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THE PIVOTAL ENERGY ROLE OF GREECE IN THE EAST MEDITERRANEAN

Pursuant to its overall strategy, Greece is penetrating the East Mediterranean energy landscape and is also exploiting and developing its own gas fields in the Ionian Sea and South of Crete.

Greece has been pivotal in the development of Israel’s gas by acquiring the Tanin and Karish fields, facilitating competition in the Israeli market. Both fields, operated by Energean Oil & Gas, are world-class assets with 2.4 trillion cubic feet of gas and 33 million barrels of light hydrocarbon liquids. Energean made its final investment decision for the development projects in mid-2018, after the company secured 12 gas sales and purchase agreements for 4.2 bcm annually. A contract for the Karish field’s development foresees drilling in three wells in the first quarter of 2019, and the first gas is expected to flow in 2021.

As an outcome of the first Israeli offshore licensing round that ended in November 2017, Israel awarded Energean five new offshore exploration licenses within the nation’s Exclusive Economic Zone (EEZ) demonstrating a strong vote of confidence in the company’s exploratory and operational capabilities. The awarded licences comprise blocks 12, 21, 22, 23 and 31 and thus raise the total number of licences held by the Greek energy company to thirteen, providing upside potential for future growth and complementing the company’s East Mediterranean portfolio.

On a parallel level, there are ongoing discussions between Energean and the Palestinian Authority (PA) to develop the Gaza Marine gas field. The solid relationship between Energean and both the Israeli and Palestinian sides makes the company a highly qualified partner to develop the field offshore Gaza that is vital for the development of the Palestinian economy. In fact, the so-far unexploited Gaza Marine gas field, estimated to contain 1 trillion cubic feet of natural gas, could also remedy the Gaza Strip’s energy problems. The Gaza Marine field is shallower than both the Israeli Tamar and Leviathan gas fields and closer to the coast making extraction logistically easier. Exploitation

Antonia Dimou
Head of the Middle East Unit at the Institute for Security and Defense Analyses, Greece; and, an Associate at the Center for Middle East Development, University of California, Los Angeles

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plans would see the construction of a pipeline to a processing facility in Israel that would supply gas to Jordan.

But this project has not moved forward due to political tensions between Israel, the PA, and Hamas prompting British Gas (BG) to concede its 55 percent stake in the field to Royal Dutch Shell. Royal Dutch Shell relinquished its rights in the Gaza marine field in early 2018 after failing to find a buyer suggesting that the project is not politically viable in the short-term. Gaza Marine’s future depends on Israeli permission to the field’s development especially now that the Palestine Investment Fund (PIF) is looking for an operator and buyer for a 45 percent stake. This is the political context upon which medium-sized Energean Oil & Gas is in discussions with the Palestinians to acquire and operate the Gaza marine field.

Evidently, talks between the Israeli government and the PA should advance to make headway on Gaza marine gas field’s exploration as part of a larger effort to develop the Palestinian economy. Also, the exploitation of the Gaza Marine gas field should be incentivized because exploitation benefits include a reduced need for Israel to consume its own natural gas to generate electricity for the Palestinian territories and a more stable power supply for that area.

In addition to entering the broader East Mediterranean energy landscape, Greece also seeks to develop its own gas fields in the Ionian Sea and South of Crete. In terms of hydrocarbon exploration, offshore Crete is a frontier area, but no wells have been drilled so far. The area faces two major challenges: a combination of complex geological history and ultra-deep waters including exceeding 3,000 meters in most of the area.

The consortium of French Total, E&P Greece, U.S. Exxon Mobil Exploration & Production Greece and Hellenic Petroleum S.A. must overcome these challenges for the two offshore blocks west of Crete and southwest of Crete that were awarded by ministerial decision in July 2018. As a result of large gas discoveries like the Zohr field, a giant play already in production in Egypt, and the promising Calypso field in Cyprus, it is estimated that political tensions due to competing EEZ claims between littoral countries like Cyprus and Turkey harm regional energy cooperation.

No doubt that energy exploration and development in the East Mediterranean must be a cooperative enterprise rather than a zero-sum game. The cost of developing energy infrastructure, drilling operations, and production is time consuming and financially prohibitive when competing claims over energy resources between countries prevail.
Under these circumstances, it might prove critical for the United Nations, pursuant to the UN Convention on the Law of the Sea, to support dialogue among regional countries to resolve EEZ disputes in the East Mediterranean given that disagreements over EEZ delimitation has impeded regional energy cooperation. Additionally, littoral countries in the East Mediterranean could establish a permanent secretariat to formalize dialogue among themselves and to develop long-term energy industry cooperation strategies. This way, foreign companies will be extra motivated to get involved in oil and gas exploration and production activities and partnerships in Greece.

For its part, the Greek government should proceed with launching new tenders for exploration and production of hydrocarbons that will provide new opportunities for domestic and international companies to work together to create jobs in Greece. The enhancement of a stable and secure environment for doing business in Greece, i.e. granting licenses and permits on time, transparency in tender, and evaluation of bids processes, is a significant step towards the right direction. Concurrently, what is key in the broader regional setting is cooperation between Greece and Israel on joint development of infrastructure for the transportation and marketing of gas, as well as joint operations pertaining to the safety of energy installations.

Unquestionably, the role of Greece is pivotal for the development of regional and national energy resources. Being pivotal is one thing and being ready to play an energy role of crucial importance is another. It is in the hands of Greece to prove that it can serve both.
GLOBAL ANARCHY AND REGIONAL CHAOS: THE GREEKS HAVE A WORD FOR IT...

1. Asymmetry, antagonism, anomaly

Three words of Greek origin emerge from the autopsy of today’s ecumenical system. They fully characterize the symptoms of the ephemeral, asthenic and astatic ecumenical economic, political and security system.

The “Pentarchy”, the “5” Permanent Members of the New York based Pan-Ethnic Organization’s Security Council, supposed to be pylons of the ecumenic system, face serious problems and challenges to discharge their mandate as entrusted to them by the San Francisco Charter.

The Pentarchy’s antagonistic politics, polemics, and the catachresis (abuse) of the veto power as well as the anachronistic synthesis of the UNSC are synonymous to the inefficiency of the System.

2. Chaos, tragedy, catastrophe

Not far from Nicosia, autocracy, theocracy, tragedy and catastrophe prevail in the lands of birth of great civilizations. Furthermore, sorrow and despair prevail in the Holy Lands of genesis of the monotheistic religions, Judaism, Christianity and Islam.

The absence of anthropocentric policies is coupled by the recourse to polemos (war) and to anti-anthropos practices based upon the teleology of state sympheron (interest).

Medical chirurgery uses anesthesia and asepsis. Yet, the architects of our systemic ecumenical political taxis(order) generally opt for apophasis and energies provoking epidemic rather than asepsis. Epidemia could be transformed to pandemia.

The OIKOS, POLIS and COSMOS ataxia system, failed to save the dignity of anthropos, often its life and its own politismos (culture).
The topology of polemics and antagonisms are not about axiology, about the merits of “aristos” the “aristocracy” (meritocracy). They do not embrace ethics, harmony, ethos and aesthetics. They are about ethnic and religious fanaticism, egoism and about enlarging the spheres and the scope of economic, edaphic (territorial) and political control.

It is rather oxymoron that after eight years of chronic failures, the protagonists of this anomaly and their patrons still prefer to see the dentron (tree) instead of the forest.

The dramatic human exodus caused by wrong political apophasis and indeed inertia results to an inhuman treatment and suffering inflicted to the anthropos (mankind).

Apathy and pathos, empathy and antipathy, thesis and antithesis, Hybris and Nemesis are all there. The pandect of our Polis and Cosmos anthropocentric basic rights - ironically called Ecumenic Human Rights - is applied in an selective and evasive manner.

3. History, Geography, Ethnicity

Europe, our old and aging continent, is also dramatically affected and infected, as reflected by the use of ethnocentric politics and the metastasis of fanaticism.

The triptych “history, geography, ethnicity” is traditionally used to epitomize European symptoms and problems. It also has a particularly negative metaphor in the Balkans. These words are considered to match the topology of so many problems and crises in our Balkan micro-cosmos.

4. Strategy, Synergy, Symphony

My preferred set of Greek words. We need a joint political will and apophasis to move from the good intentions static state of play to a nicephore dynamic stratagem.

A holistic strategy cannot but be cemented on an enhanced economic and political synergies program.

A return to the orthodoxy of classical studies, as the basis of our PAIDEIA, should become the catalyst and the dynamic mechanism who will move the istos (the fiber) of our synergies faster, safer and in harmony with the winds of change.

Restoring the politics and economics of “metron” is not just another option. It is an absolute necessity.
This strategy demands for closer and coordinated policies. To this end, I expect that politics and politicians, at OIKOS, POLIS and ECUMENE will put Politis (the citizen) at the centre of politics.

Politics are becoming synonymous to idiocy when they serve the interests of partisan micro-politics.

Strategy asks for synergies. Synergies imply that the synchronized action of two or more have a greater total effect than the sum of their individual effects.

The quest for a ecumenical systemic order will remain an exercise in futility, as long as the concept of “metron” is not restored at OIKOS and at POLIS.

Some prefer to call it POLYPOLISM (multipolar); Still Greeks have the right word for a new global order: Symmetry.
On 4th November 2018, the people of the Collectivité d'outre-mer de Nouvelle-Calédonie has been called to decide whether to acquire full sovereignty or to retain the status of French overseas territory. The popular consultation resulted in 56.4 percent of the votes cast in favour to the status quo, with a turnout of about 81 percent of the eligible voters.¹ This article examines one of the most divisive aspects concerning the referendum: the “eligibility issue”, i.e. the contentious determination of who, among the inhabitants of New Caledonia, are entitled to cast their vote for independence.

In order to understand the reasons behind the dispute over eligibility, and to grasp the complexities associated with the New Caledonia’s independence referendum, it is necessary to examine the historical origin of the referendum and the special status enjoyed by the Kanak native population under the international and French law.

A former French colony from 1853 to 1946, New Caledonia became part of the Fifth Republic in 1946. As a consequence, French citizenship and voting rights were given to Kanak indigenous people.² Being part of the Republic, New Caledonia was unilaterally removed by France from the UN List of Non-self-governing Territories, and therefore it became a French “overseas territory” enjoying considerable administrative autonomy.

Spurred by the necessity to secure its economic interests in the areas and pressured by the settlers, in the 1960s France withdrew most of the powers which had been transferred to New Caledonia. At the same time, Paris encouraged massive immigration of people coming from the metropolitan France and from the Wallis and Futuna Island. The major consequence of the influx of European settlers was the consistent change of the demographic

The loss of political rights, the insecurity caused by being a minority in the archipelago and the economic marginalisation fuelled Kanaks’ call for independence. At the same time, an aggressive anti-independentist policy was implemented by favouring the redistribution of land to the settlers. The Kanaks were further marginalised and the Pacific Forum supported the relisting of New Caledonia in the UN list of non self-governing territories.

The tensions between the French authorities and the independentist groups persuaded Chirac’s government to call for a referendum to be held in 1987.

In that occasion, the dispute over eligibility has been raised for the first time. The Kanak community did not agree with the criteria proposed by France, which allowed any person resident in New Caledonia for over three years to vote. Considered as colonised people under international law, the Kanaks, guided by the Socialist National Liberation Front (FLNKS), argued that only the indigenous people should have been allowed to vote.

After the failure of the 1987 referendum, the Matignon Accord was signed in 1988, which established a new referendum for independence to be held following a 10-year term. However, disagreement over eligibility criteria fuelled even more violent riots. Consequently, the 1998 Noumea Accord postponed the popular consultation to be conducted between 2014 and 2018.

Under the Noumea agreement and the Loi organique that implements it, New Caledonia acquired a sui generis legal status of collectivités d’outre-mer and further internal autonomy, with the mainland France retaining the five “compétence régalienne” (currency, defence, foreign affairs, justice and public order).

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7 Under the Noumea Accord, New Caledonia also enjoys considerable autonomy in international relations, as the power to negotiate and sign international agreements (subject to authorization by the French government) and to join international organizations as member of associate in the Pacific region. See, D. Kochenov, EU Law of the Overseas: Outermost Regions, Associated Overseas Countries and Territories, Territories Sui Generis, Kluwer Law Intl., 2011, 310 – 314.
The agreement generated a complex legal framework that required significant constitutional amendments and the creation of Title XIII on “Transitional provisions concerning New Caledonia” (artt. 76 – 77). Under artt. 72 – 73 of the Constitution the “populations d'outre-mer, au sein du people français” were recognised. Moreover, they create a New Caledonian citizenship; besides the French one, they also recognise Kanaks’ indigenous character and distinctive identity “fondée sur un lien particulaire à la terre”. Their culture and legal tradition based on the Kanak customary law were granted constitutional recognition. In the same years, France ratified several international conventions aimed at safeguarding indigenous rights. In other words, under the international standards and French constitution, the Kanaks are considered indigenous people, New Caledonian citizens and French citizens.

The creation of a New Caledonian citizenship under the Noumea agreement and the recognition of the Kanaks personal status further aggravated the eligibility issue by generating different and overlapping electoral bodies for different elections (national and local elections and the referendum). The first electorate comprises all French citizens residing in New Caledonia, which have the right to vote for their representatives in the French Parliament. The second electorate aggregates all the Caledonian citizens who have the right to vote in the election of the Congress of New Caledonia. Finally, all the citizens entitled to vote in the independence referendum composes the third electorate, which overlaps with the second one.

Regarding the definition of the electorate for the independence referendum, art. 2.2 of the Noumea Accord and art. 218 of the Organic Law n. 99-209 of 1999 provided that only residents arrived before 1998 and their descendants are entitled to vote. Despite the discontent displayed by those arrived on the

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10 Noumea Accord, Point 2 and Preamble.
13 The notion of nationality remains distinct and it remains linked to the concept of plein souveraineté in the eventuality of independence. The Preamble of the Noumea Accord states: “During this period, signs will be given of the gradual recognition of a citizenship of New Caledonia, which must express the chosen common destiny and be able, after the end of the period, to become a nationality, should it be so decided”.
Islands after 1998, these provisions have been applied in the 2018 referendum.

Another controversial issue concerned whether non-resident in New Caledonia, being them Kanaks or not, can still be regarded as citizens. Since the current legislation is based on the length of residency, the answer is no. However, the French Cour de cassation recognised the right to vote to those who already had the right to vote before leaving New Caledonia and who resided in New Caledonia before 1998.\(^\text{15}\)

The eligibility criteria adopted by the French authorities made the Kanak population an electoral minority. However, it must be noted that not all the Kanaks voted in favour of full sovereignty. The call for independence mainly came from the youth, which faces high rates of unemployment and social insecurity. Indeed, strong inequalities persist between the Kanaks and the rest of the New Caledonian. Still, France and the EU provide some economic stability and higher standard of living compared to other independent islands and the economic costs of transferring the compétence régaliene to New Caledonia must be taken into account. Finally, the interests of long-term residents coming from mainland France shall be considered as well as their strong sense of belonging to both France and New Caledonia.

To conclude, the failure of the November 2018 referendum does not put an end to the independence issue. The Noumea Accord provides for a procedure to organise new consultations before 2023. In the eventuality of a new referendum, the voter eligibility issue will be raised again.

\(^{15}\) See C. David, “L’arrêt Kilikili sur la Qualité De Citoyen de la Nouvelle-Calédonie”, Laboratoire de Recherches Juridique et Économique, Université de la Nouvelle-Calédonie, https://larje.unc.nc/fr/larret-kilikili-sur-la-qualite-de-citoyen-de-la-nouvelle-caledonie/
MODERN HYBRID WARFARE

Marinos Papaioakeim  
Ph.D. Candidate, Project Coordinator, Diplomatic Academy, University of Nicosia

Introduction

In recent years, discussions among political scientists, military historians, military experts and military practitioners have been many and complex regarding the nature of modern wars. There is no doubt that since the end of the Cold War there has been observed a gradual transformation of the ‘old style’ war to new forms of belligerence. The modern perception argues that traditional conventional military tactics are not the exclusive means used in order to win modern wars, since wars now are conducted by different means and by different actors. Contemporary analysts argue that modern wars are multimodal and multi-directional with multiple variations; they have been labelled in the literature as Hybrid Warfare or Hybrid Wars. The main aim of this paper is to briefly present the main features of hybrid wars/warfare.

New Forms of Wars

Multiple concepts have been articulated to illustrate warfare’s nature and dynamics in the post-conventional environment of the 21st century. Compound Warfare is one of the most significant terms that attempts to describe modern warfare. The term was coined by the historian Thomas Huber in 1996 in reference to major wars that have used “significant regular and irregular components, fighting simultaneously under a unified direction.”1 According to Huber, “Compound warfare is the simultaneous use of a regular or main force and an irregular or guerrilla force against an enemy”.2 Another new type of modern warfare is the so-called Unrestricted Warfare, which contains alternatives beyond traditional military engagement, using a wide and unlimited variety of instruments. In the book by Chinese military officers Qiao Liang and Wang Xiangsui, Unrestricted Warfare, it is described that the reduction of the opponent’s power can be achieved in a variety of ways, apart from the immediate military conventional conflict. They also argue that war must be multi-directional and must combine all sources of war, such as the

war of information, the economic war, the trade war, and so on. In their book, they point out that these alternative methods have the same and even greater destructive power than conventional military hostilities.3

In parallel to the debate of modern warfare, another intriguing concept has arisen: *Fourth Generation Warfare* (4GW). 4GW is a term that was used for the first time in 1989 by a group of American analysts, including William S. Lind. This theory argues that emerging non-state actors use both conventional and non-conventional means (terrorism, information) to undermine a state and challenge its legitimacy.4 In addition, it is argued that, in many cases, the involved actors are unable to use conventional force, so they resort to the manipulation of people by individuals and groups. The impact of such tactics is less in terms of physical effects in specific locations, but greater as regards moral and cultural effect, as it is decentralized. Such non-official actors can be people acting individually or groups of people working together to try and achieve the same end. Fourth Generation Warfare’s purpose is to enable aggressors who are weaker in terms of military capacity to amalgamate conventional and unconventional methods in order to try and bend or break the political will of their opponent.5 4GW includes elements such as terrorism, guerilla warfare, psychological warfare, manipulation and low-intensity conflicts.

**Hybrid Wars/Warfare**

Hybrid warfare was first acknowledged publicly at the beginning of the 2000s, and has now become one of the most debated concepts of the last decade. One of the most important contributors to the hybrid warfare debate is Frank Hoffman, who extensively researched the subject following the 2006 campaigns waged by Hezbollah against the Israeli Defence Forces.6 In his article, *Hybrid Warfare and Challenges*, he indicates how hybrid challenges have gone from theory to practice.7 Through the Hezbollah case study, Hoffman attempted to demonstrate the practical application of hybrid warfare. In particular, the study refers to the hybrid nature of Hezbollah’s military operations against the Israeli armed forces in the summer of 2006. Hoffman argues that “Hybrid wars incorporate a range of different modes of warfare, including conventional capabilities, irregular tactics and formations, terrorist acts including indiscriminate violence and coercion, and criminal

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6 The term was first used by Nemeth in Nemeth, W.J., *Future War and Chechnya: a case for hybrid warfare* (Naval Postgraduate School Master Thesis, 2002).
7 Hoffman F., “Hybrid Warfare and Challenges,” *Joint Forces Quarterly* (Issue 52, 1st Quarter 2009), p. 34.
disorder”.⁸ In addition, he notes that hybrid warfare includes “Any adversary that simultaneously employs a tailored mix of conventional weapons, irregular tactics, terrorism, and criminal behavior in the same time and battlespace to obtain their political objectives”.⁹

Following Hoffman’s study, the ‘hybrid’ concept has been central to much contemporary warfare debate. Beyond Hoffman, a lot of other academics and practitioners have analyzed the concept of hybrid warfare in recent years. The modern literature has connected hybrid warfare mostly with the conduct of Russia in Eastern Ukraine and the way that it has annexed Crimea. The focus in many articles has been on the combination of tactics and methods by Russia, which have included cyber-attacks, media campaigns, projection of military strength, protests, disorder and criminal.¹⁰

The hybrid warfare is a holistic concept that combines all the above elements of the previous concepts, such as multi-directional (alternative methods beyond the military, e.g., economic), asymmetry (the use of unconventional military tactics), synchronization (simultaneous combination of conventional and non-conventional military means), and new actors beyond states (non-state actors). Although the concept of hybrid war encompasses many of the features of the existing concepts, it also includes some new elements. One of the main reasons that the concept of hybrid wars is discussed in the current debates and is presented as a new type of war lies in the fact that modern technology gives enormous capabilities to carry out this kind of combined action, mainly in the field of information warfare. In modern hybrid warfare, different actors are using this new information technology in order to influence population groups, shaping perceptions and provoking subversive actions.¹¹ The new element is that these new technologies are not an exclusive privilege of states since now, non-state actors and even individuals can use it freely and easily. One of the most indicative examples in this frame is cyber-attacks against states by individuals or groups of individuals. For instance, allegations from the west were accusing the Cyber Berkut, the Russian underground hackers that launched cyber-attacks on the Ukrainian National Election Commission in May 2014 in order to damage the elections’ credibility.¹²

Another feature of hybrid warfare is the unified operational force of both conventional and non-conventional forces. Historically, in many wars, the use of conventional and unconventional forces has been observed. The difference

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⁸ Hoffman, 2007, p. 29.
in the current hybrid threats is that although they combine the use of conventional and unconventional means, they are operationally integrated while they are conducted in the same space and time.\textsuperscript{13} An actor’s capacity to simultaneously combine military and non-military methods in the same battle strategy is regarded as a prime hybrid warfare feature. The autumn of 2013 saw a classic example of this, when Iran jointly combined threats of terrorism, media manipulation and cyber-attacks to put influence on America and its allies and thus prevent their intervention in the Syrian conflict.\textsuperscript{14}

Criminality constitutes another new feature of hybrid warfare, which according to Hoffman includes smuggling, narcoterrorism, illicit transfers of advanced weapons, and the exploitation of gang networks.\textsuperscript{15} Criminal activity is used to support hybrid power or to facilitate disorder and dissolution of the opponent. These activities target the sustaining of a conflict in order to bend the resistance of an opponent or defeat them. Several reports support that criminal activities were evidently a part of Russia’s actions in the annexation of Crimea. Although smuggling cannot be found in its strategy, it can be observed as a result of the Russian takeover, since “Crimea has long been a centre of criminal activity and interest... its supply convoys were infamously misused for smuggling of every kind”.\textsuperscript{16}

Conclusion

As can be seen from the above, hybrid warfare includes a lot of elements from previous concepts and theories regarding modern warfare; however, there are some new features that distinguish the concept from previous ones. Hybrid warfare is not expected to totally replace the conventional kind, at least not in the near future, but in the contemporary era, inevitably, it is an important factor that must be taken into account in the defence plans of the 21\textsuperscript{st} century.

References


\textsuperscript{14} MCDC Countering Hybrid Warfare Project, 2017, p. 12.

\textsuperscript{15} Hoffman, F.G. “Hybrid Threats: reconceptualizing the evolving character of modern conflict”, \textit{Strategic Forum} (No. 240, April 2009), pp. 1-8.


Hoffman, F., “Hybrid Threats: reconceptualizing the evolving character of modern conflict”, *Strategic Forum* (No. 240, April 2009)


This article briefly address the concept, the breadth, the manner of delimitation of the Exclusive Economic Zone (EEZ), the rights of the coastal state and third states, fundamental principles of the relevant international and national legal framework and references to case law. These are examined in order to outline the applicable law concerning the EEZ of the Republic of Cyprus.

Additionally, the character and the binding nature of these specific legislative rules are analyzed, along with the full compliance of the Republic of Cyprus, and the arguments made by the Turkish side. Finally, having an evaluation, some suggestions are made.

The Republic of Cyprus steadily respects and implements International Law, as opposed to Turkey, which is a rather recalcitrant international actor. In particular, the Republic of Cyprus has signed, ratified and implements the United Nations Convention on the Law of the Sea of 1982 (UNCLOS)\(^1\); whereas Turkey has not ratified or signed it, but occasionally applies it to its relations with other states except Cyprus and Greece.

In any case, what should be emphasized is that the biggest part of UNCLOS constitutes customary international law. States are bound by customary international law regardless whether they have codified it domestically or through the ratification of Treaties. UNCLOS applies and creates obligations towards all (erga omnes), and overrides the national law of states. As a result, states are not entitled to argue, for not applying customary principles of UNCLOS, or the latter’s possible opposition to rules of national law, even if these have constitutional character.

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Thus, it is important to refer to fundamental principles and rules of UNCLOS that apply to the Republic of Cyprus’ EEZ, given the increased legal validity of the Convention.

Initially, it should be stressed that Article 121 (2) of UNCLOS clearly establishes the full rights of the islands, defining that the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf of an island are determined in accordance with the provisions of this Convention applicable to other land territory.

Pursuant to Article 57 of the Convention, the EEZ shall not extend beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured. The coastal state acquires EEZ only if it formally declares it and makes the relevant announcement to the Depository of UNCLOS, the Secretary General of the United Nations. It is worth noting that the International Court of Justice in the Continental Shelf Case between Tunisia and Libya Arab Jamahiriya (1982) regarded the EEZ as a tenet of customary international law, binding on all states.

The Republic of Cyprus has established the breadth of its territorial sea at 12 nautical miles from the baselines, has declared its contiguous zone at 24 nautical miles from the baselines, has set the outer limit of its continental shelf at 200 nautical miles from the baselines, and has also declared EEZ at 200 nautical miles from the baselines, in accordance with the provisions of UNCLOS.

The Republic of Cyprus established EEZ with the enactment of the EEZ and Continental Shelf Law (Law No 64(I)/2004), which was submitted to the Secretary General of the United Nations, as the Depository of UNCLOS.

Nevertheless, if any part of the Cyprus’ EEZ overlaps part of the EEZ of any other state, whose coast lies opposite those of Cyprus, the limit of the Cyprus’ EEZ and the EEZ of the other state shall be determined by an agreement between them. In the absence of such an agreement, the principle of the median line is followed.

It should be noted that the Republic of Cyprus signed EEZ delimitation agreements, based on the method of median line, with Egypt in 2003, with Lebanon in 2007 and with Israel in 2010, demonstrating its harmonious relations with neighboring countries.

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4 The Contiguous Zone Law (63(I)/2004).
5 The Exclusive Economic Zone and the Continental Shelf Laws 2004 and 2014 (64(I)/2004 and 97(I)/2014).
According to Article 56 (1) of UNCLOS, in the EEZ, the coastal state has:
(a) sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds;
(b) jurisdiction as provided for in the relevant provisions of this Convention with regard to: (i) the establishment and use of artificial islands, installations and structures; (ii) marine scientific research; (iii) the protection and preservation of the marine environment;
(c) other rights and duties provided for in this Convention.

With regard to third states, according to Article 58 (1) and (3), in the EEZ, all states, enjoy, subject to the relevant provisions of this Convention, the freedoms of navigation and overflight and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to these freedoms; having due regard to the rights and duties of the coastal state and complying with the laws and regulations adopted by it.

In addition, Article 73 (1) of UNCLOS determines that the coastal state may, in the exercise of its sovereign rights to explore, exploit, conserve and manage the living resources in the EEZ, take such measures, including boarding, inspection, arrest and judicial proceedings, as may be necessary to ensure compliance with the laws and regulations adopted by it in conformity with this Convention.

Concerning the exploration and the exploitation of the natural resources of the Republic of Cyprus, and Turkey's consistent argument that they also belong to the Turkish Cypriots; this fact is indisputable according to International Law. Greek Cypriots and Turkish Cypriots, as citizens of the Republic of Cyprus, enjoy a collective -by its nature and its content- right to the natural resources of their country.

However, Turkey's argument is in total contradiction to the principle of good faith and constitutes a violation of the principle of estoppel, which prohibits a state from refusing a fact or a real situation based on its own past conduct. In the present case, Turkey disputes a real situation, namely the fully-established right of the Republic of Cyprus to explore and exploit its natural resources, due to its own past conduct, namely the international crimes of aggression, military occupation, forcible transfer and displacement of population. The pretext of Turkey has been the isolation of the Turkish Cypriots.
In any case, decisions on the management and exploitation of natural resources are an issue that forms part of the state’s "domaine réservé". Thus, these decisions are taken in the light of the maximum benefit of all its citizens, and interventions by a third state are inconceivable.

What should not be overlooked is the fact that the concept and the function of prescription/usucaption (term of Property Law, meaning the acquisition of a title or right to property by uninterrupted and undisputed possession for a certain period of time) in certain cases is mutatis mutandis applied in International Law of the Sea. Thus, in this way, acquired rights, fait accompli and precedents often arise, even by unilateral actions of states. Therefore, the settlement of issues relating to International Law of the Sea requires particular attention, diligence, planning, profound knowledge and precise application of the existing legislative framework. Finally, in order to avoid the creation of fait accompli, in no case an illegal conduct of an international actor should be left without a legal response.
The use of deception by the Russian Federation and its evolution from the tactical to the strategic level

“All warfare is based on deception. Hence, when we are able to attack, we must seem unable; when using our forces, we must appear inactive; when we are near, we must make the enemy believe we are far away; when far away, we must make him believe we are near.” -Sun Tzu

Maskirovka 0.5

During Russia’s civil war, the employment of deception tactics focused on tactical small-band formations by the Red Army against the Tsarist loyalists. After the founding of the state, military writings (doctrinal/tactical) focused mainly on operational/tactical level deception than strategic. This form of deception was named “maskirovka” which in plain English may be translated as “camouflage”. Up until the 1930’s, Soviet military strategists focused mostly on the effect of maskirovka for operational/tactical benefit.

The Soviet Armed Forces encountered deception tactics early in World War II-first as against an invader. One could argue, that the employment of deception tactics by the (then) Soviet Armed Forces, stemmed from being utterly surprised by Nazi Germany in the 1941 Campaign. This grand scheme of deception and obfuscation by Nazi Germany against the Soviet Union, which had already signed a non-aggression pact, the “Ribbentrop-Molotov Pact”, and its destructive effect vis à vis the surprise that was achieved against the Soviet military convinced Soviet military planners of its value and became practitioners of their own form of deception. In fact, the Soviet Army

* Athanasios-Antonios I. Leontaris is an Attorney-at-Law in Thessaloniki, Greece and a candidate of an International Studies LLM at the Aristotle University of Thessaloniki. He has formerly served in the Office of the Legal Advisor at the NATO Allied Land Command.

1 Warfare is divided in three levels strategic: operational and tactical (USAF College of Aerospace Doctrine Research and Education, 1997 “Three Levels of War”.)
became so adept at this form of deception tactics that in 1944 during the war managed to conceal the movement of approximately 200,000 troops.

After the end of World War II and the death of Stalin, Soviet military theorists reviewed the causes and effects of the Nazi Germany deception against the Soviet Union and critically analyzed the effects of their own deceptions against the Nazi aggressors. Throughout the Cold War Soviet military strategists gradually shifted from the tactical/operational level of maskirovka and gradually proceeded to identify the use of maskirovka on the strategic level.²

Since the collapse of the Soviet Union, the Russian Federation has participated in combats in many theatres of conflict, some in domestic areas and some abroad. The conflict in Chechnya in 1994-1996 as an internal conflict is out of the scope of this article.

**Maskirovka 1.0**

The first employment of the post-Soviet era strategic deception of the Russian Armed Forces was in the 2008 conflict with Georgia. Before, during and after the conflict in Georgia the Russian Federation maintained the façade of a “peace-keeping” operation in Georgia. Leading up to the conflict the Russian Armed Forces performed in the Caucasus 2008 exercises, ostensibly as a counter-terrorism and peace-keeping exercise, however many units did not return to their home bases after the completion of exercise.³

Interestingly, the Russian Government denies any intervention in Georgia and argues that its course of action was in fact mandated by the attack of Georgian Armed forces against S. Ossetia, making in this way an argument for a “peace-keeping/enforcement” response of the Russian Federation on behalf of the S. Ossetians.⁴ This choice was not only a “legal” argument for intervention, but also an attempt to moralize for information warfare purposes the justification behind the choice of military intervention of being “forced to act”.

**Maskirovka 2.0**

The Maskirovka 2.0 was applied in the Ukrainian conflict, by employing the trifecta of information warfare, special warfare and lawfare in order to achieve strategic objectives.

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The Russian Federation’s naval base of the Black Sea Fleet is in Sevastopol, which until the dissolution of the Soviet Union was part of the Ukrainian SSR.

After the dissolution of the Soviet Union three important treaties were signed between Ukraine and the Russian Federation. One was the Russian–Ukrainian Friendship of 1997 which among others mentioned the respect for territorial integrity between the two countries and confirmed the inexistence of territorial claims between them. And the second was the Partition Treaty on the Status and Conditions of the Black Sea Fleet of 1997 which among others partitioned the Russian Federation fleet in Sevastopol and provided part of it to the Ukrainian Navy in exchange of the lease of the Sevastopol naval base. The third was the Kharkov Pact of 2010 regulating anew the issue of the Sevastopol naval base of the Russian Navy which was agreed that it shall be leased to the Russian Federation in exchange of natural gas discounts.

In 2010, V. Putin stated that “our [military] responses are to be based on intellectual superiority. They will be asymmetrical, and less costly [...]”.

Fast forward to November 2013 when thousands of Ukrainians flooded the streets of Kiev in protest of the Ukrainian President Viktor Yanukovych’s decision to suspend the signing of an association agreement with the E.U. The “Euromaidan” protests led to the ouster of the pro-Russia Ukrainian President Yanukovych in February 2014.

After the ouster of President Yanukovych an intensive information warfare/strategic communications campaign was enacted to influence the narrative and perception both domestically and abroad. Russian media outlets took the lead and put out several news stories to control the story. Images of pro-Russian separatists raising the Russian flag in the eastern cities of Donetsk and Luhansk were broadcasted around the world.

In the follow up of this campaign in March 2014 the stealth invasion of Ukraine by the Russian Federation begun. “Little green men” begun conducting a variety of military activities in the Crimean Peninsula and other eastern Ukrainian territories. President V. Putin initially denied any involvement of the

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7 STEVEN WOEHREL, CONGRESSIONAL RESEARCH SERVICE, RL33460, UKRAINE: CURRENT ISSUES AND U.S. POLICY 2 (Sept. 4, 2014)
9 Name given to soldiers fighting without insignia by the Ukrainians Steven Pifer, Opinion, Watch Out for Little Green Men, BROOKINGS (July 7, 2014), http://www.brookings.edu/research/opinions/2014/07/07-watch-out-little-greenmen-pifer
Russian Federation by stating that all military activities in Ukraine were conducted by local residents—he accepted only the involvement of Russian troops in the initial stages of the Crimean conflict.10

During the later stages of the conflict many questions were raised regarding the access of separatist forces to heavy weaponry and tracked vehicles.11

The definition “Lawfare” as provided by Munoz and Bachmann is “[...] using law as a weapon with a goal of manipulating the law by changing legal paradigms”. The application of “lawfare” in the Ukrainian-Russian conflict stems mostly from the fact that such a conflict remains undefined under traditional rules of international law. Specifically, the ambiguity regarding the applicable law creates misperceptions to whether in fact jus ad bello should be applied considering that from the outset of the conflict the Russian Federation vehemently denies being a part of the conflict.12 Another perversion of international humanitarian law was President Putin’s declaration “to defend the rights of Russian-speakers living abroad”.13

This distortion however of international law, in terms of what is legally acceptable and what isn’t, probably has to do more with the creation of a façade of legality14, a semblance of accordance to international/domestic legal norms that enhances the image of Russian policy as one that complies with those standards and not so much for their upholding in international legal forums or as one that might be considered legal by the International Court of Justice.

Conclusion

The Maskirovka 2.0 surprised military thinkers at NATO not solely because of the use of troops/vehicles without national insignia or the assertions of pro-Russian separatist officials that Russian troops were “vacationing” in the

10 Bojan Pancevski, Putin’s 300 Whip Up Ukrainian Turmoil, THE SUNDAY TIMES (Apr. 27, 2014), http://www.thesundaytimes.co.uk/sto/news/world_news/Ukraine/article1404493.ece (“Russia has been accused of carrying out an ‘invasion from within’ of Ukraine using 300 elite special operatives, many of them from its feared GRU military intelligence service.”).
14 Russia’s Hybrid Warfare: Waging War below the Radar of Traditional Collective Defence Heidi Reisinger and Alexander Golts (2015)
Crimean peninsula while on leave from the Russian Armed Forces\textsuperscript{15} but it was rather the trifecta of the use of an intensive information warfare campaign combined with the commitment of covert operations troops and the novel use of legal obfuscation or “lawfare” for the achievement of a STRATCOM superiority.\textsuperscript{16} In conclusion, it seems that Russian policymakers have “cut the Gordian Knot” of managing to coordinate actions across departments and present a unified effort in the achievement of political objectives and the pursuit of the Russian Federation’s goals by amalgamating military preparation, diplomatic efforts and a robust information warfare organization.


During the 1930s and 1940s attracting and influencing the British colonial public’s interest had as a final goal making it appreciate ‘the British connection’.¹ As Joanna Lewis has argued, by researching this aspect of the British Empire’s influence (or lack of influence), we may better appreciate ‘its power through attraction which was absolutely crucial in sustaining it across generations, among different cultures, through colonial scandals and after imperial endings’.² If such an attraction could be exerted, it was felt that it would be easier for Britain to preserve its economic, strategic and political interests in that part of the world.

Philip M. Taylor has argued that during the course of the twentieth century, ‘the capacity and potential ability of the audience have increased dramatically through the spread of literacy and education, mass communications through the advance of technology, growing political consciousness’.³ As a result, attempts to inform, cultivate, control and manipulate public opinion have resulted in the development of the arts of publicity, public relations, advertising and propaganda. These attempts were conducted via organisations and channels, and were designed specifically to stimulate the audience to answer in a manner desired by those who were already, or wanted to be, in power.

The British Council was one of these organisations doing cultural propaganda, disseminating British ideals and beliefs ‘in a general rather than specifically political form’.⁴ From the moment of its creation, it was imperative for the

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³ Taylor, The Projection of Britain, 1.

British government that the form of exerting British influence via the British Council was not openly political. However, within official circles it was widely accepted that the Council’s work had a political reasoning behind it.

In March 1935, Sir Reginald W. A. Leeper, the Council’s founder, in a confidential letter to Sir Robert Vansittart, Permanent Under-Secretary at the Foreign Office (1930-1938), identified Europe and the Near East as ‘the part of the world which matters most to us in the next few years’.\(^5\) He also warned that if England ‘does not play its proper part in Europe, the latter will drift into war, or else into a position in which Germany is all-powerful, but I do definitely cherish the hope that the influence of this country in Europe may avert war’.\(^6\) Frances Donaldson, in the official history of the British Council, revealingly wrote:

> The great strength of the British Council, (insufficiently realised today as well as in the past) was that it penetrated foreign societies at many different levels often not reached by the more prestigious Diplomatic Service, while it offered through its contacts with universities, its English teaching, lectures, Council rooms and libraries, not merely actual benefits to the host population, but a means through which social and cultural intercourse could be established on a wide scale.\(^7\)

In April 1946, British Council administrator in Cyprus, Major Grant, aggressive and forward in his approach towards for Council’s ‘right policy’ in Cyprus, strongly supported:

> This is not the time for piping down. This is the time for bold red blooded propaganda. British is best, and the British Council is most valuable propaganda medium. Its ostrich head in the sand policy has not deceived anyone and the discarding of camouflage will make for greater definiteness and efficiency.\(^8\)

Internal disagreements within the London government’s departments regarding the future of Cyprus were reflected on the British Council’s activity in the island. Cyprus Governor Ronald Storrs (1926-1932) perceptively explained British inaction during the first period of British rule in the island. Comparing governments to individuals, he said that in some cases both could be excused for ‘not investing their capital in an undertaking which is not vital to their interests, and which may at any moment pass out of their control without hope of reimbursement’.\(^9\) At the same time, Storrs justified the Greek Cypriots’ growing restlessness. ‘Alien rule is not easy to bear, save by

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\(^6\) Ibid.  
\(^8\) Major Grant’s Note on British Council Activities in Cyprus, 6 April 1946, BW 26/1, TNA.  
the lowest savages. Without [a] modicum of human intercourse or the incentive of legitimate ambition, it may become intolerable.\textsuperscript{10}

It was often admitted in the secret and confidential correspondence that British rule in Cyprus offered much less than it was expected. As K.M. Willey, British Council Representative in Cyprus wrote in a report, it was ‘sad that after sixty years of occupation we have done so little for them [the Cypriots] educationally’.\textsuperscript{11} Similarly, Sir Harry Luke, in \textit{Cyprus: A Portrait and an Appreciation} (1965), wrote that where the Cyprus colonial administration of the earlier decades of the British occupation was wanting, was in the cultural and aesthetic spheres, with one of its most harmful omissions being that it did not give the Cypriot people ‘that grounding in English for which they clamoured’.\textsuperscript{12} It could be argued that the colonial Government was found ‘wanting […] in the cultural and aesthetic spheres’ also during the later decades of British rule. The result of this was that by the 1950s Greek Cypriots were heading towards decolonisation while having ‘very little feeling of being a member of the British Empire or having any part in Britain’s heritage.’\textsuperscript{13}

Interpreting to the people of the island the British way of life and thought, through the activities of the British Council, was a complex venture. Not only because of its Institutes’ disorganised and disoriented policies, but for a combination of reasons, starting with the Cypriots’ longstanding lack of connection with ‘all things British’, the zealous overstimulation of ‘Greekness’, and the gradual effervescence of an explosive political atmosphere. The colonial government with its sometimes reluctant collaborator, the British Council, attempted to steal some time of what was left for Cyprus to gain its independence. However, years of colonial inertia in the cultural education of the Cypriots in the British model, combined with the Church’s aggressive policy during the last fifteen years of the occupation, rendered cultural power-relations within Cyprus irreversible. Pragmatic reasons, such as omnipresent financial constraints, and importantly, the decentralisation of authority regarding the Council’s affairs, further worsened the conditions for the Council’s endeavours.

As a result, the ‘red blooded propaganda’ policy proposed by British Council’s Administrator, Major Grant in 1946, was never carried out in the island between 1935 and 1955. On the contrary, the expansion and reach of the \textit{enosis} movement, with the guidance and aggressive perseverance of the Church, posed the question to the Council, as one representative in Cyprus put it, of ‘advancement or retreat’.\textsuperscript{14} The final answer came with the burning

\textsuperscript{10} Ibid., 477.
\textsuperscript{11} Reports from British Council, Nicosia, 1946-1951, BW 26/6, TNA.
\textsuperscript{13} Note on British Council Activities in Cyprus, Major Grant, 6 April 1946, BW 26/1, TNA.
\textsuperscript{14} Annual Report for Year Ending 28 February 1946, Walter S. Hett, British Council representative in Cyprus, BW26/1, TNA.
of the last British Institute in Nicosia on September 17, 1955. In Robert Holland’s words: 'The fate of the British Institute only precipitated what was probably inevitable before very long.'\textsuperscript{15}
