The Role of Islands in Delimiting Maritime Zones: 
The Case of the Aegean Sea

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INTRODUCTION

The problem of delimiting the continental shelf and exclusive economic zone between Turkey and Greece is one of the many issues that currently dominate the international relations between the two countries. Although legal principles can be identified that apply to this dispute, the drawing of boundary lines is intrinsically a political process and is usually accomplished by direct negotiations between the states. Increasingly in recent years, however, states have turned to arbitral or judicial tribunals to resolve disputes involving maritime boundaries, and the decisions of these tribunals have identified and developed legal principles that can now be drawn upon to resolve difficult boundary controversies.

The disputes that have been submitted for decision have usually been those in areas with unusual geographical configurations, frequently involving islands. Many of the decisions that have been issued, as will be discussed in detail below, have given islands less stature in generating extended maritime zones than the continental land masses that they are opposite or adjacent to. Article 121(2) of the 1982 Law of the Sea Convention states that islands generate continental shelves and Exclusive Economic Zones in the same manner as “other land territory” except for “rocks which cannot sustain human habitation or economic life of their own,” which do not generate these zones at all. The decisions rendered in recent years do not, however, take this all-or-

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3. See nn. 58–123 below and the accompanying text.

4. See ibid.
nothing approach and instead have given islands that are within 200 nm of
the continental land mass of another nation "half effect" in generating ex-
tended maritime zones or—in some cases—no effect at all. The status of
islands in generating such zones is thus currently unresolved in international
law, and each geographic configuration must be examined individually to
determine what effect the islands should have in relation to their continental
neighbors. After examining the controversy between Turkey and Greece, this
article will analyze the recent arbitral and judicial decisions and explore how
the principles used in these decisions might apply to the delimitation of the
maritime boundary between Turkey and Greece in the Aegean Sea.

BACKGROUND

The 1923 Lausanne Peace Treaty awarded Turkey the entire Anatolian
mainland but awarded Greece sovereignty over almost all islands of the Ae-
gen, which were populated by Greeks.5 At the time of the negotiation of that
treaty, Turkey sought to retain Turkish sovereignty over Imbros (Gokceada),
Tenedos (Bozcaada), and Samothrace (Samothraki) and demilitarization of
Limnos (Lemnos), Lesvos (Lesbos), Chios, Samos, and Ikaria.6 Turkey was
awarded Imbros (Gokceada) and Tenedos plus the Rabbit Islands because of
their proximity to the strategically important Dardanelles.7 Samothrace and
Limnos were demilitarized but awarded to Greece.8 The Dodecanese group
of islands,9 long under Turkish control, was ceded to Greece in 1947, follow-
ing decades of Italian occupation.10

The islands around which the current marine resource boundary delimi-
tation controversy centers are the Greek islands in the eastern Aegean close to

5. Derek Bowett, The Legal Regime of Islands in International Law (Dobbs Ferry,
N.Y.: Oceana Publications, 1979), p. 252; the Convention regarding the Regime of the
Straits (Lausanne Convention), July 24, 1923, League of Nations Treaty Series (L.N.T.S.),
93:115, reprinted in J. Grenville, The Major International Treaties, 1914–45 (New York:
7. Ibid., p. 249.
8. Ibid.
Dodecanese group consists of 14 main islands and about 40 islets and rocks. The main
islands are Astypalea, Khalke, Kalymnos, Karpathos, Kasos, Kos, Leros, Lipsi (Leip-
sos), Nisyros, Patmos, Rhodes, Symi, and Tilos in the southeastern Aegean, and
Megisti (Kastellorizo), the easternmost island separated from the rest. Between A.D.
1523 and 1912, the Dodecanese group was controlled by the Turks. The group (except
for Kastellorizo) was occupied by Italy after the Italo-Turkish war of 1911–12 and
awarded to Italy in 1920. Following the Second World War, the islands were awarded
to Greece because of their Greek population.