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Newport, Rhode Island

SOVIET CARRIERS IN THE TURKISH STRAITS

by

David V. Miller
Commander, U.S. Navy

and

Jonathan T. Hine Jr.
Lieutenant Commander, U.S. Navy

31 January 1990

The views expressed in this paper are the authors' and do not necessarily reflect those of the Naval War College or the U.S. Navy.

ABSTRACT

The ultimate deployment of the new Soviet aircraft carrier from the Black Sea to the Mediterranean Sea will resurrect historical policy issues in a new international security environment. The regime governing the Turkish Straits, The Montreux Convention, was conceived in haste during the inter-war years. It has not been revised to keep pace with either technological or political changes. Entire classes of ships and weapons moving about on the world's oceans today were unheard of in 1936 and thus are unaccounted for in the Straits regime. Developments in the Law of the Sea have also passed the Montreux Convention by. NATO and the Warsaw Pact have supplanted the alliances of pre-World War II Europe and meet at the Turkish Straits.

This paper reviews the principal issues associated with warship transits of the Turkish Straits and examines policy options for the US and NATO regarding the transit of the new Soviet carrier. It concludes that the best course of action is for both NATO and the U.S. to be guided in their actions chiefly by the Turkish position, which will likely call for tacit acceptance of the transit.



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PREFACE

This study is intended to answer the following question from the Commander in Chief, Allied Forces Southern Europe. "The Montreux Convention prohibits aircraft carriers from passage through the Turkish Straits, yet the Soviets are building one at Nikolayev shipyard inside the Black Sea. What should NATO policy (U.S.-Turkish policy) be with respect to anticipated Soviet diplomatic requests for passage of their CV through the Straits?"

A brief historical overview provides a perspective in which to frame the issues involved. The pertinent sections of the Montreux Convention are then examined, followed by an analysis of the proscription against aircraft carrier transit and the applicability of that proscription to Soviet ship classes presently in operation and under construction. The paper then outlines policy considerations for The Soviet Union, Turkey, The United States and NATO.

Appendix I examines the history of control of the Turkish Straits in greater detail. Appendix II reviews the most pertinent current literature on the subject. Appendix III is the applicable text of the Montreux Convention and is provided in order that this study may be more valuable as a stand-alone reference.

SOVIET CARRIERS IN THE TURKISH STRAITS

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Background

Two features set the Turkish Straits apart from other international waterways. First is the remarkable geography. The whole system is 202 miles long, forty miles across at the widest part of the Sea of Marmara. It narrows down to three-quarters of a mile at Cannakale and 750 yards in the Bosphorus. Indeed, the Bosphorus resembles a five-knot river more than a strait.

It is the Black Sea that gives the Straits their special importance. Europe's largest navigable rivers empty into it; but the Black Sea has only one outlet, which the Russians understandably call the "Black Sea Straits." The Black Sea is by no means a lake: 67 percent of its seabed lies beyond the 100-fathom curve, and half of its waters are more than forty miles from land.

The second distinctive feature flows from the topography. The Straits have never been a durable international border because the higher cliffs of the Asian side dominate the Thracian plain below on the European side. Unlike many other international waterways, a single power has usually controlled both sides.¹

The Ottoman Turks owned the Straits outright for over 500 years. The "Ancient Rule of the Ottoman Empire" specifically excluded non-Turkish warships from the Straits. It took form over a three-hundred year period and was finally codified in the Treaty of London in 1841. From this sovereignty evolved two tenets of international law that are unique to the Straits: restrictions on the passage of foreign warships and Turkey's supremacy as final arbiter of questions concerning navigation of the Straits.²

The Treaty of Paris (1898) and other international agreements of lesser note dealt with the Straits and refined these tenets over the years leading up to World War I. The Straits were a standard feature of European politics and peace settlements culminating with the Lausanne Convention and the Montreux Convention (which flowed directly from and supplanted it). Both were drafted in the tumultuous years between the World Wars.

Contention over the Straits has historically pitted the Black Sea littoral states, exemplified by Russia, against outside maritime powers, exemplified by England. The Black Sea powers have traditionally insisted upon special rights for themselves and restrictions for others. Maritime powers, on the other hand, have consistently asserted their right to free access to the Black Sea and have periodically supported restrictions on regional military activity to check expansion of the Black Sea powers as well as to ensure their own access. Both the Lausanne and Montreux Conventions contain key provisions regarding naval forces.

The Lausanne Convention of 1923 demilitarized the Straits after five years of British

control following World War I. The Convention set up an International Commission under the auspices of the League of Nations. Turkey's security concerns were met by restrictions on the tonnage and number of foreign warships in the Black Sea. In 1936, Turkey insisted on a new straits convention because of a lack of confidence in the League of Nations' ability to enforce the Lausanne Convention in the face of global rearmament.

The Montreux Convention reestablished limited Turkish sovereignty over the straits and permitted defensive refortification. The transit of merchant vessels remained essentially unimpeded. Rules for warships of states other than Black Sea littoral nations are clear and definitive. They restrict types and numbers, tonnage, gun caliber and duration of visit. But the more liberal rules governing the warships of Black Sea states are more complex and give rise to the controversy surrounding the transit of aircraft carriers.

The Carrier Issue

The convention limits the total tonnage of all foreign (non-Turkish) warships in the straits at one time to 15,000 tons. Black Sea powers are granted an exception in article 11 for "capital ships" larger than 15,000 tons, which may pass through the straits singly and may be escorted by up to two destroyers. But in Annex II, which defines categories of ships and weapons, the term "capital ships" explicitly excludes aircraft carriers, which are listed as a separate category of warship. Aircraft carriers are not addressed at all in the body of the Convention. The omission of aircraft carriers from the special dispensations of article 11 may have been an unintentional inconsistency, since Annex II was not crafted especially for the Montreux Convention at all, but merely taken over verbatim from another treaty.³ Further, Annex II is obsolete; it does not deal with modern weapons such as missiles or with all categories of warships now afloat. It has been left to Turkey to interpret the Montreux Convention when its provisions are inadequate or unclear.

Before examining policy considerations, two fundamental questions must be answered: 1. Is Tbilisi an aircraft carrier as defined in Annex II of the Montreux Convention? and 2. Does the Convention prohibit the transit of aircraft carriers? These questions were asked before, of course, in regards to the Kiev in 1976. F. David Froman's arguments in the San Diego Law Review in 1977 treated the question fully.⁴ His conclusions, summarized below, remain valid today and are applicable to the case in point.

In the Montreux Convention, an aircraft carrier is distinguished from other surface vessels by one characteristic: the aircraft carrier is "designed or adapted primarily for the purpose of carrying and operating aircraft at sea." Naval experts of the time convincingly argued that Kiev was an aircraft carrier *as defined in the Convention*. Their decision was based on several measures of the proportional emphasis on aircraft versus other systems and functions. In the case of Tbilisi, the weight of evidence is even greater.

The exclusion of aircraft carriers from the categories of ships permitted to transit the straits is not explicit. Such an interpretation relies upon the relationship of two distinct parts of the Convention which are not entirely consistent. While not absolutely conclusive, the body of literature on the subject falls preponderantly on the side of exclusion. Additionally, Froman makes a convincing case that the exclusion may have been intentional, based on Soviet concerns about foreign carriers operating in the Black Sea. The Soviets had no aircraft carriers in 1936 and no plans to build any, whereas the Japanese and British, both Convention signatories, had significant numbers (6 and 11, respectively⁵). In the interest of expediency, the negotiators may have accepted a compromise of imprecise language which would permit an exclusionary interpretation by the Black Sea powers while not setting a precedent for onerous, special proscriptions on aircraft carrier operations. The Soviets have lent additional weight to the exclusionary interpretation by first designating Moskva, then Kiev as "antisubmarine cruisers." The Tbilisi is scheduled to begin sea trials in early 1990 and is slated to join the Northern Fleet. She will be followed by a sister ship, Riga and a larger carrier, Ulyanovsk still on the building ways at Nikolayev South shipyard.⁶ There can be no question that the Soviets intend these ships to transit the Turkish Straits.

At a minimum, the Soviet Union must notify Turkey in advance of the Tbilisi's transit of the Straits and Turkey must acknowledge the notification. Presumably, in light of the recent press declarations cited above, the Soviet Union will attempt to avoid addressing directly the issue of aircraft carrier exclusion. Turkey and other interested parties may or may not choose to challenge or otherwise respond to the Soviet announcement. Before exploring courses of action for the US and NATO, it may be useful to examine the national perspectives from which policy options will be viewed. The following section begins with an analysis of the Soviet perspective to provide insight on Soviet attempts to finesse the issue.

II

Policy Considerations

The Soviet View

The Soviet Union, and Russia before it, have consistently demonstrated two overriding policy imperatives regarding the Turkish Straits: 1) to secure the Black Sea against threats to the industrial and agricultural heartland and 2) to gain access to the open sea for Soviet naval and merchant ships. While seeking a balance between these two considerations, the requirement for security has been preeminent.¹

The Soviet position during all previous negotiations regarding the Straits has had as its objective the complete closure of the Black Sea to warships of all non-Black Sea powers with unrestricted transit for all ships of the littoral states. While the objective has never been realized, it is important to keep that objective in mind when considering policy options which could reopen the negotiating process. The Soviet Union has never accepted assertions of the international character of the Black Sea.²

As early as July 1989, the Commander of the Black Sea Fleet referred to the 65,000 ton Tbilisi as an "antisubmarine heavy cruiser."³ By November, the official designation of "aircraft carrying heavy cruiser" had apparently been decided upon when Pravda cited the appellation and officially retracted an earlier reference to Tbilisi (by Admiral Chernavin in an interview) as an aircraft carrier.⁴ This public concern about names is an indication that the Soviets will again rely on a "classification of convenience" policy when the Tbilisi is ready to transfer to the Northern Fleet. Whether the tactic will be used again for the 75,000 ton carrier still on the building ways remains to be seen.

Apparently the Soviets are concerned that forcing the issue by declaring the Tbilisi an aircraft carrier might result in a call for an amendment to the Convention. There is no provision in the Convention for limiting the agenda of an amendment conference. Such a conference could open any number of other issues, among them unrestricted warship transit for all nations in conformance with modern trends in international law, as evidenced by the principles of the U.N. Convention on the Law of the Sea (UNCLOS).

The Soviet policy objective in this case will be to have Turkey accept the new vessels as capital ships, and thus not be bound by the 15,000-ton aggregate limit on warship transits. They will try to achieve this goal without calling for a formal modification of the Montreux Convention. Considering Turkey's favorable application of the Convention (as regards Moscow) over the last fifty-three years, the Soviet Union stands to lose more than it could gain by supporting a conference to amend the Convention.

The Turkish View

The Turkish Straits cut across the nerve center of Turkey. Though only three percent of the country lies on the European side, any power controlling the Straits can influence affairs throughout Asia Minor and Eastern Europe. The Straits are Turkey's connection to Europe and serve as the major conduit for trade. The Straits are also an inherent and unique part of the Turkish identity. Turkey also shares borders with the Soviet Union and Bulgaria and is the only NATO country directly facing the powerful Soviet Black Sea Fleet.

Turkey's principal policy goal is clear: to maintain sovereignty and control over the Straits, both as a vital security area and as a visible symbol of power with global implications. It is also noteworthy that Turkey is the only country in the world whose warships are not restricted in any way by the Convention. The Convention affords Turkey sovereign rights, unique in modern international law, over a major international waterway. A grandfather clause in UNCLOS protects such outmoded historical claims from its more liberal provisions regarding straits. Even more clearly than is the case for the Soviet Union, Turkey would risk more than she could possibly hope to gain by calling for a revision of the Montreux Convention. Turkey's even-handed, cautious and accomodating administration of the Straits in both peace and war has amply demonstrated her resolution to maintain the status quo.

It is also difficult to see how Turkey could benefit from a confrontation with the Soviet Union over the issue of the Tbilisi transit. The Soviets could not be expected to acquiesce to terms confining their three largest, most capable and most expensive ships to the Black Sea. The confrontation could only lead to further de facto weakening of the convention--to the benefit of neither--or to formal denunciation or amendment procedures. Neither of these latter two alternatives could be confined to a bilateral forum. The other signatories of the convention would be required to respond. Other nations, since they would be affected by the outcome, and since the Convention has achieved the status of customary international law, could legitimately claim a right to participate in the proceedings.⁵

The American View

Three chief considerations will guide the United States in its policy toward the Tbilisi's transit. The longest standing and most consistent of these is the advocacy of freedom of the seas for merchant vessels and warships in both peace and war. It is a policy that has served the interests of the United States as a maritime nation and has been reaffirmed with few exceptions by both policy statements and deeds since at least 1830. Regarding the Turkish Straits specifically, as early as 1870, the U.S. took the position that the Straits connect two parts of the high seas.⁶ That policy has been periodically reaffirmed up to the present by forays of warships into the Black Sea, albeit never exceeding the restrictions of the Convention.

The United States is a maritime power with global interests and the world's best-balanced and strongest navy to protect those interests. The United States' reliance

on the seas has been a consistent feature of its national character through periods of isolationism and international fervor, in peace and war and irrespective of alliances. The enduring strategic and economic interests of the United States are best served by an unwavering support of freedom of the seas--in principle.

The second consideration is security. Leaving NATO aside to be treated as a separate issue, the United States has other, exclusively national security interests in the region. Chief among these interests is the abiding support of Israel and concerns in Egypt, as well as other states on the northern African littoral. The Suez canal is also of interest, as are natural resources in the Middle East and Africa. The Soviet Navy (including its Air Force) is the only major maritime force in the region capable of seriously challenging U.S. maritime power. The physical restrictions as well as the regime of the straits govern the movement of those forces to some extent. The Convention's prohibition (except under special circumstances) on submarine transits and provisions requiring large warships of Black Sea powers to pass through the straits singly do somewhat constrain Soviet naval operational flexibility in peacetime. Thus the Convention could be an important factor in determining the feasibility and risk of U.S. unilateral military options in the Mediterranean.

Finally, and perhaps decisively, the United States' relationship with its friend and ally, Turkey, must weigh heavily in the balance of national policy-making. Legal principles and alliance security interests notwithstanding, Turkey's "possession of the Straits is a geostrategic phenomenon which deserves the highest consideration."⁷ In other words, Turkey's strategic position astride the straits, its potential power by virtue of that location alone to deny or restrict passage, to observe and regulate, gives it special value as an ally. Turkey also, uniquely among U.S. allies, borders the Soviet Union, the Black Sea, Syria, Iraq and Iran, and is the only US ally (and potential forward base) in the Muslim world.

Turkey's claim to special sovereignty over the Straits conflicts fundamentally with the U.S. view. Nevertheless, the U.S. has recognized both the legitimacy of the Turkish claim and the validity of the Convention stemming from it by following the Convention's rules. Indeed, to do otherwise would cause a confrontation that could benefit neither side. Turkey has been discrete in dealing with infractions of the Convention's rules, often choosing to avoid confrontation. But Turkey has also jealously guarded the integrity of the letter of the Convention by overtly attempting to apply its provisions relatively even-handedly even during periods of crisis and in wartime.⁸

The NATO View

It can be argued that the restrictions placed on Soviet Naval mobility by the Montreux Convention serve the security interests of NATO in that they would retard augmentation of the Soviet Mediterranean Flotilla from the Black Sea. While this may be true in theory, the fact that the Soviet Union has consistently resisted attempts at liberalizing the Montreux Convention (or any of its predecessors) indicates that such an

augmentation may not be a key objective in their planning. It is important to remember the Soviet Black Sea Fleet's highest priority mission is the defense of the Black Sea and its littoral. Access through the Turkish Straits once a NATO-Warsaw Pact war has started will be determined by military means.

The Montreux Convention clearly favors Black Sea powers. While it may be true that the provisions of the Convention would slow the buildup of the Soviet fleet in the Mediterranean in preparation for war, it completely prevents a corresponding buildup of allied navies in the Black Sea under any circumstances.

Control of the Straits during a NATO-Warsaw Pact war would be a key determinant of relative advantage in war termination. Especially for the Soviet Union, the straits are vital to the defense of the southern republics and a very important line of communication. The Turkish Straits would be the paramount military objective of the commanders of both NATO's Southern Region and the Warsaw Pact's Southwest Theater of Operations. The Montreux Convention would be overtaken by events at D-day, if not before.

The Montreux Convention thus generally favors the Warsaw Pact in crisis or preparation for war and becomes irrelevant once the shooting starts. NATO enjoys a significant naval advantage in the Mediterranean and is best served by laws of the sea which favor unrestricted freedom of movement.

III

Policy Options, U.S and NATO

The United States' three chief policy considerations, freedom of the sea, support for Turkey and national security are not entirely congruent. Recognition of the special claims of sovereignty by Turkey runs counter to the principles of freedom of the seas. The Montreux Convention which codifies those special claims also confers a de facto, limited sovereignty over the Black Sea to the littoral states, to the disadvantage of other maritime nations.

The effects of the Montreux Convention on the security of NATO are not as clear and would depend to some degree on the scenario leading to war. But to the extent that the Convention could favor one belligerent over another, that advantage would fall clearly on the side of Black Sea powers--all but one of which are Warsaw Pact members. But that one exception, Turkey, and its critical strategic position commanding both sides of the Straits, would be decisive in determining the destiny of the key military objective in the region.

Treaties and principles aside, Turkey can control transit through the straits as long as it controls the shoreline. Recognizing the special interests and purely national concerns of Turkey in this regard is not merely a matter of sentimental friendship and goodwill, but a pragmatic acknowledgement of Turkey's powerful position astride the Straits and the unique contribution that location makes to NATO security. Whatever policy the United States and NATO adopt, that policy should be leavened with sensitivity toward the Turkish position.

As regards the United States and its national security interests outside of a NATO context, the Montreux Convention is of little practical consequence. Only in the case of low intensity conflict in the Black Sea itself or near its littoral, within the reach of naval power, could the restrictions of the Convention seriously limit U.S. military options. While a hypothetical scenario calling for the unilateral use of U.S. sea power in the Black Sea may not be outside the realm of possibility, it is unlikely. Further, the risks to an "outside" nation exercising sea power in the confines of the Black Sea within reach of overwhelming Soviet and Warsaw Pact military superiority would argue against any such exercise.

The United States' long-term interests are best served by freedom of the seas worldwide with unrestricted transit passage through all straits connecting international waters. Universal and unreserved recognition of the Black Sea as international waters would grant the U.S. Navy a greater degree of freedom, albeit probably more in principle than in practical effect. The United States should not stray far from its traditional stand.

NATO, as an alliance absolutely dependent on the sea lines of communication for its security, should support the same principles. NATO need not sacrifice its principles

from a security standpoint as long as Turkey controls the land on both sides of the Straits. NATO also is the stronger maritime alliance and therefore has little to gain from any regulations which restrict the mobility of maritime forces. But neither the alliance collectively nor the United States individually should risk alienating Turkey on this issue.

It is inconceivable that the Soviet Union would agree to confine its new carriers to the Black Sea. Accepting the inevitable deployment of the carriers, the spectrum of plausible scenarios falls between two extremes:

- (1) The world takes little notice, especially in light of the precedents already set by passages of the Moskva and especially the Kiev aircraft-carrying "cruisers". Turkey's mute accession to Tbilisi's passage might technically weaken the Montreux Convention as aircraft carrier transit moves toward the status of customary practice. But the Convention remains otherwise intact and in force.
- (2) The transit becomes a prominent international issue and pressure for change to the Convention becomes irresistible.

In the first scenario, any technical weakening of the Convention's status under international law could be viewed as an incremental, practical gain for the principle of free passage. At the same time, a perceived flouting of international law by the Soviet Union could tarnish its public relations image, but would not be surprising in view of the Moskva and Kiev precedents. In the second scenario, the traditional seafaring nations could use the opportunity to champion the principle of freedom of the seas and insist on a role in forming any replacement agreement.

While the preservation of the Montreux Convention serves the interests of neither the alliance as a whole nor the United States, its significance is outweighed by the geostrategic importance of Turkey. This importance must heavily influence policy toward the Tbilisi transit.

Ultimately, the U.S. cannot abandon freedom of the sea as an "unalterable mainstay of foreign policy."¹ But U.S. policy should be crafted in consideration of Turkey's interests to the extent possible--perhaps even in consultation with Turkey. There is no historical precedent to suggest that Turkey would consider abandoning or even liberalizing the Montreux Convention. Nevertheless, the U.S. should lead NATO in clearly articulating the broader imperative of freedom of the sea and attempt to reach the most productive accommodation possible considering the divergent interests. The U.S./NATO position should be developed privately with Turkey, well before events force the issue, and should have three policy objectives.

First and foremost, Turkey must not be forced to confront the Soviet Union or to renounce the Convention. The principles involved precede NATO; pressuring Turkey to choose between historical national security principles and present allies can only be counterproductive. Second, the U.S. should take the lead in affirming its support for freedom of the seas in general and the principle of unrestricted transit passage through

straits connecting bodies of international waters particularly. The U.S. should continue to exert steady pressure toward that long range goal in international fora and at sea. Third, the transit of Tbilisi may present an opportunity to negotiate increased naval freedom in the Straits or in the Black Sea. While this seems unlikely in view of the lack of reaction to Kiev's transit and the apparent lack of interest displayed to date in Tbilisi's imminent passage, NATO should be prepared to seize any such opportunity with a consolidated position developed before the fact.

Historical evidence strongly suggests that Turkey will accept, without comment and as a matter of routine, the anticipated Soviet notification of the passage of Tbilisi as a "capital ship." The rest of NATO should defer to Turkey's judgement in this situation.

APPENDIX I

Historical Overview

When Constantine the Great moved his capital from Rome to Byzantium, the regime of the Bosphorus and the Dardanelles changed forever. No long were the Straits merely the focus of external rivalries seeking hegemony over the heaviest travelled crossroads in the Western world. The internal security interests of the Straits area themselves became the driving priority determining who could do what in the gateway to the Black Sea.¹ The rulers of Byzantium, Constantinople, then Istanbul, would rule over multinational empires until modern times. But control of the Straits lay at the heart of the vitality and durability of their rule. In two millennia, ownership of Byzantium and of the Straits changed hands only three times.

The Bosphorus has served as a crucial crossroads in many senses. Constantine chose the site for its political and strategic location, where Byzantium sat, a fortress at the ferry crossing between Asia and Europe. More recently, the Germans building the Berlin-Baghdad railroad saw Istanbul in the same terms. Today the economic value of the Straits' maritime traffic rivals the importance of the highways and railroads.

Half of Soviet Russia's imports and 60% of her exports pass through the Turkish Straits.² That is over 20 million tons of commercial shipping annually. Bulgaria and Romania send over seven million tons of goods through the Straits. The Danube River carries 20 million tons of commercial shipping in and out of Hungary, Czechoslovakia and Austria: the portion headed for Western ports must pass the Turkish Straits. Though not landlocked, Yugoslavia sends over two million tons of cargo in her ships through the Straits each year.³

Ferenc Váli observed: "in the period of Ottoman decadence, rivalry over the Straits area delayed or even prevented its final downfall. Even today ... Turkey ... is relatively much greater, politically and strategically, than would be the case without ownership of this all-important area. But her interests in the Straits are less navigational than imposed by national security considerations."⁴

When the Black Sea was a Turkish lake, the assertion of ownership posed no problem, but when an expanding Russian Empire reached the Black Sea, the Straits were destined to become an international waterway. The Straits were the only year-round outlet for commerce from Russia's heartland and the Danube River. This put a critical internal security issue in competition with the foreign policy aspirations of great powers.

Other players in the Black Sea included the British and French, everywhere competing for markets and seeking security for their trade routes to the Levant and India. The Americans showed up almost as soon as the merchant fleet could shift colors, but American commerce was not significant until after the United States negotiated its first Treaty of Commerce and Amity in 1830. This granted navigation

rights similar to those enjoyed by the British and the French.⁵

At first, the rise of strong commercial interests in Europe served to make the Straits a source of income for the Sultan. By closing the Black Sea to all but Turkish ships, he stimulated and sustained a flourishing merchant marine and charter business. He granted the first capitulations to France in 1535, only 82 years after the fall of Constantinople and six years after the siege of Vienna by Suleiman the Magnificent. That treaty, drafted at the expense of the Austrian Emperor, led to French ascendancy in the Levant during the ensuing four centuries.⁶ It also reinforced the Sultan's claim to the straits and the Black Sea as his to dispense and withhold as he pleased. Similar capitulations for the British followed, establishing the tradition of using the Straits for revenue and for political leverage against Turkey's neighbors, Austria-Hungary and Russia.

In 1699⁷ Peter the Great joined the effort to dismember the Ottoman Empire. After winning the Sea of Azov in the Treaty of Carlowitz that year, he tried to obtain permission to move Russian cargoes in Russian ships in the Black Sea. The effort backfired, and in the ensuing war, he lost the forts in Azov and his Black Sea Fleet.

It was under Catherine II that the drive to own the Black Sea and secure Istanbul acquired the character of a Russian "manifest destiny." Catherine II started the 1768-1774 Russo-Turkish War and sent her Baltic Fleet the long way around to defeat the Ottoman Navy at the Battle of Cesme. The Treaty of Küçük-Kainardji in 1774 ended the exclusion of Russian merchant ships from the Black Sea and the Straits. New capitulations authorizing British and French merchant ships to use the Black Sea followed.

The concession of navigation rights to a non-Turkish power started the evolution of the present regime of the Turkish Straits, under which merchant traffic is allowed free passage in time of peace.

The "Ancient Rule of the Ottoman Empire", calling for the total exclusion of non-Turkish warships from the Straits in times of peace, evolved as merchant traffic grew. Exceptions were made three times between 1774 and the outbreak of the Crimean War in 1853 (to allow Russian ships to come to the aid of the Ottoman Fleet in the Mediterranean), but the "Ancient Rule" was restored after the emergency passed, usually at the insistence of non-riparian powers (Britain, France).

The "Ancient Rule" was not really very old, never coming up in writing before the nineteenth century. At its heart was a Russian concern for security of the Black Sea coasts, a concern which would become the "mare clausum" doctrine espoused by Soviet writers today.

In 1833, Russian forces entered the Bosphorus and landed north of Istanbul, ostensibly to help the Sultan with his war in Egypt. The resulting Treaty of Hünkâr Iskelesi allowed Russian warships free use of the Straits. It evoked a storm of protest from the other European powers. Protracted negotiations led to the Convention of

London of 1841, which codified the "Ancient Rule". The Convention of London also confirmed unrestricted navigation by commercial vessels of all nations. For the first time, a multilateral European action rather than a bilateral Turkish treaty set rules for the use of the Straits.

Under the London Convention a belligerent Sultan could open the Straits to allied navies. The Sultan did just that during the Crimean War in 1853, enabling an Anglo-French invasion force to conquer Sevastopol and impose a treaty on the Czar that demilitarized the Black Sea coast (Treaty of Paris, 1856). This event revealed how the "Ancient Rule" could serve Russian interests by excluding rival navies from the Black Sea, but not if the Sultan could unilaterally change it. After the Franco-Prussian War of 1870-71, Russia succeeded in confirming the exclusion of non-Turkish ships at all times. In 1877, Russia invaded the Ottoman Empire to "free" Bulgaria. By 1878, the Russian army reached the outskirts of Istanbul, and the British government sent the Mediterranean Fleet into the Straits. The Treaty of Santo Stefano ended the war. Confirming previous agreements on the Straits, the Treaty of Berlin (1878) reaffirmed the "Ancient Rule."

The Russian interpretation of the various Straits treaties differed from those of other powers. The English maintained that authority to close the Straits remained with the Sultan. The Russian government contended that "the principle of the closing of the Straits is a European principle," binding also on the Sublime Porte.⁸ Of course, this would keep the Straits closed to non-Turkish warships in wartime.

The "Ancient Rule" gave the United States an early opportunity to act on this stage and helped the new country form its long-standing policy on navigation of international straits. Commodore William Bainbridge called at Istanbul on 9 November 1800 in USF George Washington carrying passengers and tribute from the Bey of Algiers. He was well received. The Sublime Porte even proposed negotiation of a treaty with the young nation. When a treaty was finally concluded in 1830, another warship, USF John Adams, carried it through the Dardanelles. In 1835, another American frigate called at Istanbul, asking permission to enter the Black Sea. At the insistence of the Russian Ambassador, permission was denied. Nevertheless, in 1851 and 1858, large American warships entered the Straits. When confronted by European powers, the American position was that the U.S. had not been a party to the various treaties (1798, 1805, 1833, 1840, 1841 and 1856) and could not accept their restrictions.

In 1862, the Sublime Porte concluded a new Treaty with the United States which confirmed the 1830 treaty in perpetuity and added that any rights granted to other powers in the future would extend also to the United States. The Ottoman Government reinforced this exceptional concession in practice by welcoming American capital ships in the Straits (Wabash, Mississippi, Ticonderoga) while enforcing the "Ancient Rule" fully on European powers.

As the Ottoman Empire dwindled (each new Treaty passed a piece of it to one European power or another), its status shifted from great power to power broker. The key was always Istanbul and the Straits. To the end, the Ottoman leadership showed

remarkable skill in holding off Russian ambitions to own the mouth of the Black Sea.

Between 1877 and the First World War, the Straits regime remained fairly stable. Merchant ships passed freely. Warships were excluded at all times, except for dispatch boats serving the diplomatic missions. The vigilance of the rival embassies ensured enforcement.

Ottoman security depended on several international concerns. The Czar worried about the Sultan's reliability as the keeper of the key to his back door. The British and the French worried about Russian and Italian threats to their lines of communication in the Mediterranean and the Black Sea. The Germans, seeking to beef up the new Berlin-Baghdad railway and cut into British and French commerce, offered the Turks the technical and military assistance they needed. The Austrians wanted unimpeded access from the Black Sea for commerce coming up and down the Danube, but inherited a boiling pot of troubles from the liberated Ottoman holdings in the Balkans. The Italians sought to gain colonial possessions in Africa and the Aegean at the Sultan's expense: other European powers already controlled everything else. Finally the United States, a growing naval and commercial power, would side with anyone who sought free navigation of international straits anywhere, but avoided formal involvement as much as possible.

By taking sides (with Germany) in the First World War, the Sublime Porte signed the death warrant for the Empire. Russia might have absorbed what was left of it, had the Bolshevik Revolution and Lenin's withdrawal from world affairs not ended Russia's part in the war. However, it was the parliamentary democracies who planted the seed that not only toppled the Sultan, but also backfired on their plans to divide up Turkey and set up an international zone around the Straits.

The Sublime Porte signed an Armistice on 30 October 1918 at Mudros. British, French and American troops occupied both sides of the Straits. Greek forces occupied Eastern Thrace. In November 1919, under pressure from the Allies, the Sultan convened an elected parliament in Istanbul.

Under the terms of the Mudros Armistice and secret agreements made during the war, the Greek Army landed in Izmir in 1919 and occupied the western half of Anatolia.

In March 1920, the allies occupied Istanbul. The Treaty of Sèvres in August 1920 formalized the occupation and set up an International Straits Commission to administer the area around the Straits.

The combination of a Greek invasion, occupation of the Thrace by British, French and American troops caused a backlash throughout the country. Kemal Mustafa Pasha (Atatürk) seized the moment to lead a movement to create a Turkish nation.

The new parliamentarians in Istanbul surprised the Sultan and the Allies by their nationalism. The Sultan dissolved the body. The deputies reconvened in Ankara, set up

a National Assembly Government and elected Atatürk its first President. With ample manpower from an enraged peasantry and some weapons from the new Soviet Union, a military commander with Atatürk's abilities proved unstoppable.⁹ By 1921, the Nationalist forces evicted the Greeks and British from Anatolia and Thrace.

The armistice signed at Mudania on 11 October 1922 established the present borders between Greece and Turkey. This marked the real end of World War I in the Middle East. The embarrassment of the Greek defeat reflected poorly on British foreign policy: Lloyd George resigned a week after the Armistice.¹⁰

Meanwhile, Lenin's Soviet Union relearned a lesson from the Crimean War as the Western Powers sent forces and supplies into the Black Sea to support the White Russian counter-revolution. One of the first treaties signed by the new Republic of Turkey was the Treaty of Intimate Cooperation signed in Moscow in March of 1921. Thus Atatürk inherited the role of power broker between Russia and the West. As Constantine observed some 1600 years before, security of the Empire (now the Republic) depended on control of the Bosphorus. Atatürk learned to play his friends and enemies off to guarantee it.

One of Atatürk's first priorities was to conclude a new Treaty with the Allied Powers. The Treaty of Lausanne, ratified in 1923, became the benchmark for the current regime of the Straits as well as the baseline for present relationships in the Aegean and the Black Seas. It returned sovereignty of ethnic Turkish areas (e.g., Eastern Thrace) to Turkey. Greece kept the islands of the Aegean, but those near the Straits (e.g., Lemnos) were demilitarized. The Treaty of Lausanne retained many features of the Sèvres Treaty. These included the free navigation by merchants and warships alike, administration by the Straits Commission and the demilitarization of the land around the Straits.

To guarantee Turkey's security concerns, the Treaty of Lausanne allowed a 12,000-man garrison, a naval base at Istanbul and unrestricted use of the Straits for transporting Turkish armed forces. But these measures seemed less and less reliable to the Turks, as the world slipped into a series of undeclared wars, the disarmament and economic conferences failed and Nazi Germany snatched neighboring territories.

On 10 April 1936, Turkey requested a convention of the Lausanne signatories (plus Yugoslavia) for the purpose of revising the demilitarization clauses of the Treaty. The draft convention submitted at the meeting in Montreux sought two principal changes: 1) true Turkish sovereignty over the Straits, including fortification and control of navigation, and 2) navigation provisions favorable to Russia. It was a clever piece of work, which set Soviet and British delegates at odds immediately. The Russians fully supported the Turkish draft, which would have set up the "mare clausum" regime they had sought since the eighteenth century. The British objected forcefully to so drastic a change in the regime of the Straits. The compromise of the two positions created the Montreux Convention.

Turkey took over the functions of the International Straits Commission and fortified the Straits. Warship transits were severely restricted for non-Black Sea powers and only a little

less so for littoral navies.

Turkey used its powers under the Montreux Convention to stay out of World War II as much as possible. With almost no exceptions, the Straits remained unavailable to the belligerents for rear attacks on one another.

Lacking the economic base of Sweden or Switzerland, armed neutrality was out of the question. When the war was effectively over, Turkey declared war and joined the Allied side, assuring herself a seat in the United Nations Conference at San Francisco and vital diplomatic mobility after the war.

The durability of the Montreux Convention is a monument to its drafters, though some have opined that "it bears the mark of haste."¹¹ Certainly, Turkish astuteness in administering the Convention and the juxtaposition of conflicting interests have contributed more than its provisions to its longevity. Nevertheless, it has survived without amendment for 53 years, longer than any comparable document on the Turkish Straits. The Soviets proposed changes after World War II, which came to naught. Two major challenges to the Convention were met without the need for formal modification.

The first grew from the rapid expansion of the Soviet Navy in the Sixties. The requirement for eight-day notification before a warship transit removed the element of surprise typically available to modern naval forces. It also made reasonable peacetime operations burdensome after the Fifth Eskadra grew big enough to confront NATO formations. The Russians partially overcame the administrative handicap in 1967 by making "contingency declarations", which they filled only when they needed to send ships through on short notice. This practice continues today.

The second challenge arose when Kiev, the first Soviet through-deck aircraft carrier, left the Black Sea for operations in 1976. At issue was the provision that only capital ships over 15,000 tons may transit the Straits: aircraft carriers are explicitly excluded from the definition of "capital ship".

The Turks accepted the Soviet description of Kiev as an "antisubmarine cruiser", and the ship passed the Straits without comment. Since helicopters are logical successors to the scout planes of older cruisers, Kiev's air wing in 1976 could be excused, too. The shift to YAK-36 Forgers went unopposed as not worth a fight.

Kiev and her sisters do not operate from the Black Sea. Their transits and Turkey's acquiescence only forge international law after repeated violations of the Montreux Convention. Though the signatories to the Convention did not contest Kiev's passage, the issue remains open today. Many western lawyers deny that the use of euphemisms gives the Soviet Union a means of avoiding the restrictions of the Convention.¹²

The new 65,000-ton carriers under construction in the Black Sea will pose a different challenge. They will operate conventionally launched, fixed-wing aircraft, and their design resembles that of Western through-deck aircraft carriers even more than the

Kiev class. They can hardly be called cruisers.

Will the Soviets achieve an agreement that aircraft carriers are capital ships before the day of reckoning? Will they need a change to the Convention, i.e., a new conference, to achieve that understanding? Can they afford the Pandora's box which a new conference will open? Is the time right for a new conference? Could they obtain an "advance ruling" from Ankara, with consensus from NATO? Will the Soviets devise yet another imaginative euphemism to allow the Turks to look the other way? Or will the Allies call a new conference and usher in a new regime for the Turkish Straits?

The issues arising from this historical synopsis frame the environment under which Turkey administers the Straits today. In the Eastern Mediterranean and Black Sea, Turkey shares the stage with the United States, the Soviet Union, Greece and NATO. Bulgaria, the Warsaw Treaty Organization, Great Britain and the signatories of the Montreux Convention play supporting roles.

Though the Straits derive their daily importance from commerce, security considerations of the states themselves remain the first concern of the major players in the Straits regime.

APPENDIX II

Current Literature Review

On 18 July 1976, the Soviet "antisubmarine cruiser" Kiev met her Montreux Convention declaration and sailed south through the Turkish Straits. That event marked the beginning of the present period in the history of the Montreux Convention regime of the Straits.¹ The following review of current thought on the subject is categorized from three perspectives: legal, strategic and historical.

1. The Lawyers:

Written documents and treaties governing the Turkish Straits have a greater continuity than almost any other area of modern international law. Not surprisingly, writers concerned with the legal aspects of the Straits regime have done some of the deepest research. These include writers who participated in or studied the United Nations Convention on the Law of the Sea, naval lawyers and others directly concerned with freedom of navigation, and scholars and diplomatic historians who focus on treaties and diplomatic records.

In 1987, Richard GRUNAWALT, Charles H. Stockton Chair of International Law at the Naval War College, wrote:

"The 1982 LOS Convention has not yet obtained legal force.... Iceland was the only NATO nation to have ratified the Convention. No Warsaw Pact nation has done so. Some ... question whether the convention, in its present form, will ever attain 60 ratifications. Nevertheless, the actual practice of states has demonstrated a widespread acceptance of, and compliance with, the navigational articles."²

The general stipulation that international waterways should be freely accessible to ships of all nations is generally understood, though not always espoused. Less familiar are the concepts of transit passage and innocent passage that emerged from UNCLOS III.

Transit passage applies to international straits between two high seas or exclusive economic zones (EEZ).³ In general, navigation is unrestricted, except for traffic schemes, pollution regulations and other reasonable rules. Ships must move expeditiously, and warships are proscribed from engaging in activities not relevant to the transit, e.g., weapons drills or maneuvers. Coastal states may not suspend transit passage. This includes promulgating discriminatory regulations or rules which have the effect of hampering transit passage.

The innocent passage regime governs those straits which connect the high seas and the territorial sea of a foreign (non-riparian) power, such as the Strait of Tiran

connecting the Red Sea and the Gulf of Aqaba. Innocent passage is more restrictive on the user states. Coastal states may suspend innocent passage only when their consider their security threatened. They may also require advance notification or prior authorization ordinarily. Submarines must transit on the surface. The UNCLOS includes twelve forbidden activities aimed at warships.

UNCLOS defines a warship by its markings and manning, not its armament. The criteria for a warship are distinct markings, command by a commissioned officer on the service list of the government owning the ship and manning by a crew subject to regular armed forces discipline. Outdated warship definitions in the Montreux Convention have been at the crux of much of the disagreement over the Turkish Straits since World War II.

Robert KRUEGER and Stefan Riesenf edited the proceedings of the Eighteenth Annual Conference on the Law of the Sea, hosted by the University of Hawaii in 1985. A paper by HARLOW clarifies the relationship between "transit passage", "innocent passage" of territorial seas and freedom of the high seas.⁴

Christos ROZAKIS and Petros STAGOS of the Universities of Athens and Thessaloniki authored vol. IX of the series, International Straits of the World, edited by Gerard J. Mangone of the Center for the Study of Marine Policy of the University of Delaware. The Center has published studies on the Arctic Passages, Malacca, Hormuz, Gibraltar, the Bab-el-Mandeb, the Danish Straits and Dover.

*They provide some data on shipping: in 1974-1984 Soviet shipping doubled. They also discuss the 1949 World Court ruling in the Corfu Channel case, and indirectly argue for revocation of the notification requirements of the Montreux Convention. The USSR has a stake in discontinuing the notification.*⁵

Weston BURNETT in "Mediterranean Mare Clausum in the Year 2000?" exposes a creeping tendency by Mediterranean littoral countries to bring sections of that sea under national or regional control. In so doing, he provides a complete and well- documented summary of the issues relating to warship navigation which surround the Turkish Straits, under the Montreux Convention and a future regime.

Understanding Soviet thought concerning the Black Sea helps the Western reader place the Turkish Straits issues in perspective when considering Russian positions. Joseph DARBY in "The Soviet Doctrine of the Closed Sea", traces the Soviet development of a theoretical framework on which to establish a "mare clausum" regime for the Black Sea, which other nations would accept. Their efforts to declare "historic bays" as internal waters (St. Peter the Great Bay, the White Sea, the Sea of Azov and the Gulf of Riga) have met with international opposition. Every attempt to exclude the Black Sea from the definition of high seas has failed.

Darby goes on to consider that the Soviet attitude on closed seas may change as its Navy becomes more free-ranging and interested in greater access to support global policies of the USSR. By the same token, if the Red Navy returns to its classic

subordinate role, a period of renewed effort for a "mare clausum" regime could ensue.

Charles MAEHLING outlines the issues described in this study in his Naval Institute Proceedings article, "Crisis at the Turkish Straits". He proposes that the United States insert itself in the Montreux Convention process before that option is taken away. His case is well-stated.

He suggests reestablishing the International Straits Commission, which overlooks the realities of regional security as a function of Russian and Turkish relations. He also describes Atatürk's new country as "an Islamic Republic" and he states that Russians have always "intrigued to open the Straits" without qualifying the statement. Indeed, they have wanted it open to themselves, but not if that also meant opening it to outsiders.

Possibly the most relevant article to appear since 1976 remains F. David FROMAN's treatise in the San Diego Law Review entitled "Kiev and the Montreux Convention: The Aircraft Carrier that Became a Cruiser to Squeeze through the Turkish Straits". Not only does he carefully recap the pertinent aspects of the Convention, but he also articulates criteria for defining an aircraft carrier by the Convention and then for determining whether the Convention forbids the transit of modern carriers.

Froman builds a convincing case that Kiev did violate the Montreux Convention and that no euphemism can cover the fact. "The Montreux Convention is not yet a dead letter," he writes, "but the Kiev's transit has weakened it." He urges a conference to draw up a new regime and warns that "continued failure on the part of Turkey and the NATO powers to oppose evasion of its terms may deprive the Convention of all meaning".⁶

Froman's legal analysis is even more timely in 1989. Any officer or statesman interested in the Turkish Straits should read it.

2. The Security Analysts:

Much of the writing directly relevant to this study appears at the hands of people dealing with strategic issues, particularly superpower relations, regional security matters, and political, social and economic concerns which bear on the Straits.

In TURKEY, A Country Study, the American University team led by Richard NYROP notes that Britain had already "promised" Smyrna (Izmir) to Italy when she "promised" it again to Greece in 1917 in return for Greek entry into WWI on the Allied side.

The authors also shed light on the real importance of NATO in Greek and Turkish security concerns in a way missed by most observers of the 1974 Cyprus crisis:

"Officers in the Greek III Corps in western Thrace appealed to their Turkish counterparts not to accept the pretext for war offered by 'the irresponsible and criminal

group ruling in Athens." 7

Responsible professional officers apparently saved NATO from breakup in the Southern Region and their countries from war in 1974.⁸ PASOK (Socialist Party of Greece) political rhetoric notwithstanding, there remains a strong distrust of the Warsaw Pact on both sides of the Aegean and a shared perception of the real enemy.

Dankwart RUSTOW wrote Turkey: America's Forgotten Ally in 1986. The product of a Study Group convened by the Council on Foreign Relations, Rustow's book provides the most up-to-date and comprehensive treatment of Turkish social, political, economic and security issues available in a slender volume. He deals with the Straits only peripherally, but the detailed exposition of Turkish security concerns places the waterway in Turkish perspective for the Western reader.

John CHIPMAN, in the leading article of NATO's Southern Allies: Internal and External Challenges, shows the close cooperation he had with NATO officials in preparing the book. Chipman outlines the Southern Region case along the same lines as Adm. Busey, CINCSOUTH 1987-1989, did in public and private fora.⁹

The importance of the Turkish Straits and the Mediterranean to the Soviet Union stand out in this book. Europe receives 50% of its petroleum imports across the Mediterranean. The Soviet Union sees half its imports and 60% of its exports go through that sea and into the Black Sea Straits.

After providing a helpful overview of the Southern Region and its unique problems and relationships, Chipman turns to citizens of each Southern Region country to explain their point of view.

Ali Karaosmanoglu, in the chapter on Turkey, provides a readable summary of major issues in modern Turkey. Touching on the Straits only briefly, he provides the Western reader with a sense of their importance in the overall Turkish world view: they are so basic they almost go without saying. The Cyprus crisis, Aegean relations with Greece and party politics receive deeper treatment, perhaps because they are more confusing to the average Western reader. This book should be required reading for officers and civilian managers destined to assignments in NATO.

Johns Hopkins University issued Jed SNYDER's monograph Defending the Fringe: NATO the Mediterranean and the Persian Gulf in 1987. Beginning with a thorough explanation of NATO's "central front bias", Snyder outlines the importance of the Southern Region to the overall defense of the Alliance. He describes the geographic, strategic and economic realities, but his treatment of politics and military objectives may seem simplistic.

Snyder echoes conventional wisdom about the Turkish Straits, tending to exaggerate the capabilities of the Fifth Eskadra and the Soviet Naval Aviation against Striking and Support Forces Southern Europe (STRIKFORSOUTH).⁹ He provides little historical background for his descriptions of various facets of Southern Region security environment. This leaves the uninitiated reader with an erroneous impression of the

long-term motivations behind specific policies, e.g., Turkish attitudes on the Aegean. Though not up to Chipman's perceptiveness or style, Defending the Fringe would serve as a convenient summary of Southern Region issues.

Alvin RUBINSTEIN covers US as well as Soviet relations with Turkey and gives the US actions a Turkish perspective. He provides a clear lesson from the Jupiter missile affair and the Cuban missile crisis: whatever the US chooses to do, it must engage in early and sincere contacts with Turkish government. High-handedness can disrupt American aims in the region.

The decision to pull Jupiters has an analogy in the troops-in-Germany problem today. Polaris did NOT replace Jupiter as a deterrent in Turkish minds.

Rubinstein writes, "The Straits no longer represent a threat to Soviet security." The Montreux Convention coupled with consistent, demonstrated Turkish foreign policy in administering it, has provided the USSR with strategic access like never before.¹⁰ He also discusses carrier transits and quotes Captain V. Serkov, "transit of any ships of states of the Black Sea does not contradict the letter and spirit of the Convention." Other authors mention Captain Serkov's article, which came out as Kiev sailed through the Straits.¹¹

Düygü SEZER in Turkey's Security Policies emphasizes that "Europe today is stable because there is an approximate balance of military power." She writes, "All recent Turkish governments have reaffirmed their belief in the need to contribute to the maintenance of that balance. Nevertheless, the present stability of European security might seem to provide room for smaller powers to opt out of the military blocks built and run by the major powers and to fall back on their individual security efforts. The examples of Sweden and Yugoslavia, which have deliberately stayed out of the European balance-of-power system ... complement the Turkish precedent of the 1920's and 1930's and hold out an ... alternative..."¹²

Reading Sezer in today's light, it seems that Turkey gains nothing and risks much by enforcing the Montreux Convention literally. Any American effort to pressure Turkey might backfire and confirm Turkish suspicions about American insincerity. That might push them closer to the Soviet objective of Turkish neutrality.

Ankara might like assurance that no one will say anything and that Tbilisi will follow Kiev's wake into the precedents.

Sezer also brings out what Vali and other writers have said: Turkey's new perspective in security affairs includes seeing NATO only in terms of its defensive utility. Any effort to encourage (or fail to discourage) active NATO initiatives like bases and air fields evokes tension with the Soviet Union. Turkey sees Soviet power daily at her borders, and she knows that Russia reacts to a world order over which Turkey has no influence.

Sezer goes on to compare the Turkish situation with that of Yugoslavia, Switzerland

and Sweden. She concludes that the Turkish government cannot pursue armed neutrality, absent a consistent, effective leadership, popular consensus and an industrial production base capable of sustaining her Armed Forces.

Stephen ROBERTS is the author of professional paper No. 331 from the Center for Naval Analyses (CNA). He notes that the Soviets introduced the "contingency declaration" to overcome the eight-day notice requirement after the June 1967 war. It served them in the 1970 Jordanian crisis and again in the 1973 Yom Kippur War.

Roberts lists two main limitations the Convention imposed on the Soviets: the restriction on submarines and the prohibition against military overflights. He believes these more than anything else have shaped the way the Soviets operate the Eskadra.

He suggests that "they will have a much harder time justifying ... transit" of unambiguous aircraft carriers. He also states that in a war, the "Montreux Convention would lapse," which may be somewhat imprecise. It would technically remain in effect with Turkey exercising full discretion. The importance of the Straits as a military objective in a NATO/Warsaw Pact general war, however, would make such technical continuity of little more than academic interest.

To counter Soviet salami tactics against peacetime restrictions, Roberts suggests the counter-deployment of a borderline carrier, e.g., Invincible, or an American LHA.

Gordon McCORMICK's treatise, "Soviet Strategic Aims & Capabilities" appeared in the spring of 1988 as an Adelphi paper from the International Institute for Strategic Studies. The subject is timely, but the article provides little more than a recap of Western secondary sources. The lack of a Soviet perspective causes the paper to project an American point of view on the Russians, especially when discussing constraints of the Montreux Convention.¹³ McCormick seems to imply that the Convention's restrictions on the Russians outweigh the security advantages gained in 1936. As this study shows, that thesis needs backing up. A case can be made that a formal change in the Turkish Straits regime which allows the Warsaw Pact more flexibility may let NATO increase its presence in the Black Sea.

Bruce and Susan WATSON assembled working defense analysts to compile The Soviet Navy: Strengths and Liabilities. Peter TSOURAS in "Soviet Naval Traditions" takes on Adm. Sergei Gorshkov's view of Russian naval history and presents a balanced view of Gorshkov's writings. The Russians lack a deep naval tradition. Though individuals like Peter I and Gorshkov can make their mark for a while, two features of the Russian situation militate against their ever attaining a lasting naval tradition: 1) "the privileged position of the army", and 2) "the cultural and political discouragement of initiative has always had a debilitating effect on the development of martial qualities that are peculiarly vital to successful navies."¹⁴ Tsouras notes that today the Red Navy ranks last in precedence among the services.

Keith ALLEN in "The Black Sea Fleet and Mediterranean Naval Operations", writes, "The effects of the Montreux Convention on the naval balance are mixed.

Western navies are more or less barred from the Black Sea, but in practical terms, a substantial U.S., British or French presence there is impossible, with or without legal restrictions. U.S. carrier forces do not cruise off the Kola or Kamchatka peninsulas, though legally they have every right to do so; nor do the Soviets maintain much of a presence in the Caribbean. Given the power of the Black Sea Fleet ... an allied transit ... in wartime would be suicidal, even with full Turkish cooperation." ¹⁵

Allen notes that "the composition of the Black Sea Fleet is not what might be expected", that it should be heavy on anti-carrier warfare (ACW) units compared to ASW. He observes that (in 1986) the Fleet has only two ACW units, the Karas, that rarely leave the Black Sea, but both Moskva-class ASW cruisers and some of the best ASW units of others classes. He does not offer a reason, not even a guess.

Other analysts make the case for Soviet Black Sea planners to worry about Turkish and other NATO submarines threatening the sea lines of communication (SLOC) to the SWTV and a potential amphibious effort against the Straits. Clearing the submarine threat from the Black Sea might well be the highest naval priority.¹⁶

3. The Historians:

This group includes those writers who make no particular recommendations, who record history for its own sake, or whose work addresses the Straits only peripherally. The best historical works, by Shotwell,¹⁷ Howard, Thomas,¹⁸ Rustow, Harris and Váli, were already on the shelves in 1976.

In his 1981 book, Great Power Rivalry at the Turkish Straits: the Montreux Convention of 1936, Anthony DELUCA takes issue with other commentators. He disagrees with Váli (one of the most frequently quoted authors on the Turkish Straits) about Turkey's performance during WWII and the value of the Montreux Convention as furthering the collective peace process. Rather, he maintains, the Montreux Convention was a step backwards in the history of collective security arrangements and international peace negotiations. Some point to the Convention as proof that treaties can be altered by peaceful means (i.e., the Treaty of Lausanne). Deluca, however, opines that the Montreux Convention opened the floodgates of repudiation and abrogation of the fragile network of treaties that closed WWI. The disintegration of that network led to WWII and accompanied the breakup of the League of Nations. In fact, Montreux signatories Italy and Japan were out of the League by 1936.

Basil DMYTRYSHYN and Frederick COX assembled The Soviet Union and the Middle East: A documentary Record of Afghanistan, Iran and Turkey, 1917-1985 in 1987. While adding nothing new to the subject, this book could prove useful to the reader who needs to quote a treaty or the text of a convention. From this book, one senses that the Soviets must realize that Turkey is looking out for them just as they have always wanted historically: they gain nothing by inviting someone else (US, UK, NATO) to get involved.

Richard CAMPANY's doctoral dissertation, Turkey and the United States: The Arms Embargo Period, contains the best exposition yet of the internal workings of the Turkish body politic and a very readable history of US/TU relations and Cyprus.

4. Common Threads:

In different ways, writers who have published recently on the Turkish Straits share these observations.

a. Turkey's security vis-a'-vis the Soviet Union will remain the single most important consideration in effecting any change to the Turkish Straits regime.

b. The West seems more worried than the Soviet Union about the whole issue. Soviet writers are slowly bringing in articles about carrier aviation in a matter-of-fact way. Whether from traditional reticence on current issues or confidence of Turkish acquiescence, they do not seem inclined to lay groundwork for Tbilisi's operations yet.

c. The body of customary international law reenforced by UNCLOS would have an effect on a conference to modify the Turkish Straits regime, if one were called.

d. The Montreux Convention's definitions are more trouble than they are worth to both Ankara and Moscow, but neither wants a conference to amend the Convention.

e. There is a trend toward regional administration of the Mediterranean as a semi-enclosed sea. The string of Conventions on pollution since 1976 is a case in point. So is the non-ratification of any UNCLOS since 1958 by Islamic littoral countries like Libya and Syria.¹⁹ There is support for this trend among the medium and small nations who lack large ocean-going navies and merchant fleets.

5. Critique: What's Missing

A comparison of recent material with the earlier scholarship and work in other fields reveals some subjects which writers have not visited recently. Those seeking topics for research should consider a fresh look at these items with an eye to current events and the dramatic realignment of interests worldwide.

- the CFE reduction talks and the naval part of force reductions.
- environmental issues & Turkish enforcement. For example, the Montreux Convention specifies that the use of a pilot is optional in the Straits. Soviet refusal to embark pilots has led to an inordinate number of collisions.²⁰ Might Turkey be justified in imposing obligatory fees to cover the expenses associated with cleanup and repair of damage by ships that refuse to use pilots?
- Soviet priorities. In the past, denial of Black Sea access has preempted expansion to the Mediterranean in the Russian hierarchy of concerns. If this still holds,

it puts NATO signatories to the Montreux Convention in a stronger bargaining position. They do not need access as much as the USSR needs to deny it. Most commentators fail to mention this point.

For example, neither Maechling nor the others justifies statements like this:

"Only with the recent creation of a blue-water navy and increasing global projection of a blue-water navy have the Soviets stopped viewing closure of the Straits to foreign warships as an acceptable trade-off for onerous restrictions on the passage of their submarines and capital ships, including aircraft carriers, out of the Black Sea to the outside world."²¹

This author does not see evidence that basic Soviet security priorities in the Black Sea have changed. Rather, only after the Soviets feel safe in the Black Sea can they afford themselves the "luxury" of projecting their presence abroad.

- On the subject of opening a conference to amend the Montreux Convention, only Maechling, McCormick and Froman have something substantive to say. No one else has lined up a guess as to who has an interest in a conference, who stands to lose, and who can afford to risk it. This paper is a first step in that direction.

APPENDIX III

CONVENTION REGARDING THE REGIME OF THE STRAITS. SIGNED AT MONTREUX, JULY 20TH, 1936.

[Preamble and delegates' names omitted]

Article I

The High Contracting Parties recognise and affirm the principle of freedom of transit and navigation by sea in the Straits.

The exercise of this freedom shall henceforth be regulated by the provisions of the present Convention.

SECTION I. Merchant Vessels. [Omitted]

SECTION II. Vessels of War. Article 8.

For the purposes of the present Convention, the definitions of vessels of war and of their specification together with those relating to the calculation of tonnage shall be as set forth in Annex II to the present Convention.

Article 9.

Naval auxiliary vessels specifically designed for the carriage of fuel, liquid or non-liquid, shall not be subject to the provisions of Article 13 regarding notification, nor shall they be counted for the purpose of calculating the tonnage which is subject to limitation under Articles 14 and 18, on condition that they shall pass through the Straits singly. They shall, however, continue to be on the same footing as vessels of war for the purpose of the remaining provisions governing transit.

The auxiliary vessels specified in the preceding paragraph shall only be entitled to benefit by the exceptional status therein contemplated if their armament does not include: for use against floating targets, more than two guns of a maximum calibre of 105 millimeters; for use against aerial targets, more than two guns of a maximum calibre of 75 millimeters.

Article 10.

In time of peace, light surface vessels, minor war vessels and auxiliary vessels, whether belonging to Black Sea or non-Black Sea Powers, and whatever their flag, shall enjoy freedom of transit through the Straits without any taxes or charges whatever,

provided that such transit is begun during daylight and subject to the conditions laid down in Article 13 and the Article following thereafter.

Vessels of war other than those which fall within the categories specified in the preceding paragraph shall only enjoy a right of transit under the special conditions provided by Article 11 and 12.

Article 11.

Black Sea Powers may send through the Straits capital ships of a tonnage greater than that laid down in the first paragraph of Article 14 on condition that these vessels pass through the Straits single, escorted by not more than two destroyers.

Article 12.

Black Sea Powers shall have the right to send through the Straits, for the purpose of rejoining their base, submarines constructed or purchased outside the Black Sea, provided that adequate notice of the laying down or purchase of such submarines shall have been given to Turkey.

Submarines belonging to the said Powers shall also be entitled to pass through the Straits to be repaired in dockyards outside the Black Sea on condition that detailed information on the matter is given to Turkey.

In either case, the said submarines must travel by day and on the surface, and must pass through the Straits singly.

Article 13.

The transit of vessels of war through the Straits shall be preceded by a notification given to the Turkish Government through the diplomatic channel. The normal period of notice shall be eight days; but it is desirable that in the case of non-Black Sea Powers this period should be increased to fifteen days. The notification shall specify the destination, name, type and number journey. Any change of date shall be subject to three days' notice.

Entry into the Straits for the outward passage shall take place within a period of five days from the date given in the original notification. After the expiry of this period, a new notification shall be given under the same conditions as for the original notification.

When effecting transit, the commander of the naval force shall, without being under any obligation to stop, communicate to a signal station at the entrance to the Dardanelles or the Bosphorus the exact composition of the force under his orders.

Article 14.

The maximum aggregate tonnage of all foreign naval forces which may be in course of transit through the Straits shall not exceed 15,000 tons, except in the cases provided for in Article 11 and in Annex III to the present Convention.

The forces specified in the preceding paragraph shall not, however, comprise more than nine vessels.

Vessels, whether belonging to Black Sea or non-Black Sea Powers, paying visits to a port in the Straits, in accordance with the provision of Article 17, shall not be included in this tonnage.

Neither shall vessels of war which have suffered damage during their passage through the Straits be included in this tonnage; such vessels, while undergoing repair, shall be subject to any special provisions relating to security laid down by Turkey.

Article 15.

Vessels of war in transit through the Straits shall in no circumstances make use of any aircraft which they may be carrying.

Article 16.

Vessels of war in transit through the Straits shall not, except in the event of damage or peril of the sea, remain therein longer than is necessary for them to effect the passage.

Article 17.

Nothing in the provisions of the preceding Articles shall prevent a naval force of any tonnage or composition from paying a courtesy visit of limited duration to a port in the Straits, at the invitation of the Turkish Government. Any such force must leave the Straits by the same route as that by which it entered, unless it fulfills the conditions required for passage in transit through the Straits as laid down by Articles 10, 14 and 18.

Article 18.

(1) The aggregate tonnage which non-Black Sea Powers may have in that sea in time of peace shall be limited as follows:

(a) Except as provided in paragraph (b) below, the aggregate tonnage of the said Powers shall not exceed 30,000 tons;

(b) If at any time the tonnage of the strongest fleet in the Black Sea shall exceed by at least 10,000 tons the tonnage of the strongest fleet in that sea at the date of the signature of the present Convention, the aggregate tonnage of 30,000 tons

mentioned in paragraph (a) shall be increased by the same amount, up to a maximum of 45,000 tons. For this purpose, each Black Sea Power shall, in conformity with Annex IV to the present Convention, inform the Turkish Government, on the 1st January and the 1st July of each year, of the total tonnage of its fleet in the Black Sea; and the Turkish Government shall transmit this information to the other High Contracting Parties and to the Secretary-General of the League of Nations;

(c) The tonnage which any one non-Black Sea Power may have in the Black Sea shall be limited to two-thirds of the aggregate tonnage provided for in paragraphs (a) and (b) above;

(d) In the event, however, of one or more non-Black Sea Powers desiring to send naval forces into the Black Sea, for a humanitarian purpose, the said forces, which shall in no case exceed 8,000 tons altogether, shall be allowed to enter the Black Sea without having to give the notification provided for in Article 13 of the present Convention, provided an authorisation is obtained from the Turkish Government in the following circumstances: if the figure of the aggregate tonnage specified in paragraphs (a) and (b) above has not been reached and will not be exceeded by the despatch of the forces which it is desired to send, the Turkish Government shall grant the said authorisation within the shortest possible time after receiving the request which it is desired to send will cause it to be exceeded, the Turkish Government will immediately inform the other Black Sea Powers of the request for authorisation, and if the said Powers make no objection within twenty-four hours of having received this information, the Turkish Government shall, within forty-eight hours at the latest, inform the interested Powers of the reply which it has decided to make to their request.

Any further entry into the Black Sea of naval forces of non-Black Sea Powers shall only be effected within the available limits of the aggregate tonnage provided for in paragraph (a) and (b) above.

(2) Vessels of war belong to non-Black Sea Powers shall not remain in the Black Sea more than twenty-one days, whatever be the object of their presence there.

Article 19.

In time of war, Turkey not being belligerent, warships shall enjoy complete freedom of transit and navigation through the Straits under the same conditions as those laid down in Articles 10 to 18.

Vessels of war belonging to belligerent Powers shall not, however, pass through the Straits except in cases arising out of the application of Article 25 of the present Convention, and in cases of assistance rendered to a State victim of aggression in virtue of a treaty of mutual assistance binding Turkey, concluded within the framework of the Covenant of the League of Nations, and registered and published in accordance with the provision of Article 18 of the Covenant.

In the exceptional cases provided for in the preceding paragraph, the limitations

laid down in Articles 10 to 18 of the present Convention shall not be applicable.

Notwithstanding the prohibition of passage laid down in paragraph 2 above, vessels of war belonging to belligerent Powers, whether they are Black Sea Powers or not, which have become separated from their bases, may return thereto.

Vessels of war belonging to belligerent Powers shall not make any capture, exercise the right of visit and search, or carry out any hostile act in the Straits.

Article 20.

In time of war, Turkey being belligerent, the provisions of Articles 10 to 18 shall not be applicable; the passage of warships shall be left entirely to the discretion of the Turkish Government.

Article 21.

Should Turkey consider herself to be threatened with imminent danger of war she shall have the right to apply the provisions of Article 20 of the present Convention.

Vessels which have passed through the Straits before Turkey has made use of the powers conferred upon her by the preceding paragraph, and which thus find themselves separated from their bases, may return thereto. It is, however, understood that Turkey may deny this right to vessels of war belonging to the State whose attitude has given rise to the application of the present Article.

Should the Turkish Government make use of the powers conferred by the first paragraph of the present Article, a notification to that effect shall be addressed to the High Contracting Parties and to the Secretary-General of the League of Nations.

If the Council of the League of Nations decide by a majority of two-thirds that the measures thus taken by Turkey are not justified, and if such should also be the opinion of the majority of the High Contracting Parties signatories to the present Convention, the Turkish Government undertakes to discontinue the measures in question as also any measures which may have been taken under Article 6 of the present Convention.

Article 22.

Vessels of war which have on board cases of plague, cholera, yellow fever, exanthematic typhus or smallpox or which have had such cases on board within the last seven days and vessels of war which have left an infected port within less than five times twenty-four hours must pass through the Straits in quarantine and apply by the means on board such prophylactic measures as are necessary in order to prevent any possibility of the Straits being infected.

SECTION III.
Aircraft.
Article 23.

In order to assure the passage of civil aircraft between the Mediterranean and the Black Sea, the Turkish Government will indicate the air routes available for this purpose, outside the forbidden zones which may be established in the Straits. Civil aircraft may use these routes provided that they give the Turkish Government, as regards occasional flights, a notification of three days, and as regards flights on regular services, a general notification of the dates of passage.

The Turkish Government moreover undertake, notwithstanding any remilitarisation of the Straits, to furnish the necessary facilities for the safe passage of civil aircraft authorised under the air regulations in force in Turkey to fly across Turkish territory between Europe and Asia. The route which is to be followed in the Straits zone by aircraft which have obtained an authorisation shall be indicated from time to time.

SECTION IV.
General Provisions.
Article 24.

The functions of the International Commission set up under the Convention relating to the regime of the Straits of the 24th July, 1923, are hereby transferred to the Turkish Government.

The Turkish Government undertake to collect statistics and to furnish information concerning the application of Articles 11, 12, 13 and 18 of the present Convention.

They will supervise the execution of all the provisions of the present Convention relating to the passage of vessels of war through the Straits.

As soon as they have been notified of the intended passage through the Straits of a foreign naval force the Turkish Government shall inform the representatives at Angora of the High Contracting Parties of the composition of that force, its tonnage, the date fixed for its entry into the Straits, and, if necessary, the probably date of its return.

The Turkish Government shall address to the Secretary-General of the League of Nations and to the High Contracting Parties an annual report giving details regarding the movements of foreign vessels of war through the Straits and furnishing all information which may be of service to commerce and navigation, both by sea and by air, for which provision is made in the present Convention.

Article 25.

Nothing in the present Convention shall prejudice the rights and obligations of Turkey, or of any of the other High Contracting Parties members of the League of

Nations, arising out of the Covenant of the League of Nations.

SECTION V.
Final Provisions.
Article 26.

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited in the archives of the Government of the French Republic in Paris.

The Japanese Government shall be entitled to inform the Government of the French Republic through their diplomatic representative in Paris that the ratification has been given, and in that case they shall transmit the instrument of ratification as soon as possible.

A proces-verbal of the deposit of ratifications shall be drawn up as soon as six instruments of ratification, including that of Turkey, shall have been deposited. For this purpose the notification provided for in the preceding paragraph shall be taken as the equivalent of the deposit of an instrument of ratification.

The present Convention shall come into force on the date of the said proces-verbal.

The French Government will transmit to all the High Contracting Parties an authentic copy of the proces-verbal provided for in the preceding paragraph and of the proces-verbal of the deposit of any subsequent ratification.

Article 27.

The present Convention shall, as from the date of its entry into force, be open to accession by any Power signatory to the Treaty of Peace at Lausanne signed on the 24th July, 1923.

Each accession shall be notified, through the diplomatic channel, to the Government of the French Republic, and by the latter to all the High Contracting Parties.

Accessions shall come into force as from the date of notification to the French Government.

Article 28.

The present Convention shall remain in force for twenty years from the date of its entry into force.

The principle of freedom of transit and navigation affirmed in Article 1 of the

present Convention shall however continue without limit of time.

If, two years prior to the expiry of the said period of twenty years, no High Contracting Party shall have given notice of denunciation to the French Government the present Convention shall continue in force until two years after such notice shall have been given. Any such notice shall be communicated by the French Government to the High Contracting Parties.

In the event of the present Convention being denounced in accordance with the provisions of the present Article, the High Contracting Parties agree to be represented at a conference for the purpose of concluding a new Convention.

Article 29.

At the expiry of each period of five years from the date of the entry into force of the present Convention each of the High Contracting Parties shall be entitled to initiate a proposal for amending one or more of the provisions of the present Convention.

To be valid, any request for revision formulated by one of the High Contracting Parties must be supported, in the case of modifications to Articles 14 or 18, by one other High Contracting Party, and, in the case of modifications to any other Article, by two other High Contracting Parties.

Any request for revision thus supported must be notified to all the High Contracting Parties three months prior to the expiry of the current period of five years. The notification shall contain details of the proposed amendments and the reasons which have given rise to them.

Should it be found impossible to reach an agreement on these proposals through the diplomatic channel, the High Contracting Parties agree to be represented at a conference to be summoned for this purpose.

Such a conference may only take decisions by a unanimous vote, except as regards cases of revision involving Article 14 and 18, for which a majority of three-quarters of the High Contracting Parties shall be sufficient.

The said majority shall include three-quarters of the High Contracting Parties which are Black Sea Powers, including Turkey.

[Signatures' names omitted: Great Britain, Australia, Bulgaria, France, Greece, Romania, Turkey, Union of Soviet Socialist Republic, Yugoslavia and Japan.]¹

ANNEX I.

[Taxes and charges: omitted]

¹Japan was excluded from the Convention by the San Francisco Peace Treaty of 1950.

ANNEX II.²

A. STANDARD DISPLACEMENT.

(1) The standard displacement of a surface vessel is the displacement of the vessel, complete, fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of the every description that are intended to be carried in war, but without fuel or reserve feed water on board.

(2) The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

(3) The word "ton" except in the expression "metric tons" denotes the ton of 2,240 lb. (1,016 kilos).

B. CATEGORIES.

(1) Capital Ships are surface vessels of war belonging to one of the two following sub-categories:

(a) Surface vessels of war, other than aircraft-carriers, auxiliary vessels, or capital ships of sub-category (b), the standard displacement of which exceeds 10,000 tons (10,160 metric tons) or which carry a gun with a calibre exceeding 8 in. (203 mm.);

(b) Surface vessels of war, other than aircraft-carriers, the standard displacement of which does not exceed 8,000 tons (8,128 metric tons) and which carry a gun with a calibre exceeding 8 in. (203 mm.).

(2) Aircraft-Carriers are surface vessels of war, whatever their displacement, designed or adapted primarily for the purpose of carrying and operating aircraft at sea. The fitting of a landing-on or flying-off deck on any vessel of war, provided such vessel has not been designed or adapted primarily for the purpose of carrying and operating aircraft at sea, shall not cause any vessel so fitted to be classified in the category of aircraft-carriers.

The category of aircraft-carriers is divided into two sub-categories as follows:

² The wording of the present Annex is taken from the London Naval Treaty of March 25th, 1936.

(a) Vessels fitted with a flight deck as described in (a) above.

(b) Vessels not fitted with a flight deck as described in (a) above.

(3) Light Surface Vessels are surface vessels of war other than aircraft-carriers, minor war vessels or auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 10,000 tons (10,160 metric tons), and which do not carry a gun with a calibre exceeding 8 in. (203 mm.).

The category of light surface vessels is divided into three sub-categories as follows:

(a) Vessels which carry a gun with a calibre exceeding 6.1 in. (155 mm.);

(b) Vessels which do not carry a gun with a calibre exceeding 6.1 in. (155 mm.) and the standard displacement of which exceeds 3,000 tons (3,048 metric tons);

(c) Vessels which do not carry a gun with a calibre exceeding 6.1 in. (155 mm.) and the standard displacement of which does not exceed 3,000 tons (3,048 metric tons).

(4) Submarines are all vessels designed to operate below the surface of the sea.

(5) Minor War Vessels are surface vessels of war, other than auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 2,000 tons (2,032 metric tons), provided they have none of the following characteristics:

(a) Mount a gun with a calibre exceeding 6.1 in. (155 mm.);

(b) Are designed or fitted to launch torpedoes;

(c) Are designed for a speed greater than twenty knots.

(6) Auxiliary Vessels are naval surface vessels the standard displacement of which exceeds 100 tons (102 metric tons), which are normally employed on fleet duties or as troop transports, or in some other way than as fighting ships, and which are not specifically built as fighting ships, provided they have none of the following characteristics:

(a) Mount a gun with a calibre exceeding 6.1 in. (155 mm.);

(b) Mount more than eight guns with a calibre exceeding 3 in. (76 mm.);

(c) Are designed or fitted to launch torpedoes;

- (d) Are designed for protection by armour plate;
- (e) Are designed for a speed greater than twenty-eight knots;
- (f) Are designed or adapted primarily for operating aircraft at sea;
- (g) Mount more than two aircraft-launching apparatus.

C. OVER-AGE.

Vessels of the following categories and sub-categories shall be deemed to be "over-age" when the undermentioned number of years have elapsed since completion:

- (a) Capital ships 26 years;
- (b) Aircraft-carriers..... 20 years;
- (c) Light surface vessels, sub-categories
 - (a) and (b):
 - (i) If laid down before 1st January, 1920...16 years;
 - (ii) If laid down after 31st December, 1919..20 years;
 - (d) Light surface vessels, sub-category (c).....16 years;
 - (e) Submarines.....13 years;

ANNEX III.

[Japanese Training Ships: omitted]

ANNEX IV.

1. The categories and sub-categories of vessels to be included in the calculation of the total tonnage of the Black Sea Powers provided for in Article 18 of the present Convention are the following:

Capital Ships:

- Sub-category (a);
- Sub-category (b).

Aircraft-Carriers:

- Sub-category (a);
- Sub-category (b).

Light Surface Vessels:

- Sub-category (a);
- Sub-category (b);
- Sub-category (c).

Submarines:

As defined in Annex II to the present Convention.

The displacement which is to be taken into consideration in the calculation of the

total tonnage is the standard displacement as defined in Annex II. Only those vessels shall be taken into consideration which are not over-age according to the definition contained in the said Annex.

2. The notification provided for in Article 18, paragraph (b), shall also include the total tonnage of vessels belonging to the categories and sub-categories mentioned in paragraph 1 of the present Annex.

PROTOCOL.

At the moment of signing the Convention bearing this day's date, the undersigned Plenipotentiaries declare for their respective Governments that they accept the following provisions:

(1) Turkey may immediately remilitarise the zone of the Straits as defined in the Preamble to the said Convention.

(2) As from the 15th August, 1936, the Turkish Government shall provisionally apply the regime specified in the said Convention.

(3) The present Protocol shall enter into force as from this day's date.

Done at Montreux, the 20th July, 1936.
[Signatories names omitted]

NOTES

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4. Vali, p. 13.
5. Howard, p. 3.
6. Shotwell, p. 12.
7. Chronology from Howard, pp.1-27, and Thomas & Frye, pp.33-88.
8. Vali, p. 24. The term Sublime Porte is French for "Heavenly Gate", the name of the place where the Grand Vizier and the Ottoman Government met. It is analogous to saying "Pentagon" for the American Department of Defense, or "White House" for the Presidency. Writers often refer incorrectly to the "Ottoman Porte" or treat "the Porte" as a person rather than a place or an agency.
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10. Shotwell, p. 111.
11. Erik Bruel, International Straits: a Treatise on International Law (Copenhagen: NYT Nordisk Forlag, 1947), v.1.
12. Froman, pp. 681 ff.

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2. Richard J. Grunawalt, "United States Policy on International Straits", Ocean Development and International Law, Vol. 18 No. 4 (1987), p. 455.
3. Lewis M. Alexander, "Exceptions to the Transit Passage Regime: Straits with Routes of 'Similar Convenience'", Ocean Development and International Law, Vol.18 No.4 (1987), p.479 ff.

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13. Gordon McCormick, "Soviet Strategic Aims and Capabilities in the Mediterranean", Adelphi Papers, No. 229, Spring 1988, pp. 34-35.
14. Bruce W. and Susan M. Watson, eds., The Soviet Navy: Strengths and Liabilities (Boulder: Westview Press, 1986), p. 10.
15. Ibid., p. 217.
16. Ibid., pp. 221-226.
17. James SHOTWELL and Francis Deak produced one of the most foresighted and lasting books on the Turkish Straits when they wrote Turkey at the Straits in 1940. Framed in terms of the diplomatic history of the Straits, Shotwell's observations focus on Soviet concerns that remain valid today. Commenting only three years after the Montreux Conference, they noted that the Convention was clearly to the great advantage of only two signatories, Turkey and Soviet Russia. Their appendices include complete texts of the Treaties of Sèvres and Lausanne and the Montreux Convention.
18. In The United States & Turkey & Iran, Lewis THOMAS provides one of the best-written, concise explanations of Atatürk's unique position in Turkish history suitable for Western understanding. His treatment of Atatürk's flaws and his

illumination of the role of the peasant should be reading for any Westerner seeking to understand the modern Turkish mindset and attitude on foreign policy issues.

Thomas' half of the book reads like a transcription of lecture notes, resulting in a clear presentation of history from a Turkish point of view. He neither apologizes nor criticizes the Ottomans or the Turks.

Commenting on the absence of natural frontiers, Thomas writes,

"The point is not that these present frontiers are not 'good', but rather that Turkey is distinctly fortunate that they are as good as they are now. Viewed in this light and with the strategist's eye, the Turkish Republic's long-held policy of firm and absolute nonirredentism (the Hatay alone excepted) emerges here not as a matter of admirable self-abnegation but rather as a question of well-calculated self-interest...."

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