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The Aegean sea dispute: options and avenues

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Abstract

The principles governing maritime boundary delimitation have been developed sufficiently by the international Court of Justice and other tribunals to provide some predictability regarding the resolution of the remaining disputes. The complicated geography of the Aegean presents a challenge, but even this conflict should be resolvable. The median line is usually a starting point, adjusted by the proportionality of the coasts. Islands have only a limited role in maritime boundary disputes, and in the Aegean the islands should probably be considered in clusters rather than individually. The principles of nonencroachment and maximum reach are particularly important in the Aegean, because they are designed to protect the security interests of each state and to ensure that each country is allocated some maritime area. As applied to the Aegean, Greece is entitled to a majority of the maritime space, but Turkey is also entitled to an equitable share in the Eastern Aegean. Using the proportionality of the coasts as a guideline, Turkey would be entitled to a share of the Aegean's maritime space perhaps halfway between 20% (its percentage of the coastlines if all islands are included) and

halfway between 20% (its percentage of the coastlines if all islands are included) and 41% (its percentage if no islands are included). Another important unresolved issue is the breadth of the territorial sea, which is presently 6 nautical miles in the Aegean. One possible compromise might be to allow a 12-nautical-mile territorial sea to be claimed from the continental coasts but not from the islands, or from the islands in the Western Aegean but not those in the Eastern Aegean.



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