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Greece and Turkey: The Rocky Islet Crisis

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Summary

The dispute between Greece and Turkey over the sovereignty of Imia/Kardak islet escalated rapidly because bilateral relations are hampered by historic distrust and unresolved issues, and because both countries have weak governments. Each marshalled legal arguments to support its position. The United States acted to defuse the crisis and restore the status quo ante, but some State Department comments complicated U.S.-Greek relations. In the aftermath, a politically damaged Greek government temporarily distanced itself from the United States and sought support from its European Union partners. The crisis did not affect efforts to form a government in Turkey, which sought to counter Greece's moves in Europe.

Crisis Chronology

On December 25, 1995, a Turkish cargo ship went aground on a small, uninhabited, rocky islet, about 10 acres in size, that Greeks call Imia and Turks call Kardak. Previously, no nation's flag flew there and no military forces were present. The ship's captain initially refused assistance from Greece because, he said, the islet was Turkish. The mayor of a neighboring Greek island raised his national flag on Imia. Turkey's Foreign Ministry addressed a note to the Embassy of Greece, asserting that the islet was Turkish. Greece rejected the claim.

Greek and Turkish media trumpeted the incident later in January. On January 28, Turkish journalists landed on the islet, lowered a Greek flag, and hoisted a Turkish standard. Turkey's Foreign Ministry disapproved of the journalists' action and called for problems to be solved through diplomatic channels. Athens protested to the Turkish ambassador, saying that Imia was Greek. Later that day, Greek Navy commandos lowered the Turkish flag and restored that of Greece. Greek Prime Minister Konstantinos Simitis warned, "Our response to this and any other aggressive nationalism ... will be strong,

immediate, and effective.”¹ Turkish Prime Minister Tansu Ciller insisted, “We can’t let a foreign flag fly on Turkish soil. The flag will come down.”

By January 29, both nations had dispatched naval vessels to the vicinity of the islet and Greek forces were put in the highest state of alert. On January 30, the Greek Defense Ministry reported that “the entire Greek fleet is sailing in the Aegean” and that at least eight Turkish navy vessels had been deployed. Greek Defense Minister Yerasimos Arsenis said that Greek warships had warned a Turkish frigate to leave Greek waters; Greek planes had intercepted Turkish planes violating Greek airspace. At various times, up to 20 vessels were reported around Kardak/Imia. Turkey requested that Greek troops be recalled from the rocks and that all signs attempting to prove Greek sovereignty be removed. It claimed that it had “only a normal amount of ships in the area.” Prime Minister Simitis responded, “The Turkish claims have no basis at all. There is no space for negotiations in ... matters which concern our sovereignty.” Early on January 31, Turkish commandos landed on an adjacent outcrop where they planted a Turkish flag. Turkish Foreign Minister Denis Baykal said that the troops would be removed when Greek forces withdrew from the neighborhood.

The United States detected signs that Greece had plans to reinforce the islet and that Turkey had plans to take it,² and sought to keep the dispute from igniting. On January 31, U.S. mediation achieved agreement on mutual withdrawal and a restoration of status quo ante, including no flags on the islet. While withdrawing, a Greek navy helicopter crashed, killing three crew members — the only lives lost during the crisis. The withdrawal was completed within hours. Defense Minister Arsenis observed, “... any incident could have led to all-out war.”

Legal Issues

Athens says that Imia is Greek by virtue of the 1923 (Lausanne) Treaty of Peace with Turkey, the Protocol to a 1932 Convention between Turkey and Italy, and the 1947 Treaty of Peace with Italy. In Article 15 of the Lausanne Treaty, Turkey renounced in favor of Italy “all rights and title over the following islands: Stampalia (Astrapalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Lipsos (Lipso), Simi (Symi), and Cos (Kos), which are now occupied by Italy, and the islets dependent thereon”³ The 1932 Protocol between Italy and Turkey established rights concerning islands, waters, and rocks, and delimited a maritime frontier. The Protocol set the midpoint between numerous listed islands and the Anatolian coast as a border, including a midpoint between Kardak (Italy) and Kato (Turkey). In Article 14 of the 1947 Treaty, Italy ceded sovereignty over the 12 islands, commonly called the Dodecanese, named in the Treaty of Lausanne, and adjacent islets to

¹ Unless otherwise indicated, all quotations in this section are from Reuters reports, January 29-31, 1996.

² Engelberg, Stephen. U.S. is Trying to Help Cool Aegean Anger. *The New York Times*, January 31, 1996. p. A6. Holbrooke said, “There were clear warnings that the Turks were going to retake this islet by force, which would have been easy to do.” Reuters, January 31, 1996.

³ The Greek name is in parentheses. Hurewitz, J.C. *Diplomacy in the Near and Middle East: A Documentary Record 1914-56*, Princeton: D. Van Nostrand Company, 1956. p. 120

Greece. Islets were not named.⁴ Greece claims that these documents establish a decades-old legal framework and status quo concerning sea borders in the southeastern Aegean and prove incontrovertibly that Imia is Greek.

Ankara contends that possession of small islands, islets, and rocks in the Aegean has not been determined clearly by agreement. It claims that League of Nations Covenant Article 18 required members to register all treaties with the Secretariat and that the 1932 Protocol was not registered.⁵ Moreover, Greece had tried to include a reference to the Protocol in the 1947 Peace Treaty, but was unsuccessful. Turkey maintains that Kardak Rocks are neither adjacent to the named islands nor islets as the terms are used in the 1947 Treaty. Ankara also notes that the Treaty stipulates that the Dodecanese shall be demilitarized. Since Greece, according to Turkey, has failed to fulfill this obligation, it cannot selectively invoke other alleged Treaty rights. Moreover, Turkey finds that its fishermen's long-term uncontested use of the islet adds to its legal case.

Minutes of the 1947 Peace Conference indicate that the 12 islands were named in the Treaty in response to a Greek amendment proposed to avoid ambiguity as to the expression "Isles of the Dodecanese,"⁶ perhaps not foreseeing that "islets" could be ambiguous or relying on international legal definitions of the time. Further, the Treaty commission suggested that Greece propose a draft map defining maritime frontiers of the Dodecanese in lieu of accepting a Greek amendment referring to the 1932 Convention and Protocol.⁷ Greece says that it never drafted a map because it had succeeded to all rights previously pertaining to Italy concerning boundaries of the Dodecanese. The 1932 Protocol appears to be the crux of the legal dispute.

Other Unresolved Bilateral Issues

Centuries of mistrust afflict Greek-Turkish relations. Some date tensions to the 15th century when the Ottoman Empire conquered Constantinople, the heart of the Greek Byzantine Empire, others to 1828 when Greece became the first nation to achieve independence from the Ottomans. In modern times, unresolved bilateral issues have festered to worsen relations. In 1974, in response to a coup in Cyprus instigated by a military junta then ruling Greece, Turkish troops landed in Cyprus and eventually seized the northern third of the island. Cyprus remains divided, with Greek Cypriots controlling the internationally recognized government and the southern two-thirds of the island and Turkish Cypriots in the northern third governed by a self-declared, but internationally unrecognized, "Turkish Republic of Northern Cyprus." Two decades of negotiations have failed to resolve the issue.

⁴ Treaties and Other International Agreements of the United States of America, 1776-1949, Vol. 4 (Multilateral) 1946-49. p. 318.

⁵ Greece maintains that the Protocol did not have to be registered since the Convention itself had been.

⁶ House Documents. Foreign Relations, 1946, Vol. IV. 80th Congress, 1st Session. Washington, U.S. Government Printing Office. p. 694.

⁷ Ibid., p. 310.

Other differences concern territorial rights in the Aegean Sea, where there are over 2,300 islands, islets, and rocks, mostly uninhabited, but important for defining borders. Imia/Kardak may be added to this list. Greece claims a 10-mile airspace limit, rejected by Turkey and other parties. Greece repeatedly protests Turkish violations of airspace. The continental shelf between the two neighbors has not been delimited. Greece, in possession of most Aegean islands, maintains that islands have a continental shelf, while Turkey argues that the continental shelf is a geological extension of its Anatolian mainland. The two also differ over Greece's right to militarize several islands in the eastern Aegean. Territorial waters are a potent issue. In May 1995, Greece ratified the Law of the Sea Treaty, which would allow it to claim a 12-nautical mile territorial sea limit. Greece asserts it has the right to declare 12 miles, but has not exercised it. Turkey has not signed the Treaty, and says that a Greek declaration of 12 miles would be an act of war. Greek islands fringe Turkey's Anatolian coast; therefore, Turkey contends that expanding the islands' territorial waters would impede its access to the high seas. In response to the Greek Treaty ratification, the Turkish Parliament gave the government the power to go to war if Greece declares a 12-mile limit.

Ethnic or religious disputes continue. Greece complains about Turkey's alleged mistreatment of the Greek Orthodox Church, headquartered in Istanbul, and Turkey protests Greece's alleged mistreatment of its Muslim populace, whom Turkey refers to as "Turks." Ankara also charges that Athens supports a separatist Kurdish terrorist group that has waged an insurgency since 1984 - a charge Greece denies.

Domestic Situations

Weak Greek and Turkish governments appear, in part, to have been provoked into action over Imia/Kardak by nationalistic media. The Greek government had just ended two months in limbo during the protracted illness of former Prime Minister Andreas Papandreou, culminating in his resignation. Papandreou, an historic and charismatic figure, had dominated Greek politics. The new Simitis government was barely a week old, seeking to establish its own identity, when the crisis erupted. On the other side, Turkey had an inconclusive national election in late December and competing politicians had been unable to agree on a new coalition government. The opposition Islamist Refah party was the largest vote-getter and hovered over the negotiations and other events. Ciller headed a caretaker government, without a mandate, until a new one was formed. The uncertain political climate in Athens and Ankara made each vulnerable to provocations by exploitative press, causing the crisis to spiral rapidly out of control. Ironically, Greece and Turkey accused each other of taking advantage of its domestic uncertainty for aggressive purposes.

U.S. Policy

The United States sought to prevent a military confrontation between its two NATO allies and to restore the status quo ante. On January 30, the State Department urged both governments to exercise restraint and to draw back. The highest level U.S. officials intervened to defuse the crisis, with Assistant Secretary of State for European Affairs Richard Holbrooke mediating actively. Greece and Turkey eventually made withdrawal reassurances to the United States, because they would not make them to each other.

The State Department later sought to avoid being drawn into the legal dispute over the islet's sovereignty, refusing to take a position on the issue. However, a Department spokesman said on February 1 that there may be other islands or islets on which the United States takes no position on sovereignty and promised to produce a list of them. Greeks were outraged because they believed that their territorial sovereignty was being questioned. Several days later, the Department retracted its statement, saying that there was no list, while expressing concern that the United States was "being labeled as part of the problem rather than part of the solution"⁸ On February 7, a U.S. official said that since the validity of at least one of the documents (i.e. the 1932 Protocol) that bear on the question of ownership and sovereignty was disputed, the United States believed that the best venues for addressing questions would be the International Court of Justice (ICJ) or another consensual, impartial body.⁹ The State Department refused comment on whether other bilateral Aegean disputes should be brought to the Court.

Aftermath

Greece's domestic and foreign affairs were unsettled by the crisis, despite its abatement without violence. The government, which claimed success from the disengagement of forces and de-escalation of the crisis, was weakened by what was perceived at home as a "national humiliation." Questions were raised about who authorized the flag to be lowered and why there had been no response to Turks landing on nearby rocks. Opposition leader Miltiades Evert said that the withdrawal of Greek forces and the flag lowering constituted an abandonment of national territory and an act of treason.¹⁰ The opposition boycotted a vote of confidence to confirm the new government; the government, which has a parliamentary majority, won. On February 8, the Greek Chief of Staff was fired, mostly for commenting publicly on government discussions during the crisis.

Many Greeks blamed the United States, assessing its neutrality as equivalent to siding with Ankara. At the end of the crisis, Holbrooke had said that he would travel to Greece and Turkey to defuse tensions.¹¹ After the State Department's February 1 comment about disputed islets, a Greek government spokesman observed that "State Department positions (i.e., failing to recognize Greek sovereignty) create the basis for a permanent source of tension in the area."¹² On February 5, the Prime Minister announced that Holbrooke's visit did not fit the government's schedule. Since Greek officials had said that sovereignty was non-negotiable, and since the national media remained irate, the government apparently decided to cut its political losses and to mollify critics by snubbing Holbrooke — alleged perpetrator of its "humiliation." The State Department announced that the trip was

⁸ Reuters, February 6, 1996.

⁹ Reuters, February 7, 1996.

¹⁰ Foreign Broadcast Information Service. Daily Report, Western Europe, FBIS-WEU-96-021 (hereafter FBIS-WEU), January 31, 1996, p. 18.

¹¹ Holbrooke perturbed Europe by noting its inability to act decisively in its own theater. Drozdiak, William. U.S. Role in Aegean Revives Doubts on EU. The Washington Post, Feb. 8, 1996, p. A17.

¹² FBIS-WEU-96-024-A, February 5, 1996, p. 22-23.

canceled due to “scheduling difficulties in Greece” and the “state of political affairs in Turkey.” A U.S. initiative on Greek-Turkish issues awaits a cooling off period or Greek consent. Simitis and President Konstandinos Stephanopoulos, however, will visit the United States separately in the spring.

Greece also viewed its European allies’ apparent neutrality critically and officials visited European capitals to generate support. Greece, a European Union (EU) member, threatened to reopen debate on implementation of an EU customs union accord with Turkey, a non-member, to block an EU aid package that is part of the accord, and to hold up Turkey’s share of EU funds destined for the Mediterranean. Greece contends that Turkey, by its “aggression,” broke a commitment under the accord to have amicable ties with EU members. Prime Minister Simitis said that Greece would cooperate with the EU once Turkey agreed to ICJ jurisdiction, but that Turkey must initiate an appeal to the ICJ since it is questioning Greek rights. The European Parliament supported Greece’s view on sovereignty, but EU foreign ministers simply urged the parties to solve differences amicably. Some EU members are concerned that Greece’s moves against Turkey would violate the customs union accord and interfere with developing ties and access to Turkey’s market. (The United States, a proponent of Turkish-European links, shares these concerns.) French President Jacques Chirac “indicated that the fewer new problems Greece created for EU-Turkish cooperation, the more likely France would be to show solidarity with Greece.”¹³ Other European governments reportedly implied that if Greece sabotaged the customs union, then they would stall talks on Cyprus’ EU membership. Greek government activity in Europe may have been intended to deflect domestic attention from its perceived humiliation. If so, it did not meet that goal. The political opposition continued to criticize the government unrelentingly, especially for its inability to get more support from Europe.

The Turkish government claimed victory, although Refah accused it of caving in to U.S. pressure, since the Turkish flag came after Holbrooke’s mediation. The crisis may have boosted Ciller’s popularity, but she still could not form a government. Mesut Yilmaz of the Motherland Party, her rival, formed a coalition with Ciller’s True Path Party. In rotation, he will be Prime Minister first, followed by Ciller, and then by Yilmaz’s return. The islet crisis did not affect these developments. Turkey regretted the cancellation of Holbrooke’s visit. It prefers a dialog with Greece on all Aegean issues over adjudication by the ICJ.¹⁴ Turkish officials visited Europe to explain their views and to counter Greece’s attempt to impede Turkish-EU relations. Ankara recalled its ambassador from Athens to protest Greece’s anti-Turkish actions in Europe. Greek-Turkish relations appear to be at their lowest ebb in decades.

¹³ Chirac spokeswoman Catherine Collona, quoted in Reuters, February 23, 1996.

¹⁴ Greece rejects a “package” approach to Aegean issues and, heretofore, has wanted only the continental shelf issue brought before the Court.

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