

## Greek Island Sovereignty in the Aegean: The Turkish Government's Misuse and Misrepresentation of International Law and of the Treaties of Lausanne, Montreux, and Paris

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### Introduction

*Business Insider* on the 3<sup>rd</sup> of January this year, 2023, declared that tensions between Greece and Turkey are one of five conflicts most likely to lead to a third World War.<sup>1</sup> It is, hopefully, unlikely that such a conflict would ever come to pass, especially with the recent devastating earthquake in Turkey and Greece's humanitarian aid to the country and people seemingly mending the relationship between the two long conflicting nations through "earthquake diplomacy," yet the tensions between Greece and Turkey being included on such a list speaks to the severity and volatility of the situation in the Eastern Mediterranean and Aegean. The strife between Greece and Turkey is one with a long history, such a history which certainly exacerbates present day disagreements, accusations, and actions between the countries, yet one notable issue that has persisted for decades is the delineation of territory and the questioning of island sovereignty by the Turkish government.

The Turkish government under President Recep Tayyip Erdoğan has frequently questioned the sovereignty of the Greek islands in the Aegean and the Mediterranean, verbally, through policy action, and praxis. Leaving aside verbal accusations, common overflights of Turkish military aircrafts over Greek Aegean islands threaten both the sovereignty of the islands and the safety of civilians, such overflights having had fatal consequences in years past.<sup>2</sup> Wasted military resources by the Greek side are often deployed to guide the Turkish jets away, and such overflights over the years have become

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<sup>1</sup> Farley, R. (2023, January 3).

<sup>2</sup> Such as the death of a Greek pilot after engaging in a "mock dogfight" with a Turkish jet that violated Greek airspace in 2006 (CNN [2006, May 23]), and the Greek pilot that mysteriously crashed after redirecting a Turkish jet which again invaded Greek airspace in 2018 (Kitsantonis, N. [2018, April 12]).

ever more frequent;<sup>3</sup> of course, with each declaration of violations of airspace by the Greek government the Turkish counterpart denies such accusations, yet anyone spending time on the islands, say Chios or Lesbos, can see such overflights with their own eyes and hear them with their own ears.<sup>4</sup> With these overflights in mind, after Prime Minister Kyriakos Mitsotakis' speech before the United States (US) Congress on the 17<sup>th</sup> of May of 2022 had warned that any sale of F-16's to Turkey would be used against Greece in a manner unbefitting of North Atlantic Treaty Organization (NATO) allies, the Turkish government started throwing particularly threatening remarks against Greece, such as President Erdoğan stating that he would no longer speak with Greek Prime Minister Mitsotakis,<sup>5</sup> and eventual warnings that Turkey would "come suddenly one night," a phrase Erdoğan himself claims to be a "nightmare" against terrorist organizations, and that Greece should "remember their history" and "mind their place," referring to the catastrophe of Smyrna, furthermore declaring Greece is "occupying" the Aegean islands.<sup>6</sup> Additionally, the Turkish President in December 2022 had warned the Greeks that their new "Typhoon" missiles can hit Athens with ease, and that if the Greeks "don't stay calm, if you try to buy something [weapons]... a country like Turkey will not be a bystander."<sup>7</sup> Aside from the very obvious violent threats against Greece and its people, clear threats of armed conflict, threats which are themselves a violation of International Law as per Article 2(4) of the United Nations (UN) Charter,<sup>8</sup> Turkey also holds a *casus belli* against Greece over maritime border delineation. Should Greece ever exercise its sovereign right as per the UN

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<sup>3</sup> Reuters (2017, February 1); Reuters (2022, April 28); EKathimerini (2022, May 4).

<sup>4</sup> The frequency of such overflights is not commonly reported on in international journals or newspapers, aside from the especially egregious cases like the recent overflight roughly 2.5 miles outside Alexandroupolis in Northern Greece which hosts one of the largest American bases in the region, considering that such overflights are violations of Greek airspace which is 10 nautical miles off the coast of Greek land, including islands. Turkish arguments in not recognizing the 10 nautical miles of national airspace of Greece is that the territorial sea and airspace of the country do not match with each other, 6 nautical miles for territorial sea and 10 for airspace. The Turkish government likewise cites this discrepancy to be a violation of standard procedures set out by the International Civil Aviation Organization, yet the 10 nautical miles of national airspace was set prior to the establishment of the organization and recognized by the Turkish government. This would not be an issue considering Greece's right to declare 12 nautical miles of territorial sea and subsequently 12 nautical miles of airspace as per the rights incurred by the United Nations Convention on the Law of the Sea, yet Greece cannot make this declaration as per Turkey's *casus belli*.

<sup>5</sup> AP News (2022, May 23).

<sup>6</sup> Fiedler, T. (2022, November 16); Kokkinidis, T. (2022, September 3).

<sup>7</sup> Stamouli, N. (2022, December 11).

<sup>8</sup> United Nations Charter (1945, June 26), Article 2(4).

Convention on the Law of the Sea (UNCLOS) to increase its maritime borders from 6 to 12 nautical miles, one of very few countries to not exercise this sovereign right, Turkey would declare war on Greece;<sup>9</sup> a *casus belli* that once again is against Article 2(4) of the UN Charter as well as Article 2(3).<sup>10</sup>

To further attempt to invalidate Greek island sovereignty, the Turkish government created and signed a Memorandum on the 27<sup>th</sup> of November in 2019 with the then interim Libyan Government of National Accord (GNA) based in Tripoli, a Maritime Border Treaty which connects the supposed territorial seas of the two countries. Without any consideration for each of their neighbors, specifically Greece, Cyprus, and Egypt, it is unsurprising that such a deal between the two countries was met with substantial resistance from a number of countries in the International Community, including most European Countries, the European Union (EU) itself, Russia, Israel, and even Syria, which declared such a treaty a violation of International Law through the UN Charter and UNCLOS.<sup>11</sup> Regarding Greece, the Memorandum's declared connected waters between Turkey and Libya<sup>12</sup> completely ignore the islands of Karpathos, Kasos, Rhodes, Kastelorizo, and interestingly the island of Crete and their respective territorial lands and seas.<sup>13</sup> Years after a failed endeavor by the Turks to claim Aegean and Mediterranean territories through the Memorandum which was rejected by the International Community and even the Libyan Parliament, further invalidated by a Maritime deal between Greece and Egypt in August of 2020, in October of 2022 Turkey and the Libyan Government of National Unity, the successor of the GNA, again signed a deal to conduct energy exploratory efforts, which was again met with resistance by Greece and Egypt who warned they would block efforts by the signing countries. Libyan courts, as well as the EU, likewise denounced the plan reminding the involved countries that the previous Memorandum in 2019 was a violation of International Law.<sup>14</sup>

More recent, insistent attempts by the Turkish government to question the sovereignty and claim control over the Aegean islands involve a series of maps pictured

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<sup>9</sup> Hellenic Republic Ministry of Foreign Affairs.

<sup>10</sup> United Nations Charter (1945, June 26), Article 2(3), 2(4).

<sup>11</sup> United Nations (2020); Reuters (2019, December 11); European Council (2019, December 12), point 19.

<sup>12</sup> Interesting to note is that the memorandum between Turkey and the GNA in 2019 connected the two countries' territorial seas with the connection in Libya stemming east of Benghazi, the area of which is controlled by the opposition of the GNA, the Libyan National Army.

<sup>13</sup> Butler, D., and Gumrukcu, T. (2019, November 28); Nedos, V. (2020, February 16).

<sup>14</sup> European External Action Service (2022, October 3).

alongside high-level Turkish governmental leaders. In July 2022, the leader of the Nationalist Movement Party in Turkey, a coalition partner to Erdoğan's government, was photographed alongside the ultranationalist Grey Wolves organization leader next to a map in which half of the entire Aegean is shown under Turkish control, even perplexingly the entire island of Crete.<sup>15</sup> It is unclear whether Erdoğan ever denied this map was official Turkish government policy when asked by Greek Prime Minister Mitsotakis; this is after Erdoğan stated he would no longer speak to the Greek Prime Minister, after all. This is, once again, in the face of previous times where the Turkish president has been photographed himself alongside a map showing Turkey's "Blue Homeland" which encapsulates half of the Aegean and many Greek islands as being a part of Turkey's territory in 2019,<sup>16</sup> as well as another map he was photographed with alongside the ultranationalist Grey Wolves leader showing the "Turkish World" which includes Cyprus, Western Thrace, and strangely even parts of Iran and Russia.<sup>17</sup>

The reasons behind Turkey's ambitions in the Eastern Mediterranean and Aegean, why they keep questioning the sovereignty of the islands, are multifaceted, yet a simple answer is that Turkey is endeavoring to secure the country's national interests, including their desire to exploit the natural gas reserves in the region which would fall under Greece's as well as Cyprus' Exclusive Economic Zones (EEZ). By Turkey not subscribing to UNCLOS which declares that islands have EEZs, Turkey wishes to profit from these reserves so as to aid its struggling economy and further fund its incredible military expenditures. Further, in their territorial interests, Turkey wants to remain as the largest, strongest presence in that side of the world; Turkey wants to show to other major players in the International Community and NATO that they are a vital and indispensable player that has to be considered, without which the International Community would struggle to achieve its goals in the region. Promoting and achieving regional superiority is clearly within Turkish interests. With the presence of exploitable natural gas reserves, this desire is only compounded.

This is an incredibly short description of what is referred to as the "Aegean Dispute" which has been occurring for decades. One can mention other aspects of Turkey's accusations and questioning of island sovereignty of both Greece and Cyprus: their actions in engaging in naval exploratory operations in violation of International Law and

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<sup>15</sup> Arab News (2022, July 11).

<sup>16</sup> EKathimerini (2019, September 2).

<sup>17</sup> Savvidis, P. (2021, November 19); Mhp (2021, November 17).

in continuation of Continental Shelf issues from the 1960s; their 1974 invasion of Cyprus and continuing occupation of the northern part of the island and their plans for further naval operations in the Cypriot EEZ; their resistance to the East Med Pipeline; the “weaponization” of migrants against Europe by funneling migrants through unsafe migration routes into Greek borders and territory in order to achieve their desires; the Imia crisis in 1996 which brought Greece and Turkey to the brink of war over the sovereignty of a single islet in the Aegean; the list can go on and on, each topic deserving of its own dedicated project.

This paper will focus on one issue in particular, the Turkish accusations over Greek island sovereignty, specifically, the use, or rather misuse, of International Law in their arguments. Specifically, on how Turkey quotes and misquotes pieces of International Law in an attempt to justify their positions in questioning the actions of Greece and the sovereignty of the Islands when at the same time they violate those same pieces of International Law, or other parts of the same International Law they cite which disproves their arguments. Considering the density of International Law and its incredible complexity, this paper seeks to provide a comprehensive yet easier to view and understand perspective of the arguments by the Turkish Government, relevant pieces of International Law regarding Aegean and Mediterranean Island sovereignty, and the arguments between the Greek and Turkish governments. By having a limited understanding of these complicated issues, misinformation and manipulation of information is incredibly easy to be achieved by parties that may either engage in such actions in ignorance and innocence, or potentially maliciousness.

### **The Treaties of Lausanne, Montreux, and Paris**

#### **I: Lausanne**

One piece of International Law commonly being misused by the Turkish Government is the Treaty of Lausanne of 1923.<sup>18</sup> After the failure of the Treaty of Sèvres of 1920 which had attempted to dismantle and partition the Ottoman Empire and demand significant reparations from the state after their defeat by the Allies in World War I, the Treaty of Lausanne succeeded the previous treaty, formally recognized Turkey as the successor state of the dissolved Ottoman Empire, and sought to bring peace between the

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<sup>18</sup> What is referred to as the Treaty of Lausanne is the Treaty of Peace Signed at Lausanne. The Treaty of Lausanne itself has many sections and subsections which are simultaneously separate pieces of International Law and a part of the Treaty of Lausanne itself.

country and the Allied powers.<sup>19</sup> The Treaty of Lausanne significantly eased previous provisions imposed through the Sèvres Treaty, authorized the forceable exchange of ethnic minorities and war prisoners between countries in the region, as well as clearly delineated the borders of the Greek and Turkish States and the sovereignty of the Aegean and Mediterranean islands.

With respect to island sovereignty, the Lausanne Treaty writes in Part 1 Section 1 Article 12 that the islands of Mytilene, Chios, Samos, and Nikaria (Ikaria) are part of the Greek territory, likewise stating that Turkey only has hold of islands within three nautical miles of the Asiatic coast except for islands where otherwise mentioned, and in Article 14 declaring Turkish sovereignty of the islands Imbros and Tenedos.<sup>20</sup> Further, Article 15 declares that the islands Stampalia, Rhodes, Calki, Scarpanto, Casos, Piscopis, Misiros, Calimnos, Leros, Patmos, Lipsos, Simi, Cos, and Castellorizo<sup>21</sup> once held by Turkey were to be relinquished to Italy.<sup>22</sup> Furthermore, Article 16 states that Turkey “hereby renounces all rights and title whatsoever over or respecting the territories situated outside the frontiers laid down in the present Treaty and the islands other than those over which her sovereignty is recognized by the said Treaty.”<sup>23</sup> Thus, through the Treaty of Lausanne, it is established that Turkey in the Aegean only has sovereignty over the islands of Imbros, Tenedos, the Rabbit Islands, and all islands and islets less than 3 Nautical miles off the Asiatic Coast, nothing else.

The Treaty of Lausanne is fundamental to say the least in regard to the future development as well as socioeconomic and diplomatic relations of the involved countries, despite the criticisms that the treaty essentially authorized the forcible deportation and expulsion of people who by modern international legal conception would be considered refugees. The point of contestation for the Turkish government regarding the Treaty of Lausanne over island sovereignty can be somewhat summarized by the deliberations and arguments between the respective Turkish and Greek governments in their letters sent to

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<sup>19</sup> The original signatories of the Lausanne Treaty were: France, Greece, Italy, Japan, Romania, Turkey (Ottoman Empire), United Kingdom, and Yugoslavia

<sup>20</sup> Treaty of Lausanne (1923).

<sup>21</sup> The names of the islands referenced through the treaties in this paper are written exactly as they appear in the treaties.

<sup>22</sup> Treaty of Lausanne (1923).

<sup>23</sup> Ibid.

the United Nations (UN) Secretary General, each letter in response to a previous one.<sup>24</sup> The Turkish assertion is clearly described in a letter from the Turkish Permanent Representative to the UN to the Secretary General on the 13th of July, 2021. In this letter, the Turkish Permanent Representative writes on behalf of the Turkish government declaring that the Greek islands, as decreed by the Lausanne Treaty, are to be demilitarized, and as a number of Greek islands close to the Anatolian coast are indeed militarized, some having military bases, this bring into question Greek sovereignty of the islands; demilitarization of the islands is claimed to be a “basic provision” of the treaty, and the Turkish Permanent Representative states that with its violation, Greece cannot enjoy the rights afforded by the treaty.<sup>25</sup> In reference here is Article 13 of the Treaty of Lausanne which, indeed, does state that there are to be no naval bases or fortifications on the referenced islands – Mytilene, Chios, Samos, and Ikaria– along with other provisions stating there are to be no overflights by Greek military aircrafts over the Anatolian coast and likewise no Turkish military overflights above the mentioned islands.<sup>26</sup>

The Turkish argument is clear: they claim that the islands in the Eastern Aegean must be demilitarized as per the Lausanne Treaty, and likewise claim that with Greece violating the Lausanne articles, the country cannot enjoy the rights – island sovereignty – derived from the treaty, as was written and reiterated in the Turkish Permanent Representative’s second letter to the UN Secretary General on the 30<sup>th</sup> of September, 2021.<sup>27</sup> The Treaty of Lausanne, however, in Articles 12 and 13 makes no mention of “demilitarization” in reference to the Greek islands and their sovereignty; there is no connection between demilitarization of the islands as a condition of their sovereignty. As mentioned, Article 13 states only that “no naval base and no fortification will be established in the said islands,” and on the contrary to demilitarization, the third point of Article 13 furthermore states that the Greek military can engage in activities “limited to the normal contingent called up for military service... as well as to a force of gendarmerie and police in proportion to the force of gendarmerie and police existing in the whole of

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<sup>24</sup> These letters can be found and retrieved from the UN Digital Library, either by name or symbol. Refer to the bibliography for symbols.

<sup>25</sup> *Letter Dated 13 July 2021 from the Permanent Representative of Turkey to the United Nations Addressed to the Secretary General.* (2021, July 13).

<sup>26</sup> “Greek military aircraft will be forbidden to fly over the territory of the Anatolian coast. Reciprocally, the Turkish Government will forbid their military aircraft to fly over the said islands.” (Treaty of Lausanne [1923], Article 13[2])

<sup>27</sup> *Letter Dated 30 September 2021 from the Permanent Representative of Turkey to the United Nations Addressed to the Secretary General.* (2021, September 30).

the Greek territory;<sup>28</sup> this point on there being no mention of “demilitarization” in the relevant articles is likewise a main argument against Turkish accusations by the Greek Permanent Representative in a letter sent to the UN Secretary General on the 27<sup>th</sup> of July, 2021, in response to the first Turkish letter on the 13<sup>th</sup> of the same month.<sup>29</sup> As per the Lausanne Treaty, Greece does not have to demilitarize the mentioned islands, and as there are no naval bases or fortifications, the provisions of the treaty have not been violated. As an aside, it is interesting to note that the Turkish argument that the rights and benefits provided through Lausanne are contingent on following the rules and obligations of the treaty is inherently contradictory; by their own logic, Turkey would lose sovereignty of the islands of Imbros and Tenedos that were gained through Article 14 of Lausanne since they violate the same article which specified that the Turkish government was to protect the Greek ethnic community on the islands.<sup>30</sup> Contravening Article 14 of Lausanne, during the 1960’s a number of Greek businesses and community centers were expropriated by the Turkish government, farmland was used as open prisons for prisoners of the Turkish State, and the teaching of the Greek language was banned on the islands, all of which forced the exodus of the ethnic Greek community;<sup>31</sup> certainly the Greek ethnic minority was not being protected as Turkey was obliged by the International Law they signed and consented to.

As part of the Lausanne Treaty, the Convention Relating to the Regime of the Straits was likewise signed in 1923, being a separate piece of International Law yet within the overall Treaty of Lausanne as a dedicated section on the Security of the Turkish Straits of the Bosphorus and Dardanelles which largely dealt with demilitarization and the freedom of transit through the Straits. Mentioned in Article 4 of this Regime of the Straits is that certain islands in the Aegean – Samothrace, Lemnos, Imbros, Tenedos, the Rabbit Islands

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<sup>28</sup> Treaty of Lausanne (1923).

<sup>29</sup> *Letter Dated 27 July 2021 from the Permanent Representative of Greece to the United Nations Addressed to the Secretary General.* (2021, July 27).

<sup>30</sup> “The islands of Imbros and Tenedos, remaining under Turkish Sovereignty, shall enjoy a special administrative organization composed of local elements and furnishing every guarantee for the native non-Moslem population in so far as concerns local administration and the protection of person and property. The maintenance of order will be assured therein by a police force recruited from amongst the local population by the local administration above provided for and placed under its orders. The agreements which have been, or may be, concluded between Greece and Turkey relating to the exchange of the Greek and Turkish populations will not be applied to the inhabitants of the islands of Imbros and Tenedos.” (Treaty of Lausanne [1923], Article 14).

<sup>31</sup> Yannas, P. (2007), p. 65.



– and all islands in the Marmara Sea with the exception of Imrali must be demilitarized.<sup>32</sup> When looking at the military airfield on Lemnos, the island which through the Regime of the Straits signed at Lausanne was meant to be demilitarized, one might declare that Greece is violating International Law, much in the same way the Turkish Government accuses Greece of doing. However, when considering the future of the Regime of the Straits signed at Lausanne, specifically the effects of the Montreux Convention of 1936 as is explained below, this would be, and is, an incorrect declaration; Greece is under no obligation to demilitarize the islands of Samothrace and Lemnos.

## **II: Montreux**

In the early 1930's, fearing the rising power of Fascist Italy in the Eastern Mediterranean as well as their campaign in Ethiopia, potential Bulgarian support for the Italians, as well as a rising German army, the Turkish government had raised in many informal occasions their dissatisfaction with the Regime of the Straits signed at Lausanne.<sup>33</sup> With distrust in what was considered a movement of disarmament in Europe – as well as potentially some feeling of humiliation on part of having had a part of their territory demilitarized – US Ambassador to Turkey Robert Peet Skinner declared that feelings of insecurity over Turkey's territorial integrity and the region as a whole are what sparked a desire to either abrogate or amend the Regime of the Straits signed at Lausanne.<sup>34</sup> With the support of the US, having their own interests in seeing the Turkish Straits of the Dardanelles and Bosphorus free from their demilitarized status, having likewise aided in convincing other states of the necessity to update the Regime of the Straits signed at Lausanne, the Turkish government in 1936 had officially requested the creation of a new convention, one that would abrogate the Regime of the Straits signed at Lausanne, eventually what became the Montreux Convention Regarding the Regime of

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<sup>32</sup> Treaty of Lausanne (1923), Article 4 of the Regime of the Straits; Demilitarization is not concretely defined in the treaty, but a number of provisions in separate articles explain how these areas are to be demilitarized. For example: no fortifications and permanent artillery organizations, no stationed armed forces except for police and gendarmerie forces, no submarines, etc., yet aircrafts are allowed to pass over respective sovereign territories as well as naval forces. Interestingly, Article 9 of the Regime of the Straits states that "if, in case of war, Turkey, or Greece, in pursuance of their belligerent rights, should modify in any way the provisions of demilitarization prescribed above, they will be bound to re-establish as soon as peace is concluded the regime laid down in the present convention." (Treaty of Lausanne [1923]. Articles 6-9).

<sup>33</sup> Howard, H. N. (1974), chapter 5.

<sup>34</sup> United States Department of State – Office of the Historian (1935, July 3).

the Straits of 1936.<sup>35</sup> With the ratification of the Montreux Convention,<sup>36</sup> the provisions in the Regime of the Straits signed at Lausanne were abrogated and the treaty itself replaced; the section of the Lausanne Treaty dealing with the straits, the section which included provisions to demilitarize the islands of Samothrace and Lemnos, is no longer in effect since having been replaced by the Montreux Convention.<sup>37</sup>

In the second Turkish letter to the UN Secretary General dated 30<sup>th</sup> of September, 2021, Turkey claims that since the Montreux Convention focused on Turkish security and the Turkish Straits, the issue of Greek security is not relevant in the Montreux Treaty and thus “the 1936 [Montreux] Convention could not in any way terminate or abrogate the demilitarization obligations binding upon Greece as set forth in the 1923 [Lausanne] Convention.”<sup>38</sup> Likewise, the Turkish Representative states that the preamble of the Montreux Convention simply states that the relevant parties “did no more than to agree, among themselves, on a different regime with regards to Turkey,” that the Convention does not replace the obligations set out in the Regime of the Straits signed at Lausanne.<sup>39</sup> This claim is inaccurate: the preamble of the Montreux Convention Regarding the Regime of the Straits, this preamble which introduces the Convention and leads to the treaty’s subsequent provisions, does not simply show “an agreement” amongst the involved

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<sup>35</sup> It was believed by some and even included in the Columbia Encyclopedia of 2000 that the Turks were secretly militarizing the Straits prior to the creation of the Montreux Convention (Columbia Encyclopedia [2000], p. 747-748), yet US Ambassador Skinner did not believe this to be true, stating that despite rumors and reports, he could not find conclusive evidence on this (United States Department of State – Office of the Historian [1935, July 3]). However, even Skinner admitted that regardless of whether Lausanne is abrogated or revised the country is prepared to defend its straits, further stating that the country was amassing a massive part of its armed forces and armed material in the area, verified by the US Ambassador to Italy, as well as engaging in efforts to massively boost infrastructure. There was also a military encampment close by to the straits where Skinner declared they may have been a band of engineers planning on military fortifications for the straits, or potentially already engaging in fortification efforts (United States Department of State – Office of the Historian. [1935, July 3]; United States Department of State – Office of the Historian [1935, May 18]; United States Department of State – Office of the Historian. [1934, July 12]; United States Department of State – Office of the Historian [1935, May 29]).

<sup>36</sup> The original signatories of the Montreux Convention were: Australia, Bulgaria, France, Greece, Japan, Romania, Yugoslavia, Turkey, United Kingdom, and the Soviet Union

<sup>37</sup> The Regime of the Straits signed at Lausanne, not the Lausanne Treaty, was replaced with Montreux. The Regime of the Straits signed at Lausanne and the Lausanne Treaty are not one and the same.

<sup>38</sup> *Letter Dated 30 September 2021 from the Permanent Representative of Turkey to the United Nations Addressed to the Secretary General.* (2021, September 30).

<sup>39</sup> Ibid.

parties, but clearly states that those involved “have resolved to replace by the present Convention the Convention signed at Lausanne on the 24<sup>th</sup> July 1923.”<sup>40</sup>

Prior to the Montreux Convention, in response to the Turkish request to negotiate the new convention in early 1936, the Greeks declared that they will support the endeavor on the condition that Greece also benefits as the Turks would from the rights incurred with the revision or removal of Article 4 of the Regime of the Straits signed at Lausanne, and the Turks had agreed with this.<sup>41</sup> Further, Turkish Minister of Foreign Affairs Tevfik Rüştü Aras had also stated to the Greek Chargé d'Affaires in Ankara that the Greeks would not be faced with a reaction from the Turks should the Greek government decide to militarize even the other islands of the Aegean, outside of Samothrace and Lemnos which were demilitarized through the Regime of the Straits signed at Lausanne and about to be abrogated by the Montreux Convention.<sup>42</sup> With the signing and ratification of the Montreux Convention the Turkish government at the time indeed confirmed, on two occasions, that Greece was no longer bound by the Regime of the Straits signed at Lausanne; Greece is no longer obligated to demilitarize the mentioned islands. The first is a letter by the Turkish ambassador in Athens sent to the Greek Prime Minister Ioannis Metaxas dated 6<sup>th</sup> of May, 1936, and the second being a speech by Turkish Foreign Affairs Minister Aras before the Turkish National Assembly on the 31<sup>st</sup> of July, 1936.<sup>43</sup>

The May 6<sup>th</sup> 1936 letter from the Turkish Ambassador to Greek Prime Minister Metaxas clarifies previous positions of the Turkish government and gives more assurances. Firstly, the letter clarifies the earlier declaration made to the Greek Chargé d'Affaires that the Turks would not react should the Greeks decide to militarize other Aegean islands, aside from Lemnos and Samothrace, stating that the Turkish government is willing and able<sup>44</sup> to undertake negotiations for an amicable solution to the armament

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<sup>40</sup> Convention Regarding the Regime of the Straits Signed at Montreux (1936, July 20).

<sup>41</sup> Economides, C. P. (1984), p. 16.

<sup>42</sup> Ibid.

<sup>43</sup> The May 6<sup>th</sup> 1936 letter is found within Economides' 1984 article, and the July 31<sup>st</sup> 1936 speech by the Turkish Foreign Affairs Minister is found within the minutes of the Turkish National Assembly, in French and Turkish respectively (Economides, C. P. [1984], p. 17-18; T.B.M.M. Zabit Ceridesi [1936, July 31], p. 310).

<sup>44</sup> Specifically, the Turks declare and imply that the armament of the other Aegean islands may be a benefit for the Turkish state as well. In the context of their worries of the growing Italian army, having the Greeks arm the other Aegean islands, outside of Samothrace and Lemnos, benefits the security of the shared maritime border between the two countries, particularly in the case of a foreign power launching an offensive either on the region or on Turkish land; the Turkish state would thus benefit from a strong

of the islands, but wishes to leave this discussion for a later, undeclared time so as to not spark concerns of the neighboring Balkan countries.<sup>45</sup> Secondly, and importantly, the letter clearly states that the Turkish government “wholly agree[s] concerning the militarization of these two islands [Samothrace and Lemnos], as well as that of the straits.”<sup>46</sup> This official letter of the Turkish government was sent prior to the signing of the Montreux Convention, therefore affirming that the formulation of the Montreux Convention was not solely focused on Turkish security and the straits, but was indeed a convention intended to replace the Regime of the Straits signed at Lausanne; this letter is one piece of evidence that invalidates the current Turkish argument which attempts to invalidate Greece’s right to militarize Lemnos and Samothrace that was gained through Montreux’s abrogation of the Regime of the Straits signed at Lausanne.

As for Turkish Foreign Minister Aras’ speech before the Turkish National Assembly on the 31<sup>st</sup> of July 1936, Aras reaffirmed that which was written in the May 6<sup>th</sup> 1936 letter that with the Montreux Convention, just as the Turks gain the right to self-defense, so does Greece, calling them “neighbor and friend,”<sup>47</sup> in that the restrictions set on Lemnos and Samothrace are lifted, further stating that they would like to see good happen to not only themselves and their friends, but to any state;<sup>48</sup> these statements are all without interruption or contention in the National Assembly. These two points were briefly brought up in Greece’s letter to the UN Secretary General on the 27<sup>th</sup> of July, 2021, yet the Turkish letter on the 30<sup>th</sup> of September in response declares that it is unfound to consider such statements by Turkish officials as legal obligations as they were not directed to a particular recipient,<sup>49</sup> citing legal precedent in the International Court of Justice (ICJ) regarding the “Frontier Dispute” case between Burkina Faso and Mali. Specifically, the Turks write that “political pledges not made during negotiations or talks between parties cannot be construed as giving rise to any legal obligation,” further citing that according

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Greek military, especially as they had then considered themselves ‘friendly states’ (Economides, C. P. [1984], p. 17-19).

<sup>45</sup> Economides, C. P. (1984), p. 17-19

<sup>46</sup> Ibid.

<sup>47</sup> Translated from the Turkish “olan komşumuz ve dostumuz Yunanistan” (T.B.M.M. Zabıt Ceridesi [1936, July 31], p. 310).

<sup>48</sup> T.B.M.M. Zabıt Ceridesi (1936, July 31), p. 309-310.

<sup>49</sup> It is unclear whether they are mentioning both the letter to the Greek Prime Minister and the speech by Aras in the National Assembly, or just the speech. Their argument would be contradictory if it were addressing both, as the letter to the Greek Prime Minister indeed addresses a particular recipient.

to the ICJ “there is a duty to show great caution before attaching any weight to such a statement when it was not directed to any particular recipient.”<sup>50</sup>

The actual judgment of the ICJ Frontier Dispute case, however, does not support this conclusion made by the Turkish representative on behalf of the Turkish government. The court states that “the Chamber [ICJ] considers that it has a duty to show even greater caution when it is a question of a unilateral declaration not directed to any particular recipient;” the ICJ in its judgment is declaring that it is the court itself that has the duty to have greater caution of unilateral statements in its cases, not that everyone has the duty to be cautions nor that such unilateral statements do not give rise to legal obligations.<sup>51</sup> Contrary to the Turkish claim that unilateral statements cannot be seen as legal obligations, the ICJ “Nuclear Tests” case between Australia and France in its judgment declares that “declarations made by way of unilateral acts, concerning legal or factual situations, may have the effect of creating legal obligations... When it is the intention of the State making the declaration that it should become bound according to its terms, that intention confers on the declaration the character of a legal undertaking, the State being thenceforth legally required to follow a course of conduct consistent with the declaration. An undertaking of this kind, if given publicly, and with an intent to be bound, even though not made within the context of international negotiations, is binding.”<sup>52</sup> Unlike in negotiations, such scenarios of unilateral acts do not require a response by other involved states; they are unilateral acts after all. In terms of intention which would bind states to their declarations and actions, it is “to be ascertained by interpretations of the act.”<sup>53</sup> Regardless of the form in which such unilateral actions take, either verbal or in writing, unilateral actions are taken in good faith by the declaring state where other relevant countries may take confidence in the binding effect of such actions. The legal obligations of unilateral actions must be adhered to, much in the same respect as international treaties.

In the ICJ Frontier Dispute case the Turkish July 27<sup>th</sup> 2021 letter cites, the Court declares that in order to assess the intentions of authors of unilateral actions, the entire

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<sup>50</sup> *Letter Dated 30 September 2021 from the Permanent Representative of Turkey to the United Nations Addressed to the Secretary General.* (2021, September 30).

<sup>51</sup> International Court of Justice (1986, December 22), points 39-40.

<sup>52</sup> International Court of Justice (1974, December 20), points 43-46.

<sup>53</sup> *Ibid.*

context and “factual circumstances” of the situation must be considered.<sup>54</sup> When considering the situation and context of the militarization of Lemnos and Samothrace as per the Montreux Convention, it is possible an argument could have been made that the Turkish state had no intention for their unilateral acts to be legally binding if any sole part of this case was taken in isolation. However, the Montreux Convention, being a treaty tasked with abrogating the Regime of the States signed at Lausanne, the Turkish May 6, 1936, letter to the Prime Minister of Greece, and the Turkish Foreign Minister Aras’ speech before the National Assembly of Turkey on the 31<sup>st</sup> of July 1936, all cannot be separated from each other nor taken in isolation. It is clear that, when considering the context of Montreux, Turkey at the time was accepting of and recognizing Greece’s right to militarize Lemnos and Samothrace, and had made clear Greece would not find resistance from the Turks on this issue. By ICJ precedent, which is International Law, the argument of the Turkish government in this case that the unilateral actions or statements of leaders cannot be seen as legal obligations does not hold and is incorrect; the Turkish Foreign Affairs Minister Aras’ speech in the context of Montreux can and ought to be considered a binding legal obligation.

### **III: Paris**

Another point of contestation used by the Turkish government to declare that the Greeks violate International Law relates to the Treaty of Paris Between Italy and the Allied Powers of 1947 (Paris Peace Treaty).<sup>55</sup> In the aftermath of the Second World War, the Paris Peace Treaty’s Section 5 Article 14 declares that Italy would return to Greece the Dodecanese islands that were given to Italy to control through the Treaty of Lausanne: Stampalia, Rhodes, Calki, Scarpanto, Casos, Piscopis, Misiros, Calinos, Leros, Patmos, Lipsos, Simi, Cos, Castellorizo, as well as the adjacent islets of the islands.<sup>56</sup> The second part of Article 14, though, states that “these islands shall be and shall remain demilitarized.”<sup>57</sup> It may seem that this clause in the Paris Peace Treaty is declaring that it is Greece’s responsibility to forever have these islands received by the Italians demilitarized, yet this is not entirely clear when considering the context of the treaty and the history of the islands when under Italy as well as their status during the Second World

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<sup>54</sup> International Court of Justice (1986, December 22), points 39-40.

<sup>55</sup> The original signatories of the Treaty of Paris Between Italy and the Allied Powers were: Italy, France, Greece, Yugoslavia, Albania, United States, United Kingdom, Soviet Union, Australia, Belgium, Brazil, Canada, China, Czechoslovakia, Ethiopia, Netherlands, New Zealand, Poland, and South Africa

<sup>56</sup> Treaty of Peace with Italy Signed at Paris (1947, February 10).

<sup>57</sup> Ibid.

War. For example, Kastellorizo was the subject of a naval battle between the Italians and the Allied Powers and was subsequently occupied by the Allies until the end of the war. Rhodes was likewise subject to a battle between the Italians and Germans and was occupied by the Nazis who subjugated the island's inhabitants. Karpathos, Leros, Kos, and Symi, to name a few, were all occupied by the German military during World War II. After the end of the war where the islands were under administration of the British armed forces, from whom and for what purpose were the islands supposed to be demilitarized? Was the treaty aiming to declare an official end to the island occupation by both the Italian and German armies? Was the treaty declaring that now the British who were administering the islands had to leave? Or is the treaty to be taken in its most literal sense stating that the islands will forever be demilitarized, including by the Greeks? As the ICJ commonly declares in its judgements, all things must be considered in their context for a just judgment.

Specifically, looking at the historical context of the Paris Peace Treaty's formulation, there is more to consider in order to understand the provisions of the transfer of the Dodecanese islands from Italy to Greece and their demilitarization, especially as it pertains to the politics in the region. At the start of the Cold War, the West, in this case specifically the US and the British, were especially fearful of Soviet influence in the region and particularly the spread of communism in Turkey and Greece, keeping in mind the soon to be formulated Truman Doctrine. Following the Turkish Strait Crisis in 1946 with the Soviet's strong desire and insistence that the Turks give them access to military bases along the Straits, even declaring that the Montreux Convention should be revised in favor of the Soviets, the Greeks likewise were fearful of Soviet declarations or actions in pursuit of control of military bases in the Aegean, including the Dodecanese islands which all foresaw Greece would receive as war reparations from the Italians.<sup>58</sup> Indeed, the Soviets did eventually express their desire for a military base on one of the Dodecanese islands, such as Rhodes, for "fueling and refitting the Soviet merchant fleet."<sup>59</sup> Likewise, it must be understood that since the Paris Peace Treaty was signed in 1947, and discussed and deliberated the year prior, Greece was in the middle of its dreadful civil war, and thus there was significant fear, on part of the West and Greek Government, about the country's internal struggle with communist insurgents who sought militarization, even in rural village.<sup>60</sup> Fearing the spread of communism, and in reference to the islands, should the

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<sup>58</sup> Xydis, S. G. (1963), p. 182-183.

<sup>59</sup> Ibid.

<sup>60</sup> Xydis, S. G. (1963), p. 138.

Greek communists or, worse, the Soviets gain access to the Dodecanese islands and establish bases and a significant military presence, Turkey too would be subject to the pressure of communism in yet another side of its territory; its west and south, which when coupled with the influence of communism from the country's north and east would have practically surrounded the country with communism.

Concerning the demilitarization clause of the Paris Peace Treaty, the Greek communists were one of the largest critics of the sub-article on demilitarization, most likely because they expected that the Soviets would eventually get access to the islands after a potential loss of the British in the region, a genuine fear the British had, since the Dodecanese was the only area the Soviets did not have naval superiority in the region.<sup>61</sup> Keeping in mind the Turkish Straits Crisis, the US seriously feared an imminent war with the Soviet Bloc, especially after two American Planes were downed by the Yugoslavs in 1946, two months before agreement over the Paris Peace Treaty's articles on Greece. The demilitarization clause of Article 14 in the Paris Peace Treaty was therefore favorable for both the West and the Soviets, as it would prevent the Soviets and the Greek Communists from establishing a military presence – and thus spread communism in the region and to neighboring Turkey – and would likewise force the British to remove their large military presence from the Dodecanese.

At a time where Greco-Turkish relations were neutral and at times amicable,<sup>62</sup> the Paris Peace Treaty was not created with intent to foresee future, so as to say current, tensions in the Aegean where sovereignty of the islands and border delineation would be in question as a result of Turkish ambitions in the Sea and Greece's desire to defend its territorial integrity, especially as the containment of communism seemed to be the main purpose of the demilitarization clause of the Treaty; considering the context of the West's fear and anticipated war with the Soviets, a cold war which did eventually occur and lasted for about half a century. This is in the same respect as with the Regime of the Straits signed at Lausanne and the Montreux Convention, where Lausanne was signed during a movement of demilitarization and where such provisions in Lausanne were not set in preparation for future conflicts in the region, which again is one of the reasons Turkey and the US sought the Montreux Convention.

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<sup>61</sup> Xydis, S. G. (1963), p. 222.

<sup>62</sup> With the signing of the Treaty of Friendship, Neutrality, Conciliation and Arbitration signed between Greece and Turkey in 1930, relations between the two countries should, legally, have been considered friendly at the time.



Regardless of the demilitarization provision of the Paris Peace Treaty, in the Greek Permanent Representative's letter to the UN Secretary General on the 25<sup>th</sup> of May, 2022, it is written that the delineation of borders in a piece of International Law is something final, in the sense that it achieves a sense of permanence that the treaty itself may not have, citing relevant ICJ cases that establish this point.<sup>63</sup> Particularly relevant is the ICJ 1962 Judgment of the case Temple of Preah Vihear (Cambodia v. Thailand) which states that "when two countries establish a frontier between them, one of the primary objects is to achieve stability and finality."<sup>64</sup> Dismissing this argument, however, the Turkish letter on the 17<sup>th</sup> of September, 2022, makes a questionable argument stating that the ICJ's declaration is "no more than a particular expression" of a fundamental principle on territorial régimes prominent in the ICJ in cases like Nicaragua v. Colombia Concerning the Territorial and Maritime Dispute in 2007 and the earlier Libyan Arab Jamahiriya v. Chad Territorial Dispute of 1994.<sup>65</sup> To consider an incredibly important and clear declaration by the ICJ as "no more than a particular expression" is incredibly disparaging. The ICJ specifically states that relevant pieces of International Law delineating borders must have finality, as otherwise it would always leave open a questioning of border delineation whenever, say, an error or inaccuracy is discovered in a treaty; the process of questioning borders and the International Law itself would thus be able to continue indefinitely so long as something inaccurate is discovered, or argued.<sup>66</sup> The territorial régimes in the context of both the 1994 and 2007 ICJ cases referenced above do indeed have to do with both governance of a territory as well as, clearly, the borders and boundaries of a territory.<sup>67</sup> With the Turkish declaration that the provisions of both the Treaty of Lausanne and the Paris Peace Treaty have permanence with regard to territorial régimes, they also claim that the demilitarization aspect connected to the Greek islands likewise have permanence. It has already been shown that the provisions relating to demilitarization in the Regime of the Straits signed at Lausanne are no longer relevant, having been abrogated by the Montreux Convention, and in reference to other Aegean islands in the Treaty of Lausanne they were never supposed to be demilitarized in the first place. For

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<sup>63</sup> *Letter Dated 25 May 2022 from the Permanent Representative of Greece to the United Nations Addressed to the Secretary General.* (2022, May 25).

<sup>64</sup> International Court of Justice (1962, June 15), p. 34.

<sup>65</sup> *Letter Dated 17 September 2022 from the Permanent Representative of Turkey to the United Nations Addressed to the Secretary General.* (2022, September 17)

<sup>66</sup> International Court of Justice (1962, June 15), p. 34.

<sup>67</sup> International Court of Justice (1994, February 3), point 73; International Court of Justice (2007, December 13), point 89.

the Paris Peace Treaty, even if provisions on Greek island sovereignty given up by the Italians are never to be detached from the demilitarization provision, Articles 14(1) and 14(2) of the treaty, this does not change the fact that demilitarization is not a condition for island sovereignty; it is not explicitly written, nor is this implied.

Nonetheless, the Turkish government in its multiple letters to the UN Secretary General has invoked this point on demilitarization of the Dodecanese in their question of the sovereignty of the islands, yet this is despite not having ever signed or ratified the Paris Peace Treaty of 1947. The Turkish government attempt to justify their invocation of the Paris Peace Treaty without being a signatory by referencing a piece of International Law by the League of Nations' International Committee of Jurists concerning a demand by Sweden for Finland to abide by previous international commitments in the 1856 Convention on the Demilitarization of the Aaland Islands, Sweden not having been a party of the convention at the time. The committee declared that, considering the 1856 convention was a convention entirely dedicated to demilitarization, the Swedes despite not being parties to the convention had the right to invoke the rights of it given their reasonable security concerns. In the same respect, the Turkish government claims that the Paris Peace Treaty is also a convention on demilitarization in its entirety, claiming they should have the right to invoke the clauses of the Paris Peace Treaty; although in reality it is not a treaty entirely on demilitarization, but a convention that also declared and delineated borders between multiple countries while bringing an official end to the Second World War, that dealt with reparations to be paid to victim states, that included clauses on the transfer of war prisoners for legal trials, and so on. This, however, is likewise not possible for the Turkish government, since the Paris Peace Treaty itself clearly states in Article 89 that "the provisions of the present Treaty shall not confer any rights or benefits on any State named in the Preamble as one of the Allied and Associated Powers or on its nationals until such State becomes a party to the Treaty by deposit of its instrument of ratification."<sup>68</sup> Without question, the Turkish State does not have the right to invoke the articles of the Paris Peace Treaty; *res inter alios acta, aliis nec nocet nec prodest*, a legal concept that an agreement between some cannot benefit nor harm others. This argument and details are made clear in the 25<sup>th</sup> of May, 2022, Greek letter to the UN Secretary General.<sup>69</sup>

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<sup>68</sup> Treaty of Peace with Italy Signed at Paris. (1947, February 10).

<sup>69</sup> *Letter Dated 25 May 2022 from the Permanent Representative of Greece to the United Nations Addressed to the Secretary General.* (2022, May 25).

As a final note on the Paris Peace Treaty, it is beneficial to come to an understanding of conflict in the international arena as well as the rights held and the restrictions placed on states regarding the use of violence and conflict. Subscription to the Charter of the UN forbids under International Law in most cases the threat or use of force by a state against the territorial and political integrity and stability of another.<sup>70</sup> International Law provides the Security Council of the UN sole authority to authorize the use of force for states in the international community; the Security Council as a body which is to maintain international peace shall determine breaches to that peace or acts of aggression that threaten peace and will apply measures accordingly.<sup>71</sup> Measures to be applied as decreed by the Security Council include taking action through armed force including air, land, and sea operations should other means fail to reestablish peace such as partial or complete interruption of economic or even diplomatic relations, and/or other means of communications.<sup>72</sup> If the Security Council is to authorize the use of force, it will extend an invitation to the Member States involved for relevant discussions and deliberations if it has not done so already, however decisions will not be made at the behest of the involved Member States.<sup>73</sup> Yet, the UN Charter does not ban the use of violence in its entirety, making clear that every country has the right to defend its state, people, and borders.<sup>74</sup>

When faced with an imminent attack on one's nation, there is an inherent right to self-defense. In the face of threats against the sovereignty of one's nation and its people, a state certainly has the right to ramp up its defenses. In the case of Greece and Turkey, as mentioned previously, the Turkish government has threatened the safety and sovereignty of Greece and its population in numerous cases over the years. One must only look at the Cyprus situation and nearly half century occupation, the *casus belli* of the Turks over Greece's sovereign right to declare 12 nautical miles of territorial sea, or quite frankly the very serious threats and threats of conflict from Turkish President Erdoğan made publicly, and how the Turks will "come one night" and that the Greeks should "mind their place." There is a very real conversation to be had over the rights of a state and preemptive strikes under International Law through the same ambiguous article of the UN Charter

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<sup>70</sup> United Nations Charter (1945, June 26), Article 2(4).

<sup>71</sup> United Nations Charter (1945, June 26), Article 39.

<sup>72</sup> United Nations Charter (1945, June 26), Article 42, 41.

<sup>73</sup> United Nations Charter (1945, June 26), Article 44.

<sup>74</sup> United Nations Charter (1945, June 26), Article 51.

that authorizes a country's right to self-defense in the face of such accusations and threats – when faced with genuine aggression and an imminent attack – making *Business Insider's* list of top conflicts that can spark a Third World War a bit more understandable, however this is a topic deserving its own, dedicated research project.

Thus, in regards to the Paris Peace Treaty, no matter how one may interpret the clauses of the treaty and demilitarization of the islands returned by the Italians to Greece, in reference to what was listed above, it is reasonable and fair to declare that Greece under International Law has the right to prepare and defend its borders in the face of Turkish aggression given the perpetuating tense and volatile situation in the Eastern Mediterranean and the Aegean. The US has likewise been in agreement over this right held by Greece after the Paris Peace Treaty, and in a declassified top-secret telegram in July 1948 by Secretary of State George Marshall, who the Marshall Plan was named after, sent to the American Embassy in Greece it is stated that the “[Department] feels therefore that Greece has equal right to use Dodecanese military installations to maintain internal order or defend frontiers.”<sup>75</sup>

## Conclusion

As it has been shown in this paper, Greece is by no means in violation of the Lausanne Treaty in the militarization of some of their Aegean islands, as there is no “demilitarization” provision in the treaty much less a condition of island sovereignty over demilitarization. Further, any demilitarization provision in the Regime of the Straits signed at Lausanne was clearly abrogated by the Montreux Convention with, as shown, the agreement by and support of the Turkish government at the time. Even with the Paris Peace Treaty, where the Turkish government invokes its articles despite not having the right to do so as they have not signed the treaty, aside from the context of the demilitarization provision having been formed while subject to growing global concerns of the spread of communism, Greece has a right to defend its borders from an ever increasingly provocative neighbor, as has likewise been declared by the US Government;

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<sup>75</sup> United States Department of State – Office of the Historian (1948, July 29). Specifically, Marshall states, speaking on behalf of the Department of State, that a “victorious ally who has been awarded territory as [a] result [of] allied victory should not be placed in [a] less favorable position than [the] defeated enemy.” Further, their support for Greece's right to use military installations on Dodecanese islands is in considering that in many other places in the Paris Peace Treaty any prohibition on fortifications or new constructions does not include other non-permanent fortifications for local defense of borders or internal security.

furthermore the relevant demilitarization provision having no connection to or being a requirement for the sovereignty of the islands, much like with Lausanne. The Turkish government, at the core of this issue of the Aegean Dispute and contention with Greece, has consistently misused, misrepresented, and violated International Law both in and out of the context of their questioning of Greek Aegean island sovereignty, acting as revisionists of the history of International Relations over the Aegean Dispute while seeking to revise the Treaty of Lausanne and the Montreux Convention, either by disregarding provisions in the treaties or by seriously endeavoring to rewrite the treaties, having requested to do so with Lausanne;<sup>76</sup> this has been Turkey's policy vis-à-vis Greece as well as Cyprus generally for a variety of issues, as previously mentioned.

While tensions in the Aegean have seemingly eased over the past few months as a result of "earthquake politics," at least when compared to how things were in years prior, will such a "peace" hold? The recent 2023 elections in Turkey showed that the majority of the voting population of the country continue to support Erdoğan, his agenda, policies, as well as his rhetoric which includes his government's threatening and what can only be called expansionist and war mongering claims on the sovereign Greek Aegean; a rhetoric which weeks before the election had restarted, ending this "stability" in the Eastern Mediterranean with new claims by the Turkish Foreign Minister Çavuşoğlu over Greek island militarization as well as a political ad by Erdoğan's party AKP showing yet another map of Turkish territory including Western Thrace and Eastern Aegean Islands.<sup>77</sup> While disappointing, although not at all unexpected, to see rhetoric of the Turkish government return to what it was prior to the February earthquake in Turkey, tensions likely would not have been too different under a Kemal Kılıçdaroğlu's government, the main opposition to Erdoğan in the recent election, despite the hopes by some internationally. Kılıçdaroğlu has made on multiple occasions inflammatory statements regarding the Greek islands, specifically his repeated declarations that Greece "occupies" the Aegean islands and likewise "reminding" the Greeks of the invasion of Cyprus stating that they will "come and take all of those islands back."<sup>78</sup> Such rhetoric, regardless of whoever would have led Turkey, is only deleterious to any prospect of peaceful Greco-Turkish relations.

Therefore, when Turkish leaders engage in such rhetoric, one wonders, what is the value of International Law and international treaties? Turkey has previously engaged in

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<sup>76</sup> Kathimerini Cyprus (2020, December 29); The National Herald (2022, September 15).

<sup>77</sup> Greek City Times (2023, May 6); Karatzias, M. (2023, April 24).

<sup>78</sup> Hurriyet Daily News (2017, December 23); Nedos, V. (2022, June 3); Soyulu, R. (2022, June 27).

expansionist actions, seen by invading Cyprus and nearly a half-century illegal – as deemed by the Security Council of the UN – occupation of the northern part of the country, and more recently has set up a substantial occupied zone in Syria. Turkey has targeted its Greek ethnic minority as clearly seen in the “Istanbul Pogrom” in 1955 in clear violation of the same Lausanne Treaty the Turkish Government falsely accuses the Greeks of violating, and has had a significant hand in the diachronic diminishing of the Greek ethnic minority in the country. The Turkish government does not respect the delineation of territory of the Aegean Islands and their EEZs along multiple international treaties, and continues threats to reclaim Greek “occupied” islands, threats towards the territorial integrity of Greece and its vulnerable people. What more reason is there for a country to try and defend its borders from such a provocative neighbor?

In the face of such aggression by their Eastern neighbors, with what can only be considered threats of war and invasion to claim Greek islands and denying their sovereignty, it is only logical for the Greek government to seek to defend its borders and its people, a right held by all states as per the UN Charter. In contrast, the Turkish government selectively uses and misuses International Law that they sometimes have not even signed, as with the Paris Peace Treaty and UNCLOS, to support their aggression. This is compounded with the fact that a significant portion of the Turkish Armed Forces, the Fourth Army, has been since 1974 stationed facing the Greek Aegean islands as well as the country’s deployment and further development of a large numbers of naval carriers and tank landing ships. In the context of continuous threats of aggression, what is the obligation of a government faced with such a scenario: is it to sit back and accept threats as the neighboring state arms and deal with the potential dire consequences at a later point; or is it to risk being in a “security dilemma”<sup>79</sup> in order to arm and defend its borders and people? There is no in-between in such a scenario, especially when dialogue falls on deaf ears. As the facts make clear, Greece hopes for amicable relations although otherwise seems to have little choice in the face of their neighbor’s past and continuing aggression against the territorial integrity of the Aegean and against the Greek people.

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<sup>79</sup> Theorized as a state’s arming or bolstering defenses being perceived as a threat by another state who will then bolster their own defenses, leading to a cycle or ‘feedback loop’ of insecurity and mistrust between states as they both continuously arm themselves.

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