

TURKEY

SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
TERRITORIAL SEA	May 82	Law No. 2674 & Decree No. 8/4742	6-12nm	6nm in Aegean Sea; 12nm in Black & Mediterranean Seas; division between Mediterranean and Aegean Seas apparently at 29° 05' E.
ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS	May 64	Law No. 476		Established straight baselines. See <u>LIS</u> No. 32.
FISHING ZONE/EEZ	Dec 86; Feb 87	Decree of Council of Ministers No. 86/11264	200nm	Declared economic zone in the Black Sea only; noted that delineation agreements with other Black Sea countries will be necessary.
MARITIME BOUNDARIES	Apr 73	Agreement		Territorial sea boundary (Black Sea) agreement with former USSR (Georgia) signed; ratified by Turkey May 82, by USSR Jan 74. A Protocol delimiting this boundary was signed Sep 83. See <u>LIS</u> Nos. 59 and 109.
	Jun 78	Agreement		Continental shelf boundary (Black Sea) agreement with the former USSR (Georgia, Russian Federation and Ukraine) signed; EIF May 81. See <u>LIS</u> No. 109.
	Feb 87	Exchange of Notes		Turkey and USSR (Georgia, Russian Federation and Ukraine) agree to use the continental shelf boundary as the boundary for the EEZ.
	May 92	Agreement		Boundary agreement and delimitation of maritime areas with Bulgaria in the Black Sea.
	Jul 97	Agreement		Maritime boundary agreement with Georgia in the Black Sea (to confirm the validity of the treaties with the former USSR).
	Dec 97	Agreement		Maritime boundary agreement with Bulgaria in the Black Sea.
LOS CONVENTION	Apr 82			Voted against; did not sign.

STRAIGHT BASELINE LEGISLATION

The following is extracted from Law No. 476 of 15 May 1964 establishing the Turkish straight baseline system.

Article 1

Turkish territorial waters constitute an integral part of the Turkish territory. The width of the Turkish territorial waters is six nautical miles [now 12 nm in the Black Sea and Mediterranean Sea]. In the application of this present law, the nautical mile equals 1,852 meters.

Article 2

Against States claiming wider territorial waters, the width of Turkish territorial waters is determined on the basis of reciprocity.

Article 3

In the case of a State adjoining the territory of Turkey and whose distance from the Turkish coast is less than the sum of the widths of their respective territorial waters, the median line does constitute the outer boundary of the Turkish territorial waters, unless otherwise agreed upon.

Article 4

The normal base line from which the width of the territorial waters is measured, is the lowest ebb line extending along the coast.

In indented coasts, or in areas with islands located close to the shore, the method of the straight base line connecting the foremost points of the shore and the islands does apply.

Article 5

Waters in the coastal side of the base lines; gulfs with an entrance opening of not more than 24 nautical miles; for gulfs with an entrance opening of more than 24 nautical miles, the portion located behind the 24-mile straight base line connecting two opposite shores of the gulf by leaving the largest body of water on the territorial side; waters situated in the higher side of the outermost permanent installations forming an integral part of the port system; roads and outer ports, all are considered as Turkish internal waters.

Article 6

The territorial waters of islands are determined on the principles mentioned above.

Article 7

Base lines used for the measuring of the width of territorial waters are shown on large-scale charts and released to interested parties.

U.S. ANALYSIS

The following comments regarding the Turkish straight baseline system are extracted from Limits in the Seas, No. 32, "Straight Baselines: Turkey" of 25 March 1971.

The straight baselines drawn by the Turkish Government are represented on the small-scale chart.

Turkiye, Karasulari esas ve Duz Hatlari Haritasi, 8003, 1:1,100,000, 17 May 1965 [Turkish Hydrographic Service]. The Government of Turkey has not signed the Geneva Convention on the Territorial Sea and Contiguous Zone.

The coordinate values of the turning points for the straight baselines have not been published; moreover, the scale of the chart illustrating the lines is too small to permit an accurate and detailed analysis of the straight baseline segments. Several points, however, may be noted. No single segment is greater than 24 nautical miles in length although several are greater than 20 nautical miles. The longest, a bay closing line for Iskenderun bay, measures approximately 23.5 nautical miles in length. The bay is a juridical bay. The Turkish straight baseline system, in general, encloses a "deeply indented or cut into" coast rather than one "fringed with islands"; most Aegean islands are under Greek sovereignty. In the north, however, the two principal Turkish islands, Imroz and Bozca ada, are enclosed within the system.

The straight baselines system appears to contain at least 119 individual segments. The total length of the system measures approximately 1,150 kilometers or 621 nautical miles. As stated, the longest baseline measures approximately 23.5 nautical miles. The average length is approximately 5.2 nautical miles.

Of particular interest, the Straits area is enclosed by the straight baselines. In fact, the closing line of the eastern end of the Bosphorus is the only segment in the Black Sea. Free transit of the Straits is the subject, of course, of the Montreux Convention of July 20, 1936 (173 LNTS 213,219).

MARITIME BOUNDARY AGREEMENTS**TURKEY - BULGARIA**

The following is extracted from the Agreement between Turkey and Bulgaria on Determination of the Boundary in the Mouth Area of the Mutludere/Rezovska River and Delimitation of the Maritime Areas between the two states in the Black Sea, signed 4 December 1997.

Article 1

The boundary in the mouth area of the Mutludere/Rezovska River

3. The boundary point in the mouth area of the Mutludere/Rezovska River shall have the rectangular coordinates $x=5025m$ and $y=7839m$, and the terminal boundary point in the mouth of the river shall have the rectangular coordinates $x=5324m$ and $y=8339m$, determined on the Plan of the mouth area of the Mutludere/Rezovska River, scale 1:1000, mutually adopted in September 1992.... The terminal boundary point in the river mouth constitutes the terminal point of the land boundary between the Parties.

Article 2

The maritime boundary in the Begendik/Rezovo Bay

1. The maritime boundary between the Republic of Turkey and the Republic of Bulgaria in the Begendik/Rezovo Bay starts from the terminal land boundary point in the river mouth with coordinates as determined in article 1, paragraph 3, of this Agreement. From that point the maritime boundary continues through points with coordinates:

TABLE C1.T260.
TURKEY - BULGARIA MARITIME BOUNDARY: BEGENDIK AND REZOVO BAY

POINT	LATITUDE NORTH	LONGITUDE EAST
C	41°58'43.6"N	28°01'53.3"E
D	41°58'41.5"N	28°02'05.1"E
E	41°58'48.5"N	28°02'15.8"E,
which is established on the baseline closing the internal waters of the Bay from the sea.		

3. The boundary in the Begendik/Rezevo Bay and the navigation sector are shown on the map of the Begendik/Rezovo Bay, scale 1:10 000, mutually adopted in 1983 (annex 4)....

Article 3

The lateral boundary of the territorial sea

1. The lateral boundary between the Republic of Turkey and the Republic of Bulgaria in the territorial sea begins from point "E" as established on the baseline of the Begendik/Rezovo Bay in accordance with article 2, paragraph 1, of this Agreement. Then the boundary continues through loxodromes to point "F" with coordinates 41°58'52.8"N and 28°02'25.2"E and then it follows the geographic parallel 41°58'52.8" until it meets the terminal point with coordinates 41°58'52.8"N and 28°19'25.8"E established on the twelve-nautical-miles outer limit of the territorial sea.

The geographic coordinates referred to in this paragraph are expressed in terms of the World Geodetic System 1984 (WGS'84), except for point "E".

2. The boundary of the territorial sea, as determined in article 3, paragraph 1, of this Agreement, is shown on the Bulgarian maritime chart N 5001 (ed.1981), scale 1:550 000, and on the Turkish maritime chart N 10-A (ed.1993), scale 1:750 000 (annexes 5A and 5B)....

Article 4

The boundary of the continental shelf and the exclusive economic zone

1. The boundary of the continental shelf and the exclusive economic zone between the Republic of Turkey and the Republic of Bulgaria in the Black Sea begins from the terminal point of the lateral boundary of the territorial seas, determined in article 3, paragraph 1, of this Agreement, and continues in the north-east direction, through geodetic lines joining the turning points with coordinates:

TABLE C1.T261.
TURKEY - BULGARIA EEZ COORDINATES

COORDINATE SYSTEM, WGS'84	
POINT	COORDINATES
1.	41°59'52"N 28°19'26"E
2.	42°14'28"N 29°20'45"E
3.	42°26'24"N 29°34'20"E
4.	42°29'24"N 29°49'36"E
5.	42°33'27"N

COORDINATE SYSTEM, WGS'84	
POINT	COORDINATES
	29°58'30"E
6.	42°48'03"N 30°34'10"E
7.	42°49'31"N 30°36'18"E
8.	42°56'43"N 30°45'06"E
9.	43°19'54"N 31°06'33"E
10.	43°26'49"N 31°20'43"E

As for the drawing of the delimitation line of the continental shelf and the exclusive economic zone further to the north-east direction between geographic point 43°19'54"N and 31°06'33"E and geographic point 43°26'49"N and 31°20'43"E, the Parties have agreed that such a drawing will be finalized later at subsequent negotiations which will be held at a suitable time.

2. The boundary of the continental shelf and the exclusive economic zone determined in article 4, paragraph 1, of this Agreement is shown on the Bulgarian maritime chart N 5001 (ed.1981), scale 1:500 000, and on the Turkish maritime chart N 10-A (ed.1993), scale 1:750 000 (annexes 5A and 5B).

The geographical coordinates referred to in article 4, paragraph 1, of this Agreement are expressed in terms of the World Geodetic System 1984 (WGS'84).

TURKEY - GEORGIA

On 14 July 1997, Turkey and Georgia signed a Protocol confirming the validity of the agreements Turkey signed with the former USSR establishing the territorial sea, continental shelf, and EEZ boundaries between the two countries in the Black Sea. The Protocol that defined the territorial sea boundary was signed on 17 April 1973, ratified by the USSR on 3 January 1974, and ratified by Turkey on 3 May 1982. (The text and an analysis of the 1973 Protocol are printed in Limits in the Seas, No. 59, "Soviet-Turkey Territorial Sea Boundary," 9 October 1974.) A Protocol-Description delimiting this boundary was signed on 11 September 1983. Excerpts from the Protocol-Description, below, and the analysis following it are extracted from Limits in the Seas, No. 109, "Continental Shelf Boundary: Turkey-U.S.S.R. and Straight Baselines: U.S.S.R. (Black Sea)" of 29 September 1988.

The sea boundary line between Soviet and Turkish territorial seas in the Black Sea is defined at the locality of two leading marks and one sea spar buoy in the sea.

. . . Calculation of the rectangular coordinates of the centers of the front and rear range marks, as well as the installation point of the sea spar buoy and the terminal point of the sea boundary line were done under the Turkish system of coordinates, under the Gauss-Kruger projection on the Hayford ellipsoid in the coordinated zone with axial meridian $L_0 = 42^\circ$. The elevation indicated in the documents were calculated on the mean level of the Black Sea.

The map of the sea boundary between the territorial waters of the [USSR] and the Republic of Turkey in the Black Sea is compiled on a scale of 1:100,000.

Moreover, the topographic plan was compiled of the border zone of the Soviet-Turkish boundary in the region where the range marks are located, on a scale of 1:5000.

With respect to the range marks which define the sea boundary line, the following documents have been compiled: protocol of the front range mark, protocol of the rear range mark, rough sketch-diagram on a scale of 1:2,500, and protocol of the sea spar buoy.

A map, plan and rough sketch-diagram were compiled by each side independently in its own language in accordance with instructions approved by the Joint Soviet-Turkish Commission on Delimiting the Sea Boundary.

The initial point of the sea boundary line between the territorial waters of the [USSR] and the Republic of Turkey in the Black Sea is the final point of the Soviet-Turkish state land boundary, defined during the redemarcation of the boundary in 1969-1973.

In accordance with documents of the border redemarcation of December 29, 1973, this point is located at the place where the shoreline of the Black Sea intersects with the continuation of the perpendicular dropped from the center of the special boundary mark, which is located on the land boundary line, onto the direct line uniting the Soviet and Turkish column of the main boundary mark No. 450.

The geographic and rectangular coordinates of the initial point of the sea boundary line are as follows:

**TABLE C1.T262.
TURKEY - GEORGIA BLACK SEA BOUNDARY**

Latitude = 41° 31' 18.39"	Longitude = 41° 32' 55.06"
X = 4,596,860.80	Y = 462,337.80

From the point indicated above, the Soviet-Turkish sea boundary line between the territorial waters of the [USSR] and the Republic of Turkey passes along a straight line in a northwesterly direction along the 290° azimuth, and approaches the final point of the Soviet-Turkish sea boundary line at a point that intersects the external boundary line of the territorial seas of the [USSR] and the Republic of Turkey.

The final point of the sea boundary line between the USSR and Turkey in the Black Sea is defined as the point where the 12-mile boundary of Soviet and Turkish territorial seas, formed by arcs drawn at a distance of 12 miles from the Soviet and Turkish coasts, intersects the boundary line between the territorial seas, passing along the 290° 00' 00" azimuth.

The geographic and rectangular coordinates of the final point of the sea boundary line are as follows:

CONTINUATION OF TABLE C1.T262.

Latitude = 41° 35' 43.41"	Longitude = 41° 16' 40.88"
X = 4,605,187.44	Y = 439,827.34

The length of the sea boundary line between Soviet and Turkish territorial seas equals 12.96 nautical miles (24.01 km).

A sea spar buoy is emplaced in order to define the sea boundary line near the coast at a distance of 400 meters from the center of the front range mark.

The range marks built on the extension of the sea boundary line on the territory of the [USSR] and the Republic of Turkey are located at a distance of 288.50 meters from one another and are situated as follows: the front range mark in the region of main boundary mark No. 450, and the rear range mark in the region of main boundary mark No. 448.

The range marks provide shields for daytime visibility and for the lighting (beacon) equipment, and are counted on to ensure daytime and nighttime visibility during good atmospheric conditions all along the sea boundary line.

At night the direction of the sea boundary line is defined by combining the light of the rear range mark with the white light of the central light sector of the front range mark along the vertical line.

The lighting (beacon) equipment of the front range mark is equipped with a red and green light filter, each having a lighting sector of 10°. The red light warns vessels approaching from the Turkish Side, and the green light warns vessels approaching from the Soviet side that they are nearing the boundary line.

Two lateral white lights of the lighting sector of the front range mark point out to the vessels the location of that sign.

In terms of locality, the distance between range marks is slight (288.50 m). Therefore the range marks will be seen as overlapping at a certain distance on both sides from the sea boundary line. In the middle of the boundary this distance is approximately 150 meters, while at the end of the boundary it is approximately 550 meters to each side of the sea boundary line.

U.S. ANALYSIS

Territorial Sea Boundary

The territorial sea boundary between Turkey and the USSR was defined by a protocol signed on April 17, 1973. Under the terms of this protocol the territorial sea boundary was to begin at the terminus of their land boundary and extend northwest at a 290° azimuth to the outer limit of the territorial sea claims (12 nautical miles) of Turkey and the USSR; a joint commission was to undertake the delimitation of the

territorial sea boundary. The results of this commission's work are given in the 1983 protocol. The coordinates of the terminal points of the territorial sea boundary listed in the protocol vary slightly from those given in the earlier study by the Office of the Geographer [LIS No. 59] due to differences in the initial point selected, charts used, and mathematical model (shape) assumed for the earth's surface.

Nature of the Boundary

The territorial sea boundary is a single, almost 13 nautical mile (nm), geodetic line segment extending from the terminus of the Turkey-USSR land boundary, which has redemarcated between 1969 and 1973, to the outer limit of the 12 nm territorial seas claimed by both Turkey and the USSR. The geodetic character of the line segment can be deduced because a rhumb line with the same terminal points has a slightly smaller azimuth than that required under terms of the 1973 protocol and reiterated in the 1983 delimitation protocol (290° 00' 00"). A geodetic line with the terminal points listed in the 1983 protocol fulfills the azimuthal requirement.

A geodetic line also best fulfills the term "straight line," which is used in the 1980 Protocol. A rhumb line, though appearing as a straight line on a Mercator map, is a spiral on the surface of the earth, whereas a geodetic line is the shortest--and therefore straightest--line between two points on a mathematically-defined spheroid surface, such as the surface of the earth.

Depiction

The territorial sea boundary was depicted on maps reprinted with the 1983 protocol and technical appendices in the Turkish gazette. The protocol explicitly states that calculations were done on the Turkish system of coordinates using a Gauss-Kruger (transverse Mercator) projection and Hayford ellipsoid.

TURKEY - FORMER USSR (GEORGIA, RUSSIAN FEDERATION AND UKRAINE)

The following is extracted from the Agreement between Turkey and the USSR concerning the Delimitation of the Continental Shelf in the Black Sea (signed 23 June 1978, EIF May 1981).

Article I

The boundary of the continental shelf between the Republic of Turkey and the [USSR] in the Black sea is the line that begins on the final point of the sea boundary line between the territorial seas of Turkey and the Soviet Union in the Black Sea as established by a Protocol between the Government of the Republic of Turkey and the Government of the [USSR] on Determining the Sea Boundary Line between the Territorial Seas of Turkey and Soviet Union in the Black Sea, of April 17, 1973. This line proceeds in general in a westerly direction through points, the geographic coordinates of which are as follows:

TABLE C1.T263.
TURKEY - FORMER USSR (GEORGIA, RUSSIAN FEDERATION AND UKRAINE) CONTINENTAL SHELF/EEZ COORDINATES

LATITUDE NORTH	LONGITUDE EAST
41°35'41"	41°16'33"
41°57'00"	40°41'33"
42°01'52"	40°26'00"
42°08'21"	39°49'37"
42°20'15"	39°00'13"
42°25'28"	38°32'10"
43°10'55"	36°50'42"
43°26'04"	36°10'57"
43°26'08"	35°30'25"
43°11'17"	34°13'10"
43°11'50"	33°36'56"
43°20'43"	32°00'00"

[T]he delimitation line of the continental shelf between the Republic of Turkey and the [USSR] will be defined up to the point with the following coordinates: 43°20'43" north latitude and 32°00'00" east longitude. [S]ettling the question of drawing the delimitation line of the continental shelf further to the west...will be carried out...during...negotiations which will be held at a suitable time.