MARITIME DELIMITATION & OFFSHORE ACTIVITIES IN THE EASTERN MEDITERRANEAN
LEGAL & POLITICAL PERSPECTIVES RECENT DEVELOPMENTS

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GEOGRAPHY AND OTHER RELEVANT FACTORS in the Mediterranean

- Multiple littoral states in a semi-enclosed sea
  - 6 & 12 nm territorial sea limit
  - 200 nm EEZ & CS limit is not automatically applicable
- Few yet challenged-disputed EEZ delimitation agreements
  - No CS delimitation agreement
- Cyprus – Middle East Issues
200 NM LIMIT CANNOT BE UNILATERALLY APPLICABLE

BLACK SEA

MARMARA (internal waters)

AEGEAN

MEDITERRANEAN

140 nm

90 nm

280 nm
**HOW TO ACHIEVE MARITIME DELIMITATION?**

- **Bilateral Agreements**
  - should be on the basis of *international law*
  - should not infringe upon 3rd parties’ rights

- **ICJ or Arbitration**

(Provisional arrangement until final delimitation is also possible)

**IF NO DELIMITATION IS ACHIEVED**

**OVERLAPPING & DISPUTED CLAIMS**

Overlapping entitlements to maritime rights and jurisdiction
DIFERENCE BETWEEN CS & EEZ ???

Coast

Exclusive Economic Zone

Water Column

sea bed and subsoil

Continental Shelf
Continental Shelf & EEZ

**Continental Shelf**

- 200 NM (+)
- seabed and subsoil
- *ab initio and ipso facto*
  (inherent right - no need for proclamation)

**Exclusive Economic Zone**

- 200 NM
- seabed and subsoil
- + WATER COLUMN

Needs to be proclaimed for enforcement

In practice, most imp. difference is FISHERIES
Equidistant Line between Turkey & Egypt

Coastal Lengths:
- TURKEY 1792 km
- EGYPT 1062 km (Total)
- TURKEY 969 km
- EGYPT 850 km (West of Cyprus)
Turkish Offshore Licences

TPAO
Mediterranean
current
off-shore
Licenses
TPAO 2011 surveys

2D Seismic Survey Area (September-October 2011)

3D Seismic Survey Area (October-November 2011)

1100 km²
GREEK & GCs CLAIM
Meis Island
12 km²
2 km from Turkish mainland

Equidistant Line
Between Turkey & Egypt

Coastal Lengths:

Turkey: 1792 km
Egypt: 1062 km
(Total)

Turkey: 969 km
Egypt: 850 km (West of Cyprus)
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)

Number of examples in jurisprudence and state practice
ROMANIA / UKRAINE
ICJ JUDGMENT: 2009
In state practice and in jurisprudence of international courts pertaining to CS/EEZ delimitation, equidistance line is modified/adjusted by giving due account to a number of circumstances in order to produce an equitable result.
GEOGRAPHICAL CIRCUMSTANCES

- general configuration of the coasts,
- location of the coasts and their relationship (oppositeness and adjacency)
- the length of the coastlines
- distance between the respective coasts
- the location of the land frontier/its direction towards seaward extension
- the presence of islands and their size and positions
Circumstances taken into account for DELIMITATION

NON- GEOGRAPHICAL CIRCUMSTANCES

• geological and geomorphological factors
• fishing resources and history of fishing
• environmental facts
• navigational rights and interests
• defense and security interests
• economic circumstances
• historical rights
• common mineral deposits and history of oil/natural gas development in the area
2003 Egypt-GC Agreement

Why?

1. To protect Turkey’s CS rights
2. To protect Turkish Cypriot’s rights (Cyprus Issue)
2007 established off-shore licence areas & opened international tender

2007 signed an EEZ Delimitation Agreement with LEBANON

2010 signed EEZ Delimitation Agreement with ISRAEL
CYPRUS CASE

REGIONS OVERLAPPING WITH THE TURKISH CONTINENTAL SHELF

32°16′18″E

28°00′00″E

Outer limits of The Turkish Continental Shelf

Boundaries of Greek Cypriot-Egypt EEZ Delimitation Agreement, 17 February 2003

Boundaries of Greek Cypriot-Israel EEZ Delimitation Agreement, 17 December 2010

Turkey-TRNC Continental Shelf Delimitation Agreement 21 September 2011

Boundaries of Greek Cypriot-Lebanon EEZ Delimitation Agreement, 17 January 2007

23
The starting point of GCs & Israel delimitation line coincides with end point (southernmost) of Lebanon-GC agreement.
GC’s started off-shore drilling on 19 September 2011
TURKEY-TRNC SIGNED CS DELIMITATION AGREEMENT ON 21 SEPTEMBER 2011
RECENT DEVELOPMENTS

TRNC ISSUED OFF-SHORE LICENCES to TPAO in all 7 Blocks

on 22 SEPTEMBER 2011

R/V Piri Reis conducted 2D Seismic Survey Between 27 Sept.-1 Nov. in Block G
3680 km high res. seismic data collected & is being analyzed by TPAO
off-shore activities of TCs & GCs be ceased simultaneously until the settlement

OR

both sides should determine jointly the future course of off-shore oil/gas activities, including revenue sharing and funding of a possible settlement.
TPAO and the regional authorities (TRNC) signed on 2 Nov 11 a PSC for an onshore and 6 offshore blocks around the island of Cyprus, locations of which may present an overlapping issue as shown on the official map below. The contract was approved by the TRNC Council of Ministers and gazetted on 23 November. All operations costs will be borne by TPAO.

It is recalled that Cyprus gave a green light also on 23 November for the launch of the country’s 2nd offshore round comprising 12 blocks, and that Noble is drilling Aphrodite-1 in block 12 near the Israeli border, with preliminary results expected shortly.
Despite all warnings and without agreement with TCs

GCs opened international bid round for 12 offshore blocks on 11 February 2012

Turkey and TCs strongly reacted on 15 February 2012
Some GCs blocks violate Turkey’s CS in the Eastern Mediterranean

Turkey will not allow under any circumstances foreign oil companies to conduct unauthorized oil/natural gas exploration and exploitation activities in these overlapping areas.

Turkey will protect its rights and interests in the maritime areas falling within its continental shelf.
GCs’ Blocks overlapping with Turkish CS
Some GCs blocks overlap with the TCs blocks granted to the TPAO by the TRNC on 22 September 2011. This situation would also bring international companies that might be interested in bidding into confrontation with the TRNC and the TPAO.

Turkey will give every support to the TRNC to prevent possible violations of TC concession blocks and to protect their rights and interests in maritime areas.
GCs’ Blocks overlapping with Turkish Cypriot Blocks
THE WAY AHEAD

- The situation in the area is fragile and prone to new crisis if it is left unchecked.

- International efforts are needed to turn this looming crisis into an opportunity.

- International community acknowledges the rights of the TCs to benefit from off-shore resources of the Island. This is a commendable approach yet not result oriented. It should be translated into action.
TC’s proposal of 24 September 2011 to the UN Secretary General is therefore a tool which can be built upon.

The UNSG, the TCs and GCs should be encouraged to sit together immediately in order to determine jointly the future course of off-shore oil/gas activities.

If achieved, this would also boost the ongoing Cyprus talks towards a comprehensive settlement.

If not, TCs will protect their rights and continue off-shore exploration/exploitation activities in the south of the Island with the help of Turkey.
IT SHOULD ALSO BE BORN IN MIND THAT TURKEY IS THE SAFEST, MOST FEASIBLE AND PROFITABLE GATEWAY TO THE EUROPEAN OIL/GAS MARKETS IN THE REGION AS IT HAS THE NECESSARY INFRASTRUCTURE IN PLACE
TURKEY HAS THE INFRASTRUCTURE IN PLACE
TURKEY HAS THE INFRASTRUCTURE IN PLACE

GAS SUPPLY & TRANSIT POTENTIAL (2020)

Transbalkan 14 BCM

Bluestream 16-32 BCM

Azerbaijan Turkmenistan Kazakhstan 30-40 BCM

Iran 30-40 BCM

64-104 BCM

66 BCM

126-166 BCM

LNG 12 BCM

Domestic Demand

Potential Transit

Potential Supply

Egypt-Iraq 14-18 BCM
Turkey and the TRNC will complete by 2014 a pipeline project which will bring 75 million cubic meters of water to the Island.

This amount can be increased tenfold, and that would be equal to double the water need of the entire Island.

Water and gas are new parameters that could be used right now as an incentive for a comprehensive solution.
Thank you

Questions

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