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SHORT COMMENTS

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Between Greece and Egypt*

By the Research Associate of “HERMES” Institute, Georgios Koukakis

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The 2020 Exclusive Economic Zone Delimitation Agreement Between Greece and Egypt

By the Research Associate of “HERMES” Institute, Georgios Koukakis

August 6th, 2022 marked the second anniversary of the signing of the Agreement between the Governments of Egypt and Greece on the Delimitation of the Exclusive Economic Zone (EEZ) between the two countries, in Cairo. Though it may seem that this particular agreement is just another EEZ delimitation agreement between two neighboring maritime states, it is of great importance for Greece. First of all, it ensures the exercise of its sovereign rights and jurisdiction, allowing – Greece, under the provisions of the United Nations Convention on the Law of the Sea (UNCLOS) - to proceed to further actions in order to exploit its EEZ's natural resources. Moreover, the delimitation agreement acts as a barrier to the ongoing aggressive Turkish foreign policy in the Eastern Mediterranean.

It is important to emphasize that reaching an agreement between Greece and Egypt was quite a challenging task, considering that the negotiation procedures between the two countries lasted approximately 11 years. Some of the main reasons for this delay was the determination of the delimitation method that would be implemented, the significance that the Greek islands would have for the EEZ delimitation and Turkey's attempts to block the Greek - Egyptian negotiations, given Turkey's relationship with the “Muslim Brotherhood” in Egypt, until 2013. Thus, after the initial negotiations between Greece and Egypt in 2009, Egyptian officials informed their Greek counterparts that they would begin similar negotiations with Turkey, an action that jeopardized the Greek national interests.

Turkey - being one of the countries that has not signed UNCLOS - does not accept the implementation of the Law of the Sea neither in the Aegean nor the Eastern Mediterranean. The official Turkish position on the matter of EEZ is that islands - contrary to the provisions of article 121 of the UNCLOS – do not generate maritime zones; Greek islands in the Eastern Mediterranean have no weight for the determination of the maritime boundaries, and finally both the Aegean and the Mediterranean should be excluded from the provisions of UNCLOS as they constitute Enclosed/Semi-enclosed Seas, a Turkish proposal that had been rejected by the United Nations. In addition, Turkey's Grand National Assembly has authorized the Government to declare war (*casus belli*) on Greece in case the latter extends its territorial

waters from 6 to 12 nautical miles (nm), a sovereign right given by UNCLOS and exercised by the majority of maritime states around the globe.

The Turkish Defense Minister - during a visit in Libya in 2018 - presented several maps showing the desired EEZ delimitation between Turkey and the majority of Eastern Mediterranean countries, namely Lebanon, Israel, Egypt, and Libya. According to these maps, the (illegal) Egyptian EEZ would be larger than the (legitimate) one proposed by Greece under the provisions of UNCLOS, giving Egypt access to maritime area belonging to the - already delimited with Egypt since 2003 - Cypriot EEZ. Nonetheless, Egypt did not sign such an agreement, showing not only its commitment to International Law, but also its respect to Cyprus and Greece, the sovereign rights of which would have been violated by this action. Moreover, after the issuance of a Turkish NAVTEX in May 2019 regarding seismic surveys in the Cypriot EEZ by the drillship “Fatih” the Egyptian Ambassador in Cyprus, Mai Taha Mohamed stated that Egypt would assist Cyprus defend its rights against the illegal Turkish actions by all means.

Another Turkish unlawful action is the Memorandum of Understanding between Turkey and the Government of National Accords-State of Libya signed between the two parties on November 27th, 2019. The Memorandum, acting as an EEZ delimitation agreement between the two countries and hence disregarding the provisions of UNCLOS mentioned before, did not take under consideration the EEZ of the Greek islands of the Dodecanese nor the island of Crete that are positioned between the Turkish and the Libyan coastlines. The result was the Memorandum’s rejection by Greece, Cyprus, and Egypt - sending an opposition letter to the UN in which all three countries stated that it was null and void - as it was not only violating UNCLOS but was neither endorsed by the House of Representatives of Libya.

In addition to that, it should be underlined that Greece had also initiated negotiation talks for the delimitation of its EEZ with Libya in the past. As a prerequisite for signing an EEZ delimitation agreement, Egypt demanded that Greece recognized the Gulf of Sidra (Sirte) as Egyptian internal waters - a proposal that was rejected by Greece as it was against the provisions of Article 10 of UNCLOS - and not to give weight to the Greek island of Gavdos, Greece’s southernmost point located south of the island of Crete. Greece did not accept the Egyptian proposal and the two countries never reached to an agreement at the time. On August

6th, 2020 - approximately 8 months after the signing of the Memorandum - Greece and Egypt reached an Agreement regarding their (partial) EEZ delimitation.

The 2020 EEZ Delimitation Agreement can be characterized as the result of the flourishing bilateral relations between the two countries. Greece has always maintained good relations with Egypt which - according to Greek Ministry of Foreign Affairs - go far back in time, since the establishment of the Patriarchate of Alexandria and the active presence of the Greek communities in Egypt, especially in the field of commerce and culture. In addition, Egypt along with Greece and Cyprus on November 27th, 2014 inaugurated a Trilateral Partnership, an action that further enhanced their bilateral relations and cooperation.

This Partnership aims at the promotion of peace, stability, security and prosperity in the Eastern Mediterranean in all fields (political, economic, trade, culture, tourism). As far as the EEZ is concerned, the three parties stated that *“We emphasize the universal character of the UN Convention on the Law of the Sea (UNCLOS) and decide to proceed expeditiously with our negotiations on the delimitation of our maritime zones, where it is not yet done. We stressed the importance of the respect for the sovereign rights and jurisdiction of the Republic of Cyprus over its EEZ and called on Turkey to cease all seismic survey operations underway within the maritime zones of Cyprus and refrain from similar activity in the future.”*

As far as the hydrocarbon reserves discovered in the Eastern Mediterranean are concerned, the three countries had stated that they recognize their importance in serving as a catalyst for regional cooperation, stressing that this would be better served through the adherence by the countries of the region to well established principles of international Law. Another example of regional cooperation - closely related to Egypt's trilateral cooperation scheme is the Trilateral Partnership between Greece, Cyprus and Israel that was inaugurated on January 28th, 2016. The main purpose of this new cooperation was the exploitation of the hydrocarbon reserves discovered in the Cypriot and Israeli EEZ through the East Mediterranean pipeline (EastMed), a natural gas pipeline characterized as a Project of Common Interest (PCI) by the European Union (EU).

Although EastMed's future for the time being is uncertain - as there are several technical issues to be resolved constantly extending its construction timeframe - the urgent European

demand for energy supplies after Russia's invasion of Ukraine, led to the exploitation of the hydrocarbon reserves discovered in the Eastern Mediterranean by converting them to Liquefied Natural Gas (LNG). This can either take place at the existing LNG facilities in Egypt, an action that is supported by the US, or by creating new LNG facilities in Cyprus, a scenario that was also put on the table. On the contrary, the Turkish side is trying to take advantage of this urgent need for energy by promoting the creation of a pipeline connecting the occupied Northern Cyprus with Turkey.

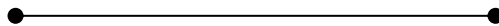
Turkey attempted to restore the Turkish - Egyptian relations by holding exploratory talks in May 2021. This attempt does not seem to be paying off for the time-being, contrary to the Greek - Egyptian relations which seem to be constantly improving. One of the most recent examples is the Greek Foreign Minister's visit to Cairo on March 28th, 2022 during which he had the opportunity to discuss energy issues such as LNG exports from Egypt to Greece and the construction of Euro-Africa Interconnector - an underwater cable transferring electricity from Egypt to Greece through Cyprus - with his counterpart. In addition to that, on June 15th, 2022 the EU signed a Memorandum of Understanding with Egypt and Israel, in order to increase gas imports from the two countries.

It must be noted that the Agreement between Greece and Egypt on the delimitation of their EEZ set the foundations for a new era in the Greek foreign policy enhancing regional cooperation among the countries of Eastern Mediterranean, at times when peace and stability are more essential than ever. As the Greek Minister of Foreign Affairs, Nikos Dendias stated during an interview on July 30th, 2022 the Turkish - Libyan memorandum was the turning point in Greek foreign policy, moving away from the former simplistic approach towards a common understanding with a number of countries such as Egypt, in order to counter the risk of being cut off from the sea.

In conclusion, energy security is mainly affected by the availability, reliability, affordability and sustainability of energy resources. In this context, the exploitation of the hydrocarbon reserves found in the Greek EEZ will greatly contribute to the energy security of Greece, Cyprus and the EU, as it will differentiate not only the energy source but the route as well, virtually putting an end to the recent Russian energy availability game. In addition, the future construction of the Euro-Africa Interconnector would further enhance Egypt's bilateral

relations with Greece and Cyprus along with the European ones and boost cooperation in energy security issues, especially those related to green energy.

Two of the topics to look closely in the near future, as they affect not only the Greek national interests but peace and stability in the region as well, is the ongoing situation in Libya given the Turkish influence in the country and Turkey's bilateral relations with Egypt. As far as the first one is concerned, in case the Libyan situation changes and brings into power a leader that is willing to cooperate with the Greece on the basis of UNCLOS, a future EEZ delimitation agreement between Greece and Libya, complementary to the one with Egypt, might be the case. As far as the second one is concerned, any future change in Egypt's leadership might endanger its bilateral relations with Greece, putting an end to a possible extension of the delimitation line to the East or leading to another unlawful memorandum.



Georgios Koukakis has graduated from the Hellenic Military Academy and holds a Master of Arts in “Government, Development and Security in the Mediterranean” from the department of Mediterranean Studies of the University of the Aegean. His Master thesis focused on the Hellenic National Security Council. He is currently a member of the Hellenic Institute of Strategic Studies (HEL.I.S.S.), a member of the global network of Greeks and friends of Greece for solidarity in the professional field (ALLILONnet) and an Analyst in the Center for International Strategic Analyses (KEDISA). During his military career, Georgios has served in Kosovo (KFOR) and in Cyprus Republic. He has attended several seminars and conferences regarding international relations and more specifically in the field of defense and security. His research interests focus on national security, foreign policy, national defense, strategy, energy security and international maritime law (UNCLOS). He speaks fluent English, Greek (native language), Turkish (elementary level) and Italian (elementary level).