neighboring States* (in Greek), Athens: Law Library, p.150.

58) Libya has not ratified yet the UNCLOS, remaining over time committed to the principles of equity/ relevant circumstances for the delimitation of maritime zones. In the cases of the delimitation of Continental Shelf boundary with Tunisia in 1982 and Malta in 1985, Libya claimed respectively that the islands have no effect at all in the determination of delimitation line and that the Continental Shelf boundary should not be determined under the principle of equidistance/median line sought by Malta. Moreover, in the latter case Libya asserted as relevant circumstances to be taken into account by the Court, the geomorphologic criteria and the principle of proportionality between the length of the coastline of each state and the respective allocated Continental Shelf areas. See *Continental Shelf (Libyan Arab Jamahiriya/Malta)*, (1985), Judgment, ICJ Reports and *Continental Shelf (Tunisia/Libyan Arab Jamahiriya)*, (1982), Judgment, ICJ Reports.

59) Consequently, there have been some contacts at the level of competent experts from the two countries, but also at the level of Foreign Ministers during a meeting held in Tripoli on 21 December 2012. The outcome of that meeting was the agreement between the two sides on a roadmap for issues relating to maritime zones.

60) See Hellenic Ministry of Foreign Affairs, *Statements between the Greek Minister of Foreign Affairs D. Avramopoulos and the Minister of International Cooperation of Libya I. Abdelaziz* [Online], available at: [www.mfa.gr](http://www.mfa.gr) (accessed: 21.12.2012).

61) See UN (1982), *United Nations Convention on the Law of the Sea (UNCLOS)*, op.cit.

62) This law has had retroactive effect from 27 March 2003 to address the issue of signing the agreement

any part of the Republic of Cyprus' EEZ overlaps part of the EEZ of any other state whose coasts are opposed to those of the Republic of Cyprus, the delimitation of the EEZ of the Republic of Cyprus and the EEZ of the other state will be determined by agreement between them. In the absence of such an agreement, the demarcation of the border of this zone shall not extend beyond the median line/equidistance from the two baselines from which the width of the territorial sea is measured.<sup>63</sup> As a result, Cyprus has established as its internal law the application of the principle of the median line/equidistance, confirming thus the international state and custom practice. The above principle was applied in the 2003, 2007 and 2010 delimitation and energy cooperation agreements between Cyprus and Egypt-Lebanon-Israel. However, these agreements triggered reactions to the Turkish revisionist policy in the SE Med, based on the fear of a possible similar delimitation agreement between Cyprus and Greece which would apparently limit Turkey in the Gulf of Antalya.

In the light of the above, through *notes verbales* and press releases, Turkish foreign policy has challenged the aforementioned EEZ boundary agreements based on the argument of not accepting the legitimacy of the Greek Cypriot government of the Republic of Cyprus to jointly represent both the Turkish Cypriots and Greek Cypriots and hence Cyprus as a whole.<sup>64</sup> Accordingly, the Turkish argumentation supports that the Republic of Cyprus does not have the legal right to conclude maritime area delimitation agreements. Moreover, in addition to promoting the role of Turkey as a guarantor, under the 1960 Guarantee Treaty, Turkey calls Cyprus to stop offshore activities for the search and exploitation of natural resources until a solution to the Cyprus question is given in the context of UN. Finally, the Turkish protests also concerned by Turkey's non-compliance with International Law through the abovementioned agreements, due to the special status of the Mediterranean as a semi-enclosed sea, in which, according to the Turkish approach, maritime boundaries should be based on the principle of equity, let alone at a time when Turkey is not bound by the provisions of UNCLOS. Furthermore, technical objections were raised by the Turkish side, which included claims in allegedly overlapping areas of its continental shelf in the EEZ between Egypt and Cyprus, covering all the points off the west coast of Cyprus towards the west, until the meridian of 32° 16' 18" (see Figure

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with Egypt prior to the introduction of the EEZ by the Republic of Cyprus. This Cyprus-Egypt bilateral agreement entered into force on 7 March 2004. See post scriptum in the study of A. Strati, 'EEZ' in Ch. Dipla and Ch. Rozakis (in Greek), *Law of the Sea and its Application in Greece*, Sideris, Athens, 2004, pp. 145-209.

63) See Kasinis S., *op.cit.*

64) See UN, Law of Sea Bulletin, 2 March 2004, No 54, p. 127, available at [www.un.org/Depts/los/doalos\\_publications/Los Bulletins/bulletin.pdf/bulletin 54e.pdf](http://www.un.org/Depts/los/doalos_publications/Los%20Bulletins/bulletin.pdf/bulletin%2054e.pdf) (accessed: 17.5.2010). However, regarding the 2010 agreement between Cyprus and Israel, the Turkish side argues that there are no objections to what concerns the part of the Israeli EEZ, although it is stated that there are some concerns about the freedom of navigation in this part of the sea. See press release of the Turkish Ministry of Foreign Affairs, *Regarding the Exclusive Economic Zone (EEZ) Delimitation Agreement Signed Between Greek Cypriot Administration and Israel*, No 228, 21 December 2010.

9). According to these Turkish objections, the demarcation of the EEZ to the west of this longitude must be done through agreements between the affected States, while it is further argued that the outermost limit of the Turkish continental shelf reaches the 28th meridian.<sup>65</sup> Against the abovementioned objections, there have been diplomatic and legal reactions from both the Cypriot and the Greek sides respectively.<sup>66</sup>

**Figure 9. The Turkish approach to the Republic of Cyprus EEZ**



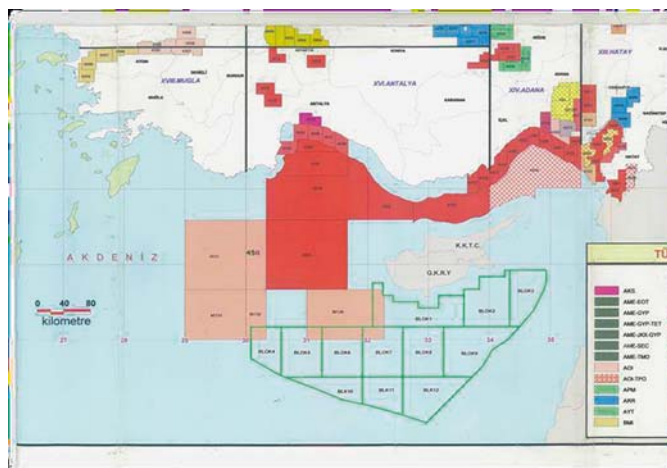
Source: Çagatay Erciyes, Deputy Director General for Maritime & Aviation Affairs, Ministry of Foreign Affairs, "Maritime Delimitation & Offshore Activities in the Eastern Mediterranean: Legal and Political Perspectives Recent Developments", *Tupoge*, 21th March 2012, Ankara – Turkey, available at [www.mfa.gov.tr/site\\_media/html/marine-delimitation](http://www.mfa.gov.tr/site_media/html/marine-delimitation), (access: 17 Apr 2014).

However, besides the verbal announcements and protests, the reaction in Turkish politics was also expressed in field actions. Thus, by contesting a large part of the western EEZ of the Republic of Cyprus, it granted research blocks in the Turkish state-owned company TPAO in areas covered by the Cypriot as well as the Greek EEZ (which has not yet been proclaimed by Greece) as well as in parts of the wider region between the Turkish continental shelf and the alleged Continental Shelf of "Northern Cyprus", as depicted in Figure 10.

<sup>65</sup> See press release of the Turkish Ministry of Foreign Affairs, op.cit.

<sup>66</sup> See UN, Law of the Sea Bulletin, No 57, p. 124,129 available at: [www.un.org/Depts/los/doalos\\_publications/Los\\_Bulletins/bulletin\\_pdf/bulletin\\_57e.pdf](http://www.un.org/Depts/los/doalos_publications/Los_Bulletins/bulletin_pdf/bulletin_57e.pdf) (accessed: 17.05.2010) as well as Letter of the Permanent Representative of the Cyprus Republic in UN A/65/695/S/2011/31, available at: <http://daccess-dds.ny.un.org/doc/UNDOC/GEN/No11/215/57/PDF11/21557.PDF?OpenElement> (accessed: 10.04.2011), which points out that the Republic of Cyprus constitutes the sole and legitimately recognized state of Cyprus which represents all Cypriots, both Greek-Cypriots and Turkish-Cypriots.

**Figure 10. The granted research licenses to the Turkish company TRAO**



Source: Cagatay Erciyes, Deputy Director General for Maritime & Aviation Affairs. Ministry of Foreign Affairs, "Maritime Delimitation & Offshore Activities in the Eastern Mediterranean: Legal and political Perspectives Recent Developments", Tupoge, 21th March 2012, Ankara – Turkey, available at: [http://www.mfa.gov.tr/site\\_media/html/marine-delimatation](http://www.mfa.gov.tr/site_media/html/marine-delimatation), (access: 17 Apr 2015).

The above figure shows the research licenses issued for the state-owned Turkish company TRAO. Clearly, there is an overlap both of blocks that have already been licensed by the Republic of Cyprus and of a large area of the Greek Continental Shelf between Rhodes-Kastelorizo-Cyprus-Crete. With this practice, it is alleged by the Turkish side that the Greek island Kastelorizo has no influence on maritime economic zones (Continental Shelf or EEZ). Relevant maps of these surveys were published in the Turkish Government's Gazette on 27/04/2012, attempting from the Turkish side to "legitimate" these areas. Some of them intersect also with the blocks 1, 4, 5, 6 and 7 of the Republic of Cyprus within the latter's EEZ. Particularly impressive is the allocation by the false state of "Northern Cyprus" of research blocks (E and F) over the already existing Cypriot blocks within Cyprus' EEZ, based in a bilateral agreement for the delimitation of the Continental Shelves between Turkey and the false state of "Northern Cyprus" in September 2011 (see Figure 11). In these areas, since October 2014, the Turkish side has been conducting research on behalf of the false state with its research vessel, accompanied by Turkish naval forces. This fact creates tension and destabilisation in the wider region, bearing in mind that in the same area, naval forces from other countries with significant geostrategic interests, such as the US, Russia and Israel, have been present.<sup>67</sup> Making things worse, drilling in Block 11 by the Cypriot side coincided with the collapse of talks on the Cyprus Question in Crans

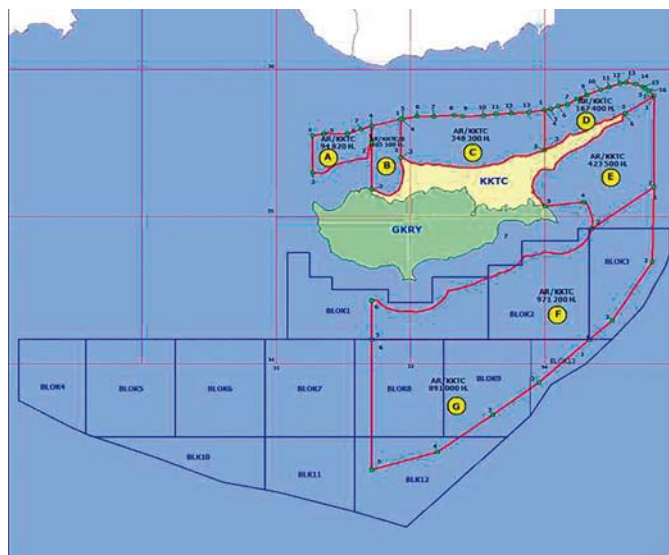
67) Ibid.



Montana, enhancing the Turkish criticism against the Greek Cypriot side, thus linking the failure of the negotiations with the energy programme of the Republic of Cyprus.<sup>68</sup>

In general, with regard to Cypriot research blocks, Turkey disputes the Cyprus EEZ as follows: (a) it claims that the drilling started in block 11 is in Egyptian waters; (b) it claims that half of the northern part of block 6, half of block 5 and half of block 4 to the southwest, belong to its own Continental Shelf and c) it claims that blocks 2, 3, 8, 9 and much of block 12 are licensed by the false state of "Northern Cyprus" for research conducted by the Turkish Petroleum Company (TPAO).

**Figure 11. The research blocks of TPAO in Cyprus Republic EEZ on behalf of the "Northern Cyprus" false state**



Source: Cagatay Erciyes, Deputy Director General for Maritime & Aviation Affairs. Ministry of Foreign Affairs, "Maritime Delimitation & Offshore Activities in the Eastern Mediterranean: Legal and Political Perspectives. Recent Developments", Tupoge, 21st March 2012, Ankara – Turkey, available at: [www.mfa.gov.tr/site\\_media/html/marine-delimitation](http://www.mfa.gov.tr/site_media/html/marine-delimitation), (access: 17 Apr 2015).

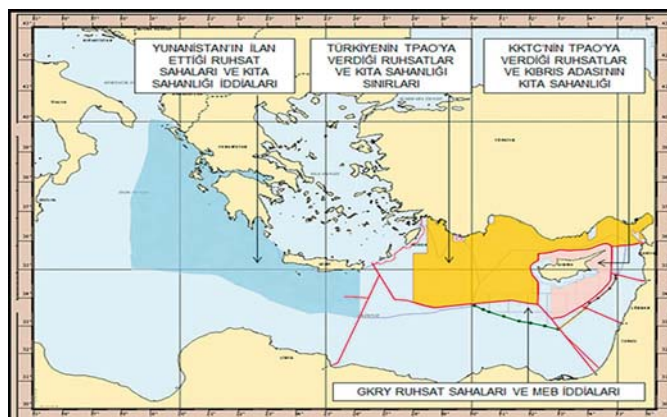
In summary, it can be concluded that, as an outcome of the general Turkish Naval Strategy of 2015<sup>69</sup> followed in the SE Med basin, the rights of the Cyprus Continental Shelf and EEZ beyond 12 nautical miles to the west are questioned. Moreover, the right of Kastelorizo Island in maritime zones is also questioned by Turkey, as well as

<sup>68</sup>) See Kalatzis M., op.cit.

<sup>69</sup>) See Turkish Naval Forces Strategy 2015, available at <https://www.dzkk.tsk.tr/data/icerik/392/Turkish%20Naval%20Forces%20Strategy.pdf>

a large part of the islands of Karpathos, Rhodes and Crete's Continental Shelves (see also Figure 12).

**Figure 12. The "shrinkage" of Greek and Cypriot maritime economic zones in SE Med by Turkey based on its Maritime Strategy of 2015**



Source: [www.tudav.org](http://www.tudav.org) (Turkish Marine Research Foundation), (access: 17 Sep 2015).

In particular, regarding the different views of Greece and Turkey for both the Aegean Sea and the SE Med Sea, the whole equation is very complicated. For Greece, international law, and especially the Convention on the Continental Shelf, gives the islands the right to exercise jurisdiction on their continental shelf and specifies that the continental shelf between two countries must be defined on a median line basis (see Figure 13).<sup>70</sup> For Turkey, the Greek islands do not have rights to exert jurisdiction on the continental shelf, because they are located on the Turkish continental shelf. The "special circumstances" mentioned by the Convention on the Continental Shelf<sup>71</sup> justify, according to the Turkish opinion (See Figure 13), the non-application of the median line method.<sup>72</sup>

70) Thus, each of the islands of the Aegean Sea has its continental shelf, and the frontiers with Turkey should be defined on the basis of the median line. See Convention on the Continental Shelf (CSC), Art. 6(2), 29 April 1958.

71) See Continental Shelf Convention, Art. 6(2), Geneva 29 April 1958.

72) It is worth mentioning that in August 1976, Greece submitted the controversy over the Continental Shelf of the Aegean to the International Court of Justice (ICJ) but Turkey refused to recognise the jurisdiction of the Court, so that the latter in the end declared itself incompetent. Since then, the maritime issue has remained unsolved and has been aggravated by territorial arguments. Turkey claims in effect that Greece can exercise sovereignty only over the islands that have been nominally ceded by the Treaties in Force and questions the sovereignty of Athens on a number of islets. This claim had never been formulated in practice until the crisis of Imia islets in 1996 and since then appears very often in the Turkish political agenda, enhanced by provocative actions of Turkish warships in the territorial sea of those islands.

**Figure 13. The Turkish Continental Shelf in the Aegean Sea according to the Greek view (in orange) and to the Turkish view (broken line)**



Source: Hellenic National Hydrographical Service

At present, this dispute between Turkey and Greece is to what degree the Greek islands off the Turkish coast should be taken into account for determining the Greek and Turkish Economic Zones. Turkey argues that the notion of "continental shelf", by its very definition, implies that distances should be measured from the continental mainland, claiming that the sea-bed of the Aegean geographically forms a natural prolongation of the Anatolian land mass.<sup>73</sup> In the same context, according to the Turkish view, the delimitation of the EEZs in the Eastern Mediterranean should follow the principle of natural prolongation, not giving any EEZ or Continental Shelf rights to the islands of the Eastern Aegean and especially the Dodecanesian small island of Kastelorizo, which is vital for the Greek national interest, as it can connect the Hellenic EEZ to the Cypriot EEZ (see Figure 14).<sup>74</sup> Greece, on the other hand, claims that all islands must be taken into account on an equal basis.<sup>75</sup> In this matter, Greece bases its claim on the principle of median line/equidistance (see Figure 15), although the Convention restricts the application of this rule to islands of a notable size, as opposed to small uninhabitable islets and rocks.<sup>76</sup> Nevertheless, the Law of the Sea Convention has kept a certain degree of silence as it concerns the methods of delimiting maritime

73) This would mean that Turkey would be entitled to economic zones up to the median line of the Aegean.

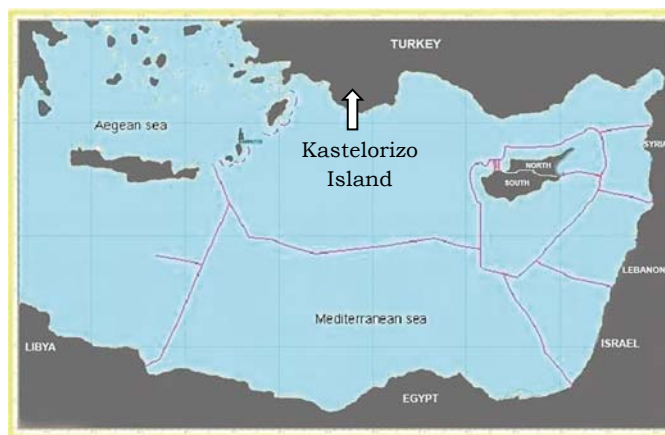
74) See Ozturk Bayram, H. Bazeran, H. Sertac, 'The Exclusive Economic Zone in the Eastern Mediterranean Sea and Fisheries', 14 *J. Black Sea/Mediterranean Environment* (2008), pp. 77-83.

75) This would mean that Greece would gain the economic rights to almost the whole of the Aegean.

76) The precise delimitation of the economic zones is the only one of all the Aegean issues where Greece has officially acknowledged that Turkey has legitimate interests that might require some international process of arbitration or compromise between the two sides. See Hellenic Ministry of Foreign Affairs, *Unilateral Turkish claims in the Aegean*, available at <http://www.mfa.gr/en-US/Policy/Geographic+Regions/South-Eastern+Europe/Turkey/Turkish+claims> (accessed: 12.10.2016).

spaces with regard to the particularities of every case, giving space for judicial settlement in case of an absence of agreement between the interested parties and subsequently the formulation of some general delimitation rules and techniques by the competent jurisprudential bodies, which however may be not be generalised, since every case and its applicable rules are considered to be unique for the judicial community.<sup>77</sup>

**Figure 14. The Turkish view with regard to the EEZ/Continental Shelf delimitations in the Eastern Mediterranean**



Source: Ozturk Bayram, H. Bazeran, H. Sertac, 'The Exclusive Economic Zone in the Eastern Mediterranean Sea and Fisheries', 14 *J. Black Sea/Mediterranean Environment* (2008), pp. 77-83.

**Figure 15. The Greek view with regard to the EEZ/Continental Shelf delimitations in the Eastern Mediterranean according to the principle of median line/equidistance**



Source: Sea Around Us Project

77) See G. Chrysochou, 'The Aegean Dispute in the Context of Contemporary Judicial Decisions on Maritime Delimitation', *Laws Journal*, Vol 2, 2013, ISSN 2075-471X, Basel, Switzerland.

In the diplomatic and political sphere of actions, from the Greek and Cypriot sides there has been more reaction, including relevant démarches and "freezing" of Turkey's negotiations for accession to the EU. In addition, diplomatic actions have recently taken place at the level of bilateral relations with the approach of Egypt from Greece, aiming at establishing the conditions that will eventually lead to energy cooperation between Greece, Cyprus and Egypt, and perhaps also the delimitation of the EEZs among these countries, without taking account of the Turkish factor. More specifically, on 8 November 2014, the "Cairo Declaration" was signed in Cairo between these three states. The three countries have agreed to speed up the procedures for the delimitation of the EEZ between them where it does not exist (namely between Greece and Egypt as well as between Greece and Cyprus).<sup>78</sup>

## 8. Summary and conclusions

The Mediterranean Sea, and especially its eastern section, hold an important role within the broader context of international relations. There is a very simple explanation why: its key role in the wider framework of the contemporary maritime traffic system and the energy supply routes and, of course, its major geopolitical and geo-economic role in the balance between the West and the East. In this respect, energy resources in the seabed of the East could provide a diversification option for European gas supply as this route enables the bypassing of the existing and potential pipeline routes from/via Russia and Turkey.

In examining the new geopolitical aspect of the Mediterranean Sea and particularly that of its Eastern basin, an important focus point of this analysis was to highlight the geopolitical implications of the recent discoveries of significant energy reserves in this region, especially of those located in disputed maritime economic zones by the adjacent states, in conjunction with the Exclusive Economic Zone (EEZ) regime's legal aspects. From a geopolitical point of view, the offshore area between Cyprus, Israel, Lebanon, Egypt and Turkey has in the last decade developed a particular dynamic in the Eastern Med Sea. This dynamic includes offshore oil and gas exploration, discoveries of giant natural gas fields and the development of the necessary production infrastructure. The discovered hydrocarbon reserves of the Southeastern Med can and should play an important role in supplying the European Union (EU) with natural gas in the long run. Therefore, the neighbouring states of the Eastern Med, especially Cyprus, Israel, Greece and Turkey, should seek to maximise their role as alternative suppliers to the EU, in terms of diversifying both routes and sources.

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<sup>78</sup>) This assumes that Egypt recognises that the Greek island Kastelorizo has Continental Shelf and EEZ rights in full effect. This declaration constitutes a major change in the relations among Greece, Egypt and Turkey. Nevertheless, the Egyptian position still supports the prerequisite of an agreement between Greece and Turkey on this issue. See Goutzanis S. (in Greek), 'The background of Cairo and the subsequent moves of the Government', See *Proto Thema*, 9 Nov 2014.

This prospect, with the expected future outcome of providing the first non-Russian gas of the so-called southern European energy corridor, imposes considerable benefits, particularly in relation to potential European funding for a pipeline construction (EastMed Pipeline), which will transfer large amounts of natural gas to Central and Western Europe, as well as other relevant projects. For the time being, the main issue at stake is that the energy resources near Cyprus and Israel can be exploited for the energy security of the EU. But, an important first conclusion to be drawn here is that geopolitical confrontations and changes in the region will continue in the near future, considering the conflicting interests.

Nonetheless, linked to the geopolitical dimension there is one more essential parameter; that of the International Law of the Sea. UNCLOS could provide the necessary framework to define the limits of maritime boundaries between adjacent states, since it is the core document of international conventional law which regulates issues related to the establishment and delimitation of EEZs. However, in its current structure and in-field application, it seems weak in effectively regulating such conflicting issues between adjacent states; the question of delimitation of maritime zone boundaries in SE Med Sea will remain a point of friction for many of the states involved in the wider region.

The abovementioned analysis highlighted, inter alia, the decisions made by the Republic of Cyprus and their conformity with international law provisions. Now, it is the turn of the Greek and the Turkish as well as the Egyptian governments to take decisive action on the question of the EEZ in full conformity with international law and in trusting cooperation with their neighbouring states. As previously presented, Cyprus has signed EEZ delimitation agreements with Egypt, Israel and Lebanon, but not with Turkey or Syria. However, there is no intention for the moment to have an EEZ agreement between Greece and Turkey or between Cyprus and Turkey. Moreover, Israel and Lebanon have a disputed maritime border which could affect Cyprus should they wish to pursue tripartite collaboration. Unfortunately, the countries in the region, trapped in old antagonistic behavioural patterns in their foreign relations, have not yet developed a comprehensive and holistic approach in their energy policy that takes into account the abovementioned challenges along with the region's current geopolitical profile. That is why the development of their resources will probably be seriously delayed. In this sense, much will depend on the security of the region, the stability of the countries and the general political atmosphere, taking into account that the wider region suffers from substantial geopolitical tensions which have already led and may continue to lead to territorial disputes on both sea and land.



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