

**Forum:** The North Atlantic Treaty Organization (NATO)

**Issue:** Analysing Tensions and Disputes in Maritime Regions

**Names:** Bene Voranan Puengchanchaikul and (Jenny) Yanwei Jiang

**Positions:** Head Chair and Deputy Chair

## Introduction:

Maritime regions—both big and small—hand over huge political, economic, social, and cultural advantages and influence to the state that has claims over them. Regardless of both the presence and the lack of maritime borders, the ever-changing, connected world we live in today makes it increasingly difficult to manage tensions and disputes over these regions.



“Major Maritime Ranges” - Source: Rodrigue, J-P (2020) “The Geography of Maritime Ranges: Interfacing Global Maritime Shipping Networks with Hinterlands”, *Geojournal*.  
<https://doi.org/10.1007/s10708-020-10308-y>



**“3 Map of EU Member States bordering the Atlantic Ocean and the extent of their respective Exclusive Economic Zones (EEZs)” - Sources: EEA, EMODNET**

Years ago, NATO published its Alliance Maritime Strategy in 2011—over a decade ago. Since then, the strategy has not yet been updated, amended, or analysed. Hence, it is crucial for NATO to identify ongoing and possible tensions and disputes in maritime regions. It must call for navies and states to collaborate.

Ever since the publication of the 2011 Maritime Strategy, the strategic environment at sea has changed greatly. The strategy had called for allies to contribute to the betterment of collective defence and discouragement of conflicts, crisis management, cooperative security, and maritime security.

Signed in Madrid, the NATO 2022 Strategic Concept identified “the most significant and direct threat[s] to allies’ security and to peace and stability in the Euro-Atlantic area” as China and Russia as they posed a “challenge [to] our interests, security and values”. This factor was not addressed in the 2011 strategy.

The following are examples of tensions and disputes in maritime regions that may threaten NATO members if not addressed: a Russian submarine reappearing in the North Atlantic and the Greenland-Iceland-UK (GIUK) Gap, the vital infrastructure in the Baltic Sea being increasingly targeted, and, due to the war in Ukraine, the Black Sea region's maritime commerce remaining under threat.

### Definition of Key Terms:

1. **Compulsory Dispute Settlement Mechanisms:** (noun) pertain to legal processes outlined in UNCLOS (The United Nations Convention on the Law of the Sea), mandating states to engage in compulsory arbitration (an impartial third party issues a final and binding decision to the case presented) or adjudication (legal proceedings in a court or tribunal. In maritime boundary disputes, it often involves international tribunals like the International Court of Justice or the International Tribunal for the Law of the Sea) unless declared otherwise according to article 298
2. **Continental Shelf:** (noun) the underwater continuation of a coastal state's land territory past its territorial sea, encompassing the seabed and subsoil of the nearby submarine regions. Under specific conditions, it can stretch beyond 200 nautical miles.
3. **Dispute:** (noun) a disagreement, argument, or debate.
4. **Exclusive Economic Zones (EEZ):** (noun) an area of an ocean that a coastal nation has authority over for both living and nonliving resources, which is usually 200 nautical miles (230 miles) away from the territorial sea of a nation; the concept of EEZs was adopted via the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which allows a nation, under international law, to have the following control over an EEZ:
  - a. Sovereign rights over the of the seabed, subsoil, and waters above the EZZ in order to explore, exploit, conserve, and manage their natural resources

- b. Jurisdiction under international law in terms of establishing and using artificial islands, installations, structures, and marine scientific research in addition to protecting and preserving the marine environment.
  - c. Any additional rights and duties under international law
- 5. Joint Development Zone (JDZ):** (noun) refers to an allocated area where neighboring states mutually consent to collectively explore and utilize resources.
- a. Typically, these zones are established in regions with unresolved maritime boundary disagreements.
  - b. The purpose of JDZs is to encourage collaboration and mutual advantages while postponing the settlement of the fundamental boundary dispute.
- 6. Maritime boundary:** (noun) an imagined, conceptual line that divides a water surface
- 7. Maritime region:** (noun) an area of the ocean or sea that is or will be under national or international authority
- 8. Strategic environment:** (noun) factors, both internal and external, that influence the decisions made by a group
- 9. Tension:** (noun) a strained or difficult political or social state
- 10. Territorial Sea:** (noun) These are the coastal waters next to a state's land, regarded as part of its sovereign territory, spanning up to 12 nautical miles from the baseline.

## Background Information

### *The Aegean Dispute*

The Aegean dispute involves ongoing disagreements between Greece and Turkey regarding sovereignty and related rights in the Aegean Sea. These conflicts have strained relations since the 1970s, nearly resulting in military confrontations in 1987 and 1996. Key issues include disputes over territorial waters, national airspace, exclusive economic zones, flight information regions, the demilitarised status of certain

Greek islands, and Turkey's claims over the undetermined sovereignty of islets like Imia.

The Aegean Sea serves as a crucial maritime and aerial pathway connecting the Mediterranean, Europe, the Black Sea, the Turkish Straits, and the Middle East. For Turkey, this route acts as a key access point for its seaports located in Anatolia and Thrace.

A significant aspect of the conflict revolves around differing interpretations of maritime law, as Turkey hasn't ratified key international conventions recognized by Greece. While attempts at diplomatic resolutions were made between the late 1990s and early 2010s, differences in approaches to finding a comprehensive solution persisted, leaving tensions unresolved as of 2023.

The Aegean Sea's current territorial water limit stands at 6 nautical miles. However, Greece aimed to extend it to 12 nautical miles in the early 1990s, citing recent UNCLOS precedences as the basis for this expansion. However, Turkey, not a UNCLOS signatory, rejects this extension. The presence of numerous Greek islands in the Aegean strengthens Greece's position but restricts Turkey's influence. Greece insists that the 12-nautical-mile limit is both treaty and customary law, demanding Turkey's compliance.

The Aegean dispute also revolves around conflicting views on the continental shelf's role in defining economic zones. Turkey argues for a mainland-based measurement, granting it economic zones along the Aegean's median line, excluding Greek island waters. Greece argues for equal treatment of all islands, while a majority of the scattered islands belongs to Greece, and therefore potentially claiming most of the Aegean. Greece cites the UN Law of the Sea but acknowledges the need for international arbitration considering Turkey's legitimate interests. Tensions escalated in the 1970s and 1980s due to potential oil reserves, leading to military threats amid Greek concerns about Turkish oceanographic research missions seen as provocations.

In June 1995, the Turkish parliament announced that any independent action taken by Greece would be considered a reason for war. Greece condemned this declaration, citing it as a violation of the United Nations Charter, which prohibits threats or use of force against any state's territorial integrity or political independence.

Turkey presented conflicting Exclusive Economic Zone (EEZ) claims in the Eastern Mediterranean to the United Nations on November 13, 2019. These claims contradict with Greek assertions in the region, particularly involving a sea zone that expands west of the southeastern Aegean island of Rhodes and south of Crete.

### ***The Black Sea***

Dating back to the Soviet times, the Black Sea have been vital to Russia's trade and travel routes to the Mediterranean Sea, which leads to the Middle East, North Africa and Southern Europe. The Black Sea also allows Russia to access its only naval base in the Mediterranean Sea that is located in Tartus (Mediterranean coast of Syria).

When Russia first launched the invasion against Ukraine in February 2022, they aimed to overtake the Ukrainian seaport city of Odesa, and the success of doing so would provide Russia with an advantage by restraining Ukraine against any commercial and trading efforts in the Black Sea, since 50% of Ukraine's exports rely on Odesa. While Ukraine succeeded in fending off ongoing attacks, such as sinking the Russian Black Sea Fleet's flagship----the Moskva in April of 2022, Russia and Ukraine are currently intensifying strategic attacks on each other's commercial vessels in the Black Sea. A trade slowdown would lead to economic consequences for both nations. Despite Ukraine diversifying its export routes and shipping just 40% of its grain through the Black Sea, the country heavily relies on this route. The remaining 60% of its grain exports are transported through the land route via the European Union.

The Black Sea holds significant strategic and economic value for both Russia and Ukraine as a crucial gateway to the world. Russia relies considerably on Black Sea ports to export a substantial amount of grain, fertilizer, and other commodities. Additionally, nations like Turkey (who have not imposed a sanction on Russia), Bulgaria, and Romania, which are NATO members with coastlines along the Black Sea, also possess vested interests in the region. Bulgaria have always relied on Russia and the Black Sea for energy resources and was granted a special exemption from the EU's prohibition on importing Russian seaborne crude oil. This measure aimed to ostensibly safeguard the country against potential energy shortages, however, this exemption allowed Russia to gain €2 billion in export revenues and an estimated €1 billion in taxes. However, Bulgaria is striving to forego this exemption as soon as possible and earlier than planned, aiming to end the sanction-op-out on March 1st instead of the previous October 31st deadline.

### ***The GIUK Gap***



***Map depicting the GIUK gap and Iceland (Sofrep)***

The expanse of the Northern Atlantic Ocean between Greenland, Iceland, and the United Kingdom is known as the "GIUK Gap." This maritime corridor has held



significant strategic importance for the UK concerning European continental powers, notably Germany and Russia. Throughout the Cold War era, NATO strategically focused on the gap as a key point in its submarine strategy to counter Soviet intrusions into the Atlantic. Beyond thwarting Soviet influence, the GIUK Gap held broader significance for the UK. Historically, the UK has utilized this choking point to block and fend off European land powers, and geographically only France, Spain and Portugal cannot be blocked off at this choke point.

During the Cold War, the GIUK Gap gained increased importance, recognized not only by Britain but also by most NATO members for its strategic value in the Northern Flank. NATO's main concerns regarding the Gap were monitoring Soviet activities and blocking Soviet access to the Atlantic if tensions rose. Control over the Gap was crucial for any potential naval blockade of the Soviet Union.

## **Current Situation**

### ***The Aegean Dispute***

The Aegean Sea Dispute remains unsolved, and the UNCLOS fails to address all concerns and factors according to both countries Turkey still refuses to ratify the UNCLOS and wishes for a resolution beyond legal factors, but also to take in factors such as the militarization of Greek islands, the distribution of airspace despite the distribution of territorial sea and more.

### ***The Black Sea***

EU members are willing to help Bulgaria withdraw its reliance on Russian exports of oil and fuel, while NATO has been attempting to provide energy substitutes for Bulgaria through for example, the Three Sea Initiative, which is a platform driven by political motives and commercial interests aimed at enhancing connectivity among twelve EU Member States situated around the Baltic, Adriatic, and Black Seas. Turkey



also closed the straits it has permanent ownership to----the Bosphorus and Dardanelles straits from all warships.

Romania, a NATO member on the coast of the Black Sea, would also be significantly impacted by slowing trade in the Black Sea due to the Russo-Ukrainian War. Ukrainian president Volodymyr Zelensky and Romanian president Klaus Iohannis continue to communicate and decide to collaboratively build a “corridor” that would allow Romania to access Ukraine’s grain exports through the country of Moldova. Romania’s port in Constanta located on the Western Coast of the Black Sea serves of great trading importance to Ukraine since Russia has denied the Black Sea safe-passage deal and continues to attack Ukraine’s river ports.

NATO appreciated Türkiye's ongoing efforts to revive the grain deal and acknowledged the collaborative endeavours of other Allies such as Bulgaria and Romania, along with the European Union and the United Nations, to facilitate the uninterrupted export of Ukrainian grain via both land and sea routes. They affirmed their commitment to providing substantial military, economic, and humanitarian aid to Ukraine.

NATO and its Allies are enhancing surveillance and reconnaissance activities in the Black Sea area, deploying maritime patrol aircraft and drones. In response to Russia's aggression against Ukraine, NATO has considerably bolstered its presence in the region over the past year, including the establishment of two new multinational battlegroups in Bulgaria and Romania.

### ***The GIUK Gap***

After the war, Russia established sophisticated systems around the Kola Peninsula, including aerial and coastal defence systems equipped with cruise missiles.

The Northern Fleet's conventional and nuclear submarines regularly patrol this area. According to Andrew Foxall, these patrols aren't limited solely to the Arctic but also extend into the Atlantic via the GIUK Gap, especially the construction of infrastructure and bases around the Barents Sea in 2014. In 2015 they also equipped Franz Joseph Land (islands in between the Varents and Kara Sea) with soldiers and missiles. Russia has been continuously supplying their bases with soldiers ever since.

NATO turned back to the GIUK gap since abandoning it in 2006 to face the activities of Russia and has decided to utilize Keflavik, Iceland as a military base to fend for themselves. While in 2022, Norway was publicly declared by NATO as a party that is geographically advantaged to act as a surveillance factor in the area,

It is likely that if Russia was to act on this matter in the future, it would be in relatively small numbers of capable and advanced assets.

## **Major Parties Involved and Their Views**

### **NATO**

NATO, the North Atlantic Treaty Organization, is a military alliance comprising 30 member countries from North America and Europe. It was established in 1949 with a core mission of ensuring collective defence and mutual security among its members. NATO operates on the principle of collective defence, where an attack on one member is considered an attack on all, requiring a collective response. The alliance conducts joint military activities, defence planning, and partnerships to promote stability and security globally.

### **EU**

The European Union (EU) comprises 27 European countries and, while it lacks direct authority in arbitrating maritime disputes, plays a vital role in promoting international law, peaceful resolutions, and cooperation among its members and neighbouring nations. The EU supports adherence to legal frameworks such as UNCLOS, encourages dialogue, mediation, and negotiation for resolving maritime disputes, and engages in initiatives to bolster governance and stability in maritime regions.

## NATO Standing Naval Forces

The NATO Standing Naval Forces is a “multinational, integrated force”. It is controlled by the NATO Allied Maritime Command and responds to Allied Command Operations. These forces are a part of the NATO Response Force’s maritime component. The NATO Standing Naval Forces are available for completing tasks such as NATO exercises and missions. They are made up of the Standing NATO Maritime Groups 1 and 2 as well as the Standing NATO Mine Countermeasures Groups 1 and 2.

## UN Involvement, Relevant Resolutions, Treaties and Events

- Law of the Sea Convention, 1982 (UNCLOS III)
  - By adopting this convention (and its previous versions) in 1982, the UN has taken a vital step in extending international law to bodies of water shared by multiple nations. It addressed ocean usage and sovereignty, resolving multiple maritime disputes. This includes establishing freedom-of-navigation rights, setting territorial sea boundaries 12 miles offshore and exclusive economic zones up to 200 miles offshore, putting in place rules for extending continental shelf rights up to 350 miles offshore, and creating the International Seabed Authority in addition to other conflict-resolution mechanisms such as the UN Commission on the Limits of the Continental Shelf.
- International Code for Ships Operating in Polar Waters (Polar Code), 2017 (MSC.385(94))
  - This code addresses the protection of ships in harsh water conditions around the two poles. This includes ships’ design, construction, equipment, operational, training, search and rescue, and environmental protection. It was significant in terms of transport and trade facilitation, which in turn provided a framework for “regulatory developments relating to maritime and supply chain security and environmental issues”.
- Global Maritime Crime Programme (GMCP), August 2021.
  - The United Nations Office on Drugs and Crime (UNODC) launched the GMCP to help member nations work together in order to enhance and

coordinate “their efforts against maritime crime”, said Ghada Waly, the UNODC Executive Director, at the UN Security Council in August 2021. The programme addressed the freedom of navigation as established by the UN Convention on the Law of the Sea. It recommends immediately combatting threats to maritime security as well as “building local capacities and empowering coastal communities to manage the oceans sustainably over the long term”. This proves a challenge as it can only be accomplished via investments, commitment, and political will.

## Possible Solutions

Solutions proposed by delegates should address the following questions and/or be generated with the following in mind:

- What are the obligations, rights, and powers of NATO members when an ally is involved in a maritime conflict?
- What should be the primary response of a state when a conflict arises in a maritime region?
- How can maritime boundaries and regions be defined or divided?
- What can allies do to discuss and negotiate in anticipation of a maritime tension or dispute?
- What resources are allowed to be produced, provided, and used in settling these tensions and disputes?
- How can tensions and disputes in maritime regions be identified as accurately, helpfully, and timely as possible?

Although they must be elaborated on in resolutions and debate, possible solutions include but are not limited to the following:

- Outlining a strategy for establishing clear claims over maritime boundary disputes that have not yet been resolved

- Forming a commission under NATO that specifically addresses NATO's rights and involvement in maritime regions
  - The commission should be comprised of a diverse, fair, relevant range of chosen representatives and experts.
  - The commission will be responsible for providing necessary resources in minimising the effects of maritime conflicts on the public regardless of the nations that the conflict involves.
  - The commission should evaluate the effectiveness of the 2011 Alliance Maritime Strategy and make revisions accordingly, including an updated strategy if deemed necessary.
- Establishing a set of guidelines for the involvement of allies' navies in settling tensions and disputes
- Establishing a framework for the accurate, helpful, and timely identification of tensions and disputes in maritime regions
- Having a NATO Response Force (NRF) ready to deploy specifically in the case of a maritime crisis or attack
- Working with the NATO Allied Special Operations Forces Command (SOFCOM) to protect and/or evacuate citizens should it be necessary during a maritime conflict

## Bibliography

### Useful Links

- <https://www.nato.int/nato-welcome/>
  - This source is helpful for delegates to familiarise themselves with NATO member countries, basic points, activities, key events, and working structures
- [https://www.nato.int/cps/en/natohq/topics\\_70759.htm](https://www.nato.int/cps/en/natohq/topics_70759.htm)
  - This NATO source highlights the organisation's current alliances, agreements, disputes, and more in regards to "NATO's maritime activities"

- [https://www.nato.int/cps/en/natohq/official\\_texts\\_75615.htm](https://www.nato.int/cps/en/natohq/official_texts_75615.htm)
  - The above linked source goes over the most recent NATO maritime strategy, the Alliance Maritime Strategy in 2011.

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