Kick Off Maritime Boundary Disputes: Published Maps, Not Drawn With Agreement, Compatible to the International Law?

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Issues concerning on the continental shelf and in the exclusive economic zone between Turkey and the Greek Cypriot Administration (GCA) have been more controversial. This study answers the following questions: (a) What is the main arguments of the Parties? (b) How the exclusive economic zone could be declared? (c) Does median line applicable to the delimitation law without taken the related circumstances in the Eastern Mediterranean? (d) Can any maps on claimed exclusive economic zone borders publish without maritime boundary delimitation agreements, officially? The main intent of the study is to evaluate the different perspectives of the Parties on maritime delimitation and to evaluate the boundaries of the exclusive economic zone bounded by the European Union on the European Asia and Europe Africa Interconnected Cable Network Projects maps in the Eastern Mediterranean.

Keywords: exclusive economic zone (EEZ), European Union, delimitation, median line, the Eastern Mediterranean, the Greek Cypriot Administration (GCA), Turkey

Introduction

The disputes concerned the delimitation of the maritime jurisdiction zones of the Eastern Mediterranean as between the Greek Cypriot Administration (hereafter the GCA) and Turkey continue. Turkey which had not accepted the 1982 Convention is not legally related by the provisions of Convention on related issues. Whereas the “Republic of Cyprus (ROC) (hereafter the Greek Cypriot Administration)” is not recognized by Republic of Turkey, it is a part of the United Nations Convention on the Law of Sea (hereafter the UNCLOS). The question is too complex because that has not been found any solution to the Cyprus issue yet.

Eric R. Eissler and Gözde Arasli point out that while a military conflict is a distant possibility, it is likely to continue the impasse (2014). Nicholas A. Ioannides, accusing Turkey activities in the western part of the Eastern Mediterranean, evaluated Turkey’s delimitation and licensed agreements with Turkish Republic of Northern Cyprus (TRNC) on continental shelf as illegal (2014). Nevertheless, geopolitical analyst, F. William Engdahl comments, “energy-rich resource management led to dispute between two main borders. One of them, neighboring with Turkey and Southern Cyprus and Greece, the second between Israel and Lebanon” (cited Newman, unknown). Charles Ellinas argues that South Cyprus is a part of UNCLOS that have the right to use full sovereignty in the Eastern Mediterranean (2017). Andrew Jacovides accuses Turkey that “arbitrarily and unjustifiably, declared an area in the sea west of parallel 38 16’ 18” to be its continental shelf, part of which overlaps with part of the GCA’ exclusive economic zone and continental shelf” (2018) and points out “Cyprus Republic” as a part of UNCLOS has the right to exercise its activities in the Eastern Mediterranean.

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Achilles Skordas claims that the Exclusive Economic Zone (EEZ) Agreement of February 17, 2003, between the GCA and Egypt is effected by the median line of which every point is equidistant from the nearest point on the baseline of the two Parties, is consistent with international case-law, customary law and the UN Convention on the Law of the Sea. (2007)

Hence, the European Union’ policy supports the GCA’ claimed exclusive economic zone and cable and pipeline projects by giving financial aid. On the other side Teoman Uykur states that

The case law suggests that the islands may or may not have limited border areas, depending on the particular characteristics of any case. It has never been endorsed by international law on maritime restriction to cut off a coastal state from access to open seas. This point becomes even more important when the islands are close to the mainland of another country. (2014)

Turgut Kaymal mentions that “Turkey may be not a party to the agreement but has adopted practices of the common law” (2017). Fuat Aksu takes the issue in the context of EU’s affect to Turkey and states GCA’ policy of making exclusive economic zone agreements in the Eastern Mediterranean is an implemented de facto strategy (2013). Kütükçü and Kaya claim that if “diagonal line” adopted by Turkey, it will increase Turkey’s maritime jurisdiction (2016). Çağatay Erciyes stresses that “islands do not generate full maritime zones when they are competing directly against continental land areas. Median/Equidistance line is not applied. Islands receive partial or no effect/are enclaved or partially enclaved” (2012). Sertaş Hami Başeren explains the claims of maritime jurisdictions of Parties and points out that crisis has being increased by the discoveries of hydrocarbons (2013). Cahit Yaycı examined the issue on delimitation of the area with historical value of the importance of Cyprus and the Eastern Mediterranean, taking into account the strategic and economic aspects have been detailing the rights of Turkey’s maritime jurisdiction (2012).

All above mentioned studies do not examine the EU’s stance with its published maps such as EuroAsia Interconnector Cable Project. The aim of this studies to fulfill this gap in the academic fields with concentration on delimitation law. In this context, the paper begins with a review of the brief principles of delimitation rules of maritime law in the exclusive economic zone and on the continental shelf, than focusing the dispute between Turkey and the GCA on maritime jurisdiction concerns around increases tension in the Eastern Mediterranean; drawing on arguments of both sides to assess the origin of problem in the Eastern Mediterranean. Final part examines the maps of the EuroAsia and EuroAfrica Interconnector Cable Projects and analyzes the European Union’ published maps related to the maritime borders of the Mediterranean. The author acknowledges in addition to dispute concerns, linked with Cyprus problem, security and hydrocarbon activities but that is largely outside the scope of this paper.

Article 74(1) and Article 83(1) of UNCLOS

Maritime boundary delimitation has been very crucial topic which creates the potential security risks and threats on overlapping maritime boundaries. In other words, maritime boundary delimitation disputes in the Eastern Mediterranean have demonstrated that the region remains an important zone for determining the geopolitical and geoeconomic relations in world politics. Adjacent or opposite coastal states need to determine their maritime space by bilateral or multilateral agreement to exercise their jurisdictions in the Eastern Mediterranean.
In fact, the GCA draws the maritime boundaries with neighboring States; Egypt (2003) and Israel (2010) caused the dispute as separately with Turkey and Lebanon. The subjects of dispute between the GCA v. Turkey, the GCA v. Turkish Republic of Northern Cyprus (TRNC), Turkey v. Egypt, Turkey v. Greece, Turkey v. Libya, Lebanon v. Israel, Israel v. Gaza, Turkey v. Syria, Syria v. Lebanon, Egypt v. Israel, Israel v. Libya, Greece v. Libya, and so on are still pending about the determination and delimitation of opposite and adjacent maritime borders. “Each dispute in maritime delimitation has its own characters which makes it sui generis” (Aksar, 2013).

Under the 1982 UNCLOS, three types of maritime delimitation are identified: delimitation of the territorial sea (Article 15), delimitation of the continental shelf (Article 83), and delimitation of the EEZ (Article 74). Articles 74(1) and 83(1) of the UNCLOS state that

In order to achieve an equitable solution, maritime boundary the delimitation between States with opposite or adjacent coasts in the exclusive economic zone [on the continental shelf] shall be effected by agreement on the source of international law. This is referred to in Article 38 of the Statute of the International Court of Justice (I.C.J.). (UNCLOS, 1988, Article 74, Article 83)

As it can be seen, both articles formulate same rules for the delimitation that is governed for exclusive economic zone and continental shelf, although there has been not defined mandatory principle that limits methodology. I.C.J. Reports of 1985 states that “the two institutions, the continental shelf and the special economic zone are interconnected in modern law; and ultimately, it is necessary to pay more attention to elements common to both concepts, such as the distance to the coast” (Paragraph 33). However Courts note that

the delimitation between states with opposite or adjacent coasts on the continental shelf and in the exclusive economic zone to be effected by agreement… in order to achieve equitable solution that statement of an equitable solution as the aim of any delimitation process reflects the requirements of customary law as regards the delimitation both of continental shelf and exclusive economic zones. (I.C.J, 1993, Paragraph 48)

In fact, the I.C.J. acknowledges that the principles of maritime delimitation in Articles 74 and 83 of UNCLOS reflect Customary international law (Qatar and Bahrain Case, I.C.J., 2001, Paragraph 167; Nicaragua and Colombia Case, 2012, Paragraph 139). These articles have provision that how overlapping boundaries related to the exclusive economic zone and continental shelf for delimitation would be taken into consideration. Many international court decisions (Libya and Malta Case, I.C.J., 1985, Paragraph 51; Eritre and Yemen Case, 1999, Paragraph 116; Romania and Ukrania Case, 2009, Paragraph 120) stress the equitable solution is main target which makes it necessary order in its character. For that the maritime boundaries shall to be determined by agreement with consistence of the rules of international law.

While, the international courts have not so far shared a fair list of related circumstances. Withal, the lists of related circumstances are generally explained by geographic and non-geographic components. The following components firstly were taken into consideration in geographical that are: the configuration of the coasts (concave-convexity, opposition or advocacy, the general direction of the coasts), geography of the region, coastal length difference and proportionality, the presence of islands, promontories, baselines, presence of third States and regional practices; or the non-geographical components which are: geological and geomorphological factors, historical rights, economic factors, security interests, conduct of the parties, navigational (shipping interests) factors, environmental factors, unity of deposits.
Results and Discussions: Claims and Conduct of the Parties in the Eastern Mediterranean Over Maritime Boundary Delimitations

Does Median Line Alone Applicable for Delimitation?

The legal framework of the 1982 Convention creates jurisdictional regime to the maritime space. Some of the Mediterranean States have signed and ratified UNCLOS, whereas, UNCLOS have not ratified by the Israel, Turkey, Syria, TRNC, Palestine, even though Libya or Morocco which has signed but not endorsed. On the contrary, Egypt, the GCA, and Lebanon are the sides of the UNCLOS in the Eastern Mediterranean.

The Figure 1 concentrated the perspective of both sides on the median line as shown by arrow diagram.

The principle of “opinio juris sive necessitatis” where only median line without relative circumstances could be applied in the Eastern Mediterranean has not been existed, which is not mandatory on Turkey automatically. Coastal State rights on continental shelf are situated on its ab initio and ipso facto, stated article 77 of UNCLOS as upper sovereignty, for instance. Court states always “the land dominate sea” such as in 1969 I.C.J. Case or in 2001 I.C.J. Case, whereas “Cyprus” is an island State and unresolved issue continues. Hence “post hoc is not proter hoc may only serve to unclear the real issue” (such as I.C.J. Case, 1969, Paragraph 40).

In fact, equidistance/median line method of delimitation cannot be drawn without taking into consideration relevant circumstances.
Various methodologies shall be determined in accordance with equitable principles which stated in the International Law Commission of the United Nations. The Commission addressed several other possibilities, as having if not superior status, like delimitation by general direction of coasts, by agreement, by drawing lines of perpendicular to the coast and so forth and so on. (I.C.J. Case, 1969, Paragraphs 48-51)

The Commission’ latter adopted the Committee Expert’ which brought an exception in favor of “special circumstances”. This was not officially recommended. In the light of this report of Commission, it is clear that the notion of equidistance or median line could not take alone which never really envisaged dismissing the relevant circumstances. Hence Commission gave precedence to “delimitation by agreement in favour of special/relevant circumstances” (North Sea Continental Shelf Case, ICJ Case, 1969, Paragraph 53). This makes the status of the EEZ agreement of Egypt and “Cyprus” null and void because both sides did a delimitation without taking into consideration relevant/special circumstances that creates the overlapping maritime borders with Turkey. A code was of course concretized in Articles 83 and 74 of the 1982 Convention that equitable result is necessary without giving details of the delimitation methodologies. 1982 Convention does not crystallize any abuse of rights of other States. Any agreement between States must be in conformity with Convention. The notion of relative circumstances is relative to the principle of equitable in the article of 74 and 83. Still unresolved controversies between Parties continue. On the other hand, with regard to those, States have not started negotiations. Egypt’s unwillingness to negotiate Turkey, or Greek Cypriots’ unwillingness to accept Turkish Cypriots as equal partner of the island as whole actions can only be problematical and remain speculative. The essential point in this connection is that Turkish Cypriots also have its own governance that there is no single authority on the island. Even though, Cyprus problem continues. Explicitly Turkey in practice abstained from tension with Greek Cypriots but Greek Cypriots claimed it is “unique authority”.

Refashion the nature of the sea unacceptable. Turkey coastlines are in fact comparable in length; if the equidistance or median line method is used, an inequity is created. In fact determination must be equitable rather inequity. They are free to agree on a method or different methods if they wish to side. Several aspects should be reckoned with other methodologies, because each geography by its coasts has distinctive character. In this context, from geographical to the nongeographical aspect of the situation they must be evaluated. But encroachment on maritime expanses or cut off effect would not be part of equitable result of delimitation. For that in any delimitation, the Parties shall make some steps such as look to the geographical configuration of the coastline of the country, the length of their respective coastlines, concave or convex coasts, and the baselines.

On the contrary, unity of deposit constitutes non-geographical circumstances. Another factor is proportionality which delimitation effected according to equitable principles that stated in Truman declaration which states “the maritime boundaries shall be determined by the United States and the State concerned in accordance with the equitable principles” (I.C.J. Case, 1969, Paragraph 47).

In the situation of a concave coast such as that of the Turkey on Eastern Mediterranean, different points on concave coasts cause the continental shelf area enclosed and cutting off effect. The effect of coastal projections ignored in the Eastern Mediterranean by the “Cyprus”.

Additionally, the “principle of nes inter alios acta” seems to be claimed by Turkey. Since the beginning of the dispute of 2003, Turkey notified the UNSG that the agreement could not have any effect on the parts of the Turkish continental shelf, accepted as null and void.

The Egypt and the GCA are in the same interests within the meaning of the median line, but not a priori in international delimitation law. Geographical features present more than two delimitations are in question
because of the semi enclosed character of the Eastern Mediterranean geography. In fact, Parties up till now have claimed up very distinctive positions. The GCA position supports the Article 6 of the Convention on CS of 1958. The Greek Cypriot and Egypt are together with the view that a rule of median line without relevant circumstances is binding on the Turkey Republic. Additionally both Parties claimed that agreement of EEZ reflects *erga omnes* and must be accredited by Turkey Republic. The GCA advocates in its law also in the absence of agreement that only median line or equidistance line could be used without taking into account the relevant circumstances. Turkey rejects Convention’ compulsory stature for States which are not hand to the Convention. Toward eight points settled on the median line between the GCA and Egypt overlapped with Turkish continental shelf area, of which Turkey complains, would be avoided. Configuration of the Eastern Mediterranean coasts constituted a relevant circumstances/special circumstances. For that “delimitation is not the determination *de novo* of such an area” (I.C.J. Case, 1969, Paragraph 18).

Any dispute about boundaries which creates contentious, most convenient way dealing with this problem will be on the grounds of international law, either by a customary law or by equitable result. The GCA claims that Turkey is under a licit duty to settle for the application of the median line which resulted an agreement between Egypt and the GCA. They claimed that this is suitable of the international law. Whereas, *Pacta tertiis nec nocent nec prosunt* as a principle of international law shows that either to be UNCLOS or not to be member, the rule is treaties (neither harm nor benefit) which does not create obligations or liabilities for a third State. No person has no right to force the other to obey its own agreements. Whereas, dispute deals with the following questions: Why the GCA and Egypt are unable to enter into negotiations? Why before the settlement of Cyprus, Greek Cypriots act to draw maritime boundary delimitation lines with neighbors? Why Turkish Cypriots consents do not take? Yet these factors show that if there is rule of law, why these steps create dispute? It would however be ignoring the realities partly the reasons given above. As a result, it was revealed that the *median line* was not decisive alone and each was negative or inconclusive. It would be thing to infer from the violation of international law. Moreover, in the present dispute any such result would be nullified by Turkey and Turkish Cypriots.

**Arguments by the Parties**

**Greek Cypriot Administration’ Arguments**¹

Claim 1: “All EEZ agreements could only be drawn with equidistance or the median line, if not find any special circumstances to modify the delimitation in the Eastern Mediterranean” (A Law to Provide Proclamation of the Exclusive Economic Zone Law, 2004).

Claim 2: “Cyprus as an island State has entitlement to maritime jurisdiction areas under the 1982 Convention”.

Claim 3: “The GCA uses its rights arising from Article 77 of the UNCLOS, that has the right in its proclaimed in the EEZ and on its continental shelf such as, exploration and exploitation”.

Claim 4: “The wealth of the natural resources belonged to whole Cypriots”.

Claim 5: “UNCLOS is a part of the customary law and is binding upon non States parties to the Conventions as well”.

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¹ All claims’ sources are shown in the references, in different part, named the Letters from GCA to UNGS.
Figure 2: Map 2: The claimed maritime zones of GCA (in white blue) and Greece (in dark blue). Source: https://www.defence-point.gr/news/theodoros-karyotis-giati-lysi-ino-oriethetisi-aoz-me-tin-aigypto/aoz-egypt-greece-karyotis.

**Turkey Arguments**

Claim 1: “Egypt and the GCA’ ‘EEZ Agreement’ is null and void, 32 16’ 18” in regions falling beyond the western part of longitude which Turkey has ipso facto and ab initio legal and sovereign rights in these region”.

Claim 2: “Turkey mentions that *there is no single authority* on the island; the Greek Cypriots do not represent the Turkish Cypriots, consequently Cyprus as a whole”.

Claims 3: “Without any solution of the Cyprus issue, the Greek Cypriot administration activities such as exploration or delimitation maritime law are not valid in international law. For that GCA’ violates the TC’s inherent fundamental rights and interests”.

Claim 4: “The revenue to be collected as a result of such a mutually acceptable arrangement shall be beneficial for the economies on both sides of the island”.

Claim 5: “The Greek Cypriot’ last round of the international tender areas lies directly on the Turkish continental shelf, which is not acceptable”.

Claim 6: “The delimitation in the Eastern Mediterranean should be effected by agreement of all related parties on the basis of the principle of equity so as not to prejudice the sovereign rights and jurisdiction of other interested States/entities”.

Claim 7: “The concepts like land dominates the sea (I.C.J., 1969, Paragraph 96) and cut off effect are shown as the essential principles of the international law”.

Claim 8: “It has never been sanctioned by international law on maritime delimitation to cut a coastal State off from its access to the high seas”.

Claim 9: “In international court rulings are that islands do not necessarily generate full maritime jurisdiction zones (continental shelf and/or exclusive economic zone) when they are competing against continental land areas”.

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2 All sources are shown in the references, in different part, named the Letters from Turkey to UNGS.
Comparing the arguments shows that there is blurry future about the maritime delimitation dispute between Parties because political climate is so poor. Even though, there are any official claims over the cable or pipeline projects which are planning lying through Turkish continental shelf.

**EuroAfrica and EuroAsia Interconnector Cable Project Maps**

“In 1988 the GCA approved the UNCLOS” (Law of 1988, No. 203) on 12 December 1988, efficient on 16 November 1994. With this step, the GCA pursued a policy to transfer the Cyprus dispute into the maritime areas, and has started to take steps to advance international Conventions, in the maritime and coastal areas ignoring the rights of the Turkish Cypriots, bereft of good will.

The GCA formulated the Exclusive Economic Zone Proclamation Law on 2 April 2004 and entitled its authorities to proclaim exclusive economic zone. The relevant law stated that the exclusive economic zone proclamation shall be 200 nautical miles (Article 3(1)), and in the event of overlap with other States’ boundaries, the agreement means shall be resorted to, and in if it fails, the delimitation shall be done by measurements based on only *median line or equidistance line principle* (Article 3(2)). The GCA stated that, with this law, they were entitled to exercise some economic rights on the living and non-living natural resources in the maritime areas, on the seabed and subsoil within 200 nautical miles. After the formulation of the relevant law, in 2003 they put the “exclusive economic zone agreement” they had signed with Egypt into force. When the details of this legal regulation of the GCA are considered, it is seen that Article 3, in which the delimitation is anticipated, states that a delimitation shall be possible in the case of overlap between *opposite coasts* (Contiguous Zone Proclamation Law, 2004). This situation poses an obstacle for the British Bases and the Turkish Cypriots in the delimitation lateral boundaries in the areas belonging to them, with regard to both the Exclusive Economic Zone Proclamation Law and other laws referring to the issue.

The GCA made a new law reformulating in a combined way, named 2004 and 2014 Law which includes the issues on the Exclusive Economic Zone and Continental Shelf. “By this Law, there shall be proclaimed an Exclusive Economic Zone, the outer limit of which is defined to a distance of 200 nautical miles from the baselines” (Article 3(1)). Also, “Section III brings regulations regarding the exploring and exploiting the EEZ and the continental shelf” (Article 7(1)). Also, “it is indicated that no person shall have the right to conduct activities on the non-living resources in the EEZ or the CS, without licensing of the Minister of Energy, Commerce, Industry and Tourism” (Article 8(1)). Along with anticipating substantial penalties, the statement in the previous exclusive economic zone law that “all states have the right to lay submarine cables and pipelines” is reformulated more stringently under this section and it is stated that “no person shall have the right to lay and/or maintain any submarine cables or pipelines in the claimed ‘EEZ or the CS’, these could be granted by the Minister of Communications and Works” (Article 8(1)), and “any event contravening this provision shall be liable to strict penalties” (2(a)(b)).

For instance, GCA, Greece, and Egypt have signed the *EuroAfrica Interconnector Agreement* in 2017 and in accordance with the relevant agreements, the relevant pipeline is passing through Turkey’s continental shelf emerged as desired. In the above-mentioned 2004 and 2014 GCA law, the relevant consent regime is mandatory. The same conditions are valid for the *East Med Gas Pipeline* project. Similar disputes are also applicable to the *EuroAsia Interconnected Cable Network Agreement* (Greek-Greek Cypriots and Israeli). These attitudes appreciated by European Union. Especially European Union (E.U.) published the routes of these cable project maps as officially in their web sites.
Above mentioned publication of EuroAsia which shows the maritime boundary delimitation is drawn with blue dark lines which do not abide by the relevant provisions of UNCLOS. Because of Article 75 it is related of charts and lists of geographical coordinates in UNCLOS. In accordance to this article

...The external boundary lines of the exclusive economic zone and the boundary lines drawn according to Article 74 will be shown in the scale or scale graphs to determine their position. Where appropriate, the list of geographic coordinates of the points specifying the geodetic data can be substituted for such external boundary lines or boundary lines of delimitation. (75(1))

Additionally, the Coastal State should define these charts or geographical coordinate lists and shall submit a copy of these charts or lists to the Secretary-General of the United Nations” (75(2)). Whereas, there is no any charts and graphics over the whole Eastern Mediterranean which agreed by regional countries including between Turkey and Greece, the GCA and Turkey, the GCA and Greece, Egypt and Greece etc.

In this context, International Court of Justice made a clear expression how any maritime delimitation can be drawn. For instance, the 1984 Case of International Court of Justice, related to Gulf of Maine stated that

The maritime delimitation between states with an opposite or adjacent coast cannot be carried out unilaterally by one of these States. Such delineation must be sought and affected by means of an agreement, following negotiations conducted in good faith and with the genuine intention of achieving a positive result. However, in the absence of such an agreement, the delimitation shall be carried out by applying to a third party with the requisite competence. (Paragraph 112(1))

The Court’s judgment stipulates that no State or institution shall be able to publish maps in the Eastern Mediterranean as if it had been maritime delimitation. For maritime delimitation, first the negotiations and the settlement path should be followed in good faith. The Court clarified with Paragraph 112 (2) how the structure of this agreement should be. In accordance to the Paragraph 112(2) of the Gulf Maine case, “In either case, delimitation should be achieved by applying equitable criteria and using practical methods to ensure an equitable result in the geographic configuration of the zone and other relevant circumstances”. In other words,
the states that will go the way of delimitation should act in the light of fairness principles and take into consideration all the relevant situations and reach a just equitable result.

In the Case of 1982, the I.C.J. declared in Paragraph 87 that the first two lines were not expressly agreed upon, but established initially by unilateral action. The Court would therefore observe at the outset that

an attempt by a unilateral act to establish international maritime boundary lines regardless of the legal position of other States is contrary to recognized principles of international law, as laid down, inter alia, in the Geneva Conventions of 1958 on the Law of the Sea, especially the Convention on the Territorial Sea and the Contiguous Zone and the Convention on the Continental Shelf, which provide that maritime boundaries should be determined by agreement between the Parties. (I.C.J., 1982, Article 87, pp. 52-53)

This principle has been preserved in the draft law of the Sea Law. The Case of 1951 points out that

the limitation of marine areas is always of an international dimension; it cannot depend solely on the will as stated in the municipal law of the coastal state. While it is true that the act of delimitation is necessarily a one-sided act, only the coastal State is entitled to undertake it, the validity of the delimitation for other States is subject to international law. (p. 132)

Undoubtedly, this strict nature of the delimitation leads to the need to adopt the appropriate procedure in the maritime delimitation as a result of the negotiations of the parties in order to give fair opportunity to participate in possible disputes. But this is not the meaning of unilateral borders which can be drawn without agreements.

Conclusions

In 2010, Professor Juan Luis Suárez de Vivero has prepared a report on maritime jurisdiction and fishing in the Eastern Mediterranean and the Black Sea. The report states that “In the Mediterranean basin, no state can declare the maximum 200 nautical mile breadth of exclusive economic zone or fishery zone because at no point is the Mediterranean more than 400 miles wide” (Vivero, 2010, p. 30). This perspective accepts the principle of the supremacy of geography and is important in terms of describing that it cannot have an area of 200 nautical miles that GCA and EU imply in its applications and which it foresees in its limitations.

Accordingly, without limitation agreements between the regional states, without the resolution of the current disputes, the median line delimitation methodology will not be legally binding on the following map. The related attitude of the parties is a political approach that highlights the unacceptable logic in law and ignores the principles of international law.

The other subject is related to the defined way of the submarine cables on the condimental shelf by EU. In accordance to Article 79(3) of the UNCLOS, submarine cables and pipelines on the continental shelf of any state (Turkey) are dependent to the consent of the coastal State. This means that the Parties should receive a consent from Turkey, because pipelines and cables are planning to pass through Turkish continental shelf. In other words, when the provisions of Article 79 of the UNCLOS are considered, in the event of any passing of a pipeline of another state such as through Turkey’s continental shelf, Turkey should be informed and her consent should be sought. It is seen the condition that the consent and permission are necessary. If both parties are planning to lie cables through Turkey’s continental shelf, they should be seeking permission and consent from Turkey. Whereas, as it is seen that the GCA and EU are ignoring the international law which neither Turkey has been informed nor her consent has been sought. This situation shall appear in the future as a separate controversy between the parties in the Eastern Mediterranean. Although as regards the laying of pipelines, the GCA’s domestic law stipulates that other states have to obtain consent from their respective authorities in laying any pipes or
cables. Unfortunately it does not show the same respect and good will towards Turkey. In sum, whole steps 
followed by EU and the GCA, in other words either median line applications alone or lying cable and pipeline 
projects through Turkey, are not in compatible with the international law.

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