

EDITORS:  
KEMAL İNAT  
MUHİTTİN ATAMAN  
BURHANETTİN DURAN

# EASTERN MEDITERRANEAN AND TURKEY

**POLITICAL, JUDICIAL AND  
ECONOMIC PERSPECTIVES**

SETA

**EASTERN  
MEDITERRANEAN AND  
TURKEY'S RIGHTS**



**EASTERN  
MEDITERRANEAN AND  
TURKEY'S RIGHTS**

EDITORS  
KEMAL İNAT  
MUHİTTİN ATAMAN  
BURHANETTİN DURAN

SETA

## WRITERS

<b>Burhanettin Duran</b>	Prof. Dr., Ibn Haldun University, General Coordinator, SETA
<b>Kemal İnat</b>	Prof. Dr., Sakarya University
<b>Muhittin Ataman</b>	Prof. Dr., Ankara Social Sciences University
<b>Mehmet Çağatay Güler</b>	SETA, Foreign Policy Department
<b>İsmail Ediz</b>	Assoc. Dr., Sakarya University
<b>Melih Yıldız</b>	Sakarya University
<b>Nurşin Ateşoğlu Güney</b>	Prof. Dr., Nişantaşı University
<b>Yunus Furuncu</b>	Dr., Kocaeli University
<b>İsmail Kavaz</b>	Dr., Bingöl University; SETA, Researcher, Energy Studies
<b>Erdal Tanas Karagöl</b>	Prof. Dr., Ankara Yıldırım Beyazıt University
<b>Büşra Zeynep Özdemir</b>	Researcher, SETA Energy Studies
<b>Nasih Sarp Ergüven</b>	Ph.D., Lecturer at Ankara University; Researcher, Ankara University Research Center of the Sea and Maritime Law (DEHUKAM)
<b>Yücel Acer</b>	Prof. Dr., Ankara Yıldırım Beyazıt University
<b>Mustafa Başkara</b>	Research Assistant, Social Sciences University of Ankara; Researcher, Ankara University Research Center of the Sea and Maritime Law (DEHUKAM)

SETA Publications 62  
First Published in 2020 by SETA  
ISBN: 978-625-7040-55-6

© 2020 SET Vakfı İktisadi İşletmesi

All rights reserved.

No part of this book may be reprinted or reproduced or utilized in any form or by any electronic, mechanical or other means, without permission in writing from the publishers.

Cover: Erkan Söğüt  
Printed in Turkey, İstanbul by Turkuvaz Haberleşme ve Yayıncılık A.Ş., September 2019

SETA Publications  
Nenehatun Caddesi No: 66 GOP Çankaya 06700 Ankara Turkey  
Tel:+90 312.551 21 00 | Fax :+90 312.551 21 90  
www.setav.org | kitap@setav.org

# CONTENTS

## PART ONE

### **EASTERN MEDITERRANEAN AND TURKEY**

#### **MAIN PARAMETERS OF TURKEY'S EASTERN MEDITERRANEAN POLICY 9**

Kemal İnat, Burhanettin Duran

## PART TWO

### **THE POLITICAL DIMENSION OF THE EASTERN MEDITERRANEAN**

#### **THE CYPRUS DISPUTE: THE PREREQUISITE FOR THE SOLUTION OF THE EASTERN MEDITERRANEAN PROBLEM 33**

Muhittin Ataman, Mehmet Çağatay Güler

#### **POWER STRUGGLE IN THE EASTERN MEDITERRANEAN FROM PAST TO PRESENT 59**

İsmail Ediz

#### **WESTERN POLICIES ON THE EASTERN MEDITERRANEAN 93**

Nurşin Ateşoğlu Güney

#### **BALANCE OF MILITARY POWER IN THE EASTERN MEDITERRANEAN 125**

Melih Yıldız

PART THREE  
**MEDITARRANEAN SEA AND LAW**

<b>TURKEY'S EASTERN MEDITERRANEAN POLICY WITHIN THE FRAMEWORK OF INTERNATIONAL MARITIME LAW</b>	163
Büşra Zeynep Özdemir	
<b>THE CONCEPT OF THE CONTINENTAL SHELF, ITS DELIMITATION AND THE DISPUTE OVER THE MARITIME ZONES IN THE EASTERN MEDITERRANEAN SEA</b>	189
Yücel Acer	
<b>THE EFFECT OF ISLANDS ON MARITIME DELIMITATION AND THE EASTERN MEDITERRANEAN</b>	225
Nasih Sarp Ergüven	
<b>A SOLUTION PROPOSAL TO THE EASTERN MEDITERRANEAN PROBLEM: JOINT DEVELOPMENT</b>	245
Mustafa Başkara	

PART FOUR  
**ECONOMY AND ENERGY**

<b>EASTERN MEDITERRANEAN ECONOMIES AND TURKEY</b>	273
Erdal Tanas Karagöl	
<b>POSSIBLE TRANSFER ROUTES OF ENERGY SOURCES IN THE EASTERN MEDITERRANEAN</b>	299
İsmail Kavaz	
<b>TURKEY'S HYDROCARBON EXPLORATION AND DRILLING POLICY IN THE EASTERN MEDITARRANEAN</b>	319
Yunus Furuncu	



ONE

EASTERN  
MEDITERRANEAN  
AND TURKEY





# MAIN PARAMETERS OF TURKEY'S EASTERN MEDITERRANEAN POLICY

KEMAL İNAT\*

BURHANETTİN DURAN\*\*

## INTRODUCTION

Turkey's Eastern Mediterranean policy is shaped by a number of factors. The importance of this region, which has become more featured in Turkish foreign policy in recent years, is increasing for Turkey, primarily in terms of security. Turkey's security is being affected directly by not only the Cyprus problem, but also the ongoing conflicts and struggles in Syria, Libya and Palestine. Developments in Lebanon and Egypt also affect Turkey's security, though indirectly. The policies of global actors such as the United States (U.S.), Russia, and the European Union (EU) towards the Eastern Mediterranean closely concern Turkey's security. The U.S., which has long been the most predominant international actor in the Middle East, is the first country that Ankara considers when forming policies regarding all Eastern Mediterranean problems, especially towards Palestine, Syria, and Egypt. Turkey takes Russia into account when determining its policies in Syria and Libya. The EU, due to the membership of Greece and the Greek Administration of Southern Cyprus (GASC), harshly criticizes Turkey's policies in the Eastern Mediterranean.

\* Prof. Dr., Sakarya University

\*\* Prof. Dr., Ibn Haldun University, General Coordinator, SETA

The economy is also a constant consideration for decision makers when determining Turkey's policy towards the Eastern Mediterranean. Turkey, which is dependent to foreign energy, regards the rich hydro-carbon potential of this region important in terms of meeting its energy needs. Through discovering new resources in its continental shelf and cooperating with new energy suppliers that will emerge in this region, Turkey can extricate itself from dependency on countries like Russia regarding natural gas.

In addition to the security and economic concerns, the Eastern Mediterranean basin also has a historical significance for Turkey, warranting constant attention. Because all countries in the region were ruled from İstanbul for centuries under the Ottoman rule, there is a special bond between Turkey and these countries. Turkey's close interest in the civil wars in Libya and Syria, as well as its objections to the injustices in Palestine and Egypt, can be explained with these historical ties, alongside other factors.

It should also be underlined that the decision-makers shaping Turkey's Eastern Mediterranean policy have always taken international law into account. Turkey has always defended legality and acted in line with international law in all steps it has taken in the region, i.e., while making an agreement of restricting maritime jurisdiction with the legitimate Tripoli Government in Libya, while sending military troops to Libya in response to the call of that legitimate government, while opposing the Israeli occupation in Palestine, while refusing to recognize the bloody coup in Egypt led by General Sisi, while objecting to GASC's unilateral steps of commercializing the island's natural riches without consideration of the rights of Turks in the North, while opposing the massacres committed by the Assad regime and Russia towards civilians in Syria, and while embracing the millions of refugees fleeing from these massacres.

This article focuses on the factors shaping Turkey's Eastern Mediterranean policy (namely, security, economics, historical ties, and inter-

national law) and analyzes how each of them influences Turkey's policy towards the region. In the framework of this analysis, the article also discusses the positions of global actors such as the U.S., Russia, and the EU with regard to Turkey's Eastern Mediterranean policy.

## SECURITY

The main reason for the Eastern Mediterranean gaining more weight in Turkey's security policy stems from the geostrategic and geopolitical importance of this region. For understanding how important the region is geo-strategically, it is enough to look at the actors involved in the power struggle in the Eastern Mediterranean. Many global and regional players, including the U.S., Russia, France, the United Kingdom, Italy, Germany, Israel, Egypt, Saudi Arabia, and the United Arab Emirates (UAE), have taken part in this competition. The Eastern Mediterranean is also important geopolitically because of its rich energy resources, the presence of one of the most critical sea passages in the world (i.e., the Suez Canal), and being the location where one of the most protracted political problems in the world, the Israel-Palestine conflict,— takes place.

Different countries are attracted to the Eastern Mediterranean by different factors: the Israel lobby attracts the U.S.; the long-held desire to reach the warm sea attracts Russia; England, France, Italy, and Turkey are attracted by their imperial histories. In addition, all these countries and others are attracted by the region's discovered and potential energy resources. Thus, establishing influence over specific countries is gaining importance: Egypt for controlling the Suez Canal and guaranteeing the security of Israel, Syria for having a port in the "warm seas," and Libya and Cyprus for having a share in the region's energy resources.

Within this power struggle, there are attempts to frustrate Turkey, and this can be most felt regarding the island of Cyprus. It is obvious that the attempts towards Turks' not having a voice in any way over

the island's governance, and elimination of Turkey's influence entirely, are supported by many global actors, with the EU at the forefront. Following a series of assaults in December 1963 called "Bloody Christmas" that intended to transform the Republic of Cyprus, founded in 1960 with representation of both communities, into a Greek state with Greek-inspired initiatives, Turkey's attempts for intervention was frustrated by the U.S.' opposition. Later, the U.S. responded to Turkey's intervention, required by its rights and responsibilities as a guarantor, on the island after the coup of 1974, which intended to unite the island with Greece, with an arms embargo that lasted for three years.<sup>1</sup>

After Greece became a member of the EU in 1981, Brussels also began following a policy against Turkey on the issue of Cyprus. The pro-Greek and anti-Turkish position of Brussels was evident when the GASC entered the EU as representing the entire the island on May 1, 2004, despite the Greek Cypriots' rejection of the solution in the Annan Plan in the referendum held in Cyprus only one week before. The EU thus rewarded the Greek Cypriots, who had unfairly opposed solution, while punishing the Turkish Cypriots, who had voted it. Furthermore, by linking Turkey's EU membership process to the concessions that it would make regarding the Cyprus issue, the EU did not carry forward Turkey's accession negotiations, which began on October 3, 2005. Instead of contributing to the solution of the Cyprus issue, which is one of the most important problems of the Eastern Mediterranean, as an objective negotiator, the EU has chosen to side with its members of Greece and the GASC against Turkey, which was granted candidate status in 1999. It will not be wrong to claim that with this attitude, Brussels contributes to the insolubility of the Cyprus problem.

Another issue where there is an attempt to besiege and suppress Turkey in the Eastern Mediterranean relates to maritime jurisdiction

<sup>1</sup> Kemal İnat, "Türkiye'nin Kıbrıs Politikasının Dönüşümü", *Bilgi*, 2005/2, pp. 44-45.

areas. Despite having one of the longest coastlines in the Eastern Mediterranean, there is an obvious attempt to imprison Turkey within a narrow area in terms of the continental shelf and exclusive economic zone (EEZ). Ignoring the special statuses of the Eastern Mediterranean and the Aegean Sea caused by half-closed sea and islands, and without considering the decisions of international judicial bodies about the maritime jurisdiction areas of islands, maps are prepared that show most of the Turkish continental shelf as belonging to Greece and the GASC.

These maps are unlawful in two aspects. The first aspect is an attempt to give the Greek islands, stretching from Kastellorizo and Rhodes to Kasos and Crete, continental shelf and EEZ as if they are mainlands. Considering the examples of international judicial decisions on islands either having no or limited jurisdiction areas beyond their territorial seas, this is an obvious infringement on Turkey's rights. Within the frame of *non-cutoff* and *non-encroachment* principles, these islands must not limit Turkey's maritime jurisdiction.<sup>2</sup> In fact, starting in 2004, Turkey has taken measures to prevent this unjust partition of maritime zones. Ankara declared the western borders of its continental shelf in the Mediterranean to the UN in 2004. In 2011, Turkey signed an agreement with the Turkish Republic of Northern Cyprus (TRNC) for searching hydrocarbons in the maritime jurisdiction of the latter. Under this agreement, Turkey found the opportunity to show its presence around Cyprus with its drilling vessels and navy. This move ensures both that the TRNC's rights over the island's hydrocarbon resources are maintained and that the violation of these rights is deterred.<sup>3</sup> As a result, a drillship of the Italian oil company ENI was stopped by the Turkish navy on February 9, 2016 when it attempted to pass through parcel number three, which the TRNC claims rights to.

<sup>2</sup> Nasih Sarp Ergüven, "Adaların Deniz Alanı Sınırlandırmasına Etkisi ve Doğu Akdeniz", Kemal İnat, Muhittin Ataman, Burhanettin Duran (Ed.), *Doğu Akdeniz ve Türkiye'nin Hakları*, SETA Publications: İstanbul, 2020.

<sup>3</sup> Nurşin Ateşoğlu Güney, "Türk Dış Politikasını Anlamak: Doğu Akdeniz Stratejisi," *Yeni Şafak*, 3 February 2020.

In addition to carrying out exploration and drilling activities and taking military measures, Turkey took another critical step on November 27, 2019 by signing with Libya, a memorandum of understanding projecting the determination of maritime jurisdiction areas. With this agreement, which was accompanied by agreements for security and military cooperation, the two governments prevented unlawfulness in the Eastern Mediterranean.

In addition, Turkey signed with the Tripoli government agreements for security and military cooperation, according to which Ankara then sent troops to Libya after being invited to do so. As a result, some of the limits of Turkey's maritime jurisdiction areas in the West were determined and Turkey's imprisonment to an area of 41,000 km (25,500 miles) in the Mediterranean, based on such maps as the Seville map, is therefore prevented. Ankara's latest political-diplomatic moves turned the Eastern Mediterranean (and relatedly Libya and Cyprus) to one of the main agenda items of Turkish foreign policy. Also, the stability of the Eastern Mediterranean and Libya is a critical part of Ankara's conception of national security. Regarding the attempts that snub Turkey's rights in the Eastern Mediterranean, President Erdoğan stated: "There are plans that were attempted to be imposed. We nullified them with a legitimate move. I will go further. This is actually a reversal of [the] Sèvres [Treaty]."<sup>4</sup>

The second aspect of these maps' unlawful nature arises because the Cyprus problem is still unresolved: the GASC acting as representative of the entire island. The approval of this from the international community means extortion of rights of both the Turkish Cypriots and Turkey. The GASC's parceling of the maritime jurisdiction zones it had declared in the south of the island and its authorization of international companies to explore and extract oil and gas in these parcels are illegal actions. This is because some of the maritime areas in the

<sup>4</sup> "Sevr'in Aslında Tersyüz Edilmesi Var," ATV, 15 December 2019.

west coincide with Turkey's continental shelf, and the GASC is not authorized to decide on the island's maritime jurisdiction alone. For any decision to be taken regarding these maritime zones, it is first necessary to determine who has authority to do so, and this means resolving the Cyprus issue.

Another example for Turkey's suppression and restriction in the Eastern Mediterranean are the attempts to sever the political, economic, and cultural ties that Ankara tries to establish with the former Ottoman geography. Especially under the Justice and Development Party (JDP) governments, Turkey has been closely interested in Syria, Egypt, Lebanon, and Palestine, which are located in the Eastern Mediterranean basin, and aimed to develop close relations with these countries. With the onset of the Arab Spring uprisings, Turkey urged the administrations of Egypt, Syria, and Libya, which could not be changed through democratic means, to listen to the peoples' demands. Once this did not happen, Turkey sided with these countries' peoples. In Egypt, Ankara supported Mohamed Morsi, who was the first and only president that came into power through democratic elections. In the same way, it has supported the moderate opposition in Syria, which represents the majority of the Syrian people, as well as the Tripoli Government in Libya, which is approved of by the majority of the Libyan people and acknowledged by the international community.<sup>5</sup>

Turkey's close interest in Egypt, Libya, and Syria has disturbed the actors supported the Sisi and Khalifa Haftar, the putschists in Egypt and Libya, respectively, as well as Bashar al-Assad, the dictator in Syria. Despite having different interests and goals, the common trait of the states supporting Sisi and Haftar is that, instead of endorsing the leaders who rely on their people and come to power democratically, they prefer putschists. This is why they regard Turkey's policies,

<sup>5</sup> Kemal İnat, "Doğu Akdeniz Sorununun Nedenleri ve Türkiye'nin Politikası", *Türkiye*, 11 December 2019.

which prioritize people and denounce coup designers and dictators, as a threat. They all are, in fact, are aware of Turkey's potential to break the schemes plotted in these regions.

The UAE, Israel, the U.S., France, Russia, and Saudi Arabia, who see Ankara's interests in Egypt, Syria, and Libya as a threat for their influence and interests, put forth an intense effort to break Turkey's involvement in the Eastern Mediterranean. By this token, they did not hold back from involving themselves in direct attacks against Turkey's security. It would not be fair to suggest that these states constitute a united front against Turkey. In fact, some of them are in competition with each other in the region. However, one can see that France and Russia, although opposites on the Syrian issue, agree in their support of Haftar.

It is also necessary to mention Israel and the effective lobby it has in the U.S. regarding efforts to deter Turkey in the Eastern Mediterranean. During the JDP period, after advancing its economic and military capacities Turkey inclined towards a more independent foreign policy, including here opposing Israel's aggressive policies, which made it a target for the Israeli lobby. For Turkey, this means becoming a target of some circles in Washington that are influential in forming the U.S. foreign policy.

Turkey recognizing the 2006 election-winning Hamas as the legitimate representative of the Palestinian people by accommodating its leader Khaled Mashal in Ankara, opposing Israel's inhumane blockade and attacks of Gaza, and disturbing Tel Aviv by its autonomous policies in the Middle East resulted in Israel mobilizing its lobby in the West, which is highly influential in the media, politics, and economy, against Ankara. Thus, a bloc, joined by states like the UAE, Saudi Arabia, and Egypt, emerged in the Middle East against the JDP government. This bloc acts together against Turkey in the issues of Libya and maritime jurisdiction in the Eastern Mediterranean. The main objectives of Turkey's Eastern Mediterranean policy are to prevent further expansion of

this bloc, which targets its independence and interests, with the inclusion of Libya and to defend its interests in the Eastern Mediterranean.<sup>6</sup> For this reason, with the goal of establishing a ceasefire in Libya, Ankara did not abstain from lending the Tripoli Government its military support. At the same time, on January 19, 2020, Ankara provided an active diplomatic contribution at the Conference in Berlin.

## ECONOMY

One of the factors taken into consideration when forming Turkey's Eastern Mediterranean policy is this region's importance to the Turkish economy. The Eastern Mediterranean is a critical region both for its abundant energy resources and for the bilateral economic relations between Turkey and the countries of the region. Turkey seeks to both decrease its foreign dependence on energy and to increase its trade, first with neighboring countries and then with the world. In this regard, when forming its Eastern Mediterranean policy, Turkey is, on the one hand, intensely searching for natural gas and oil on its continental shelf and following policies towards transferring the resources found in other countries' maritime zones to the Western markets through Turkey, and, on the other hand, trying to improve its relations with the countries in the region.<sup>7</sup>

The Eastern Mediterranean has approximately 4.5 percent of the total natural gas reserves in the world. The seismic detection and drill activities performed until today show that essential portions of these reserves range from the Tamar and Leviathan gas fields, where the coasts of Cyprus, Egypt, and Israel meet, to the West Nile Delta field along the Egyptian coast. The largest natural gas fields explored on

<sup>6</sup> Burhanettin Duran, "NATO'nun 'Güncellenmesi' ve Doğu Akdeniz hamlesi?", *Sabah*, 3 December 2020; Burhanettin Duran, "Doğu Akdeniz'de Üç Kritik Adım", *Sabah*, 28 December 2019.

<sup>7</sup> Deniz İstikbal ve Hacı Mehmet Boyraz, "Doğu Akdeniz Enerji Kaynaklarına Ekonomi-Politik Bir Yaklaşım", *Kıbrıs Araştırmaları ve İncelemeleri Dergisi*, Vol. 3, Issue 5, December 2019, pp. 69-86.

this line are in Tamar with 318 billion cubic meters, in Leviathan with 605, in Aphrodite with 129, in Calypso with 230, and in Zohr with 850 billion cubic meters of natural gas. In the Levant and Nile Delta basins, a total presence of approximately 9.8 trillion cubic meters of natural gas is estimated.<sup>8</sup> Apart from the explorations in the Levant and West Nile basins, no comprehensive research has yet been done in the region, which includes Turkey's continental shelf, stretching from the southwest coasts of Turkey to the eastern coast of Libya and the western coast of Egypt. With the drillships it purchased lately, Turkey has been conducting drilling attempts in this region. Comprehensive energy research has not yet been done on the Aegean Sea, either, due to the disputes on maritime jurisdiction zones between Turkey and Greece.

The natural gas reserves in the Eastern Mediterranean region are not only present on the seafloor. It is known that some areas within the boundaries of Egypt and Libya are also rich in natural gas. Having the Wafa and Bouri gas fields, Libya is 22<sup>nd</sup> in the world with around 1.5 trillion cubic meters of natural gas reserves. Egypt is 16<sup>th</sup> in the world, with the Zohr, West Nile Delta, and Atoll fields yielding a total of around 2.2 trillion cubic meters of natural gas.<sup>9</sup> It must be said that the reason many global and regional players got involved in the Libyan civil war is closely related to its abundant energy resources.

The Eastern Mediterranean region is rich not only in natural gas, but also in oil. Adding land and sea reserves together, the Eastern Mediterranean possesses nearly 3.7 percent of the world's total oil reserves with around 64 billion barrels that are known of. Libya alone has nearly 3.2 percent of the world's oil reserves, with roughly

<sup>8</sup> See: "Yunus Furuncu, Doğu Akdeniz'de Türkiye Dışındaki Ülkelerin Hidrokarbon Arama ve Sondaj Faaliyetleri", Kemal İnat, Muhittin Ataman, Burhanettin Duran (Ed.), *Doğu Akdeniz ve Türkiye'nin Hakları*, SETA Publications, İstanbul, 2020.

<sup>9</sup> "International Energy Statistics", U.S. Energy Information Administration, <https://www.eia.gov...>

48.4 billion barrels,<sup>10</sup> and Egypt has around 3.3 billion barrels of known oil reserves.<sup>11</sup>

From the abundance of oil and natural gas reserves, it can be understood why the Eastern Mediterranean is so important for Turkey, a nation dependent on foreign energy. Although Turkey's primary goal is to discover oil and natural gas within its own maritime jurisdiction zones, it is also concerned with obtaining licenses in countries that are rich in energy resources, such as Libya, for production. Ankara is also ready to transfer energy resources extracted in other countries' maritime zones or territories to Western countries with pipelines running through Turkey. By doing so, Turkey will be able to both find alternative suppliers for its energy consumption and strengthen its role as a bridge between the energy-rich East and the West that needs these resources the most.

TABLE 1. TURKEY'S FOSSIL FUEL IMPORTS (2010-2019)			
	Oil (million tons)	Natural Gas (billion m <sup>3</sup> )	Coal (million tons)
2010	18.8	38.0	22.0
2011	20.5	43.8	24.0
2012	22.2	45.9	29.6
2013	21.1	45.2	27.2
2014	32.5	49.3	30.2
2015	39.6	48.4	34.5
2016	40.0	46.3	36.8
2017	42.6	55.2	39.1
2018	38.7	50.3	39.1
2019	41.3	45.2	

Source: Compiled from EMRA and TKİ data.<sup>12</sup>

<sup>10</sup> "Oil Data: Upstream", OPEC, <https://asb.opec.org...>

<sup>11</sup> "BP Statistical Review of World Energy", 2019, 68th Edition, BP, <https://www.bp.com...>

<sup>12</sup> "Natural Gas Market Annual Sector Reports", EPDK, <https://www.epdk.org.tr...>; "Petroleum Market Annual Sector Reports", EPDK, <https://www.epdk.org.tr...>; "2018 Kömür Sektör Raporu", TKİ, <https://www.enerjiportali.com...>

It is expected for Turkey, which is dependent on foreign energy, to search for natural gas and oil within its maritime jurisdiction areas in the Eastern Mediterranean. While opposing attempts towards ex-torting its maritime zones, Turkey has begun exploration activities by determining the boundaries of those areas. Through agreements signed in 2011 with the TRNC and in 2019 with Libya, the boundaries of Turkey's continental shelf and EEZ were determined, and this was followed by seismic detection and drilling activities in these sea zones. The seismic vessels Barbaros Hayrettin Paşa and Oruç Reis, together with the drillships Fatih and Yavuz, put Turkey into the world's leading countries in terms of researching energy resources on the seafloor.<sup>13</sup> In the beginning of 2020, the drillship Kanuni was added to the fleet.<sup>14</sup> With the naval ships accompanying these vessels to ensure they are safely carrying out their activities in the aforementioned sea zones, its comprehensive naval exercises carried out in the region, and its expanded military presence in Cyprus with drones, Turkey has shown a resolution to defend its economic and legal interests in the Eastern Mediterranean.<sup>15</sup>

The Eastern Mediterranean region is also important for Turkey's trade opportunities and potential, considering Turkey's goal to enter the world's ten strongest economies. When looking at the trade figures between Turkey and the countries in the region, a major increase between 2002, the year when JDP came into power, and 2019 is observable. While Turkey's export to these countries was \$2.6 billion in 2012, it amounted to \$15.3 in 2019. During this period, Turkey's trade volume with Egypt and Libya increased tenfold.

<sup>13</sup> Büşra Zeynep Özdemir, "Uluslararası Deniz Hukuku Perspektifinden Türkiye'nin Doğu Akdeniz Politikası", Kemal İnat, Muhittin Ataman, Burhanettin Duran (Ed.), *Doğu Akdeniz ve Türkiye'nin Hakları*, SETA Publications, İstanbul 2020; Barış Şimşek, "Türkiye Gemileri Dörtlüyor", *Sabah*, 17 July 2019.

<sup>14</sup> "Sondaj Gemisi 'Kanuni' Türkiye'de", TRT Haber, 15 March 2010.

<sup>15</sup> "Doğu Akdeniz-2019 Davet Tatbikatı Tamamlandı", TRT Haber, 20 November 2019; "KKTC SİHA üssü oluyor", *Hürriyet*, 15 December 2019; "Fatih'i, Yavuz'u Milli Savaş Gemileri Koruyor", *Akşam*, 27 June 2019.

**TABLE 2. GROWTH OF TURKEY'S TRADE WITH EASTERN MEDITERRANEAN COUNTRIES (BILLION)**

	Export		Import		Trade Volume	
	2002	2019	2002	2019	2002	2019
<b>Israel</b>	861	4.357	544	1.743	1.405	6.100
<b>Egypt</b>	326	3.318	118	1.812	444	5.130
<b>Greece</b>	590	2.115	312	1.396	902	3.511
<b>Libya</b>	165	1.962	42	478	207	2.440
<b>TRNC</b>	222	1.272	20	57	242	1.329
<b>Syria</b>	267	1.226	315	90	582	1.316
<b>Lebanon</b>	187	1.026	42	54	229	1.080
<b>Palestine</b>	4	66	0,01	8	4	74
<b>Total</b>	<b>2.622</b>	<b>15.342</b>	<b>1.393</b>	<b>5.638</b>	<b>4.015</b>	<b>20.980</b>

Source: Compiled from TURKSTAT data.

## HISTORICAL AND CULTURAL BONDS

The entire Eastern Mediterranean, excluding Malta and the southern and western coasts of the Adriatic, being under the rule of the Ottoman Empire created strong historical and cultural bonds between Turkey and the geography stretching from Tunisia to the Balkans and from the Levant to Egypt and Libya. The Ottoman Empire ruled the Eastern Mediterranean coastal countries of Egypt for 365 years, Tunisia for 332, Montenegro for 339, Albania for 445, Greece for 437, and the lands comprising Syria, Palestine/Israel and Lebanon (the Levant) for 402 years. Thus, a considerable portion of these countries' histories took place under the Ottoman Empire. Turkish minorities continue to live in a significant part of these former Ottoman lands, while Muslims inhabit in Balkan countries as a heritage of the Ottoman period. In Albania and Bosnia-Herzegovina, Muslims constitute the majority of the population, while, a significant number of Turkish and Muslim populations live in countries like Macedonia and Greece.

The cultural proximity brought about by this shared history facilitates Turkey's development of bilateral relations with the Eastern Mediterranean countries. Ankara, in periods of conservative leaders such as Turgut Özal, Necmettin Erbakan and Recep Tayyip Erdoğan, attached importance to developing the relationships with the Balkans, the Levant, and North Africa. However, global powers like the U.S., England, Russia, and France, which have, in comparison to Turkey, a much newer and lesser presence in the region, are uncomfortable with Ankara's interest in this former Ottoman geography. Naming Turkey's steps to develop relations with the region, which it had neglected for a long time, first "Middle Easternization"<sup>16</sup> at the end of the 2000s and then an "axis shift" and "Neo-Ottomanism," they wanted Ankara to return to a Western-oriented foreign policy. Turkey's efforts to develop its relations with Egypt, Palestine, and Syria, aiming to convert the historical and cultural bonds into an opportunity, have disturbed Israel and other global players that regard the Eastern Mediterranean as their own zone of influence. For this reason, media institutions and academic circles which are tied to the Jewish lobby in the West, led the above-mentioned accusations against Turkey.

During the JDP period, the main criticism directed at Turkish foreign policy is its being shaped by ideological preferences. The concepts of axis shift Neo-Ottomanism are used for this end as well. Ankara's valuing the historical and cultural bonds in the relations with both the broader Middle East and the Eastern Mediterranean countries is an effort of ensuring mutual interests. The only axis for Ankara is its concrete national interests.<sup>17</sup> The "ideological foreign policy" criticism cannot wreath Turkey's national interests regarding maritime jurisdiction zones in the Eastern Mediterranean. In fact, the EU countries that

<sup>16</sup> Burhanettin Duran, "Türk Dış Politikası Ortadoğululaşiyor mu?", *Ortadoğu Yılığ* 2008, İstanbul, Küre Yayınları, 2009, pp. 385-402.

<sup>17</sup> Burhanettin Duran, "Tek Eksen Türkiye'nin Milli Çıkarları," *Kriter*, February 2020, Year 4, Issue 3, pp. 6-8.

adopt the maximalist theses of Greece and the GASC, are showing an inclination to imprison Turkey into the Gulf of Antalya. This attitude cannot serve regional stability, peace, or cooperation. On the contrary, the EU countries are displaying a biased and ideological attitude.

Turkey's development of its political and commercial relations with former Ottoman and Muslim lands should not be seen as an alternative to its relations with the West. Although the U.S. and EU support the PKK-YPG, especially in Syria, and host FETÖ in their countries, Turkey places importance to its relations with NATO and the EU, and endeavors to resolve arising problems. Turkey clearly does not regard the integration with the West as "an asymmetric interdependence." In the last ten years, Turkey's relationships with the West have been redefined. However, Turkey primarily drawing attention to the cultural and historical bonds in terms of diversifying its commercial relations is disturbing those who regard its Ottoman past as an obstacle. Those in Turkey who harbor negative ideas against developing relations with the Muslim lands are being fed by a line of thought that perceives modernization as moving away from Islam and Muslims. This obsessive Westernism regards Turkey's recent insistence on the pursuit of mutual interests in relations with the U.S. and EU as dangerous. It also finds Turkey developing its relations with the Muslim countries of the former Ottoman geography as a crime. Because integration with the West is thought of in these circles as staying away from the actions that will disturb the West and acting unconditionally in accordance with Western countries, Turkey's growing interest in Egypt, Libya, Syria, and Palestine is regarded negatively.

It is necessary to state that these circles are also present in the countries on the eastern and southern coasts of the Eastern Mediterranean. As in Turkey, within these countries, which have been under Western influence for nearly 150 years, there are circles who defend getting along with the West at any cost and not being involved in any relations that the Western countries do not allow. The absence of attempts to de-

velop positive relationships based on this common history and culture between Turkey and these countries before the Cold War was closely connected with this problematic Westernist understanding.

During the 1980s, with Turgut Özal's "multi-dimensional foreign policy"<sup>18</sup> approach, Turkey began to use shared history and cultural past as a positive element in its foreign relations, and this approach was also adopted by the JDP governments, who came into power in 2002. The reactions to this approach by the countries on the other side of the Eastern Mediterranean have changed seasonally according to the governments. While in 2012, during the short-lived rule of Mohamed Morsi, who took charge as the first elected president of Egypt, there was an intense collaboration between Turkey and Egypt. Since Abdul Fattah el-Sisi took power, the relationship between the two countries has deteriorated. Although the views about the Ottoman past by the people of Syria, Palestine, Lebanon, and Libya have been affected by their leaders' approaches and conjunctural developments, they have been generally positive. Their positive attitude regarding collective history and cultural values will continue to be one of the aspects that Turkey will keep in mind in its Eastern Mediterranean policy.

## INTERNATIONAL LAW

Another determining factor in the formation of Turkey's Eastern Mediterranean policy is the rules of international law regulating interstate relationships and protecting human rights. When looking at Ankara's attitude towards policies related to Palestine, Libya, Egypt, Syria, Lebanon, and Cyprus and maritime jurisdiction zones, it can be seen that it always tries to act according to international law and opposes policies from other states that violate the main principles of international law.

Firstly, when examining Turkey's policies about maritime jurisdiction zones in terms of international law, Ankara is acting based on

<sup>18</sup> Muhittin Ataman, "Özalist Dış Politika: Aktif ve Rasyonel Bir Anlayış," *Bilgi*, Vol. 2, Issue 7, 2003, p. 47-62.

international judicial bodies' decisions about maritime jurisdiction zones. By this context, with the memorandum of consensus signed with Libya, a potential obstacle posed by the region's Greek islands is prevented and these jurisdiction zones are declared to the United Nations (UN) while being determined according to Turkey's Eastern Mediterranean coastline length. The oppositions of Greece and the EU states which it supported it, on this subject are contrary to the judicial opinion on this subject generated by international judicial decisions. Ankara, on the determination of the Cyprus island's maritime jurisdiction areas, is following a policy that prioritizes the resolution of this problem. Until the problem gets resolved, it has offered a "joint committee" for the collective search and management of the resources in the island's maritime zones; however, this offer was not accepted by the Greek side.<sup>19</sup>

On the Cyprus issue as well, Turkey is acting within the framework of international law principles. After the coup carried out on the island, its intervention based on its guarantor rights stems from the London and Zurich Agreements and was thus appropriate from international law perspective. Since the United Kingdom, which was the other guarantor state, did not accede to intervene, and since Greece was already supporting the coup, Turkey became obliged to intervene alone. In the wake of the Turkish military intervention, which led to the establishment of the Turkish Federated State of Cyprus in 1975, Turkey showed that it was eager to reach a federal solution on the island; however, the Greek side's irreconcilable attitude resulted in tension and polarization of the island. Eventually, the Cyprus Turks had to declare the establishment of Turkish Republic of Southern Cyprus (TRNC) in 1983, as an independent state. After the declaration of political independence, the TRNC and Turkey participated in countless meetings conducted within the UN framework. However,

<sup>19</sup> "Kıbrıs Rum Kesiminden, Türk tarafının Ortak Komite Önerisine Ret", NTV, 16 July 2019.

the EU institutions sided in favor of Greece and the Greek Cypriots and the EU's biased position destroyed the possibility of finding a solution. This was highlighted when a solution was near in 2004 after a referendum was made through the context of the Annan Plan. When the Greek Cypriots were awarded an EU membership despite their negative attitude towards the plan. Thus, it became clear who was responsible for the continuation of the problem. In the following proceedings that took place under the UN's guidance, Turkey stated that it was ready to contribute to a solution that guarantees the security of the Turkish people in Cyprus. However, the Greek side refused Turkey's guarantee and ignored the security problem of the Cypriot Turks on the island with Turkish soldiers remaining there, this side continues to pose an obstacle for advancing a solution.

Similarly, Turkey follows take principles of international law into consideration in its relations with Israel, another regional player. The Israeli problem is another of problem in the Eastern Mediterranean. Turkey is one of the most critical countries speaking out against the obvious international law violations of the Israel state and its supporters. In the years 2008-2009, 2012, and 2014, thousands of people lost their lives, most of which were civilians, in Israeli attacks against Gaza. Turkey harshly criticized these unilateral and illegitimate attacks. President Erdoğan opposed these assaults in which international law was violated in nearly all aspects, and the protection of human rights in particular. He lambasted Israeli president Shimon Perez on January 29, 2009 at the Davos Summit, where both shared a panel, about the attacks in Gaza that began on December 27, 2008 and continued for over three weeks. The "One Minute" incident caused not only a severe break in bilateral relations between Turkey and Israel but also the mobilization of the global Jewish lobby against Turkey. As a result of Turkey's opposition to aggressive Israeli policies, most Western countries turned to pursue anti-Turkish policies. The perception of Turkey severely deteriorated in the Western world. The JDP government start-

ed to pay the price of backing international law by facing an ideological campaign from the 2010s onward.

Other steps that Turkey took to defend international law within the frame of Israeli issue include opposing the policies of the Netanyahu government in East Jerusalem and the West Bank, which aims to annex these places and to disrupt the population balance in the area. Therefore, it constantly builds new residential areas and continue its aggressive and expansionist settlement policy. In addition, the U.S. government took some significant steps legitimizing Israeli control over the occupied territories. By this token, a reaction was shown by the Trump administration's recognition the united Jerusalem as the capital of Israel, annexation of the Golan Heights, the region that belongs to Syria and was invaded by Israel in 1967's Six-Day War and annexed in 1981, by the Israeli state, and the "legitimization" of Jewish settlements in West Bank and East Jerusalem. Turkey initiated a serious diplomatic move especially against the Trump's administration's acknowledgment of the united Jerusalem as the capital of Israel contrary to the many decisions of the UN Security Council. Turkey played the greatest role during the UN General Assembly meeting and decision declaring the American move as a violation of international law and as an illegal step.

Another Eastern Mediterranean issue where Turkey has acted in accordance with international law is the issue of the military coup in Egypt in 2013. Turkey was one of the few countries that clearly opposed the overthrow of the elected president Mohamed Morsi after a bloody military coup. Through successful democratic elections, Egyptian people entitled Morsi to rule the country. However, together with some regional countries such as the United Arab Emirates and Saudi Arabia, many Western countries such as the U.S. supported the coup, which brought General Sisi to power. Western countries who publish human rights reports on almost all countries in the world, including Turkey, did not hesitate to support the coup. In this case, Turkey invited the Western countries to take the main principles of

international law into consideration. Turkey has been determined not to compromise its principled stance. Turkey opposed the coup and the massacres carried out during the coup and continued to criticize the massive human rights violations made by Sisi's junta.

Although opposing a coup wanted by Both Tel Aviv and Washington supported the Egyptian military coup; therefore, Egypt continued to be the second largest recipient of the U.S military assistance. The overthrow of Morsi and the Sisi government' coming to power created a negative atmosphere for Turkey. Still, Ankara continued to pursue a policy based upon the main principles of international law to follow both the coup makers and its external backers. Turkey's expectation of Egypt was responding the demand and the will of its people, not the demands of external actors who supported the coup and providing welfare for the people of Egypt and stability for the Eastern Mediterranean region. Turkey is careful not to interfere in the domestic affairs of Egypt, but continues to criticize the human rights violations of the putschist administration.

As one of the leading countries supporting for gradual reforms and democratization in the Middle East, Turkey has been following a policy, which prioritizes democracy and human rights in Syria, another Eastern Mediterranean country, as well as in other regional countries. Protection of the Syrian refugees stands out as the most outstanding component of Turkey's policy towards the Syrian crisis. Accommodating more than 3.6 million Syrian in its lands, Besides the refugees living inside of its territory, Turkey has spent the highest amount of money for the needs of more than 2 million displaced refugees inside of Syria. Considering that protecting refugee rights is a critical issue in terms of human rights, Turkey is far more concerned about this issue than any other state in the world. In this context, when examining the policies of European countries on this topic, it is clear that they have a lot to learn from Turkey and the Turkish experience.

Turkey has been spending efforts for more than 12 million refugees, which were displaced they by Russia and the Assad regime, to be able to return to their homes in Syria. In this framework, Turkey continue to support the diplomatic resolution efforts together with Russia and Iran, on the one hand; and to prevent the emergence of new refugee waves in Idlib region. In order to secure this objective, Turkey had to execute military operations. Even though the main reason of these military operations is the national security concerns. Four military operations, namely Euphrates Shield, Olive Branch, Peace Spring, and Spring Shield were executed by Turkey to prevent the attacks of two terrorist organizations, i.e., ISIS and PKK/YPG, within the scope of the right to self-defense laid out in Article 51 of the UN Charter. However, another objective of these operations was the protection of civilians and the prevention of new waves of refugees into Turkey.<sup>20</sup> As a side effect of these operations, Turkey wants to create a safe zone in the north part of the country and to replace some part of refugees to this region.

## CONCLUSION

The developments that threatened Turkey's economic and security interests in the Eastern Mediterranean have urged Ankara to closely involvement with the region. Along with economic and security-related factors, historical-cultural bonds have also constituted one of the main motivations of Turkey's Eastern Mediterranean policy. If other countries in the region abandon their maximalist policies that ignore international law and choose the path of agreeing with Turkey, the problems in the region can be easily resolved. This assumption is valid for both Eastern Mediterranean energy resources and regional problems such as Libya and Syria.

<sup>20</sup> Kemal İnat, "İdlib'de Bulunmak Türkiye İçin Zorunluluk mu Tercih mi?", *Türkiye*, 12 February 2010.

Greece's eagerness to give its islands maritime jurisdiction zones beyond territorial waters, which will cut into Turkey's continental shelf, the GASC's licensing of maritime blocks to international companies for energy research activities by violating the TRNC's and Turkey's rights, and, with the aim of making their illegal actions permanent, their signing of agreements in close cooperation with Israel, Egypt, and the U.S., and conducting joint military operations will not contribute to the resolution of the problems. Turkey's historical bonds, together with its security and economic interests, have necessitated its opposition to these *fait accomplis* and impositions. Ankara is taking the necessary steps within its rights granted by international law.

Turkey is an indispensable partner for the extraction of energy resources in the Eastern Mediterranean and their transmission to the world markets in the most economical way. Attempts to bypass Turkey will postpone bringing these resources to the world economy and will increase the tensions in the region. For this reason, it is best for the region's countries to agree with Turkey in delimiting the maritime jurisdiction zones according to international judicial decisions and the principle of equity. Making this agreement will ensure the transmission of the resources to be extracted from the region to Europe over Turkey, which is the most economical way. Ankara does not want the energy potential of the Eastern Mediterranean to generate conflict; on the contrary, it sees the energy resources as a means for collaboration. It defends the establishment of a consortium benefiting all parties.<sup>21</sup> However, it will also continue its military and political moves to undermine the efforts of the actors ignoring Turkey's legitimate national interests.

<sup>21</sup> İsmail Kavaz, "Türkiye, Doğu Akdeniz'de Bir Adım Önde," *Kriter*, January 2020, Vol. 4, Issue 42.



TWO

THE POLITICAL DIMENSION  
OF THE EASTERN  
MEDITERRANEAN





# THE CYPRUS DISPUTE: THE PREREQUISITE FOR THE SOLUTION OF THE EASTERN MEDITERRANEAN PROBLEM

MUHİTTİN ATAMAN\*

MEHMET ÇAĞATAY GÜLER\*\*

## INTRODUCTION

Cyprus, the third-largest island in the Mediterranean, has a lively history. The island is home to over a million people and has hosted many states and international organizations, dating from nations and empires of the past to the regional and global actors of today. Cyprus fell under British control in the last quarter of the 19<sup>th</sup> century, following the longstanding reign of the Ottoman Empire for over 300 years. The island declared independence in 1960, with Turkey, Britain and Greece serving as guarantors.

However, soon after independence, the Greeks, who form the majority on the island, launched widespread discrimination, persecution and slaughter against the minority Turks. In this way, the resulting Cyprus dispute has expanded gradually with the intervention of two guarantor countries: Turkey to protect the cultural and human rights of Turkish Cypriots and Greece's response on behalf of the Greek Cypriots. From this point, the historical Cyprus dispute can be described as the clash of two opposing ethnonationalism movements that stem

\* Prof. Dr., Ankara Social Sciences University

\*\* SETA, Foreign Policy Department

from the struggle of the minority Turkish Cypriots against the discriminatory and domineering policies of the majority Greek Cypriots. These two ethnic-nationalisms make sense under the nationalism that exists within Turkey and Greece.

With the declaration of independence from the state of Cyprus, a new constitutional order was created that structured the state in a way that balanced power between the two ethnic groups. Not long after, however, the Akritas Plan disrupted attempts of cooperation, peace and security. The plan called for the unification of Greek Cypriots with mainland Greece, resulting in bloody clashes driven by the ethno-nationalist desire to expel Turkish Cypriots from the island.

Both local and regional efforts have been made to solve the island's problems. Two events are important: the establishment of a Peacekeeping Force and the drawing of the famous green line that divides the island in two by the three guarantor states (Turkey, Greece and Britain) as a result of the Bloody Christmas events in 1963. Immediately after these events, an international peacekeeping mission, which was established under the umbrella of the United Nations (UN) in March 1964 and is still in effect, was deployed on the island. Later, numerous negotiations, meetings and negotiations were organized under the leadership of both the UN and the European Union (EU). In this context, various agreements have been signed, the parties have agreed on many points, but no realistic and concrete measures have been taken for the solution. As a result, no remarkable solution has been obtained from all these negotiations.

The year 1974 is accepted as a turning point for the modern Cyprus history and the Cyprus dispute. At the time, with the encouragement and support of the Greek junta, who was in power in Athens, the radical Greek Cypriots made a coup attempt in order to annex the island to Greece. Turkey, as one of the three guarantor countries according to the 1960 Treaty of Cyprus, prevented the coup attempt with a military response that deployed troops with the

aim of minimizing the conflict and protecting the Turkish Cypriots from ethnic cleansing. The status of the island has evolved into a completely different point after Turkey's military intervention, described as a peacekeeping operation. Turkish soldiers, who came to the island to protect the rights of the Turkish Cypriots, were permanently deployed on the island and became the guarantee of the Turkish Cypriots against possible Greek atrocities.

After the Greek contingent failed to take the right steps to solve the problem, the Turkish Cypriots declared the foundation of the Turkish Republic of Northern Cyprus (TRNC), which included the administrative and political structures within the framework of the self-determination right granted to people under the UN founding agreement of 1983. As of this date, the Turkish side, as the TRNC, has made intensive efforts to ensure peace, equality, unity, and togetherness under the leadership of President Rauf Denktaş. The Turkish side actively participated in all bilateral, multilateral, local, and international meetings and followed solution-oriented policies. However, these efforts have not received the expected response from the Greek side. The Greeks, who did not backpedal on their goal of commandeering the island, preferred the continuation of the problem.

The 2004 referendum, under the Annan Plan from 2002, received 65 percent support from the Turkish side. However, the Greek side opposed the plan with a 76 percent vote, bringing the plan to a deadlock. Despite the hostile attitude of the Greeks, the European Union (EU) has accepted the Greek Cypriot Administration of Southern Cyprus (GASC) as a full member, either by making concessions from its own principles or by ignoring them altogether (since border issues on the island have not been resolved). This step also made it impossible to solve the problem on the island. Southern Cyprus, as part of the EU, cannot be on the side of a solution. The GASC carried every problem it faced from the Turkish side to the European platform as an EU issue and has asked the EU to exert pressure on Turkey at every opportunity.

The federal government structure proposed by the Annan Plan and other efforts to unite Cyprus as a single island faced further drawbacks after the Crans-Montana Talks in 2017. The Greek society on the island, backed by Greece, strongly opposed the presence of any Turkish soldiers on the island and did retreat back from its zero-military presence policy. Nevertheless, the military presence on the island is regarded as a *sine qua non* for the Turkish community because of the historical pattern of security threats against them. Thus, the military sought to protect the security and interests of the public on the island, ensure the security of the Eastern Mediterranean as a whole, and to protect the rights of the TRNC and Turkey both under the sea and above it. As a result of the GASC's refusal to meet the TRNC halfway and their repeated interference in potential resolutions, despite Turkey's willingness to step in and solve the matter, the process has proved inconclusive.<sup>1</sup>

While Turkey is the only country that recognizes the TRNC, the GASC enjoys an unfair international recognition as the sole owner of the island under the name the Republic of Cyprus. These Greek Cypriots, whom Turkey refuses to recognize, have seen themselves as the sole owner of the island from the very beginning and thus act as the only legitimate representative of the island on the international stage. As a natural consequence of this, the rights of the Turkish people living on the island are usurped and ignored, as their legitimate demands are ignored. This situation is not limited to the resources on the island, but it is also valid for natural resources under and above the sea. In this regard, abundant natural gas and oil reserves in the Eastern Mediterranean have appeared as one of the new problem areas. All the people of Cyprus, including the citizens of the TRNC, are entitled to the reserves around the island, regardless of the opposite approach taken by the Greek contingent. The GASC violates

<sup>1</sup> "İsviçre'deki Kıbrıs Görüşmelerinde Sonuç Yok", NTV, 7 July 2017.

the rights of Turkey and the TRNC through the encroachment of Turkey's Exclusive Economic Zone (EEZ) fields and territorial waters by creating parcels over the area, signing agreements and licensing exploration-drilling operations with third parties (both countries as well as multinational corporations).

In contrast, the presence of the GASC is not officially recognized by Turkey. This issue is crucial for Turkey's drilling plans in the eastern Mediterranean. In fact, in the case of Turkey's non-recognition of the GASC, the UN Law of the Sea Convention reveals different results. While mutual non-recognition creates legal invalidation, it causes unpredictable policy practices. Therefore, the suspected natural wealth under the sea leads to greater conflict not only between people of the island but also between Turkey and both Greece and the GASC. In this context, the prerequisite for resolving these disputes is the resolution of the Cyprus dispute.

## **THE ENERGY COMPONENT OF THE CYPRUS DISPUTE**

Drilling activities in the Eastern Mediterranean basin go back to the 1960s. However, many natural gas fields were first discovered in the region as a result of Egypt's deep-water drilling activities towards the end of the 1990s. Egypt's success has also attracted the attention of Israel, which has not been able to discover a commercial amount of natural gas and oil in its over 500 wells opened on land and at sea since 1948. The petroleum exploration began in 1970 was inconclusive for 29 years. The first small-scale natural gas discoveries were made in 1999, at the Noa field off Israel's Ashkelon coast, leading to an increase in subsequent research. In addition, these small discoveries have accelerated seismic data collection. The discovery of two major natural gas fields (Tamar and Leviathan) in 2009 and 2010, among the world's largest marine natural gas discoveries made be-

tween 2001 and 2010, also revealed that the region has significant natural gas potential.<sup>2</sup>

Within the scope of oil and natural gas exploration activities carried out in the region, it is possible to see 2015 as a year that changed the status quo. In that year, the Italian company ENI discovered the Zohr natural gas field in Egyptian waters, which contains 850 billion m<sup>3</sup> of natural gas.<sup>3</sup> The Zohr field is the largest natural gas field discovered in the Mediterranean waters, and its discovery changed existing policies. Additionally, unlike similar oil and natural gas exploration activities in the region, the geological structure of this field set an example for hydrocarbon exploration and drilling that took place in the Mediterranean basin after 2015.<sup>4</sup> As can be expected, this development shifted the energy and geopolitical dynamics of the Eastern Mediterranean, as well as increased drilling activities, exploration studies, and investments in them. By the same token, it is important to underline the shift of activities to deep waters and the increase of energy proposals that followed.

The Eastern Mediterranean has drawn the attention of international politics because of the discovery of many high-quality natural gas fields in the basin over the last decade. Drilling efforts have increased, seeking reserves similar to the Zohr field. This has proliferated the international oil and natural gas contracts from countries in the region, changing the status quo. The discovery of approximately 2500 billion (2.5 trillion) m<sup>3</sup> of natural gas in Eastern Mediterranean waters between January 2009 and June 2019 is a tangible indicator of this.<sup>5</sup>

<sup>2</sup> Faruk Can, "Doğu Akdeniz'de Ne Kadar Doğalgaz Rezervi Var?", Euronews, 31 December 2019.

<sup>3</sup> Cüneyt Başaran, "Güney Akdeniz Gaz Rezervi ve Türkiye'nin Elindeki Kartlar", Bloomberg HT, 14 May 2019.

<sup>4</sup> Among the reasons for this: the discovery of the largest hydrocarbon reserve in the Mediterranean up to that point that is geologically distinct from previously opened sites, as well as the increase in exploration and drilling activities that followed the discovery of this reserve.

<sup>5</sup> Başaran, "Güney Akdeniz Gaz Rezervi ve Türkiye'nin Elindeki Kartlar".

Under the current natural gas prices, this is an estimated value of \$450 billion. Despite these discoveries and exploration activities, the Eastern Mediterranean is still among the least researched and explored regions in the world. Very few drillings have been carried out so far in the region that Egypt deems the Exclusive Economic Zone in the Mediterranean. A total of 17 wells have been drilled so far in Turkey's continental shelf in the Mediterranean Sea.<sup>6</sup> It is possible to say that the strategic value of the region will increase in the future due to the high potential of the region and the possibility of more reserves.

The data provided by the United States Geological Survey Institute (USGS) is generally taken as the primary source for the natural gas potential of the Eastern Mediterranean. According to its data released in 2010, the oil and natural gas potential of the Levant Basin, which covers Israel, the Gaza Strip, Southern Cyprus, and Lebanon, sits at 1.7 billion barrels of oil and 3,500 billion (3,5 trillion) m<sup>3</sup>.<sup>7</sup> With regard to another evaluation published by the USGS in the same year, it was revealed that there are 1.8 billion barrels of oil and 6.3 trillion m<sup>3</sup> of natural gas that can be extracted in the Nile Delta Basin.<sup>8</sup> In other words, it is estimated that there is a similar amount of oil but two times natural gas in the Nile Delta compared to the Levant Basin. In short, based on USGS studies, it is possible to say that there is more than 10 trillion cubic meters of natural gas and 3.5 billion barrels of petroleum to be explored between the Nile Delta and Levant Basin.

In terms of Cyprus, oil and natural gas exploration activities began in 1938. Until today, no drilling activity on the island has produced a favorable result. On the other hand, the exploration over the

<sup>6</sup> Sohbet Karbuz, "Doğu Akdeniz'de Ne Kadar Gaz Var", *Bilkent Enerji Politikaları Merkezi*, July 2019, <https://bit.ly/2HEkxDM>, A.D. 2 January 2020.

<sup>7</sup> C. J. Schenk et al., Assessment of Undiscovered Oil and Gas Resources of the Levant Basin Province, *Eastern Mediterranean: U.S. Geological Survey Fact Sheet 2010-3014*, 2010, pp. 1-4.

<sup>8</sup> Mark. A. Kirschbaum et al., Assessment of Undiscovered Oil and Gas Resources of the Nile Delta Basin Province, Eastern Mediterranean", *U.S. Geological Survey Fact Sheet 2010-3027*, 2010, pp. 1-4.

island's sea basins began with the parcels given to foreign companies by the GASC in three hydrocarbon exploration deals in 2007, 2012 and 2016.<sup>9</sup> They continued with the parcels given to TPAO by the TRNC in regions they determined in northern and eastern parts of the island.<sup>10</sup> The first important discovery was made on the 12<sup>th</sup> parcel, given to the American Noble Energy company by the GASC.<sup>11</sup> While this discovery revealed the value of the region, it sparked a crisis in four countries. Later, two additional natural gas fields estimated at 140 billion m<sup>3</sup> and 220 billion m<sup>3</sup> were discovered in 2018 and 2019.<sup>12</sup>

In determining the Exclusive Economic Zone, the GASC acted much quicker than the TRNC. EEZ agreements were first signed with Egypt in 2003, then with Lebanon four years later, and with Israel just three years after that.<sup>13</sup> It must be noted that the GASC has made these agreements as the representative of the whole island. The signing of these treaties has clearly usurped all rights of the TRNC, beyond violating Turkey's territorial waters. According to calculations, it is es-

<sup>9</sup> "SC: 32 - 09 Ağustos 2007, Dışişleri Bakanlığı Sözcüsünün Bir Soruya Cevabı; (Doğu Akdeniz, Deniz Yetki Alanları)", T.C. Dışişleri Bakanlığı, 9 Ağustos 2007, [http://www.mfa.gov.tr/sc\\_32---09-agustos-2007\\_-disisleri-bakanligi-sozcusunun-bir-soruya-cevabi\\_dogu-akdeniz\\_-deniz-yetki-alanlari\\_.tr.mfa](http://www.mfa.gov.tr/sc_32---09-agustos-2007_-disisleri-bakanligi-sozcusunun-bir-soruya-cevabi_dogu-akdeniz_-deniz-yetki-alanlari_.tr.mfa), A.D. 4 January 2020; "No: 43, 15 Şubat 2012, GKRY'nin Açtığı İkinci Uluslararası Hidrokarbon Arama İhalesi", T.C. Dışişleri Bakanlığı, 15 Şubat 2012, [http://www.mfa.gov.tr/no\\_-43\\_-15-subat-2012\\_-gkry\\_nin-actigi-ikinci-uluslararasi-hidrokarbon-arama-ihalesi.tr.mfa](http://www.mfa.gov.tr/no_-43_-15-subat-2012_-gkry_nin-actigi-ikinci-uluslararasi-hidrokarbon-arama-ihalesi.tr.mfa), A.D. 4 January 2020; "No: 140, 18 Mayıs 2012, GKRY'nin Açtığı İkinci Uluslararası Hidrokarbon Arama İhalesi Hk.", T.C. Dışişleri Bakanlığı, 18 Mayıs 2012, [http://www.mfa.gov.tr/no\\_-140\\_-18-mayis-2012\\_-gkry\\_nin-actigi-ikinci-uluslararasi-hidrokarbon-arama-ihalesi-hk\\_.tr.mfa](http://www.mfa.gov.tr/no_-140_-18-mayis-2012_-gkry_nin-actigi-ikinci-uluslararasi-hidrokarbon-arama-ihalesi-hk_.tr.mfa), A.D. 4 January 2020; "No: 74, 25 Mart 2016, GKRY'nin Açtığı Üçüncü Uluslararası Hidrokarbon Arama İhalesi Hk.", T.C. Dışişleri Bakanlığı, 25 Mart 2016, [http://www.mfa.gov.tr/no\\_-74\\_-25-mart-2016\\_-gkry\\_nin-actigi-ucuncu-uluslararasi-hidrokarbon-arama-ihalesi-hk\\_.tr.mfa](http://www.mfa.gov.tr/no_-74_-25-mart-2016_-gkry_nin-actigi-ucuncu-uluslararasi-hidrokarbon-arama-ihalesi-hk_.tr.mfa), A.D. 4 January 2020.

<sup>10</sup> "KKTC'den TPAO'ya Petrol ve Doğalgaz Arama Ruhsatı", TRT Haber, 22 September 2011.

<sup>11</sup> Muhsin Barış Tiryakioğlu, "Doğu Akdeniz'de Enerji Denklemi-1", Anadolu Ajansı, 9 May 2019.

<sup>12</sup> Can, "Doğu Akdeniz'de Ne Kadar Doğalgaz Rezervi Var?".

<sup>13</sup> Tuğçenur Yılmaz, "Doğu Akdeniz'de GKRY İçin En Akılcı Seçenek İşbirliği", Anadolu Ajansı, 24 May 2019.

estimated that there are 1.1 trillion m<sup>3</sup> of natural gas in the GASC's so-called EEZ, announced in 2007 and consisting of 13 parcels.<sup>14</sup>

The companies ENI from Italy, Kogas of South Korea, and Total from France have joint licenses in the region's parcels number 2, 3 and 9. ENI and Total also have equal shares on parcels 6 and 11, as well as hold a standard license for parcel 8.<sup>15</sup> Companies Noble of America, BG from Britain, and the Delek Drilling Group of Israel hold shares in parcel 12. A partnership between American ExxonMobil and Qatar's Qatar Petroleum is in possession of licenses in parcel number 10.<sup>16</sup> Negotiations are continuing for the remaining parcels 1, 4, 5, 7, and 13. According to the statements of the Greek authorities, nine different drilling activities are being planned in the region. Greece is also pursuing maximalist, illegal policies similar to the GASC initiatives in the region. Greece was planning to sign an EEZ agreement with Egypt and Libya based on their islands in the area. On October 1, Greece granted a hydrocarbon exploration license to Exxon Mobil and Total in the areas belong to Libya, located at the southwestern part of Crete.<sup>17</sup>

Turkey has responded to the GASC's activities in the region by signing the Treaty on the Limitation of Continental Shelf with TRNC on September 21, 2011.<sup>18</sup> Since then Turkey has been actively pursuing exploration and drilling activities using the Fatih and Yavuz drilling ships and Barbaros Hayrettin Paşa and Oruç Reis seismic

<sup>14</sup> "Κύπρος: «Στο 1,1 τρις κυβ. μέτρα τα πιθανά κοιτάσματα φυσικού αερίου στα αδειοδοτημένα οικοπέδα» (Kıbrıs: Lisanslı Parsellerde 1,1 Trilyon Metreküp Potansiyel Gaz Sahası)", Newmoney, 12 September 2013, <https://bit.ly/38IUERM>, A.D. 6 January 2020.

<sup>15</sup> Enes Güzel, "Turkey and the Energy Equation in the Eastern Mediterranean", TRT World Research Centre, 6 August 2019, <https://researchcentre.trtworld.com/images/files/info-packs/Eastern-Mediterranean.pdf>, A.D. 7 January 2020.

<sup>16</sup> Güzel, "Turkey and the Energy Equation in the Eastern Mediterranean".

<sup>17</sup> Stelyo Berberakis, "Yunanistan, 2020'de Giriş'in Güneybatısında Sondaja Başlayacak", BBC Türkçe, 27 June 2019.

<sup>18</sup> "No:216, 21 Eylül 2011 Türkiye-KKTC Kıta Sahaneliği Sınırlandırma Anlaşması İmzalanmasına İlişkin Dışişleri Bakanlığı Basın Açıklaması", *T.C. Dışişleri Bakanlığı*, 21 July 2011, [http://www.mfa.gov.tr/no\\_-216\\_-21-eylul-2011-turkiye-\\_-kktc-kita-sahanligi-sinirlandirma-anlasmasi-imzalanmasına-iliskin-disisleri-bakanligi-basin-ac\\_tr.mfa](http://www.mfa.gov.tr/no_-216_-21-eylul-2011-turkiye-_-kktc-kita-sahanligi-sinirlandirma-anlasmasi-imzalanmasına-iliskin-disisleri-bakanligi-basin-ac_tr.mfa), A.D. 7 January 2020.

vessels in the areas called A, B, C, D, E, F, G,<sup>19</sup> based on licenses granted from the TRNC. These areas are located within the exclusive economic zones claimed by the TRNC. There are no disputes in the A, B, C and D parcels located in the north of the island, but the E, F and G licensed regions located in the south and east of the island coincide with parcels called 2, 3, 8, 9, 12 and 13 of the GASC. In addition, the GASC's 1, 4, 5, 6, and 7 parcels are in violation of Turkey's continental shelf and its EEZ, which was established on November 27, 2019. Conflict is exclusive to parcels 10 and 11 claimed by Turkey and the TRNC, whereas the debate continues for all the other parcels. It should be noted that no reserve has been found in areas where Turkey conducts its drilling activities.

In the context of energy resources, two approaches emerge regarding Cyprus: first, the protection of Turkey's national interests; second, the protection of the TRNC's rights in the region. According to the first, Turkey's economic rights are endangered and its continental shelf is violated by the GASC issuing licenses to international companies for activities in parcels 1, 4, 5, 6, and 7. For the second, there is a security concern for the TRNC that arises from the GASC licensing its regions in the south of the island. Turkey's approach is to protect the rights of the Turkish people on Cyprus, stemming from the Treaty of Guarantee of 1960. In this context, Turkey takes on the role of protecting the rights of the Turkish Cypriots to the south of the island. This duty belongs to Turkey since there is no permanent solution on the island and the Turkish people on the island cannot be represented nor recognized in the international community.

Turkey and the TRNC consider the hydrocarbon resources in the region as a source of peace and stability, rather than a source of tension. Turkey plans to increase the oil and gas exploration activities by opening five more wells in 2020. Within this scope, 26 drillings are planned

<sup>19</sup> "10 Soruda Doğu Akdeniz'de Enerji Denklemi", Anadolu Ajansı, 14 June 2019.

for exploration by 2023.<sup>20</sup> In terms of energy, it is observed that the TRNC and Turkey have yet to make a significant discovery. However, important exploration projects have been carried out by international companies in the EEZ fields declared by the GASC, in areas proven to have serious potential. The GASC, by ensuring licenses to such companies and international bodies within the scope of its so-called EEZ, acts against the national interests of both Turkey and the TRNC and the rights of the region's people. Although the Greek Cypriots have attempted to solve the Cyprus dispute with a maximalist approach, there are also legitimate demands of Turkey and the TRNC arising from international law which cannot be given up. At this point, the GASC recently started to use the energy issue in its efforts to deadlock the Cyprus dispute. In other words, the energy resources supplied to the global and regional actors who want to get maximum profit from the region are used by the Greek side as a tool for the Cyprus dispute not to be solved.

## THE SECURITY AND DIPLOMATIC COMPONENTS OF THE CYPRUS DISPUTE

The Cyprus dispute is also of great importance in the context of strategic competition and political developments in the Eastern Mediterranean region. In this context, the Blue Homeland Doctrine has emerged and has been on the recent agenda. The doctrine envisages taking necessary measures in an area of 460,000 km<sup>2</sup>, covering all of Turkey's surrounding jurisdictions.<sup>21</sup> When considering the territorial waters, continental shelf, and EEZ fields, Turkey's defined homeland at sea is almost half of its land-based territories.

The "Blue Homeland" concept has emerged from the continental shelf problems faced with Greece on the Aegean Sea. First, Greek au-

<sup>20</sup> Murat Temizer, "Doğu Akdeniz'de Sondaja Devam Edilecek", *Anadolu Ajansı*, 4 December 2019

<sup>21</sup> "Türkiye ile Libya Arasındaki Anlaşma Bir Milattır", *Milliyet*, 3 December 2019.

thorities had been alerted when Turkey granted an exploration license to Turkish Petroleum (TPAO) in the Aegean Sea in November 1973. The Greek government sent a diplomatic response to Turkey in three months, claiming the license granted by Turkey covers its own area, although this license was granted within the scope of limits between Turkey and Greece. When the separatist and nationalist policies pursued by Greece within the scope of ENOSIS were added to the increasing tension in the Aegean island, the relations between the two countries came to a breaking point. Following the Cyprus Peace Operation in 1974, Greece attempted to increase its territorial waters from six miles to 12.<sup>22</sup> However, when Turkey declared this attempt *casus belli*, further developments were frozen. During this time, as the “Blue Homeland” concept and a focus on its protection began to emerge, the military dimension became increasingly important. As such, Turkey has taken a vital step in this regard and established the 4th Army stationed in the Aegean Region.

While the “Blue Homeland” concept emerged within the Aegean Sea, it has moved to the Eastern Mediterranean region over time. The EEZ agreement signed by GASC authorities with Egypt triggered this process. The current meaning of this “Blue Homeland” concept was indoctrinated by Turkish Navy Command for the first time in 2006, becoming a concept that represents Turkey’s sea deterrence over time.<sup>23</sup> The most noteworthy event that revealed the doctrine’s necessity was the attempt of the GASC to divide its so-called EEZ into license parcels. The fact that many states, from the USA to South Korea, started exploration and drilling activities in the region through international companies immediately revealed how necessary deterrence and military-political policies were to the area.

<sup>22</sup> Ferhat Ercümen, “Yunanistan Ege’de Oldubitti Peşinde”, *Anadolu Ajansı*, 20 November 2018; Mehmet Cem Demirci, “Yunanistan 12 Mil Çıkışı ile Türkiye’nin Sınır Uçlarına Dokunuyor”, *Euronews*, 27 November 2018.

<sup>23</sup> Verda Özer, “Mavi Vatan”, *Milliyet*, 4 December 2019; Mehmet A. Kancı, “Mavi Vatan’ı savunmak”, *Anadolu Ajansı*, 26 November 2019.

When the GASC ignored the Turkish side and granted such exploration licenses to international companies, gunboat diplomacy emerged between the two parties.<sup>24</sup> The Turkish contingent has used gunboat diplomacy as a strategy for getting their requests accepted or gaining a more advantageous position with a limited navy force to deter the GASC. This strategy involves a consistent display of power to generate unease and prevent unwanted states and corporations from ventures within areas that fall under its maritime jurisdiction. Turkey has pursued this method for a long time, both in the Aegean and Eastern Mediterranean Seas.

In this regard, Operation Mediterranean Shield is of great importance in terms of military activities carried out under gunboat diplomacy in the region.<sup>25</sup> This operation emerged in 2006 under the Blue Homeland banner and continues to be exercised by Turkey every year. The operation has several aims: to support all ships in their exploration, drilling and seismology activities; to prevent other ships that explore on behalf of other countries from violating maritime jurisdiction; and to collect information about the ships in the region.<sup>26</sup> As a result, Turkish navy ships provide 24/7 security to drilling ships and ships researching oil and gas in the Eastern Mediterranean under Operation Mediterranean Shield.<sup>27</sup> In summary, the operation aims to remove all kinds of threats that could hazard the national security and that carry risk factors by creating deterrence and directly intervening if necessary. Another activity within the same context of gunboat diplomacy has been carried out since 2007, a series of naval exercises named Denizkurdu.<sup>28</sup>

<sup>24</sup> Murat Kağan Kozanhan, "Güç Kavramı ve Donanmaların Yumuşak Güç Unsuru Olarak Diplomaside Kullanılması", *Mavi Vatan'dan Açık Denizlere Dergisi*, Vol. 1, No. 2, 2019, pp. 22-29.

<sup>25</sup> "Akdeniz Kalkanı Harekatı", T.C. Deniz Kuvvetleri Komutanlığı, 3 November 2015, [https://www.dzkk.tsk.tr/icerik.php?dil=1&icerik\\_id=28](https://www.dzkk.tsk.tr/icerik.php?dil=1&icerik_id=28), AD. 10 January 2020.

<sup>26</sup> "Akdeniz Kalkanı Harekatı", T.C. Deniz Kuvvetleri Komutanlığı.

<sup>27</sup> Doğançan Aksoy, "TRT Haber Akdeniz Kalkanı Harekatı'na Katıldı", TRT Haber, 2 August 2019.

<sup>28</sup> "Denizkurdu-2007 Tatbikatı Ege'de Başladı", *Milliyet*, 26 May 2007.

Finally, for the first time in March 2019, the Blue Homeland military exercise was held simultaneously in the three seas surrounding Turkey.<sup>29</sup> With these simulated operations, Turkey aimed to show that within the scope of Blue Homeland, unlawful activities will not be allowed in any area that falls under its maritime jurisdiction, particularly the Eastern Mediterranean. The operation caused concerns in Greece and among the Greek Cypriots, so that the international organizations of the EU and NATO were asked for assistance. Considering the success of Turkey's military operations, the activities of seven ships in violation of Turkey's jurisdiction were subdued. First, the entry of Italian ship *Odin Finder* was blocked from the jurisdiction areas of the TRNC and Turkey in December 2017. Then, in February 2018, the entry of a ship owned by the Italian company ENI to parcel 3 declared by the GASC, which coincides with the F license area of the TRNC, was stopped.<sup>30</sup> Following, the German ship *Maria S. Merian* was stopped in March 2007, the French *Therys II* in June 2018, the British *Song of Whale* in August 2018, and the French ship *L'atalante* in October 2018 were stopped. In addition, Maltese Nautical *Geo's* research vessels have been prevented from entering the Turkish maritime jurisdiction around Cyprus in December 2018.

## **THE CYPRUS POLICIES OF TURKEY AND GREECE IN CONTEXT OF THE EASTERN MEDITERRANEAN**

In terms of energy sources in the eastern Mediterranean, Turkey wants to create a quad-sharing and profit sharing at the regional level together with the GASC, Greece, and the TRNC. In the case of realizing Turkey's expectations, the Cyprus dispute will be resolved, and all par-

<sup>29</sup> Durmuş Genç, "Mavi Vatan'daki Dev Tatbikat Göz Kamaştırdı", *Anadolu Ajansı*, 7 March 2019.

<sup>30</sup> Muhsin Barış Tiryakioğlu, "Doğu Akdeniz Enerji Denklemi-2", *Anadolu Ajansı*, 10 May 2019.

ties will have the right to preserve the riches of the Eastern Mediterranean. Moreover, the separatist policies carried out in the region and the lengthy disputes of the four involved actors will largely come to an end. In fact, at this point, there is a win-win situation that we do not often see in international relations. In this way, other regional states such as Israel, Egypt and Libya will be able to get maximum profit from regional resources and opportunities.<sup>31</sup> Turkey pursues policies to persuade the European states and the United States to recognize the TRNC and resolve the Cyprus dispute in this way.

Turkey, within the scope of its dedicated policy in the Eastern Mediterranean, defends its position that all people on the island are the rightful owners of potential reserves found in EEZ areas declared by the GASC, including controversial ones.<sup>32</sup> In theory, Greece and the GASC are not approaching Turkey's policies negatively; however, the policy followed by the GASC remains an obstacle to its realization.<sup>33</sup> As highlighted above, despite all the attempts carried out for years, all the high-level meetings and the most reasonable bi-zonal, bi-communal Republic of Cyprus solution, the Cyprus dispute cannot be resolved due to the Greek Cypriot's insistence on the removal of the Turkish soldiers and reluctance to follow solution-oriented policies.<sup>34</sup>

Turkey's other policy within the same scope pertains to other countries and companies in the international sphere. However, several operations along the energy route in the region aim to exclude Turkey from the equation. In this context, unrealistic and costly projects

<sup>31</sup> Cihat Yayıcı, "Doğu Akdeniz'de Deniz Yetki Alanlarının Paylaşılması Sorunu ve Türkiye", *Bilge Strateji*, Vol. 4, No. 6, 2012, pp. 37-41.

<sup>32</sup> Furkan Şenay ve Mehmet Uğur Ekinci, "Birleşik Kıbrıs İçin Son Şans, Federal Çözüm Müzakereleri", SETA Web Sitesi, 23 May 2014, <http://file.setav.org/>, A.D. 11 January 2020.

<sup>33</sup> Stelyo Berberakis, "Doğu Akdeniz-Kuzey Kıbrıs Lideri Akıncı: Rumların Tek Taraflı Sondaj Çalışmaları Olmasaydı, Türk Sondaj Gemileri Gelmezdi", BBC Türkçe, 9 August 2019.

<sup>34</sup> Mehmet Uğur Ekinci, "Kıbrıs'ta Müzakerelerin Çöküşü", SETA Web Sitesi, 11 August 2017, <https://setav.org/>, A.D. 11 January 2020.

focused on Israel, the GASC and Greece are being carried out. Turkey is the most suitable and advantageous route to transfer the extracted gas and connect to mainland infrastructure. Ankara conveys this issue to all other parties at every opportunity through its diplomacy. In this way, it plans to both keep itself in the equation and to turn this situation into an advantage with a TRNC oriented route in resolving the island dispute.

Overall, it appears that the nonrecognition of the TRNC by the international community weakens Turkey's hand. As all parties know, the prerequisite for solving the sharing problem of energy resources in the Eastern Mediterranean is the fair resolution of the Cyprus dispute. As emphasized by TRNC officials, the problem in the Eastern Mediterranean will not be resolved until the Cyprus dispute is resolved.<sup>35</sup> Kudret Özersay brought a different perspective to this issue apart from the recognition of TRNC and suggested the company formula.<sup>36</sup> According to this formula, the right of all parties will be respected by participating in international tenders through partner companies or in partnership with TPAO, in areas that were not previously licensed. Özersay also underlined the unacceptability of the preconditions that Turkey must stop drilling activities, imposed by the Greek Cypriot side before a solution can be met.<sup>37</sup> In this case, it seems that the energy sharing problem in the Eastern Mediterranean cannot be solved without solving the Cyprus dispute. The maximalist point of view of the Greeks and their unwillingness to give share with their Turkish neighbors hinder all means of cooperation. Policies conducted by Turkey towards equal distribution of the reserves to all four actors have been raised by TRNC authorities, and the establishment of a joint commission on public administration

<sup>35</sup> Cumhurbaşkanı Akıncı, Akçay'da Vatandaşlarla Sohbet Etti", KKTC Cumhurbaşkanlığı, 14 Aralık 2019, <https://www.kktcb.org/index.php/tr/cumhurbaskani-akinci-akcay-da-vatandaslarla-sohbet-etti-7402>, A.D. 14 January 2020.

<sup>36</sup> Sevil Erkuş, "Doğu Akdeniz İçin Şirket Formülü", *Hürriyet*, 24 August 2019.

<sup>37</sup> "Lisansları Laf Olsun Diye Vermedik", *Milliyet*, 20 January 2020.

and hydrocarbon reserves has been requested.<sup>38</sup> However, this initiative was rejected by the Greek National Council, which was held under the leadership of GASC President Nikos Anastasiadis.<sup>39</sup> The Greek side explained that the Cyprus dispute should be resolved first.

Despite all of its good intentions, other riparian states, including Greece and the GASC, continued their attempts to ignore Turkey. In this context, Greece, in cooperation with Egypt and Israel, benefiting from the current climate, continues to incite other countries against Turkey and to form a coalition against them. As a continuation of this exclusion policy, on August 7, 2019, the states of the USA, Israel, the GASC, and Greece gathered in Athens, to develop a common approach on energy cooperation and security.<sup>40</sup> Not so much after the meeting, US Secretary of State Mike Pompeo highlighted that steps taken by Turkey are unacceptable by stating the need to adhere to the rules in the exploration activities in the Eastern Mediterranean. Secretary Pompeo also made it clear that the US stands beside Greece and the GASC with the statement, “We told the Turks that illegal drilling is unacceptable and that we will continue to take diplomatic steps to ensure that the activities fall within the legal framework.”<sup>41</sup> Soon after, on October 8, 2019, Egypt, the Greek Cypriot administration and Greece, described the drilling works of Turkey in the areas they claim within the EEZ area of Cyprus as “illegal and unacceptable” and condemned.<sup>42</sup>

<sup>38</sup> Doğu Akdeniz-Kıbrıs Açıklarında Doğalgaz Krizi: Akıncı'nın Rum Yönetimiyle Ortak Komite Önerisine Türkiye'den Destek”, *BBC TÜRKÇE*, 13 July 2019; Hüseyin Işıksal, “Türkiye Doğu Akdeniz'deki AB Oyununu Nasıl Bozabilir?”, *Anadolu Ajansı*, 15 November 2019; “No: 178, 18 Haziran 2019, Avrupa Birliği Genel İşler Konseyi'nde Alınan Genişleme Kararlarının Ülkemize İlişkin Bölümleri Hk.”, T.C. Dışişleri Bakanlığı, 15 November 2019, [http://www.mfa.gov.tr/no\\_178\\_-ab-nin-ulkemiz-ile-ilgili-kararlari-hk.tr.mfa](http://www.mfa.gov.tr/no_178_-ab-nin-ulkemiz-ile-ilgili-kararlari-hk.tr.mfa), A.D. 20 January 2020.

<sup>39</sup> “Kıbrıs Rum Kesiminden, Türk Tarafının Ortak Komite Önerisine Ret”, NTV, 16 July 2019.

<sup>40</sup> Furkan Naci Top, “Atina'da Yunanistan, GKRY, İsrail ve ABD Arasında Enerji Zirvesi”, *Anadolu Ajansı*, 07 August 2019.

<sup>41</sup> ABD'den Türkiye'ye Doğu Akdeniz Eleştirisi”, *Deutsche Welle Türkçe*, 5 Ekim 2019.

<sup>42</sup> “Mısır, Kıbrıs Rum Yönetimi ve Yunanistan Türkiye'nin Sondaj Çalışmalarını Kınadı”, *Euronews*, 8 Ekim 2019.

It can be seen that the anti-Turkey initiative has been effective so far, considering the positions of the countries in the coalition that Greece has tried to form against Turkey. In the same direction, Greece and the GASC aim to achieve the most significant gain possible by signing EEZ agreements with Egypt. Greece aims to mobilize European nations against Turkey and plans to build a strong coalition in the Eastern Mediterranean that eliminates Turkey. This brings us to the EastMed project in the context of relations with European states. The project was signed in Athens on January 2, 2020, by Greek Prime Minister Kyriakos Mitsotakis, Israeli Prime Minister Benyamin Netanyahu, and GASC President Nikos Anastasiades.<sup>43</sup>

The most serious step taken by Turkey against the policies of Greece is the signing of the Memorandum of Restriction on Marine Jurisdiction with Libya. Turkey gained a legal advantage against the Greek-led coalition.<sup>44</sup> The EEZ agreement, which was designed in accordance with international law and legitimized Turkey's qualms, will make it difficult for the GASC to use energy as a political instrument. It also quashed Greece's aforementioned plans against Turkey, and most importantly, forestalled a possible future EEZ treaty signed between Egypt, the GASC and Athens. Following this agreement, which caused a strong great reaction from the Greek side, Prime Minister Kyriakos Mitsotakis stated that the memorandum violated international law and is incompatible with NATO's cooperation principle by evoking the international customs and rules. Ignoring the efforts that they make against Turkey, PM Mitsotakis urged other regional and global actors to support the anti-Turkey stance by saying, "Our country waits for an explanation from its neighbors for the endangerment of our good

<sup>43</sup> Stelyo Berberakis, "Doğu Akdeniz-EastMed Doğalgaz Boru Hattı Anlaşması Atina'da İmzalandı", BBC Türkçe, 2 January 2020.

<sup>44</sup> "Doğu Akdeniz: Türkiye-Libya Anlaşması Bölgede Dengeleri Nasıl Etkiler?", BBC Türkçe, 10 December 2019.

relations and regional security and expects them to fully back Greece's sovereign rights."<sup>45</sup>

## CYPRUS POLITICS OF REGIONAL AND GLOBAL ACTORS

Considering the Eastern Mediterranean and Cyprus policies of the regional and global actors, it can be seen that almost all of them take a stance against Turkey. Almost all of the energy companies that seek maximum share of the natural resources of the Eastern Mediterranean are owned by Israel, Egypt, the USA, and EU, and as such, they object to Turkey's regional policies and fail to recognize the rights of the TRNC. Naturally, they adopt policies focused on Greece and the GASC, which provide resources and interests to these countries via those energy companies.

First of all, when we look at the policies of the US focused on Cyprus, it is seen that it has developed diplomatic relations with the Republic of Cyprus and then with the GASC since 1960. Washington did not actively intervene in the region during the first years of the Cyprus dispute, leaving the task of managing the problem to England, the former owner of the island. During the Cold War years, the United States tried to follow a balanced policy between Greece and Turkey since it did not want to jeopardize its relations with the countries it sees as NATO's southeastern wing. Because the United States did not have a direct interest on the island, it left the conflict to Turkey and Greece.<sup>46</sup> In general, the island's political stability, pro-Western economic and democratic policies and the protection of the British bases in the region were among the basic policies of the USA.<sup>47</sup>

<sup>45</sup> Rahmi Gunduz, "İsrail ve Yunanistan'dan Türkiye'nin Libya ile Yaptığı Anlaşmaya Tepki", Euronews, 5 December 2019.

<sup>46</sup> "Turkish-American Relations concerning the Cyprus Questions", Dokuz Eylül Üniversitesi, <http://web.deu.edu.tr/kibris/articles/hist.html>, A.D. 20 January 2020.

<sup>47</sup> Thomas W. Adams and Alvin J. Cottrell, *Cyprus Between East and West*, Johns Hopkins Press, Baltimore, 1968.

The USA, for the first time, intervened directly in the issue by playing a mediator role between the parties after the Bloody Christmas events in 1963.<sup>48</sup> However, immediately after the implementation of the Akritas Plan that follows the ENOSIS philosophy, the close relationship between the GASC President Makarios and the Soviet Union, as well as attempts to invite Soviets to the island after Turkey's intervention, forced the U.S. to pursue a more active policy in the region. Then in 1964, a letter from U.S. President Johnson to Turkey against their attempt to intervene on the island in support of Turkish Cypriots changed the course of relations. The Johnson Letter had serious adverse effects on Turkish-American relations. It was read by the Greek Cypriots as American support for them, allowing Washington to meet Greek expectations. Thus, the Greeks did not knock on the Soviet door for support, meaning the letter prevented a Soviet intervention on the island.

In the post-Cold War period, the United States, which paused its containment policy against the Soviets for a while, started to highlight its interests in the context of the Eastern Mediterranean. In the fight against global threats, Washington has started to assign an important position to the GASC, which adopts a free market, the rule of law and democratic principles in order to draw the U.S. closer.<sup>49</sup> However, the GASC's acquisition of S-300 air defense missile systems from Russia adversely affected its perception in the eyes of the U.S. Russia, on the other hand, was planning to break the influence of the USA and increase its influence in the region.

The GASC has wanted to keep both global actors as its allies against Turkey. In the following period, the U.S. has used the GASC as a critical trump card against Turkey. Moreover, in order to have

<sup>48</sup> Gürhan Yellice, "The American Intervention in the 1964 Cyprus Crisis and the Greek Political Reaction (February-August 1964)", *Çağdaş Türkiye Tarihi Araştırmaları Dergisi*, Cilt. 17, No. 35, 2017, ss. 367-401.

<sup>49</sup> Meltem Müftüleri-Baç, "The Cyprus Debacle: What the Future Holds", *Futures*, Vol. 31, No. 6, 1999, pp. 559-575.

a share in the hydrocarbon reserves in the Eastern Mediterranean and to support the policies of Israel in the region, the U.S. pursues a policy prioritizing the Greek side that it accepts as a legitimate actor. The collaborations on energy resources in the region, the abolition of the arms embargo applied to the Greek side, and the “Eastern Mediterranean Security and Energy Partnership Act” approved by the U.S. Congress are also serious consequences of the policies pursued in this direction.<sup>50</sup>

Secondly, it is necessary to look at the policies of the European states that provide the most concrete support to the Greek Cypriots. It is possible to divide the island policy of EU countries into two before and after EU membership of the GASC.<sup>51</sup> The EU, known as the European Economic Community at that time, signed the Association Agreement with the GASC in 1973 and the Customs Union treaty<sup>52</sup> in 1987, which is of great importance for the relations between the two parties and were very negative developments for the TRNC. With the start of the negotiation process for membership in 1998, it is possible to see that the alliance of the EU with the GASC has reached a strategic dimension.<sup>53</sup> Although the EU membership negotiation process between the TRNC and the Greek Cypriot Administration is seen as opportunities for the solution of the problem between the TRNC and GASC,<sup>54</sup> Turkey and Turkish Cypriots began to think that European countries hold the side of the GASC. This situation caused skepticism towards Europe within the TRNC.

<sup>50</sup> Ulaş Barış, “ABD Senatosu Kritik Doğu Akdeniz Tasarısını Onayladı”, *Kıbrıs Postası*, 19 December 2019.

<sup>51</sup> George Kyris, “The European Union and the Cyprus Problem: A Story of Limited İmpetus”, *Eastern Journal of European Studies*, Vol. 3, No. 1, 2012, pp. 87-91.

<sup>52</sup> “EC-Cyprus Relations”, *European Commission*, 14 September 1990, <https://ec.europa.eu...>, A.D. 30 January 2020.

<sup>53</sup> “Relations EU/Cyprus”, *European Commission*, 22 Mart 2000, [https://ec.europa.eu/commission/presscorner/detail/en/MEMO\\_00\\_16](https://ec.europa.eu/commission/presscorner/detail/en/MEMO_00_16), A.D. 30 January 2020.

<sup>54</sup> Henri J. Barkey ve Philip H. Gordon, “Cyprus: The Predictable Crisis”, *The National Interest*, Vol. 2, No. 66, 2001, pp. 83-93.

In 2004, with the membership of the GASC to the EU under the name of the Republic of Cyprus, the regional policies began to evolve to another dimension. The Greek Cypriot side, which is an EU member, has received the support of all countries, has become recognized by every state, and has taken the support of the entire EU after the membership period. Within the framework of the Eastern Mediterranean, international companies belonging to Italy, England, France have started to conduct exploration and drilling activities in so-called EEZs and licensed parcels announced by the GASC, which they consider close allies and as the only legitimate actor on the island. Therefore, they have maximized their earnings and interests in the region by having more land and parcels around the island.

Israel has maintained very close relations with the Greek Cypriot administration in many areas, from military cooperation to political and economic issues. The Israeli administration attributes special importance to the island due to its geopolitical position.<sup>55</sup> Naturally, the most important factor in Israel's Cyprus policy is the hydrocarbon reserves in the Eastern Mediterranean. The EEZ agreement was signed between the two parties in 2010.<sup>56</sup> To date, cooperation has intensified between Israel and GASC, from economy to defense. The maximalist policies of the two sides in the context of hydrocarbon reserves located in the so-called EEZ area and EastMed project, which was created for shipment of reserves to Europe, aim to exclude Turkey and the TRNC. Israel, to keep their interests at the highest level, supports every initiative in the region against Turkey, every coalition and all drilling and exploration operations, and directs its allies to follow similar policies.

Egypt, like the US, started to develop close diplomatic relations with the Republic of Cyprus and the GASC after 1960. High-level

<sup>55</sup> Aaron Klieman, *Israel and the World after 40 Years*, Pergamon-Brassey's International Defense Publisher, Washington D.C., 1990, pp. 91-92.

<sup>56</sup> Zvi Lavi, "Israel-Cyprus Exclusive Economic Zone Set", Ynetnews, 19 December 2010, <https://www.ynetnews.com>, A.D. 15 January 2020.

visits and increased collaboration between the two sides led to the foundation of a strategic partnership between Egypt and GASC. In 2009, diplomatic meetings were held at the ministerial level on the increasing natural gas imports of the GASC, the role of the GASC in Egypt's exports to Europe, and training of Greek experts on oil and gas drilling and exploration.<sup>57</sup> Egypt's island policy, in general, is shaped with a focus on Greece. The three actors held joint summits on defense, energy, maritime area restrictions, and security issues in 2014, 2015 and 2017.<sup>58</sup> These summits continued to be held regularly afterward. Moreover, these three actors have created a joint simulated military operation plan to combat potential hazards in the Mediterranean.<sup>59</sup> They have also conducted joint condemnation against Turkey's activities in the region.<sup>60</sup> Egypt, acting together with Greece and the Greek Cypriot Administration, is encouraging the EU to impose sanctions against Turkey.<sup>61</sup>

Russia has been supporting Greeks on the island since the Soviet Union era. The policies adopted to break American influence in the region within the context of the Near Abroad Doctrine and religious affinity always make Russia a prominent ally of the Greeks. The S-300 air defense system sold to the GASC is one of the most important indicators of the support provided.<sup>62</sup> In 2011, Russia recognized the parcels declared by GASC in the Eastern Mediterranean and stated that GASC has the right to carry out exploration and drilling activities

<sup>57</sup> "Cyprus and Egypt Keep LNG Talks Secret", *Financial Mirror*, 9 April 2009.

<sup>58</sup> "Egypt, Greece, Greek Cyprus, Pledge to Boost Cooperation", *World Bulletin*, 8 November 2014, <https://www.worldbulletin.net>, A.D. 16 January 2020.

<sup>59</sup> Menna A. Farouk, "Egypt Conducts Joint Drills with Greece, Cyprus Amid Turkey Tensions", *Al-Monitor*, 17 February 2020.

<sup>60</sup> "Mısır, Kıbrıs Rum Yönetimi ve Yunanistan Türkiye'nin Sondaj Çalışmalarını Kınadı", *Euronews*.

<sup>61</sup> Hagar Hosny, "What's Behind Egypt Meeting with Greece, Cyprus at This Time?", *Al-Monitor*, 16 February 2020.

<sup>62</sup> Michael R. Gordon, "Greek Cypriots To Get Missiles From Russians", *The New York Times*, 29 April 1998.

in these areas.<sup>63</sup> The removal of the reserves located in the region and its shipment to Europe seems to be contrary to the interests of Russia, but Russia does not prefer to take any precautions against it, although it seems that it will lose more than its earnings.<sup>64</sup> This is because Russia's economic relations with project-backing countries outweigh the reduction of energy exports to Europe by 2-5 percent.<sup>65</sup>

In addition, the uncertainty of the EastMed project developed for shipping due to the memorandum signed by Turkey and Libya that cuts the proposed route means that Russia does not need to take action in this regard. Russia does not want to put its high-level economic and political relations with Turkey into risk by taking action. In short, today, Russia does not take a position on this issue and follows a low-profile policy in general. In other words, it prefers to take a more neutral stance at a time when the US appears more pro-Greek.

## CONCLUSION

The Cyprus dispute is not just a problem of nationalism between the two ethnic groups living on the island; it is also the issue of a regional competition between Turkey and Greece. The island of Cyprus, which has a historically strategic position, has recently been moved back to the center of international politics with the discovery of energy resources in the Eastern Mediterranean basin. Because the island is in a position to affect regional balances, the Turkish and Greek sides are careful to develop their relations with regional and global actors.

The Cyprus issue must first be solved with a sustainable and acceptable solution to the major disagreements that will lead to sharing the natural resources in the Eastern Mediterranean, both among the peoples of the island and between Turkey, the GASC and Greece. In other

<sup>63</sup> Vladimir Socor, "Russia Backs Greece-Cyprus-Israel Triangle Against Turkey on Off-shore Gas", *Eurasia Daily Monitor*, Vol. 9, No. 87, 2012.

<sup>64</sup> Mehmet Çağatay Güler, "What Stands in Russia's Way of Adopting Policies Against EastMed Project?", *Daily Sabah*, 18 January 2020.

<sup>65</sup> Güler, "What Stands in Russia's Way of Adopting Policies Against EastMed Project?".

words, the Cyprus dispute is a prerequisite for resolving the problems in the Eastern Mediterranean basin. Unless this problem is resolved, it remains very difficult, if not impossible, to find a solution for other regional problems.

The solution to the problems in the Eastern Mediterranean depends primarily on the solution of the Cyprus dispute, the most important and oldest political problem in the region. Cyprus, the largest island in the Eastern Mediterranean, poses problems in different contexts. Until the Cyprus dispute is resolved, there will not be a governing body that can act on behalf of the whole island. In this context, the Greek side is far from representing the entire island. In addition, the existence of the TRNC prevents their representation, even if it does not have international recognition. Therefore, the validity and applicability of the treaties signed by the Greek side constitute a controversial situation.

Resolving the Cyprus dispute is also important for the solution of problems originating from the Eastern Mediterranean between Turkey and Greece. Unless the problems between these two countries are solved, it will not be possible to work out the other problems between the two countries and the boundaries of EEZs and continental shelves in the region.

Also, the dispute between Turkey and Greece over Cyprus, directly affects bilateral relations with other countries in the region due to their position in the northern part of the Eastern Mediterranean basin. Hence, without resolving the Cyprus dispute and the problems between Turkey and Greece, it will not be easy for these two countries to develop permanent and healthy relations with other regional countries. Similarly, the politics of tension and conflict between these two countries will negatively affect the policies of global actors who are interested in the region.

As a result, the Cyprus dispute is not just a conflict of nationalism between the two ethnic groups living on the island; it is also a regional issue between Greece and Turkey. On the other hand, it is a central

issue that affects or even determines the relations of these four actors with the countries of the region and the globe. Thus, it makes the Cyprus dispute one of the most determining issues in the developments in the Eastern Mediterranean basin. Therefore, solving the problems in the region, sharing the resources and transforming the region into a zone of stability and prosperity primarily depends on the permanent resolution of this problem.

# POWER STRUGGLE IN THE EASTERN MEDITERRANEAN FROM PAST TO PRESENT

İSMAİL EDİZ\*

## INTRODUCTION

The Mediterranean has played host to great empires throughout history. A deep-rooted tradition established upon the region's riches both past and present has illuminated the Mediterranean as an important center of global politics. It would not be wrong to say that the Mediterranean was at the heart of some of the most influential events in human history, including the Crusades, geographical discoveries, colonialism, and the world wars. Anatolia and Levant, targets of the Crusader armies are the most symbolic centers of the region in terms of politics, economics and culture. The Levant, home to sites deemed sacred for all three major religions, also serves a crucial role as the Mediterranean's gateway to the East. After an agreement with the king of Spain to find alternative trade routes, Columbus set out to find an alternative to the Eastern Mediterranean, which was a profitable commercial route for the West until the Ottoman stronghold. In addition, once colonialism gained momentum, Mediterranean cities and ports became the most crucial targets of the great powers. It can be said that the most severe power struggle during the First World War took place in the Mediterranean. The great European powers, which could no longer carry out lucrative commercial activities as before in the continental America had lost political control

\* Assoc. Dr., Sakarya University

of America after the Monroe Doctrine and the Eastern Mediterranean turned into their new battleground since the beginning of 19th century. Thus, Mediterranean trade which became secondary to Atlantic trade as a result of geographical discoveries, rose again during this period with its corresponding port cities of Istanbul, Izmir, Alexandria, Jaffa, and Haifa.

The great powers became interested in the Mediterranean for the region's riches. Britain showing the most interest, was followed by France, Germany, and Italy. The Suez Canal, after 1869, had re-established the Mediterranean's profitability in a way that surpassed previous eras, which turned it into a security issue for the Western powers. Britain, who had assumed policy-making responsibilities over the Mediterranean during the 19th century, perceived the region as an indispensable issue for the security of the Indian road and developed its Mediterranean policy accordingly. At the beginning of the 20th century, the issue of energy security became a component of overall security. Eastern Mediterranean locations previously having only religious significance became the focus of these colonial powers because of the bountiful energy resources. Because the British Navy started to use fuel-oil at the beginning of the 20. th century and also since oil became common in various fields as a commercial material in a short time, while Britain became substantially dependent on the Eastern Mediterranean region, a new component was also introduced into regional politics. Challenges first against Britain's policies and later USA's, established a new understanding of security and economic concerns across the Eastern Mediterranean region throughout the 20th century and especially during the Cold War, and thus the region have been characterized by high-level competition until the present day.

## **EASTERN MEDITERRANEAN BEFORE THE OTTOMAN EMPIRE**

Many states have ruled over the Mediterranean throughout world history. Political and economic competition in the Mediterranean origi-

nated during the age of great empires dominating distant lands, embodied by the impressive civilizations of ancient times. The continents of Asia, Europe, and Africa unite at the Eastern Mediterranean, which was the center of Roman Empire through political unity of the vast territories around the region. Trade has prevailed in this region since ancient times, with Levantine cities like Jerusalem and continued to grow once Christianity was adopted as the official religion of Roman Empire. Thus, the region gained an ideological motivation in addition to commerce. It should be pointed out that after the Roman Empire was divided into two, an Eastern Roman (Byzantine) influence prevailed in the Mediterranean region.

The first major challenge against the Byzantine came from Muslim armies in the 7th century. During this period, expeditions to major islands such as Rhodes, Crete and Sicily were organized in the Eastern Mediterranean, resulting in Cyprus being conquered.<sup>1</sup> In the next century, Muslim armies reached Spain, the most distant point of the Mediterranean, and the Andalusian Umayyad State was established there. Muslims who developed maritime activities within the regimes ruling over the Mediterranean, namely the Umayyads, Abbasids and Fatimids, gained the power to organize expeditions to the Northern Mediterranean in the 10th century. During this period, Muslim states accelerated navy construction in the shipyards of cities such as Cairo and Alexandria and tried to control the commercial activities of Byzantium.<sup>2</sup> During the control of Muslim states who continued their superiority in Mediterranean politics until the Crusades, Italian city-states, such as Venice, Genoa and Pisa, continued to trade out of Muslim-controlled territories, mostly in the Northern Mediterranean.

At the beginning of the 11th century, the successful conquest politics of the Muslim states started to slow down as the Crusades

<sup>1</sup> İdris Bostan, "Akdeniz", *TDV İslam Ansiklopedisi*, Cilt: 2, Sayı: 2, (TDV Yayınları, İstanbul: 1989), p. 231-234.

<sup>2</sup> Bostan, "Akdeniz", p. 231-234.

kicked off a wave of European counteraction in the East over the next century. At this time, supported by the Papacy, the Italian city-states of Venice and Genoa led the Crusaders and became two important players in the next stage of Mediterranean politics. A main motivating factor of the Crusades, which hid serious political and economic hopes under its ideological mask, was the desire to control the wealth of the Eastern world.<sup>3</sup> The Crusaders taking control of the Palestinian and Eastern Mediterranean coasts helped them control economic activities and gave momentum for East-West trade. During this period, the Mediterranean was the intermediary of trade between the East and the West. As the Crusaders ruled over the region, a serious competition among the Western merchant states was born. The power struggle of the Italian city-states in the Mediterranean began with the Crusades. Venice and Genoa were at the center of that struggle over the colonies in the Mediterranean.<sup>4</sup>

Thus, Genoa became the biggest rival of Venice by settling in important ports of the Mediterranean such as Rhodes, Samos and Chios, as well as by controlling Galata, Istanbul's most dominant region, as a gift for their assistance during the 4th Crusade.<sup>5</sup> In this period of instability in Anatolia and Arab regions, the Genoa and Venice city-states almost completely took over the Mediterranean and the Black Sea trades. The Hungarians and French supported Genoa in this internal-Italian conflict, revealing how Central Europe and other major Mediterranean states were involved in the struggle over the region. France having a mere two hundreds kilometers of Mediterranean coast before the Crusades used the wars to gain much more effective posi-

<sup>3</sup> Lisa Blaydes ve Christopher Paik, "The Impact of Holy Land Crusades on State Formation: War Mobilization, Trade Integration and Political Development in Medieval Europe", *International Organization*, Vol: 73, No: 3, (2015), p. 1-36.

<sup>4</sup> Avner Greif, "Political Organizations, Social Structure, and Institutional Success: Reflections from Genoa and Venice During the Commercial Revolution", *Journal of Institutional and Theoretical Economics*, Vol. 151, No: 4, (1995), p. 734-740.

<sup>5</sup> Louis Mitler, "The Genoese in Galata: 1453-1682", *International Journal of Middle East Studies*, Vol. 10, No: 1, (1979), p. 71-91.

tion.<sup>6</sup> Taking active role in organizing the Crusades gave the French emperors prestige and an increasing influence over the Mediterranean. However, its struggle with Britain after the Crusades kept France away from Mediterranean issues during the Hundred Years' Wars. France's heavy interest in Atlantic trade coincided with when the Ottoman Empire had control over the Mediterranean. France focused on continental America during the following period, losing interest in Eastern trade until it lost its American colonies following the Seven Years' War.

Britain was another influential power in the history of the Mediterranean, and their presence in the region dates back to the 15th century. Although Britain's kings were influential during the Crusades, the British influence in the region was delayed by their having to pass Gibraltar to penetrate the Mediterranean, where it had no direct coast. Despite a previous lack of political influence over the region, British traders appear to have played a role in Mediterranean trade since the early periods. History books mention that a British merchant ship was lost in Ibiza in 1412. The Genoese presented the biggest obstacle to Britain's trade in the Mediterranean. The arrest of Genoese citizens in London, following Genoa's attacking British ships in the Mediterranean, is an important indicator to reveal the extent of competition.<sup>7</sup>

The influence of the Crusaders in the Eastern Mediterranean started to decline with the inclusion of the Muslim Turkish States on the political scene. Within the Seljuk Empire and the Mamluks, significant achievements were made in the cessation and withdrawal of the Crusaders.<sup>8</sup> The Seljuks, who conquered Anatolia with campaigns against Byzantium, played an effective role in spreading Turkish domination by controlling regions such as Syria and Jerusalem in the Eastern Mediterranean. On the other hand, the Mamluks, prevailing around Egypt,

<sup>6</sup> Cavid Oral, *Akdeniz Meselesi*, Birinci Cild, (Bigün Matbaası, Adana: 1943).

<sup>7</sup> David Abulafia, *Büyük Deniz: Akdeniz'de İnsanlık Tarihi*, çev. Gül Çağalı Güven, (Alfa Yayınları, İstanbul: 2012), p. 445.

<sup>8</sup> Niall Christie, *Muslims and Crusaders: Christianity's Wars in the Middle East, 1095-1382, From the Islamic Sources*, (Routledge, Londra: 2014).

developed into an increasing threat to Venice and Genoa in the region. The Mamluks, by seizing Cyprus in 1424-26 and later besieging Rhodes, aimed to control Mediterranean politics but their influence on the region was limited.<sup>9</sup>

It can be said that the loose political structure within the Eastern Mediterranean after the Crusades continued until the beginning of the 16th century when the Ottoman Empire completed its political union in the Mediterranean and its surrounding area. Although the region had experienced a relative recovery phase during the Seljuk period, the Muslim states' dominance over the region had weakened and became divided after the major challenge of Crusades. Coupled with the Mongolian invasion, the resulting loosened political structure provided European merchant states more effective and profitable trade opportunities. In this period, when traders from the West and especially from Italy found a suitable trade ground in the Eastern Mediterranean, political structure devoid of central authority in the Anatolian and Arab lands led to a decrease in commercial control and relaxation of tax regimes. This was a period in which the small Italian city-states, having a weak sea technology to cope with the powerful empires of Western Europe such as Spain and France, formed dense colonies in the relatively uncontrolled Levant, Anatolia and along the Black Sea coasts, depending on fragmented political structure period before the Ottoman Empire.

## **EASTERN MEDITERRANEAN DURING THE OTTOMAN EMPIRE**

The scattered political structure of the Mediterranean region had begun to change once the Ottoman Empire achieved political unity across a sprawling geography in the 15th century. The chain of conquests started with Istanbul continued with the important political and

<sup>9</sup> Abulafia, *Büyük Deniz*, p. 443.

commercial centers of Levant. The Ottomans, organizing expeditions to Italy and the Adriatic coasts during the reign of Mehmed II, later strengthened their superiority in the Mediterranean by capturing Egypt in 1516 and Rhodes in 1522. The Ottoman State, which defeated the Crusader Navy in Preveza in 1538, took control of the important centers of North Africa such as Libya, Algeria, and Tunisia on the opposite coast of the Mediterranean and sustained its position to be a Mediterranean superpower for a long time.

By the conquest of Istanbul in 1453, the Byzantine Empire ended and almost all of the Eastern Roman lands fell under Ottoman rule. Thus, the Ottomans, who completed political union of Anatolia, took over the most important trade center of the world and gained the opportunity to control the Northern Mediterranean to a great extent. With its strong and dynamic structure compared to the weak Byzantine, which had been under the economic influence of the Western city-states for a long time, it was impossible to impose political and economic agreements on the Ottoman Empire. Moreover, the young state's political unity and its corresponding military and economic power led to a gradual increase in control over the region as they continued to progress through the Mediterranean and Central Europe.<sup>10</sup>

From the middle of the 15th century, the Ottoman Empire's gradual movement towards controlling the Eastern Mediterranean created significant consequences for regional politics. This expansion of Ottoman domination and the opening of the American-Atlantic trade route kicked off a great transformation regarding the Mediterranean.<sup>11</sup> Various factors caused the gravity-center of trade to shift from the Mediterranean to the Atlantic: America's lack of central authority, its ease of control from lacking political integrity, the fact that goods coming

<sup>10</sup> Carla Rahn Phillips, "The Growth and Composition of Trade in the Iberian Empires, 1450-1750", ed. James D. Tracy, *The Rise of Merchant Empires: Long Distance Trade in the Early Modern World*, (Cambridge University Press, Cambridge: 2011), p. 38.

<sup>11</sup> Phillips, "The Growth and Composition of Trade in the Iberian Empires, 1450-1750", p. 38.

and going along the Atlantic route could cost less, and the region's rich variety of goods. Western merchants, who could trade with low tax margins during the weak Byzantine period, had to sit at the negotiating table with the Ottomans in the new period. This new situation made it impossible to pressure the powerful Istanbul to the desired effect, meaning trade was only possible under Ottoman-approved conditions. The Ottoman Empire eventually used commercial privileges as military and political weapons through capitulations, in the hopes of splitting up Western alliances that stood against its rule.<sup>12</sup>

As a result, as the trade revenues of the Ottoman Empire increased, there were significant declines in the income of other states. Venice and Genoa controlling regional trade in the previous era were the most affected by the new status quo. This led Western traders to seek new and more profitable commercial routes. Seeking alternatives to trade previously carried out in the Mediterranean, focus shifted to outside regions under the Spanish and Portuguese empires and this supported by the talents of Italian seafarers who were successful in the previous century.<sup>13</sup> Under Papal influence, the main strategy of the Catholic merchant states at this time was to minimize dependence on the Ottomans. Pope Pius II described the discovery of a large amount of mineable alum near Rome in 1464 as, "Our biggest victory over the Turks." The sugar trade, as effective a trade commodity as alum, also started to shift towards the West during this time.<sup>14</sup> Although most Italian states appeared to side with the Ottoman Empire, Venice was the exception and was part of the Papal-centered anti-Ottoman Western coalition from the very beginning.

France was able to sustain bilateral East-West trade because of its ocean shore, compared to Venice and Genoa that were trapped in the

<sup>12</sup> Maria Pia Pedani, "Sultans and Voivodas in the 16th Century, Gifts and Insignia", *Journal of International Social Research*, Vol. 1, No. 1, (2007), p. 193-209.

<sup>13</sup> Phillips, "The Growth and Composition of Trade in the Iberian Empires, 1450-1750", p. 38.

<sup>14</sup> Abulafia, *Büyük Deniz*, p. 445.

Mediterranean because of their geographical placement, and thus continued commercial activities through economic agreements with Istanbul during this time. From this period onward, France began following policies for increasing its commercial activities with Egypt and North Africa.<sup>15</sup> France became a major player in Mediterranean politics and trade through arming its naval power and fostering trade relationships with the Mamluks and Ottomans. On the other hand the Ottoman Empire attempted to divide the growing Western coalition against its rule through alliance with France.<sup>16</sup>

Another influential state in Mediterranean trade during the 15th century was Catalan-led Spain. During this period, Catalan merchants rose to third place in terms of trade volume, following Venice and Genoa.<sup>17</sup> The Spaniards, who carried out their commercial activities through their consulate in Damascus, had a large trade volume, especially in the Levant region. However, Spanish sailors began to pay more attention to New World trade at the end of the century. The Pope's giving Spain west of the world with the 1494 Tordesillas Agreement is an essential factor in Spain changing course to the West. Another reason for Spain was forced to leave the Mediterranean was its ineffectiveness in the region's critical ports against the Ottoman Empire. The Ottoman Empire struggled against the Mamluks to the south, as well as the Safavids and Portugal in the east during Selim I's reign, and then turned to the west to fight the Habsburgs during Suleiman I's rule. Pope gave east of the world to Portugal in the same agreement and thus attempted to stop the Ottoman Empire at the Red Sea.<sup>18</sup> Although the continuing struggle with Portugal over the spice trade in the Indi-

<sup>15</sup> Abulafia, *Büyük Deniz*, p. 449.

<sup>16</sup> Mehmet Bulut, "The Ottoman Approach to the Western Europeans in the Levant during the Early Modern Period", *Middle Eastern Studies*, Vol. 44, No. 2, (2008), s. 259-274.

<sup>17</sup> Phillips, "The Growth and Composition of Trade in the Iberian Empires, 1450-1750", p. 38.

<sup>18</sup> Salih Özbaran ve Dom Manuell de Lyra, "The Ottoman Turks and the Portuguese in the Persian Gulf 1534-1581", *Journal of Asian History*, Vol. 6, No. 1, (1972), p. 45-87.

an Ocean was of great importance for the Ottomans who wanted to go beyond the Mediterranean, their great enemies in the West, Spain and the Austrian Habsburgs, caused the Empire to neglect its eastern affairs. Although the Ottoman Empire fighting with Portugal by the navy ships it built in the Red Sea, it did not gain an advantage, but it did not allow the spice trade to be completely under Portugal control.

The Ottoman Empire, having difficulty going beyond the Red Sea, expanded its supremacy in the Mediterranean when Hayreddin Barbarossa took helm of the navy. At this time, the Mediterranean Sea became an all Turkish controlled water. As the Sea came under complete Ottoman rule in the 16th century, the region's commercial and political balance shifted entirely with the emergence of new alliances. Due to this Ottoman dominance, Genoa decided to ally with Spain in order to retain their land and continue their trade.<sup>19</sup> Venice attempted a similar strategy of building relationships against the Ottoman Empire but could not prevent a significant part of its presence in the Mediterranean from falling into the hands of the Ottomans. Unlike Spain, Venice and Genoa, there were other states that continued their Mediterranean activities by allying with Istanbul. The foremost of these was France, a role player in the struggle between the Habsburgs and the Ottomans. France aspired to control Italy's territories and attempted to overthrow Italy by benefiting from the competition between the Ottoman Empire and Spain. For this reason, France wanted Suleiman I to focus more on the Mediterranean and Italy than on Hungary. This Ottoman-French alliance began developing under the reign of King Francis I of France. France hoped to further its Mediterranean influence and continue its desired commercial activities by using the Ottomans as an ally against its primordial enemy, the Habsburgs.

During Suleiman I's reign, the biggest challenge against Ottoman superiority in the Mediterranean came from Charles V both king of

<sup>19</sup> Thomas Allison Kirk, *Genoa and the Sea: Policy and Power in an Early Modern Maritime Republic, 1559-1684*, (The Johns Hopkins University Press, Baltimore: 2005), p. 84-88.

Spain and the German emperor. Charles V took control over Muslim outposts from Morocco to Libya around 1510 in an attempt to dominate the Mediterranean basin.<sup>20</sup> He used a Genoese sailor named Andrea Doria in this plot to destroy Ottoman superiority in the region. The Ottoman's attempt to seize the island Corfu hoping to use the island as a base for a conquest of Italy and to control navigation through the Adriatic, caused serious concerns for Spain and its allies. This situation resulted in a new anti-Ottoman coalition, initiated and led by the Papacy. The Ottoman Empire defeated the alliance fleet commanded by Andrea Doria and gained a clear advantage over the Eastern Mediterranean. Afterwards, Mediterranean beaches stretching from Egypt to Morocco came under Ottoman control and influence. Because Spain and its allies regarded the Western Mediterranean as an important stronghold, they were forced to retreat and establish a line of defence in the west.

The status quo established in the 16th century in the Mediterranean in favor of the Ottomans was mostly preserved throughout the 17th century. The internal struggle between the great European powers proved long and corrosive, with continual wars in central Europe reducing the impact of Western empires on Mediterranean politics. The Ottoman Empire's situation was facilitated by the power struggle between the two Mediterranean powers of the Habsburgs and France, as well as by the infighting of the other Western powers who could not devote resources to intervening in Ottoman lands. However, this situation started to change with the Westphalia Treaty in 1648, which can be considered as the starting point of a new wave of military operations to be launched against the Ottoman Empire.. Thus, Central Europe politics entered a relatively stable process, and the Austrian Habsburgs no longer had to fight bilateral wars. This situation was an important factor in the failure of the siege of Vienna in 1683. At this time, Le-

<sup>20</sup> Ahmet Kavas, "Sömürgecilik", *TDV İslam Ansiklopedisi*, Cilt: 37, (TDV Yayınları, İstanbul: 2009), p. 394-397.

chistan signed an alliance pact with Austria and created a new coalition based on Papal encouragement to side with Venice. The Ottoman Empire, fighting against the Austria-led alliance, could not maintain in Central Europe and was forced to sign the Treaty of Karlowitz in 1699.

One of the major consequences of this war against the alliance was that the Russian Czar Peter I had an opportunity to declare war on the Ottoman Empire. The Treaty of Istanbul was signed in 1700 with Russia and Peter I saw establishing a role in the Mediterranean as one of his main foreign policy goals. This represents the starting point of the Ottoman-Russian struggle that would continue for the next two hundred years, as well as Russia's strategy to land in the Mediterranean. During the Ottoman Empire's wars with Austria and Russia throughout the 18th century, the Ottomans took heavy defeats, which turned them towards developing new alliance strategies, especially against Russia. The most important of these defeats is the war that resulted in the 1774 Küçük Kaynarca Treaty. Russia, which forced the Straits over the Black Sea but failed until this period, this time entered the Mediterranean over Gibraltar with the support of Britain in 1770 and destroyed the Ottoman navy in Çeşme.<sup>21</sup> Thus, Russia, trying to penetrate the Ottoman lands since Peter I, made significant changes in the status quo of the Black Sea in its favor and gained the right to free trade in the entire region, including the Mediterranean. In the following period, while Russia became an unchanging actor of the eastern Mediterranean policy, the Tsar's taking a protective role on Küçük Kaynarca and Orthodox has accelerated the independence process of Greece, which will change the balances in the Mediterranean.

## COMPETITION IN THE EASTERN MEDITERRANEAN IN THE 19TH CENTURY

The 19th century witnessed competition in international water between the overseas European colonial powers. Rapid industrialization

<sup>21</sup> M. S. Anderson, "Great Britain and the Russo-Turkish War of 1768-74", *The English Historical Review*, Vol. 69, No. 270, (1954), p. 39-58.

sparked a need for raw materials and markets, prompting the great powers to search for new lands. Although the new order established by the Vienna Congress provided stability in Europe, the race for gaining colonies continued without deceleration. During this period, Britain controlled a great extent of the Mediterranean, with Spain losing much of its former power and the Ottoman Empire entering a process of political dissolution. Britain consolidated its dominance in the region by obtaining Malta and the protection of the Ionian Islands in the 1815 Regulations.<sup>22</sup> Despite being on the table in Vienna, Russia, which was stuck in the Black Sea and seeking ways to reach the Mediterranean, had occasionally caught various opportunities, but was prevented from acting alone for a long time with the intervention of England and France. With both Italy and Germany becoming politically united in the last quarter of the century, it can be said that a new period of political and economic competition began in the Mediterranean.

Beginning with the discovery of America, Europe's trade with the West continued for three centuries, with the American continent playing host to the colonial empires' conflicts of interest. However, America's colonial status began to recede for the Europeans with the emergence of political integrity in the new continent. The United States of America (USA) completed its political unity and declared its independence in 1783, gradually increasing its political and economic influence as foremost in the region above South America and between the Atlantic and Pacific. The Monroe Doctrine of 1823 was America's strongest indication that it would no longer allow the colonial empires' activities on the continent as in previous centuries.<sup>23</sup> The consequence of new situation sparked by this newfound political unity in America

<sup>22</sup> Michela D'angelo, "In the 'English' Mediterranean (1511-1815)", *Journal of Mediterranean Studies*, Vol. 12, No. 2, (2002), p. 271-285.

<sup>23</sup> John Bassett Moore, "The Monroe Doctrine", *Political Science Quarterly*, Vol. 11, No. 1, (1896), p. 1-29.

was a shift in focus of the colonial empires, turning their attention away from the West and refocusing on the East.

As the Mediterranean ports regained importance for the European empires, investments they made in the region during this time and the subsequent increase in trade volume later in the century carried some strategic concerns for the great powers. The expansion of the commercial activities of the merchant states, such as Britain and France in the Levant, Western Anatolia and North Africa, produced high-level competition. During this time, Britain's Eastern Mediterranean policy was built around the strategy of keeping enemy elements away from Egypt, Cyprus, and other critical centers of Levant, which were vital to the security of the Empire. The Suez Canal, built in the second half of the century, also introduced a new component in terms of British security strategy. Thus, no naval power having an effective position in the east of Malta, the center of Britain's navy in the Mediterranean, became the main principle of Britain's Eastern Mediterranean policy at the end of the century.<sup>24</sup>

On the other hand, after the revolution in 1789, there were serious deviations in France's foreign policy preferences. France, which warned the Ottomans to take precautions by conveying the intelligence to Istanbul when Russian navy passed through Gibraltar, started to pursue an aggressive policy in the Mediterranean with the regime change. In 1798, the French army, under the command of Napoleon Bonaparte, went on an expedition to Egypt. This unsuccessful operation aimed to harm Britain's security in India because France could not defeat them in the English Channel. France was then forced to withdraw its armies from Syria and Egypt. After this failed attempt, Napoleon's France never attempted to challenge Britain in the Mediterranean again and turned its attention back to the English Channel and continental Europe. France regained its place in the Vienna system after Napoleon

<sup>24</sup> F.O. 27923/16312/12/44., No. 430, Admiralty to Foreign Office, June 29, 1912.

and followed a policy against the Ottoman Empire alongside Britain and Russia during this period.

The Ottoman Empire started fighting with Russia at the beginning of the century in 1806 and then had to contend with two major powers at the same time as Britain attacked the Port of Alexandria. In 1807, the Kala-i Sultaniyye Treaty was signed with Britain after they were stopped by the forces of Muhammad Ali of Egypt and the waters in the Mediterranean calmed down for a while. Britain got into action again in 1827, taking France and Russia on its side to destroy the Ottoman and Egyptian fleet in Navarino. Thus, the Ottoman Empire did not have any naval power left to defend itself in the Mediterranean. Only after the 1850s, during the reign of Sultan Abdülaziz when alliances were developed with the Western states, could a navy be rebuilt. The raid in Navarino occurred during the ongoing Greek uprising in the Eastern Mediterranean. This step was in accordance with the Petersburg Protocol between Britain and Russia in 1827, which included the independence of Greece.<sup>25</sup> Thus, the Ottoman Empire, which had lost its influence at sea, was incapable of suppressing the revolt. Eventually, the Ottoman Empire lost the war with Russia and signed the Treaty of Edirne in 1829, then Greece emerging as an independent state in the Mediterranean. The following year, with France's occupation of Algeria, the Ottoman Empire lost two critical lands in the Mediterranean.

Russia, having the opportunity to strengthen itself within the Vienna system in the first half of the 19th century, was on route to becoming the only power that could challenge Britain's domination in the Mediterranean. The fact that Russia started to pursue a more aggressive foreign policy in reaching the Mediterranean target in this period was an indication that a new dynamic that could not be ignored in the east of the Mediterranean has been put into use. In fact, Russia demonstrated its persistent attitude during the Muhammad Ali rebellion, bring-

<sup>25</sup> Loyal Cowles, "The Failure to Restrain Russia: Canning, Nesselrode, and the Greek Question, 1825-1827", *International History Review*, Vol. 12, No. 4, (1990), p. 688-720.

ing a navy to the Mediterranean with the promise to help Istanbul. However, Britain, which supported the entrance of the Russian navy coming from west almost a half century ago, was annoyed by Russia's operation in the Mediterranean this time by crossing the Straits from the Black Sea. In fact, during the Mehmet Ali rebellion, Britain's passive attitude towards Russia's moves was described as a mistake by British statesmen.<sup>26</sup>

From this date on, it can be said that Britain had developed a long-term strategy to prevent Russia from landing in the Mediterranean. On the other hand, knowing that the way to get to the Mediterranean was through reaching a level of power that could continuously exist in the Black Sea, Russia occupied Wallachia and Moldavia, which were under the Ottoman rule in the middle of the century, to strengthen its presence there. Although this appeared to be a problem regarding Black Sea politics, Britain had predicted that new demands would come in the Mediterranean after a compromise with Russia, which increased its influence on the Slavic and Orthodox in the Balkans. Because one of the major reasons behind the crisis revolves around locations near Jerusalem, known as the "Holy Sites," being a longtime major point of contention between France, the leader of the Catholic world, and Russia, which had inclined to the policy of protecting the Orthodoxes. As a result, the reaction of Britain and France to this policy was harsh, and Russia suffered a heavy defeat in Crimea. Thus, the Russian threat was delayed for another 20 years.

It was the Ottoman Empire that was most affected by the policies of Britain and Russia, which had struggled over the Mediterranean and the Straits throughout the 19th century. In this sense, Tanzimat represents a turning point for Ottoman politics. Along the century, while Britain had tried to block Russia in the Mediterranean on one hand, it followed the policy of expanding its economic spheres of influ-

<sup>26</sup> John C. K. Daly, *Russian Seapower and "The Eastern Question" 1827-41*, (Palgrave Macmillan, Londra: 1991), p. 158.

ence over the region on the other hand. Mediterranean ports became the most important area for the free trade system that Britain tried to implement over the world. With the Treaty of Balta Liman signed with the Ottoman Empire in 1838, Britain obtained the right to trade in Eastern Mediterranean ports with low tax margins. These rights were later granted to other European states, and a kind of free trade system emerged in the Mediterranean. Britain established a similar system in the Asia-Pacific markets within a short time with China taken under control after the Opium War and constructed a self-centered commercial system over a vast geography from West to East.<sup>27</sup>

In this period, the Ottoman Empire, which improved relations with Britain and was included in the Britain-centered free trade order, thus obtained an important guarantee against Russia. Until the beginning of the 20. century, Britain's primary strategy in the Mediterranean had taken the form to keep the Russian navy away from the Mediterranean. In terms of this policy, the Straits were in the most valuable strategic region. For this, since the Straits were closer to Russia, Britain preferred the policy of directly closing off the Russian navy, and had not eagerly acted to reach the Black Sea. This meant that keeping the Straits closed was necessary and was considered sufficient to prevent the Russian threat.

The foreign policy of Russia built on the Straits posed a constant threat to Istanbul. Thus, during the 19th century, when the Ottomans were relatively weak, they tried to provide security from Britain and France against a Russian attack. Hence, with the agreement in 1841, the Ottoman Empire attained the right to open the Bosphorus route to its allies in case of war. Throughout the 19th century, naval crossing of the Straights became ordinary for the British to fend off the Russian threat. The main theme emphasized in the Straits Convention signed in

<sup>27</sup> Reşat Kasaba, "Treaties and Friendships: British Imperialism, the Ottoman Empire, and China in the Nineteenth Century", *Journal of World History*, Vol. 4, No. 2, (1993), p. 215-241.

1841, the Treaty of Paris in 1856 and the Treaty of London in 1871 was the principle that the warring parties cannot cross the Straits. During this time, Britain aimed to lock Russia in the Black Sea without getting into the Mediterranean. The relationship developed by the Ottoman Empire with Britain and France started to decline with the 1877-78 Ottoman-Russian War. Considering that it was very difficult to preserve the territorial integrity of the Ottoman Empire, Britain occupied Egypt in 1882, France also took two important steps in terms of the Mediterranean equilibria by occupying Tunisia in the same period.

## **EASTERN MEDITERRANEAN IN THE 20TH CENTURY**

The policies of the great powers related to controlling the Mediterranean continued without decelerating in the 20th century. With the rise of Germany and Italy onto the European political scene during the last quarter of the previous century, the dynamics of competition in the Mediterranean changed. The lands of the weakened Ottoman Empire were easy targets for these two new powers on their growing quests for colonies. Besides this, at the beginning of the 20th century, oil became an essential component of the great powers' acting politics in the Eastern Mediterranean. Oil, which gained strategic importance with the British navy's use of fuel, became the most important subject of international politics as an economic product of high commercial value.<sup>28</sup> The inadequacy of Britain regarding fuel resources led to an exceeding interest in Arab lands. Since the beginning of the 20th century, Britain had firmly moved for direct control of oil fields. During this time, the Eastern Mediterranean was recognized for its potential to safely replenish the West's oil.<sup>29</sup>

<sup>28</sup> Marian Jack, "The Purchase of the British Government's Shares in the British Petroleum Company 1912-1914", *Past & Present*, No. 39, (1968), p. 139-168.

<sup>29</sup> Documents on British Foreign Policy 1919-1939, Ser. 1, Vol. 7, Reference: I.C.P. 35, February 18, 1920; British Secretary's Notes of an Allied Conference Held at 10, Downing Street, London, S.W. 1, February 18, 1920.

On the other hand, the continuation of free trade, one of the main reasons of Britain's entry into the First World War and the guarantee of the future of Suez, shortening the road to India, became more important with the policy choices of the Ottoman Empire. Britain, controlling the straits in other parts of the world, was trying to sustain control of the Suez, as in Istanbul and the Dardanel. It was already true that for a long time, controlling Egypt and Cyprus in the Eastern Mediterranean was a security strategy for Britain.<sup>30</sup>

It can be said that at the beginning of the century, there was no regional obstacle in front of this goal for Britain. The Ottoman fleet was neutralized after the Navarino raid, and because the Greek fleet was incapable of affecting the balance of power in the region, neither posed a threat to the current status quo in the Mediterranean.<sup>31</sup> However, London had to build the post-Ottoman status quo in line with its own interests. During the second half of the 19th century, although the great European powers had temporarily occupied some places in the Mediterranean to suppress the Ottoman Empire, the status quo had soon returned to its former state.<sup>32</sup> The only side able to take permanent steps in the Eastern Mediterranean was Britain. In fact, Cyprus, which was rented to Britain in 1878, and Egypt, which was occupied by Britain in 1882, could not be controlled by the Ottomans again even though they appeared to be under Ottoman rule. On the other hand, the ongoing occupation process of Ottoman lands in the Mediterranean that began in the 1880s continued at the beginning of the 20th century with Italy's occupation of Tripoli, under the approval of Britain. Thus, the Ottoman Empire's influence on the African coast came to an end as they lost their last territory along the Mediterranean's opposite coastline.

<sup>30</sup> Aref Aloheid, "The International Energy Strategies Ruling the Middle East for a Century Re-Appear and Determine the Destiny of the Whole Eastern Mediterranean Region", *Mediterranean Journal of Social Sciences*, Vol. 9, No. 4, (2018), p. 241-249.

<sup>31</sup> F.O. 27923/16312/12/44., No. 430. Admiralty to Foreign Office, June 29, 1912.

<sup>32</sup> F.O. 27923/16312/12/44., No. 430.

When evaluating the strategic points in the Mediterranean, the great powers primarily considered the operational positions of the islands. Having these Mediterranean islands meant that the related state controlled the trade of the Levant and Black Sea. In addition, in the event of war, these islands also had a facilitating role for possible transfer opportunities. On such an occasion, the owner of these islands and the handing of them over could become an international issue. Therefore, it was a long held policy that no great power should have sole possession of these Mediterranean islands.<sup>33</sup>

The proximity of the islands just north of the Dardanelles was the most important indicator of their importance. This was because the only way to prevent Russia from crossing into the Mediterranean was to hold the Straits. For Britain, which imprisoned Russia in the Black Sea during the 19th century, the principles of closing the Straits to Russia and the territorial integrity of the Ottoman Empire were valid. During the Russian-Japanese War of 1905, a Russian warship crossing the Straits descended into the Red Sea and made several attempts that would threaten Britain's security.<sup>34</sup> However, the situation of the Straits, which had been a scene of competition between Britain and Russia for a long time, took on a different dimension with the Anglo-Russian agreement in 1907.<sup>35</sup>

Afterwards, the Ottoman Empire turned to Germany, seeking another guarantee for protection knowing that Britain would no longer protect the Ottomans against Russia, as Russia opened negotiations with Britain in line with its current desires.<sup>36</sup> Although these initiatives did not yield much results, Russia continued its efforts to persuade its

<sup>33</sup> F.O. 27923/16312/12/44., No. 430.

<sup>34</sup> F.O. 27923/16312/12/44., No. 430.

<sup>35</sup> Memorandum by Mr. H. G. Nicolson Respecting the Freedom of the Straits, Documents on British Foreign Policy 1919-1939, Ser. 1, Vol. 18, Reference: [E13027/27/44], November 15, 1922.

<sup>36</sup> Mustafa Aksakal, *The Ottoman Road to War in 1914: The Ottoman Empire and the First World War*, (Cambridge University Press, Cambridge: 2008).

partners in the Triple Entente about getting into the Mediterranean.<sup>37</sup> At this point, Britain tried to prevent Russia's requests by putting forward the thesis that the British should be able to go to the Black Sea if Russia gets into the Mediterranean. However, Russia successfully won over France at the negotiating table in 1912, with a subsequent agreement being reached on the issue.<sup>38</sup> Following, Russia's requests to this point were also met by Britain, with a mutual agreement being made between the two states in 1915 where Britain agreed to deliver the Straits and its surrounding regions to Russia.<sup>39</sup>

What forced Britain to agree with Russia's demands on this topic was the emergence of Germany as a greater threat. It was not geographically possible to limit Germany by the method used against Russia, namely by locking the Straits. It was much easier for Germany to go to the East, as Germany had previous difficulties opening the West and was suppressed by Britain in the North Sea.

For a while, the famous trade centers of the Mediterranean and Levant were at the center of Wilhelm II's policy of creating sustainable spheres of economic influence, with the Berlin-Baghdad railway serving such a purpose. The competition between Britain and Germany in the Levant only deepened after Wilhelm II came to Istanbul via a Hohenzollern yacht in 1898, before going to Jerusalem and opening a Protestant church there.<sup>40</sup> After two visits by the German emperor in 1889 and 1898, the Deutsche Bank became one of the most important sources of finance in the East.<sup>41</sup> The economic privileges obtained by

<sup>37</sup> Memorandum by Mr. H. G. Nicolson Respecting the Freedom of the Straits, Documents on British Foreign Policy 1919-1939, Ser. 1, Vol. 18, Reference: [E13027/27/44], October 15, 1922.

<sup>38</sup> Memorandum by Mr. H. G. Nicolson Respecting the Freedom of the Straits, Documents on British Foreign Policy 1919-1939.

<sup>39</sup> Memorandum by Mr. H. G. Nicolson Respecting the Freedom of the Straits, Documents on British Foreign Policy 1919-1939.

<sup>40</sup> Hunt Janin, *Four Paths to Jerusalem: Jewish, Christian, Muslim, and Secular Pilgrimage*, (McFarland, Jefferson: 2002), p. 182.

<sup>41</sup> Janin, *Four Paths to Jerusalem*, p. 182.

Wilhelm II during these visits were an indication that German capital was becoming an alternative to British capital in the region. Although the Ottoman administration tried to maintain balance, it would not be wrong to say that the economic and political gap between Britain and Germany increased in favor of the latter.

Wilhelm II's visits were not limited to Istanbul and the Levant region. Another challenge of power from the emperor came against France during his visit to Morocco in 1905. Germany and France came to the brink of war after this visit, triggering a series of crises over Morocco and revealing Germany's determination to obtain colonies in the Mediterranean.<sup>42</sup> On the other hand, Britain's support for France during the crises meant that the Triple Entente block would not compromise to Germany in the Mediterranean. Moreover, Germany's aggressive foreign policy led to the expansion of the Anglo-French camp. The Moroccan crises, an important indicator revealing the impact of the Mediterranean's status quo for determining the future of international politics, prepared the ground for Spain to sign a pact with England and France, without becoming a direct member of Allied Powers, and accelerated the Anglo-Russian agreement in 1907. Thus, the foreign policy of Germany after 1890 caused a dramatic shift in Britain's grand strategy, forcing Britain to work with Russia.

The agreement between Britain and Russia brought a new dimension to the sharing of Ottoman lands, known as the "Orient Question." The First World War was a development that would untie the knot of this problem. With the entering of the Ottoman Empire on October 29, 1914, the war spread to the Mediterranean and its surroundings. Britain, which was the first to react to the Ottoman Empire, annexed Cyprus to provide security in the Eastern Mediterranean. In fact, the controversy about the status of the Mediterranean intensified before

<sup>42</sup> Mark Hewitson, "Germany and France before the First World War: A Reassessment of Wilhelmine Foreign Policy", *English Historical Review*, Vol. 115, No. 462, (2000), p. 570-606.

the Ottoman Empire had entered the war, with the German ships *Goeben* and *Breslav* passing through the Straits on August 12, 1914.<sup>43</sup> Britain and France considered it a violation of the current status quo. Thus, the Straits became one of Britain's most important agenda items during the war, with an objective emerging in London towards preventing these narrow passages from coming into the hands of unreliable or hostile states.<sup>44</sup> In the spring of 1915, Britain and its allies, who retained their navigational superiority in the Mediterranean from the onset of the war, began an operation against Istanbul to open the Straits closed by the Ottoman Empire. However, they could not achieve this goal as long as the war continued. In the last period of the war, the Entente States, which took over the Eastern Mediterranean, including Jerusalem, Cyprus and the whole Levant region, sat on the diplomacy table to establish the final status quo.

One of the important agenda items of the Paris Conference, which convened after the First World War, was the future of the Ottoman lands around the Eastern Mediterranean, foremost the regions of Egypt, Hejaz, Palestine, Mosul, Baghdad, Damascus, and Cyprus.<sup>45</sup> The main purpose of the British administration emerging in Palestine and Egypt as a result of the ongoing negotiations between 1919-1921 was to change the region's status to sustain Britain's interest in the medium and long term. Although the Allied Powers tried to share these regions with some secret agreements while the war was still going on, Britain and France had deep differences of opinion about the Eastern Mediterranean. Secret deals signed during the First World War leaned towards resolving the Orient Question in favor of the Allied Powers. However, these secret agreements also brought about

<sup>43</sup> Ali Balci et al., "War Decision and Neoclassical Realism: The Entry of the Ottoman Empire into the First World War", *War in History*, (2018).

<sup>44</sup> Memorandum by Mr. H. G. Nicolson Respecting the Freedom of the Straits, Documents on British Foreign Policy 1919-1939.

<sup>45</sup> İsmail Ediz, *Diplomasi ve Savaş Batı Anadolu'da Yunan İşgali 1919-1922*, (Ötüken Neşriyat, İstanbul: 2019), p. 109.

serious confusion regarding how to split up the Ottoman Empire, with its vast lands in the Mediterranean and the surrounding area. With the Istanbul Agreement signed in 1915 while the war persisted, Russia was set to acquire Istanbul and its surroundings, whereas France would take Mersin and Adana.<sup>46</sup> Russia capturing the Istanbul region along with the Straits was a development that would profoundly affect the upcoming history of the Mediterranean, as the Port of Mersin and Iskenderun would have given the French an essential seat in the Eastern Mediterranean trade.

On the other hand, the Sykes-Picot Agreement signed in 1916 produced significant results for the future of the Mediterranean, as Britain and France largely shared the Arab lands among themselves. The new status quo of Palestine granted to Britain with subsequent changes in Sykes-Picot, would mark a new starting point of conflict in the Eastern Mediterranean until today. While the war was continuing, the new war cabinet established in December 1916 in Britain under Prime Minister Lloyd George, described the Sykes-Picot, signed a few months before, as a mistake in terms of Britain's interests, thinking the agreement mostly reflected the interests of France. Britain advocated a divided Syria including a separated Palestine from the region. This was opposed to the unified Syrian proposal of France, and eventually Britain forced France to accept important changes to the agreement in its favor. As a result, Mosul and Palestine came under British rule. Another British step concerning the Eastern Mediterranean was promising Sharif Hussein to support Arab independence in return for assistance during the war. In return, Sharif Hussein stated that he would not claim rights in the areas such as Hama, Humus, Aleppo, which were located in the Levant region on the Mediterranean coast, and gave up these places in order to keep the alliance with England intact. On the other hand, Britain mediated negotiations between Emir Faisal and

<sup>46</sup> Cevdet Küçük, "Sykes-Picot Anlaşması", *TDV İslam Ansiklopedisi*, Cilt: 38, (TDV Yayınları, İstanbul: 2010), p. 204-206.

the Zionists to pave the way for the establishment of a Jewish state in Palestine, with an agreement between Chaim Weizmann and Faisal meaning that Faisal committed not to oppose the Syrian division agenda. These developments again fell in line with Britain's plans for a divided Arab geography.

Another important event affecting the Eastern Mediterranean in this period was the Balfour Declaration. The declaration, having the long-term aim of transforming all Palestine into a Jewish state, was the beginning of the process resulting in the establishment of Israel in 1948.<sup>47</sup> While Britain gained American and Jewish support in the short term with the 1917 declaration, it aimed to continue its interests in the Eastern Mediterranean and India in the long term. Previously facing the danger of losing Egypt to the French during both Napoleon's Egyptian expedition and the construction of the Suez Canal, this time Britain did not leave anything to chance and wanted to keep the Eastern Mediterranean directly within its domain of influence. For this, it undertook the administration of Palestine and Egypt, with the gradual aim of instilling satellite governments in these regions dependent on Britain. As a result of the ongoing Jewish immigration during the British mandate in Palestine in the 1920s and 1930s, the Palestinian demography changed dramatically in favor of the Jews, and the necessary ground for the establishment of Israel was prepared. Thus, Britain built a permanent base in the Eastern Mediterranean, which would also later become highly functional for America.

Another agreement that caused conflict between the Allied Powers was the 1915 London Treaty. With this agreement, Italy attained the opportunity to become great power in the Eastern Mediterranean. Britain made significant concessions to Italy, a regional actor in the Mediterranean before the First World War, in exchange for the involve-

<sup>47</sup> İsmail Ediz, "A Neoclassical Realist Explanation of the Balfour Declaration and the Origins of the British Foreign Policy in Palestine", *Tarih İncelemeleri Dergisi*, Vol. 34, No. 1, (2019), p. 99-122.

ment in allied powers, taking an important step to change the balance of the Eastern Mediterranean. However Italy, changing sides in return for promised land, would not get paid what was offered. Britain and France now offering the lands including Western Anatolia previously promised to Italy, to Greece in exchange for entering the war in 1917, caused a serious dilemma at the diplomacy table between Italy and Greece after the war.<sup>48</sup> When the Twelve Islands problem was added to this, which were occupied by Italy during the Tripoli War, the disputes became even more insurmountable. Italy disagreed not only with Greece but also with its world war allies, Britain and France. This situation can be seen as the most important reason for the Mussolini's aggressive Mediterranean policy in the following periods. In fact, Mussolini's steps in the region became decisive in the process leading up to the Second World War.

The most crucial obstacle to the transformation of Italy into a global power, located in the Mediterranean basin having no direct connection with the ocean, was impossibility of the control of the Dardanel, Suez and Gibraltar, the three exit points of the Mediterranean.<sup>49</sup> This geographic restriction did not pose a major problem for Italy during and just after its political unification because of its close relationship with Britain. However, because Italy could not receive the lands it was promised in the Treaty of London after the First World War, it began taking more aggressive stances in its foreign policy. Considering the occupation of Fiume, Corfu, the Twelve Islands, and Albania, as well as the attempts to build a new military base in Leros after Mussolini came to power in 1922, it can be said that Italy's demands in the Mediterranean were quite broad.<sup>50</sup> One of the

<sup>48</sup> Ediz, *Diplomasi ve Savaş Batı Anadolu'da Yunan İşgali*, p. 141.

<sup>49</sup> Documents on British Foreign Policy 1919-1939, Ser. 2, Vol. 18, Reference: R 3831/1/22. (Jun 15, 1937). No. 615 Memorandum [890/1] On the Probability of War with Italy [R 3831/1/22] Foreign Office, June 15, 1937.

<sup>50</sup> Documents on British Foreign Policy 1919-1939., Ser. 2, Vol. 18, Reference: R 3831/1/22. (Jun 15, 1937). No. 615 Memorandum[890/1] On the Probability of War with Italy [R 3831/1/22] Foreign Office, June 15 1937.

major issues that annoyed Italy at this time was Britain controlling the entrance and exit to the Mediterranean, therefore narrowing Italy's range of movement.<sup>51</sup> During Mussolini's ruling period, Italy moving away from the collective security approach and turning to its own defense strategies was bumping any steps towards Mediterranean stability.<sup>52</sup>

Although the revisionist foreign policies of Italy and Germany witnessed a new showdown on the Mediterranean Sea with the Second World War, Britain and its allies also left this struggle as winners and the security of the British Empire established until the second half of the 1950s. The declaration of Israel's independence immediately following the war in 1948 changed the balance of power in the Eastern Mediterranean for the medium and long terms. The conflict processes between Israel and Palestine produced results that would affect the rest of the region. The Arab states, especially Egypt and Syria, which declared war against Israel the day after Ben Gurion announced the foundation of Israel on May 14, suffered a major defeat, giving Israel the opportunity to expand the occupation areas in Palestine.

After this defeat, the period of King Farouk in Egypt came to an end and Gamal Abdel Nasser, who would play a critical role in the practice of pan-Arab thought, acceded to power with a military coup. Nasser's foreign policy preferences had the feature of impacting on the entire region. Nasser, who engaged in a power struggle with Israel, also opposed the order that Britain had sustained since 1922 and mobilized a series of action plans to threaten British interests. Nasser's move to nationalize the Suez Canal, which moved outside the Western camp during the acceleration of the Cold War, was enough to raise the tension in the Eastern Mediterranean. First, on July 26, 1956, Israel declared war against the Nasser administration, which nationalized

<sup>51</sup> Documents on British Foreign Policy 1919-1939., Ser. 2, Vol. 18, Reference: R 3831/1/22, 15 Haziran 1937. No. 615 Memorandum[890/1] On the Probability of War with Italy [R 3831/1/22] Foreign Office, June 15, 1937.

<sup>52</sup> Stephen Corrado Azzi, "The Historiography of Fascist Foreign Policy", *Historical Journal*, Vol. 36, No. 1, (1993), p. 187-203.

the Suez Canal. Then Britain and France blockaded Suez for security reasons. However, the harsh policy of Britain and its allies against the Nasser administration had no result, with Britain and France being forced to withdraw from the Suez.

Previously holding all the political and economic output of the channel until the Suez Crisis in 1956, Britain handed over the region to America in the shortly after the crisis. Despite this diplomatic success of Nasser, Arab states under the leadership of Egypt continued to lose against Israel in the years. After a war that continued for six days in 1967, Israel enlarged its territory two and a half times. After the Yom Kippur War in 1973, Egypt and Israel, seeking a settlement, signed an agreement in Camp David in 1978 that once again changed the balance of the Eastern Mediterranean. America should be considered the third party in this agreement. As Egypt was taken over following negotiations supervised by Jimmy Carter, America's unconditional support for Israel became a basis for Israel's subsequent unlawful policies.

The Suez Crisis was a turning point in the Eastern Mediterranean. During this period when new dynamics came into effect, Britain left the region to a large extent and America started to intervene in the Middle East and the Mediterranean within the scope of its "containment" policy. The Eisenhower Doctrine declared in 1957 by the USA who did not provide the expected support to Britain during the Suez Crisis, and can be considered as the first step of this new policy. These American security policies were carefully monitored by the Soviet Union. Immediately after the Second World War, the Soviet Union attempted to increase its influence in the Mediterranean and therefore tried to influence regional politics, including intervention in the internal affairs of the coastal states of the Mediterranean. On the other hand, crossing the Bosphorus and the Dardanelles to reach the Mediterranean at any cost was of great importance to the Soviets, in order to neutralize the American bases there.

During this period, Russia tried to support the regimes in the region that could remain neutral to America. In fact, President Nasser of Egypt, who was not included in the Soviet camp but acted with the Non-Aligned Movement, was the most suitable actor for this. Through Czechoslovakia, which signed an arms agreement with Egypt in 1955, the Soviets had a chance to intervene in the region. Thus, from the middle of the 1950s, Eastern Mediterranean waters were warming up, with the USA and USSR challenging each other through proxies in the region. Aiming to maintain the Mediterranean's security through NATO in this period, the USA established the Allied Joint Force Command in Naples and Izmir, indicating the importance they gave to the Mediterranean. Turkey was the central base of American operations in this region from the 1950s onward, being crucial to many developments during that time such as the Baghdad Pact that closely concerned the Middle East and the Mediterranean, Jupiter missiles, and the U2 incident. Despite this, Western states did not support Turkey's policies in the Mediterranean, with Turkey suffering from most of the above processes. The foremost of these was the Cyprus issue, where Turkey acted alone. Moreover, Turkey was subjected to embargos and military coups at this time.

Although being a NATO member, the major foreign policy issue in the Mediterranean that Turkey was left alone on was Cyprus. Throughout history, the island position of Cyprus was described as the "floating base" that the great powers wanted to keep under control in order to maintain their sovereignty in the Mediterranean.<sup>53</sup> Cyprus, which remained under Ottoman rule until 1878, was rented to Britain in accordance with the Cyprus Agreement, and the island was annexed by Britain in 1914 with the Ottoman Empire's entering the First World War. With the Treaty of Lausanne signed in 1923, Turkey abandoned its rights in Cyprus. Thus, while Turkey lost this strategically important

<sup>53</sup> Ryan J. Lynch, "Cyprus and Its Legal and Historiographical Significance in Early Islamic History", *Journal of the American Oriental Society*, Vol. 136, No. 3, (2016), p. 535-550.

island in the Eastern Mediterranean, they also entered a troubling process of defending the rights of the Turkish community on the island.

During this period, Cyprus became one of the leading agenda items of the Eastern Mediterranean politics. Greece's keeping the policy of its "Megali Idea" and consequently "Enosis" alive is one of the main reasons for the tension in the region. Since 1955, Turkish Cypriots who had to be armed in the face of terrorist activities of the pro-Enosis Greeks started to compete in the region, with Turkey striving to raise its voice in the international community on the topic of Cyprus. On the other hand, Turkey's efforts in the first half of the 1960s, which always kept military possibilities on the agenda, were dismissed by their "closest ally," the United States, and Turkey was left to experience an interesting incident of foreign policy history known as the "Johnson Letter." Thus, Turkey's intervention in Cyprus and, consequently, the effort to be present again in the Eastern Mediterranean was postponed for the time being. In 1974, Turkey's operation to Cyprus during an era when internal and external dynamics were appropriate, showed its commitment to be present in the Mediterranean, and continued to struggle in the Mediterranean together with the North Cyprus Turkish Republic in the next stage. However, the negative attitude of Western states about Cyprus continued with Southern Cyprus unilaterally becoming a member of the European Union.

While Cyprus has remained one of the main international problems of the region until today, the surrounding geography witnessed similar confusions in the 1970s. The end of the Egyptian-Israeli conflict in 1978, which had been going on without interruption for nearly 30 years, deeply affected the view of other Arab states in regional politics. Egypt, after signed an agreement with Israel, quickly became a close ally of America, while moving away from the Arabs. The new economic and political practices of Anwar Sadat, Nasser's successor, decreased the Soviet influence in the country and accelerated Egypt's rapprochement with America. The negative impact of the separation

of Egypt from other Arabs was excessively felt in the Palestine issue. Israel then, now working with an Egypt that denounced its position of leadership in support of Palestine, strengthened its hand in the region. While the influence of America gradually increased during this period, England and France, which could not recover after the Suez Crisis, started to lose their dominions around the Mediterranean.

The events that started in Tunisia and Algeria in the 1950s resulted in the independence of Tunisia in 1956 and Algeria in 1962. Thus, two new states joined international politics in the Mediterranean, with Tunisia following Egypt in hosting the Arab League since 1979. In the meantime, in response to America's settling in Egypt, the Soviet Union established a military base in Tartus in 1971 through an agreement with Syria, thus obtaining the opportunity to increase its navy presence in the Mediterranean. The power struggle between the USA and Soviet Russia in the Eastern Mediterranean continued through proxies until the end of the Cold War. Then, in the 1990s, the Mediterranean and its surroundings came under complete American influence with the USA-centered unipolar international system. The return of Russia to the region would not occur until the 2000s.

## **CONCLUSION**

The Mediterranean has been highly active politically, economically and culturally since ancient times, and has managed to remain at the center of world politics throughout history. A large portion of the Sea's popularity is due to trade. Commerce and politics have interacted in the Mediterranean for centuries along the region's prosperous cities in the north and south, beginning from the Levant. The region's large commercial output sparked the desire of the great powers to control it. This desire for control led to the emergence of great political strategies in the Mediterranean throughout history. Therefore, it is an undeniable fact that the developments in the Mediterranean in the past and until today have a political economy.

While the Roman Empire expanded its domination areas around the Mediterranean, Muslim states and Western states have set the primary goal of dominating the Mediterranean trade. The factors that led the Crusader armies to the Eastern Mediterranean included economic as well as political elements. In fact, the historical process reveals that the Crusades, which emerged under the leadership of merchant states allied with the Papacy, such as Genoa and Venice, provided extensive opportunities to the relevant states in terms of trade control in the Mediterranean. In this period, the fragmented political structure of the Eastern Mediterranean region opened it up to invasion, a pattern that would continue throughout the following periods. The most striking phenomenon when looking at the history of the Mediterranean is that there is a direct relation between divided political structures, the degree of controllability, and the success of the foreign intervention. In other words, as the division between countries in the region, and hence conflict, increased, the hegemony-seeking powers' sphere of influence expanded.

As controlling the rich harbors of the Levant and other parts of the Mediterranean provided significant tax revenues to the dominant states, it was a determinant for political power to reach its climax. In fact, the superiority of the Ottoman Empire established in the Mediterranean posed great importance in transforming it into a superpower that would affect international politics. Thus, the Ottomans took part in European alliance systems and were able to respond to challenges. Ottoman domination also provided a relatively more sheltered period against the colonial empires in the Mediterranean and its surroundings. Western powers that could not intervene in the Ottoman-controlled Mediterranean and could not change the status quo went on a search for an alternative in the Atlantic and turned the American continent into a colony. However, with the USA's gaining independence and the weakening of the Ottoman Empire, the Mediterranean became the target of the colonial empires again.

In the 19th century, the Mediterranean witnessed the intervention and hegemony struggle of northern empires such as Russia, as well as Western empires such as Britain and France. Russia played an important role in shaking the Ottoman Empire with its attacks during the 19th century. Russia had a large impact on the Empire losing land in Europe and the Balkans. On the other hand, the ambivalent attitude of Britain and France based on hegemony and exploitation also had bad results for the Ottomans. The losses of the Empire, as in the events ending with the Küçük Kaynarca Treaty and Navarino incident, increased exponentially when Russia allied with the West. Only when considering the results of these two events, can it be understood how much the Russian-British alignment damaged the Ottomans in this period.

Mediterranean politics, which had been reactivated in the 19th century, paved the way for the outbreak of the First World War. Thus, the Ottoman Empire collapsed, and the status quo of the Mediterranean changed radically. However, as the new situation did not bring stability to the Eastern Mediterranean, the 20th century witnessed new conflicts. While difficulties among those sitting at the table for “peace” caused the Second World War, the state of Israel that emerged after the war deeply affected the later history of the region.

The states in the region, which were forced into polarization and decomposition with Cold War policies after the World Wars, became increasingly open to foreign intervention. Turkey became a Mediterranean state that was always suffering from permanent damage and intervention in the circumstances that arose after the Cold War. Although being located in the West block, Turkey’s interests in the Mediterranean were not supported by its western allies, so the country suffered damage in this period. The political history of Cyprus is an example of this. In the same period, although Turkey was a NATO ally that was the most exposed to military intervention and coups, it was prevented from having an impact in the developments of its own region, espe-

cially in the Mediterranean. Turkey was not the only country affected by the Cold War and its aftermath. The ongoing developments within Palestine, Egypt, Cyprus, and others along the Mediterranean coastline had a negative impact on the stability of the Eastern Mediterranean, turning the region into the most wartorn in the world.

# WESTERN POLICIES ON THE EASTERN MEDITERRANEAN

NURŞİN ATEŞOĞLU GÜNEY\*

## INTRODUCTION

In 2015, the Russian Federation's intervention in Syria has changed the Mediterranean/Eastern Mediterranean geopolitics. First of all, Russia's strategic return to the Mediterranean with its overt and covert military capabilities triggered a kind of geopolitical struggle, which can be called as the new Cold War. However, this struggle was not limited to the strategic competition between the U.S. and Russia, which increased their strategic assets in the Mediterranean. This struggle has also been about strategic competition among regional powers. These regional players have increased their naval capabilities in the region and have sought new ways to perform their power especially in the Eastern Mediterranean. The new Mediterranean Cold War is still maturing, which includes great power competition as well as different cooperation and competition schemes of regional powers. Within this form of struggle regional powers hope to benefit from great power competition in the region. Meanwhile, several risks emerged on the southern border of the European continent after the Arab Spring. Europeans preferred to identify these risks by using a securitizing discourse centered on the terms of "refugees" and "radicalism." Since 2015, these risk clusters in the Eastern Mediterra-

\* Prof. Dr., Nişantaşı University

nean such as refugee and radicalism issues which have been hardly managed by the Europeans, coincided with the increasingly visible U.S.-Russia geopolitical and geo-economic rivalry. This change in Mediterranean geopolitics forced the EU members to accelerate their strategic presence both in the conflict zones and bargaining tables of the Mediterranean geopolitics. However, the desire to be visible in Mediterranean geopolitics was not shared by all EU countries. The EU went through the painful Brexit process and had difficulties developing a common foreign and security policy and a coherent Mediterranean/Middle Eastern strategy. During these troubled years France and Italy, who have been trying to be effective in the Mediterranean since 2011, redefined their relationship with both Washington and Moscow by developing national Mediterranean strategies for the region. Whereas Germany, who always prioritizes the future and unity of the EU and has a record of special relations with both the U.S. and Russia, tried to observe and control different French and Italian Mediterranean strategies in order to have managed positive and negative side effects on the Union.

The focus of this study will be the Eastern Mediterranean, which seems to be the first visible front of the new Cold War.<sup>1</sup> In this framework, having a common Mediterranean strategy is important for the Western actors. Today, on the one hand the Eastern Mediterranean is turned to be a front of containing Russian influence by the U.S. on behalf of the West. On the other hand, this region is seen as a special interest area for the EU and Germany due to ongoing competition between French and Italian policies. However, the question of whether a common Western strategy was developed for the Eastern Mediterranean has not yet been answered. The answer of this question is important because there are numbers of reasons in the new Eastern Mediterranean power game forcing the EU countries such as France,

<sup>1</sup> "Pompeo Hails New Era with Greece after Signing Revised Defense Deal", *The Guardian*, 6 October 2019.

Italy, and Germany, as well as the U.S., to coordinate their policies to have a common Western policy.

The main issues of the Eastern Mediterranean that are associated with the security agenda of Western actors aims to answer two questions: (1) how the parties will share newly discovered Mediterranean natural resources and (2) how the dispute of delimitation of maritime jurisdiction zones will be solved. On the one hand these two issues, issue of energy and sovereignty became new key pillars of post Arab Spring EU security agenda; on the other hand, they turned to be reference points for the balance of power struggle among regional states. Therefore, in this paper, the main objective is to discuss strategic tools and targets of Western actors present in the Mediterranean geopolitical game, namely France, Italy, and the U.S. However, the author of this paper believes that without referring Turkey's Mediterranean strategy, this discussion will be incomplete. This is because the most important factor that determines the limits of Western Mediterranean policies is Turkey's balancing strategies in the region.

## **COULD THE EASTERN MEDITERRANEAN GEOPOLITICAL GAME BE ANTI-TURKEY?**

The declaration of the Eastern Mediterranean as a strategic front took place within the framework of the U.S.-Russia struggle. Initially, there was not a strong connection between Turkey's position in the Mediterranean and the efforts of the United States to contain Russia. The U.S., under Obama Administration, had been trying to prevent Russia's Mediterranean stand by letting Iran to act more freely in Iraq-Syria-Lebanon basis and by encouraging Turkey-Israel cooperation in the Eastern Mediterranean gas issue. However, Obama Administration's Mediterranean initiatives as well as his Middle East policies failed. When the Trump administration came to power, the previous Administration's foreign policy was heavily criticized on several issues: one of them was for not providing enough encouragement

to the Turkish- Israeli rapprochement, the other one was for U.S. underestimation Russia's capabilities in Syria. Moreover, Obama has failed to understand expansionist intentions of Iran in the region after 2015 Nuclear Deal. Besides Obama Administration underestimated Turkish capabilities in balancing risks and threats in the region. These strategic neglects paved the way for small-state revisionism which for example became apparent in the Greek Administration of Southern Cyprus (GASC)'s anti-Turkish and anti-TRNC (Turkish Republic of Northern Cyprus) discourse and policies. After Israel discovered the first natural gas reserves in the region in 2009, and also whilst the Turkey-Israel relations were getting worse, the Southern Cyprus had announced that they also discovered natural gas in the Aphrodite field of Cyprus. Thus, the Greek Cypriot side gained a new ground to establish a dialogue with Israel, who wanted to become a natural gas exporter in the East-West energy trade. The main purpose of the South Nicosia seems to be taken over the economic and political rights of the TRNC and Turkish Cypriot Community on the natural resources around the island of Cyprus. It means that Southern Cyprus has adapted a kind of expansionist policy by using this gas bargaining chip- rapprochement with Tel Aviv, instead of prioritizing western security agenda in the region. The South Cyprus, by ignoring the rights of the TRNC made the so-called Exclusive Economic Zone (EEZ) agreements with Egypt, Lebanon and Israel in 2003, 2007 and 2010 respectively. Subsequently South Nicosia divided this area into several blocks unilaterally and invited international energy firms for searching and drilling operations –without consent of the TRNC. This policy, which is against the spirit of finding everlasting political solution to the Cyprus question, because it meant a complete denial of the economic and political existence of the TRNC and the Turkish Cypriot Community. Hence, Turkey and the TRNC had to react counter and balance these policies by taking different initiatives. In this regard, between 2004 and 2011, Ankara did everything to find a

diplomatic resolution to halt these unlawful and unilateral activities of the Southern Cyprus.

The year 2011 can be considered as the beginning of the period in which the South Nicosia had the opportunity to follow its expansionist geopolitical intentions more apparently via its EEZ policy due to changing regional geopolitical landscape. Israel, observing that Turkey could increase its influence in the region after 2011, launched a new rapprochement policy with the small states of the region (Greece and the Southern Cyprus) by revisiting its traditional Periphery Doctrine.<sup>2</sup> Meanwhile Egypt under Sisi administration adopted a very distant position from Turkey towards Arab Spring movements. Hence Cairo has acted as a new buffer zone in this new peripheral alignment by 2014 onwards.

The interesting thing is that within this peripheral alignment South Nicosia has expanded its maritime jurisdiction zone to expanse of his partners like Israel, Egypt and Libya. Despite of Israeli acceptance of expansion of Southern Cyprus via bilateral EEZ deal, East Med project aiming transportation of Israeli gas to Europe remained unaccomplished due to its financial and technical infeasibilities. This reveals once more time that the Eastern Mediterranean quarrel is not only about distribution of loses and gains among actors in energy resources and trade, but it is also a matter of sovereignty rights in the maritime zones. The EU became part of the dispute by giving indirect support to maritime jurisdiction zone claims of South Cyprus. This support is mostly justified by reminding that Greece and South Cyprus are the members of the Unions so political support of Brussels is the direct result of solidarity in the EU. However, Brussels' support to South Nicosia's maritime claims went so far to be imprudent and counterproductive. One can easily remember South Nicosia maritime zone claims in Seville Map prepared by a European university in an EU member

<sup>2</sup> Yoel Guzansky, "Israel's Periphery Doctrine 2.0: The Mediterranean Plus", *Mediterranean Politics*, Vol. 19, No. 1, 2014, pp. 99-111.

country -Spain- in 2003. The claims in the map were born as abortive and declared as illegitimate by Ankara but the basic objective of the map which seems to contain Turkey, with the longest coastline in the Mediterranean, in a very limited maritime jurisdiction zone (namely, the Gulf of Antalya) has never been forgotten. As a countermeasure Ankara reported its western sea borders in the Mediterranean to the UN in 2004 and she underlined the fact that the EU had no right to draw such kind of maps.

The South Cyprus's maritime proclaims and initiatives aiming to monopolize Eastern Mediterranean have not been realistic since South Nicosia as a small actor having limited economic and military power. Despite of this unrealistic nature, these initiatives have received political support from some EU countries who have regional ambitions and US Administration. These actors thought that such realignment axis between Israel, Southern Cyprus, Greece, Egypt etc based on future promises of so-called South Nicosia's maritime claims might be used to restrain both strategic presence of Turkey in the region and Russian access to Mediterranean. Sometimes reluctant, sometimes zealous but continuous Western support to South Cyprus' claims and to the new regional realignment that excludes Russia and Turkey reveals the fact that Western actors have totally overlooked the possibility of Turkish-Russian counter balancing rapprochement. Ignoring such a real possibility proves that the West may have panicked to take the lead in a new geopolitical struggle after the order had deteriorated in the post- 2011 Arab Spring period. It is more interesting that while Europeans focused on the issues of conflict between Russia and Turkey, they miscalculated the limits of small state revisionism present in the region. After 2013 Western states have started to realize the negative side effects of prioritization of the means (the exclusion of Turkey) over objectives (stability, security, and prosperity) in the regional politics. For this reason, Europeans have tried to adapt a damage control strategy instead of western monopolization/domination strategy in the Eastern

Mediterranean. However, coordination between Western actors was so weak, they were unprepared against Russia's increasing aggression, Trump's alienating policies towards American partners, and Turkey's resistance and counter-balancing capabilities. As a result, Europeans failed to establish any well-functioning damage control strategy.

## **EUROPEANS REVISITING EASTERN MEDITERRANEAN: FROM MORE NOSTRUM TO THE MEDITERRANEAN WALL**

The Barcelona Process started in 1995 with the announcement of the Barcelona Declaration, which can be considered the Constitution of the Euro-Mediterranean Partnership, and it was signed by 27 participants from 15 EU member states and 12 Mediterranean states. This project aimed to integrate the EU and Mediterranean countries in a common framework in the political, economic and socio-cultural areas. The Barcelona Process claimed to create a welfare area in the Mediterranean region by bringing peace and stability to the north and south coasts of the Mediterranean on the date it was announced. To this end, the work program in the Barcelona Process was divided into three baskets. (i) According to the Political Dialogue and Security Partnership basket, the parties would establish the Euro-Mediterranean Pact between them, thereby creating the desired area of stability in the region. (ii) According to the Economic and Financial Partnership basket, the socio-economic situation of the countries in the south of the Mediterranean would be improved as soon as possible, thereby eliminating the economic gap between the countries in the region. (iii) In the partnership between the parties in social, cultural and humanitarian fields, it is decided to cooperate primarily in areas such as education, social development, migration, terrorism, drug trafficking, racism and xenophobia, anti-corruption, and civil society is included in this process.

In the post-Cold War period, through the Barcelona Process the EU countries aimed to give priority to focus on the socio-economic

problems of the Southern countries as along with other objectives. In the event of this partnership framework, the elimination of not only international problems such as the Arab-Israeli conflict but also economic underdevelopment, unemployment and ignorance were believed in, and instead, it was hoped that the establishment of regimes that respect human rights, democracy and the rule of law would take place. However, from the beginning, the Barcelona Process was criticized for bringing regulations in favor of the north rather than the south of the Mediterranean. These criticisms were expanded over time to include the southern pillar of Europe's Neighborhood Policy (ENP), and it was said that instead of developing a security cooperation strategy with the EU's non-European Mediterranean neighbors, the priority was given to the elimination of security threats to the Union from the southern countries.<sup>3</sup> It was claimed that the Berlin Wall was replaced by the Mediterranean Wall. The Barcelona Process has ended to become unsuccessful especially when the countries in the South openly blamed that this Process paved the way to construction of a wall that protected Europe from dangers that might come from the south, while oil and natural gas continued to flow from the South to Europe.

The "Union for the Mediterranean (UfM)" was another cooperation model for the Mediterranean was put forward by France in 2008 as a result of the failure of the Barcelona Process, and this attempt aimed at rescuing the idea of the Euro-Mediterranean Partnership that emerged in 1995. In essence, the history of Europe's Mediterranean policies was a part of the EU's long struggle for being an actor after the Cold War. It should be accepted that this process was not easy for Europeans. The security pillar of the EU has always been problematic, and the desired capacities have never been achieved. The economic pillar has been overshadowed by inequality and instability within the EU

<sup>3</sup> Visne Korkmaz, "Constructing the Mediterranean in the Face of New Threats: Are the EU's Words Really New?", *European Security*, Vol. 17, No. 1, 2008, pp. 141-160; Nursin Atesoglu Guney, "The Region-Building Practices of the EU in the Mediterranean: The EMP and ENP, What is Next?", *European Security*, Vol. 17, No. 1, 2008, pp. 123-139.

which has been accelerated as a result of the EU's enlargement. Also, Europeans had always a problem of limitation of its borders. Since the EU established its actorness on socialization and the diffusion of the EU norms, it had to define who are the neighbors that could be the target of these norms. Accordingly, the EU had to shape or try to shape -at least- these neighboring areas in order to decide who will be inside, who will be outside of the EU. Likewise, the Mediterranean policies of Europeans have always suffered from lack of consistency and lack of capabilities. The capabilities of the EU/EU member states are limited to set and protect actual borders of the EU. And not always national interests of member states and the Union's interests in the Mediterranean are in harmony. What the EU has learned from The Barcelona Process, the European Neighborhood Policy (ENP) and the European Mediterranean Policy (EMP) is proved that the Mediterranean, which Europe calls *more nostrum* (our sea), could not be shaped by the EU. The first 20 years of this learning process were relatively calm. The geopolitical stability in the Mediterranean was at such a level to pave the way for that NATO/U.S. decided to reduce its strategic presence in the Mediterranean. This relatively cold stability did not mean that there was no crisis in the region, but the Mediterranean was not a place where the rivals of the West could show their capabilities with their navies, missiles and the belt-and-road initiatives. This learning period, in which the Europeans were left alone in the Mediterranean was ended by the failing Arab Spring process when the European initiatives and norms were really needed but not existed. And when the Arab Spring failure became obvious Europeans had to accept the reality of rising new powers such as Russia, China, the U.S., Iran, the Gulf, Turkey etc. have access to their "more nostrum."

It is a known fact that Brussels has been politically ineffective in many crises in North Africa and the Middle East even after the Arab Spring. The only geopolitical struggle in the Mediterranean where the Union has existed so far is the energy dispute in the Eastern Mediter-

anean. This reveals that over the last decade, intra-EU divisions have negatively affected the Union's decision-making and crisis-response mechanism. The Union has been ineffective in her neighborhood to apply region building policies and even missed opportunities to use European norms to catch priorities in the global security agenda. That is why the EU had not any other choice but bandwagon the U.S. when the geopolitical struggle in the Mediterranean accelerated after 2015. This was due to Moscow's new access to the Eastern Mediterranean with its Anti Access-Area Denial (A2/AD) capabilities as well as return of US/NATO to the Mediterranean Sea as a response to Russia's Syrian strategy and US's anti-Iranian policy.

There are also other intra-EU reasons for European ineffectiveness in MENA region especially after 2011. These can be listed as follows: The first reason is the competition between Italy and France has blocked development of coherent Mediterranean policy in the Union. As a result of this division, the 2011 NATO intervention in Libya remained as France's initiative rather than a European initiative. The second one is related to diversion of priorities of Germany and Britain, who were two economic drivers of the Union before the Brexit. And last but not least some EU countries like France have preferred to bandwagon the U.S. instead of going with the Union because they are aware of EU's limits.

When the dispute over the use of natural gas resources in the Eastern Mediterranean intensified in the late 2010, the international community's main expectation was that the EU would play a mediator role and contribute to keeping tension in the region under control. However, when the Brussels chose to side with South Cyprus by supporting her unilateral claims in the issue of delimitations of the maritime jurisdiction zones although it had no authority to do so. Some European states went so far in their support to South Cyprus to use the Seville map as a reference point -a map which ignored the rights of Turkey and the TRNC. In this regard, Europeans lost the

chance of playing the role of mediator that could propose the win-win solution to the parties in the current energy dispute. To sum up, when the Union closed its door for dialogue with Turkey and TRNC to support Greece and the South Cyprus, it restricted its own political, economic and military sphere of influence. Exclusion and marginalization of Turkey, who has military, economic and political capacity to perform power in the Mediterranean is the main reason of why EU has been ineffective to have a role in Cyprus solution. Another reason of EU's limited role in Cyprus Question is associated with Brussels' attempts of exclusion and marginalization of the TRNC and Turkish Cypriot community. Moreover, the Trump administration's new Mediterranean/European policies has made the EU quieter in the face of new developments in the region.

It is a generally accepted fact that the liberal order has been damaged by the Trump administration's unpredictable policies.<sup>4</sup> The frequent use of Washington's harsh and punishing style of conducting foreign policy in solving international problems has begun a problem for Europe. In this process, Brussels did not only suffer economic losses due to Washington's policies but also had difficulties in managing the risks (missile threats, the armament of neighboring regions, risk of nuclear armament, etc.). This weakness of the Union was firsthand perceived by the countries in the Middle East and North Africa (MENA) due to their geopolitical proximity. Some of the MENA countries once had developed confidence towards the EU but Brussels incoherent policies after 2011 led them to lose their confidence to the Union's Mediterranean policies.

For all these reasons, the EU has acted pragmatically and preferred to pursue short-term solutions for issues related to the Mediterranean basin. These short-term solutions, either were focused on establishing

<sup>4</sup> Robert Jervis, Francis J. Gavin, Jashua Rovner, Dianna N. Labrosse, *Chaos in the Liberal Order: The Trump Presidency and International Politics in 21<sup>st</sup> Century*, Columbia University Press, 2018.

partnership with the United States, or they were aiming to eliminate the negative side effects of rising problems instead of dealing with actual sources of disputes, have naturally become unsuccessful. As a result; (1) The EU lost its agenda making power to improve security and stability in the Eastern Mediterranean, whereas the others such as the U.S., Russia and Turkey gained more initiative power and became more effective in determining regional security agenda. (2) The EU's Mediterranean policies, which wanted to manage the consequences rather than causes of crises, further destabilized and divided the region. (3) While MENA countries preferred to sit on the bargaining table with the effective actors like the U.S., Russia, Turkey, Israel and Iran, some European countries like France and Italy, observing weakness of the EU in the Mediterranean, did not want to lose their economic impact in the region and followed national agendas instead of Union's Mediterranean policies. Hence, Union's the Eastern Mediterranean policies have been lowered to the issue of competition between France and Italy.

## **MEDITERRANEAN PLANS OF MACRON'S FRANCE**

Emmanuel Macron created a short-term excitement in his country when he took the office. It was known that Macron wanted to take some reformist steps within the EU and to make his country a leader in the Union through these reforms. It was quickly understood that Eastern Mediterranean is one of the areas that the new French president gave priority to create zone of influence for France.

Given the history of France's Mediterranean policies, Macron's this choice was not surprising. Creating a zone of cooperation between North Africa and the southern countries of Europe was one of the goals of France's post-Cold War regional policy. In the period from 1990 to 2010, Paris has been pioneered to launch many regional initiatives, including *the Barcelona Process* and the *Union for the Mediterranean*.

However, despite to all of its efforts Paris, till now, has failed to establish a special binding relationship between North Africa and Europe by mediation of France. This failure is not only France's fault, but also it has stemmed from the EU's failure of bringing up a common Mediterranean agenda.

Aware of this fact, Macron decided to bring up a new 5+5 cooperation project for the Mediterranean region. This new forum, which is called *the Mediterranean G10*, was designed as a multilateral gathering by encompassing fewer number of countries than ENP/EMP and UfM.<sup>5</sup> It was not surprising that Macron's G10 Mediterranean project has not received enough support from EU circles such as the EU Commission, NGOs and Germany. The disappointment caused by the EU's inefficiency in the countries of the region, and Germany's unwillingness to support to Macron's project because of Berlin's intention to launch its own its own mediating role for the region hindered Macron's ambitious plan for the Mediterranean. Thus, France was neither able to convince<sup>6</sup> the countries in the MENA region nor the southern countries of the EU that follow different Mediterranean policies. In short, unless the current conditions of the EU change, Macron continues to have problem in assuring both sides of G10 countries to adapt French Mediterranean agenda.

Although France remains unable to reach its desired goal of becoming the EU leader on Mediterranean initiatives, the country believes that risks arising from the region (such as the hard and soft security threats of terrorism and a refugee influx) should be taken under control as soon as possible. Continued attacks and civilian losses in Syria and Libya, as well as Paris's delays in establishing a constructive dialogue with Ankara naturally increase the urgency of risk management for

<sup>5</sup> "The Maghreb: A Future Partner on Equal Terms", Qantra.de, <https://en.qantara.de> ..., date of access: 2 November 2019. 5 + 5 meeting held in Marseille on 23-24 July 2019.

France, Italy, Spain, Malta and Portugal from Europe; Tunisia, Morocco, Algeria, Libya and Mauritania from the northern coast of the Mediterranean participated.

<sup>6</sup> "The Maghreb: A Future Partner on Equal Terms", *Qantra.de*.

France. Based on this urgency, Paris has chosen to support the putschist general Haftar and some armed terrorist actors such as the PYD, even at the expense of human rights and democracy.<sup>7</sup> Macron's objective is in following these policies are two folded: One was to prevent threats emanating from south to reach borders of France. The second one is related to upgrade its arms sales in the MENA market.<sup>8</sup> Accordingly, the turnover in the arms trade between Paris and the United Arab Emirates (UAE), Egypt and Saudi Arabia also motivated France to defend the security agenda of these countries in the Mediterranean in general and Haftar's in particular.<sup>9</sup>

The current geopolitical struggle seen in the Mediterranean has led a power vacuum. This vacuum is naturally attracted many powers including France. In this regard, Macron on the one hand expected to have possible economic gains via French energy firm such as Total which is active in the Mediterranean energy deals. On the other hand, Macron was hopeful to have French construction companies to find a place in the reconstruction of Libya's future.<sup>10</sup> However, However, still onshore and off-shore competition and conflicts have been going on in the MENA region and this situation naturally creates serious impediments before Macron France's Mediterranean desires.

<sup>7</sup> Paul Taylor, "France's Double Game in Libya", *Politico*, <https://www.politico.eu/...>, date of access: 3 November 2019; "Turkey Slams France over Supporting PYD/YPG Terrorists", *Anatolian Agency*, 30 March 2018.

<sup>8</sup> "France Vows to Give Assault Rifles and Cash to Central African Republics", *Independent*, 4 November 2018.

<sup>9</sup> The French Government agreed that in May 2019, it was selling weapons to Saudi Arabia, which Riyadh allegedly would use these weapons in Yemen. See. "The French Government Confirmed Wednesday that a New Shipment of Weapons will Head for Saudi Arabia, Despite Claims is Using the Arms in Yemen", *France 24*, 8 May 2019. As is known, France's arms sales to the Middle East doubled in 2017. France is already one of the leading weapons suppliers in the world arms market. Recently, Paris wants to increase its weight in the Middle East region with elements such as navy ships and infantry equipment that it sells to Saudi Arabia, Egypt and the UAE. See. John Irish and Sophie Louet, "Despite Criticism at Home, French Arms Sales Double in the Middle East", *World News*, 3 July 2018.

<sup>10</sup> Andrew Korybko, "France and Italy are Involved in A Proxy War in Libya", *Global Research*, 26 February 2019

It is known that Jean-Yves Le Drian, the former French Minister of Defense, convinced Macron that Libya was an easy target and France would benefit by supporting Haftar.<sup>11</sup> However, supporting Haftar, created a division between the Ministry of Foreign Affairs and the Ministry of Defense in French domestic politics. Within a passage of time French policy of supporting Haftar has turned into a risky policy as the Libyan National Army (LNA) militia struggled to overthrow the UN based legitimate Tripoli Government. The energy and construction deals that Macron hoped to reach were the real reason behind the rapprochement between France and Haftar. But on the other hand, in case of Haftar's losing of Libya to other forces, France trusted in her relations which has been built in advance with the other tribes in Libya. Hence the French tactic was to have a share at least in the new reconstructed Libya in the future. However, there are also some facts in this regard that still concern Paris. These concerns are the following; First, Libyan Summit held in Berlin in 2019 showed that there were and will be other actors such as the US, Russia, Turkey, UAE, and Egypt etc. in the Libyan negotiation table. Besides other European states such as Italy and Germany were not and most probably will be not at the same page with France on Libyan issue. Moreover, for Paris there have been other risks of exaggerating the power of weak actors such as Haftar. For example, one possibility is that a terrorist group may be the main beneficiary of the power vacuum that might emerge as an extension of ongoing armed struggle in Libya against the legitimate government. Another possibility is a new refugee crisis that might be aiming to reach European southern shores. Therefore, it is certain that France's support to weak and illegitimate actors like Haftar is not the best strategy for Paris. Supporting Haftar will not be providing the expected economic gain for Paris, on the contrary it can trigger negative developments that

<sup>11</sup> Jalel Harchaoui, "Macron is Strengthening Haftar", *Foreign Affairs*, 21 September 2017.

might weaken the ambitious desires of France for the Mediterranean as well as the stability of Europe.

Libya is not the only case that may create problems for the French Mediterranean dreams. Though France chose to follow U.S. policy and strategies in Syria, Paris was also aware that Trump abstained to consult with her allies including France in designing new American policies in the Middle East.<sup>12</sup> Bandwagoning the U.S. is getting a risky policy for France because the future of America's Syrian policy remains uncertain. Macron's France has wanted to return back to the days when once France had strong relations with Iran, Syria, Libya, and Palestine. However today due to the U.S.'s anti-Iranian policy as well as risks and difficulties in Libya and Syrian rivalry this dream becomes obsolete. Observing all these impediments before France's new Middle Eastern policy, Paris practically is desiring at least to be on the "winning" side in the Eastern Mediterranean energy dispute.

That is why France backed Southern Cyprus's unilateral claims and the exploration and drilling activities all over the Island so that Paris could benefit from EastMed project. In this regard, the media reported that the Total-Eni consortium gained the right to drill on parcel number 7 in the South Cyprus.<sup>13</sup> France also believes that the U.S. will support transportation of Israeli natural gas to the European market and hence this will strengthen cooperation between Paris and Washington. In this context, France has cooperated with Greece, the South Cyprus and Israel by hoping to be part of newly launched three-party natural gas alliance of Egypt, Greece and the South Cyprus.<sup>14</sup>

Of course, the energy reserves on the island is not the only reason of the Macron's France's interest in the Southern Cyprus in the recent years. The government in Paris strives to be the main supporter of the

<sup>12</sup> Alexandra Ma, "French President Macron Dunked on Trump for Pulling out of Syria without Telling his NATO Allies", *Business Insider*, 7 November 2019.

<sup>13</sup> "Total, Eni Reportedly Granted Cyprus Block 7", *Ekathimerini*, 10 May 2019

<sup>14</sup> Alexandria Pecinar, "Total in Eastern Mediterranean", *Wall Street International*, 7 October 2019.

South Cyprus economy within the EU. Paris has invested in many sectors, particularly in critical infrastructure like telecommunications etc. in the South Cyprus.<sup>15</sup> The increasing impact of France on the economy of the Southern Cyprus is explained by many factors. One of the factors that is mentioned is the personal success of French ambassador in South Nicosia. But the other factors are also more important: First of all, relations between the South Cyprus and Russia have been soured because of the incoming pressure from Trump's Administration and the NATO. Hence Southern Cyprus has felt the increasing necessity to find a new partner in deterring Turkey and Russia who are highly active in the region. Under these circumstances France has emerged as one of the major candidates for partnership with Southern Cyprus and she gained recently the rights of using Mari Naval Base in the south of the Island.<sup>16</sup> The technical support that has been provided to Southern Nicosia by France within PESCO<sup>17</sup> as well as joint navy exercises in the Mediterranean Sea with the Southern Cyprus and Greece shows that Paris Government closely monitors the developments in the Middle East through back-doors of Southern Cyprus. Therefore France, which has not yet achieved its desired objectives in the Mediterranean, sees its relationship with the Southern Cyprus as an opportunity to harmonize the security agendas of the EU and the U.S. By this way France hopes to use her presence in the Southern Cyprus as a springboard to catch a future opportunity that may rise in the Mediterranean.

## MEDITERRANEAN PLANS OF ITALY

Italy traditionally regards Mediterraneanism as one of three different orientations of its foreign policy, along with the European and Atlantic-centered foreign policy orientations. This orientation implies a

<sup>15</sup> "An Increasing French Presence in the East Med", *Ekathimerini*, 20 October 2018.

<sup>16</sup> "French Navy Will Use Cypriot Station, Upgrade for Bigger Warships", *The National Herald*, 17 May 2019.

<sup>17</sup> "Cooperation in the Field of Defense Between Southern Cyprus and France Being Developed", *Cyprus*, 8 November 2017.

more nationalist approach in the conduct of foreign policy.<sup>18</sup> There were several factors which complicated Italian Mediterranean policies. One of them was the increasing interest of the Western actors to MENA region. This new interest has triggered competition among the EU's Southern Mediterranean countries. The other factor was the existence of increased American influence over European and Italian security policies since the Cold War years that extended today. It is also known that Italy has reasons to carefully monitor the developments in the Mediterranean basin in recent years and wants to have the ability to act independently from the EU when it necessitates. In this regard the main challenge before Rome was acquiring the needed capabilities and using them to form a Mediterranean policy.

Between 2016 and 2018, Italy saw the EU's policy towards the Mediterranean as insufficient and found that the basin is now open to the intervention of China, Russia and many other countries. According to Rome's new assessment, the Mediterranean no longer fit the limited geographical definition of the EU. Rome thinks that the region, now, should have been re-defined as the *Global Mediterranean*. Italy began prioritizing the building of more active and multilateral relations in the region without ignoring the EU framework. Italian Foreign Minister Angelino Alfano had already stated in 2016 that Italy would first attempt to solve any possible crises in the region in accordance with its Mediterranean Strategy.<sup>19</sup> In this context, Rome focused on the main issues it would have to deal with, namely: security, migration, economy, energy, culture, and science. At the time when the EU has started to focus more on European common defense policy, Rome has thought that Italy might have chance to be more effective within the Union by being by more active in the Mediterranean.

<sup>18</sup> Silvia Colomba and Anja Palm, "Italy in the Mediterranean: Priorities and Perspectives of a European Middle-Power", Foundation for European Progressive Studies, February 2019.

<sup>19</sup> "Italian Strategy in the Mediterranean", Ministry of Foreign Affairs and International Cooperation, Rome, 2017.

Italy called this new strategy that it has developed as the *Mediterranean Sea (Mediterraneo Allargato)*.<sup>20</sup> The main purpose of this policy was to secure all trade routes and natural resources in line with the Italian national interests in a stretch from the Atlantic to the Pacific Ocean. In this context, the Italian strategy, which is expected to be implemented within the wide geography in question, focuses on combating all types of terrorism and smuggling, protecting Italian bases and facilities overseas, strengthening Italian humanitarian aid mechanisms and engaging them in the region, as well as preparing its navy to protect the peace.

When it comes to the energy issue, the Mediterranean is indispensable for Italy, because this basin is the key point of Italy's diversification strategy in terms of energy supply security. Currently, Rome still purchases approximately 2/3 of its oil and 1/2 of its gas supply from this region.<sup>21</sup> In particular, it is known that Italy, which follows a diversification policy along its natural gas supply security strategy, brings its imported natural gas to the country with the help of several pipelines that pass through the Mediterranean aside from the Trans Adriatic Pipeline, such as Trans Mediterranean<sup>22</sup> and Green Stream.<sup>23</sup> In addition, Italy aims to become a serious natural gas distribution center for the Mediterranean region by 2025.<sup>24</sup> Due to a desire to be a center of both energy supply security and natural gas distribution, Italy could not actually ignore the EastMed project.

<sup>20</sup> "Mediterraneo Allargato", Osservatorio di Politica Internazionale, May 2019; "Energy War in the Eastern Mediterranean: Is this the New Big Game?", *South East Med Energy and Defense*, 5 April 2018.

<sup>21</sup> "MED and Italian Energy Report: Energy Resources, Flows and Strategies of Italy between Europe and Mediterranean", Annual Report 2019.

<sup>22</sup> The Trans-Mediterranean Pipeline is the pipeline that carries natural gas from Algeria and Tunisia to Sicily, i.e. mainland Italy.

<sup>23</sup> As a result of the natural gas agreement between Italy and Libya, this line became functional in 2004 and thus natural gas was transmitted from Libya to Sicily.

<sup>24</sup> "The Italian Strategy in the Mediterranean: Stabilizing the Crises and Building a Positive Agenda for the Region", MED Dialogues Rome, 2017.

For Italy, however, backing EastMed has never been a smooth policy. Rome first gave the green light to the natural gas from Israel, passing through the Southern Cyprus and Crete and reaching Italy via the Poseidon pipeline. The most important reasons for the green light were the fact that the EU and France supported the project, and the U.S. stood behind the project for different political reasons. Hence that the EastMed would be part of Italian energy supply diversification strategy if it is going to be realized. However, Rome delayed signing EastMed for some time, raising concerns that the project may damage the environment.

Due to its broad Mediterranean strategy and the desire to become a natural gas distribution center, Italy had closely followed the developments in Libya for some time, even has not hesitated to compete with France on this issue. It is also known that ENI, one of the outstanding Italian energy companies, has serious investments in western Libya. For all these reasons, Rome supported the legitimate Tripoli Government recognized by the UN in Libya. Considering French support to Haftar, and French interests in southern Libya, Italian policies in favoring the Tripoli Government show that mixed signals are coming from the EU. As a result, the two EU member states France and Italy has entered into a serious competition in Libya and hence contributed to the ongoing instability in the country.<sup>25</sup>

After the Turkish government signed an agreement in Tripoli for the delimitation of maritime jurisdiction in late 2019, Italy felt the need to revise its expectation on the EastMed pipeline. According to Italian Foreign Minister Luigi Di Maio, the EastMed proposal, made by the Greeks in January, brought with it a cost of \$7.4 million and a difficult construction process.<sup>26</sup> After signing of Turkish-Libya agreement, the EastMed project has become not feasible. According to Di

<sup>25</sup> Stasa Salacanian, "How France and Italy Fuel Libya's War?", 11 February 2019.

<sup>26</sup> "Turkey Lurks, Greece-Cyprus-Israel East Med Political Deal Coming", *The National Herald*, 27 December 2019.

Maio, under these changing circumstances, the EastMed will not be a serious alternative to Russian natural gas in the medium and long terms.<sup>27</sup> In fact, ENI had already been sharing with the public for some time that Italy would not undertake the political cost of “making war” in order to realize EastMed pipeline project.<sup>28</sup> It is significant that Rome has now come to the point of announcing its hesitations on EastMed via the Foreign Minister. What is interesting that Rome made these hesitations in public after the signing ceremony of the EastMed pipeline project held in Athens- where Israeli Prime Minister Netanyahu, Southern Cyprus leader Anastasiadis and Greek Prime Minister Mitsotakis participated on January 2, 2020. As is known, Italians did not attend this ceremony.

Briefly, Europeans could not develop a common policy in the Eastern Mediterranean, except Frontex -the border protection policies of the EU and European states. Although refugees, energy and counter-terrorism issues are shared concerns of the South Mediterranean countries, the regional policies of France and Italy have shown that such common concerns do not produce common interests and policies. Therefore, even under the best estimate, the European leg of the West’s Mediterranean policy still remains “incomplete.”

## **U.S. RETURN TO THE MEDITERRANEAN: NEW AXIS STRATEGY**

The U.S. has renewed its strategic presence in the Mediterranean during the Trump era. In fact, the Trump administration did not initially show interest in to the newly found natural gas reserves in the Eastern Mediterranean. One reason for this was the change in the pri-

<sup>27</sup> “Italy’s Foreign Minister Expresses Doubts over Feasibility of East-Med Pipeline”, *The Times of Israel*, 18 January 2020.

<sup>28</sup> For example, Charles Elinas, “East Med Gas Pipeline Increasingly Doubtful”, *Cyprus Mail*, 2 December 2018; “Eastern Mediterranean Warning from ENI: If Warship Comes to the Region, We Will Stop Drilling”, *EuroNews*, 10 October 2019.

ority of America's gas policy, which is called Trump's gas doctrine.<sup>29</sup> According to this policy, the main priority of the U.S. is to dominate the world markets with American shale gas. Trump had many reasons for selecting the European market as a viable target for LNG, obtained from American shale gas. Trump considered promoting the shale gas as its new national energy source, which actually coincided with the American policy of being an "energy power" and an energy hegemon. After American shale revolution, the U.S. went through a unique period of energy independence and becoming an energy-exporting country. In 2016, Washington ranked third among world oil producers and first among gas producers.<sup>30</sup> Therefore, when Trump came to power, the U.S. signaled that Europe would prefer to buy American shale gas to reduce European energy dependence on Russia, rather than supporting Israel or the Southern Cypriot's energy projects.

There were other reasons why Trump did not initially see an opportunity to be part of the Eastern Mediterranean energy struggle. As is known, the balance of military power that existed in the Mediterranean during the Cold War worked against Russia in favor of NATO. There were even those who used to call the Mediterranean as the "NATO Sea".<sup>31</sup> In the post-Cold War period, this superiority of the West in the Mediterranean continued for a while, but this time the main reason for the western superiority was retreat of rivals like Russia from the Mediterranean geopolitical basin. However, this situation has radically changed in 2015, when Russia was invited to Syria by the Regime. Since then rising power of Moscow in the Mediterranean has been one of the concerns of the Western actors including the U.S. Seeing Moscow's gaining strength in the Mediterranean region, Trump

<sup>29</sup> Leo Kabouche, "Assessing the Trump Doctrine of 'Energy Dominance'", *Global Risk Insight*, 13 April 2018.

<sup>30</sup> Marco Giuli, "Trump's Gas Doctrine: What Does it Mean for the EU?", *European Policy Commentary*, 26 July 2017.

<sup>31</sup> Laris ve Dejan Hribar, "Euro-Mediterranean Region: Resurged Geopolitical Importance", *International Journal of Euro-Mediterranean Studies*, Vol. 5, No. 1, pp. 57-69.

administration returned back to old American policy of constraining and containing Russia but now by using off shore punitive power, the NATO, proxies and new regional issue-based alignments.

In this regard, U.S. Secretary of State Mike Pompeo stated that the Eastern Mediterranean is a strategic front for the U.S. in the western struggle with Russia. Pompeo and his associates were most disturbed by Russia's already stationed Anti Access- Area Denial (A2/AD) capabilities in the region.<sup>32</sup> By 2019, Russia's future rights over Syria (the right to use bases as well as using Syrian EEZ) showed that Moscow could not be easily deterred from already gained A2/AD bubble-zones in the region. That's why, from the beginning of 2019, the U.S. wanted to make sure that Russia would not extend beyond the areas that she has captured since 2015. However, what pushed the US to develop a new Mediterranean Strategy was not only the power of Russia, but also Turkey's growing presence in the Mediterranean and the rapprochement between Turkey and Russia.

The "New Mediterranean Strategy"<sup>33</sup> announced by Pompeo was based on the Gulf-Levant axis that the U.S. started to build against Iran in 2016.<sup>34</sup> These new US-focused axes of cooperation (two branches: one consisting of Israel, the Southern Cyprus and Greece, the other consisting of Israel, the Southern Cyprus and Egypt) not only aimed at limiting the presence of Russia, but also that of Turkey in the Mediterranean. The U.S. motivated these axes with various "carrot" strategies like (1) giving the Golan Heights to Tel-Aviv in order to prioritize Israeli security, (2) the support given to the EastMed pipeline project and the Eastern Mediterranean Gas Forum, (3) embracing the

<sup>32</sup> Nurşin Ateşoğlu Güney and Vişne Korkmaz, "New Russian Mahanism Failed: Futile Geopolitical Dreams in the Black Sea and Mediterranean", Nurşin Ateşoğlu Güney (Ed.) *The New Geopolitical Realities for Russia: From the Black Sea to the Mediterranean*, Lexington Publishers, London, 2019, pp. 7-30, p. 21-22.

<sup>33</sup> Nurşin Ateşoğlu Güney, "An Iron Curtain on the Eastern Mediterranean: Will the US Isolate Turkey?", *The New Turkey*, 16 May 2019.

<sup>34</sup> Metin Gürcan, "Is US Redesigning Southern Flank?", *Turkey Pulse*, 18 October 2019.

idea of Southern Cyprus's membership to NATO, and (4) the "Draft Resolution on Security and Energy Partnership in the Eastern Mediterranean" that was presented to Congress by the U.S. Senators Rubio and Menendez in 2019 and lifted the arms embargo imposed on the South Nicosia.<sup>35</sup>

The US Senate enacted The National Defense Authorization Act (NDAA) by in December 2019, which includes sanctions against Turkey and Russia. Based on Rubio and Menendez's aforementioned bipartisan draft resolution proposal, the NDAA emphasized the importance of Washington improving relations in the Eastern Mediterranean with the Southern Cyprus, Greece, and Israel. Furthermore, by lifting the embargo imposed on the Greek Administration on the island since 1987 Washington aims to balance Turkey's military presence in Cyprus. With NDAA decision, the U.S. -also hopes to prevent Russia from supplying arms to third parties in the region.

It was certain that lifting the arms embargo would pave the way for the armament of Cyprus and it will naturally make difficult a peaceful solution to the Cyprus problem. According to a statement made by Zorlu Töre, Deputy Speaker of the TRNC Assembly, on the Kanal 5 television network, the South Cyprus has been spending a lot on armament for a long time. The Greek contingent received Unmanned Aerial Vehicles (UAVs) from Israel and conducted military exercises with France and Egypt. Thus, it was necessary for the TRNC to transfer the right to use the Geçitkale Air Base to Turkey's General Staff for the use of Unmanned Aerial Vehicles (UAV) and Unmanned Combat Aerial Vehicles (UCAV) in order

<sup>35</sup> This draft paved the way for the arms embargo imposed on South Cyprus to be lifted. Additionally, it suggested establishment of the US-East Mediterranean Energy Center, which is expected to facilitate energy cooperation between Washington and Greece, Southern Cyprus and Israel in the future. See, "Trump Ends Prohibition on Arms Sales to Cyprus", *Greek City Times*, 21 December 2019.

to strengthen the deterrence.<sup>36</sup> Hence within the framework of the Cyprus problem, Washington took a political risk in order to distort the relationship between Russia and the Southern Cyprus by using the Turkey/TRNC card. As it is known, the NDAA stipulated the supply of arms to the Southern Cyprus under certain conditions. One of these conditions was to ensure that Russian military ships do not use Greek ports, and the U.S. Congress determined that this requirement was met.<sup>37</sup>

It should not be forgotten that the U.S. National Defense Authority Law on Eastern Mediterranean partnerships provides indirect but strong support to projects such as EastMed and the Eastern Mediterranean Gas Forum. For example, this act signed by Trump envisages the establishment of a U.S.-Eastern Mediterranean Energy Center to facilitate cooperation in the Eastern Mediterranean between Israel, Greece, and the Southern Cyprus.<sup>38</sup> Despite all these efforts, the “double containment” strategy of the U.S., which aims to operate against Turkey and Russia by means of the axis of cooperation of the weak actors, cannot be said to produce a very fruitful result- just as America’s previous regional containment strategies did not work. In fact, these policies of Washington DC triggered further rapprochement between Russia and Turkey, now not in Syria as Astana process but on Libya at the eve of Berlin Summit. Within a short period of time the U.S. also recognized negative side effects of her own double containment policy in Eastern Mediterranean and kept silent on the recent developments in Libya, which proves that Haftar lost its power ground. Indeed, Turkey’s diplomacy within Libya brought radical changes on the ground and this made Italy question one of the America’s carrots: the feasibility of EastMed.

<sup>36</sup> “Töre: Deployment of UAVs and UCAVs at Geçitkale Airport is an Essential Situation”, *Kıbrıs Manşet*, 18 December 2019.

<sup>37</sup> Ayşe Doğru, “US President Trump Signed Gun Embargo on GASC Conditional Law”, *Anadolu Agency*, 21 December 2019.

<sup>38</sup> “US East Mediterranean Security and Energy Partnership Act to Be Approved”, *Financial Mirror*, 17 December 2019.

## TURKEY'S MEDITERRANEAN STRATEGY

Turkey has used all the diplomatic, legal and technical instruments –like seismic research-drilling activities- that it owns in order to deter all containment policies forwarded against itself and the TRNC by West in the Mediterranean. In this context, the most strategic move taken by Ankara was the first maritime jurisdiction delimitation agreement with the TRNC in 2011. As a result of this agreement, Turkey researched and explored the blocks specified by the TNRC with their deep-drilling ships by the license given to the “Turkish Petroleum Corporation” (TPAO). Hydrocarbon exploration and drilling activities that Turkey has performed in the 2000s once again revealed the importance of Ankara’s new maritime policies and hence capabilities of her new fleet that was developed in the first quarter.<sup>39</sup> Turkey on one hand assumed responsibility for discouraging the foreign companies that aimed to explore hydrocarbon fields in the TRNC and Turkish continental shelf, and on the other hand, provided protection for its own drilling activities around the island through an improved capacity.<sup>40</sup> As the Mediterranean became a battleground of competition between neighboring countries to close the areas for themselves, Turkey prioritized modernizing its fleet and improving its ability to control maritime areas. In this context, the last addition to the navy was the *Piri Reis* submarine.<sup>41</sup> At the end of 2020, the TCG amphibious assault ship will join the fleet and will further increase Turkey’s A2/AD capability in the Mediterranean.<sup>42</sup>

The steps taken by the Southern Cyprus against the TRNC in the Island have gradually increased. For example, according to the lat-

<sup>39</sup> Alp Kırıkkanat, “Turkish Navy Strategy Document,” *Milliyet*, 9 July 2018.

<sup>40</sup> In Cyprus, the Italian oil company ENI’s Saipem 12000 oil platform was stopped by Turkish warships and drilling was not allowed. See “Saipem is Back With 12000 Conflicts with Turkish Warship”, *Deniz News Agency*, 23 February 2018.

<sup>41</sup> “Historic day for Turkey! Piri Reis Submarine in Seas”, *Sabah*, 22 December 2019.

<sup>42</sup> “TCG Anadolu will be put into service at the end of 2020”, *CNN Türk*, 21 November 2019.

est statements, the South Nicosia has decided to drill in nine places around the island of Cyprus in 2020. However, in later statements, they also admitted that they could not achieve this goal.<sup>43</sup> Although contradictory, these statements show us that the Southern Cyprus will continue its policies that ignore the rights and interests of the TRNC. Another important fact is that South Nicosia relied on the fact that Turkey is and will be busy in engaging Syria and hence will not support the TRNC. Yet, Ankara appears determined to protect both legitimate rights of Turkey and the TRNC in the Mediterranean beyond Turkish missions in Syria and Libya.

Turkey's MoU of Delimitation of Maritime Jurisdiction with Libya is an important development in this regard. Because, by this agreement, Turkey has wedged itself between the South Cyprus and Greece, cutting off contact between the two sides in the Mediterranean Sea, by this way realization of the EastMed project becomes impossible Turkey's subsequent strategic move was to send the first UAVs to Geçitkale. Belonging to Turkey, these UAVs and UCAVs were placed in the TRNC as a counter-response to the eight UCAVs Israel gave to the Southern Cyprus. The main point, however, is that Turkey has increased its deterrence in the Mediterranean with the UAVs and UCAVs in Geçitkale and she will be able to collect information and intelligence in a wider area in the Mediterranean.<sup>44</sup> In short, by taking all the measures described above, Turkey has not only balanced the risks that could impair the prosperity and security of the Turkish Community of Cyprus and the TRNC. But also, Turkey has succeeded to balance the negative effects of U.S. policies against Ankara and TRNC.

Turkish authorities have perceived rights of Turkey and TRNC as indivisible. In this regard, Turkey's and the TRNC's rights, interests and benefits continue to be protected by Ankara with all instruments

<sup>43</sup> Kıymet Sezer, "The Drilling Plan of the Greeks has collapsed", *Yeni Şafak*, 18 January 2020.

<sup>44</sup> "UAVs and UCAVs Came to TRNC", *Sabah*, 15 December 2019.

at hand despite of U.S.'s PYD project in the Northern Syria as well as the efforts to exclude Turkey and TRNC in the Eastern Mediterranean. For instance, Turkey recently sent the Yavuz deep-drilling vessel to the G parcel in the southeast of the island of Cyprus also known as Nicosia I.<sup>45</sup> This move simply proves that Ankara has enough capacities to meet its military, political and economic objectives in the Eastern Mediterranean.

Turkey's Foreign Ministry spokesman Hami Aksoy mentioned in an interview that "The EU has ignored Turkish Cypriots and their existence on Cyprus since the 2000s in the EU official statements",<sup>46</sup> and described the EU's position in this issue as biased, and full of double standards. Therefore, Ankara sees the EU as responsible for rising tension in the region. Aksoy also expressed that Turkey would continue to drill in the south of the island and continue to protect the rights of Turkish Cypriots provided two conditions are not fulfilled: (1) the guarantee of equal rights that the people of the TRNC own over natural resources on the island and (2) the establishment of a cooperation mechanism with the Greek Cypriots along the framework of TRNC based cooperation proposal from July 13, 2019.<sup>47</sup> As it is known, Turkey's operation of sending the Yavuz drilling vessel to the G parcel in the south of the island is held under the framework of the licensing agreement it made with the TRNC in 2011. In this context, this latest move from Ankara is legitimate in terms of international law. Indeed, Turkey's Yavuz vessel was a response to the signing ceremony of EastMed that took place in Athens in January as well as to the Eastern Mediterranean Gas Forum that took place in Cairo.

While Ankara is implementing a deterrence policy against the axis of Greece, Egypt and South Cyprus, she is also giving message to Israel who is perceived as the main actor of U.S. supported energy coopera-

<sup>45</sup> "Worldwide Parcel-G Challenge from Turkey on Cyprus" Haber3, January 20, 2020.

<sup>46</sup> "Message to Israel with Yavuz", *Yeni Şafak*, 20 January 2020.

<sup>47</sup> "Message to Israel with Yavuz", *Yeni Şafak*, 20 January 2020.

tion clusters in the region. The Israeli Armed Forces, for the first time, stated Ankara's name in its 2020 Military Intelligence Report's list of threat perceptions.<sup>48</sup> This threat assessment of Tel Aviv actually proves that how Turkey's capabilities to create A2/AD bubbles in the region became a reality and hence the policy of containing Turkey is doomed to fail. By this way

After signing Turkish-Libya Agreement Ankara declared that she is open to dialogue as well as ready to sign similar agreements with all neighboring powers in the Mediterranean, except for the Southern Cyprus. Therefore, all these abovementioned Turkish countermoves have unavoidably forced the others who wanted to contain Turkey like the U.S., France etc. to revise their strategic calculations in the region.<sup>49</sup>

Let's hope that the neighboring regional powers in the Mediterranean who want to benefit from a win-win solution to the Eastern Mediterranean energy dispute will evaluate the window opportunity opened by Turkish way of conflict resolution. In the case that Turkey's competitors decide to continue their ongoing Mediterranean strategies, Ankara is determined to protect her and TRNC's rights with all instrument on the legitimate basis till to the end. For example, if there is a need Turkey can deploy S-400 system -in southern Turkey and hence this would increase Turkey's ability to control areas beyond her borders in the Mediterranean. For this reason, western strategy to contain Ankara in the Mediterranean is a failed strategy.

## CONCLUSION

In 2015, the Russians came back to Syria via Assad Regime's invitation. Since then, the Eastern Mediterranean has emerged as a new area of geopolitical competition between Washington and Moscow. The

<sup>48</sup> "The Zionist occupation regime Put Turkey in the Threat List", *True News*, January 16, 2020.

<sup>49</sup> "Important Statements from President Erdoğan! There Are Those Who Are Disturbed", *Aksam*, 9 December 2019.

Trump administration on the one hand is trying to stop the expansion of Russian and Iranian sphere of influence in the region, but at the same time trying to contain Turkey in the Eastern Mediterranean. In accordance with the U.S.'s New Mediterranean Strategy, the idea of establishing a Southern Cypriot -based energy cooperation axis can be used to contain both Moscow and Ankara. Some European actors like France and Italy have also wanted to benefit from this American strategy. At the face of the possibility of marginalization Ankara decided to use all the available means at her hand to protect legitimate rights of Turkey and TRNC. This new competition affected political struggle in Libya. For example, Paris did not hesitate to support the forces of putschist general Haftar by hoping also expanding her gains in the Mediterranean more than Rome. But as one can expect that Italy wants to assure its national interests regarding both energy and refugee issue in the new Libyan equation. At the worst possibility Italy wants to be influential within the EU circles on the future of Libya –at least in the western part of Libya. That is why Italy may be more open to have a dialogue with Turkey who becomes the most influential external actors of Libyan struggle.

Therefore, Western actors have not pursued a consistent, coordinated and stabilizing policy in the Eastern Mediterranean. There are numbers of examples where one can observe inconsistencies in the western policies like Western Syrian policy, Western Egypt and Cyprus policy and now Libyan policy. These contradictory policies of the U.S. and the European actors are doomed to be unsuccessful. Western strategies have carried the risk of creating polarization since they can trigger counter balancing strategies in the region. Besides, neither American Israel based, nor Europeans' Greece/Southern Cyprus based Eastern Mediterranean strategies generate harmony among Western partners. On the contrary, it only made the differences among their national Mediterranean policies more obvious.

This disharmony makes Western actors, such as Berlin, anxious and concerned. This is because Germans want to find new dialogue

platforms with Russia and Turkey and take part in the regional initiatives that would produce dialogue. However, Berlin Summit of January 2020 also proved that Germany has many limitations and Berlin is far from being influential in the region due to lack of required capacities.

Finding an everlasting solution to the influx of refugees, which has been main concern of Europeans, would require controlling civil wars to prevent radicalism, as well as establishing cooperation and dialogue with the region's influential actors -one of them is Turkey. For this end Westerners, both Washington and Brussels, should recognize Ankara's capacities including her contact capacity with both Western capitals and Russia. Any strategy aiming containing Turkey not only will backfire by initiation of counterbalancing measures taken by Turkey but also it will increase the cost of failing Mediterranean strategy for the West, EU/NATO.

Turkey is the key country for balancing and stabilizing the Mediterranean. Hence the West does not need a new Mediterranean strategy; rather it needs to follow Turkey's steps to create a more inclusive regional dialogue platforms in the Mediterranean. This will help to reach a win-win solution to the contentions issues of the region including energy, refugee and such.



# BALANCE OF MILITARY POWER IN THE EASTERN MEDITERRANEAN

MELİH YILDIZ\*

## INTRODUCTION

Recent developments like Arab Revolutions and natural gas discovery have changed the geopolitical dynamics of the Eastern Mediterranean region.<sup>1</sup> This situation caused many regional and global powers to increase their activities in the region significantly. In the early days, many observers and politicians thought that the discoveries of energy resources in the Eastern Mediterranean would serve peace and cooperation in the region and contribute to solving the region's problems.<sup>2</sup> This discovery of energy resources in the Eastern Mediterranean in the 2000s was evaluated by the Obama administration as an important development that would facilitate the resolution of various political tensions in the region.<sup>3</sup> However, the situation was not as expected; instead of resolving conflicts and disagreements in the region, energy sources produced new ones.

\* Sakarya University

<sup>1</sup> A. Murat Ağdemir, "Relations Between Israel and the South Cyprus Greek Administration: A New Alignment in the Eastern Mediterranean?", *Perceptions*, Vol: 21, Issue: 2, Summer 2016, p. 103.

<sup>2</sup> Brenda Shaffer, "Eastern Mediterranean Energy: A Decade After The Major Discoveries", *Turkish Policy Quarterly*, Vol: 17, Issue: 3, Fall 2018, p. 90.

<sup>3</sup> Nurşin Ateşoğlu Güney, "New Balance of Power in the Eastern Mediterranean and Turkey", *SAM Papers*, No: 17, June 2019, p. 6.

The discovery of energy resources in the Eastern Mediterranean has led some countries in the region to develop their economic, political, and military relations rapidly. Israel has recently taken important steps to improve its relations with Greece and the GASC.<sup>4</sup> The USA has also participated in the cooperative environment that these countries established through the sharing of energy resources in the Eastern Mediterranean.<sup>5</sup>

Another country that should be included in the energy equation in the region is Egypt. Egypt is also developing cooperation with the countries in the region in order to make maximum use of the resources in the Eastern Mediterranean. Based on the influence of this cooperative relationship with the region's countries, Cairo is taking a stand against Turkey's activities in the Eastern Mediterranean.<sup>6</sup>

Another country whose activities in the region have increased significantly in the recent period is Russia. Russia actively returned to the Eastern Mediterranean in 2015 with an active participation in the Syrian civil war. With the return of Russia, a new geostrategic grouping has begun to form in the Eastern Mediterranean, increasingly around Washington and Moscow. The course of Turkey-Russia relations in the last period and the recent problems experienced in Turkish-American relations have pushed Washington to support Greece, the GASC, Israel, and Egypt regarding the Eastern Mediterranean.<sup>7</sup>

<sup>4</sup> "In unprecedented meet, Netanyahu, Greek and Cypriot leaders push gas pipeline as peace catalyst", *The Times of Israel*, 28 January 2016, <https://www.timesofisrael.com/in-unprecedented-meet-netanyahu-greek-and-cypriot-leaders-push-gas-pipeline-as-peace-catalyst/>, (access date: 16 November 2019).

<sup>5</sup> "Atina'da Yunanistan, GKRY, İsrail ve ABD arasında enerji zirvesi", Anadolu Agency, 7 August 2019, <https://www.aa.com.tr/tr/dunya/atinada-yunanistan-gkry-israil-ve-abd-arasin-da-enerji-zirvesi/1551956>, (access date: 16 November 2019).

<sup>6</sup> "Mısır'daki zirveden Türkiye'yle ilgili küstah karar", CNN Türk, 9 October 2019, <https://www.cnnturk.com/dunya/zirveden-turkiyeye-kinama>, (access date: 16 November 2019).

<sup>7</sup> Nurşin Ateşoğlu Güney, "New Balance of Power in the Eastern Mediterranean and Turkey", *SAM Papers*, No: 17, June 2019, p. 13-14.

Although there are many dimensions to Ankara's reaction to the recent developments in the Eastern Mediterranean, it can be observed that its military power is gradually coming to the forefront. Turkey has recently carried out the largest naval exercises in its history.<sup>8</sup> Turkish warships prevented the ships that the foreign companies sent to Cyprus offshore to search for natural gas with the research licenses that the GASC issued illegally.<sup>9</sup> President Erdogan states that Turkey will determinedly defend both its and the TRNC's rights in the Eastern Mediterranean.<sup>10</sup> These examples are sufficient to explain Turkey's attitude and policy regarding the developments in the Eastern Mediterranean during the previous period.

Increasing tension in the Eastern Mediterranean contributes to countries often using their military force as a foreign policy tool. When mentioning the issue of the Eastern Mediterranean, the first thought that comes to mind is that the issue should be handled based on international maritime law. However, when remembering that international relations are built on power rather than on law, it can be seen that power overtakes the law on Eastern Mediterranean issues. We see this in the Libya issue, the power struggle in Lebanon, the Cyprus issue, and the Israel-Palestine issue. It is power, not law, that is the determining factor within all of these problems. Powerful decision-makers establish developments in the shape of their own interests.

In this context, it will be useful to look at the competition in the Eastern Mediterranean in terms of the balance of military power, one of the most important elements of power. In this study, a comparison

<sup>8</sup> "Denizde güç gösterisi", *Milliyet*, 14 May 2019, <http://www.milliyet.com.tr/gundem/denizde-guc-gosterisi-2873463>, (access date: 16 November 2019)

<sup>9</sup> "Türkiye'nin Doğu Akdeniz'de kararlı duruşu sürüyor", *Hürriyet*, 23 February 2018, <http://www.hurriyet.com.tr/dunya/turkiyenin-dogu-akdenizde-kararli-durusu-suruyor-40751082>, (access date: 16 November 2019)

<sup>10</sup> "Erdogan: Kıbrıs Türklerinin Doğu Akdeniz'deki haklarını gasp ettirmeyeceğiz", *Hürriyet*, 14 November 2019, <http://www.hurriyet.com.tr/gundem/erdogan-kibris-turklerinin-dogu-akdenizdeki-haklarini-gasp-ettirmeyecegiz-41374454>, (access date: 16 November 2019)

of the countries included in the Eastern Mediterranean competition in terms of military power was made. The study examines the naval forces, air forces, and air defense capabilities of the countries included in the analysis. Land forces are not included in the study because many countries in the region do not share borders with each other and because it is necessary to have sea superiority in the region for amphibious operations.

Today, ammunition with air and missile defense capabilities makes up most of the weaponry found on large combat ships.<sup>11</sup> This is especially true for the navies of Western countries. Air and missile defense ammunition such as SM-2, SM-3, SM-6, and ESSM are the major part of the Arleigh Burke-class destroyers and Ticonderoga-class cruisers, which make up a large part of the American naval force's combat capabilities. The same is true for the important naval forces of Europe. Type-45 Daring class destroyers, Britain's most modern and large combat ships, and the Horizon class destroyers that France and Italy jointly produce use Aster-15 and Aster-30 air and missile defense missiles.<sup>12</sup>

In conjunction with the air defense capability of warships, anti-ship ammunition used by warplanes has also developed. This situation made it necessary to include air forces and, therefore, air defense systems in the analysis.

The main elements evaluated in this analysis are combat platforms. Landing ships and minelayers for naval power, as well as trainer and cargo aircraft for airpower, are not included in the assessment.

In addition to regional powers, some global powers are also included in the analysis. These are the USA, Russia, England, France, and Italy. America has a fleet in the Mediterranean, has significant political, military and economic relations with most countries in the region, and

<sup>11</sup> What is meant by large warships are destroyers and cruisers. Since the weapon systems of frigates and corvettes are limited, air and missile defense ammunition has no significant advantage over other ammunition.

<sup>12</sup> "ASTER 15&30", *MBDA*, <https://www.mbd-systems.com/product/aster-15-30/>, (access date: 16 November 2019)

has many military bases in the region. With the developments of the Syrian Civil War, Russia has been an important actor in the region's equation and is reinforcing its military presence. Although Britain's military strength is too limited to compare with the USA and Russia, its military bases in Cyprus stand out to make Britain an important actor that has to be included in the equation. France and Italy are two important Mediterranean countries. Their geographical proximities to the Eastern Mediterranean makes it obligatory to examine the military capacities of these two countries.

## **A COMPARISON IN TERMS OF NAVAL POWER**

### **NAVAL POWERS OF THE REGIONAL ACTORS**

In the study, the naval powers of regional actors in the Eastern Mediterranean were evaluated according to four main criteria: the countries' ability to meet their needs with their own means, the status of above-water (surface) combat systems, submarine forces and the helicopters carried by warships, which are especially important for submarine warfare.

When examining the capacity of the countries in the region to meet their own sea power needs with in-house production, two countries come to the forefront: Turkey and Israel. Turkey is the only country in the region that can produce large warships and is improving this ability with long-term projects such as I-class frigates and TF-2000. The recent progress<sup>13</sup> made by Turkish companies in the defense industry has also facilitated a significant increase in its naval force, as it did for Turkey's air and land forces. Although Turkey can produce and actively use the corvette-type warships, frigates constitute a significant part of the Turkish naval power. Even though these frigates have similar basic characteristics to those of Greece and Egypt, they differ from their re-

<sup>13</sup> "Local firms among top 100 defense companies", *Hürriyet Daily News*, 23 July 2019, <http://www.hurriyetdailynews.com/local-firms-among-top-100-defense-companies-145194>, (access date: 19 January 2020).

gional competitors with the weapon systems and modernizations developed by Turkish companies, especially ASELSAN<sup>14</sup>.

Another country in the region with a developed defense industry is Israel. Although Israel prefers to keep its sea power at a very limited level, it equips its warships with the weapon systems it developed itself. One example of this is Israel's equipping the Sa'ar-5 class corvettes with the Barak-8 air defense missiles that it developed. With Barak-8 missiles, these corvettes have better air defense capabilities than much larger warships.

When examining the surface combat platforms of the countries in the region, three countries come to the forefront: Turkey, Greece and Egypt. In addition, it should be noted that Israel's few corvette warships are equipped with strong and very modern weapon systems.

COMBAT PLATFORMS IN THE REGIONAL POWERS' NAVAL FORCES*					
	Frigate	Corvette	Missile boat	Submarine	Helicopter
Turkey	16	10**	19	12	29
Israel	0	3	8	5	7
Greece	13	5***	20	11	18
Egypt	10****	3	37	6	15
Syria	0	2	22	0	10
Lebanon	0	0	0	0	0
Libya	1	0	1	0	0

Source: Compiled from IISS data.

\*"The Military Balance: The Annual Assessment Of Global Military Capabilities And Defence Economics 2018", IISS, p. 158, 341-342, 112-113, 330-331, 363, 348, 349.

\*\* In IISS data, Ada-class corvettes are considered frigates. In this study, Ada-class ships are considered corvettes. Also, 2 Ada-class corvettes are shown due to the date of the source from which the data were taken. This information was updated and it was increased to four.

\*\*\* IISS considered ships between 500-1500 displacement tonnage as corvettes. According to this evaluation, it has been determined that Greece has 5 corvettes. It should be noted here that the displacement tonnage of the ships of Greece, which are designated as corvettes, is about 700 tons and that it is closer to the gunboat than the corvette.

\*\*\*\* IISS has classified one Fremm-class warship in Egypt as a destroyer. Since these warships were classified as frigates in many sources, they were considered as frigates in this study.

5" The Military Balance: The Annual Assessment Of Global Military Capabilities And Defence Economics 2018", IISS, p. 49-50, 195-196, 162-163, 103-104, 119.

<sup>14</sup> "Naval Systems", ASELSAN, <https://www.aselsan.com.tr/en/capabilities/naval-systems>, (access date: 19 January 2020)

The surface belligerent portion of Turkey's naval force consists of 16 frigates, 10 corvettes, and 19 missile boats. Eight of the 16 frigates are G-class frigates, the largest combat ships in Turkey's arsenal with a displacement tonnage of 4100 tons. Although these ships are among the navy's oldest ships, they have been extensively modernized. Within the scope of modernization, the ship's war management systems were renewed by the GENESIS project, jointly-developed by HAVELSAN and the Naval Forces Command.<sup>15</sup> Also, by adding ESSM missiles to four of the ships, the air defense capabilities of the ships have been increased.<sup>16</sup> G-class frigates are among the most important platforms of the navy with their SM-1, ESSM air defense missiles, and Harpoon anti-ship missiles.<sup>17</sup>

The other eight frigates in the navy are Barbaros and Yavuz-class frigates, with four each. With these ships being smaller than the G-Class ships,<sup>18</sup> they are important platforms for the navy due to their weapon capacities and ranges. These ships also use the Harpoons, the navy's main anti-ship missiles. Through the modernization of the Barbaros class frigates, ESSM missiles were incorporated into their weapon systems.<sup>19</sup> The Yavuz-class ships are expected to be retired once the Class I frigates begin operating.<sup>20</sup>

<sup>15</sup> "Gabya Class Frigate Combat Management System (Genesis)", HAVELSAN, <https://www.havelsan.com.tr/en/command--control-and-combat-systems-surface-command--control-and-combat-systems-gabya-class-frigate-combat-management-system-genesis>, (access date: 17 November 2019)

<sup>16</sup> "Frigate Projects", Turkish Naval Forces Command, [https://www.dzkk.tsk.tr/icerik.php?dil=0&cicerik\\_id=76](https://www.dzkk.tsk.tr/icerik.php?dil=0&cicerik_id=76), (access date: 17 November 2019)

<sup>17</sup> In this study, the missile capabilities of warships were most evaluated. Other weapon systems such as CIWS (close-in weapon system), torpedoes and naval guns were secondary to the study since they can be considered standard and are found on many warships.

<sup>18</sup> The displacement tonnage of Barbaros class frigates is about 3400 tons, while Yavuz class frigates' is 2900 tons.

<sup>19</sup> "Frigate Projects", Turkish Naval Forces Command, [https://www.dzkk.tsk.tr/icerik.php?dil=0&cicerik\\_id=76](https://www.dzkk.tsk.tr/icerik.php?dil=0&cicerik_id=76), (access date: 17 November 2019)

<sup>20</sup> Turgut Kaymal, "Turkish Navy's Guided Missile Ships with Projections to 2030", *Babriye Enstitüsü*, <https://bahriyeenstitusu.org/2018/08/31/turkish-navys-guided-missile-ships-with-projections-to-2030/>, (access date: 17 November 2019)

There are six Burak-class and four Ada-class corvettes in the Turkish navy. Burak-class corvettes have a displacement tonnage of about 1300 tons and use the French-made Exocet missiles instead of the navy's main anti-ship missiles, Harpoons. The Ada-class corvettes are quite essential to Turkey's naval power. These ships are quite important because they are a concrete example of Turkey's ability to produce warships, beyond their weapon systems and technology. These ships were produced as the first stage of the MILGEM project. During the production of the ships, with a continuous raising of domesticity rates, the ratio was increased up to 70 percent by the fourth ship.<sup>21</sup> The displacement tonnage of the ships is 2300 tons.<sup>22</sup> While the first three ships used Harpoon anti-ship missiles, the fourth of the Ada-class corvettes, TCG KINALIADA, uses Atmaca anti-ship missiles developed by ROKETSAN. Atmaca missiles have a range exceeding 200 km.<sup>23</sup> With the Atmaca missiles, Turkey has taken an important step to end its dependency on the USA in this field, which is the manufacturer of Harpoon missiles that constitute the majority of anti-ship missiles in the naval forces.

Missile boats are small warships with a short-range and a limited weapon-carrying capacity. Their main task is defending the coasts. Therefore, because Turkey has a long coastline, it is an essential and useful type of warship. Turkey has a total of 19 missile boats in Doğan, Rüzgar, Yıldız, Kılıç classes. These ships have approximately 500 tons of displacement tonnage and use Harpoon missiles.

<sup>21</sup> "Cumhurbaşkanı Erdoğan: Her alanda yerli ve milli imkanları en üst seviyeye çıkarmakta kararlıyız", *Milliyet*, 29 Eylül 2019, <http://www.milliyet.com.tr/galeri/cumhurbaşkanı-erdogan-her-alanda-yerli-ve-milli-imkanlari-en-ust-seviyeye-cikarmakta-kararliyiz-6042903/1>, (access date: 17 November 2019)

<sup>22</sup> "Ada-Class Corvettes", Turkish Naval Forces Command, [https://www.dzkk.tsk.tr/icerik.php?dil=0&cicerik\\_id=47&pltfm=1](https://www.dzkk.tsk.tr/icerik.php?dil=0&cicerik_id=47&pltfm=1), (access date: 17 November 2019)

<sup>23</sup> "ATMACA SATIHTAN SATHA GÜDÜMLÜ MERMİ", ROKETSAN, <http://www.roketsan.com.tr/product/atmaca-satihtan-satha-gudumlu-mermi/>, (access date: 17 November 2019)

Greece and Egypt are two other countries that stand out when evaluated in terms of surface combat platforms. The frigates in Greece use similar weapon systems as the Turkish frigates. While the ships mostly use Sea Sparrow for air defence, with a few using EESM, Harpoons are used as the anti-ship missiles.

Missile boats constitute the majority of the Egyptian navy, with its most effective surface combatant being the Fremm-class frigates purchased from France. Although these frigates produced by the France-Italy partnership are modern, Egypt has only one and is not at the level to change the balance. The main anti-ship missiles of the Egyptian navy are Harpoon and Exocet missiles.

There are two Mistral-class LHDs in the Egyptian fleet. These ships, which were purchased in 2016, are multi-purpose and can carry a large number of helicopters.<sup>24</sup> However, Egypt does not have the opportunity and ability to use these ships effectively to make moves that will change the balance of power in the region in its favor. There are some reasons for this situation. First, Egypt does not have an effective helicopter fleet that will ensure the utilization of these ships to their full capacity. The second and more important reason is the general structure of the Egyptian navy. The Egyptian navy consists mainly of small vessels intended for coastal defense. The main use of ships such as Mistral is to reflect the strength and influence of a country, especially in overseas regions. In doing so, they must be protected against threats in the open sea. States with such platforms also have ships carrying effective air defense missiles. For example, another Mistral user, the French navy, has Horizon-class destroyers carrying the Aster-15 and Aster-30 air defense missiles. The ability of the Egyptian navy to protect its Mistral-class LHDs in the open sea is very low.

Finally, it can be said that Israel's surface combat power is small but effective. The largest warships in Israel are Sa'ar-5 class corvettes, with

<sup>24</sup> "Projection and command ships", Naval Group, <https://www.navalgroup.com/en/activities/products/#batiment-de-projection>, (access date: 30 November 2019).

a displacement tonnage of about 1200 tons. Although these corvettes are old, they have been modernized and reinforced according to today's standards in radar and the Barak-8 air defense missiles.<sup>25</sup> These ships, equipped with Barak-8 missiles<sup>26</sup> that have a range of 100 km, have a better defence ability than many of the world's much greater ships.

Israel recently bought four corvettes to increase its sea power. The Sa'ar-6 corvettes, which are expected to be delivered by 2021, have approximately 2000 tons of displacement tonnage and will be equipped with Barak-8.<sup>27</sup> Additionally, Israel also manufactures anti-ship missiles. The Gabriel anti-ship missile, which can be fired by both ships and fighter jets, is also an important ammunition for the air force. There are many types of Gabriel missiles with a range of 35-400 km.<sup>28</sup>

When the region countries' submarine powers are compared, it can be said that Turkey, Greece and Israel stand out. With 12 submarines, Turkey has the largest fleet of submarines of the region. However, since these submarines are behind some of those of Israel and Greece qualitatively, there is an effort from Turkey to improve its submarine fleet. The most important of these efforts is the REİS class submarine project. The project, which was started de facto in 2015, aims to add six modern submarines to the naval forces between 2022 and 2027.<sup>29</sup> Turkey, with such projects, will continue to have one of the most ef-

<sup>25</sup> "Israeli Navy Sa'ar 5 class corvettes fitted with IAI EL/M-2248 MF-STAR multifunction AESA radar", *Navy Recognition*, <https://www.navyrecognition.com/index.php/news/defence-news/year-2014-news/september-2014-navy-naval-forces-maritime-industry-technology-security-global-news/2006-israeli-navy-saar-5-class-corvettes-fitted-with-iai-elm-2-248-mf-star-multifunction-aesa-radar.html>, (access date: 20 November 2019).

<sup>26</sup> "Barak 8", MDAA, <https://missiledefenseadvocacy.org/air-defense/air-defense-of-u-s-partners/allied-air-defense-systems/barak-8-2/>, (access date: 20 November 2019).

<sup>27</sup> "Israel's first Sa'ar 6 corvette INS Magen officially named in Germany", *Naval Today*, 23 May 2019, <https://navaltoday.com/2019/05/23/israels-first-saar-6-corvette-ins-magen-officially-named-in-germany/>, (access date: 20 November 2019).

<sup>28</sup> "Gabriel", Missile Threat CSIS Missile Defense Project, <https://missilethreat.csis.org/missile/gabriel/>, (access date: 20 November 2019).

<sup>29</sup> "Submarine Projects", Turkish Naval Forces Command, [https://www.dzkk.tsk.tr/icerik.php?icerik\\_id=75&dil=0](https://www.dzkk.tsk.tr/icerik.php?icerik_id=75&dil=0), (access date: 18 November 2019).

fective submarine fleets (probably the most effective) in the region in the next period.

The submarines owned by Greece are the most critical weapons that the Greek navy possesses in case of a crisis or war in the region. In particular, the four Papanikolis class (Type 214) submarines are among the most strategic weapons of Greece because of their modern features.<sup>30</sup> Similar to Greek naval power, the most strategic tools of Israeli naval power are submarines. In particular, Dolphin-2 class submarines are posing an important threat to all navies in the region with their technology and weapon systems.

Helicopters owned by the navies have an important place, especially in submarine warfare. When the helicopters and warships' capacities to carry helicopters of the naval powers of countries in the region are evaluated, it is seen that Turkey is clearly superior. There are 11 Bell-212 and 18 S-70B Seahawk helicopters in the Turkish Naval Force. Sixteen frigates and four corvettes (Ada class) in the navy have the capacity to carry helicopters. The S-70Bs are especially important, as they significantly increase the ships' combat abilities with their onboard anti-ship missiles of Hellfire, Penguin and torpedoes.

In conclusion of this evaluation of the regional actors' naval forces, the following findings can serve as a summary. First, Turkey's naval force is the most effective in the region. Turkish defense industry companies continue working on projects that will increase Turkey's naval force. However, some submarines of Greece and Israel, and the advanced air defense capability of the Israeli corvettes, have the potential to pose a threat to Turkey.

It can be said that Syria, Lebanon, and Libya are the weakest states of the region in terms of naval power. Of course, recent developments in the region have exhausted the power of Syria and Libya

<sup>30</sup> "Greece Submarine Capabilities", *NTI Nuclear Threat Initiative*, 11 October 2019, <https://www.nti.org/analysis/articles/greece-submarine-capabilities/>, (access date: 23 November 2019).

in particular. Even before the ongoing civil war, the Syrian navy constituted the smallest part of its armed forces.<sup>31</sup> The civil war led to the complete neglect of the navy, which had few warships. Lebanon has several small patrol ships. These ships do not have weapons to fight large warships. The situation of the Libyan naval power is similar to that of Syria.

## NAVAL POWERS OF GLOBAL ACTORS

The economic resources and technical capacities of global actors are higher than those of regional actors. As a result of this, the military power of these global actors, especially America and Russia, compared to the actors of the region is pretty high. Together with this, there are several important factors that prevent global actors from mobilizing a large portion of the naval forces in a crisis to send them quickly to the crisis zone.

First of all, military/security commitments made as a result of the relations developed with other countries required global actors to divide their naval forces. This situation is especially true for America. For example, while America has significant maritime power in the Far East to protect its important allies, such as Japan and South Korea, it also has significant maritime power in the Persian Gulf to protect its allies and economic interests in the Middle East, as well as in the Mediterranean for its allies in Europe.

Another reason that prevents global actors from mobilizing their naval forces quickly in a single region is the geographical size and long coastlines of the countries. This situation most clearly manifests itself in Russia. Russia, with a large surface area and numerous coasts, had to divide its sea power into five: as four large fleets (North, Baltic, Black Sea, Pacific) and a small naval power within the Caspian Sea. The divi-

<sup>31</sup> "Re-examining Syria from a naval perspective", *Naval Technology*, 3 September 2013, <https://www.naval-technology.com/features/feature-re-examining-syria-naval-perspective-armed-forces/>, (access date: 1 October 2019).

sion of the Russian naval force is a severe disadvantage for Russia today, as seen in the 1904-1905 Russian-Japanese War.

Along with these difficulties, some of the global actors have military bases that help them have an effective maritime strength in the Eastern Mediterranean, obtained as a result of relations with the countries in the region or within the historical process. As a result of its close relations with Europe and countries in the Middle East, the US has military bases that enable its permanent maritime power in the region. For example, America's 6<sup>th</sup> Fleet is in the Mediterranean, while its 5<sup>th</sup> Fleet in the Persian Gulf is also close to the Eastern Mediterranean. Russia and the UK are two other global actors with critical military bases in the region, although not as many as the USA. Russia gained critical military bases in Syria when it intervened in the Syrian Civil War. The UK has military bases across Cyprus.

When the naval power of global actors and their capacities to use them effectively in a crisis in the Eastern Mediterranean are evaluated, two countries come to the forefront: America and Russia.

THE COMBATANT PLATFORMS IN THE NAVAL FORCES OF GLOBAL ACTORS*						
	Aircraft Carrier	Cruiser	Destroyer	Frigate	Corvette	Submarine
USA	11	23	64	9	0	68
Russia	1	5	15	13	48	62
England	0*	0	6	13	0	10
France	1	0	11	11	0	10
Italy	2	0	10	8	2	8

Source: Compiled from IISS data.

\* The UK has 2 modern aircraft carriers, but these ships have just been delivered to the navy. The testing of the ships is ongoing and it is estimated that it will take several years to be fully operational.

The main combatant ships of the US naval power are Arleigh Burke-class destroyers (8300-9800 tons<sup>32</sup>) and Ticonderoga-class cruis-

<sup>32</sup> There are several different types of Arleigh Burke class destroyers.

ers (9,600 tons). Arleigh Burke-class destroyers are advanced warships with weapon systems that can effectively perform various missions such as air defense warfare, submarine warfare and attacks on ground targets.<sup>33</sup> Ticonderoga class cruisers have similar weapon systems and features as these destroyers. These two classes constitute an essential component of the combat power of the US navy.

Aircraft carriers are one of the most influential “sticks” in America’s hands and the center of the US naval power. America has 10 Nimitz aircraft carriers, along with one in the Gerald R. Ford-class. Nimitz class ships have a capacity of carrying approximately 60 aircraft, while Gerald R. Ford-class has more than 75 aircraft.<sup>34</sup> The fighter planes carried by these ships are F-18s. Considering that the delivery of the F-35C planes that America has designed for aircraft carriers was started in recent years and that these planes have just gained the operation capability,<sup>35</sup> it can be said that the F-18 will remain the air force of the US navy for a while. F-18s are fourth-generation modern fighter jets. There are about 430 F-18s in the US navy. Many types of aircraft in the US Air Force face an issue of a low-rate of combat readiness, with the F-18s not being an exception. As a result of recent efforts to solve this problem, 80% of their F-18s have been made ready for war.<sup>36</sup>

The USA, which has a comparable underwater power compared to its power above water, has 68 submarines in various classes. Fourteen of these submarines are Ohio class submarines carrying Trident II inter-

<sup>33</sup> “The US Navy Arleigh Burke Class Destroyer”, AMERICA’S NAVY, <https://www.public.navy.mil/surfor/Pages/Arleigh-Burke-Destroyer.aspx>, (access date: 7 December 2019).

<sup>34</sup> “AIRCRAFT CARRIERS - CVN”, AMERICA’S NAVY, [https://www.navy.mil/navy-data/fact\\_display.asp?cid=4200&ctid=200&ct=4](https://www.navy.mil/navy-data/fact_display.asp?cid=4200&ctid=200&ct=4), (access date: 7 December 2019).

<sup>35</sup> Megan Eckstein, “Navy Declares Initial Operational Capability for F-35C Joint Strike Fighter”, *USNI News*, 28 February 2019, <https://news.usni.org/2019/02/28/navy-declares-initial-operational-capability-for-f-35c-joint-strike-fighter>, (access date: 7 December 2019).

<sup>36</sup> Russ Read, “Navy declares 80% of its F-18 fighter planes are finally ready to fight”, *Washington Examiner*, 25 September 2019, <https://www.washingtonexaminer.com/policy/defense-national-security/navy-declares-80-of-its-fighter-planes-are-finally-ready-to-fight>, (access date: 7 December 2019).

continental ballistic missiles. Most US submarines are equipped with Tomahawk cruise missiles.<sup>37</sup>

Based on the above evaluations, it can be said that the US naval power is the most effective naval power in the world. Still, America is not unrivaled nor completely dominant in the seas where it operates. This is because the US naval power is highly divided. For example, its 5<sup>th</sup> Fleet operates in the Indian Ocean and Persian Gulf, its 6<sup>th</sup> Fleet in the Mediterranean, and its 7<sup>th</sup> Fleet in the Far East. As a superpower, it is quite normal for America to have a robust military presence in the seas of strategic importance. However, this division of power limits the USA's naval support in their major military operations. For example, during the 1991 and 2003 Gulf Wars and the 2001 Afghanistan intervention, an average of six aircraft carriers took part in operations. Due to the maintenance and preparation time of aircraft carriers, it is estimated that only five aircraft carriers will be available to quickly intervene during a crisis or war in a navy that has 11 aircraft carriers.<sup>38</sup>

Another restricting element of US dominance in the seas is the challenge from regional and global powers. The biggest challenge to America in seas comes from China. Chinese naval power has been growing rapidly in recent years, parallel with the country's economic development.<sup>39</sup> This growth is not only quantitative. China manufactures warships equipped with modern weapons that can compete with the battleships owned by the US navy, especially the Type-052D and Type-055 destroyers. These warships have the capacity to restrict the effectiveness of US naval power in the Pacific with their onboard weap-

<sup>37</sup> "United States Submarine Capabilities", NTI Nuclear Threat Initiative, 22 November 2017, <https://www.nti.org/analysis/articles/united-states-submarine-capabilities/>, (access date: 7 December 2019).

<sup>38</sup> Thomas Callender, "The Nation Needs a 400-Ship Navy", *The Heritage Foundation Special Report*, No:205, 26 October 2018, p. 12.

<sup>39</sup> Nick Childs ve Tom Waldwyn, "China's naval shipbuilding: delivering on its ambition in a big way", IISS, 1 May 2018, <https://www.iiss.org/blogs/military-balance/2018/05/china-naval-shipbuilding>, (access date: 8 December 2019).

on systems.<sup>40</sup> It can be said that the expansionist policies<sup>41</sup> of China in the South China Sea have created a situation that will further engage the US naval power in the Far East instead of the Mediterranean or the Persian Gulf.

Another development shaking the US maritime superiority is the decrease of some regional powers' dependence on the country for maritime power. Decreasing military dependency on America urges countries to pursue more independent policies. For example, Turkey, which mostly depends on American-made Harpoons for its anti-ship missiles, has decreased its dependency through the production of its Atmaca anti-ship missiles. This went against American interests in the Eastern Mediterranean and strengthened the country's determinacy to protect its interests in the future.

Huntington stated that America used a significant portion of its armed forces during the Gulf War, but it would be quite difficult for the country to act against the regional forces outside of the western hemisphere in the future.<sup>42</sup> Although it is too early to make this prediction in an international system where America remained the only superpower after the Cold War, this situation is proving more accurate in the present and for the near future.

Russia, on the other hand, has strengthened its position as a major power in the Eastern Mediterranean with its intervention in the civil war in Syria. The military power of Russia in the Eastern Mediterranean is largely composed of naval and air bases in Syr-

<sup>40</sup> "China's Elite Type 055 Destroyers - Not its Aircraft Carriers - Are the PLA's Key to Naval Primacy in the Pacific", *Military Watch Magazine*, 10 February 2019, <https://military-watchmagazine.com/article/destroyers-not-carriers-are-china-s-key-to-naval-primacy-in-the-pacific>, (access date: 8 December 2019).

<sup>41</sup> "China holds 'biggest ever' naval drill in disputed S China Sea", Aljazeera, 13 April 2018, <https://www.aljazeera.com/news/2018/04/china-holds-biggest-naval-drill-disputed-china-sea-180413100420627.html>, (access date: 8 December 2019).

<sup>42</sup> Samuel P. Huntington, *Medeniyetler Çatışması ve Dünya Düzeninin Yeniden Kurulması*, çev. Mehmet Turhan, Y. Z. Cem Soydemir, Okuyan Us Publications, İstanbul 2017, p. 122-123.

ia.<sup>43</sup> The increase of Russia's military power in the region enables it to raise its pressure on the region's countries.<sup>44</sup>

Most of the Russian naval power consists of ships from the Soviet era. This is especially true for large combat ships. The largest warships of the navy are two Kirov class<sup>45</sup> (28,000 tons) and three Slava class (12,500 tons) cruisers. The Russian navy also has destroyers of about 8,000 tons. Corvettes of small tonnage comprise most of the navy. Russia has been heavily arming the corvettes it has added to its fleet, especially in recent years. These corvettes have significant firepower with the Kalibr cruise missiles they carry. Russia also uses these corvettes effectively in the Mediterranean.<sup>46</sup>

Although Russia does not prefer to build large warships such as destroyers and cruisers for economic and technical reasons, it is arming the new warships it has added to its navy at a level comparable to their larger Western rivals. For example, the Admiral Gorshkov-class frigate of 5,400 tons, one of the ships that have joined the Russian navy in recent years, carries numerous air defense missiles, as well as Kalibr cruise missiles and Oniks anti-ship missiles.<sup>47</sup> The Russian navy uses various anti-ship missiles. Among the most effective of these missiles are

<sup>43</sup> "Russia establishing permanent presence at its Syrian bases: RIA", Reuters, 26 December 2017, <https://www.reuters.com/article/us-mideast-crisis-syria-russia-bases/russia-establishing-permanent-presence-at-its-syrian-bases-ria-idUSKBN1EK0HD>, (access date: 17 December 2019).

<sup>44</sup> "Russia Warns Cyprus Against Allowing US Military to Deploy There", Voice of America, 5 December 2018, <https://www.voanews.com/europe/russia-warns-cyprus-against-allowing-us-military-deploy-there>, (access date: 17 December 2019).

<sup>45</sup> One of these ships (Pyotr Veliky) is in service, the second ship (Admiral Nakhimov) is being modernized and is planned to return to service within a few years; George Allison, "Admiral Nakhimov nuclear cruiser to return to Russian Navy in late 2022", *UK Defence Journal*, 15 September 2019, <https://ukdefencejournal.org.uk/admiral-nakhimov-nuclear-cruiser-to-return-to-russian-navy-in-late-2022/>, (access date: 17 December 2019).

<sup>46</sup> "Cruise missile corvettes to join Russia's Mediterranean taskforce", *TASS*, 18 June 2018, <https://tass.com/defense/1009945>, (access date: 17 December 2019).

<sup>47</sup> "Russia Sends its Most Advanced Warship to America's Doorstep; Frigate Admiral Gorshkov in the Caribbean", *Military Watch Magazine*, 20 June 2019, <https://militarywatch-magazine.com/article/russia-sends-its-most-advanced-warship-to-america-s-doorstep-frigate-admiral-gorshkov-in-the-caribbean>, (access date: 17 December 2019).

Granit (625 km range) in Kirov-class cruisers, Bazalt (550 km range) that Slava-class cruisers use, and Oniks (range 300-600 km) used in the new and smaller platforms of the navy.<sup>48</sup>

Russia, which is among the lesser countries of the world in terms of air defense systems, has reflected this feature intensely on warships. Russian warships are equipped with navy versions of Russian air defense systems.

There is one aircraft carrier in the Russian navy. This Kuznetsov-class ship has the capacity to carry around 30 warplanes. It carries the Mig-29K and Su-33 aircraft. This ship is maintained at regular intervals. During recent maintenance, a fire broke out on the ship.<sup>49</sup> This situation significantly limited the air support of the Russian naval force during a possible crisis in the Mediterranean in the near future.

Russia has one of the most powerful submarine fleets in the world. America is the only country that can rival Russia in this field. In the Russian submarine fleet, there are 13 submarines of various classes carrying Stingray, Sineva, Layner, and Bulava intercontinental ballistic missiles.<sup>50</sup> In addition to these platforms of high strategic importance, Russia has many different types of submarines.

As a result, Russian naval power is one of the most influential in the world. However, excessive division, which is the main problem that reduces the effectiveness of US naval power, also applies to Russian naval power. The dividedness makes it difficult to answer the questions of how long and how hard the Russian naval power can intervene in the Eastern Mediterranean in case of a crisis.

<sup>48</sup> "Russia", MDA, <https://missiledefenseadvocacy.org/missile-threat-and-proliferation/missile-proliferation/russia/>, (access date: 18 December 2019).

<sup>49</sup> "Fire at Russia's only aircraft carrier kills one, injures 12 people – agencies", *Reuters*, 12 December 2019, <https://uk.reuters.com/article/uk-russia-ship-fire/russias-only-aircraft-carrier-catches-fire-in-northern-port-news-agencies-idUKKBN1YG0OX>, (access date: 17 December 2019).

<sup>50</sup> "The Military Balance: The Annual Assessment Of Global Military Capabilities and Defence Economics 2018", *IISS*, p.195.

Britain's naval power, on the other hand, is very limited compared to America and Russia. Considering that its aircraft carriers are not fully operational despite having military bases in the region, Britain does not have a deterrent force in the Eastern Mediterranean compared to Turkey, for example, that has the most effective naval force in the region. The Agrotur and Dikelya bases in Cyprus are the mainstay of Britain's military presence in the Eastern Mediterranean. The total surface area of these bases is approximately 250 square kilometers.<sup>51</sup>

The biggest combat ships of the British naval power are Type-45 class destroyers of 7,500 tons. There are six of these ships in the navy. Type-45 class ships use Aster-15 and Aster-30 air-defense missiles. The navy's other large warships are Type-23 class frigates. British destroyers are equipped with modern and effective weapons for air-defense missions. However, the navy is severely limited regarding anti-ship missiles.<sup>52</sup>

The British navy has two aircraft carriers: Queen Elizabeth-class ships that have joined the navy in recent years. These 65,000 ton ships have the capacity to carry about 40 35B fighter jets with the STOVL<sup>53</sup> feature. These modern ships will significantly increase Britain's naval power in the future, but testing of the ships is ongoing, with it being estimated that it will take several years for them to be fully operational.<sup>54</sup> Another reason that Britain will not be able to use these ships effectively in the near future is that it does not have enough aircraft. Britain has about 20 F-35B fighter jets. Delivery of other aircraft will take time. There are 10 submarines in the British navy. Four of them are

<sup>51</sup> "DEPLOYMENTS: CYPRUS", THE BRITISH ARMY, <https://www.army.mod.uk/deployments/cyprus/>, (access date: 19 December 2019).

<sup>52</sup> Tom Dunlop, "British frigate fleet to lack anti-ship missiles until 'around 2030'", *UK Defence Journal*, 11 August 2018, <https://ukdefencejournal.org.uk/british-frigate-fleet-lack-anti-ship-missiles-around-2030/>, (access date: 19 December 2019).

<sup>53</sup> Short Takeoff/Vertical Landing

<sup>54</sup> "HMS Prince of Wales: New aircraft carrier sails for the first time", BBC, 19 September 2019, <https://www.bbc.com/news/uk-scotland-49727151>, (access date: 19 December 2019).

Vanguard-class submarines carrying Trident II intercontinental ballistic missiles. The other six submarines carry Tomahawk cruise missiles.

As a result, British naval power has effective and modern ships, but the number of combat ships in the navy is not sufficient to carry out serious operations in the Eastern Mediterranean. The navy still experiences problems with anti-ship missiles. Type-45 destroyers are the most powerful warships of the navy and have highly effective air defense systems, but when considering that the aircraft carriers are not fully operational, it is a matter of debate how six ships can be effective in the Eastern Mediterranean where there are air forces with hundreds of warplanes. Britain probably has the power to protect Falkland against Argentina, as in 1982, but there is not much that British naval power can do in an area like the Eastern Mediterranean, where there are large and effective sea and air forces.

France and Italy, on the other hand, are two important countries of the Mediterranean. Their geographical proximity makes these two countries important actors in the balance of Eastern Mediterranean military power. However, these two countries' naval forces do not alone have the capacity to play an essential role in the region.

French naval power consists of an aircraft carrier (Charles de Gaulle) capable of carrying about 35 aircraft, 10 submarines, and 22 large warships (destroyer-frigates).<sup>55</sup> It can be said that France's naval power is more effective than Britain's, considering that British aircraft carriers are not yet ready for operation. Also, the fact that several French warships are equipped with SCALP Naval cruise missiles adds considerable strength to the French navy. However, the French navy lags behind the British navy on air defense. The most important ships in the French navy are Horizon/Orizzonte class destroyers, that have air defense capability and were jointly-developed with Italy. There are two of these

<sup>55</sup> "The Military Balance: The Annual Assessment Of Global Military Capabilities And Defence Economics 2018", *IISS*, p. 103-104.

ships in the French navy. These ships use similar weapon systems (Aster-15 and Aster-30) as the Type-45 destroyers in the British Navy.

France has effective maritime power, but a few serious points prevent it from carrying this power to the Eastern Mediterranean. First of all, the French navy receives very minimal support from the air force due to the limited range of warplanes in operation within the Eastern Mediterranean, thus planes on the aircraft carrier are necessary to support its operations. The second point is the air defense ships, which are quite good qualitatively but inadequate quantitatively. It is quite difficult for these ships to defend a fleet in the Eastern Mediterranean in the immediate vicinity of countries like Turkey that has hundreds of warplanes. Therefore, France has the power to support America's operations, as in the case of Syria, but it is unlikely to make serious military moves in the region on its own.

While Italy's naval power is also numerically small (18 destroyers-frigates), it has similar features as France in this regard. Italy also has two Horizon/Orizzonte class destroyers. The Italian aircraft carrier Cavour is being modernized for F-35Bs.<sup>56</sup>

## **COMPARISON IN TERMS OF AIR POWER AND AIR DEFENSE ABILITIES**

### **REGIONAL COUNTRIES' AIR POWER AND AIR DEFENSE ABILITIES**

The air power of regional actors was evaluated according to two criteria: countries' capacity to meet their airpower needs with their own production and the quality-quantities of warplanes. When considering the first point, countries meeting their airpower needs through their own production, Turkey comes out on top. Although the airpower of Turkey consists of aircraft purchased from outside like the other

<sup>56</sup> "Italian aircraft carrier Cavour docks for F-35B upgrades", *Naval Today*, 24 July 2019, <https://navaltoday.com/2019/07/24/italian-aircraft-carrier-cavour-docks-for-f-35b-upgrades/>, (access date: 21 December 2019).

countries in the region, Turkish defense industry companies continue working to increase the airpower similar to the works done for the naval power. There is ongoing work within Turkey to improve the F16s that make up most of its airpower. Examples of such a studies include ASELSAN's modern radar development studies<sup>57</sup> for F-16s, and the ASELPD targeting pod<sup>58</sup> also developed by ASELSAN, which significantly increases the capabilities of warplanes. Turkey also continues its efforts to produce its own air-to-air missiles. Significant progress has been made in GÖKDOĞAN and BOZDOĞAN missiles developed within the scope of these studies.<sup>59</sup>

Another contribution defense industry companies make to Turkey's air force is in the field of UAV-UCAV. Turkey has made significant progress in UAV and UCAV technology in recent years and has transitioned out of the weaker countries in this field. As well as easing the burden of warplanes in the fight against terrorism, UAV-UCAVs perform the same duty in the Aegean and the Eastern Mediterranean.<sup>60</sup> This situation provides a significant advantage to Turkey that is ahead of the countries in the region regarding such technology.

When evaluating the warplanes of the countries in the region in terms of quality and quantity, the air power of the three countries stands out: Turkey, Israel and Greece, the latter of which is behind the other two countries but has significant airpower.

<sup>57</sup> "Aselsan F-16'lara AESA radarı yapacak", *Kokpit.aero*, 5 April 2019, <http://www.kokpit.aero/aselsan-f-16-aesa-radari>, (access date: 18 November 2019).

<sup>58</sup> "ASELPD Advanced Targeting Pod Electro-Optical Reconnaissance, Surveillance and Targeting System", ASELSAN, <https://www.aselsan.com.tr/en/capabilities/avionics-and-navigation-systems/electrooptical-systems/aselpod-advanced-targeting-pod-electrooptical-reconnaissance-surveillance-and-targeting-system>, (access date: 22 January 2020).

<sup>59</sup> "İlk milli hava füzeleri GÖKDOĞAN ve BOZDOĞAN'ın yerden balistik atışları başarıyla gerçekleştirildi", *Akşam*, 25 March 2018, <https://www.aksam.com.tr/guncel/ilk-milli-hava-fuzeleri-gokdogan-ve-bozdoganin-yerden-balistik-atislari-basariyla-gerceklestirildi/haber-720094>, (access date: 18 November 2019).

<sup>60</sup> "Bayraktar ŞİHA'lar Ege ve Akdeniz'i karış karış izliyor", *Star*, 10 October 2019, <https://www.star.com.tr/teknoloji/bayraktar-sihalar-ege-ve-akdenizi-karis-karis-izliyor-haber-1486210/>, (access date: 19 November 2019).

Turkey's air force consists of F-16 and F-4 fighter jets, with 260 F-16s and 20 F-4s in the inventory.<sup>61</sup> Thirty-five of the F-16s are Block 30, while 225 are the Block 50 and 50+ models.<sup>62</sup> Airplanes that have been in use for a long time, such as the F-16, are modernized to match technological developments. With these modernizations, planes acquire the abilities to meet the requirements of modern warfare.<sup>63</sup> If the Block 70<sup>64</sup> F16s developed by Lockheed Martin are excluded, Turkey's Block 50 and 50+ F-16s are among the most advanced F16 models.

Turkish fighter jets use AIM-7 Sparrow, AIM-9X Sidewinder and AIM-120A/B AMRAAM air-to-air missiles. In addition, the most advanced air-to-air missile used by Turkish aircraft is the AIM-120C AMRAAM missile<sup>65</sup>. Turkey's most important ammunition that can be used by the air force against maritime targets is the SOM missile. This missile developed by Turkey, with a range exceeding 250 kilometers, ranks among the most strategic ammunition of the Turkish army.<sup>66</sup>

Israeli airpower, on the other hand, is among the most influential air powers in the region, both in terms of quality and quantity. Considering it has fifth-generation aircraft that are not available in other regional countries, it can probably be said that it is the most effective. The combat aircraft of Israel is composed of various models of F-16s and F-15s, as well as F-35s, which it has begun to receive in recent

<sup>61</sup> Turkey has 260 F-16s according to IISS data, but this number varies between 240 and 270 from different sources.

<sup>62</sup> "The Military Balance: The Annual Assessment Of Global Military Capabilities and Defence Economics 2018", *IISS*, p. 159.

<sup>63</sup> Levent Özgül, "1974'ten bu yana kaç farklı F-16 modeli geliştirildi?", *Kokpit.aero*, 8 March 2019, <http://www.kokpit.aero/f16-tum-modeller-levent-ozgul?writer=33>, (access date: 18 November 2019).

<sup>64</sup> "F-16 Fighting Falcon", Lockheed Martin, <https://www.lockheedmartin.com/en-us/products/f-16.html>, (access date: 18 November 2019).

<sup>65</sup> "ABD Türkiye'nin AIM 120C-7 füze siparişi resmen verdi", *Kokpit.aero*, 29 December 2017, <http://www.kokpit.aero/turkiye-aim120-fuze-alimi>, (access date: 18 November 2019).

<sup>66</sup> "SOM STAND-OFF MÜHİMATT", *ROKETSAN*, <http://www.roketsan.com.tr/product/som-stand-off-muhimmat/>, (access date: 19 November 2019).

years. There are 83 F-15s and 225 F-16s in the Israeli air force.<sup>67</sup> Apart from these, Israel received 16 of the 50 F-35s it ordered.<sup>68</sup> Israeli fighter jets use modern air-to-air missiles such as AIM-120C AMRAAM.

Despite lagging behind Turkey and Israel, Greece is another country in the region that has effective airpower. F-4, F-16, and Mirage-2000 aircraft make up the combat air force of Greece. There are 20 F-4s, 155 F-16s and 43 Mirage-2000s in Greece.<sup>69</sup> Most of the F-16s that make up the bulk of the Greek air force are Block 52+ models in good condition. In addition, Greece has agreed with Lockheed Martin to raise its 85 F-16s to Block 70/72 level.<sup>70</sup> After the modernization, the new F-16s will be better than the existing Turkish F-16s.

Greek warplanes use various air-to-air missiles, including the advanced AIM-120 AMRAAM. The most important ammunition of Greek air force against ground targets is SCALP-EG. These missiles are quite dangerous for any enemy as their range exceeds 250 km, yet Greece has bought a limited number of these missiles. The fact that missiles can be used only by a small number of Mirage-2000 aircraft in the Greek air force also constitutes an important disadvantage for Greece.<sup>71</sup>

Although the air power of Egypt is quite large, the country does not rank among the most effective air forces in the region because most of its planes are not modern, and also because its ammunition supply

<sup>67</sup> "The Military Balance: The Annual Assessment Of Global Military Capabilities and Defence Economics 2018", *IJSS*, p. 342.

<sup>68</sup> "IAF Takes Delivery of Two More F-35 Aircraft", *Israel Defence*, 16 July 2019, <https://www.israeldefense.co.il/en/node/39387>, (access date: 22 November 2019).

<sup>69</sup> "The Military Balance: The Annual Assessment Of Global Military Capabilities and Defence Economics 2018", *IJSS*, p. 113.

<sup>70</sup> "Lockheed Martin to upgrade Greek F-16 fighter jets", *Greek City Times*, 13 September 2018, <https://greekcitytimes.com/2018/09/13/lockheed-martin-to-upgrade-greek-f-16-fighter-jets/>, (access date: 23 November 2019)

<sup>71</sup> "STORM SHADOW/SCALP", MBDA, <https://www.mbda-systems.com/product/storm-shadow-scalp/#>, (access date: 23 November 2019).

lacks modern air-air missiles. F-16s form the backbone of the Egyptian air force. The air force includes 208 F-16s, as well as approximately 150 Mirage, J-7, and Mig-21 aircraft.<sup>72</sup> Although the Egyptian air force inventory appears quite large in numbers, most of its aircraft are not suitable for modern warfare conditions. Mirage, J-7, and Mig-21s are very old aircraft. Most of the F-16s are far behind compared to the Turkish F-16s or the Israeli F-15s.

Egypt has taken important steps in recent years to change the state of its air force. The combat power of the air force was significantly increased with the purchase of Rafale<sup>73</sup> from France and Mig-29<sup>74</sup> from Russia. However, the increasing military relations of Egypt with Russia have met with a reaction by America. America increased its pressure on Egypt after Egypt took steps to buy advanced Su-35 aircraft from Russia.<sup>75</sup>

Another important problem of the Egyptian air force is related to air-to-air missiles. Egypt does not use the AIM-120 AMRAAM missile that is advanced air-to-air missiles. This poses a major disadvantage for Egyptian aircraft against Turkish, Israeli and Greek aircraft using this missile in the region.

Syria, Lebanon and Libya, which are the weakest countries in the region, do not have significant air powers. The Syrian air force has been significantly affected by the civil war. There are about 200 old Mig-21, Mig-23, Su-22, and Su-24 planes in Syria's inventory. It is estimated

<sup>72</sup> "The Military Balance: The Annual Assessment Of Global Military Capabilities and Defence Economics 2018", *IJSS*, p. 332.

<sup>73</sup> Gabriel Bourovitch, "France Delivers First Rafales to Egypt", *Defense News*, 20 July 2015, <https://www.defensenews.com/2015/07/20/france-delivers-first-rafales-to-egypt/>, (access date: 30 November 2019).

<sup>74</sup> "Russia to start moving 50 Mig-29 fighters to Egypt: TASS", *Egypt Independent*, 17 September 2017, <https://egyptindependent.com/russia-start-moving-50-mig-29-fighters-egypt-tass/>, (access date: 30 November 2019).

<sup>75</sup> "U.S. Warns Egypt Over \$2Bln Russian Fighter Jet Deal – WSJ", *The Moscow Times*, 15 November 2019, <https://www.themoscowtimes.com/2019/11/15/us-warns-egypt-over-2bln-russian-fighter-jet-deal-wsj-a68179>, (access date: 30 November 2019).

that only 40% of these planes are ready for war due to overuse.<sup>76</sup> Lebanon, on the other hand, has no modern warplane.

If the air defense capabilities of the countries in the region are evaluated, it can be said that Israel is the country with the best-protected airspace in the Eastern Mediterranean. With its air defense systems against various targets, Israel is among the countries with the most layered, integrated and modern air defense network not only in the Eastern Mediterranean but also in the world.<sup>77</sup> The low altitude-short range portion of the Israeli air and missile defense umbrella is mainly handled by the Iron Dome System. This system aims to protect Israel against short-range missile threats, especially from Lebanon.<sup>78</sup>

The main systems that compose Israel's mid-altitude air defense are Hawk batteries and the Patriot PAC-2 system. The modern Patriots are effective air defense systems, while the Hawk system is not sufficient for today's technology.

Israel is one of the few countries with long range-high altitude air and missile defense systems. Arrow-2 and its improved version, Arrow-3, provide Israel's high altitude defense. America has contributed significantly to the production of these systems and also contributes to the ongoing development of Arrow-3.<sup>79</sup> Arrow systems provide protection against medium and long-range ballistic missiles. The main reason behind the development of Arrow-3 is the need for an effective missile defense system against Iran's growing ballistic missile capability.<sup>80</sup>

<sup>76</sup> "The Military Balance: The Annual Assessment Of Global Military Capabilities and Defence Economics 2018", *IISS*, p. 363.

<sup>77</sup> Hakan Kılıç, "İsrail 'Hava ve Füze Savunma Sistemi'", *Kokpit.aero*, 16 November 2016, <http://www.kokpit.aero/israil-hava-savunma-sistemi-20-1?writer=23>, (access date: 22 November 2019).

<sup>78</sup> "Iron Dome (Israel)", *Missile Threat CSIS Missile Defense Project*, <https://missilethreat.csis.org/defsys/iron-dome/>, (access date: 22 November 2019).

<sup>79</sup> Yaniv Kubovich, "Israel 'Successfully Tests' Arrow 3 Missile Defense System in Alaska", *Haaretz*, 28 July 2019, <https://www.haaretz.com/israel-news/israel-successfully-tests-arrow-3-missile-defense-system-in-alaska-1.7580590>, (access date: 22 November 2019).

<sup>80</sup> "Arrow 3 (Israel)", *Missile Threat CSIS Missile Defense Project*, <https://missilethreat.csis.org/defsys/arrow-3/>, (access date: 22 November 2019).

Besides Israel, there are other countries with important air defense systems in the region. These are Greece and Egypt.

While Greece meets low altitude air defense with systems such as Tor (15 km range), Crotale (15 km range), it has S-300 (150 km range) and Patriot PAC-2 (160 km range) systems for medium and long-range air defense.<sup>81</sup>

Egypt, on the other hand, has many air defense systems with a range of 10-50 km. These are the SA-2, BUK, Hawk, SA-3, SA-6, and Tor systems. Most of these are old systems remaining from the Soviet era.<sup>82</sup> As Egypt has recently knocked on Russia's door to renew its air-power, it also appealed to the country for its air defense system. Egypt bought the S-300 air defense system from Russia, and thus, has both a long-range and a modern system.<sup>83</sup>

Turkey has an effective air force, but it is not possible to say the same thing for its air defense capability. The air defense systems in Turkey's arsenal are HAWK missiles with about a 50 km range, which is insufficient against modern threats.<sup>84</sup> For this reason, a long range-high altitude air and missile defense system ranks atop the military issues where Turkey notices a deficiency, with a considerable effort spent at solving this issue for quite some time. Turkey has taken several steps in recent years to strengthen the air defense, especially with the developments in its southern border. These steps can be divided into two parts: meeting the urgent need through external procurement and developing domestic solutions for the need in the long term.

<sup>81</sup> "Greece", *MDDA*, 25 June 2018, [https://missiledefenseadvocacy.org/intl\\_cooperation/greece/](https://missiledefenseadvocacy.org/intl_cooperation/greece/), (access date: 23 November 2019).

<sup>82</sup> "Egypt", *NTI Nuclear Threat Initiative*, <https://www.nti.org/learn/countries/egypt/delivery-systems/>, (access date: 1 December 2019).

<sup>83</sup> "Russia: Egypt received anti-ballistic missile system", *Middle East Monitor*, 8 February 2018, <https://www.middleeastmonitor.com/20180208-russia-egypt-received-anti-ballistic-missile-system/>, (access date: 1 December 2019).

<sup>84</sup> Merve Seren, "Turkey's Quest for a National Missile Defense System: Prospects & Challenges", *SETA Analiz*, No: 26, April 2017, p. 20.

Turkey has decided to buy the S-400 air defense systems from Russia in order to meet its urgent need.<sup>85</sup> Although this decision has severely damaged Turkish-American relations with a strong reaction from the US, Turkey did not back down on its S-400 purchase. The impact of Washington not bringing an offer that will satisfy Ankara regarding the sale of an alternative air defense system, Patriot, ranked high on Turkey's decision. S-400s are expected to be ready for use in 2020.<sup>86</sup>

Turkey is also working to develop local solutions for the air defense, with significant advancements made as a result of these studies. Hisar-A (15 km range) and Hisar-O (25 km range) projects stand out in this regard.<sup>87</sup> The mass production stage has been reached in Hisar-A.<sup>88</sup> While Turkey provides high-altitude air defense with S-400s, it aims to provide low and medium-altitude air defense with Hisar-A and Hisar-O. Thus, Turkey will have an layered air defense. Turkish companies are also cooperating with EUROSAM on the development of a long-range air and missile defense system.<sup>89</sup>

## GLOBAL ACTORS' AIR POWER AND AIR DEFENSE ABILITIES

When evaluated in terms of air powers, it is necessary to divide the global actors examined in this study into two groups. America and

<sup>85</sup> "Turkey agrees to pay Russia \$2.5B for S-400 missile systems, official says", *Daily Sabah*, 13 July 2017, <https://www.dailysabah.com/defense/2017/07/13/turkey-agrees-to-pay-russia-25b-for-s-400-missile-systems-official-says>, (access date: 19 November 2019).

<sup>86</sup> "Türkiye'nin S-400'leri 2020 ilkbaharda kullanıma hazır", *Kokpit.aero*, 18 November 2019, <http://www.kokpit.aero/turkiye-s-400-ilkbahar-hazir>, (access date: 19 November 2019)

<sup>87</sup> "HİSAR HAVA SAVUNMA FÜZELERİ", *ROKETSAN*, <http://www.roketsan.com.tr/product/hisar-hava-savunma-fuzeleri/>, (access date: 19 November 2019).

<sup>88</sup> "HİSAR-A'da Seri Üretime Geçiliyor", *ROKETSAN*, <http://www.roketsan.com.tr/hisar-ada-seri-uretime-geciliyor/>, (access date: 19 November 2019).

<sup>89</sup> "EUROSAM, TOGETHER WITH ASELSAN AND ROKETSAN, LAY THE FOUNDATION OF STRATEGIC COOPERATION IN AIR AND MISSILE DEFENCE", *MBDA*, <https://www.mbda-systems.com/2017/07/20/eurosam-together-asel-san-roketsan-lay-foundation-strategic-cooperation-air-missile-defence/>, (access date: 19 November 2019).

Russia have much more power compared to the air forces of the countries in the Eastern Mediterranean. However, when comparing Britain, France and Italy's air forces with the countries in the region, especially Turkey and Israel, there is not much superiority.

Even though size is of crucial importance for global powers' air forces, it remains difficult for them to intervene in regional crises with a large number of aircraft due to their limited range. This situation makes the global actors' military bases in the region more important for air power than for sea power in the case of the Eastern Mediterranean.

When the capacities of global actors to use their air force in a crisis in the Eastern Mediterranean is examined, two countries stand out: the USA and Russia.

America has the best air force in the world in terms of quantity and quality. There are about 1500 F-35, F-22, F-16, and F-15 fighter planes, and about 150 B-1, B-2 and B-52 bombers in the US Air Force.<sup>90</sup> With approximately 1000, F-15s and F-16s constitute the majority of America's airpower. Added to this are about 200 F-22s. These fifth-generation aircraft, the symbol of the US Air Force, were unrivaled until recent years. Despite the modern fighter jets developed by China and Russia recently and America's new F35s, the F-22 is still one of the best fighter jets in the world. That said, America continues to receive F-35 fighter jets.<sup>91</sup>

Regardless of the large size of the American Air Force, there are a few important points that limit the use of this power in the Eastern Mediterranean. First of all, America has military bases in various parts of the world. This makes it difficult for the US Air Force

<sup>90</sup> "U.S. Air Force", *The Heritage Foundation*, 30 October 2019, <https://www.heritage.org/military-strength/assessment-us-military-power/us-air-force>, (access date: 8 December 2019).

<sup>91</sup> Valerie Insinna, "In newly inked deal, F-35 price falls to \$78 million a copy", *Defense News*, 29 October 2019, <https://www.defensenews.com/air/2019/10/29/in-newly-inked-deal-f-35-prices-fall-to-78-million-a-copy/>, (access date: 8 December 2019).

to react quickly in the event of a crisis in the Eastern Mediterranean. The use of other countries' airspaces also has the potential to pose serious problems. Another problem is the combat readiness rates of aircraft in the Air Force. This problem significantly reduces the efficiency of airpower. In 2017, the fifth-generation F-22 and F-35 aircraft's rate of combat readiness was at around 50%. This rate was about 70% for the F-15 and F-16, which make up the bulk of the airpower.<sup>92</sup>

The extent to which the US Air Force will suffice in a fight against regional actors is also a matter of debate. America has many military bases in the Middle East and Europe, but their capacities and distances to the Eastern Mediterranean significantly limit the effectiveness of the airpower. It can also be said that airpower has some numerical problems too. An example of this is the Gulf Wars, which is the largest military operation the United States has recently carried out against a regional force. America had about 2,500 warplanes during the 1990-91 Gulf War.<sup>93</sup> Approximately 1200 US planes participated in the Desert Storm Operation. America was able to mobilize about half of its Air Force, but here two important points stand out. First, America had the opportunity to make a dense cluster in the region before the operation. The second is that its enemy was quite weak, contrary to expectations. The Iraqi air force was not in a situation to pose a threat to America. Here is an example to explain the power imbalance between Iraq and the US Air Force. During the eight-year war, Iran's F-14 planes, which it bought from the US during the reign of Shah, dropped 160 Iraqi

<sup>92</sup> Aaron Mehta, "Mattis orders fighter jet readiness to jump to 80 percent – in one year", *Defense News*, 9 October 2018, <https://www.defensenews.com/air/2018/10/09/mattis-orders-fighter-jet-readiness-to-jump-to-80-percent-in-one-year/>, (access date: 8 December 2019).

<sup>93</sup> "U.S. Air Force", *The Heritage Foundation*, 30 October 2019, <https://www.heritage.org/military-strength/assessment-us-military-power/us-air-force>, (access date: 9 December 2019).

planes but endured only a few losses.<sup>94</sup> Considering that Iran, whose relations with the US after the revolution was in poor condition, showed such success with a limited number of US aircraft, it would not be possible to think that America, which has hundreds of such aircraft, would have much difficulty in the face of Iraq. The war resulted in the absolute supremacy of America, as expected. Although America lost about 30 planes during the Desert Storm Operation, it destroyed 39 Iraqi planes during air combat and damaged about 400 of them in their bunkers.<sup>95</sup>

The USA used about 650 fighter jets during the 2003 Gulf War. While about half of these planes belonged to the Air Force, a significant portion were Navy planes.<sup>96</sup> This is important in terms of showing how important the Navy is for American operations. The main reason why America used a reduced Air Force in this war compared to 1991 could be that Iraq was thought to have no significant threat since it had been under pressure for more than a decade. Together with this, the answer to the question of how the US Air Force would perform if it encountered more serious opponents than Iraq is uncertain. The airpower of countries such as China, Russia and India is incomparably vaster and more superior than 1991 Iraq. Regional powers such as Turkey are rapidly continuing modern combat aircraft projects. Despite the fact that today's international system is very different from 1991 and the challenges to American hegemony have increased significantly, the decrease of the number of US fighter jets by approximately 40%

<sup>94</sup> "Iran's F-14 Air Superiority Fleet is Actually Growing; Why More Tomcats Are Very Bad News For Tehran's Adversaries", *Military Watch Magazine*, 13 August 2018, <https://militarywatchmagazine.com/article/iran-s-f-14-air-superiority-fleet-is-actually-growing-why-more-tomcats-are-very-bad-news-for-tehran-s-adversaries>, (access date: 9 December 2019).

<sup>95</sup> Oriana Pawlyk ve Phillip Swarts, "25 years later: what we learned from Desert Storm", *Air Force Times*, 21 January 2016, <https://www.airforcetimes.com/news/your-air-force/2016/01/21/25-years-later-what-we-learned-from-desert-storm/>, (access date: 9 December 2019).

<sup>96</sup> Rebecca Grant, "Gulf War II: Air and Space Power Led the Way", *An Air Force Association Special Report*, September 2003, p. 7.

since 1991 severely limits the ability of the US Air Force to intervene in regional crises.

Russia, on the other hand, has one of the world's most influential air forces, both in terms of quality and quantity. The Russian air force consists of about 850 Su-24, Su-25, Su-27, Mig-29, Su-30, Mig-31, Su-34, and Su-35 fighter jets, as well as about 140 Tu-22, Tu-95 and Tu-160 bomber aircraft.<sup>97</sup> About 200 of these planes are advanced Su-30 and Su-35 planes. In addition, Russia's fifth-generation fighter jet project, Su-57, also continues to progress, albeit slowly.<sup>98</sup>

Russia has been using its airpower extensively in Syria in recent years. The examination of the Russian airpower in Syria makes it easier to understand the extent of the Russian air force's reaction in the event of a possible crisis in the Eastern Mediterranean. Although the number of Russian fighter jets in Syria increased above 40 during certain periods, it was generally below this number. In addition, most of the Russian aircraft in Syria consisted of Su-24, Su-25 and Su-34 aircraft, which were developed for air-ground missions rather than air-air missions.<sup>99</sup> This number was sufficient to sustain the regime in Syria. However, considering that its single aircraft carrier will remain out of service for a while, there remains an important problem for Russia as to how it can place more warplanes in the Eastern Mediterranean if necessary.

Although it has a smaller air force than America and Russia, Britain's bases in Cyprus ease the use of airpower in case of a crisis in the region. However, the capacity of the bases is quite limited. Until recently, there were about 200 fighter jets in the British air force. Approximately

<sup>97</sup> "The Military Balance: The Annual Assessment Of Global Military Capabilities and Defence Economics 2018", *IISS*, p. 199.

<sup>98</sup> Ryan Pickrell, "Putin orders 76 new Su-57 stealth fighters in a desperate attempt to rival the US", *Business Insider*, 22 May 2019, <https://www.businessinsider.com/putin-orders-76-new-su-57-stealth-fighters-2019-5>, (access date: 18 December 2019).

<sup>99</sup> Anton Lavrov, "The Russian Air Campaign in Syria: A Preliminary Analysis", *CNA Analysis & Solutions*, June 2018, p. 17.

150 of these planes were Eurofighter Typhoon, and 46 were Tornado planes.<sup>100</sup> However, Britain has since dismissed the Tornado aircraft.<sup>101</sup>

Geographical distance significantly limits the capacity of the French air force to intervene in the Eastern Mediterranean. France will have the opportunity to intervene in a possible crisis in the region, to a large extent, with a limited number of aircraft on the aircraft carrier.

The geographical proximity of Italy to the Eastern Mediterranean provides an advantage for its military operations, but Italy does not have a superior military power that can deter some of the countries in the region. Even if Italy were to mobilize all its airpower, the planes it can use in air combat are about 90 Eurofighter Typhoon aircraft.<sup>102</sup> Although these planes are modern, they are unlikely to outperform the much larger number of F-16s available in most of the region's countries. Italy's inability to establish air superiority will also substantially prevent warships from engaging in serious military operations in the Eastern Mediterranean.

When the air defense capabilities of the global actors in the Eastern Mediterranean are analyzed, Russia and the USA stand out.

Russia has many air defense systems in short, medium and long-range. The multi-layered Russian air defense consists of long-range air defense systems such as S-300 and S-400 (400 km range),<sup>103</sup> medium-range systems such as Buk and short-range systems such as Pantsir and Tor.<sup>104</sup> In addition, Russia has made important prog-

<sup>100</sup> "The Military Balance: The Annual Assessment Of Global Military Capabilities and Defence Economics 2018", *IJSS*, p. 164.

<sup>101</sup> "The end of an era: RAF Tornado returns from Operations for the last time", ROYAL AIR FORCE, 5 February 2019, <https://www.raf.mod.uk/news/articles/the-end-of-an-era-raf-tornado-returns-from-operations-for-the-last-time/>, (access date: 21 December 2019).

<sup>102</sup> Eurofighter Typhoon planes are air superiority aircraft. Italy has around 140 Tornados and AMX aircraft for air-ground missions.; "The Military Balance: The Annual Assessment Of Global Military Capabilities and Defence Economics 2018", *IJSS*, p. 120.

<sup>103</sup> S-400s also use shorter range missiles. 400 km is the maximum range of the S-400.

<sup>104</sup> "Russian Air and Missile Defense", *Missile Threat CSIS Missile Defense Project*, <https://missilethreat.csis.org/system/russian-air-defense/>, (access date: 18 December 2019).

ress in the new air defense system S-500.<sup>105</sup> Kirov and Slava-class cruisers in the Russian navy also have the potential to make an important contribution towards air defence if they were sent to the Eastern Mediterranean, with the large number of air defense missiles they carry.

America's air and missile defense ability in a potential crisis in the Eastern Mediterranean is mainly based on missiles carried by Arleigh Burke-class destroyers and Ticonderoga-class cruisers. These Aegis ships<sup>106</sup> provide effective protection against ballistic missiles with their onboard SM-3s and against aircraft and cruise missiles with SM-2s, SM-6s and ESSMs.<sup>107</sup>

Although England has bases in very strategic positions in the Eastern Mediterranean, there are no effective air defense systems that can be placed on these bases. A large part of Britain's air defense ability consists of air defense missiles on warships. The most effective of these missiles are the Aster-15 and Aster-30 air defense missiles situated in Type-45 destroyers.

France has an effective air defense system, unlike England. France has a SAMP/T air defense system with a range exceeding 100 km.<sup>108</sup> However, France does not have a base in the region, like Britain's bases in Cyprus, where it can place these systems. This situation makes France highly dependent on its effective yet small in number Horizon/Orizzonte class destroyers in terms of air defense in the event of a crisis in the Eastern Mediterranean.

<sup>105</sup> "Russian S-500 Air Defence System Almost Ready – Deputy Air Force Commander", Sputnik, 13 April 2019, <https://sputniknews.com/russia/201904131074088558-russian-s500-almost-ready/>, (access date: 18 December 2019).

<sup>106</sup> "Aegis Deployed", Lockheed Martin, <https://www.lockheedmartin.com/en-us/products/aegis-combat-system/aegis-deployed.html>, (access date: 14 December 2019).

<sup>107</sup> "Aegis Ballistic Missile Defense", *Missile Threat CSIS Missile Defense Project*, <https://missilethreat.csis.org/system/aegis/>, (access date: 14 December 2019).

<sup>108</sup> "ASTER 30-SAMP/T", *MBDA*, <https://www.mbda-systems.com/product/aster-30-samp/>, (access date: 12 January 2020).

## CONCLUSION

Cooperation of some countries in the region against Turkey in the Eastern Mediterranean, where important developments have recently taken place, makes it necessary for Turkey to protect its interests in the region with its military power. Turkey has the military capabilities to carry out this task. Turkish naval power is the most effective of the region. In order to maintain this superiority in the future as well, Turkey continues working on important projects like the REIS-class submarine, I-class frigate, TF-2000, and TCG Anadolu (LHD).

Turkey's air force is also one of the most effective in the region. As rapid progress continues on one of Turkey's most important military projects, the TF-X, Turkey is also one of the few countries taking UAV-UCAV into consideration. The importance of UAV-UCAV is increasing, when considering the F-35 crisis with the USA and the fact that the development of TF-X will take about ten years, due to it lessening the load of the F-16s. Trying to meet its urgent needs regarding the air defense with the purchase of S-400, Turkey increasingly continues its work towards developing domestic systems.

Turkey is conducting several military projects in order to protect its interests in the Eastern Mediterranean in the future as well as today. The platforms/weapon systems that will emerge as a result of these projects will ensure Turkey's protection of its deterrence in the region and will increase this deterrence. How important the deterrence provided by military power is seen in the fact that struggles in the Eastern Mediterranean and the Middle East are largely shaped through power. Unlike other countries that rely on international law and global organizations like the UN, Turkey does not have the luxury of anticipating that these institutions will protect the security of its land and people. On one hand, acting in accordance with international law remains important for Turkey, while on the other hand, having the military strength to ensure its own security is an absolute necessity.



A decorative horizontal bar on the left side of the page, featuring a pattern of diagonal stripes in shades of teal and white. A solid teal square is overlaid on the right side of this bar, containing the word "THREE" in white capital letters.

THREE

MEDITARREANEAN  
SEA AND LAW





# **TURKEY'S EASTERN MEDITERRANEAN POLICY WITHIN THE FRAMEWORK OF INTERNATIONAL MARITIME LAW**

BÜŞRA ZEYNEP ÖZDEMİR\*

## **INTRODUCTION**

The Eastern Mediterranean basin, adjacent to the Middle East region, where oil and natural gas reserves are the most concentrated in the world, has high potential in terms of hydrocarbon resources. The region, which has special importance with its proximity to the European Union that is near the top position in the global energy demand, hosts remarkable discoveries thanks to the progress made in hydrocarbon exploration and drilling technologies. With the studies carried out since the beginning of the 2000s, some natural gas reserves have been discovered in the offshore areas of Israel, Egypt, Palestine, and the Island of Cyprus, which have significant importance for the coastal states, constitute alternative ways to supply countries in the region and, as for the international energy companies, mean new areas of investment. However, serious disputes occur over the issue of which states' jurisdiction areas these discoveries have taken place in. The Eastern Mediterranean, which has the status of the semi-closed sea, should be divided into maritime jurisdictions in accordance with equity, with all the coastal states coming together. However, countries such as Egypt and Israel, particularly the EU-backed GASC, are trying to bypass other states

\* Researcher, SETA Energy Studies

in the region with their maximalist attitudes. The attempts at sharing have caused ongoing problems that will exist for a long time.

Problems that emerged over the disputes of delimitation of maritime jurisdiction zones, continental shelves, and exclusive economic zones (EEZs) have become cemented with bilateral agreements signed with initiatives of the GASC. By behaving as the sole representative of the island through delimitation treaties of maritime jurisdiction zones, the Greek Cypriot Administration signed with Egypt in 2003, Lebanon in 2007 and Israel in 2010, has displayed an attitude that ignores the rights of both Turkish Cypriots and people of Turkey. Moreover, Greece counting the islands of Rhodes, Crete and Kastellorizo as its boundary line and claiming that these islands also have jurisdiction zones in attempts to imprison Turkey in a narrow area is an unacceptable situation for Ankara. Although the dispute with Greece and the GASC are more visible from the perspective of Turkey, there are currently delimitation disputes between Israel and Lebanon, as well as Libya and Greece with Israel. While attempts have been made to isolate it, Turkey is taking an active role to defend the rights of itself and the Turkish Republic of Northern Cyprus (TRNC) in the field and at the table.

As Turkey is the country with the longest coastline in the region, the evaluation of its practices from two different perspectives will be appropriate. The first of these is the protection of the rights Turkey has due to its continental shelf jurisdiction area. Ankara is making a serious effort to use its rights and freedoms in the maritime jurisdiction zone that is a natural extension of Turkey. The second is the protection of the rights of the TRNC, which is an equal shareholder in the Island of Cyprus. Another national issue for Turkey is to prevent the GASC's usurpation of Turkish Cypriots through its followed unilateral policies that act as the sole representative of the island. Although Turkey shows a presence in the region for these two different reasons, it basically follows one strategy: staying away from conflict and working with a

reconciliatory attitude to find a solution that will result in a win-win situation for all sides in the region.

In this study, firstly, information about the maritime jurisdiction of international maritime law is given in order for a better understanding of the Eastern Mediterranean issue. Turkey's rights in the Eastern Mediterranean arising from its authority and the authorities granted by the TRNC will be discussed under separate headings. The study makes an assessment of the actions of other states before reaching the concluding section.

## **MARITIME JURISDICTION ZONES IN INTERNATIONAL MARITIME LAW**

Two main texts constitute the official source of International Maritime Law. The first of these is the 1958 Geneva Conventions on the Law of the Sea. The Conventions signed at the United Nations Conference on the Law of the Sea on April 29, 1958, with the participation of 86 states, consist of four separate contracts and an optional protocol. These are: the Convention on the Territorial Sea (Inland Sea) and the Contiguous Zone, the Convention on the High Seas, the Convention on Fishing and Conservation of the Living Resources of the High Seas, the Convention on the Continental Shelf, and the Optional Protocol of Signature concerning the Compulsory Settlement of Disputes.<sup>1</sup>

A notable feature of the Conventions is that they are binding on different numbers of countries; governments were selective when becoming a party to the Conventions, signed and ratified the treaties they deemed appropriate. Accordingly, as of 2008, the Convention on the Territorial Sea (Inland Sea) and the Contiguous Zone is binding on 52 states, the Convention on the High Seas on 63, the Convention on Fishing and Conservation of the Living Resources of the High Seas on 38, the Convention on the Continental Shelf on 58, and the Op-

<sup>1</sup> Summaries of the Work of the International Law Commission, International Law Commission, [https://legal.un.org/ilc/summaries/8\\_1.shtml](https://legal.un.org/ilc/summaries/8_1.shtml), A.D. 26 August 2019.

tional Protocol of Signature concerning the Compulsory Settlement of Disputes is binding on 38 states. This situation was due to the states' tendency to act according to their national interests. The fact that countries have different geographical features has made some of the conventions and articles controversial and led governments to exhibit different attitudes. As a result, a "union" on the law of the sea could not be achieved as the United Nations (UN) desired.<sup>2</sup>

The developments over time caused the 1958 Conventions, which was already controversial to some countries, to be inadequate, and revealed the need to prepare a treaty on which new and more states will agree. The 1982 United Nations Convention on the Law of the Sea (UNCLOS) was prepared to overcome these shortcomings. The most important feature of the treaty is its goal to end clashes between states on the concepts of territorial water, contiguous zone, continental shelf, and EEZ.<sup>3</sup> With UNCLOS, it has been tried to set boundaries that will be accepted worldwide. With the 12 mile<sup>4</sup> rule, there was an aim for the first time to prevent damage to the interests of the international community while the rights of the coastal states are protected.<sup>5</sup>

Another feature of the Convention, unlike the 1958 Convention, is that it consisted of a single main text that must be considered as a whole. By its nature, the contract requires states to become party by considering all the articles. In other words, countries cannot support some of the articles in the treaty and oppose some others.<sup>6</sup> This situation has directed some countries not to be a party to the treaty at all.

<sup>2</sup> Tullio Treves, "1958 Geneva Conventions on the Law of the Sea", Audiovisual Library of International Law, <https://legal.un.org/avl/ha/gclos/gclos.html>, A.D. 26 August 2019.

<sup>3</sup> Tommy Koh, "A Constitution for the Oceans", UN, 1982, [https://www.un.org/Depts/los/convention\\_agreements/texts/koh\\_english.pdf](https://www.un.org/Depts/los/convention_agreements/texts/koh_english.pdf), A.D. 28 August 2019.

<sup>4</sup> Nautical mile is meant with mile. 1 nautical mile is approximately 1.8 kilometers.

<sup>5</sup> William E. Butler, *Contemporary Issues of the Law of the Sea: Modern Russian Approaches*, Eleven International Publishing, 2003, p. 18.

<sup>6</sup> Tommy Koh, "A Constitution for the Oceans", UN, 1982, [https://www.un.org/Depts/los/convention\\_agreements/texts/koh\\_english.pdf](https://www.un.org/Depts/los/convention_agreements/texts/koh_english.pdf), A.D. 28 August 2019.

Finally, it is worth highlighting that many of the provisions contained in the Conventions of 1958 and 1982 have found equivalencies in international customary law. Thus, even if states are not parties, they can benefit from many provisions of the treaties because they are included in customary law.

There are seven different jurisdictions within the scope of International Maritime Law. These are listed as internal waters, the territorial sea, the contiguous zone, continental shelf, EEZ, the high seas and international waters. The controversial situation in the Eastern Mediterranean, which is the subject of the study, is mainly shaped by the discussions of EEZ and the continental shelf. Problems in the Aegean Sea, which is an extension of the Eastern Mediterranean, stem from territorial waters and continental shelf disputes. In the next part of the study, to better understand the position of Turkey and other countries in the Eastern Mediterranean, three closely related maritime jurisdiction zones will be mentioned.

*Territorial waters* are waters that extend from the baseline up to 12 miles. States' jurisdiction over territorial waters includes water surface, seabed, subsoil, and even airspace. Under the 1982 Convention, states have the right to determine territorial waters and should act in good faith when determining their jurisdiction. In other words, states are obliged to protect the rights of other states while determining their territorial waters.<sup>7</sup>

The vast majority of states have determined their territorial waters according to the 12 nautical mile rule.<sup>8</sup> Similar to Turkey's special situation in the Aegean Sea, in cases when there are opposite coasts and it does not seem possible to implement the 12-mile rule, different boundaries are set. The 1982 Convention states that in such cas-

<sup>7</sup> Uluslararası Hukuk Ders Notları, DEHUKAM, 2016, <http://dehukam.ankara.edu.tr/>, A.D. 8 September 2019.

<sup>8</sup> John Burgess vd., Law of the Sea: A Policy Primer, the Fletcher School of Law and Diplomacy, <https://sites.tufts.edu/lawofthesea/>, A.D. 9 September 2019.

es, countries must conclude bilateral treaties. If the treaty cannot be made, a median line to be determined equidistant from the mainland shores is considered as a border. Because the distance between the mainlands of Greece and Turkey is not suitable for the application of the 12-mile rule, Turkey is implementing the 6-mile rule in the Aegean Sea.

Similar to internal waters, states also have the right to legislate, execute, and judge over territorial waters. States' sovereignty over territorial waters is restricted by the right of transit passage for international straits, in addition to the innocent passage right of ships belonging to other states.<sup>9</sup>

The concept of the *continental shelf* is geographically the name given to the natural extension of the mainland under the sea. At the UN level, the concept was first discussed at the UN Convention of the Law of the Sea held in 1956. As a result of the conference, the coastal states were granted the right to discover and use natural resources within their continental shelf jurisdiction zones.<sup>10</sup>

The 1958 Geneva Convention on the Continental Shelf handled the concept of the continental shelf more broadly. Three elements were taken into account while preparing the Convention. These are the depth of the waters above the shelf, the proximity to the shore, and the natural resources in the shelf. The depth of the waters was determined as 200 meters considering the technical and technological conditions of the period. Proximity to the shore was emphasized, but this faced criticism from many states as there was not a proper explanation as to what was meant by proximity. Finally, the way was paved for natural resources on the shelf to be developed by coastal states.<sup>11</sup>

<sup>9</sup> John Burgess vd., *Law of the Sea: A Policy Primer*, the Fletcher School of Law and Diplomacy, <https://sites.tufts.edu/lawofthesea/>, A.D. 9 September 2019.

<sup>10</sup> Tullio Treves, "1958 Geneva Conventions on the Law of the Sea", Audiovisual Library of International Law, <https://legal.un.org/avl/ha/gclos/gclos.html>, A.D. 26 August 2019.

<sup>11</sup> William E. Butler, *Contemporary Issues of the Law of the Sea: Modern Russian Approaches*, Eleven International Publishing, 2003, p. 89

The 1982 Convention added a different dimension to the concept of the continental shelf. With the contract, the continental shelf was accepted as the sea areas up to 200 miles from the baseline. According to Article 76 of the Convention, the continental shelf jurisdiction zone covers submarine areas, the seabed and subsoil. Coastal states have economic rights over non-living resources under the ground. These rights allow coastal states the exploration and operation of underground areas that are believed to be rich in natural resources such as mines, oil and natural gas. Coastal states can build artificial islands and facilities in these areas to exercise these rights. According to the Convention, no state can search for and operate on natural resources on the continental shelf of another state without the consent of the coastal state. These actions are subject to the permission of the coastal state.<sup>12</sup>

The situation is different when it comes to laying cables and pipelines under the sea. According to Article 79 of the UNCLOS, all states have the right to place submarine cables and pipelines on the continental shelf jurisdiction zones. Coastal states cannot prevent this right of other states to take measures against pollution caused by pipelines. However, the consent of the coastal state is essential regarding the route followed in laying the pipelines. However, it is stated that the mentioned right of other states does not affect the right of the coastal states to set conditions for exploring/using natural resources in the continental shelves, and setting up/using artificial islands and facilities for this.<sup>13</sup>

Finally, in accordance with the decisions of the International Court of Justice (ICJ) and Article 76 of the UNCLOS, the coastal states naturally possess the continental shelf jurisdiction zones and can exercise the rights mentioned above without an obligation to declare. This is because states are deemed to have these rights by the fact (*ipso facto*) and from the beginning (*ab initio*). However, it is stated that if there are geographical obstacles for states with opposite or adjacent

<sup>12</sup> UNCLOS, Part VI, Articles 76, 79.

<sup>13</sup> UNCLOS, Part VI, Article 79.

mainland shores to have a continental shelf of 200 miles, a decision and a treaty should be made according to the principle of equity. In determining the principle of equity, geographical features, geological elements, presence of other borders in the region, vital interests of the related states, presence of hydrocarbon reserves, and historical rights should be taken into consideration.<sup>14</sup>

The concept of *EEZ*, on the other hand, is one of the newest topics of international maritime law. The common view on the establishment of economic zones at seas first emerged at the UN conference in 1974. The Western states' decision, who experienced the negatives of being foreign-dependent for the first time with the 1973 Oil Crisis, to move the oil exploration, drilling, and production activities from land areas where they mainly occur to the sea areas was effective in the emergence of this view.

EEZ is the name given to the maritime jurisdiction areas that can be up to 200 miles between territorial waters and high seas.<sup>15</sup> Unlike the continental shelf, EEZs must be declared. However, there are no clear statements about this in the UNCLOS. In Article 74 of the Convention titled "Delimitation of the exclusive economic zone between States with opposite or adjacent coasts," it is mentioned that states with opposite or adjacent coasts have to make a treaty based on international law in order to reach a fair solution. After the agreement, the parties are obliged to inform the UN about the coordinates and map of the determined borders. This situation is generally seen in semi-closed seas such as the Eastern Mediterranean. However, there is no statement in the UNCLOS on whether states that have a coast to the high seas, where the mentioned situation is not present, can declare unilateral EEZ. For this reason, it is assumed that it may be possible for the coast-

<sup>14</sup> Hasan Sencer Peker et al., "Doğu Akdeniz'de Deniz Yetki Alanları ve Enerji Kaynakları Çerçevesinde Türkiye'nin Enerji Güvenliği", *Güvenlik Bilimleri Dergisi*, Volume 8, Issue 1, 2019, p.89.

<sup>15</sup> John Burgess vd., *Law of the Sea: A Policy Primer*, the Fletcher School of Law and Diplomacy, <https://sites.tufts.edu/lawofthesea/>, A.D. 9 September 2019.

al states to declare EEZ unilaterally. Moreover, it is argued by some sources that the concept of EEZ has the same theoretical background as the continental shelf concept and is “linked by itself”<sup>16</sup> to the continental shelf.<sup>17</sup>

The freedoms granted to the coastal state on EEZ are the sovereign rights towards the exploration and use, protection, and management of living or inanimate natural resources. Coastal states can enact maritime science research and protection rules against marine pollution in the EEZ jurisdictions. States can carry out energy production activities from water and wind in these jurisdictions. Moreover, coastal states have the right to construct and use artificial islands and mechanisms in EEZs.<sup>18</sup>

There are some provisions regarding the protection of sovereign rights over natural resources in the EEZs of coastal states. The first and most important of these provisions is that other states do not have the right to discover and use natural resources in the region without the consent of the coastal state, even if the mentioned coastal state does not use those resources. Secondly, the coastal states have the right to enact laws and regulations on the discovery and use of the mentioned natural resources, as well as the right to introduce prohibition and similar practices against the hunting of some species. Thirdly, according to Article 73 of the 1982 Convention, the coastal states that enjoy sovereign rights arising from EEZ can take the measures they deem necessary in accordance with the Convention in terms of exercising the rights to discover, use, protect, and manage live resources in the region. In the same article, the measures that the coastal states can take to prevent the enjoyment of sovereign rights and what they can do in case of violation

<sup>16</sup> James E. Bailey, “The Exclusive Economic Zone: Its Development and Future in International and Domestic Law” içinde: I.C.J., North Sea Continental Shelf Cases 1969.

<sup>17</sup> James E. Bailey, “The Exclusive Economic Zone: Its Development and Future in International and Domestic Law”, *Louisiana Law Review*, Vol. 45, No.6, 1985, p.1270.

<sup>18</sup> UNCLOS, Part V, Article 56-57.

of the relevant legislation are listed as follows; gathering a commission, inspection, arrest, judicial proceedings.<sup>19</sup>

In Article 87 of the UNCLOS, freedoms in EEZs are classified as freedoms in the high seas. Accordingly, all states have the right to enjoy the use of freedoms of navigation, overflight and the laying of submarine cables and pipelines under the sea. However, states are obliged to regard the rights and provisions of the coastal states and to comply with the laws and regulations these states issue while exercising their rights and fulfilling their responsibilities. In addition, the Convention recommends that possible conflicts and disagreements in EEZs be resolved in accordance with the principle of equity, taking into account the interests of both related parties and the international community.<sup>20</sup>

UNCLOS has brought some restrictions on coastal states' rights over EEZ. The most important of these restrictions is that EEZs are not under the full sovereignty of any state. In some cases, coastal states are obliged to protect and conserve EEZs, where all states have certain degrees of rights. Protection of nature and the marine environment is one of the most basic examples. According to Article 61, coastal states are obliged to take protective measures to prevent excessive use of living resources in the region. This is a provision on coastal states' right of hunting. Coastal states should set a scientifically acceptable hunting limit. If they fail to reach this rate of hunting, they are expected to grant other countries the right to hunt through agreements. Hunting cannot be made within the EEZ areas without the permission of the coastal states. It is recommended to regularly exchange information on living species and fish stocks among all interested parties while using regional and international organizations.<sup>21</sup>

<sup>19</sup> William E. Butler, *Contemporary Issues of the Law of the Sea: Modern Russian Approaches*, Eleven International Publishing, 2003, p. 57.

<sup>20</sup> UNCLOS, Part V, Article 87, 58

<sup>21</sup> William E. Butler, *Contemporary Issues of the Law of the Sea: Modern Russian Approaches*, Eleven International Publishing, 2003, p. 56-57.

## TURKEY'S RIGHTS IN THE EASTERN MEDITERRANEAN

The outer borders of the Turkish continental shelf were first mentioned in the note given to the UN on March 4, 2004.<sup>22</sup> Afterward, until the year 2011, Turkey followed the wait and see policy in the Eastern Mediterranean. The Ankara Government did not prefer to react immediately to treaties that the GASC signed with Egypt, Lebanon and Israel, acting as the sole owner of the Island of Cyprus. Instead, it conveyed its objections to the UN through notes and observed the developments for some time. The Greek Cypriot Administration licensing the areas that it parcelled unilaterally to international energy companies in 2007 has seriously disturbed Turkey and the TRNC. As a result of exploration and drilling carried out by American Noble Energy in 2011, the Aphrodite site was discovered, which has a natural gas reserve of 198 billion cubic meters (bcm). It is the best option to bring the reserve, in which the TRNC also has rights, to the economy in a way that will benefit all shareholders on the island. However, despite all the calls from the Turkish side for negotiating the joint use of reserves, making the production plans in a way that will only benefit the Greek Cypriots has accelerated the transition to active foreign policy applications in Turkey.

Turkey signed its first maritime jurisdiction area sharing treaty in the Eastern Mediterranean with TRNC. The location between its southern border and the Island of Cyprus was determined by the "Continental Shelf Delimitation Agreement" signed on September 21, 2011. According to the Agreement, the continental shelf border between the two countries was determined in accordance with interna-

<sup>22</sup> No: 265, 4 October 2018, Press Release Regarding the Decision of the Greek Cypriot Administration to Invite International Companies for Off-shore Hydrocarbon Exploration within So-called License Area Number 7, Rep. of Turkey Ministry of Foreign Affairs, <http://www.mfa.gov.tr/>

tional law and fair principles.<sup>23</sup> Some of its remaining southern borders were determined according to the median line drawn according to the principle of equidistance, taking into account the mainland of Egypt on its opposite coast.<sup>24</sup> The boundaries of some parts were shaped by the “Memorandum of Understanding on the Delimitation of Maritime Jurisdictions” signed with Libya on November 27, 2019.

Following the continental shelf delimitation agreement signed with the TRNC, a decision was made to show a technical presence in the region. The resulting action is very important because it is Turkey’s first of such in the Eastern Mediterranean. Unlike other states in the region, Turkey has not carried out its oil and natural gas exploration and drilling operations by agreeing with a multinational energy company. Instead, it started to carry out operations through its own national oil company, Turkish Petroleum (TPAO), by adding new vessels to its inventory. Following the delimitation agreement, the Oil Field Services and Production Sharing Agreement signed between the TRNC and TPAO has led TPAO to take a more active role in the region as Turkey’s national company.<sup>25</sup>

First, the Barbaros Hayrettin Pasha Seismic Research Vessel was purchased in 2013 to exercise the rights of exploration, use and operation of non-living natural resources on the seafloor and subsoil under the scope of the continental shelf. After receiving the ship, hydrocarbon exploration began in the offshore areas of Antalya. Drilling work is expected to begin in regions where the research leads to serious findings. Although Turkey took action in this field after the other coastal states, it analyzed what it needed to do about it and, as a result, in October 2017 bought Deepsea Metro II that is among the top few

<sup>23</sup> No: 216, 21 September 2011, Press Statement On The Continental Shelf Delimitation Agreement Signed Between Turkey And The TRNC, Rep. of Turkey Ministry of Foreign Affairs, <http://www.mfa.gov.tr/...>, A.D. 19 December 2019.

<sup>24</sup> Çağatay Erciyes, “Doğu Akdeniz, Ege, Kıbrıs Meseleleri – Türk-Yunan İlişkileri, Türkiye’nin Dış Politikası, Hukuki ve Siyasi Görüşleri”, 20 November 2019.

<sup>25</sup> TPAO, KKTC, <http://www.tpao.gov.tr/?mod=projeler&contID=92>.

ships in the world in deep-sea drilling in terms of technology. The ship, whose name was changed to Fatih after delivery, has the capacity to reach more than 3 km of drilling depth.<sup>26</sup> Although it first began its activities with a crew of mainly foreign personnel, the aim is to have an entirely Turkish crew. Considering that deep-sea exploration and drilling activities are very difficult and that few countries in the world have the ability to drill in deep seas, the knowledge and experience that Turkey will obtain are quite important.

The most concrete indicators of the process that Turkey began with the Fatih vessel and continues decisively with the aim of taking an active role in the Eastern Mediterranean are the new ships that have joined the TPAO family. Firstly, after Deepsea Metro II, its sister ship Deepsea Metro I joined the TPAO inventory in October 2018. The vessel, whose name was changed to Yavuz, rank high among high-tech drilling ships, with only 10 of them in the world.<sup>27</sup> The last member of the TPAO family is the MTA Oruç Reis Ship, which started its duty with a ceremony held in 2019. MTA Oruç Reis, the first domestic and national seismic research vessel, includes laboratories for the investigation and evaluation of the data received where it can perform research and mapping studies by viewing the seafloor and below in two and three-dimensions.<sup>28</sup>

Turkey has accelerated its hydrocarbon exploration and drilling activities under its continental shelf authority in the Eastern Mediterranean with these new ships joining its inventory. Its operations continue through rights claimed in Alanya's offshore areas, in its jurisdiction zone in western Cyprus, and in the so-called 7<sup>th</sup> parcel that falls within

<sup>26</sup> CNN Türk, "Cüneyt Özdemir Fatih Gemisine girdi, nasıl doğal gaz arandığını görüntüledi", (<https://www.youtube.com/watch?v=u2mVM-8TALY>), 20 October 2019, Youtube.

<sup>27</sup> Cüneyt Özdemir, "Doğu Akdeniz'de Krizin Merkezinde", ([https://www.youtube.com/watch?v=UuvPtnry\\_bw](https://www.youtube.com/watch?v=UuvPtnry_bw)), 16 October 2019, Youtube.

<sup>28</sup> Demirören Haber Ajansı, "İlk yerli ve milli sismik araştırma gemisi Oruç Reis Marmara'yı karış karış inceliyor", (<https://www.youtube.com/watch?v=YCdie0j62bE>), 27 May 2019, Youtube.

its jurisdiction but has been licensed to the Italian ENI and French Total companies by the GASC. Drilling activities in Güzelyurt-1, which is located in the so-called 7<sup>th</sup> block, were met with harsh reactions by Greece, France, the EU, the USA, and especially by the Greek Cypriot Administration.<sup>29</sup> Turkey has determined the continental shelf on the basis of customary law, which has an equivalence in international maritime law. Still, their actions that stem from rights and authorities of these laws are considered illegal by the related parties. While the GASC, Israel and Egypt are acting in violation of international maritime law, they are supported by the EU and USA.

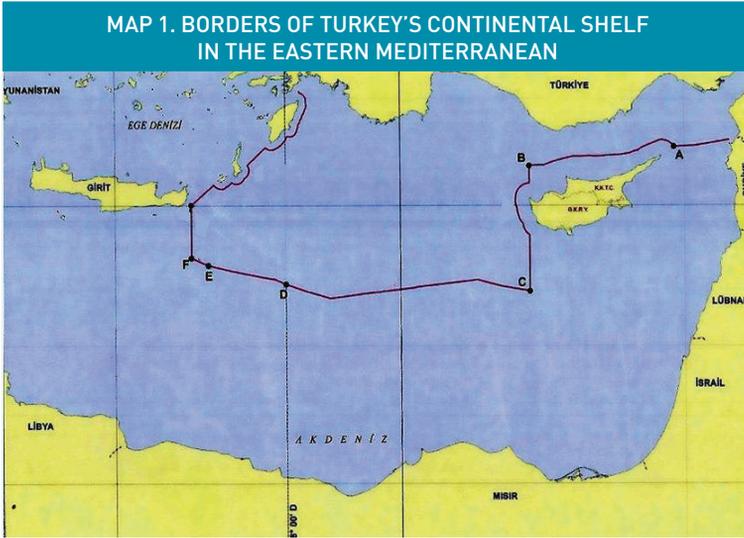
In this respect, the countries in question spurn the needs of the coastal states to make agreements within the framework of equity and good-neighborliness principles in UNCLOS within controversial regions that are narrower than 400 miles. By ignoring the rights of and not taking opinions from Turkey, the country with the longest coastline, and the TRNC, another coastal country, their bilateral agreements reveal that they are on the side of conflict and not solution.

While Turkey is continuing its oil and natural gas exploration activities on one hand, on the other hand, it firmly continues its works to strengthen its actions diplomatically and legally. Turkey, which is decisive in not meeting with the GASC due to actions that ignore itself and the TRNC and because of the Cyprus issue as a whole, is expressing at every opportunity and in every platform that it is ready to meet with other countries in the region. One of the most concrete indicators of this is the “Memorandum of Understanding on the Delimitation of Maritime Jurisdictions” signed on November 27, 2019, with the Libyan Government of National Accord (GNA) that is recognized by the UN. The Agreement signed by the presidents of the two countries was approved in the national assemblies of both countries in December 2019. The Agreement is very important because it is

<sup>29</sup> “ABD Dışişleri Bakanı Pompeo: Türkiye'nin Doğu Akdeniz'deki sondaj faaliyetleri yasa dışı, hiçbir ülke Avrupa'yı rehin alamaz”, BBC Türkçe, 5 October 2019.

the second maritime delimitation agreement of Turkey in the Eastern Mediterranean. With this Memorandum signed, it not only aims to safeguard the rights of Turkey and Northern Cyprus in the region, but also those of Libya.

Following the signing of the Agreement, the continental shelf and EEZ boundaries that Turkey determined with Libya were published on the website of the Grand National Assembly of Turkey.<sup>30</sup> The boundary drawn by the median line set according to the principle of equidistance in the area between Turkey and Libya is the area between points E and F as seen in Map 1 below.



**Source:** Ministry of Foreign Affairs, Republic of Turkey

According to the Agreement, in case a natural resource reserve is found that starts from one's jurisdiction zone and stretches to the other's, the countries can cooperate. In case of any dispute in respect of the application of the Agreement, the parties will produce a solution

<sup>30</sup> TBMM, "Türkiye Cumhuriyeti Hükümeti ile Libya Ulusal Mutabakat Hükümeti Arasında Akdeniz'de Deniz Yetki Alanlarının Sınırlandırılmasına İlişkin Mutabakat Muhturasının Onaylanmasının Uygun Bulduğuna Dair Kanun Teklifi", 4 December 2019.

based on mutual understanding and cooperation, as stated in Article 33 of the UN.<sup>31</sup>

With this step, Turkey also aims to prevent Greece from acting against Turkey and exploiting the special situation of the Aegean Sea. What Greece planned was the acceptance of the Crete, Rhodes and Kastellorizo line as a maritime border in the Aegean Sea and to make a delimitation in the Eastern Mediterranean according to the median line principle with the GASC. In such a case, although Turkey has the longest coastline in the Eastern Mediterranean, their maritime jurisdiction would have been restricted to a narrow area off the shore of Antalya (Map 2).



**Source:** Çağatay Erciyes<sup>32</sup>

It is possible to say that the mentioned plan of Greece and the GASC was broken by the agreement signed between Turkey and Libya.

<sup>31</sup> Resmi Gazete, “Türkiye Cumhuriyeti ile Libya Devleti Ulusal Mutabakat Hükümeti Arasında Akdeniz’de Deniz Yetki Alanlarının Sınırlandırılmasına İlişkin Mutabakat Muhturası”, 7 December 2019.

<sup>32</sup> Çağatay Erciyes, “Doğu Akdeniz, Ege, Kıbrıs Meseleleri – Türk-Yunan İlişkileri, Türkiye’nin Dış Politikası, Hukuki ve Siyasi Görüşleri”, 20 November 2019, SETA Institute Eastern Mediterranean Workshop, Ankara.

As a result of the evaluation of factors such as location, population and economic size in the 1982 Convention's section on islands, it is stated that the continental shelf and EEZ area can be given to the islands located on the coasts of mainland countries or between two mainland countries. By benefiting from the relevant provisions of the mentioned Convention of which Greece is a party, it tries to leave a narrow sea area to Turkey.

However, there are some ICJ decisions that will prevent the implementation of this plan. For example, in North Sea cases, an evaluation has been made in accordance with the principle of geographical "superposition." It was stated in the decision taken at the end of the case that islands "reshaping the geography will not be an issue." Because the most important geographical element according to the principle of superposition is the length of mainland coasts, the delimitation between two countries with opposite shores should be made taking into account the mainland of the countries.<sup>33</sup>

Delimitation of the maritime jurisdiction zones in terms of bringing a new dimension to Turkey's actions in the Eastern Mediterranean has great importance in the agreement signed between Turkey and Libya. Although Turkey has made reconciliation calls to other coastal states in the region, its refusal to make agreements with states other than the TRNC was called illegal by other states that continue to make delimitation agreements against good faith. The Treaty signed with Libya showed that Turkey takes the principles of fairness into account with its actions, unlike other states who exhibit maximalist attitudes, and that there are states in the region it can agree with.

Following the signing of the Treaty, Turkey reiterated its claim that it was open to meet with the countries in the region on every platform on December 4, 2019 at the London Conference held for NATO's 70th anniversary. While stating that its actions to defend its

<sup>33</sup> Cihat Yaycı, "Doğu Akdeniz'de Yetki Alanlarının Paylaşılması Sorunu ve Türkiye", *Bilge Strateji*, Volume:4, Issue:6, 2012, p.1-70.

legitimate rights under international law will be continued, Turkey repeated its willingness to negotiate with the countries in the region. During the meeting with the Greek delegation after the conference, the request of the Athens administration<sup>34</sup> for the Libyan Ambassador to leave the country was criticized. It was stated that with this step, the healthy execution of diplomacy was prevented.<sup>35</sup> Turkey's expectation is that the channels remain open for dialogue in order to prevent conflict.

By contrast, Greece has invited the UN to get involved instead of negotiating with Turkey. Athens announced that it reported its objections to the treaty between Turkey and Libya in a letter sent to the UN on December 11, 2019. It stated that two letters were sent to the UN Secretary-General and the UN Security Council (UNSC), with demands that the Security Council condemn Turkey and Libya. According to the 1982 UNCLOS, Greece argues that the islands' right of continental shelf and EEZ have been neglected. Turkey, however, shows the exemplary decisions, which the ICJ took in the past according to "superposition" and "non-encroachment/cutting off"<sup>36</sup> principles, as a reason. According to these decisions, it is not possible for the islands belonging to countries to have a maritime jurisdiction in a way that prevents mainland countries from enjoying their rights. Because "the 'distortion' effect of the islands between the two mainlands on the delimitation line of the mainlands is high. Therefore, the islands that are located in this way are often given very limited influence, or the islands

<sup>34</sup> Patrick Wintour, "Greece expels Libyan ambassador in row over maritime boundaries", *The Guardian*, 6 December 2019.

<sup>35</sup> "Londra'da gerçekleştirilen NATO Zirvesi'nden son dakika haberleri", *Sabah*, 4 December 2019.

<sup>36</sup> "It is necessary to understand from the principles of non-encroachment/cutting off in the continental shelf delimitation made on the basis of natural extension, regardless of whether it is near or far from the coast, is each country's being given its natural extension without cutting." Source: Yunus Emre Açıkgönlü, *Deniz Yetki Alanlarının Hakça İlkeler Çerçevesinde Sınırlandırılması*, Published Master Thesis, Ankara University, The Institute of Social Sciences, Ankara, 2012, p.126.

in question are wholly neglected.”<sup>37</sup> For this reason, the statement that Turkey’s actions were contrary to international law is not correct.

The areas of cooperation between Libya and Turkey are expected to increasingly continue along the issue of the Eastern Mediterranean. The Memorandum of Understanding on Security and Military Cooperation signed concurrently with the treaty on the delimitation of maritime jurisdiction has been approved by the Turkish Grand National Assembly. While broad cooperation in military field planning is done under the treaty, maritime jurisdiction areas that Turkey and Libya declared in the Eastern Mediterranean were made subject to the treaty. Accordingly, the two countries have plans to carry out: the security of maritime borders, operations against maritime piracy, exchange of information on maritime law, defense and security, exchange of knowledge and experience in the fields of scientific and technological research, information exchange and sharing the field of Maritime Situational Awareness,<sup>38</sup> and collaboration in cartography and hydrography fields.<sup>39</sup>

## **TURKEY’S RIGHTS ARISING FROM AUTHORITIES GIVEN BY THE TRNC IN THE EASTERN MEDITERRANEAN**

The TRNC’s steps to support the works that Turkey carried out in the Eastern Mediterranean on behalf of both itself and Turkish Cypriots, and to provide a legal ground for its actions, are very important. The Agreement made on September 21, 2001 between the Republic of Turkey and the TRNC aims at “fairly delimitation of the continental shelf

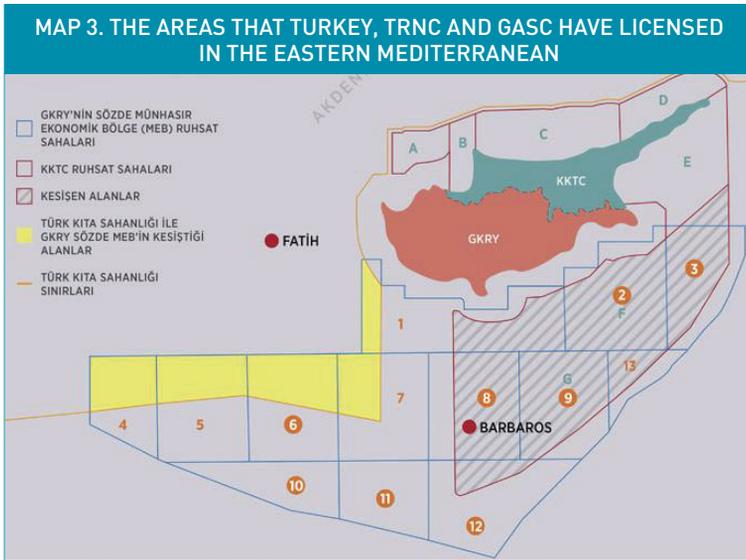
<sup>37</sup> Cihat Yaycı, “Doğu Akdeniz’de Yetki Alanlarının Paylaşılması Sorunu ve Türkiye”, *Bilge Strateji*, Volume:4, Issue:6, 2012, p.1-70.

<sup>38</sup> Situational Awareness is a real time state description of ally, enemy, and neutral elements in the armed forces’ interest and influence area together with the conditions of the environment, by benefiting from all the present opportunities, in a needed detail and level. Source: HAVELSAN.

<sup>39</sup> Resmi Gazete, “Türkiye Cumhuriyeti Hükümeti ile Libya Devleti Ulusal Mutabakat Hükümeti Arasında Güvenlik ve Askeri İş Birliği Mutabakat Muhtırası”, 26 December 2019.

between Turkey and TRNC in accordance with the related principles of the international law and at the same time recording that Turkish Cypriots reserve their legitimate, equal and inseparable rights on the entire continental shelf of the Island.” If the reserve(s) located on the continental shelf of both parties are discovered within the borders determined according to the Treaty, the parties will compromise. The issue of evaluating these reserves in the most efficient way will be decided after the negotiations to be made.<sup>40</sup>

Following the delimitation agreement signed in 2011, TPAO signed the “Oil Field Services and Production Sharing Agreement” with the TRNC Ministry of Economy and Energy. With the contract, TPAO has obtained a license to search and drill in a total of 9 different parcels, seven in the TRNC’s sea areas and two in its land areas (Map 3).



**Source:** Anadolu Agency (AA)

<sup>40</sup> B.02.0.KKG.0.10/101-402/3166 Sayılı Kanun, “Türkiye Cumhuriyeti ile Kuzey Kıbrıs Türk Cumhuriyeti Arasında Akdeniz’de Kıta Sahaneliği Sınırlandırılması Hakkında Anlaşma”.

With the license granted by the TRNC, the Yavuz Drillship started its drilling operations in July 2019 on the parcel E off the shore of Karpaz. No drilling operation has yet been carried out in parcels F and G, which coincide with the areas that the GASC unilaterally determined and allocated to various consortia. However, the Barbaros Hayrettin Pasha Seismic Research Vessel carried out search operations in the so-called block number 8, which remained within the G parcel for some time and was illegally licensed to the consortium of Italian ENI and French Total (Map 3).

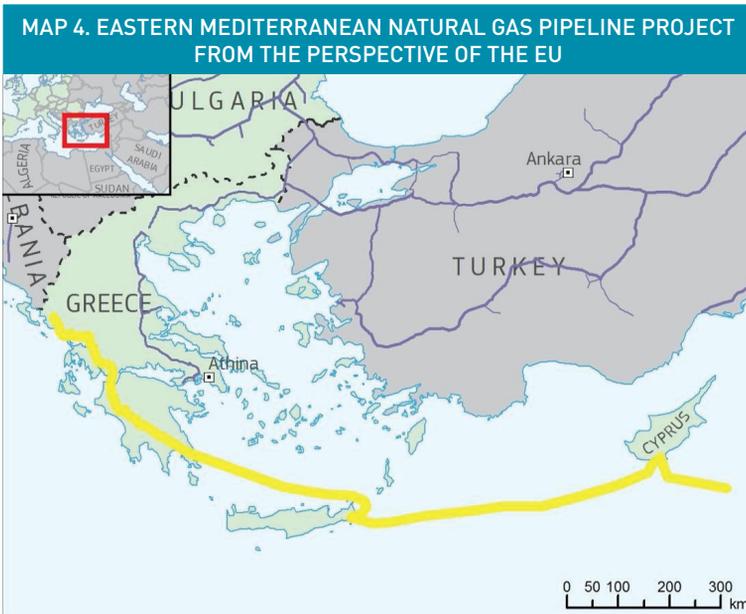
While the GASC's unilateral policy stance continues, the TRNC continues making ground in the field for Turkey. To support the activities Turkey carries out to defend both its own and the TRNC's rights, the TRNC Council of Ministers has made a decision towards the use of the Geçitkale Air Base by unmanned aerial vehicles (UAVs) and armed unmanned aerial vehicles (AUAVs) belonging to Turkey.<sup>41</sup> With this step, while Turkey's national oil company TPAO's hydrocarbon search and drilling operations on behalf of Turkey and the TRNC are planned to be sustained in a safer way, Ankara's military presence on the island and the region is fastened.

## **ACTIONS OF THE OTHER STATES IN THE REGION**

In January 2019, a cooperation formation was established led by states that have coasts in the Eastern Mediterranean and host hydrocarbon reserves discovered in the region. With the Eastern Mediterranean Gas Forum, established in Cairo with the participation of the energy ministers from Egypt, the GASC, Greece, Israel, Italy, Jordan, and Palestine, it is aimed to develop hydrocarbon reserves discovered in the region and transform the region into an energy center. The unspoken aim of the Forum that Turkey and the TRNC were not invited to is to operate the discovered reserves in

<sup>41</sup> "Türkiye KKTC'de İHA faaliyetleri yürütebilecek", Anadolu Agency, 13 December 2019.

the region and bypass the Turkish contingent. The most emphasized project of the Forum on the use of the mentioned hydrocarbon resources is the Eastern Mediterranean Natural Gas Pipeline, also called East-Med. East-Med is a natural gas pipeline project, which is planned to start at the Israeli coasts to the GASC and cross the Mediterranean into Greece. There are plans for the project to be financed through the European Bank for Reconstruction and Development (EBRD), with EU support on every platform serving as an indicator of intent (Map 4).<sup>42</sup>



**Source:** European Commission

The fact that natural gas prices were high in the markets when the project was first designed made East-Med financially difficult to realize. Although conditions have changed over time and reduced the

<sup>42</sup> Erdal Tanas Karagöl, Büşra Zeynep Özdemir, “Türkiye’nin Enerji Ticaret Merkezi Olmasında Doğu Akdeniz’in Rolü”, 27 September 2017, [https://setav.org/assets/uploads/2017/09/DOGU\\_AKDENIZ.pdf](https://setav.org/assets/uploads/2017/09/DOGU_AKDENIZ.pdf), A.D. 18 December 2019.

projected cost of the project from \$ 20 billion to \$ 6 billion,<sup>43</sup> the financial barriers to the implementation of East-Med continue. The European Investment Bank (EIB), an upper-institution affiliated with the EBRD, announced in November 2019 that it will stop providing finance for fossil fuels by 2022.<sup>44</sup> It appears impossible that this situation will not affect the East-Med project, which is planned to be realized with the financial support of the EU. Moreover, there are some legal obstacles in front of the project. According to Article 58 of the UNCLOS, all states, regardless of whether they are coastal, are obliged to regard the coastal state(s)' rights while benefiting from the "freedom of other lawful uses of the sea" within the declared EEZ. It is stated in the part of the Contract related to the continental shelf jurisdictions that the consent of the coastal state(s) should be obtained while other states use their pipeline and cable laying rights. Considering that the East-Med project is planned to be passed through Turkey's continental shelf, it is clear that Turkey's consent must be taken. State(s) and companies wishing to realize the project are obliged to seek the opinion of Turkey on the route the pipeline will follow. In contrast, Turkey's consent cannot be expected for the East-Med project that is incompatible with the good-neighborliness perspective and usurps Turkey's and the TRNC's rights by its nature.

The GASC's actions have also begun to cause discomfort for Israel, not only for the TRNC and Turkey. As it is known, the Greek Cypriot Administration declared its EEZ with bilateral agreements, acting as the sole owner of the island, divided the mentioned area into parcels and allocated them to the companies through tenders. In 2011, the American company Noble Energy discovered a 198 bcm natural gas reserve in the so-called 12<sup>th</sup> parcel named Aphrodite. Later, the Israeli

<sup>43</sup> NS Energy, "Eastern Mediterranean Pipeline Project", <https://www.nsenegybusiness.com/projects/eastern-mediterranean-pipeline-project/>, A.D. 10 January 2020.

<sup>44</sup> "European Investment Bank will stop funding fossil fuel projects by end of 2021", Euronews, 15 November 2019.

Delek Drilling company became a partner of the parcel. However, no attempt has been realized for the reserve to produce economic value. Approximately eight years after the discovery, in November 2019, the GASC signed a \$9.3 billion agreement with the consortium of Shell, Noble and Delek to develop the Aphrodite reserve. It was announced that the agreement,<sup>45</sup> which gave the consortium 25 years of operating rights, was not welcomed by Israel. Israeli officials claim right to the so-called 12<sup>th</sup> parcel and think that the Aphrodite reserve should be operated according to an agreement made between the two sides. On December 8, 2019, the Israeli Energy Minister announced that the consortium could not start operating without resolving the border dispute between Israel and the Greek Cypriot Administration and reaching an agreement on the reserve.<sup>46</sup> The fact that no concrete step has come from the GASC in response to this assertion makes the situation open to the interpretation that the Greek Cypriot Administration insists on its unilateral policies on the Aphrodite reserve.

## CONCLUSION

The Eastern Mediterranean has become a region that has attracted the attention not only of the coastal countries but also of many regional and global countries with its natural gas discoveries since the second half of the 2000s. Its close location to the Middle East, which is home to rich oil and natural gas reserves, strengthens the belief that there are reserves still waiting to be discovered in the Eastern Mediterranean. Surrounded by the sea on three sides, Turkey is the country with the longest coastline in the Eastern Mediterranean.

The coastal countries of Egypt, Israel and Lebanon, following initiatives of the EU-backed GASC, have divided the semi-closed sea area of the Eastern Mediterranean into maritime jurisdiction zones, allocated it and parcelled it off, without taking the opinion of the

<sup>45</sup> "Cyprus signs deal for offshore gas concession", Reuters, 7 November 2019.

<sup>46</sup> "Israel blocking Aphrodite gas field development", *Globes*, 8 December 2019.

other countries in the region. This has caused problems, not only for Turkey, but also between Israel and Lebanon, Palestine and Israel and between Libya and Greece. Contrary to what is said, the aim of the GASC, Egypt and Israel is not only to increase energy security and to make the region an energy trade center, but also to create a different equation for the benefit of only a few states with the support of the USA and EU. In particular, the GASC and Greece use UN Conventions, which are among the main sources of international maritime law, to form a ground for their maximalist attitudes. The mentioned states, taking the US and the EU to their sides, describe the actions of Turkey, Cyprus and Libya as unlawful. However, international maritime law does not only consist of UN Conventions. In cases where the Conventions are insufficient, the decisions that ICJ tries to make in accordance with the equity principle, also have precedence in international law. Moreover, the reflection of some articles of the Conventions on customary law enables many states to benefit, whether they are parties to the agreements or not.

Turkey carries out its actions in the Eastern Mediterranean on behalf of both itself and the Turkish Cypriots within the frame of its continental shelf maritime jurisdiction area. While trying to protect its rights in the region with its activities in the field, it has not abstained from supporting this rightful struggle with law. Although there is no necessity for states to declare their continental shelf jurisdiction zones that are regarded as their natural extensions, Turkey has set the outer limits of its continental shelf jurisdiction zone in the Eastern Mediterranean and reported it to the UN more than once. It uses the right to “search and manage natural resources” it has acquired in line with its jurisdiction. In doing so, it also cares about bringing the resources discovered in the region into the economy at the most affordable cost possible, as well as making use of the opportunity to diversify suppliers in order to improve its highly dependent situation on energy.

Turkey argues that it is necessary to consult with all states that have Eastern Mediterranean coastlines for the transportation of the resources discovered in this region of many controversies to the markets where they are needed. Believing that energy should be used as a means of peace rather than a conflict factor, Ankara emphasizes the importance of cooperation and good-neighborliness at every opportunity. All the coastal states coming together and taking into account the rights and interests of all peoples while trying to find a solution can turn the Eastern Mediterranean from a conflict area into a collaboration environment. It is stated in international maritime law as well that the coastal states should cooperate in accordance with the principle of goodwill in regions where this is conflict, such as semi-closed sea areas like the Eastern Mediterranean.

Believing that keeping the dialogue channels open is to the benefit of all sides, Turkey, with its accomplished energy projects and natural gas infrastructure, is a candidate to play a role in delivering the resources discovered in the region to alternative markets such as the EU countries with relatively lower prices. While it can only meet its demand for fossil fuels at the moment, reaching a position able to transmit the resources to other countries with the international projects it has actualized, makes Turkey a major player in terms of energy dynamics in the region.

# **THE CONCEPT OF THE CONTINENTAL SHELF, ITS DELIMITATION AND THE DISPUTE OVER THE MARITIME ZONES IN THE EASTERN MEDITERRANEAN SEA**

YÜCEL ACER\*

Except for both the “high seas” that are not under the sovereignty of any state and the “international seabed” that fall under these high seas, all the areas of the sea have become zones where coastal states have full or limited sovereign rights as a result of legal developments over the years. Eventually, the seas that cover approximately 72 percent of the world’s surface are roughly divided into two main areas. The first of these is “areas of sovereignty and areas where sovereign powers are used” starting from the shores of the coastal states and extending to a certain distance. The second is “common areas” or “high seas and international seabed” where, as a rule, no state can use sovereign powers. The areas in the first group are divided into two areas, namely “sea areas under the full sovereignty of the states” and “sea areas where the states exercise exclusive sovereign rights”.

Marine areas under the full sovereignty of the states constitute a part of the state’s territory, just like the parts of the land territory under their rule. All sea areas are measured from the country’s coast line or the “straight baselines” drawn by joining the endpoints that extend seaward where these coasts are indented. The fully dominated sea areas

\* Prof. Dr., Ankara Yıldırım Beyazıt University

are “territorial waters” created by measuring from the shore or straight baseline and “archipelagic waters” that the archipelago states can declare. In addition, “strait waters” which remain fully in the territory of the coastal state and “internal waters” that are situated landward territory when the straight baseline is formed, such as a gulf or bay, are also the sea areas where the coastal state has full sovereignty.

The maritime areas in the second group, where states exercise exclusive rights, are areas where states do not have full sovereignty, but in some cases, they exercise sovereignty over individuals, things or events. These are “adjacent waters,” “fishery zones,” “continental shelves” and “exclusive economic zones,” which are again measured from the shoreline, or from the straight baseline if one is formed. Some of these maritime areas are quite extensive in size as compared to the areas mentioned above.

Marine areas between two or more countries may not always be large enough to provide ideal width for each country. In these cases, these areas between coastal countries should somehow be shared according to their legal status. Sometimes territorial waters must be shared in very narrow sea areas because the sea area in question may not be large enough to provide 12 nautical mile territories to each side. Maritime areas in many regions are not large enough to provide full-width continental shelves or exclusive economic zones (EEZs) between the respective coastal countries, and because of this, the sharing, namely delimitation, of the mentioned maritime areas between these states is necessary.

Because of the fact that the relevant sea area is not wide enough to give all parties the maximum width of the maritime zone permitted by international law, the presence of coastal landforms, islands or islets in the region and some other similar reasons, the demands of the countries regarding the maritime zones may conflict. In some cases, the existence of historical rights or relevant claims may also raise conflicting demands. In these cases, a resolution may be nec-

essary for the separation of the sea areas of the respective countries from each other.

The problems regarding the maritime areas in the Eastern Mediterranean are mainly related to the delimitation of the continental shelves and EEZs. In this study, after briefly discussing the legal status of the continental shelf, the current legal principles on the delimitation of the continental shelf between two or more states will be summarized, and the opinions and their relevant legal reasoning will be analyzed.

## **THE CONCEPT OF THE CONTINENTAL SHELF AND ITS DELIMITATION**

### **THE DEVELOPMENT OF THE CONTINENTAL SHELF CONCEPT**

Since the 1940s, when technological developments made it possible to detect the existence of fossil fuels such as oil and natural gas in the deep-sea areas far from the shore, some states have sought to establish appropriate legal grounds to make exclusive use of these resources. The country that took the first step in this direction was the United States (U.S.). With the “Presidential Proclamation” signed by American President Harry S. Truman on September 28, 1945, it was declared that the world needs new oil and mineral resources. Further, in the opinion of relevant experts, as such resources are widely available across America’s continental shelf, it was reasonable and justified that if these regions are technologically operable, the coastal country could exercise jurisdiction over the natural resources found at the seabed and the bottom of the continental shelf. Coastal states could also take measures to use and protect these resources. It was expressed that if the continental shelf is a submarine extension of the coastal state’s land, then the resources found there are also an extension of the country’s land resources. Moreover, these areas could be protected more effectively from the shore.

For these reasons, the Declaration announced the rule that "...the government of the United States regards the natural resources of the subsoil and sea bed of the continental shelf beneath the high seas but contiguous to the coasts of the United States, subject to jurisdiction and control."<sup>1</sup> In the following years, many states published such statements and contributed to the strengthening of this Proclamation in international law.<sup>2</sup>

As can be seen, the continental shelf is essentially a geological concept. In geology, the continental shelf is the name given to the natural extension of a land under the sea. The fact that this concept became a concept of international maritime law began with the announcement made by U.S. President Truman in 1945 (summarized above) and rapidly developed with the practice among the states, triggered a set of discussion in the United Nations First Conference on the Law of the Sea and became the subject of regulation with the 1958 Geneva Convention on the Continental Shelf. It was made subject to a more comprehensive regulation in the 4th Section of the 1982 UN Convention on the Law of the Sea (UNCLOS), signed as a result of the Third Conference on the Law of the Sea that lasted approximately nine years.<sup>3</sup>

The concept of the continental shelf had emerged before the 1958 Geneva Convention on the Continental Shelf, but its width and legal status had not been settled ultimately. The Geneva Convention on the Continental Shelf has made the concept of the continental shelf the subject of regulation in both respects and has brought two criteria regarding the width of the continental shelf. According to the first criterion, the continental shelf extends to the point where the depth between

<sup>1</sup> Presidential Proclamation No. 2667, September 28, 1945.

<sup>2</sup> These countries are Latin American countries such as Argentina, Chile, Peru and Mexico, and some Arabian Gulf countries. See: Theodore Alvarado Garaioca, *The Continental Shelf and the Extension of the Territorial Sea*, 10 U. Miami L. Rev. 490, 1956, p. 490.

<sup>3</sup> For the concept of the continental shelf see: R. R. Churchill and A. Lowe, *The Law of the Sea*, Third Edition, Manchester: Manchester University Press, 1999, p. 120-130.

the surface and bottom of the sea is 200 meters. According to this depth criterion, the continental shelf was not measured from the baseline; it had been accepted to stretch beyond the territorial waters until the point that the depth reaches 200 meters. According to the second criterion, if the coastal state is able to exploit the natural resources in its areas after the point where the depth is 200 meters, it may extend to the depth that it can exploit. This measure of exploitability meant that the continental shelf could also extend beyond a depth of 200 meters and was rather vague in terms of clarifying the border.

As technological developments have demonstrated the drawbacks of the exploitability criterion, the UNCLOS has consequently brought a relatively predictable measure regarding the width of the continental shelf. According to the Convention, the width of the continental shelf extends along the natural extension to the extreme point of the “continental margin.” The problem with this criterion is that the natural extension of each coastal country is not uniform in extent. For this reason, the Convention introduced a fixed distance criterion as a second one. According to this second criterion, the continental shelf goes up to 200 nautical miles from the baseline. However, the width of the continental shelf of a coastal state will not exceed 350 nautical miles in any way.<sup>4</sup> Thus, according to the existing rule, which can be considered a rule that became customary law, a coastal country has a continental shelf extending up to 200 miles away from the baseline if the sea area around it is appropriate.

According to the relevant rules of international maritime law, a coastal state has a continental shelf even without declaring one.<sup>5</sup> When the internal waters and territorial waters of the coastal state are subtracted from this area, the remaining area up to 200 miles away is the continental shelf of that country.

<sup>4</sup> UNCLOS, Article 76 (6).

<sup>5</sup> Malcolm N. Shaw, *Uluslararası Hukuk*, TÜBA Publications, Ankara, 8. Edition, 2018, p. 416.

The legal status of the continental shelf was also regulated in the 1958 Geneva Convention on the Continental Shelf and in the UNCLOS. According to the Convention, the legal status of the continental shelf is not a maritime zone under the sovereignty of the coastal state, but rather an area where the state has exclusive sovereign rights over natural resources. This status has been preserved in the 1982 Law of the Sea Convention.

When the legal status of the continental shelf is looked at in more detail, it is seen that the coastal state has exclusive powers over natural resource exploration and the related operations in this continental shelf, which covers the seafloor and its underneath. These resources are mineral (non-living) resources on the seabed or under the seabed and living resources that are in constant contact with the seafloor.<sup>6</sup> In order to exercise these rights, the coastal states have been given the necessary authorities. The first is the right to establish a facility or platform necessary for natural resource exploration and exploitation and to declare a 500-meter security area around them. However, as a general limitation to this authority, the coastal state should use these activities in a way that does not prevent the rights of other states, especially the right to freedom of navigation.<sup>7</sup>

Many rights of other states continue in this field, other than the rights related to the natural resource exploration and exploitation. Outstanding of these powers is the right to lay communication cables and oil or gas pipeline over a state's continental shelf.<sup>8</sup> Since the legal status of the continental shelf does not affect the status of the water laying over this area, the rights of other states regarding navigation and other issues in this area continue to exist.

<sup>6</sup> UNCLOS, Article 77.

<sup>7</sup> UNCLOS, Article 78.

<sup>8</sup> UNCLOS, Article 79.

## LAW OF CONTINENTAL SHELF DELIMITATION

Maritime areas under the full sovereignty of the coastal state, such as territorial waters, or sea areas where sovereign rights are used such as the continental shelf and the EEZ, should be delimited, between two or more states. In cases where the areas claimed by the relevant parties overlap partially or entirely, the delimitation line should be established. This overlap can result from the following factors: the sea area is not wide enough to give all parties the maximum width of the maritime zone permitted by international law; coastal shapes, coastal lengths, and their relative locations; the presence of islets, rocks or islands in the area; historical claims; or the locations of natural resources.

In fact, the international law rules for the delimitation of maritime areas were first taken up by the International Law Commission in the 1950s. In the following years international conventions have started to emerge also to provide relevant delimitation rules. These rules have further been elaborated in application by international courts, and especially the International Court of Justice since the 1960s. Consequently, these rules have developed as part of customary law. The 1982 Law of the Sea Convention has come up with a written version of this customary rule. Since the very early years of the development of these rules in 1950s, many delimitation disputes have been brought to international courts. The courts still make comments that further clarify and even develop the content of these rules in every single case.

Although the 1958 Geneva Convention on the Continental Shelf and the 1982 UNCLOS provide different rules in wording for the delimitation of the territorial waters on the one hand and continental shelf and EEZ on the other, there is an unequivocal consensus that they are the same in content. After about half a century of legal evolution, a general principle, which regulates the delimitation of maritime zones between two or more countries, has become a single one to be applied to all maritime delimitation issues including territorial waters, continental shelves, EEZs, and other marine areas.

## PRINCIPLE OF DELIMITATION

The International Court of Justice (ICJ) stated in the North Sea Delimitation Cases (the North Sea Cases) of 1969 that the principle of “equidistance” was not the rule to be applied in the delimitation of the continental shelf.<sup>9</sup> The suggestion that the principle of equidistance is not the main rule of delimitation has almost identically been repeated in the following judicial decisions. In *the UK-France Case*, the Court of Arbitration stated that there is no difference between the 6<sup>th</sup> article of the Geneva Convention on the Continental Shelf and the customary law in the sense that none of them requires the application of the principle of equidistance.<sup>10</sup> The following question is that what is the international law rule that should be applied to any continental shelf (or EEZ) delimitation between two or more states?

Today, both the rules of custom and the conventions envisage that the delimitation between two or more countries should be made in an “equitable manner” based on the equitable principles taking into account all relevant circumstances of the region.”<sup>11</sup> As explicitly approved in all relevant international judicial decisions, the reason why the equidistance line is mostly applied between the opposite shores is not because it is the general rule of delimitation but rather it is the equitable one in many cases.<sup>12</sup>

Relatively recently, the emphasis has been shifted towards the concept of “equitable result,” as has been pronounced clearly in articles 74 and 83 of the 1982 Law of the Sea Convention. The delimitation

<sup>9</sup> The Court emphasized that the International Law Commission did not consider the principle of equidistance as a rule that gained a customary value. North Sea Cases Judgement, par. 49-53.

<sup>10</sup> England-France Case Judgement, par. 70; Tunisia-Libya Case Judgement, par. 109. The mentioned article 6 gives priority to the equidistance method in the delimitation, but only if the “special circumstances” do not require any other delimitation, it envisages the application of the equidistance method.

<sup>11</sup> The ICJ, in North Sea Cases Judgement, used the statement that: “delimitation is to be affected by agreement in accordance with equitable principles, and taking account of all the relevant circumstances...” Par. 101(C).

<sup>12</sup> North Sea Cases Judgement, par. 57; par. 50, 51, 83.

must be done with a view to produce an equitable result by applying the equitable principles and taking into account of the geographical and other characteristics of the region.<sup>13</sup>

Consequently, the 1982 Law of the Sea Convention provides a rule by combining all these elements determinations to a single general provision. In a sense, the relevant articles of the Convention reflect the understandings in the international judicial decisions.

Eventually, articles 74 and 83 of the 1982 Law of the Sea Convention provide that: “The delimitation of the exclusive economic zone/continental shelf with the opposite or adjacent coasts shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.”

In accordance with this provision, delimitation, should be done by an “agreement.” Secondly, while the delimitation is done through an intergovernmental treaty or another solution method, the delimitation must result in “an equitable solution.” However, this general rule comes up with rather vague concept of “equitable solution,” which cannot be applied to concrete situations without any controversy. Overcoming controversies surely necessitates the clarification of the concept of equitable solution as well as the concept of “equitable principles” which are applied to reach an “equitable solution.” These concepts will be examined below by looking at basically the judicial decisions and state practice.

## THE PRINCIPLE OF THE SUPERIORITY OF THE GEOGRAPHY

The answer to the question of “what are the equitable principles in a delimitation appears to be” largely given in international judicial deci-

<sup>13</sup> *Maine Bay Case* Judgement, par. 112; *Libya-Malta Case* Judgement, par. 45; *England-France Case* Judgement, par. 83; *Tunisia-Libya Case* Judgement, par. 70; *Canada-France Case* Judgement, par. 70.

sions regarding the delimitation of maritime areas. It emerges from all relevant judicial decisions that in any delimitation process, there is a set of equitable principles, among which suitable principles should be selected and applied.<sup>14</sup>

The principle emphasized in judicial decisions is the superiority of the geography. In the North Sea Cases, the Court expressed this principle by stating that there is no question of reshaping the geography.<sup>15</sup> In the UK-France Case, this principle was expressed as: "...it is the geographical circumstances which primarily determine the appropriateness of the equidistance or any other method of delimitation in any given case..."<sup>16</sup> It was expressed in the Tunisia-Libya Case that, "the land dominates the sea,"<sup>17</sup> while the ICJ in the Libya-Malta Case stated that "...the coast of each of the Parties, which constitutes the starting line..."<sup>18</sup> In the cases where both the continental shelf and EEZ were delimited in a single case, the principle of the superiority of the geography was emphasized.<sup>19</sup>

What is actually following from this is that it is rather the mainland geography in the area which is meant to dominate. In this context, the most important elements are the general formation of the mainland coastline, i.e., indentations and ridges on the coast, and as well as the length of the mainland coastlines. These are the elements which determine the starting "basic" boundary line, subject to very little change afterwards.

In the second stage of the delimitation, the courts evaluate whether this initial boundary can be regarded as equitable when the other

<sup>14</sup> Libya-Malta Case Judgement, par. 46; Maine Bay Case Judgement, par. 88; Eritrea-Yemen Case Judgement, par. 103.

<sup>15</sup> North Sea Cases Judgement, par. 91.

<sup>16</sup> England-France Case Judgement, par. 96.

<sup>17</sup> Tunisia-Libya Case Judgement, par. 73.

<sup>18</sup> Libya-Malta Case Judgement, par. 47.

<sup>19</sup> Canada-France Case Judgement, par. 24; Jan Mayen Case Judgement, par. 51-53; Qatar-Bahrain Case Judgement, par. 185.

“related” geographical factors are taken into consideration. Islands come to the fore of these elements, and what impact should be given to the islands is evaluated at this stage. The characteristics of the islands, such as geographical balance between the mainland, size, location, and population, determine how much impact the islands are to be given.

#### PROBLEMS REGARDING THE CONSIDERATION OF OTHER FACTORS

Another requirement stipulated by the law of delimitation is that equity in delimitation cannot be ensured only by taking into account the geographical factors. Some other relevant elements should also be taken into consideration. International courts considered whether the solution reached on the basis of geographical factors could be regarded as equitable by taking into account the relevant non-geographical factors in the next stage of the delimitation.<sup>20</sup>

In 1969, the ICJ stated that there was no legal limit to the elements to be considered.<sup>21</sup> But in all subsequent judicial decisions, it was accepted that these elements should only “relate” to the concepts of the continental shelf and/or EEZ.<sup>22</sup> According to judicial decisions, the most important of these related elements are natural resources in the areas to be delimited. Since the concept of the continental shelf is to provide exclusive rights to the coastal state for the natural resources, this should not be surprising. It is definitely accepted in judicial decisions that discovered natural resources will be taken into consideration in the delimitation. These can be living species or mines and other

<sup>20</sup> Tunisia-Libya Case Judgements, par. 81; Guinea-Guinea Bissau Case Judgements, par. 112. For evaluations on this subject see: Jonathan I. Charney, “Progress in International Maritime Boundary Delimitation Law”, *American Journal of International Law*, Vol. 88, No. 2, 1994, p. 227-256, p. 245; Lawrence L. Herman, “The Court Giveth and the Court Taketh Away: An Analysis of the Tunisia-Libya Continental Shelf Case”, *International and Comparative Law Quarterly*, Vol. 33, No. 4, 1984, p. 825-858, p. 835.

<sup>21</sup> North Sea Cases Judgement, par. 93.

<sup>22</sup> Libya-Malta Case Judgement, par. 48.

mineral resources. A line of delimitation that allocates the natural resources available in the region in a clearly disproportionate manner cannot be regarded as an equitable boundary.<sup>23</sup>

Natural factors such as currents and wind energy are among these factors when EEZ delimitation is in question. Existing or potential boundaries in the region are also factors affecting the delimitation between the two states. The boundaries to be determined with third states in the region or the boundaries determined by the parties for sharing such as oil exploration areas are also taken into consideration.<sup>24</sup>

Another factor that can be effective over the boundary is the geological and geomorphological features of the seabed. Although the ICJ gave great importance to the concept of “natural prolongation” in the decision of the North Sea Cases,<sup>25</sup> it was accepted in subsequent cases that the effect of this factor would be relative rather than an absolute.<sup>26</sup> Especially in a situation where the continental shelf and EEZ areas are delimited together, geological elements that have some importance only for the continental shelf but have nothing to do with the concept of EEZ lose their effects almost entirely during the delimitation.<sup>27</sup> Moreover, as mentioned above, in the determination of the width of the continental shelf, within the first 200 miles, the effect of natural elements had also reduced effect..

It is also accepted that the maritime defense and security elements, due to their limited relevance to the concepts of continental shelf and EEZ, will not have a significant impact on the delimitation line, but

<sup>23</sup> Canada-France Case Judgement, par. 84; Eritrea-Yemen Case Judgement, par. 62, 63, 74.

<sup>24</sup> Tunisia-Libya Case Judgements, par. 96, 117.

<sup>25</sup> North Sea Cases Judgement, par. 101.

<sup>26</sup> Canada-France Case Judgement, par. 47; Tunisia-Libya Case Judgements, par. 98; Libya-Malta Case Judgement, par. 61.

<sup>27</sup> Canada-France Case Judgement, par. 47; Guinea-Guinea Bissau Case Decision, par. 116.

will be supporting or strengthening factors.<sup>28</sup> The Court stated in the Ukraine-Romania Case that the parties' security considerations could play a role in determining the final boundary.<sup>29</sup> Secondly, the Court stated that the provisional line it had set was fully respectful of the parties' legitimate security considerations. Thus, no change in the provisional line was required. On the other hand, relative economic development levels of the countries are not considered as a relevant factor, as such elements are variable over time and quite relative.<sup>30</sup>

#### PRINCIPLES OF "PROPORTIONALITY" AND "NON-ENCROACHMENT"

The principles that have been emphasized so far reveal that delimitation is done within a defined legal framework and that geographical elements mainly determine the boundary, as well as that other related factors have partial effects on this border in terms of establishing equity. It is also stated in judicial decisions how important it is to have a clear understanding of the geological concept of mainland geography. However, in this legal framework, it is not clear how geographical and other factors will have proportional (relative) effects in determining the boundary line also to what extent they will be effective without disrupting equity.

Some principles were introduced regarding these issues in judicial decisions. According to "the principle of proportionality," delimitation, as a result, must produce respective areas close to the ratio between the coastal lengths of the two states. Therefore, proportionality functions as a final control principle that tests the equity of the de-

<sup>28</sup> North Sea Cases Judgement, par. 188 Libya-Malta Case Judgement, par. 51. Guinea-Guinea Bissau Case Decision, par. 124. England-France Case Judgement, par. 182, 188. For evaluations on this subject see: David A. Colson, "The United Kingdom-France Continental Shelf Arbitration", *American Journal of International Law*, Vol. 72, 1978, p. 95-112, p. 103.

<sup>29</sup> Libya-Malta Case Judgement, par. 51.

<sup>30</sup> Tunisia-Libya Case Judgements, par. 106; Libya-Malta Case Judgement, par. 50; Jan Mayen Case Judgements, par. 80.

limitation resulting in the above framework. In line with this principle, any factor will not have an impact that will significantly change the reflection of the ratio between the coastal lengths. Any delimitation method that leads to this cannot be considered as a method that provides equity.<sup>31</sup>

According to the principle of proportionality, delimitation does not however mean that the ratio between the coastal lengths of the two states and between the continental shelf and/or EEZ areas given to these countries should be the same. However, as the Court emphasized in the Ukraine-Romania Case, it is a criterion or factor to be considered if the proposed border creates a “disproportionality.”<sup>32</sup> Therefore, a “disproportionality” that may have emerged becomes the relevant factor or criterion in the delimitation process. This factor does not mean that the boundary is determined by the length of the coast. Instead, it does mean *ex post facto* controlling that the boundary does not cause disproportionality.<sup>33</sup>

The Court stated in the Ukraine-Romania Case that there were various debates regarding the calculation of the coasts. Will the real coastline or accepted baselines be followed? Will the coasts related to inland waters be taken into account? The Court stated that there were different conclusions that the international courts reached about how much difference is considered “significant” causing inequitable result, and therefore necessitates adjustment.

The Court noted in each case that this issue was up to the Court’s assessment. It also stated that it would make this assessment based on the general geography of the area.<sup>34</sup> For this case, the Court measured the coasts of the parties “according to their general direction.” It did

<sup>31</sup> England-France Case Judgement, par. 182.

<sup>32</sup> England-France Case Judgement, par. 101, 182. Proportionality has played a role in France-Spain (1974) and Netherlands (Antilles)-Venezuela (1978) treaties, which are examples of interstate practice.

<sup>33</sup> Guinea-Guinea Bissau Case Decision, par. 94-95.

<sup>34</sup> Ukraine-Romania Case Judgement, par. 106-115.

not measure according to the baselines proposed by the parties for the measurement. The coasts behind the bays and deep indentations were not taken into account. Measurements were made to determine approximate length numbers, not to find the exact figure, since the aim was to prevent a “marked disproportionality.”

Another similar principle is that of “non-encroachment.” It is recognized that, with the adoption of the distance element, especially in the determination of the width of the continental shelf, the boundary line should ensure that the areas closer to its shores are left to each country. In other words, a delimitation method that resulted in giving the maritime area near one country to another country was against equity.<sup>35</sup>

It should be noted, however, that the principles of proportionality and non-encroachment are not strictly followed. For, if the boundary line were to be a line that only reflects the mainland coastal lengths, other related factors would not have been taken into account, and equity would not have been achieved. For these reasons, it is necessary to consider these principles as general principles that determine the extent to which the effect will be given to a certain factor including the islands.

## **CONTINENTAL SHELF DELIMITATION IN THE EASTERN MEDITERRANEAN**

### **THE ESSENCE OF THE DISPUTE**

The Eastern Mediterranean Basin is separated from the Western Mediterranean Basin by the line drawn between Cape Bon in Tunisia and Cape Lilibeo at the western end of Italy’s island of Sicily.<sup>36</sup> The delimitation of maritime areas seems to have started as a problem in the

<sup>35</sup> Maine Bay Case Judgement, par. 92, 98; Canada-France Case Judgement, par. 70.

<sup>36</sup> *International Hydrographic Organizations, Names and Limits of Oceans and Seas*, Special Publication No. 23, 4<sup>th</sup> edition, June 2002, p. 3-14. See also: Sertaç Hami Başeren, *Doğu Akdeniz Deniz Yetki Alanları Uyuşmazlığı*, TÜDAV Publications, İstanbul, 2010, p. 2.

Eastern Mediterranean when a treaty was signed between the Greek Administration of Southern Cyprus (GASC) and Egypt on February 17, 2003 on the delimitation of EEZs. Turkey made an immediate formal objection to the boundary that the treaty established.<sup>37</sup> Turkey's official objection seems to have been based on the argument that the treaty infringed on its possible continental shelf areas as well as on the argument that the GASC acted illegitimately ignoring Turkish Republic of Northern Cyprus (TRNC).<sup>38</sup>

Despite this objection, the GASC signed a similar treaty with Lebanon on January 17, 2007, which is not yet ratified by Lebanon, and therefore not in effect. Later on, on December 17, 2010, the GASC and Israel signed a delimitation treaty and determined their EEZ boundary in the south of the island of Cyprus.

The TRNC has also officially objected to the GASC-Israel treaty on the grounds that the GASC is not the legal representative of the whole island and that it has transgressed into the continental shelf zones of the TRNC.<sup>39</sup> Lebanon also opposes the GASC-Israel Treaty on the grounds that its own area is transgressed in the adjacent boundary area to be determined with Israel.<sup>40</sup>

<sup>37</sup> Before the GASC-Egypt Treaty, GASC's attempts in this direction caused some frictions, but no concrete step had emerged. Başeren, *Doğu Akdeniz Deniz Yetki Alanları Uyuşmazlığı*, p. 36.

<sup>38</sup> See Turkey's note dated 2 March 2004 and numbered 2004 Turkuno dt/4739: Information note by Turkey, concerning its objection to the Agreement between the Republic of Cyprus and the Arab Republic of Egypt on the Delineation of the Exclusive Economic Zone, 17 February 2003, of date 2 March 2004 and number 2004/Turkuno DT/4739. For the text see: Law of the Sea Bulletin, Vol. 54, 2004, p. 127.

<sup>39</sup> Upon the signing of the GASC-Egypt EEZ delimitation agreement dated February 17, 2003, TRNC Foreign Minister Tahsin Ertuğruloğlu officially declared that on February 24, 2003, he did not recognize the treaty signed by meeting with Egypt's Ambassador to Nicosia, Ömer Metveli in his office. TRNC President Talat also said in a statement that "the oil around Cyprus should be used jointly, otherwise hot conditions will occur." President Talat notified his warnings in this regard to the Lebanese and Egyptian governments in writing. The TRNC also challenged the GASC-Lebanon EEZ Delimitation Treaty dated January 17, 2007. Başeren, *Doğu Akdeniz Deniz Yetki Alanları Uyuşmazlığı*, p. 37.

<sup>40</sup> See: Mahmut Geldi, "Lübnan ile İsrail'in Deniz Sınırı Anlaşmazlığı Yine Gündemde", *Anadolu Agency*, 11 December 2019.

After these delimitation treaties, Turkey has also taken a concrete step. In this context, on September 21, 2011, a continental shelf delimitation treaty was signed between Turkey and the TRNC, defining the continental shelf boundary between the two sides to the north of the island of Cyprus. This treaty and the resulting licenses granted to the Turkish Petroleum Corporation (TPAO) have been objected to by the GASC.

As a similar step, Turkey signed the “Memorandum of Understanding on the Delimitation of Maritime Jurisdictions in the Mediterranean Sea” on November 27, 2019 with the Libyan Government of National Accord. As a result of negotiations between the Turkish President Recep Tayyip Erdogan and the Chairman of the Presidential Council of Libya, Fayeze al-Serraj, the Memorandum was signed by the foreign ministers of both countries which established a maritime boundaries between the two countries in the Mediterranean. The Memorandum ratified by Turkey and published in Turkey’s Official Gazette. It therefore came into effect on December 7, 2019 for Turkey.

The Memorandum stated that “the boundaries of the continental shelf and the exclusive economic zone in the Mediterranean” are shown with their coordinates on a map attached to the text of the Memorandum.<sup>41</sup> A boundary of approximately 30 km in length as shown on the attached map, has therefore been established. Moreover, the relevant shorelines on both sides were also shown on the map. These were taken as the basis for determining the location of the boundary, which the Memorandum called “the median line.”

Upon hearing that the Memorandum had been signed, harsh reactions came from the Greek government. A statement issued by the Greek Foreign Ministry claimed that Libya and Turkey are not neighbors in the sea and they ignored the presence of the island of Crete,

<sup>41</sup> Although Turkey has not declared EEZ in the eastern Mediterranean, the mention of EEZ in this Memorandum is common in other state practices too. Some countries have determined the boundary to be applied when declared, by making treaties establishing the EEZ boundary without declaring EEZ.

and for these reasons, the Memorandum is against the International Maritime Law.<sup>42</sup> Greece, which has filed an official objection with the UN,<sup>43</sup> has declared the Libyan Ambassador as *persona non grata*.<sup>44</sup> By mobilizing the European Union (EU), Greece also tried to put pressure on Libya to get the treaty abolished.<sup>45</sup>

The Egyptian Government, on the other hand, declared that it sees the treaty as illegal and void, and claimed that the Memorandum could not affect the rights of other states.<sup>46</sup> Greek and Egyptian foreign ministers announced at their meeting in Egypt on the 1<sup>st</sup> of December that the two countries have decided to accelerate the EEZ delimitation process.<sup>47</sup> This situation brings up the possibility of a delimitation agreement between Greece and Egypt. As seen, the determination of the maritime boundaries constitutes the basis of maritime disputes in the Eastern Mediterranean. The states in the region that are affected by the actual and possible maritime delimitation include: Turkey, the TRNC, Egypt, Israel, Palestine, Lebanon, Syria, and the GASC. In addition, due to some of Greece's islands in the Aegean Sea, especially Crete and Kastellorizo, and due to some coasts of the Libyan mainland approaching the Eastern Mediterranean, Greece and Libya are also involved.

<sup>42</sup> "Greek Foreign Ministry circles by stating that according to International Maritime Law Turkey does not have a border with Libya, argues that such an agreement is invalid for this reason. Athens also claims that Ankara has violated the continental shelf in the south of Crete Island with such initiatives." See: "Atina: Türkiye-Libya Mutabakatı Uluslararası Hukuka Aykırı", *Deutsche Welle Türkçe*, 28 November 2019.

<sup>43</sup> "Yunanistan'dan BM'ye Türkiye-Libya Anlaşması İtirazı", *NTV*, 10 December 2019.

<sup>44</sup> In a statement from the Greek Foreign Ministry, Ambassador Muhammed Yunus Menfi was given 72 hours to leave the country. Mustafa Bağ, "Yunanistan Türkiye ile Anlaşma Nedeniyle Libya'nın Atina Büyükelçisini Sınır Dışı Kararı Aldı", *Euronews*, 6 December 2019.

<sup>45</sup> EU Foreign Affairs and Security Policy High Representative Josep Borrell in a written statement from his office it is stated that the EU continues to be in full solidarity with Cyprus within the framework of activities of Turkey in the Eastern Mediterranean and the Aegean Sea. "AB'den Türkiye'ye: Libya ile Yapılan Anlaşma Metni Geciktirilmeden Bize Ulaştırılmali", *Euronews*, 5 December 2019.

<sup>46</sup> "Türkiye-Libya Antlaşması Neyi İçeriyor? Doğu Akdeniz'de Yeni Bir Krize Neden Olabilir mi?", *Euronews*, 6 December 2019.

<sup>47</sup> "Türkiye-Libya Antlaşması Neyi İçeriyor?", *Euronews*.

Six countries, including the GASC, Israel, Lebanon, Syria, Libya, and Egypt have declared EEZ.<sup>48</sup> Since there is no need for declaration, other states, including Turkey, have continental shelf areas in the Eastern Mediterranean. Some states have gone on to sign an EEZ delimitation agreement without declaring an EEZ.<sup>49</sup> EEZ is part of the Memorandum that Turkey signed with Libya on November 17, 2019. Therefore, it can be said that Turkey applies an EEZ in the Eastern Mediterranean, at least from Libya's perspective.

## THE PROBLEMS ORIGINATING FROM DELIMITATION

The maritime delimitation agreements also create a ground for the parties to have some other problems in the Eastern Mediterranean. In spite of disagreements, the fact that some states carry out activities as if they had undisputed legal ground causes many more problems. The GASC granted natural resource exploration and operation licenses over these disputed boundaries causing new problems and tensions to arise and eventually leading Turkey in particular to take similar steps. After the treaty signed with Egypt on January 26, 2007, the GASC announced 13 parcels in the region for exploring natural resources and began drilling in the 12<sup>th</sup> parcel on September 11, 2011. In addition, the GASC made a call for license applications in some other areas on February 11, 2012.<sup>50</sup> Turkey has launched objections to the GASC's exploration and drilling licenses in these areas. Despite these objections, drilling activities were initiated by the GASC on September 19, 2011. On September 19, 2011, the GASC started to work with the Noble Energy.<sup>51</sup>

<sup>48</sup> "Maritime Space: Maritime Zones and Maritime Delimitation", *DOALOS*, 13 December 2019.

<sup>49</sup> GASC declared EEZ approximately one year after the signature of the EEZ delimitation agreement with Egypt.

<sup>50</sup> "Kıbrıs Rum Kesimine Protesto", *Anadolu Agency*, 15 February 2012

<sup>51</sup> "Turkish Oil Exploration Ship Sets Out to Contest Cyprus Drill Rights", *CyprusMail*, 24 September 2011; Yöney Yüce, "Exclusive Area of Conflict", *Bianet English*, 20 September 2011.

Turkey keeps naval forces in the regions in question and effectively impedes natural resource exploration initiatives in order to actively protect its rights. Following the signing of the delimitation agreement between Turkey and the TRNC on September 21, 2011, Turkey began drilling operations via exploration licenses given to the TPAO in these regions. The TRNC issued a natural resource exploration and operation license to the TPAO in the 7<sup>th</sup> block of the outlined parcels on September 22, 2011, with a formal agreement signed between the two parties on November 2, 2011.<sup>52</sup> Some of the licensed areas are located in the south of the Island and coincide with areas that were claimed by the GASC. The GASC has expressed objections, claiming that the TRNC is not authorized to conclude this treaty nor to grant a license. The EU has also protested Turkey's mentioned measures and activities in the region. The EU Foreign Affairs Council held on November 11, 2019, took a decision to impose a series of sanctions on Turkey.

## ARGUMENTS AND JUSTIFICATIONS OF EACH SIDE

In order to understand the essence of the issue properly, we must first summarize the arguments and justifications of Turkey and other related states.

### TURKEY'S ARGUMENTS AND JUSTIFICATIONS

Turkey was not a party neither to the 1958 Geneva Convention on the Continental Shelf nor to the 1982 Convention on Law of the Sea. It is therefore not bound by an international conventional rule regarding the delimitation of the maritime areas. Seems to be based on the customary rule, Turkey has always taken the position that delimitation should involve finding a solution on the basis of the equitable principles by taking into account the relevant circumstances of the region. This

<sup>52</sup> The treaty was approved and published by the TRNC Council of Ministers on 23 November 2011.

approach is clearly demonstrated the Act No. 2674 of May 20, 1982<sup>53</sup> on the Territorial Sea of the Republic of Turkey, which provides: “The delimitation of the territorial sea between Turkey and other opposite or adjacent States shall be effected by agreement. The said agreement shall be concluded on the basis of the equitable principles and taking into account all special circumstances of the region.”<sup>54</sup> Moreover, Turkey’s position regarding the continental shelf delimitation issue with Greece in the Aegean Sea seems to be consistent.<sup>55</sup>

In the delimitation problem occurring in the Eastern Mediterranean, Turkey is accepted to suggest a boundary that can be claimed as equitable and to justify itself in this way. The first document where Turkey officially expressed its views on the delimitation in the Eastern Mediterranean is a note sent to the UN on March 2, 2004 about its objection to the GASC-Egypt Treaty of February 17, 2003. The first view that emerges from this note is that that all the maritime zones in the west end of the island of Cyprus are disputed area where Turkey’s possible rights may exist, and for this reason, delimitations cannot be made only with two sides. On the ground of what is expressed in this note, Turkey sees the remaining maritime areas in the west of the Island (west of the meridian at 32° 16’, 18”) as its continental shelf zones.

One of the key issues Turkey emphasizes in delimitation of the Eastern Mediterranean is that since the region is a semi-enclosed sea, the delimitation here can only be made with meetings among all interested states and by paying regard to all parties’ rights and interests.<sup>56</sup> Turkey

<sup>53</sup> Resmi Gazete, 29.5.1982, Issue: 17708.

<sup>54</sup> Article 2.

<sup>55</sup> Yücel Acer, *Aegean Maritime Disputes and International Law*, Ashgate, 2000.

<sup>56</sup> “the delineation of the continental shelf, as well as the EEZ in a semi-enclosed sea like the Eastern Mediterranean could only be possible through arrangements to be made among all the countries concerned and by observing the rights and interests of all the parties.” Turkish Ministry of Foreign Affairs announced that ‘Regarding the Efforts of the Greek Cypriot Administration of Southern Cyprus to Sign Bilateral Agreements Concerning Maritime Jurisdiction Areas with the Countries in the Eastern Mediterranean.’ Press Release, 30 January 2007. Also, for Turkey’s letter to the UN Secretary General dated 4 October 2005 see: Başeren, *Doğu Akdeniz Deniz Yetki Alanları Uyuşmazlığı*, p. 29.

stated that as required by the established rules of international law, Egypt and the GASC must have conducted the delimitation in a semi-enclosed sea area taking the consent of all the relevant parties. Since this was not the case, they should not be able to perform any activities including oil exploration on their own in the continental shelf zones based on the delimitation agreement they made. This point was also emphasized in the statements made after the Delimitation Memorandum between Turkey and Libya.<sup>57</sup> Turkey emphasizes that the exploration licenses of the GASC are not legal and that it is committed to protecting its rights.<sup>58</sup>

Turkey's opinion that the delimitation should create an equitable result and the difference between coast lengths is accordingly the most important factor has become more concrete with the Delimitation Memorandum signed between Turkey and Libya on November 27, 2019. In the introduction part of the Memorandum, the expressions "taking into account all relevant circumstances" and "having decided to determine a precise and equitable delimitation" seem to be drafted carefully. These statements show that the legal approach expressed by Turkey from the beginning, was also repeated in the Memorandum.<sup>59</sup> As the Memorandum does not give effect to the Greek islands in the south and southeast-

<sup>57</sup> Ministry of Foreign Affairs Hami Aksoy stated that "Turkey called the parties to negotiate within the frame of equity before signing this agreement and still is ready to negotiate but instead of beginning negotiations in the face of Turkey's approach based on international law and justice, the option of only unilaterally taking steps to accuse Turkey has been followed." "AB'den Türkiye'ye: Libya ile Yapılan Anlaşma Metni Geciktirilmeden Bize Ulaştırılmı", *Euronews*.

<sup>58</sup> Turkey's letters sent to the UN Secretary-General dated July 23, 2007 and 8 August, 2007

<sup>59</sup> Responding to question about the explanations of Greece and Egypt towards Turkey-Libya agreement's being illegal, Ministry of Foreign Affairs spokesman Hami Aksoy said "This is an agreement signed in special accordance with court decisions that make up the precedents of international law, including the relevant articles of United Nations Conventions on the Law of the Sea." Aksoy stated that all parties were actually aware that, "Turkey's coastal projection will not be cut with the islands, the islands in the opposite side of the median line between the two mainlands will not create maritime jurisdiction areas outside the territorial waters, and coastal lengths and directions are taken into account when calculating the maritime jurisdiction areas." "Türkiye'nin Hamlesi Yunanistan'ı Şaşkına Çevirdi! Şah ve Mat", *CNN Türk*, 2 December 2019.

ern part of the Aegean Sea, as well as the island of Kastellorizo, any affect to these islands seems to be considered as to be inequitable by both sides on the basis of the delimitation principles which are depended by Turkey in general such as prioritizing the mainland geography dominating the delimitation line especially in terms of respective costal lengths.

It seems that Turkey depends on the principle of superiority of geographical elements that basically favors the mainland rather than islands.<sup>60</sup> Being the country with the longest mainland coast in the Eastern Mediterranean, Turkey argues that its coastal projection cannot be cut by the islands. Therefore, the islands in the “wrong” side of the median line cannot create maritime jurisdictions beyond their territorial waters and <sup>61</sup> should not have a continental shelf area in the delimitation of the Eastern Mediterranean.<sup>62</sup>

For a long time, there had not been an officially published map by Turkey indicating the exact routes of the maritime boundaries that Turkey would like to establish with the GASC, Egypt and Greece in west of the island of Cyprus. However, Turkey’s preferred boundaries are clear from the areas where petroleum licenses were issued to the TPAO on July 2, 1974, and as well as from the areas where *Northern Access’s* exploration activities were carried out (33°, 40’ North) but protested by Turkey. Moreover, quite recently Tur-

<sup>60</sup> Turkey has clearly stated this approach, in a letter dated March 15, 2019 sent to the UN and summarizing the approach of Turkey to maritime jurisdiction areas in the Eastern Mediterranean.

<sup>61</sup> Tuğrul Çam, “Dışişleri Bakanlığı Türkiye’nin Doğu Akdeniz’deki Kıta Sahaneliği ve MEB Sınırlarını Paylaştı”, *Anadolu Agency*, 2 December 2019.

<sup>62</sup> Deputy General Director of Bilateral Political Affairs and Maritime-Aviation Border, Çağatay Erciyes: “The rule set by international law in the delimitation of the continental shelf and the exclusive economic zone is the delimitation being equitable. This agreement is made within the framework of the principle of equity, because in international law, Greek Cypriots and Greek islands do not have the right to automatically create a continental shelf and exclusive economic zone. In the delimitation, the private locations of the islands are looked at, the coastal lengths are examined, the geography they are located in is noted, and the islands are not given any maritime jurisdiction in international court decisions or bilateral agreements. Turkey made this agreement with Libya by acting with equity principles.” “Doğu Akdeniz: Türkiye-Libya Anlaşması Bölge Dengeleri Nasıl Etkiler?” *BBC Türkçe*, 10 December 2019.

key officially issued a map showing the course of boundary it regards equitable in the west of the island of Cyprus. Part of the map was officially located in the text of the Turkey-Libya Memorandum of Understanding.

Another important element of Turkey's arguments, as clearly highlighted in its notes on the subject, is that it does not consider the acts of the GASC to make delimitation treaties on behalf of the whole island. In its objection to signing of the Delimitation Treaty between the GASC and Lebanon on January 17, 2007, it is stated that the agreement did not take into account of the legitimate rights and interests of both Turkey and TRNC in the maritime areas around Cyprus and the GASC did not have the authority to represent the whole island as a whole.<sup>63</sup> There are many statements to this effect made by both Turkey<sup>64</sup> and the TRNC.<sup>65</sup> In one of such statements, Turkey argues, for example, that the Turkish Cypriots, as the "founding nation," have a right to benefit from the island's natural resources equally.

## OPINIONS AND JUSTIFICATIONS OF THE GREEK ADMINISTRATION OF SOUTHERN CYPRUS

Following the laws that came into force after being published in its Official Gazette on April 5, 2004, the GASC declared a 24-miles-wide

<sup>63</sup> "As it has already been stated, the TRNC has also rights and authority over the maritime areas around the Island of Cyprus. Moreover, Greek Cypriots do not represent the Island as a whole. Consequently, neither the legislation adopted nor the bilateral agreements concluded by the Greek Cypriot Authorities have any effect." Ministry of Foreign Affairs, "Regarding the Efforts of the Greek Cypriot Administration of Southern Cyprus to Sign Bilateral Agreements Concerning Maritime Jurisdiction Areas with the Countries in the Eastern Mediterranean", Press Release, 30 January 2007. Moreover see: Başeren, *Doğu Akdeniz Deniz Yetki Alanları Uyuşmazlığı*, p. 25.

<sup>64</sup> "No: 181, 5 August 2011, Press Release Regarding the Greek Cypriot Administration's Gas Exploration Activities in the Eastern Mediterranean" *Rep. of Turkey Ministry of Foreign Affairs*, 5 August 2011.

<sup>65</sup> "Eroğlu: 'Türk Tarafı Eşdeğerde Adımları Atmaktan Çekinmeyecek'," *Kıbrıs Postası*, 5 September 2011.

contiguous zone<sup>66</sup> and 200-miles-wide EEZ.<sup>67</sup> According to the regulation when the coasts of the countries in the region are opposite, the boundary will be the median line until a delimitation agreement is reached with these countries.

In a general evaluation of the views of the GASC regarding the delimitation of maritime areas, it is possible to conclude that it basically depends on the relevant provisions of the UNCLOS. That is clear in the initial part of the EEZ treaty signed between the GASC and Egypt on February 17, 2003 which says that the relevant principles of the UNCLOS were taken into consideration. As far as the delimitation in the Eastern Mediterranean Sea is concerned, the GASC is the view that the equidistance line is the equitable one in the west of the Island of Cyprus, based on the provisions of the UNCLOS. Moreover, the equidistance line is considered equitable by the GASC in the south of the Island as shown in the 2007 agreements with Lebanon (not ratified) and in 2011 agreement with Israel.

The GASC also argues that the boundary with Turkey should be the median line. In its response to Turkey's objection to the agreement it made with Egypt, it was stated that the GASC and Egypt refrained from encroaching other relevant parties' maritime zones.<sup>68</sup> This statement, in fact, clearly demonstrates that the boundary with Turkey should also be the median line as the west end of the boundary drawn was extended up to a point which seems median..

Apart from these legal points in the arguments of the GASC, there some political arguments over the activities that turkey carries out in the disputed areas. GASC takes up many instances to make announcements accusing turkey as being an aggressive State violating the maritime zones of "the Republic of Cyprus" and some other states. In a letter to the

<sup>66</sup> "A Law to provide for the proclamation of the contiguous zone by the Republic of Cyprus", 2<sup>nd</sup> 11 April 2004, 16.0 1.2010; GASC Official Gazette.

<sup>67</sup> A Law to provide for the proclamation of the exclusive economic zone by the Republic of Cyprus", 21<sup>st</sup> April 2004, 16.01.2010; GASC Official Gazette.

<sup>68</sup> GASC's explanation dated 28 December 2004 to the UN.

UN General Assembly and the Security Council on February 2, 2007, it described Turkey's announcement from January 30, 2007 and the statement of TRNC President M. Ali Talat against its oil and gas exploration activities as provocative, tension-raising and ignorant of the legal rights of "the Republic of Cyprus." The GASC expressed similar views again in its letter sent to the UN Secretary-General on August 6, 2007 and accused Turkey of being aggressive and applying gunboat diplomacy.

In addition, the GASC frequently claims that the TRNC does not have the right to discuss the maritime areas as the competent authority on this issue is the "Republic of Cyprus."<sup>69</sup> In the announcements and declarations of the GASC, we see that no other factors have been put forward to clarify why the equidistance boundary is considered equitable in the Mediterranean apart from the argument that the islands have a continental shelf/EEZ.

#### GREECE'S OPINIONS AND JUSTIFICATIONS

Quite similar to the basic view of the GASC, Greece argues that maritime delimitation is based on the "equidistance principle." In clear wordings, Greece summarizes that "...the delimitation of the continental shelf and the exclusive economic zone between States with opposite coasts (both continental and insular) should take place in accordance with the pertinent rules of international law on the basis of the principle of equidistance/median line." It should be noted that Greece uses the term "principle" instead of "method" of equidistance/median line. Expressing their view as a principle stems from its desire to present the equidistance/median line method as a general legal rule that should be applied in every delimitation as the basic rule.<sup>70</sup>

<sup>69</sup> GASC's letter dated 2 February 2007 to the UN General Assembly and the Security Council.

<sup>70</sup> The Note Verbale of Greece dated 24 February 2005 addressed to the Secretary-General concerning Turkey's objection to the Agreement between the Republic of Cyprus and the Arab Republic of Egypt on the Delimitation of the Exclusive Economic Zone of 17 February 2003.

Another important point in the views of Greece is that in the application of the “equidistance/median line principle,” there is no discrimination between the mainland and islands. In other words, when it comes to islands, the principle to be applied in the delimitation between the opposite side of the mainland and this island or among the islands should be the “equidistance/median line principle.” Thus, the islands must have equal treatment as the mainland in the delimitation of the maritime areas. That is also to say that factors such as size, location and social life on the islands have no effect in determining the size of the continental shelf and/or EEZ areas of the islands against other states.

Greece seems to base its argument on “interstate practice” as clearly expressed by itself that “long-term and widespread interstate practice” led to the birth of the “equidistance/median-line principle.” Greece also argues that in many delimitation treaties, the equidistance/median-line is accepted as a boundary.<sup>71</sup> When the views of Greece on the delimitation in the Eastern Mediterranean is reviewed, many similarities could be identified with those of the GASC.<sup>72</sup>

Greece, similar to GASC’s attitude, has many statements and activities indicating that the boundary between the maritime jurisdiction areas of these islands and Turkey should be the equidistance line.<sup>73</sup> Practically speaking, Greece establishes a line connecting the east-southeast coasts of Crete, Kasos, Karpathos, Rhodes, and Kastellorizo so as to establish a rather “baseline” from which the delimitation boundary with Turkey would be measured to establish the equidistance line.<sup>74</sup> It is clear that Greece is also trying to make delimitation agreement with

<sup>71</sup> Greece’s note dated 24 February 2005 addressed to the UN

<sup>72</sup> Eric R. Eissler and Gözde Arasil, “Maritime Boundary Delimitation in the Eastern Mediterranean”, *The RUSI Journal*, 159, 2014, p. 75

<sup>73</sup> Note: Verbale dated 24 February 2005 addressed to the Secretary-General condemning Turkey’s objection to the Agreement between the Republic of Cyprus and the Arab Republic of Egypt on the Delimitation of the Exclusive Economic Zone of 17 February 2003, *Law of the Sea Bulletin*, No. 57, 2005, p. 129.

<sup>74</sup> Başeren, *Doğu Akdeniz Deniz Yetki Alanları Uyuşmazlığı*, p. 8.

Egypt based on the above mentioned “baseline,” although the move is yet to be realized. Although there is no officially published map by Greece to show its desired boundary lines in Eastern Mediterranean Sea, there are, however, unofficial maps illustrating the Greek argued boundaries, which clearly seems a median line between Turkish coasts and the said median line, which eventually gives full effect to these Greek islands.<sup>75</sup>

## **A LEGAL REVIEW ON THE CONTINENTAL SHELF DELIMITATION IN THE EASTERN MEDITERRANEAN SEA**

As the first requirement of the relevant rules of international law, each state with a coast in the Eastern Mediterranean Sea should establish its borders with an agreement. In other words, they must determine their boundaries, not by unilateral legal transactions, but by interstate agreements. Both the customary rules and the relevant provisions of the UNCLOS prescribe that the delimitation between two or more countries should be made “in order to achieve an equitable solution.”<sup>76</sup> However, this principle is so general that it is almost impossible to apply it to the real cases without controversies. We needed to look at both judicial decisions and state practice to clarify the content.

As explained above, the principle that stands out in judicial decisions is the superiority of geographical features. From geography, it is meant to the mainland geography facing the delimitation area. The most important elements in this context are the general shape of the mainland coastline, i.e. the indentations and ridges on the coast, and the length of the mainland shores. These are the elements that determine the basic delimitation line which would be subjected to some

<sup>75</sup> Başeren, *Doğu Akdeniz Deniz Yetki Alanları Uyuşmazlığı*, p. 60.

<sup>76</sup> UNCLOS, Article 74, 83.

changes by considering the other relevant factors.<sup>77</sup> When we apply this legal framework to both the arguments of the related states and the delimitation in the Eastern Mediterranean Sea, a peculiar picture could be visible at least in general sense.

## THE CLAIM THAT ISLANDS HAVE EQUAL STATUS IN THE CONTINENTAL SHELF DELIMITATION

All islands are entitled to have territorial waters. Except for islands that are not suitable for human life, all others are also entitled to have a continental shelf and EEZ areas.<sup>78</sup> However, it is necessary to separately evaluate whether islands have the same weight as the mainland country as far as the delimitation is concerned. The relevant rules of international law clearly recognize the right of certain islands to have a continental shelf, but also stipulated that they did not have the same status as mainland countries during the delimitation. In other words, when it comes to the delimitation of the maritime areas of islands, there has emerged a definite distinction between entitlement and delimitation.

Islands which are closer to the coasts of their own country are not allowed to significantly affect the boundary in the delimitation between two sides whose coastal lengths are not significantly different in extent and whose coastal shapes are similar.<sup>79</sup> Such coastal islands are located in the immediate vicinity of the coasts of its own country. They sometimes only have an impact on generating a coastal line or a baseline, the basis for measuring maritime areas. Even in this case, their impacts are restricted.<sup>80</sup>

<sup>77</sup> North Sea Continental Shelf Cases Judgement, par. 91; England-France Case Judgement, par. 96; Tunisia-Libya Case Judgements, par. 73; Libya-Malta Case Judgement, par. 47.

<sup>78</sup> UNCLOS, Article 121 (3); Donald E. Karl, "Islands and the Delimitation of the Continental Shelf: A Framework for Analysis", *American Journal of International Law*, Vol. 71, No 4, 1977, p. 642-673.

<sup>79</sup> Tunisia-Libya Case Decision, par. 128; Guinea-Guinea Bissau Case Decision, par. 244; Tunisia-Libya Case Decision, par. 79. Especially if these islands are arid and non-suitable for social life, they are completely neglected. Eritrea-Yemen Case Judgement, par. 148.

<sup>80</sup> England- France Case Judgement, par. 243.

The effect of one country's islands in delimitation close to the shores of another country is even more restricted. Because the location of these islands, it is possible to see a much larger "distortion" effect on the delimitation line. Therefore, such islands are often given very restricted effect or ignored completely.<sup>81</sup> If they have a limited population or are small in size, it becomes much more difficult for them to have any impact without violating equity. Islands that are not close to the coasts of another country, but still closer to the other country with reference to the equidistance line between the two main bodies, are ignored unless they accommodate significant social life.<sup>82</sup>

How much of a maritime zone the Greek islands in the Eastern Mediterranean, such as Crete, Kasos, Karpathos, Rhodes, and Kastello-rizo, may have beyond their territorial waters in the delimitation with Turkey, or in what proportion they will be effective, can only be evaluated in the context of the delimitation between the mainland of two countries. In this framework, the islands restricting the maritime areas that should belong to Turkey, to the extent that cannot be regarded as equitable, will not be compatible with the relevant rules of delimitation law. In addition, these islands, as outlined in delimitation law and based on the "non-encroachment" principle, must not encroach the extension of the coastal maritime area to such a degree that cannot be considered equitable by cutting the maritime zones of Turkey.

Turkey has the longest coastlines in the region. When considering together the geographical features of the region, namely the relatively small islands and relatively much longer coastline of Turkey, it must be stated that it is the right geography where the difference between the extent of the respective coastline should be taken into account to achieve an equity.

Considering the views of Greece about the Eastern Mediterranean, a possible equal impact of the islands without taking into account the

<sup>81</sup> England- France Case Judgement, par. 183, 184, 187, 192.

<sup>82</sup> Qatar-Bahrain Case Judgement, par. 219.

factors such as size, location and the social structure, seems to lack a legal foundation. In the interstate practice similar to the examples above instances, where restricted maritime areas are given to the islands, are quite often. There are many judicial decisions and interstate practices in which the islands are completely or partially neglected during the delimitation based on various related factors to ensure equity. The Island of Crete, considering its size, population and the relative size of the Island's socio-economic life, it should be evaluated separately from the islands of Kastellorizo, Kasos, Karpathos, which are relatively insignificant. In this context, other than the general justification in question, there should be an evaluation of every single island there in terms of both geographical and other features in order to achieve an equitable result, as required by the delimitation law.

When it comes to the Island of Cyprus, the nature of the assessment changes in some respects. We actually here talk about a delimitation between one island country and another country, rather than the effect of islands of these states. In this case, as stated in the judicial decisions, the form of geographic relationship changes fundamentally. In other words, the main factor that makes the difference is not being an island state, but the involvement of other regions that will be subject to delimitation if this island belongs to another state in the region.

This also changes the nature of the geographical factors that need to be taken into account. The ICJ stated that there is no "island state" status in terms of delimitation. However, Cyprus being an island state, not an island of one of the states in the region, changes the geographical relationship between the parties within the framework of the delimitation.<sup>83</sup> In the Libya-Malta case, the ICJ required the boundary to

<sup>83</sup> ICJ in its decision, "it is not a question of an 'island State' having some sort of special status in relation to continental shelf rights... It is simply that Malta being independent, the relationship of its coasts with the coasts of its neighbours is different from what it would be if it were a part of the territory of one of them. In other words, it might well be that the sea boundaries in this region would be different if the islands of Malta did not constitute an independent State." par. 53.

be positioned closer to Malta so as to give a lesser area of continental shelf to Malta due to the reasons of both Malta being relatively small in the general geographical situation<sup>84</sup> and the difference between the coastal lengths.<sup>85</sup>

Therefore, in the delimitation between an island state and a land country, the foremost element to be taken into account was said to be the coastal lengths. The first important factor to be considered in delimitation between Turkey and the GASC is therefore coastal lengths. In the western part of the island, the difference in coastal lengths between the two sides seems to be significant enough to be taken into account (at a rate of 1/8 according to a calculation). It shows that a delimitation line should be created by shifting the equidistance line in the western part of the island of Cyprus towards its shores, to a degree that can be regarded as equitable on the ground of the huge disparity in the respective coastal lengths. Only then, other factors such as their geographical factors like coastal shapes and socio-economic conditions of the islands would be taken into account.

### **THE CLAIM THAT THE EQUIDISTANCE LINE IS THE EQUITABLE RESULT BETWEEN THE OPPOSITE SHORES**

The view stated that the equidistance/median line method was born as a rule in interstate practice is not actually widely accepted. The UNCLOS delimitation principle, of which 149 states, including Greece, are parties, stipulates that the delimitation of the continental shelf between countries with opposite or adjacent coasts will be made by “agreement on the basis of international law... in order to achieve an equitable solution.”

<sup>84</sup> “The general geographical context in which the islands of Malta appear as a relatively small feature in a semi-enclosed sea,” *Libya-Malta Case Judgement*, par. 73.

<sup>85</sup> “The great disparity in the lengths of the relevant coasts of the two Parties,” *Libya-Malta Case Judgement*, par. 73.

Other than this conventional rule, it is settled that the general rule in delimitation provides for an equitable solution, but not for applying the principle of equidistance as the main principle. There is a uniformity between the rule of the UNCLOS and that of custom concerning the maritime delimitation. There is no need to say that the UNCLOS itself reflects the common view of the states leading to a customary rule on maritime delimitation.

In this context, Principles requiring the determination of a boundary to be equitable on the basis of all relevant factors, must be applied. These factors are dominantly geographical. Natural resources and their locations such as living species, mines and other mineral resources are also among such factors.<sup>86</sup>

In the Mediterranean Sea, the coasts of related states are mostly opposite, but in some areas like in the west of the Island of Cyprus, the relevant coasts are “quasi-adjacent” showing a cross-character. The geographical relationship of Turkey with Greece (considering the mainland of Greece) in the Eastern Mediterranean Sea mostly shows a cross character too.

The delimitation seems to be made in a sequence of three stages in the light of judicial decisions. In the first stage, it starts with the determination of a provisional line on the basis of the relevant geographical elements. As the ICJ has clearly stated in the Libya-Malta Case,<sup>87</sup> the process of establishing a single boundary for the continental shelf and EEZ delimitation will begin with a provisional line that is geometrically objective and appropriate for the geography where the delimitation will be made.<sup>88</sup> In many cases, where the coasts are oppo-

<sup>86</sup> Tunisia-Libya Case Judgement, par. 81; Guinea-Guinea Bissau Case Decision, par. 112. For evaluations on this subject: Charney, “Progress in International Maritime Boundary Delimitation Law,” p. 245; Herman, “The Court Giveth and the Court Taketh Away,” p. 835.

<sup>87</sup> Libya-Malta Case Judgement, par. 73.

<sup>88</sup> The great disparity in the lengths of the relevant coasts of the two Parties,” Libya-Malta Case Judgement, par. 73.

site or adjacent, the equidistance or median line is determined as a provisional line. In the second stage, this provisional line is reviewed on the basis of some geographical and non-geographical factors to ensure that the delimitation line meets the criteria for creating an equitable boundary which is the main purpose of the delimitation. As stated in the Ukraine-Romania Case, the Court looks at the second stage when there are factors that would require this boundary to be corrected or shifted to be able to reach an equitable solution.

Finally, in the third stage, it is checked whether the initial boundary or the modified-corrected boundary creates a marked disproportion between the ratio of the parties' respective shores and the areas given to them. Therefore, this final test will ensure that there is no great disproportionality between these rates for an equitable result.<sup>89</sup> In the state practice too, the principle of equidistance in the maritime delimitation has never been applied absolutely and has been corrected by considering different factors like natural resources and navigational interests.<sup>90</sup>

Here in the Mediterranean Sea, the dominant factor that should be taken into account is actually the mainland coasts of the related parties, i.e. the huge difference between them in extent. Although the delimitation in the area may be started with an equidistance line initially as the ICJ done in many cases like in Libya-Malta,<sup>91</sup> Jan Mayen,<sup>92</sup> Maine

<sup>89</sup> Tunisia-Libya Case Judgement, par. 81; Guinea-Guinea Bissau Case Decision, par. 112. For evaluations on this subject: Charney, "Progress in International Maritime Boundary Delimitation Law," p. 245; Herman, "The Court Giveth and the Court Taketh Away," p. 835.

<sup>90</sup> For the examples of equidistance or adjusted equidistance: Sang-Myon Rhee, "Sea Boundary Delimitation between States before World War II," *American Journal of International Law*, Vol. 76, No. 3, 1982, p. 555-588; L. J. Bouchez, "The Fixing of Boundaries in International Boundary Rivers," *International and Comparative Law Quarterly*, Vol. 12, No. 3, 1963, p. 789-817; S. Whittemore Boggs, "Delimitation of Seaward Areas under National Jurisdiction," *American Journal of International Law*, Vol. 45, No. 2, 1951, p. 240-266. For an international judicial decision example: Grisbadarna Davası Kararı, (1909), *American Journal of International Law*, Vol. 4, 1910, p. 232, 233; Beagle Kanlı Davası Kararı (1977), *International Legal Materials*, Vol. 17, 1978, p. 634.

<sup>91</sup> Libya-Malta Case Judgement, par. 51, 63, 65

<sup>92</sup> Jan Mayen Case Judgement, par. 42-44, 49-51, 59, 64.

Bay,<sup>93</sup> and Qatar-Bahrain<sup>94</sup> cases, such a difference between coastal lengths in the Eastern Mediterranean as far as Turkey, GCAD and Greece are concerned, require that the boundary should be diverted from the course of a median line to achieve equity. The delimitation in the Eastern Mediterranean is not, legally speaking, between the Greek islands and Turkey. It is mainly a delimitation between Greece and Turkey. The provisional line to be taken as a temporary basis can only be between the Greek mainland and the Turkish mainland. The impact of islands on this provisional line is a matter to be evaluated later.

To sum up all these considerations, it is difficult to arrive at a conclusion that the equidistant line is the equitable boundary between the island of Cyprus and Turkey. This should be repeated as far as the delimitation between Greece and Turkey is concerned in the Eastern Mediterranean Sea. The magnitude of the difference between the coastal lengths greatly undermines the equitable nature of an equidistance line in the region.

## CONCLUSION

The continental shelf which has found a place in international law following the Second World War has caused serious delimitation problems as an extensive maritime area. The basis of the disputes in the Eastern Mediterranean is the delimitation of these areas between coastal countries, especially those between Turkey, Greece and the GASC. The delimitation agreements the GASC has signed with some are subject to the objections of Turkey and the TRNC on the grounds of relevant principles of international maritime law. Turkey is also taking concrete steps to support its stance. Among these steps, there is even a signed and ratified delimitation agreement with Libya.

The arguments and reasoning that the parties set forth should be evaluated within the context of the delimitation law, which have been

<sup>93</sup> *Maine Bay Case Judgement*, par. 188, 205.

<sup>94</sup> *Qatar-Bahrain Case Judgement*, par. 231.

evaluated above are the relevant rules of international law. Whether the disputes are to be resolved through negotiations or international jurisdiction, these are the principle that should be applied.

The evaluations made above show that in accordance with the relevant rules requiring the creation of an “equitable solution” or an “equitable boundary,” geographical elements, and in this context, geographical formations and coastal lengths, should be the main factors determining the boundaries in the Eastern Mediterranean. It should also be emphasized that the principles of “proportionality” and “non-encroachment” are the principles of equity that will play an important role in this region.

# THE EFFECT OF ISLANDS ON MARITIME DELIMITATION AND THE EASTERN MEDITERRANEAN

NASIH SARP ERGÜVEN\*

## INTRODUCTION

Maritime delimitation remains an important and persistent issue of international law. In cases where states' coasts are opposite or adjacent to one another or in cases where an island exists in the delimitation area, the delimitation of the maritime areas is an issue that should be emphasized in terms of both the sovereignty of the states and the international peace and security.

The majority of the maritime delimitation disputes that exist between states today are issues regarding the maritime delimitation regarding the maritime zones that coastal states have sovereign rights, which consists of the exclusive economic zone (EEZ) and the continental shelf.<sup>1</sup> Because articles 74 and 83 of the 1982 United Na-

\* Ph.D., Lecturer at Ankara University; Researcher, Ankara University Research Center of the Sea and Maritime Law (DEHUKAM)

<sup>1</sup> Maritime areas are mainly divided into two. According to this, the maritime areas that make up the sea territory under the absolute sovereignty of the state are: internal waters, territorial sea, archipelagic waters, and straits. The maritime zones that coastal states have sovereign rights are not deemed in the territorial sea but state has exclusive powers on it. The adjacent zones in which coastal states have sovereign rights consist of the contiguous zone, continental shelf and EEZ. Coastal states have the authority to research, operate, protect, and manage on living and inanimate resources in the continental shelf and EEZ. Other states, on the other hand, can benefit from flying, navigation and cable and pipe laying. UNCLOS art. 58, 78.

tions Convention on the Law of the Sea (UNCLOS) regarding the delimitation of these maritime areas do not prescribe anything and the Convention requires parties to agree or resort to peaceful remedies, a three-stage system was developed by international courts.<sup>2</sup> Accordingly, following the determination of the maritime area and the coasts related to the delimitation, the temporary equidistance line is determined by the courts. It is then decided whether the temporary equidistance line requires correction in terms of equity. Finally, it is emphasized that the determined line will bring the court to a fair solution. In the aforementioned process, the emphasis is placed on the proportion of the opposite coasts of the states and on the effect of the islands on mar-

<sup>2</sup> UNCLOS art. 74, 83:

“1. The delimitation of the exclusive economic zone between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.

2. If no agreement can be reached within a reasonable period of time, the States concerned shall resort to the procedures provided for in Part XV.

3. Pending agreement as provided for in paragraph 1, the States concerned, in a spirit of understanding and cooperation, shall make every effort to enter into provisional arrangements of a practical nature and, during this transitional period, not to jeopardize or hamper the reaching of the final agreement. Such arrangements shall be without prejudice to the final delimitation.

4. Where there is an agreement in force between the States concerned, questions relating to the delimitation of the exclusive economic zone shall be determined in accordance with the provisions of that agreement.”

BMDHS art. 74, 83:

“1. The delimitation of the exclusive economic zone / continental shelf between States facing or adjacent to the coasts will be done by agreement according to the international law mentioned in Article 38 of the International Court of Justice Status to find a just solution.

2. If no agreement is reached within a reasonable time period, the relevant states will apply to the procedure provided for in Section XV.

3. Until the agreement stipulated in paragraph 1 has been reached, the States concerned will make every effort in an spirit of understanding and cooperation to make practical arrangements and not to jeopardize or prevent the final agreement during this temporary period. These regulations will not prejudice the final delimitation.

4. If there is an agreement in force between the States concerned, problems concerning the delimitation of the exclusive economic zone / continental shelf will be decided according to the provisions of that agreement.”

For the text of the contract, see. [http://www.un.org/depts/los/conventionagreements/texts/unclos/unclos\\_to.pdf](http://www.un.org/depts/los/conventionagreements/texts/unclos/unclos_to.pdf) Accessed on January 3, 2020; For the unofficial text of the Agreement, see. M. Aslan Gündüz, *Milletlerarası Hukuk, Konu Anlatımı, Temel Belgeler, Örnek Kararlar*, Beta Yayınları p. 221-308.

itime delimitation in the related area, as well as the right of the states to benefit from the maritime areas.

The issue of the effect of the islands on the maritime delimitation also has an important place in terms of the existing dispute over the maritime delimitation in the Eastern Mediterranean. The approach of Greece and the Greek Cypriot Administration (GASC) of increasing the continental shelf and EEZs against other coastal states, notably against Egypt and Turkey that do not have islands in the region, aims to imprison Turkey into a narrow area in the Eastern Mediterranean, the Gulf of Antalya. In this context, the possible effect of the islands Kastellorizo, Rhodes, Symi, Nimos, Alimia, Halki, Anttilos, Tilos, Karpathos, and Kasos on the maritime delimitation is of fundamental importance to this conflict. These islands are located at the opposite side of the median line drawn between the mainland of Greece and Turkey, beginning from the front of Muğla Deveboynu and extending to Turkey's Antalya Gazipaşa coastline.

In this study, the legal status of the islands, their effects on maritime area delimitation and their reflections on the Eastern Mediterranean dispute will be examined in line with international judicial decisions on the subject.

## ISLAND CONCEPT AND LEGAL STATUS

The concept of the island and its legal status are regulated by Article 121 of the UNCLOS.<sup>3</sup> Accordingly, in order for a piece of land to be an island in terms of maritime law, it must be a naturally occurring structure surrounded by and constantly above water.

<sup>3</sup> Article 121 of UNCLOS

Regime of islands

1. An island is a naturally formed area of land, surrounded by water, which is above water at high tide.

2. Except as provided for in paragraph 3, the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf of an island are determined in accordance with the provisions of this Convention applicable to other land territory.

3. Rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf.

The “naturalness” distinguishes the islands from artificial islands, which are organized among the *freedom of the high seas* and for which the coastal state is authorized for the construction in the continental shelf by means of the EEZ. According to the provision of the UNCLOS, Article 60,<sup>4</sup> which determines the issues related to the construction of artificial islands in the EEZ and is also applied to those on the continental shelf, artificial islands do not have their own territorial waters and have no effect on the delimitation of the EEZ and the continental shelf.<sup>5</sup> It is only possible to establish a security zone of 500 meters around them.<sup>6</sup>

The status of a piece of land constantly being above sea level, the characteristics of an island, separates it from the low-tide elevation.<sup>7</sup> The low-tide elevations, which are natural land fragments that appear when the waters are withdrawn and flooded when the waters rise, do not have a continental shelf nor an EEZ. There are no territorial waters of ebb altitudes at a distance that exceed the coastal waters of the coastal state. However, they can be used as the relevant point in drawing the baseline, which is the type of baseline where the coastal state's maritime areas are being measured, applied to indented protruding shores.

The land fragments surrounded by water that are natural and constantly above water have the characteristics of an island within the

<sup>4</sup> UNCLOS article 60:

In the exclusive economic zone, the coastal State shall have the exclusive right to construct and to authorize and regulate the construction, operation and use of artificial islands.

<sup>5</sup> UNCLOS article 60/8

<sup>6</sup> UNCLOS article 60/5

<sup>7</sup> UNCLOS article 13

Low-tide elevations

1. A low-tide elevation is a naturally formed area of land which is surrounded by and above water at low tide but submerged at high tide. Where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the mainland or an island, the low-water line on that elevation may be used as the baseline for measuring the breadth of the territorial sea.

2. Where a low-tide elevation is wholly situated at a distance exceeding the breadth of the territorial sea from the mainland or an island, it has no territorial sea of its own

scope of UNCLOS and have territorial waters, contiguous zones, continental shelves, and EEZs.<sup>8</sup> The exception to this arrangement is the absence of the continental shelf and the EEZ of rocks, which do not provide shelter for people nor sustain an economy.<sup>9</sup>

The elements of the island concept organized under UNCLOS led to different interpretations in international practice and doctrine. This situation, which is basically caused by the uncertainty of the island and the rocky separation, has been intensely experienced in the South China Sea, surrounded by the shores of China, Taiwan, Brunei Sultanate, Malaysia and Vietnam, with a large number of islands, island groups, rocky formations, and low-tide elevations. After China increased its activities in the region, the situation was brought before the Permanent Court of Arbitration (PCA) by the Philippines on January 22, 2013 and was resolved on July 12, 2016. One of the demands of the Philippines was the claim that China's sovereignty in the relevant region is not the island but rocks or low-tide elevations. This claim was evaluated by the PCA and important determinations have been made in terms of our subject. Accordingly, it was determined that it is not possible to change the legal status of the building in question based on any rock or low-tide elevation, and the determinations in this direction should be made based on the natural state of the building. Thus, it was prevented from island status through the changing of rock or low-tide elevations. PCA also determined that the elements of enabling human housing and having its own economic life were not cumulatively regulated, only one's existence was sufficient for island status. Subsequently, it was emphasized that the criterion of enabling human housing should show a continuous quality, thus preventing the claim of island status through activities such as bringing supplies or military

<sup>8</sup> UNCLOS art. 121/2

<sup>9</sup> UNCLOS 121/3

personnel from outside.<sup>10</sup> According to the PCA, it is not possible to fulfill the element of having an economic life of its own through activities that are completely dependent on external resources and devoid of the participation of local people.<sup>11</sup> In its decision regarding the dispute mentioned above, the PCA, besides preventing China's excessive claims in the region, also ended different interpretations of the island concept.

## EFFECT OF ISLANDS ON MARITIME DELIMITATION GENERALLY

The legal status of the islands, their ownership of the relevant marine areas and their effects on delimitation bring about different issues.<sup>12</sup> In other words, the existence of the maritime areas of the islands does

<sup>10</sup> The claims that the rocks allow human housing and therefore have island status have been the subject of important disputes in the international arena until today. The most notable of these is the current dispute over the sovereignty of the Rockall rock, where England, Ireland, Denmark and Iceland are parties. Scotland's St. Rockall rock, located about 160 nautical miles west of Kilda Islands, is an extinct volcano ruin that is 25 m wide and 17 m high. The UK, which maintains its claim of sovereignty over the said rock despite the objections of the other states, aims to have the exclusive economic zone and continental shelf connected to it by gaining island status by claiming that this rock allows human housing. Accordingly, within the context of attempts to prove that the Rockall rock allows human housing, British citizens have lived here for 40 to 45 days on various flights. For detailed information about the dispute, see. Ademuni Odeke, "The Legal Regime of Islands Under UNCLOS: New Developments and Challenges", DEHUKAMDER, Volume 1, Issue 1, 2018, p. 189-190.

<sup>11</sup> For detailed information, see. Uğur Bayilloğlu, "The Common Heritage of Humanity in Southern China Sea Arbitration Court and the Protection Provided by Other States to the Maritime areas: delimitation of Island Status", TBB Magazine, Vol 30, No 130, 2017, p. 419-456; Beyza Özturanlı Şanda, "Evaluation of the Effect of Islands on the delimitation of the Maritime areas in the Arbitral Tribunal Decisions", DEHUKAMDER, Volume 2, Number 1, 2019, p. 237-242. For decision text, see also. PCA Case No: 2013-19, In The Matter of The South China Sea Arbitration – before – an Arbitral Tribunal Constituted Under Annex VII to The 1982 United Nations Convention on The Law of The Sea, –between – The Republic of The Philippines – and –The People's Republic of China, Award, 12 July 2016, <http://www.pccases.com/pcadocs/PH-CN%20-%202020160712%20-%20Award.pdf>, Accessed on January 5, 2020.

<sup>12</sup> Yücel Acer, "The Role of Islands in the delimitation of Marine Areas and Interstate PracticeUluslararası Hukuk ve Politika, Vol 4, No 16, 2008, p. 2; İbrahim Gökbalp, Principles Considered by the International Court of Justice on Decisions on the Delimitation of Marine Areas, Beta Yayınları, İstanbul, 2008, p. 81.

not mean that they are evaluated with the same status as the mainland during delimitation.<sup>13</sup>

Islands can be classified in four different ways according to their geographical location in terms of their effects on delimitation. Compared to the sovereignty of other states, those closer to their own homeland are “islands on the true side”. Others are located on or near the median line between the two states’ mainland. The third type of islands are relatively closer to the coasts of another state when compared to their mainland coasts and are called “islands on the opposite side”. Overseas islands constitute the last category.<sup>14</sup>

The islands that are subject to the relevant classification generally affect the maritime area delimitation in two stages. These are their roles in determining the coastal areas related to the delimitation and determining whether the defined temporary equidistance line requires correction in order to reach a solution that is equitable. It is observed that they have a significantly restricted effect compared to the mainland in terms of inclusion in the delimitation coasts of the state to which they belong. In terms of their effects on the temporary equidistant line, it is determined that although the islands may have an EEZ and continental shelf, in most cases they are restricted or have no effect on them.<sup>15</sup>

## RELEVANT INTERNATIONAL COURT DECISIONS

### DECISIONS ON THE MARITIME DELIMITATION IN THE MEDITERRANEAN

#### A. TUNISIA / LIBYA CONTINENTAL SHELF CASE

The first case to be dealt with in terms of the effect of the islands on maritime delimitation is the Tunisia / Libya Continental Shelf

<sup>13</sup> Yücel ACER, “Law on the Delimitation of Marine Areas”, Law and Politics in the Eastern Mediterranean, Ankara Siyasal Bilgiler Fakültesi Yayınları, Ankara, 2013, p. 311.

<sup>14</sup> Acer (2013), p. 318.

<sup>15</sup> Dolunay Özbek, “Assessment of the Effect of Islands in the Delimitation of Marine Areas”, DEHUKAMDER, Volume 2, Number 1, 2019, p. 116.

Case, in which the maritime delimitation between two coastal states with adjacent coasts in the Mediterranean was realized. The dispute between Tunisia and Libya, which has adjacent shores, on the delimitation of the continental shelf first appeared in 1977. The International Court of Justice (ICJ) was empowered with the arbitration signed by the parties for the failure of diplomatic negotiations on the subject. During Malta's request to be involved in the event that its continental shelf was affected was rejected by the ICJ. In 1982, 10 votes in favour and four votes against were taken. Within the scope of the decision, there were three separate opinions and three dissenting opinions.<sup>16</sup>

The ICJ is based on geographical structures related to the region in order to realize the delimitation in line with equitable principles. The ICJ particularly emphasized the impact of two formations which belong to Tunisia: the 690 km<sup>2</sup> island of Djerba and the Kerkennah Islands, 11 miles off the country's coast, with the surrounding rocky and low tide elevations and the depth of the maritime area between the mainland reaching a maximum of four meters.<sup>17</sup>

In its assessment of the Kerkennah Islands, the ICJ acknowledged that giving them half effect would achieve a fair solution according to equitable principles. Accordingly, the continental shelf boundary line was measured by dividing the area between the boundary line that gave the so-called islands no effect and the line that gave them full effect.<sup>18</sup>

While Djerba, which is integrated with the coast, was determined by taking the coastal line into effect, the proportionality calculation of the Kerkennah Islands was not taken into consideration and was considered merely a related condition. The ICJ decided that the temporary line drawn for the 180 km<sup>2</sup> islands should be rearranged and

<sup>16</sup> For detailed information, see: Case Concerning the Continental Shelf (Tunisia v. Libyan Arab Jamahiriya), *Judgment of February 24, 1982*, paragraph 1-15, <https://www.icj-cij.org/files/case-related/63/6269.pdf>, accessed on January 5, 2020.

<sup>17</sup> *Judgment of February 24, 1982, paragraph 128*

<sup>18</sup> *Judgment of February 24, 1982, paragraph 129*

set an equidistance line that gave them half effect. On the other hand, Djerba, which has a significant size and is integrated into the coastal view, was completely neglected.<sup>19</sup>

Another important issue for the Eastern Mediterranean Dispute is that the ICJ, while making the relevant determinations, included the principle that the overlapping maritime areas cannot be unilaterally delimited among the equitable principles applied to reach a fair conclusion.<sup>20</sup>

#### B. LIBYA / MALTA CONTINENTAL SHELF CASE

Like the Tunisia / Libya Continental Shelf Case, the Libya / Malta Continental Shelf case is of particular importance, as it concerns the maritime delimitation in the Mediterranean and is related to a dispute in which Malta is a part of the island state. Accordingly, the parties to the dispute came before the ICJ with the arbitration signed between Libya and Malta. Italy's request to be involved was rejected. Since both parties did not have a national judge in the ICJ, an ad hoc judge was appointed. The decision was made with a vote of 14 to 3, with the three judges who voted against it drafting a dissenting opinion.<sup>21</sup>

The Republic of Malta consists of Malta (246 km<sup>2</sup>), Gozo (66 km<sup>2</sup>), Comino (2.7 km<sup>2</sup>), Cominotto (0.25 km<sup>2</sup>), and the Filfla cliff (0.06 km<sup>2</sup>) without settlements. The coastline of Libya is 1700 km and the distance between the southernmost tip of Malta and the Libya coast is 183 miles. It has not declared an EEZ on either side.<sup>22</sup>

Since Malta is an island state, its claim that the continental shelf delimitation should be handled differently than an island connected to the mainland was accepted by the ICJ. However, this situation does

<sup>19</sup> *Judgment of February 24, 1982, paragraph 128-129, 131*

<sup>20</sup> *Judgment of February 24, 1982, paragraph 71*

<sup>21</sup> For detailed information, see: Case Concerning the Continental Shelf (Libyan Arab Jamahiriya v. Malta), Judgment of 3 June 1985, paragraph 1-13, <https://www.icj-cij.org/files/case-related/68/068-19850603-JUD-01-00-EN.pdf>, Accessed on January 5, 2020.

<sup>22</sup> *Judgment (Libyan Arab Jamahiriya v. Malta)*, paragraph 15.

not mean a separate status. It can be said that the geographical position of Malta affected this related issue.<sup>23</sup>

The request made by Malta that, “Filfla Island, which has no resident population, should be taken into consideration as the base point,” was rejected by the ICJ. As a requirement of equity, the Court neglected it completely, by not considering Filfla as the main point in calculating the temporary equidistant line between Libya and Malta. Thus, they prevented the possible disproportionate effect of the island in question to limit the continental shelf.<sup>24</sup>

Considering the principle that the continental shelf delimitation should be carried out by considering all the relevant conditions and applying equitable principles to achieve an equitable solution, the ICJ underlines<sup>25</sup> that the relations of the coasts of Malta as an independent state with neighboring states are different from those that would have been if it were an island connected to the mainland.<sup>26</sup>

The length of Malta’s coastline is 24 miles. Because Libya’s coast is 192 miles, the temporary equidistance line formed in the first phase of the delimitation has been shifted towards the north, closer to Malta.<sup>27</sup>

## MARITIME DELIMITATION IN THE BLACK SEA CASE (ROMANIA / UKRAINE)

One of the most important international court decisions that should be emphasized in terms of the effect of the islands on maritime delimitation is the Maritime area delimitation case in the Black Sea between Romania and Ukraine, which was decided by the ICJ. In addition to being the first case before the international judicial bodies related to the maritime area delimitation in the Black Sea, it is also the first case

<sup>23</sup> *Judgment (Libyan Arab Jamahiriya v. Malta)*, paragraph 52-53

<sup>24</sup> *Judgment (Libyan Arab Jamahiriya v. Malta)*, paragraph 64

<sup>25</sup> *Judgment (Libyan Arab Jamahiriya v. Malta)*, paragraph 45

<sup>26</sup> *Judgment (Libyan Arab Jamahiriya v. Malta)*, paragraph 42

<sup>27</sup> *Judgment (Libyan Arab Jamahiriya v. Malta)*, paragraph 48

brought before the ICJ by the parties of the dispute.<sup>28</sup> With its unanimous decision, the fact that none of the judges expressed a dissenting or separate opinion constituted another novelty from the ICJ.<sup>29</sup> The dispute that is the subject of the case is based on a long history, as in the Eastern Mediterranean. The ten rounds of negotiations between Romania and the Soviet Union of Soviet Socialist Republics (USSR), over the twenty-year period from 1967 to 1987, did not come to any conclusion, as they restricted the EEZ and continental shelf.<sup>30</sup> In the process following the dissolution of the USSR, the Treaty on Principles of Good Neighborhood and Cooperation was signed on June 2, 1997,<sup>31</sup> following negotiations between Ukraine and Romania, which became the spark of this conflict. This agreement came into effect on October 22, 1997, the same day the Additional Agreement was entered into, which was signed between the states' foreign ministers through letter exchange.<sup>32</sup>

As envisioned in the Additional Agreement, the Parties started negotiating an agreement to realize the EEZ and continental shelf delimitation in the Black Sea three months after the Treaty went into effect.<sup>33</sup> Negotiations ended in September 2004 before a solution was reached after twenty-four rounds, ten of which were done by experts.<sup>34</sup> So, on

<sup>28</sup> David H. Anderson, "Maritime Delimitation in the Black Sea", *Law & Prac. Int'l Sat. Tribunals*, Volume 8, Issue 3, 2009, p. 306.

<sup>29</sup> Alex Oude ELFERINK, "Maritime Delimitation in the Black Sea (Romania v. Ukraine)", p. 4, <http://www.haguejusticeportal.net/index.php?id=10407>, Accessed on 6 January 2020.

<sup>30</sup> Dan Vataman, "Delimitation of the Continental Shelves and Exclusive Economic Zones Between Romania and Ukraine at the International Court of Justice of the Hague", *Journal of European Studies and International Relations*, Volume 1, Issue 1, 2010, p. 81.

<sup>31</sup> For the text of the agreement, see. United Nations, Treaty Series, Volume 2159, p. 335.

<sup>32</sup> For the letter texts that constitute the Additional Agreement, see: Application Instituting Proceedings, *Maritime Delimitation in the Black Sea (Romania v. Ukraine)*, p. 40-47, <http://www.icj-cij.org/docket/files/132/1697.pdf> Accessed on 10 January 2020.

<sup>33</sup> Additional Agreement, paragraph 4

<sup>34</sup> *Maritime Delimitation in the Black Sea (Romania v. Ukraine)*, Judgment of 3 February 2009, para. 18, <http://www.icj-cij.org/docket/files/132/14987.pdf>, Accessed on January 10, 2020.

September 16, 2004, Romania applied to the ICJ to delimit the EEZ and continental shelf with Ukraine in the Black Sea.<sup>35</sup> During the trial, the findings related to Serpent Island, located in the northwestern part of the Black Sea around 20 miles east of the Danube Basin with a surface area of approximately 0.17 km<sup>2</sup>, became an important turning point in affecting the islands' maritime area delimitation. Serpent Island, located on the Romanian coast and on the opposite side in terms of its delimitation, first came to the agenda when determining the related shores. The ICJ found that, due to Serpent Islands' miniscule shores, Ukraine has virtually no change in the length of its coastal waters. For this reason, it did not add the coasts to the shores related to the delimitation.<sup>36</sup>

As the trial progressed, the parties' evaluations on the legal status and the delimitation of Serpent Island were seen in determining whether the temporary equidistant line requires correction in terms of equity or not. Romania has argued that the said island is a "rock formation"<sup>37</sup> that does not allow "human accommodation" and "has no economic life of its own" and that it does not have an EEZ or continental shelf, thus cannot be the subject of delimitation.<sup>38</sup> Ukraine, on the other hand, claimed that Serpent Island allows human habitation and has a unique economic life. These issues were supported by the availability of the necessary accommodation facilities for the population residing on the island.<sup>39</sup> Thus, it stated that Serpent Island should have an EEZ and a continental shelf. The ICJ, in its evaluations on the subject, underlined that it could not expand the potential continental shelf, EEZ and marine area of the island. This decision recalled the exclusion of Bulgaria's maritime jurisdiction delimitation near Turkey in the south. Thus, it stated that it is unnecessary to focus on the legal

<sup>35</sup> *Judgment (Romania v. Ukraine)*, paragraph 1.

<sup>36</sup> *Judgment (Romania v. Ukraine)*, paragraph 102

<sup>37</sup> UNCLOS art. 121/3

<sup>38</sup> *Judgment (Romania v. Ukraine)*, paragraph 124

<sup>39</sup> *Judgment (Romania v. Ukraine)*, paragraph 184

nature of Serpents and in the light of these factors, the existence of the island does not require correction in terms of equity in the temporal equidistance line.<sup>40</sup> In other words, Serpent Island has no effect on the maritime delimitation between Romania and Ukraine, and therefore, no determination was made to label the geographical structure in question a rock formation or an island.<sup>41</sup>

## OTHER COURT DECISIONS

In the Black Sea and the Mediterranean, there are many disputes that have been resolved by the international judicial bodies such as the ICJ, the International Tribunal for the Law of the Sea (ITLOS) and the arbitration courts, as well as the above-mentioned cases involving the determination of the effects of the islands on maritime area delimitation. We will try to touch upon those who are most concerned with our subject, in cases dealing with maritime area delimitation disputes in different geographies.

The Caribbean region deserves an emphasis for the number of islands it contains and for the conflicts of maritime delimitation associated with those islands. There is the *Case Concerning Territorial and Maritime Dispute Between Nicaragua and Honduras In the Caribbean Sea*, which was first resolved by the ICJ from aforementioned disputes. In the case where the maritime jurisdiction delimitation between two coastal states with adjacent shores was carried out, the islands, whose sovereignty belonged to Honduras and Nicaragua, were given 12-mile territorial waters, and no other maritime zone was granted to the surrounding islands.<sup>42</sup> Another area-related maritime delimitation for ad-

<sup>40</sup> *Judgment (Romania v. Ukraine)*, paragraph 187-188

<sup>41</sup> Nilüfer ORAL, "Case Concerning Maritime Delimitation in the Black Sea (*Romania v. Ukraine*) Judgment of 3 February 2009", *Int'l J. Marine & Coastal L.*, Volume 25, Issue 1, 2010, p. 136.

<sup>42</sup> *Territorial and Maritime Dispute between Nicaragua and Honduras in the Caribbean Sea (Nicaragua v. Honduras)*, Judgment of 8 October 2007, paragraph 302, <https://www.icj-cij.org/files/case-related/120/120-20071008-JUD-01-00-EN.pdf>, Accessed on January 10 2020.

acent shores is the *Costa Rica / Nicaragua Caribbean Sea and the Pacific Ocean Delimitation Case*. Counting the Nicaraguan islands as within the coastal lines, the ICJ shifted the temporary equidistance line determined on this occasion in favor of Costa Rica based on the islands' sizes and their distances to the shore. In other words, the islands were given a half-effect.<sup>43</sup> In the *Nicaraguan / Colombian Land and Sea Dispute Case* related to the same region, the effect of the islands on the maritime area delimitation emerged in three different ways. According to the findings of the ICJ, mainland Colombia has no extension within the shores of Nicaraguan and the delimited maritime area. First of all, Colombia's small islands are far from the other islands and are surrounded by 12-mile territorial waters.<sup>44</sup> Other Colombian islands have a certain EEZ and continental shelf due to their distance from the Nicaraguan coast to 65 nautical miles.<sup>45</sup> The temporary equidistance line between the islands in question and the Nicaraguan shores was shifted in favor of Nicaragua due to the difference between the coastal lengths.<sup>46</sup> Thus, it was determined that the islands have a limited effect compared to the mainland, in cases where the state they belong to constitute the only shore which is the subject of delimitation.

There are important findings about St. Martin's Island in the maritime delimitation case between Bangladesh and Myanmar) concluded

<sup>43</sup> Maritime Delimitation in the Caribbean Sea and the Pacific Ocean and Land Boundary in the Northern Part of Isla Portillos, (*Costa Rica v. Nicaragua*) Judgment of February 2, 2018, <https://www.icj-cij.org/files/case-related/157/157-20180202-JUD-01-00-EN.pdf>, Accessed on January 12, 2020.

<sup>44</sup> Territorial and Maritime Dispute (*Nicaragua v. Colombia*), Judgment November 19, 2012, paragraph 238, <https://www.icj-cij.org/files/case-related/124/124-20121119-JUD-01-00-EN.pdf>, Accessed on January 10, 2020.

<sup>45</sup> While carrying out this determination, the ICJ also addressed the determinations in the English Channel Arbitration between England and France. Accordingly, the encirclement of the relevant islands by preventing the territorial sea by the Arbitral Tribunal to the Channel Islands, which is 7 nautical miles from the shores of France in the relevant region, prevented possible deviation that is contrary to equity in the equidistant line. As the reason for the other islands of Colombia not to be surrounded by territorial sea, the distance is shown to be 65 nautical miles rather than 7 nautical miles as in the English Channel. Judgment (*Nicaragua v. Colombia*), paragraph 198.

<sup>46</sup> *Judgment (Nicaragua v. Colombia)*, para. 229-235

by ITLOS. The island has 7000 inhabitants and belongs to Bangladesh, but is also 4.5 nautical miles away from the shores of Myanmar. Accordingly, the case of giving the large island an effect through maritime jurisdiction will result in cutting off Myanmar's sea extensions. Therefore, an EEZ or continental shelf is not foreseen for St. Martin's Island; it can only be granted territorial sea.<sup>47</sup>

## EVALUATION OF THE EASTERN MEDITERRANEAN DISPUTE IN TERMS OF THE EFFECT OF ISLANDS ON MARITIME DELIMITATION

The above-mentioned matters regarding the provisions discussed in this study have a great importance in terms of the ongoing conflicts like territorial sea and continental shelves. As described above, the opinion of Greece which asserts that full-effect be granted to the islands that are closer to Turkish coasts was not accepted by international judicial bodies to date. The same situation is also being observed in the Eastern Mediterranean maritime delimitation disputes between Greece-GASC and Turkey.

It is important to note that the ICJ did not grant Serpent Island an EEZ in the *Case of maritime delimitation in the Black Sea (Romania v Ukraine)*, it did grant the Kerkennah Islands near Tunisia's coast a half-effect, and that it fully ignored Filfla by not taking it as a base point in the *Tunisian / Libyan Continental Shelf Case*. This is because the calculation of the temporary equidistant line between Libya and Malta as a requirement of the equity should be recalled for the islands Kastellorizo, Rhodes, Symi, Nimos, Alimia, Halki, Anttilos, Tilos,

<sup>47</sup> Dispute Concerning Delimitation of the Maritime Boundary Between Bangladesh and Myanmar in the Bay of Bengal (Bangladesh / Myanmar), Judgment of March 14, 2012, paragraph 318, 337-340, [https://www.itlos.org/fileadmin/itlos/documents/cases/case\\_no\\_16/published/C16-J-14\\_mar\\_12.pdf](https://www.itlos.org/fileadmin/itlos/documents/cases/case_no_16/published/C16-J-14_mar_12.pdf), Accessed on January 12, 2020, for detailed information, see: Merve Erdem, "An Examination on The Foundation of the International Tribunal for the Law of the Sea in the Light of Bangladesh-Myanmar Maritime Delimitation Case", AÜHFD, Vol 64, No 2, 2015, p. 329-364.

Karpathos, and Kasos. They are located at the opposite side of the equidistant line that is to be drawn between mainland Turkey and Greece, a line extending from Turkey's Antalya Gazipaşa up to the Muğla Deveboynu Cape.<sup>48</sup>

In other words, in the light of the decisions of the ICJ, it does not seem possible for these Greek islands to have continental shelf nor an EEZ, because they are located in front of Turkey's Aegean and Eastern Mediterranean coastline.<sup>49</sup>

This situation is also valid for the decisions of the international judicial bodies to delimit the maritime areas for the regions outside the Mediterranean and the Black Sea. In the *Cases of Land and Caribbean Sea Conflict* (Nicaragua / Honduras) and *the Delimitation of the Caribbean Sea and the Pacific Sea* where two maritime jurisdictional delimitations between two coastal states with adjacent shores did happen, the maritime jurisdiction was not given to the islands located in the maritime area and a half-effect was recognized, respectively. This coincides with the findings in the continental shelf cases of Tunisia / Libya and Libya / Malta. In the case of Nicaragua / Colombia between land and maritime area, while some islands are surrounded by territorial sea, others have been given limited influence. In the case of the maritime delimitation in the Bay of Bengal, ITLOS's findings regarding St. Martin's Island are also important. Accordingly, regardless of the size of the relevant island or the population of people it hosts, only the cut-off possibility against Myanmar, on the opposite side of the conflict, was taken into account. ITLOS, which determined that if the island in question would be given a maritime area, the shores of Myanmar would be blocked, thus the island's surroundings fall within its territorial sea and it was not given any maritime jurisdiction. The fact that

<sup>48</sup> Sertaç Hami Başeren, "Eastern Mediterranean Sea Jurisdiction Dispute", SAD, Volume 14, Number 8, p. 169

<sup>49</sup> Yusuf Aksar, "Limitation of Marine Areas in International Law: Eastern Mediterranean Dispute", 21. Yüzyılda Sosyal Bilimler, Issue 2, p. 234.

ITLOS did not make a distinction regarding the size or the population makes the situation apply to all islands in the Mediterranean.

## CONCLUSION

International jurisdictions have developed a three-stage system, as in the cases where the aforementioned island issues are addressed, as the provisions of article 74 and article 83 of the UNCLOS for the delimitation of EEZ and continental shelf do not provide any methodology. In the direction of achieving an equitable result in the application of the mentioned method, equitable principles are applied.

In the light of equitable principles, the delimitation is implemented as an element of law, taking into account the event-specific conditions and the geographical structure in all relevant/special conditions. In addition to being able to take a different approach to each event, it is a method that has concrete elements beyond the idea of abstract justice, and also has a normative character that can provide an equitable result. It contains predictability and consistency during its implementation and has the capacity to be flexible according to the specific features of each situation. In addition to being able to offer methods and criteria appropriate for the situation within the framework of equitable principles, which is a view of the ideal of providing absolute justice, it leaves the discretion to the involved parties as well as third parties, especially the international judicial bodies.

The equitable principles that are mostly instrumented by the international judicial bodies in terms of the effects of the islands on the maritime area are the principles of non-encroachment and non-cut off. It should be noted that the main reason for the determinations made by the international judicial bodies is not to reshape the geography. As in the cases of conflict in the Aegean Sea and the Eastern Mediterranean, recognizing the islands at the opposite end of Greece with an EEZ and continental shelf will result in an unfair situation and will contradict the principle of “not to refashion of geography”.

In the delimitations between the adjacent shores of the islands, it is preferred to grant a limited effect or to neglect compared to the delimitations between opposite shores. The main basis of this concept is that the maritime areas of both states on adjacent shores should only face the sea. Otherwise, advancing the maritime areas of the adjacent state means a violation of the neighboring state's area. The principle of non-encroachment, which emerges at this point, refers to the transfer of maritime areas close to the coast of each state to that country.

The principle of non-cut off is that the general projection of the coast of each state is not cut. While the maritime delimitation is being realized, it is not possible for the coasts of the related states to deviate from the maritime areas to which it is intended or to violate the maritime areas originating from the coasts of one state. This situation satisfies the principle of non-cut off. While the principle of non-cut off is applied to the maritime area subject to delimitation, security factors are also taken into account in addition to factors related to sea transport, such as access to open seas. The line determined by the delimitation should not prevent one of the related states from exercising their rights of international law from the maritime areas or from reaching an equitable solution. The most common example of this situation is the presence of islands on the opposite side. Since the full effect of delimitation on the islands in question will cause disproportion, no effect may be foreseen on the islands mentioned, as in the case of the maritime area delimitation in the Black Sea region of Romania / Ukraine.

Although equitable principles aim at reaching an equitable solution, it should be remembered that they are the principles that are reconsidered and applied according to the characteristics of each dispute and therefore they may cause different results in different cases. The suitability of each principle to be applied to the delimitation is evaluated in accordance with the suitability to reach an equitable result. The appropriateness of each principle to equity is handled within the scope of the features of that dispute. The principle applied in another dispute

may not give the same result in another dispute. In addition, it should not be overlooked that the decisions of the international judicial bodies only connect the parties for that dispute. The situation is not an obstacle to the case-law of these decisions in terms of international law. Of course, as stated in the *Libya / Malta Continental Shelf Case*, the application of equitable principles should include some degree of consistency, despite the specific circumstances of each dispute.

When all these considerations are taken into consideration, it is not possible for the Greek islands at the opposite side of the line not to have a proportionate jurisdiction area. The possibility in question is in contradiction with the equitable principles applied by the international judicial bodies in their respective decisions, and it is an outcome contrary to equity.



# **A SOLUTION PROPOSAL TO THE EASTERN MEDITERRANEAN PROBLEM: JOINT DEVELOPMENT**

MUSTAFA BAŞKARA\*

## **INTRODUCTION**

Increasing energy deficits and technological developments worldwide have led states and international energy companies to search for energy resources in marine areas as an alternative to energy reserves on land. As a result of the researches, it has been determined that the seas are very rich in terms of energy reserves. The availability of energy resources in the seas has prompted states to expand their maritime jurisdiction and their sovereign powers in these areas. Accordingly, the interest in energy resources of strategic importance has shifted from land to sea areas. States jurisdiction limit on energy resources in the world seas have been determined through international agreements and multilateral agreements. However, maritime delimitation of the coastal states could not be ultimately determined in many areas where marine energy sources are located, including the Eastern Mediterranean. Therefore, unilateral sovereignty claims of states cause disagreement in controversial marine areas, especially where hydrocarbon resources are intense. This situation can be prevented by legal delimitation of maritime jurisdiction.

\* Research Assistant, Social Sciences University of Ankara; Researcher, Ankara University Research Center of the Sea and Maritime Law (DEHUKAM)

It is known that there are about 400 controversial marine areas among the boundaries of the sea because of state coasts being adjacent or opposite to each other. To date, only half of these disputes have been resolved through delimitation agreements and court orders. In other words, about 200 maritime delimitation disputes are still waiting for a solution. *Joint development agreements* have emerged in international law as an alternative solution that can be applied to these dispute areas. In cases where the delimitation dispute cannot be resolved permanently; international law recommends states to avoid unilateral practices that would damage the permanent agreement and take measures to lay the groundwork for the permanent agreement. In this regard, international law encourages states whose coasts are either adjacent or opposite to take advantage of economic activities in the field of conflict by making agreements through provisional arrangements. In this way, the states can benefit from potential sources of economic value in disputed areas without waiting for an international court order or a permanent agreement.

Unilateral practices of the coastal states in the Eastern Mediterranean and bilateral agreements signed by the Greek Administration of Southern Cyprus (GASC) in violation of international law indicate that a permanent agreement in the region is not possible in the near future. An international court decision does not seem to be eligible due to the reluctance of the coastal states to cede their sovereignty powers to a third party. This is due to not recognizing the GASC as a state, Turkey's not party to the United Nations Convention on the Law of the Sea (UNCLOS) in 1982, prolonged trial periods, and predictions that a possible final judicial decision cannot satisfy all states. Therefore, for the solution of the Eastern Mediterranean problem, we think that the most likely method is making a joint development agreement between states that have disputed marine areas.

This study will examine joint development agreements and their applicability to the Eastern Mediterranean problem. In the study, first-

ly, the joint development agreement, a relatively new concept for the Turkish doctrine, will be discussed. In this context, the emergence of it and its historical development, details and differences from similar agreements, types and finally its basis on international law will be examined. Later, within the scope of existing disputes and agreements, the Eastern Mediterranean problem will be discussed and the possibility of a joint development agreement as a solution to the Eastern Mediterranean problem will also be discussed.

## JOINT DEVELOPMENT AGREEMENT

Since the second half of the 20th century, there have been two important developments in the field of maritime law. These are the emergence of the continental shelf and exclusive economic zone (EEZ) regimes. As a legal concept, the continental shelf was created by the declaration of US President Harry S. Truman, dated September 28, 1945.<sup>1</sup> The USA declared that the right to use the resources in the seabed on the continental shelf belongs to it in line with the developments in technology and with the foresight that it would be insufficient to meet the increasing energy need from land.<sup>2</sup> Other states, on the other hand, preferred to declare the continental shelf with similar practices instead of opposing the US practice. Later, at the First Maritime Law Conference held in 1958, the Geneva Continental Shelf Convention was signed.<sup>3</sup>

With the 1982 UNCLOS, the concept of the continental shelf was defined in its current meaning and states' rights on the continental shelf were regulated. States' rights on the continental shelf are a

<sup>1</sup> Enver Bozkurt, "The Emergence of the Concept of Exclusive Economic Zone in Terms of International Law", *Uluslararası Hukuk ve Politika*, Volume 2, Number 5, 2006, p. 51.

<sup>2</sup> "1945 US Presidential Proclamation No. 2667, Policy of the United States with Respect to the Natural Resources of the Subsoil and Sea Bed of the Continental Shelf", September 28, 1945, <https://cil.nus.edu.sg/wp-content/uploads/2017/08/1945-Truman-Proclamation-No.-2667.pdf>, Accessed on December 22, 2019.

<sup>3</sup> "1945 US Presidential Proclamation No. 2667, Policy of the United States with Respect to the Natural Resources of the Subsoil and Sea Bed of the Continental Shelf".

non-contingent and not to-be-declared, *ab initio* (since the beginning) and *ipso facto* (in itself) rights.<sup>4</sup> The concept of the exclusive economic zone (EEZ) came to the fore in 1947 when the Chilean State declared that it established sovereign rights in the sea layer on the seabed in addition to the continental shelf.<sup>5</sup> Other states have also implemented similar practices, provided that they do not affect the freedom of navigation at sea and do not establish national sovereignty over this area. As a result of these practices, the EEZ practice has become international customary law. Finally, the concept of EEZ was adopted as an application of international law with the 1982 UNCLOS.

The continental shelf regime gives the coastal state sovereign rights for the purpose of exploring it and exploiting its natural resources. The EEZ regime grants sovereign rights to the coastal state for the purpose of exploration, exploitation, conservation and management of living and non-living natural resources in the seabed, in the underlying layer, and above the waters. EEZ, the continental shelf of which is an *ipso facto* and *ab initio* regime, should be declared by the coastal state in accordance with Article 75 of the UNCLOS. It can extend up to 200 nautical miles from the baseline, from which the breadth of the territorial sea is measured. However, according to Article 76 of the UNCLOS, the continental shelf can expand to 350 nautical miles unless the external line that defines the boundary of the continental shelf violates the maritime jurisdiction of any state.

The widespread establishment of EEZ and continental shelf regimes caused the coastal states to make claims on sea areas that have been accepted as part of the high seas for centuries. More than a third of the world's seas remain within the 200-nautical mile sea area of the coastal states.<sup>6</sup> The expansion of maritime jurisdictions has offered new

<sup>4</sup> Cihat Yaycı, "Concept of Exclusive Economic Zone", Deniz Basımevi, Istanbul, 2019, p. 9.

<sup>5</sup> Yaycı, "Concept of Exclusive Economic Zone", p. 9.

<sup>6</sup> Clyde Sanger, *Ordering the Oceans: The Making of the Law of the Sea*, University of Toronto Press, Toronto, 1987, p. 64.

areas for coastal states to search for and operate on hydrocarbon resources. However, these developments led to the emergence of a large number of maritime jurisdiction disputes between the coastal states that are adjacent or opposite each other. Some of the disputes of the coastal states about the delimitation of the maritime areas have been resolved through bilateral or multilateral agreements, while others have been resolved by the International Court of Justice (ICJ) and the International Tribunal for the Law of the Sea (ITLOS). However, many of the disputes remained unsolved. Conflicts arising from the problem of continental shelf and delimitation of maritime jurisdiction originated from EEZ have been one of the causes of tension in international relations. The research of international lawyers to solve the problem has resulted in an alternative solution route defined as “joint development agreements,” that has led coastal states to a solution by collaboration.

## **HISTORICAL DEVELOPMENT OF THE CONCEPT OF JOINT DEVELOPMENT**

The discovery of oil and natural gas as an energy source has made life much easier since the beginning of the 20th century. While oil and natural gas were first extracted from land areas, with the technological developments in the mid-20th century, it was possible to extract and process hydrocarbon resources from marine areas. As a result of the insufficiency of resources extracted from the land in satisfying the increasing energy need, the coastal states have engaged in the search and extraction of hydrocarbon resources in the marine areas. However, the discovery of oil and natural gas reserves in overlapping maritime areas claimed by neighboring coastal states and the fact that these reserves are often transitive between borders caused conflicts in the delimitation of maritime jurisdictions. Multiple states’ claim of sovereignty in overlapping areas and the efforts of some states to create an actual situation with unilateral practices has triggered an increase in international tension.

Joint development agreements, which were developed as an alternative way of solving this problem, did not become an international law rule until the early 1960s.<sup>7</sup> Later, considering the transitive structure of the hydrocarbon reserves across the borders, the states with bordering maritime areas went for solutions using a joint operating model. In the North Sea Continental Shelf Cases<sup>8</sup> that took place in the late 1960s, the International Court of Justice marked an option to act with joint development and judicial power to ensure the coordinated use of natural resources in areas where the borders of different coastal states overlap and conflicts arise. In 1974, a joint development agreement was signed in the dispute between Japan and Korea.<sup>9</sup> As a result of these developments, the joint development model has become a generally accepted international law practice thanks to both successful practices of states and the maturation of the subject in the doctrine. The solution of border disputes in maritime areas with the model of joint development agreements has finally found implicit expression in 74/3 and 83/3 of the UNCLOS concerning the EEZ and continental shelf, respectively. Although UNCLOS does not use the term of joint development directly, it has suggested that controversial coastal states should seek solutions in a spirit of consideration and cooperation as a temporary solution.

## DEFINITION OF THE CONCEPT OF JOINT DEVELOPMENT

The concept is still not clearly defined from an international maritime law perspective. In the doctrine, academics and organizations working

<sup>7</sup> Zhiguo Gao, "The Legal Concept and Aspects of Joint Development in International Law", Center for Petroleum and Mineral Law and Policy, Ocean Yearbook Online, Issue 13, 1998, p. 11.

<sup>8</sup> "North Sea Continental Shelf Cases", International Court of Justice, 1969, 52, 53, 99, 101 (C) 2.

<sup>9</sup> 1974 Agreement between Japan and the Republic of Korea Concerning Joint Development of the Southern Part of the Continental Shelf Adjacent to the Two Countries, January 30, 1974, Center for International Law, <https://cil.nus.edu.sg> ..., Accessed December 26, 2019.

on delimitation make certain definitions,<sup>10</sup> but it is understood from the literature that there is no consensus on the definition of the concept of joint development. It is seen that the current definitions are rather made in accordance with the field of study of the author or organization making the definition. The British Institute of International and Comparative Law refers to the concept of joint development as: ‘An agreement between the two states for the development of offshore oil and gas in a designated territory of the continental shelf, where one or both of the parties are authorized by international law or by national regulations, to share jointly at an agreed level between states.’<sup>11</sup> It is possible to define the joint development model briefly as a method that aims to work together with the states to ensure the development of different countries in unison and to earn income by shelving the disputes, while the earnings are shared between the parties at the rates determined.

## FEATURES OF THE JOINT DEVELOPMENT AGREEMENT

The contracting parties of the joint development agreement are sovereign states. The agreement may include non-state actors during the implementation phase, but the agreement must be concluded with the power of the state authority. The licenses and similar types of agreements (unitization, lease) that states have given to companies in a particular marine area for the purpose of seeking hydrocarbon resources and operation cannot be accepted as a joint development agreement. Likewise, whatever the content of a contract between the companies to seek, extract or operate on the seabed cannot be accepted as a joint development agreement. Also, agreements between a government and a company or companies are not joint developments. Joint develop-

<sup>10</sup> Hazel Fox, “Joint Development of Offshore Oil and Gas: A Model Agreement for States for Joint Development with Explanatory Commentary”, *British Institute of International and Comparative Law*, 1989, p. 18.

<sup>11</sup> Fox, “Joint Development of Offshore Oil and Gas”, p. 21.

ment agreements can be arranged to cover licenses and similar types of contracts. However, the opposite is not possible.

*Joint development agreements are made on the basis of cooperation, and some rights and responsibilities are imposed on the parties to this end.* States often transfer some of their sovereign rights and powers to a supra-state authority, which will be established in the framework of the joint development agreement, by the nature of the joint-developing regime.<sup>12</sup> This authority executes the decision-making processes independently on behalf of the joint development with the authority it receives from the states. As a different implementation model, contracting parties may also choose to establish an advisory authority by keeping their ownership aside during the execution and management process of the joint development. In this case, one of the contracting parties, with the consent of the other state, operates the maritime area subject to dispute and the works in this area by using all its powers as if it is its own field and in return, makes a commitment to the other party to pay on dividends. In cases where states do not want to transfer their sovereign rights to a third party, this model can be used as a suitable model. However, in cases where a joint development regime is preferred due to the border dispute, the existence of a supra-state authority is seen as a more common model.

*Joint development agreements are made as an international contract between states.* Contracts of license and similar type are generally subject to the provisions of private law. Therefore, while the obligations of the states are regulated by an international contract provision within the scope of the joint development agreement, the obligation of the parties in other contracts is subject to the provisions of the ordinary contract.

*Joint development agreements are generally made for the purpose of searching and operating potential hydrocarbon reserves in disputed sea ar-*

<sup>12</sup> Yücel Acer, "A Proposal for a Joint Maritime Development Regime in the Aegean Sea", *Journal of Maritime Law and Commerce*, Vol. 37, No. 1, 2006, p. 51.

*as between states.* In this case, the amount of reserve and even the presence of a reserve in the areas subject to the joint development agreement is not known for certain. Joint development agreements can be arranged in a way that gives rights to the living and non-living assets in the sea waters provided by EEZ, in addition to the purpose of researching and extracting resources from the continental shelf. However, other types of contracts are made to search for resources that exist and are known to be passive in the sea area of a state or at the borders of different states.

*The primary purpose in joint development agreements is to shelve regional maritime jurisdiction disputes for the joint operation of resources.* In other types of contracts, commercial concerns are more prominent. Political concerns are prioritized in joint development agreements and states benefit from controversial marine resources without giving up their rights and powers.

As a requirement of the international legal principles, states with opposite or adjacent coasts should avoid unilateral government practices in areas where neighboring states face border disputes. *Joint development agreement negotiations should be conducted with mutual good faith of the contracting parties.* As a result of the negotiations, states are not obliged to reach an agreement.<sup>13</sup> However, the conclusion of the negotiations with the agreement will be in favor of the parties, since if the agreement cannot be reached, none of the parties will benefit from the resources. In practice, it is observed that the parties have started the joint development agreement process as a result of the desire to use said resources.

International maritime law and customary law practices prohibit the use of hydrocarbon resources in controversial marine areas. Unless the maritime jurisdictions are determined by a court decision, agreement, or consensus, no action can be taken on these areas. Contracting

<sup>13</sup> Acer, "A Proposal for a Joint Maritime Development Regime in the Aegean Sea", p. 57.

parties in dispute have to negotiate and cooperate with the problem. Joint development agreements appear in areas where there is a dispute over the delimitation of marine areas. Party states need to cooperate if they need reserves in that area. This will be possible by going for joint development.

## **TYPES OF JOINT DEVELOPMENT MODEL**

The joint development model has been shaped by government practices in line with international law in the context of contracts and judicial decisions. In international law, there is no specific regulation on how the joint development agreement should be made. The fact that each conflict has its own characteristics entails this. The first stage of concluding a joint development agreement is that the states, which are in dispute about the margins of the sea area, come together with the spirit of cooperation and form a joint development area. States then decide on joint development conditions, rights and obligations, and sign an agreement. The agreement is likely to include the states' attitudes towards the economic and political situation and dispute issues. Therefore, the joint development agreement can be made in different types depending on the source of the delimitation dispute, the characteristics of the resources that can be extracted from the disputed region, the mutual political attitudes of the agreement parties and the economic gain in practice.<sup>14</sup>

When the joint development agreements made to date are considered, a classification has been made in the doctrine according to the content of the agreement and the powers of the parties. The main models used by states under this classification are described below. Regardless of which agreement model the parties choose, the rights and obligations of the parties should be recorded and the agreement made should be a precedent and model for possible agreements that can be made later.

<sup>14</sup> Adina Anghelache, "History of Unitization-Based Cooperation in the Development of Offshore Cross-Border Deposits", Energy Policy Group, 2015, p. 7

## SINGLE-STATE MODEL

As part of this joint development model, one of the parties carries out activities on behalf of all parties. The other state takes its share from the total earnings after the costs of the state carrying out the activities are deducted. It is the model with the lowest probability of dispute between the parties. In the first examples of the joint development model, this model was widely used. However, this model is not preferred due to the fact that only one state has a right of implementation on the joint development and the other states' authorities are not reflected in the decisions.<sup>15</sup>

The Bahrain-Egypt Joint Development Agreement in 1958 and the agreement between Australia and Indonesia in 1989 were made under this model.<sup>16</sup> The new trend in this model has been that states continue their good neighborly relations with economic gain. In the agreement between Norway and England in 2005, the parties experienced in oil extraction and operation agreed in the sense that the state, where the source is located, performs the extraction and operation activities in case a resource is discovered in the common area. The earnings will be shared between the parties in accordance with the agreement.<sup>17</sup>

## TWO STATES OR JOINT VENTURE MODEL

In this joint development model, party states appoint representatives with broad powers and these partners establish partnerships together. The joint development area is shared between representatives of the two states.<sup>18</sup> In this model, states do not transfer their sovereign rights

<sup>15</sup> David M. Ong, "Joint Development of Common Offshore Oil and Gas Deposits: 'Mere' State Practice or Customary International Law?", *American Journal of International Law*, Vol. 93, No. 4, 1999, p. 788

<sup>16</sup> Ana E. Bastida, et. al., "Cross-Border Unitization and Joint Development Agreements: An International Law Perspective", *Houston Journal of International Law*, Vol. 29, 2006, p. 416.

<sup>17</sup> Peter Cameron, "The Rules of Engagement: Developing Cross-Border Petroleum Deposits in the North Sea and the Caribbean", *International and Comparative Law Quarterly*, Vol. 55, No. 3, 2006, p. 576.

<sup>18</sup> Ong, "Joint Development of Common Offshore Oil and Gas Deposits", p. 789-790

to a common authority. However, a commission consisting of representatives of the two states is set up to be consulted on management matters. Representatives are responsible for the management of their area and they do not interfere with each other's area. In areas created as a sub-region of the joint development area, the parties apply their own management rules and exercise their jurisdiction. This model was used in the agreements signed between Japan and South Korea and between France and Spain in 1974.<sup>19</sup> The parties divided the common area into sub-regions. Each country has operated in the area where it is responsible for its management through its representative. A commission with consultancy status was set up to discuss common issues and possible differences of opinion.

## JOINT AUTHORITY MODEL

This model is widely used in joint development agreements. As a common management model that requires maximum cooperation, it is considered highly efficient. In this model, a legal body of management is created with the participation of all parties. The legal body of the established administration should be legally valid in the states. This model is considered more functional, as it has the possibility to minimize the interference of party states. The joint development agreements signed between Sudan and Saudi Arabia in 1974 and between Malaysia and Thailand in 1990 are examples of the common management model.<sup>20</sup>

The operability of the model varies according to the scope of sovereign rights that states transfer to joint authority. If states delegate their rights and powers to the joint authority comprehensively, a very strong

<sup>19</sup> 1974 Agreement between Japan and the Republic of Korea Concerning Joint Development of the Southern Part of the Continental Shelf Adjacent to the Two Countries, January 30, 1974, Center for International Law, <https://cil.nus.edu.sg> ..., Accessed on December 26, 2019

<sup>20</sup> Ahmad Kashfi, Wan Siti Adibah, "Joint Development Agreement Scheme for Management of World's Largest Shared Oil And Gas Reservoir", *Journal of Scientific Research and Development*, Vol. 2, 2015, p. 73.

joint model is created. As far as it has the authority to explore, extract and manage resources in the common area determined by the joint development agreement, it may also have the authority to evaluate and decide on the license and concession applications for the common area.<sup>21</sup> In case the powers given by the states are limited, a development model that has undertaken the administrative management of the joint development area is created.

In addition, the model can accommodate different types of joint development models. Namely, while a part of the joint development area is operated by sub-regions for the party states and the management of these areas is left to them, a single-state model management system can be adopted in the operation of a different area under the same agreement. Likewise, the Timor Gap Treaty signed between Australia and Indonesia in 1989 was similarly concluded to cover more than one type of joint development model.<sup>22</sup> It is recommended to use this model in a possible joint development agreement between Iran and Qatar to operate resources in the Persian Gulf, which has the world's largest oil and gas reserves.<sup>23</sup>

## TRUSTEE DEVELOPMENT MODEL

In this model, the party states transfer all their rights and powers over the area they agree on as the joint development area to a third party. In return, parties charge an amount determined under the joint development agreement. This model prevents parties from wasting time and energy. They only sign and enforce this joint development agreement and its annexes. The company or organization that is determined as a third party by the agreement executes the work and transactions. This agreement model is a facilitator for the solution of potential disputes

<sup>21</sup> Ong, "Joint Development of Common Offshore Oil and Gas Deposits", p. 791.

<sup>22</sup> Bastida, *meat. al.*, "Cross-Border Unitization and Joint Development Agreements", p. 417.

<sup>23</sup> Kashfi and Adibah, "Joint Development Agreement Scheme for Management of World's Largest Shared Oil And Gas Reservoir", p. 71.

related to the resource. The third party resolves the issues without any dispute between the states and continues to operate in line with the goals of joint development.<sup>24</sup>

## THE STATUS OF JOINT DEVELOPMENT AGREEMENTS IN INTERNATIONAL LAW

Joint development agreements began to be used in the second half of the 20th century. Today, this model of agreement, which has its own characteristics, is used extensively in marine areas that are rich in natural resources but subject to delimitation disputes. The concept of joint development emerged primarily in bilateral marine area delimitation agreements in international law. In 1958, Bahrain and Saudi Arabia established a joint development regime for the purpose of exploring, exploiting and managing natural resources within the borders of the two states.<sup>25</sup> In the delimitation agreement signed between Britain and Norway in 1965, an agreement was reached that if two reserves are detected in the maritime borders of the two states, these reserves will be operated together and the income will be shared.<sup>26</sup> In most of the delimitation agreements made after this agreement, a provision stating that the parties will jointly operate these reserves in the event of the determination of transitional structures between borders is added to the agreements.<sup>27</sup>

The ICJ stated in the North Sea Continental Shelf Cases of 1969 that joint jurisdiction and right to operate are an option for states in

<sup>24</sup> Rongxing Guo, "Territorial Disputes and Seabed Petroleum Exploitation: Some Options for the East China Sea", The Brookings Institution Center for Northeast Asian Policy Studies, 2010, p. 16.

<sup>25</sup> Masahiro Miyoshi, "The Joint Development of Offshore Oil and Gas in Relation to Maritime Boundary Delimitation", *Maritime Briefing*, Vol. 2, No. 5, 1999, p. 27

<sup>26</sup> "Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Norway Relating to the Delimitation of the Continental Shelf between the Two Countries", United Nations Treaty Series, Vol 551, (1965), p. 214.

<sup>27</sup> Gao, "The Legal Concept and Aspects of Joint Development in International Law", p. 113.

areas where maritime borders and natural resource reserves overlap.<sup>28</sup> After this decision from the ICJ, many states solved the sea area delimitation problem by signing a joint development agreement.<sup>29</sup> Likewise, in the Tunisia-Libya case of 1982, the ICJ recommended that the parties conclude a joint agreement.<sup>30</sup> The parties then resolved the dispute amicably by concluding a joint development agreement for the Gulf of Gabès.<sup>31</sup> International case law constitutes an important resource for the joint development regime.

The general principles of international law constitute a source for the legal basis of joint development agreements and the basic principles in the implementation process. Cooperation and good neighborhood principles of international law are closely related to joint development agreements.<sup>32</sup> These principles impose on states the obligation to avoid activities that could harm the legitimate rights and interests of other states.<sup>33</sup> In addition, lawsuits filed in the ICJ on border disputes have introduced some principles regarding the joint development regime. These principles are applied today as the rule of customary international law. Zhiguo Gao, a member of the International Tribunal for the Law of the Sea, expressed the principles of international customary law as follows: “It is forbidden for states to engage in unilateral practices in areas where there are disagreements regarding delimitation, the operation and allocation of resources in this area should be decided with the

<sup>28</sup> “North Sea Continental Shelf Cases”, International Court of Justice, 1969, 52, 53, U 99, 101(C)(2).

<sup>29</sup> Acer, “A Proposal for a Joint Maritime Development Regime in the Aegean Sea”, p. 53.

<sup>30</sup> “Judgment of 24 February 1982 in the Case Concerning the Continental Shelf (Tunisia / Libyan Arab Jamahiriya) (Tunisia v. Libyan Arab Jamahiriya)”, <https://www.icj-cij.org/en/case/71>, Accessed on January 11, 2020.

<sup>31</sup> Gao, “The Legal Concept and Aspects of Joint Development in International Law”, p. 116.

<sup>32</sup> Gao, “The Legal Concept and Aspects of Joint Development in International Law”, p. 115.

<sup>33</sup> “Charter of the United Nations (UN Charter)”, Chapter 11, Article 74, <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>, Accessed on January 10, 2020.

participation of all parties, and they should negotiate in good faith in order to reach a provisional agreement on it.”<sup>34</sup>

In some resolutions from the United Nations (UN), it is recommended that states should cooperate in delimitation disputes. Namely, the Charter of Economic Rights and Duties of States of 1974 states “In the exploitation of natural resources shared by two or more countries, each State must co-operate on the basis of a system of information and prior consultations in order to achieve optimum use of such resources without causing damage to the legitimate interest of others.”<sup>35</sup> In this context, coastal states are invited to use their natural resources in conflict areas with a sense of cooperation without violating the rights and jurisdiction of other states. Similarly, in its resolution No. 3129 dated 13 December 1973, the UN recommended that stakeholder states cooperate in environmental protection in the areas of natural resources shared by two or more states.<sup>36</sup>

A joint development is not a concept that emerges through an international contract. Joint development agreements emerged as a result of a need in international law, firstly with state practices, then they were recommended by court decisions and case law, later they were defined with international customary law rules within the framework of general principles of international law, and finally they became a concept specified in international contracts.

As stated, as a result of the continental shelf and EEZ concepts entering into international law and efforts of states to expand their maritime jurisdiction, dispute problems have increased in sea areas. Espe-

<sup>34</sup> Gao, “The Legal Concept and Aspects of Joint Development in International Law”, p. 117.

<sup>35</sup> “Resolution Adopted by the General Assembly”, Charter of Economic Rights and Duties of States, No: 3281, New York, Chapter 2, Art. 3, 14.12.1974, <http://www.un-documents.net/a29r3281.htm>, Accessed on January 13, 2020.

<sup>36</sup> “Resolution Adopted by the General Assembly, Cooperation in the field of the Environment Concerning Natural Resources Shared by Two or More States”, No: 3129, New York, 13 December 1973, [http://www.cawater-info.net/bk/water\\_law/pdf/newyork\\_1973\\_e.pdf](http://www.cawater-info.net/bk/water_law/pdf/newyork_1973_e.pdf), Accessed on January 13, 2020.

cially due to the problems of delimitation and the transitive structure of the hydrocarbon reserves across the borders of the adjacent coastal states whose sea borders have been determined, states have to combine natural resources in these areas in order to gain economic benefits from these areas and to avoid sovereignty conflicts. They decide to go the way of operation.

In the 1982 UNCLOS, the joint development method was not directly expressed, but alternative solution methods such as joint development were recommended to the parties. With the UNCLOS, provisions have been established as a summary of the existing rules and government practices implemented in the joint development method. Articles 74 and 83 of the UNCLOS regulate the delimitation of the EEZ and continental shelf, respectively, between states adjacent to or opposite to each other. According to this, the coastal states make an agreement in accordance with the international law to reach an equitable solution in the delimitation of the EEZ or continental shelf. Should the coastal states fail to reach an agreement in this manner, they are obliged to enter into temporary arrangements that bring practical solutions until the agreement in question is established, to enter into temporary arrangements that bring practical solutions and not to jeopardize or prevent the contract of the final agreement during this transition period.

In addition, in article 123 of the UNCLOS, coastal states *are required to cooperate in the exercise of their rights and fulfillment of obligations* in closed and semi-closed seas. What should be understood from the closed and semi-closed sea in article 122 of the convention is *a gulf, basin or sea surrounded by two or more States and connected to another sea or the ocean by a narrow outlet or consisting entirely or primarily of the territorial seas and exclusive economic zones of two or more coastal States*. Accordingly, there is no doubt that the Eastern Mediterranean is a semi-closed sea. Therefore, all the coastal states in the Eastern Mediterranean need to cooperate while exercising their rights and fulfilling

their obligations. Otherwise, the states concerned happen to use a right contrary to international law.

It is also recommended in the UNCLOS that the activities to be carried out in a sea area, which is not under the sovereignty of any country and which qualifies as the common heritage of humanity, are also carried out in cooperation with the relevant states. According to Article 142 of the UNCLOS, while using their rights and legitimate interests in this field, countries should respect the rights of other states and carry out their activities with an understanding of consultation accordingly. In addition, it is stated in paragraph 2 of Article 77 of the UNCLOS that other states will not be able to carry out any exploration and exploitation activities on the continental shelf of the coastal state unless it uses its exclusive rights to explore and exploit resources on its continental shelf. In this case, if other states want to operate in the continental shelf of the coastal state, they must obtain the consent of the coastal state. Articles 77/2 and 142 of the UNCLOS indicate that states can also make joint development agreements within the scope of these regulations. In this direction, if a resource exploration and exploitation activity within the scope of article 142 also falls under the jurisdiction of a coastal state, it may be possible to make a joint development agreement between the state performing the activity and the coastal state. Likewise, if the coastal state is unable to carry out resource exploration and exploitation activities in its continental shelf for reasons such as insufficient technological or economic opportunities under Article 77 of the Convention, it may conclude a joint development agreement with other states that wish to operate in this area.

Article 300 of the UNCLOS obliges all parties to fulfill their rights and obligations under the Convention in good faith and to avoid activities and actions that would constitute abuse when exercising the rights, powers and liberties granted by the Convention. Therefore, parties should act in good faith in line with the Convention's recommendation if they make a joint development agreement under the articles

and respect the rights and powers of other states while exercising their rights within the domain of 74/3 and 83/3.

## COULD THE JOINT DEVELOPMENT MODEL BE A SOLUTION TO THE EASTERN MEDITERRANEAN PROBLEM?

Before the joint development model can be applied in the Eastern Mediterranean, it is considered that it would be appropriate to briefly touch upon the causes of conflict in the Eastern Mediterranean and the recent history of the issue. The knowledge that rich natural gas and oil reserves exist in the Eastern Mediterranean since the early 2000s has increased the interest of the countries in the region to delimit sea areas. On February 17, 2003, the GASC made a delimitation agreement with Egypt concerning the EEZs *on the basis of the principle of equal distance*. Turkey presented its objection to the deal in question to the UN on March 2, 2004.<sup>37</sup> Turkey did not recognize the agreement between Egypt and the GASC and reported that this agreement was in violation of Turkey's continental shelf boundaries, which are its *ipso facto* and *ab initio* rights. Turkey also stated that it reserves its legitimate rights and powers beginning from east longitude 32° 16 '18 to the west of the areas of the island of Cyprus. The GASC violated Turkey's maritime jurisdiction areas by its *The Exclusive Economic Zone and Continental Shelf Law*<sup>38</sup> that was issued in 2004 to be applied from March 23, 2003.

The GASC then signed an agreement with Lebanon on January 17, 2007 on the delimitation of maritime areas.<sup>39</sup> Lebanon did not approve the Agreement and the it did not entered into effect, because

<sup>37</sup> "Law of the Sea ", UN Bulletin, Issue 54, p. 127, 17 February 2003, <http://www.un.org/> ..., Accessed on January 11, 2020.

<sup>38</sup> "The Exclusive Economic Zone and the Continental Shelf Laws 2004 and 2014", October 2014, <http://www.un.org/> ..., Accessed on January 11, 2020.

<sup>39</sup> "Cyprus-Lebanon, Cyprus-Israel Offshore Delimitation", Middle East Economic Survey, September 28, 2012.

of Turkey's initiative and conflict on the borders specified along the Lebanese-Israeli border. Subsequently, on December 17, 2010, the GASC and Israel signed an agreement to delimit the maritime areas<sup>40</sup> and reported the agreement to the UN. However, Turkey and Lebanon objected to this agreement to the UN.<sup>41</sup>

On January 26, 2007 and February 11, 2012, the GASC announced 13 different oil exploration projects in the EEZs it claimed and granted licenses to international companies by tender in order to operate these fields. However, the said parcels of 1, 4, 5, 6, and 7 coincided with Turkey's maritime jurisdiction area.<sup>42</sup> These steps have been one of the main reasons why problems are concentrated in the Eastern Mediterranean Sea. Turkey, using the legitimate rights in the so-called GASC parcels where the borders coincide, in order to prevent any exploration operations, protects the rights of the Turkish Republic of Northern Cyprus (TRNC) that are ignored by the GASC in the south of Cyprus with its guarantor role, within the framework of international law.

As a result of the GASC's continual unlawful practices in the Eastern Mediterranean despite warnings from Turkey, the *Continental Shelf Delimitation Agreement*<sup>43</sup> was signed between Turkey and the TRNC in 2011. Then, on September 22, 2011, oil and gas exploration licenses

<sup>40</sup> "Agreement between the Government of the State of Israel and the Government of the Republic of Cyprus on the Delimitation of the Exclusive Economic Zone", United Nations Website, 17 December 2010, <http://www.un.org/> / ... , Accessed on January 11, 2020.

<sup>41</sup> "Lebanon Letter to the Secretary General of the UN", United Nations Website, 20 June 2011, [http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/communications/lbn\\_re\\_cyp\\_isr\\_agreement2010.pdf](http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/communications/lbn_re_cyp_isr_agreement2010.pdf), Accessed on January 11, 2020.

<sup>42</sup> "Press Release Regarding the Second International Tender for Off-Shore Hydrocarbon Exploration Called by the Greek Cypriot Administration (GCA)", The Republic of Turkey Ministry of Foreign Affairs Statement, No: 43 February 15, 2012, <http://www.mfa.gov.tr/is/> ..., Accessed on January 11, 2020.

<sup>43</sup> Press Statement on The Continental Shelf Delimitation Agreement Signed Between Turkey and the TRNC, Foreign Ministry Press Statement Regarding the Signing of the Statement of the Ministry of Foreign Affairs Republic of Turkey, No. 216 of 21 September 2011, <http://www.mfa.gov.tr/is/> ..., Accessed on January 11, 2020.

were given by the TRNC to Turkey Petroleum Corporation (TPAO).<sup>44</sup> Turkey, instead of taking an active role in delimitation agreements with countries in the Mediterranean region, has followed a policy of voicing the unlawfulness of the agreements made by other countries in the Eastern Mediterranean in all platforms. In this context, by following the developments in the Eastern Mediterranean, it explained the unlawful activities of other countries to the UN and other international channels through diplomatic channels with justified reasons.

However, on November 27, 2019, Turkey made another game-changing step and signed the Memorandum of Understanding on Delimitation of the Maritime Jurisdiction Areas in the Mediterranean<sup>45</sup> with the Libyan Government of National Accord, disposing of all policies towards Turkey in the Eastern Mediterranean and aiming to be left alone.<sup>46</sup> The countries of the region have sought grounds on whether the agreement is unlawful or not. On the other side, Turkey has become a more active player in the Eastern Mediterranean. However, Turkey is surrounded by sea on three sides. Although there is no law regulating the rights and obligations in the area of maritime jurisdiction, there is the Law of Territorial Waters of 1982 regarding maritime jurisdiction. This law does not regulate Turkey's rights and interests and the responsibility of other states in Turkey's maritime jurisdiction. For this reason, Turkey needs urgent study towards a law regulating the maritime sovereignty and sovereign rights and interests in offshore jurisdictions.

For the following reasons, the states in the Eastern Mediterranean basin are engaged in the endless discussion of delimitation rather than taking advantage of the region's economic interests. The first reason is

<sup>44</sup> Official Gazette of the Republic of Turkey, No. 28276 dated April 27, 2012, Accessed on January 12, 2020

<sup>45</sup> Official Gazette of the Republic of Turkey Act No. 30 971 dated December 7,

<sup>46</sup> Ömer Tuğrul Çam, "The Second Great Victory of Turkish Diplomacy in the Libyan Agreement", Anadolu Agency, February 8, 2020, <https://www.aa.com.tr/> ..., Accessed on February 8, 2020.

that the GASC has been in violation of international law and signed agreements with Egypt, Lebanon and Israel that is not in line with the basic principles regarding the delimitation of the sea areas determined by international law and court decisions. The second is the efforts to seek a legal basis for the unacceptable demands of Greece. Third, in order to protect the legitimate rights and interests, Turkey is countering all this diplomatic unlawfulness with political and military activities.

When looking at the predictions for the solution of the Eastern Mediterranean problem, four different methods come to the fore. The first is to go to third-party solutions, that is, to resolve disputes by viewing them in ICJ, ITLOS or arbitration. However, states do not want to adhere unconditionally with the result that will come out as a result of the trial. Therefore, coastal states do not favor the determination of sovereign rights and powers in the maritime areas by a court or arbitration. Also, since Turkey did not become a party to UNCLOS and Greece made a reservation to the relevant Articles of the Convention concerning the resorting to the judgment for the border dispute, it does not seem possible to go to trial.

The second way to resolve the dispute is coastal states signing bilateral maritime jurisdiction restriction agreements. However, in the current situation, it will not be possible to compromise all coastal states with this method. Therefore, bilateral agreements will not be valid in international law. The third solution could be the agreement of the countries of the region not to agree on the areas where the maritime jurisdiction overlaps. Namely, coastal states are free to exercise their sovereign rights and powers in maritime areas where there are no conflicts, but they cannot perform any activities in overlapping areas. However, in this case, in the Eastern Mediterranean, where the areas of conflict are wide, not using areas with very rich reserves will be a serious economic loss for the coastal states and the world. The fourth and last method for the solution of the Eastern Mediterranean problem is to operate the conflict areas with the joint development model and to

share the economic gain among the parties within the framework of the agreement to be made.

With the joint development model, the solution of the Eastern Mediterranean problem stands out as the method that may be most suitable for international law. Articles 74/3 and 83/3 and 123 of the UNCLOS propose to bring all parties together for the resolution of such disputes and to resolve them in cooperation. To this end, Turkey has offered to cooperate with Greece to solve the problem. On the other hand, on September 24, 2011, the TRNC offered the UN Secretary-General to stop the activities carried out by the GASC in the Eastern Mediterranean by acting as a representative of the whole of the island, or with the cooperation of the parties to jointly operate the natural resources.<sup>47</sup> It seems difficult for the coastal states to reach a permanent agreement in the Eastern Mediterranean in the near future. However, converting resources into economic value through a joint development model will be in favor of all coastal states. International court orders make recommendations to the parties to jointly operate resources in cases similar to the dispute in the Eastern Mediterranean. Accordingly, instead of wasting time due to border conflicts in the Eastern Mediterranean, it would be appropriate for the coastal states to come together along its minimum common ground to make joint development agreements in order to benefit from the rich natural resources of the region.

In practice, Greece and Turkey, as well as the TRNC and the GASC can make a joint development agreement at the intersection of the boundary dispute. It is likely that a conflict will arise regarding the distribution of revenues in an area without borders. However, a solution can be found for the fair distribution on this issue. For example, it can be suggested that 40% of the income obtained is shared equally be-

<sup>47</sup> Press Release Regarding the Second International Tender for Off-Shore Hydrocarbon Exploration Called by the Greek Cypriot Administration (GCA), "Description of the Republic of Turkey Ministry of Foreign Affairs, No. 43, 15 February 2012, <http://www.mfa.gov.tr/> ..., Accessed on January 18, 2020.

tween the parties, and the remaining 60% can be shared over the rates determined when the share of the income is ultimately determined or when the dispute is resolved.<sup>48</sup> Essentially, Turkey has in previous years presented to Greece a proposal that could result in a joint development agreement, as has the TRNC with the GASC. Considering the rich natural gas and oil reserves in the region, putting political disputes aside and signing joint development agreements within the framework of principles of goodwill and equity is seen as the most appropriate way to solve the problem.

The joint development model has led states to resolve the issue amicably in many disputes. Although the term “provisional arrangements used for the agreement between the coastal states” is not specified in the articles 74/3 and 83/3 of the UNCLOS, it can be said that the joint development model is the most widely used form of provisional arrangement so far. While the agreement can be proposed as a temporary solution method, there are also examples in practice where the common development model turns into a permanent solution. In case of making a temporary arrangement in the Eastern Mediterranean through joint development, it may be possible that this provisional arrangement will lead to a permanent solution in the future.

## CONCLUSION

A joint development agreement has been recommended by international law as the most effective solution method for coastal states to benefit from their resources in cases where there is a conflict regarding the delimitation of sea areas to solve such disputes and make economic use of such resources. The joint development method is seen as the most suitable solution for exploring and exploiting hydrocarbon reserves in controversial sea areas where the jurisdiction of coastal states

<sup>48</sup> Ömer Tuğrul Çam, “The Second Great Victory of Turkish Diplomacy in the Libyan Agreement”, Anadolu Agency, February 8, 2020, <https://www.aa.com.tr/> / ..., Accessed on February 8, 2020.

overlaps in the Eastern Mediterranean region. By using this method, a joint development agreement in accordance with equity can be licensed and allocated to the exploration companies, or the states can operate in these licensed areas. Coastal states can find a provisional solution to the problem on the basis of cooperation without giving up their sovereign rights through an agreement in this regard. This model can be turned into a permanent agreement if the workaround becomes effective and the parties are satisfied with it.





FOUR

ECONOMY AND  
ENERGY





# EASTERN MEDITERRANEAN ECONOMIES AND TURKEY

ERDAL TANAS KARAGÖL\*

## INTRODUCTION

Natural gas, which has a significant share of the global energy demand, increases the importance of the world's discovered natural gas reserves and the regions where the capacity for natural gas is high. It was stated in research carried out by the U.S. Geological Survey (USGS) that the region called the Levant Basin, which is located in the waters of Greek Cypriot Administration of Southern Cyprus (GASC), Israel, Egypt, and Lebanon in the Eastern Mediterranean, has 3.5 trillion cubic meters of natural gas reserve.<sup>1</sup> The Eastern Mediterranean is a region with areas of political instability and countries that have higher energy demand. Therefore, these resources are essential for the countries of the region. Countries that are eager to turn the resource advantage into an economic opportunity have also taken steps to explore natural gas. As such, the region has drawn the attention of both its countries and multinational energy companies, driven by natural gas discoveries made in recent years.

The countries in the region with highest energy resources include Israel, the GASC, and Egypt. The number of actors in the Eastern Mediterranean is increasing as these countries have discovered natural

\* Prof. Dr., Ankara Yıldırım Beyazıt University

<sup>1</sup> "Overview of Oil and Natural Gas in the Eastern Mediterranean Region", *U.S. Energy Information Administration (EIA)*, 2013.

gas alongside foreign energy companies, leading to dialogue and collaboration in the region. Table 1 below shows the natural gas reserves of the countries with energy resources in the Eastern Mediterranean and the years these reserves were discovered. The discovery of the first major natural gas field in the region was made in 2009 in the Tamar field within the Exclusive Economic Zone (EEZ) of Israel. This field has a natural gas capacity of 283 billion cubic meters. Israel continued its work and, in 2010, discovered the Leviathan field with a reserve of 509 billion cubic meters. The natural gas field named Aphrodite by the GASC was discovered in the region in 2011, with a capacity of 198 billion cubic meters of natural gas. In 2015, the discovery of the region's most abundant resource took place in Egyptian waters when Egypt discovered the Zohr field, with a natural gas reserve of 850 billion cubic meters.

TABLE 1. NATURAL GAS DISCOVERIES IN THE EASTERN MEDITERRANEAN REGION			
Country	Discovery Date	Field Name	Estimated Reserves (bcm)
Greek Cypriot Administration of Southern Cyprus	2011	Aphrodite	198
Israel	1999	Noa	1,1
	2000	Mari-B	42
	2009	Dalit	14,1
	2009	Tamar	283
	2010	Leviathan	509
	2011	Dolphin	2,2
	2012	Shimshon	8,4
	2012	Tanin	33,9
	2013	Karish	50,9
Palestine	2000	Gaza Marine	28,3
Egypt	2015	Zohr	850

Source: U.S. Energy Information Administration (EIA)

In addition to the countries with natural gas resources, Lebanon, Syria, and Palestine also have coastlines in the Eastern Mediterranean region. In 2000, natural gas reserves were discovered in the Gaza Marine field in the EEZ of Palestine (Table 1). However, the restrictions imposed by Israel and the chaotic situation in the country did not allow Palestine to put these resources into production. Therefore, Palestine is currently unable to actively and efficiently use its resources. With the effect of the civil war and chaotic atmosphere that has been going on for years, Syria has been excluded from the energy activities in the Eastern Mediterranean. The dynamics of the country's war economy caused the economic and political practices to cease, with Syria remaining in a passive role in the Eastern Mediterranean equation.

Currently, the energy equation in the Eastern Mediterranean is carried out along two crucial orbits: the commercialization of existing resources and the discovery of new fields. International companies continue to cooperate with countries in the discovery of new fields. As for the commercialization of resources, it is seen that the strategic transfer routes for the market come to the fore with the dialogue and cooperation between the countries of the region. The countries are trading among themselves and aiming to reach broader markets, especially in Europe. The Eastern Mediterranean Natural Gas Pipeline (EastMed), run by the region's countries in a partnership with Greece and the EU, constitutes only one of those routes. Egypt wants to activate its existing LNG facilities and put the region's energy resources on the market with LNG. Therefore, the Eastern Mediterranean is home to an energy equation with multiple scenarios and many actors.

All scenarios of natural gas transfer in the Eastern Mediterranean face some economic obstacles because the transfer to be provided on these routes causes a certain funding requirement. Eastern Mediterranean countries do not have the economic infrastructure to provide this financing. In this context, Turkey offers the most convenient route for energy transfer to the Eastern Mediterranean countries. Turkey, as well as having a favorable

geographical location for the transfer of energy, has the necessary infrastructure facilities. Considering the cost of gas transfer, Turkey stands out as the ideal route. As a result, there is a need for the energy resources of the Eastern Mediterranean region to be brought into the economy as soon as possible. In other words, concrete steps and the most appropriate scenario regarding the issue should be realized as soon as possible.

This study aims to examine the energy equation in the Eastern Mediterranean region by considering the current economic conditions of the region's countries to understand Turkey's economic relations with Eastern Mediterranean countries. To this end, it is expected that the current political and economic balance of the Eastern Mediterranean, the cooperation and dialogue between countries and the activities of international actors in the region will be adequate to make inferences for the energy equation in the region.

## **EASTERN MEDITERRANEAN ECONOMIES**

### **EGYPT**

Egypt, one of the most populous countries with its 98.5 million people, was a country with years of income disparities and poor welfare conditions due to the lack of viable medium and long-term economic policies. The 2011 Arab Spring protests demonstrate the political instability and uncertainty that resulted from the dismissal of President Hosni Mubarak. In 2013, President Mohammed Morsi was taken down by a military coup. Then Abdal Fattah al-Sisi came to power in 2014. This chaotic situation of political authority slowed Egypt's economic activity. The mentioned revolution and uprisings were very costly to their economy. During the first days of the revolution in 2011, it was calculated that the daily cost of these events to the national economy was 310 million dollars.<sup>2</sup>

<sup>2</sup> Michael Schwartz, "The Egyptian Uprising: The Mass Strike in the Time of Neoliberal Globalization", *New Labor Forum*, Vol. 20, No. 3, Fall 2011, pp. 33-43, p. 34.

After the revolution in Egypt on January 25, 2011, the Egyptian stock market took an approximate 22 percent loss within five weeks.<sup>3</sup> The Central Bank's foreign currency reserves dropped sharply in a short period. It is observed that these reserves fell below 15 billion dollars in 2012 and 2013. During this time, Egypt met most of its energy demand with foreign aid and loans. In terms of public finance, the budget deficit ratio to the GDP was 9.9 percent in 2011 and 10.7 percent in 2012.<sup>4</sup> By 2013, the deficit rose to 13.3 percent, and after 2014, it decreased to 12 percent.

TABLE 2. MACROECONOMIC INDICATORS OF EGYPT		
Indicators	2018	2019
<b>Population</b>	98 423 595	-
<b>Unemployment Rate</b>	11,44	7.8 (Q3)
<b>GDP</b>	250.9 billion dollars	-
<b>GDP Per Capita</b>	2,907 dollars	-
<b>GDP Annual Growth Rate %</b>	5,3	5.6 (Q3)
<b>Inflation Rate %</b>	20,86	7.1
<b>Government Debt to GDP %</b>	108	90.5
<b>Export</b>	27,624 million US dollars	-
<b>Import</b>	72,000 million US dollars	-
<b>Oil Production</b>	670,000 (b/d)	-
<b>Natural Gas Production</b>	58.6 bcm	-

Source: The World Bank, Trading Economics, WTO

As the initial step to reduce the rising budget deficit in the budget, a limitation was made on government incentives.

<sup>3</sup> İsmail Numan Telci, "Mısır Darbe Rejiminin Bedelini Ödüyor", *Anadolu Ajansı*, 3 July 2018, <https://www.aa.com.tr...>, A.D.: 21 January 2020.

<sup>4</sup> "Lebanon GDP", *Trading Economics*, 2020, A.D.: <https://tradingeconomics.com/lebanon/gdp>, 2020).

Energy support, which had the most important share of aid given by the government before the economic crisis, was restricted. Thus, the energy costs of income groups with high-energy usage were increased by a certain proportion as they contributed more to the economy. A major decrease in investments was observed at this time. In foreign direct investments, an inflow of 6.3 billion dollars was made in 2010, with a total output of 482.7 million being realized in 2011.<sup>5</sup>

Economic growth, which was 5.1 percent in 2010, declined to 1.7 percent in 2011,<sup>6</sup> before growing by 2.2 percent in 2012. Political and economic uncertainties and instabilities negatively affected macroeconomic data following the coup in Egypt. In order to overcome the economic bottleneck in this period, Egypt first asked for funding from countries like Saudi Arabia and the United Arab Emirates, then resorted to the IMF in 2016 because it could not find the support it was looking for.<sup>7</sup> Egypt applied to the IMF in November 2016, benefitted from the Extended Loan Mechanism (EEF), and signed a \$12 billion loan deal.<sup>8</sup> The country had to implement some economic reforms in response to the loan it received from the IMF. The IMF's reform plans for the Egyptian economy are aimed at creating employment opportunities and supporting the free market economy by supporting the private sector.<sup>9</sup>

It is essential to point out that IMF credit conditions damaged the country's low-income group. In addition, restrictions on state aids and incentives cause price increases. Looking at the inflation rates in Egypt over the past ten years, it is seen that in 2017 the inflation rate, which

<sup>5</sup> "Data Bank", *The World Bank*, 2020, A.D.: <https://data.worldbank.org/>.

<sup>6</sup> "Data Bank", *The World Bank*, 2020, A.D.: <https://data.worldbank.org/>.

<sup>7</sup> Telci, "Mısır Darbe Rejiminin Bedelini Ödüyor".

<sup>8</sup> "IMF Executive Board Approves US\$12 Billion Extended Arrangement Under the Extended Fund Facility for Egypt", *International Monetary Fund*, 11 November 2016, <https://www.imf.org...>, A.D.: 28 January 2020.

<sup>9</sup> "IMF: Mısır Bölgedeki En İyi Büyüme Oranına Sahip", *Şarkul Avsat*, 31 July 2019, <https://aawsat.com...>, 20 January 2020.

was above 10 percent at the beginning of 2010, reached 30 percent. This inflation then began a downward trend after 2017. It is noteworthy that the inflation rate, which was 12.7 percent in January 2019, declined to just 7.1 percent in December 2019 (Table 2).

With the implementation of its pursued reform practices and policies, the Egyptian economy grew by 5.3 percent in 2018 (Table 2). To illustrate this, the GDP has reached 250 billion 895 million dollars, and the nominal per capita income has become 2907 dollars (Table 2). As one of the significant problems of the Egyptian economy, government debt reached high levels in 2017, with a 108 percent debt-to-GDP ratio. The debt-to-GDP ratio decreased to 90.5 percent, with some improvement in government debt, in the 2018-2019 fiscal year. On the other hand, the share of oil revenues in Egypt's exports is quite large. In this context, it is also vital within the outstanding steps of the IMF program to develop non-oil exports and reduce its dependence on oil exports.

Located in the Eastern Mediterranean region, Egypt is a highly energy-rich country. The national oil company Egyptian General Petroleum Corporation (EGPC), established in 1965, has an essential role in Egypt's oil production and a prominent position in oil trade.<sup>10</sup> Egypt has 3.3 billion barrels of oil and 2.1 trillion cubic meters of natural gas reserves. The country's political and economic crisis was also expressed in the energy industry. In certain times, there have been severe problems in the production and trade of oil and natural gas. Although Egypt's natural gas production in 2011 amounted to 59.1 billion cubic meters, this figure dropped to 40.3 billion cubic meters in 2016. By 2018, however, the annual production of natural gas was 58.6 billion cubic meters.<sup>11</sup> According to the data announced by the Egyptian Natural Gas Holding Company (EGAS), 71.3 billion cubic meters of

<sup>10</sup> Erdal Tanas Karagöl and Büşra Özdemir, *Türkiye'nin Enerji Ticaret Merkezi Olmasında Doğu Akdeniz'in Rolü*, SETA Report, İstanbul, 2017.

<sup>11</sup> *BP Statistical Review of World Energy 2019*, 2019, BP, London.

natural gas was produced in Egypt in the 2018/2019 financial year.<sup>12</sup> In 2011, the country's average oil production was 714 thousand barrels, and this figure has decreased considerably over the years due to the effects of economic problems. Egypt's average oil production fell to 670,000 barrels in 2018.<sup>13</sup>

In recent years, the discoveries of natural gas reserves in the Eastern Mediterranean have raised the interest of regional countries and foreign actors in this area and led them to participate in aggressive activities in these fields. Egypt's natural gas discoveries in the region date back far longer. Their natural gas exploration in the Mediterranean began in 1969 with the discovery of the Abu Qir field.<sup>14</sup> Egypt then continued its natural gas discoveries and started production and trade. Egypt obtains most of its natural gas production from Mediterranean fields. According to the data announced by EGAS, Egypt produces 58 percent of its natural gas production from the Mediterranean, 20 percent from the Western Desert, and 20 percent from the Nile Delta. These three fields are the leading regions in Egypt's natural gas production.

Egypt has been importing natural gas since 2014 to meet its increasing demand and has stopped natural gas exports for a specified period.<sup>15</sup> The Arab Natural Gas Pipeline extending from Egypt to Syria and Jordan during this time is one of Egypt's main shipping routes for gas trade. Egypt has exported natural gas to Israel, Syria, and Jordan using this pipeline. In the fiscal year of 2018/19, Egypt exported 1.5 billion cubic meters of natural gas through the pipeline to Jordan.<sup>16</sup>

<sup>12</sup> A. Hussien, R. Gamal and T. Madi, "The Mediterranean Sea: Egypt's Natural Gas Trove", *Egypt Oil & Gas*, 2020.

<sup>13</sup> *BP Statistical Review of World Energy 2019*. London: BP.

<sup>14</sup> Hussien, Gamal and Madi, "The Mediterranean Sea: Egypt's Natural Gas Trove".

<sup>15</sup> Dov Lieber and Amira al-Fekki, "Israeli-U.S. Consortium Begins Pumping Natural Gas to Egypt", *The Wall Street Journal*, 15 January 2020, <https://www.wsj.com...>, A.D.: 24 January 2020.

<sup>16</sup> "Factbox: Egypt's Push to Be East Mediterranean Gas Hub", *Reuters*, 15 January 2020, <https://www.reuters.com...>, A.D.: 24 January 2020.

LNG is one of the advantageous options for Egypt's natural gas export and has a large market in natural gas trade in the world. LNG offers significant advantages within natural gas trade based on Egypt's geographical location and infrastructure possibilities. Egypt has two LNG facilities called Idku and Damietta. According to the latest annual report of EGAS, Egypt exported 4.9 billion cubic meters of LNG during 2018-2019.

These days, Egypt continues its advance in becoming the region's leading nation with its successful projects in the Eastern Mediterranean. In 2015, the Italian energy company ENI discovered 850 billion cubic meters of natural gas reserves in the Nile Delta in the Eastern Mediterranean basin, making Egypt the owner of the region's largest gas field.<sup>17</sup> Amid these changes, Egypt reclaimed its net exporter status from the role of the importer in late 2018 with the start of production in the Zohr region.

Egypt's strategy in the Eastern Mediterranean is to use the existing energy resources most efficiently, thanks to its cooperation with the countries in the region, and thus find a way out of the political and economic crisis. Egypt, aiming to become one of the region's leading energy centers by developing cooperation and collaboration with Israel, announced in its latest statement in January 2020 that it has begun buying gas from Israel. Under the deal that the parties concluded two years ago, Israel will supply Egypt with 85.3 billion cubic meters of natural gas for 15 years.<sup>18</sup>

## THE GREEK CYPRIOT ADMINISTRATION OF SOUTHERN CYPRUS

The Greek Cypriot Administration of Southern Cyprus (GASC) gained its independence from the United Kingdom in 1960 and became a member of the European Union in 2004. The administration became

<sup>17</sup> Hussien, Gamal and Madi, "The Mediterranean Sea: Egypt's Natural Gas Trove".

<sup>18</sup> Lieber and al-Fekki, "Israeli-U.S. Consortium Begins Pumping Natural Gas to Egypt".

a Euro-zone country in 2008. Today, the administration has an open, free-market, service-based economy.

The GASC has a small population of around 0.9 million, with a per capita GDP of 23,994 Euros in 2018. The administration's economic performance remains moderate. In 2019, the growth rate was 3.2 percent, and the unemployment rate was around 6.7 percent. The main driver of economic growth is domestic demand, both private and public consumption. Foreign direct investment mostly concentrated on the real estate sector and construction. An English-speaking population, its geographical position, and an investor-friendly economic atmosphere attract foreign direct investments to the administration.

Even though its ties with the European Union sustain economic advantages, the results of political instability have been observed several times. The political instability of the island is an obstacle for the administration and generates vulnerability to external surprises. Even when foreign investment flows into the economy during times of expansion, its vulnerability cannot be precluded like in the 2008 Global Financial Crisis.

The most important partners of the country are Greece, Israel, Libya, and the United Kingdom. According to the Observatory of Economic Complexity data, annual exports to Greece amount to around 321 million dollars, to Israel 339 million dollars, to Libya 301 million dollars, and the United Kingdom amount to 324 million dollars. The service sector consists of a high share of its exports. The rest is from domestically produced goods such as mineral origin industrial products, raw and refined food products, and textile, wood, paper, and pharmaceutical products.

The agriculture sector, once the backbone of the administration's economy, is now mostly consisting of small farms. Since the 1960s, the administration has conducted several irrigation projects, which increased the export of agricultural products such as fruits and vegetables. However, the dominance of the agricultural sector in the economy be-

gan to decline after the 1990s, at which the service sector's influence was observed.

The banking sector is crucial to the administration. However, the funds coming from Greece and Russia constitute the biggest obstacle to the stability of the banking sector. Offshore financial services are dominating the whole sector.<sup>19</sup> Incredibly low tax rates attract financial investment to flow through the administration.

There is a limited number of raw materials within the country, which restricts the scope for industrial manufacturing. The solid industries consist of petroleum refining, thermal electricity production and cement, and asbestos-pipe manufacturing. Clothing, printing, publishing, beverages, footwear, and small size machinery and transport equipment production are also counted in the GASC's industrial manufacturing.

Tourism is the flagship sector in the economy.<sup>20</sup> Especially in recent times, the country has experienced successive years of record tourist arrivals. There is an international airport, which provides connections to all of Europe.

The Greek Cypriot Administration of Southern Cyprus is a net energy importer country.<sup>21</sup> Therefore, the administration imports petroleum to meet the need for power vehicles, mostly used for generating electricity. Solar power has a high share in producing energy, while water supply is inadequate throughout the country.

## ISRAEL

Israel, with a 72-year history as a state, has become an industrially advanced free market economy. Since 1948, Israel's economic advantage has been its high-skilled labor force, which consisted of

<sup>19</sup> "Cyprus", *Encyclopaedia Britannica*, 11 February 2020, <https://www.britannica.com...>, A.D.: 13 February 2020.

<sup>20</sup> "Cyprus", *Encyclopaedia Britannica*.

<sup>21</sup> "Cyprus", U.S. Energy Information Administration, March 2014. <https://www.eia.gov...>, A.D.: 13 February 2020.

European Jewish immigrants. The country's major economic sectors are high technology equipment, industrial manufacturing, and the diamond industry.

The integration of world markets is substantial for Israel's economy. The economic atmosphere is in favor of foreign investment in the country, with its fiscal and monetary policies and its legal systems.<sup>22</sup> Tax rates in Israel are among the highest in the world, with income, value-added, customs and excise, land, and luxury taxes being the main sources of revenue. In terms of trade, Israel has a modest trade deficit. Its imported goods are raw materials, crude oil, and consumer goods. On the other hand, Israel's exported goods are high-value-added productions such as electronic tools, machinery, finished petro-chemicals, computer software, cut diamonds, and jewelry. Israel has free trade agreements with the USA, Canada, and the European Union.

Agriculture was the traditional economic source for Israel's early citizens. Peanuts, sugar beets, cotton, citrus, vegetables, and flowers are the country's primary agricultural products. Israel cannot produce all of its agricultural needs; therefore, it must import the rest to supply food security.

The scarcity of water, climate conditions, and the lack of farmland are the main problems faced by Israel's agriculture sector. Deserts cover more than half of the country's landscape. To sustain further agricultural development, the country implements different irrigation methods such as cloud seeding, desalinating seawater, and desert farming. Israel is an advanced country in greenhouse agriculture. Fishing is limited in Israel's Mediterranean and the Red Sea coasts. However, deep-sea fishing in the Atlantic Ocean is available. Advanced fishing technology is also used for breeding fish in the desert's artificial lakes.

<sup>22</sup> "Israel Economic Snapshot", *OECD*, (No Date), <http://www.oecd.org...>, A.D.: 7 January 2020.

The Tel-Aviv Stock Exchange was established in 1953, which could be counted as the early stages of the state.<sup>23</sup> The banking sector is well developed, and both commercial and development banks serve in the financial sector. According to the Heritage Foundation Economic Freedom Report (2019), Israel is categorized as a “mostly free” country with a score of 75.0 for investment freedom and 70.0 for financial freedom.<sup>24</sup> Venture capital funds are prevalent in Israel, while the hedge funds are only beginning to grow. Fourteen outstanding international venture capital companies have offices in Israel.<sup>25</sup> The free market-based economy and financing opportunities create a valuable high technology sector. While technology-based products are the core of the Israeli economy, a key factor in its high-tech success story is the venture capital industry. Natural sciences, optics, medicine, agricultural sciences, electronics, communication, genetics, computer sciences, software, and energy system engineering are the pioneer fields of research and production.

Tourism is a substantial sector for Israel’s economy. Even though religious tourism is one of the vital sources of foreign exchange for Israel’s economy, regional conflicts limit its growth. Jerusalem is the most visited city in the country, which has great importance for the Abrahamic religions. To attract tourists and foreign investments, the Israeli government attaches importance to tourism investments and marketing the country.

As Israel is an energy importing country, sustaining energy supply security is a vital agenda for policymakers. The primary source of energy is hydrocarbon fuels, but there is a growing tendency that leans towards an energy policy built around natural gas. The electricity indus-

<sup>23</sup> James Chen, “Tel Aviv Stock Exchange”, *Investopedia*, 26 July 2018, <http://www.investopedia.com...>, A.D.: 8 January 2020; “Consumption and Demand”, *Israel National Gas Lines*, <http://ingl.co.il...>, A.D.: 7 January 2020.

<sup>24</sup> “2019 Index of Economic Freedom”, *Heritage Foundation*, 2019, <http://www.heritage.org>, A.D.: 7 January 2020.

<sup>25</sup> “2019 Index of Economic Freedom”, *Heritage Foundation*.

try is nationalized with state-owned Israel Electric Corporation (IEC) that the State of Israel has approximately 99.8 percent shares in 2018.<sup>26</sup> Israel's final electricity consumption increased by 231.58 percent from 1990 to 2018, according to the IEA (2018). The state encourages private investments in the electricity sector to sustain electricity supply. The Euro Asia Interconnector Project is also a result of this incentive. Israel and the GASC are adopting this project to overcome political struggles in the region. With undersea power cables, the two states aim to reach European power grids from Greece.

Although the use of natural gas was at minimum levels in the early 2000s, Israel had an incentive to increase this level for several reasons, such as energy supply security, decreasing costs, and environmental concerns. Natural gas use in Israel is now ten times larger than in the early 2000s. Recent discoveries of natural gas resources in the offshore Mediterranean Sea motivate Israel in terms of energy supply security.

Solar power production in Israel goes back to around the time it was established. The oil crises of the 1970s and regional boycotts against Israel forced the country to look for alternative energy sources. Because of its geographical characteristics, solar power became the best possible alternative for the country. With its advanced technology research, solar power technology in Israel could be considered an industry leader in the world.

## LEBANON

Lebanon is an important country in the Eastern Mediterranean region. It is known as the commercial center of the region due to the *laissez-faire* tradition reducing government intervention and ensuring private investments.

Services and banking are the country's dominant sectors, constituting 70 percent of the country's gross national product, while the

<sup>26</sup> "The Company: Shelf Prospectus", *Israel Electric Corporation*, 2018, <http://www.iec.co.il>, A.D.: 10 January 2020.

industrial sector makes up 20 percent, and agriculture constitutes the remaining 10 percent.<sup>27</sup>

Between 1975 and 1990, the Civil War negatively influenced the economy. The value of the Lebanese Pound decreased immensely due to government policies and the destruction of the infrastructure. However, after the 1990s, Prime Minister Rafic Hariri announced the Horizon 2000 Program, emphasizing the social and economic reconstruction and restoring Lebanon's status in the region. Hence, the reconstruction program was financed by external loans that resulted in a heavy debt load for the government. The government then attempted to pay off this debt by attracting foreign investment through decreasing tax rates. However, this strategy did not go as planned. Instead of economic recovery, this policy led to the greater economic disparity between the rich and poor.

After the war with Israel in 2006, the Siniora government proposed a plan to stabilize the economy and continue privatization. The banking sector expanded with investments made after the war in August. Since the 2011 Syrian crisis, as Syrians sought asylum in its neighboring country, security issues have risen, and the number of tourists declined by 17.5 percent in 2012. Even in 2018, tourism only increased by 5.8 percent.<sup>28</sup>

The GDP annual growth rate was 9.3 in 2007 and grew until 2011. After the war, Lebanon's economy declined, which also undermined tourism. The GDP was 53.39 billion dollars in 2017 and 56.64 billion dollars in 2018. The GDP annual growth rate was one percent for 2018. Lebanon's debt was equivalent to 151 percent of the country's Gross Domestic Product in 2018, while the unemployment rate was about six percent from 2009 to 2018. The rate sat at 6.2 percent in

<sup>27</sup> "The Economy", *The Embassy of Lebanon*, 2020, <http://www.lebanonembassyus.org...>, A.D.: 8 January 2020.

<sup>28</sup> "Lebanon's Economic Update: Nisan 2019", *World Bank*, 1 April 2019, <https://www.worldbank.org/en...>, A.D.: 8 January 2020.

2018, decreasing by 0.1 from the previous year as a point of reference. Between 2009 and 2018, the average inflation rate was 3.3 percent per year, but it reached 6.1 percent in 2018.<sup>29</sup>

The recent discoveries of oil and natural gas in the Eastern Mediterranean region have affected the countries with coastlines. It has taken over the market with its immense potential for oil and gas trading, being near the EU market, whose countries have a high demand for gas.<sup>30</sup> In 2010, the US Geological Survey (2010) estimated total undiscovered reserves in the Levantine basin at 122 trillion cubic feet of gas and 1.7 billion barrels of oil. The Levantine basin extends along with Lebanon, Syria, Egypt, and the Palestinian territories. This indicates that there is a potential to find more hydrocarbon reserves here.<sup>31</sup>

The discoveries, however, raise new problems to the surface. With the hydrocarbon findings in the Leviathan basin in 2009, the ongoing conflict between Lebanon and Israel continues. The dispute continues over the maritime borders, where both countries claim that the reserves are in their Exclusive Economic Zone (EEZ). The area has potential gas reserves, and both countries want the opportunity to explore them. If, as is hoped, there is a reserve, both countries could have a significant role in the energy industry and affect the markets.<sup>32</sup>

Lebanon finally agreed on a consortium of French, Russian, and Italian companies that began exploring the blocks in December 2019, off the coast of Beirut. One of the blocks that will be drilled in 2020 is located in the disputed area. Since 2012, the US has tried to mediate

<sup>29</sup> “Unemployment, Total (% of Total Labor Force) (Modeled ILO Estimate) – Lebanon”, *World Bank*, December 2019, <http://data.worldbank.org>, A.D.: 7 January 2020.

<sup>30</sup> Pierre-Emmanuel Dupont, “Lebanon’s Southern Maritime Border Dispute: Legal Issues, Challenges, and the Way Forward”, *Issam Fares Institute for Public Policy and International Affairs*, Working Paper, No 48, January 2019, <http://www.aub.edu.lb>, A.D.: 7 January 2020.

<sup>31</sup> Andrew Holland, “Energy and Geopolitics in the Eastern Mediterranean”, *American Security Policy*, July 2015, [https://www.americansecurityproject.org/...](https://www.americansecurityproject.org/), A.D.: 7 January 2020.

<sup>32</sup> “Commander Khalifa Haftar’s Forces Choke Libya’s Oil Flow”, *Al Jazeera*, 19 January 2020, <http://www.aljazeera.com>, A.D.: 24 January 2020.

the conflict and settle a resolution between both countries, but the attempts have failed.<sup>33</sup> To ensure the peace in the region and provide economic growth, there must be a settlement between both countries that allows for drilling in their regions in the hopes of finding more gas and exporting it to countries with energy demands.

## LIBYA

The Eastern Mediterranean has been a famous region throughout history and remains one of the leading regions in the world. It possesses many components that draw attention: it is the intersection of Asia, Africa, and Europe; it possesses hydrocarbon reserves, and it is located close to energy transportation lines. Its location at the crossroads of Europe, Asia, and Africa enables it to form a bridge between the regions. It fosters energy reserves, and due to its geopolitical location, many international companies and countries are interested in its natural resources. It also harbors sea transportation and shipping.<sup>34</sup>

According to the U.S. Geological Survey's data (2019), the Sirte basin holds about 23.7 billion barrels of shale oil and 23 trillion cubic feet of associated gas.<sup>35</sup> The broadcasting of approximately 30 percent of the world's trade and 70 percent of Europe's demands indicate how essential this region is.<sup>36</sup>

Oil and gas reserves are the most critical assets that countries have and represent their primary source of revenue. The main objective of holding petroleum and oil reserves is to generate future cash flows from the reservoirs and subsequently turn them into liquid assets. Replacing

<sup>33</sup> Joseph Haboush, "Resolving the Lebanese-Israeli Border Dispute: What's in it for Washington?", *Middle East Institute*, 24 October 2019, <https://www.mei.edu...>, A.D.: 10 January 2020.

<sup>34</sup> Merve Aksoy, *Doğu Akdeniz Enerji Rekabeti*, İNSAMER Yayınları, İstanbul, September 2016.

<sup>35</sup> "Assessment of shale-oil resources of the Sirte basin province, Libya 2019", U.S. Geological Survey, <http://pubs.usgs.gov/...>, A.D.: 8 January 2020.

<sup>36</sup> Erdal Tanas Karagöl, et.al., *Türkiye'nin Enerjide Merkez Olma Arayışı*, SETA Publications, 2016.

reserves as they are used is crucial for the sustainability of the energy and business sector, and therefore, an aspect of the industry that is followed closely by the financial markets.<sup>37</sup>

Libya, an OPEC member neighboring to Algeria, is the 16<sup>th</sup> largest country in terms of landmass. Its economy depends mainly on the oil sector, which represents about 69 percent of export earnings. Thus, the oil and gas sector accounts for about 60 percent of the total GDP. With the discovery of new hydrocarbon reserves, its importance in the region has increased.

TABLE 3. MACROECONOMIC INDICATORS OF LIBYA		
Indicators	2018	2019 (forecast)
Population (million inhabitants)	6,560	6,770
Unemployment Rate (%)	17.29	17.30
GDP (Billion USD)	48.364	33.02
GDP per Capita (USD)	7,529	5,019
GDP growth (%)	7.2	4.0
Inflation Rate	2.2	-6.10
Government Debt to GDP	116	125.6

Source: Trading Economics, Statista, World Bank

The table above provides the fundamental statistics of Libya's economy. Examining the table, Libya's population increased by approximately two hundred thousand in one year. The unemployment rate is high, but in 2019, it only increased by 0.01 percent. The GDP figures indicate a sudden decline from 48.364 billion to 33.02 billion US dollars in just a year. The growth rate dropped as well due to political instability and the limited oil production that Libya's economy mainly depends on. The GDP per capita also suggests a negative impact on the economic wellbeing and average living standards. The inflation rate declined from 2.2 to -6.10, which appears to be a result of deflation.

<sup>37</sup> Bard Misund, "Exploration vs. Acquisition of Oil and Gas Reserves: Effect on Stock Returns", *Cogent Economics & Finance*, Vol. 6, No.1, 2018.

The outbreak of the Libyan crisis in 2011, resulting in the death of Muammar Gaddafi and the Libyan Civil War in 2014, deepened the economic situation. However, the attack on capital Tripoli in 2016 by General Haftar and forces loyal to him has put Libya into an uncertain economic phase. The ongoing struggle for power over the country between the United Nations-backed Government of National Accord (GNA) and others linked to the Libyan National Army (LNA) has resulted in a decrease in hydrocarbon production. The GNA struggled to take over the territory while the Leader of the LNA has expanded its control over the east and south.<sup>38</sup>

In the last few months of 2019, Libya was producing about one million barrels of oil per day, but all the major oil fields went under Haftar's control, thus forcing the corporations to limit the oil production to four hundred thousand. The National Oil Corporation (NOC) said guards under the LNA command shut down the pipeline leading to the coastal city of Zawiya, forcing oil production in two regions: the al-Sharara and al-Feel oil fields.<sup>39</sup>

In conclusion, Libya plays an essential role in the Eastern Mediterranean region; its geopolitical location presents the potential of producing oil and gas. Libya is unable to reach its full production capacity, leading to much more significant economic problems such as not being able to meet the needs of high demanding countries. The ongoing conflicts and administrative issues undermine economic growth. Though reaching a mutual settlement and with a collaborative vision, the region's disputes could end with a resolution to ensure peace in the region.

## SYRIA

The Arab Spring Movements, which started in Tunisia and Egypt in 2011, spread to Syria in the same year and caused an ongoing war and chaos that has lasted for years. The war that began in Syria in 2011 has

<sup>38</sup> K. Roth, "World Report 2019: Rights Trends in Libya," *Human Rights Watch*, 19 January 2019, <https://www.hrw.org...>, A.D.: 24 January 2020.

<sup>39</sup> "Commander Khalifa Haftar's Forces Choke Libya's Oil Flow", *Al Jazeera*.

spiraled the country down a process of political and economic destruction. According to the data, it is said that more than 370,000 people in the country have died in the conflict over the last nine years.<sup>40</sup> It is seen that the most significant losses were caused by the conflicts in 2014. Besides, the war forced 6.6 million Syrian citizens to move within the country and 5.6 million to take refuge in neighboring countries.<sup>41</sup>

The displacement of its citizens has brought working life to a sudden stop. Priority sectors such as agriculture, industry, and energy in the Syrian economy have suffered considerable damage from the war, and economic activity has also come to a halt. The Syrian economy, which grew by 4.6 percent in the first years of the uprisings in 2011, declined by 26.3 percent in 2012.<sup>42</sup> In the years that followed, the war and chaos caused the country's economy to decline and a decrease in national income. The war completely changed the structure of the country's economy. A war economy has been implemented in Syria over the last nine years, with macroeconomic indicators that has been completely distorted, reaching their lowest levels.

## **EASTERN MEDITERRANEAN COUNTRIES AND TURKISH ECONOMIC RELATIONS**

The Eastern Mediterranean has become a region that draws attention from international energy companies and global energy markets with the natural gas reserves discovered in recent years. Foreign trade interactions will help the energy potential of this region, and those reserves are expected to accelerate the regional economic growth.

With the offshore discoveries of many gas reserves in various basins, the importance of the region continues to grow. The hope of finding

<sup>40</sup> "Syria Death Toll for 2019 Lowest in Civil War-Monitor", *The Jordan Times*, 31 December 2019, <https://www.jordantimes.com...>, A.D.: 27 January 2020.

<sup>41</sup> "Relations between Turkey-Syria", *T.C. Dışişleri Bakanlığı*, <http://www.mfa.gov.tr...>, A.D.: 7 January 2020.

<sup>42</sup> "Syria: Economic Indicators", *Trading Economics*, <https://tradingeconomics.com/syria/indicators>, A.D.: 15 January 2020.

more reserves results in a competition between many natural gas exporters and draws the attention of energy-demanding countries. However, the sharing of new oil and natural gas reserves in the Eastern Mediterranean is one of the essential energy-political problems. Still, the dispute over drawing maritime borders, internal and international conflicts in the region, makes it difficult for the extraction of the resources without making settlements. Hence, these hydrocarbon resources have the potential to create regional stability and bolster economies.<sup>43</sup>

Apart from these issues, the development of oil and natural gas extraction from the sea and deep-sea fields using advanced technology and the presence of rich oil and natural gas deposits in the Eastern Mediterranean have increased the importance of the region.<sup>44</sup>

Due to its geographical location in the region, Turkey has strategic importance both politically and economically. Turkey is situated in the littoral zone of the Eastern Mediterranean, the source of its own political and economic ties and oil exploration activities carried out with the countries in the Eastern Mediterranean.

Countries	Export	Import	Foreign Trade Volume	Foreign Trade Balance
Israel	4 359 375	1 743 095	6 102 470	2 616 280
Egypt	3 318 768	1 812 287	5 131 055	1 506 481
Libya	1 962 812	478 085	2 440 897	1 484 727
Syria	1 226 130	90 135	1 316 265	1 135 995
Lebanon	1 023 679	54 052	1 077 731	969 627

Source: Turkish Statistical Institute

<sup>43</sup> Tony Chavez, "Things Are About to Change: Oil and Gas Have Been Found in the Eastern Mediterranean", *The National Interest*, 10 March 2019, <https://nationalinterest.org...>, A.D.: 20 January 2020.

<sup>44</sup> A. Beril Tuğrul, "Doğu Akdeniz'in Enerji Politik Açısından Önemi", *TASAM*, 5 October 2018, <http://www.tasam.org/tr...>, A.D.: 20 January 2020.

Table 4 shows that except for the Greek Cypriot Administration (GCA), Turkey has certain trade potential with the other regional countries. If we analyze the potential of this trade in depth, Turkey is a net exporter in commercial relations with the regional economies. Israel is seen as one of Turkey's most important trading partners in the region. Turkey's total exports to Israel in 2019 totaled \$4.359 billion. Given the import statistics, Israel is reported to be the country with the highest amount of foreign trade and the highest balance of foreign trade.

By comparison, in 2019, \$3.319 billion of exports were made to Egypt from the countries of the region. With an import amount of \$1.812 billion, Egypt is the most important trading partner of Turkey in terms of imports. The economic relations between Egypt and Turkey have been rather weak in recent decades. However, the volume of trade increased through bilateral agreements, and the total trade balance has reached up to \$1.5 billion.

Projects and collaborations carried out in Turkey's economic relations with Libya, has occupied an important place on the agenda during certain periods. Turkish companies have actively adjusted to export opportunities in the region, and Turkey has become a net exporter in terms of its relationship with countries in the eastern Mediterranean. Turkey's exports to Libya in 2019 were worth \$1.963 billion. In the same period, it imported \$478 million from Libya. Therefore, while Turkey's trade volume with Libya of \$2.44 billion, it makes foreign trade surplus closer to \$1.5 billion.

Syria is one of the countries in the region where the civil war and political instability have been going on for years and have reflected negatively on foreign trade data compared to other countries. Turkey's total import from Syria was worth \$90 million, while the value of exports reached up to \$1.226 billion in 2019. Therefore, Turkey appears to be a net exporter country in its bilateral trade relationship with Syria.

Looking at Turkey's trade relations with Lebanon, we see it is as the country with the lowest amount of foreign trade volume. Turkey's

exports to Lebanon in 2019 amounted to around \$1.23 billion, with an import volume of \$54 million.

Eastern Mediterranean countries stand out as countries that have not fully achieved their economic development and have not reached welfare conditions. They suffer from political instability that negatively affects their economic performance. An environment of conflict and chaos in the region serves as a major obstacle against the development of economies. In addition, a lack of resources and financing is one of the leading handicaps that prevent the reaching of higher levels of economic improvement. Therefore, the discovery of natural gas reserves in the Eastern Mediterranean has accelerated the dynamics of the countries and improved their potential.

Today, the countries that have sources in the region are Israel, the GASC, and Egypt. In other words, there is an attempt from these countries to tie the course of the region's energy future to cooperation and dialogue between them. However, the steps were taken by the Eastern Mediterranean countries to commercialize their reserves, and the road map they follow appears to not be sustainable in the medium and long term. Although these countries need to pursue sustainable policies to provide long-term economic growth and achieve economic development, Eastern Mediterranean countries seem to follow inappropriate policies in terms of minimizing costs and finding financing opportunities in the short-term. These steps especially incorporate policies that aim to exclude Turkey from the transfer route and find alternative routes.

Turkey has the most advantageous energy infrastructure and facilities in the region. The Trans-Anatolian Natural Gas Pipeline (TANAP), enabling the transmission of natural gas from the Caspian Basin to Europe and the Turkish Stream, allowing the distribution of Russian gas to Europe, tend to significant projects that give Turkey an advantage in energy trading. Therefore, these huge pipeline projects illustrate that Turkey plays an energy hub role and offers opportunities for European countries to provide their energy security.

Today, to introduce the resources in the Eastern Mediterranean region to the market and to grow the region's economies, it is vital to act with the win-win principle. Thus, joint decisions should be taken by establishing cooperation with Turkey and by building an energy corridor through Turkey. It should be recognized that Turkey is the corridor for the flow of Eastern Mediterranean energy to Europe. However, these efforts have proven useless as there is an attempt to exclude Turkey from the process of transferring this energy to international markets.

## CONCLUSION

The Eastern Mediterranean is a very productive region in terms of potential energy resources, as many such reserve areas are expected to be discovered soon. The primary goal of potential resource-owning countries in the region is to transport its energy sources to the market. In this context, countries aiming at the commercialization of the mentioned resources must cover the costs. Considering the current economic outlook of the countries in the Eastern Mediterranean region, it is evident that these countries need both technical and financial support to reach their goals. Countries eager to export their natural gas supplies to the international energy market are forming strategic cooperation to establish energy transfer routes.

The financing problem is the main obstacle that countries in the region face in the search for alternative natural gas pipelines and alternative energy sources. In other words, delivering energy sources to the European market requires substantial investments with higher funding needs. Since Eastern Mediterranean resources play an essential role in the EU's energy-supply stability, Eastern Mediterranean countries are part of a financing alliance with the EU. This is the main issue behind the EU, taking an active role in the Eastern Mediterranean. Although the regional countries desire to commercialize mentioned energy resources as soon as possible, they still fail to take concrete steps re-

garding the accurate route which transports the Eastern Mediterranean natural gas to the European markets.

With its strategic location in the Eastern Mediterranean region, Turkey offers a transfer route with its existing infrastructure. Thus, Turkey stands as the most reasonable option for transporting the energy resources towards the markets in order to be able to mobilize the existing energy potential and to use these resources in the most efficient way. Today, Turkey hosts several pivotal pipeline projects which transfers natural gas from Caspian basin towards Europe (TANAP as a part of Southern Gas Corridor). On the other hand, TurkStream pipeline is an extremely important project in which Turkey is among the stakeholders. Turkey is and will continue to be one of the most crucial actors in the regional energy equation through these obtained cooperation and partnership connections. However, it seems that all the actors in the region are in search of different scenarios and they tend to ignore the pivotal role of Turkey in the equation. In short, the only sustainable aspect of this process appears to be an Eastern Mediterranean deadlock. Turkey should be regarded as the most effective route for transferring Eastern Mediterranean energy to Europe. In this way, the countries of the region can benefit from Turkey's win-win principle in energy trade cooperation, and the EU countries can benefit from this cooperation as well.



## **POSSIBLE TRANSFER ROUTES OF ENERGY SOURCES IN THE EASTERN MEDITERRANEAN**

İSMAIL KAVAZ\*

While the ongoing debates within the context of the Eastern Mediterranean have long been occupying the global agenda, the energy resources in the region and their transfer to the foreign markets are the focal point of tensions. In this context, while making many predictions about the magnitude of the energy potential in the region, alternative options related to the transfer of these resources are also discussed.

Mainly, countries such as Turkey, the Turkish Republic of Northern Cyprus (TRNC), the Greek Administration of Southern Cyprus (GASC), Egypt, Syria, Lebanon, Palestine, and Israel are entitled to the energy sources in the Eastern Mediterranean. In addition, some major energy companies that are licensed to search and drill by some of these countries continue their activities in the region. This situation actually causes the region to be in an international competitive environment. Therefore, the image of conflict and strife in the Eastern Mediterranean continues intensely from past to present.

The history of the crisis in the region dates back to the early 2000s. Firstly, the “Exclusive Economic Zone (EEZ) Restriction Agreement” was signed between the GASC and Egypt within the scope of oil and natural gas exploration activities. Later, as a result of the EEZ agreements signed with Lebanon and Israel in 2007 and 2010 respectively,

\* Dr., Bingol University; SETA, Researcher, Energy Studies

the Greek side determined to lay claim of possession over 13 parcels in the southern and eastern parts of the island. After this process, the GASC empowered large energy companies to carry out exploration and drilling operations in these regions. As a result of the exploration activities, some figures related to the potential presence of reserves were announced. Thus, the eyes of the world were turned to the Eastern Mediterranean region.

In 2011, the American-based Noble energy company started its first drilling activity in the southeast of the island of Cyprus. In response to this, Turkey determined its own set of maritime jurisdiction areas together with the TRNC and revealed that they would not renounce their rights in the region. Thus, overlapping areas emerged between the GASC and the regions declared by the Turkish side. In fact, the main reason of the tension between the two parties today is the aforesaid controversial regions.

In the following period, bilateral relations, which were already tense between the Turkish and Greek contingents, have polarized. However, the presence of a large number of global powers in the region has transformed the contention from being regional into an international dimension. Thus, the Eastern Mediterranean basin has turned into a competitive platform for global powers. Of course, the competition in question is shaped around having energy resources in the region and transferring these resources.

For many years, various figures have been pronounced regarding the size of hydrocarbon resources in the Eastern Mediterranean. While some of these figures reflect the truth, some of them are put forward for speculative purposes. Therefore, the energy portfolio of the region should be handled from a wide perspective. For this reason, it is important to follow the statements of public authorities and some international organizations.

The first studies on the energy resource potential in the Eastern Mediterranean were carried out in 2010 for a report prepared by the

US Center for Geological Research. In this study, it is stated that there are approximately 1.7 billion barrels of crude oil and 3.5 trillion cubic meters of natural gas in the Levant Basin which includes Israel, Palestine, Southern Cyprus, and the Lebanese offshore.<sup>1</sup> In addition, approximately 1.8 billion barrels of crude oil and 6.3 trillion cubic meters of natural gas reserves were discovered in the Nile Delta Basin off the coast of Egypt.<sup>2</sup> Therefore, the data obtained shows that there are approximately 3.5 billion barrels of crude oil and 10 trillion cubic meters of natural gas potential in the Eastern Mediterranean. As a result of the exploration and drilling activities in the region, approximately 2.5 trillion cubic meters of natural gas resources have been discovered since 2009. The economic value of current discoveries is around \$400 billion, based on today's natural gas prices.

Today, all actors in the Eastern Mediterranean region focus their attention on finding new resource areas and on transferring the discovered resources to the global energy markets. In this context, efforts are underway to bring the high energy potential of the region to the economy as soon as possible, both with national efforts and international partnerships.

In this study, possible routes on the transfer of the hydrocarbon resources in the Eastern Mediterranean basin to energy markets will be discussed. In this regard, three prominent scenarios will be examined separately and a general situation assessment will be carried out regarding the transport of energy resources in the region to the foreign markets.

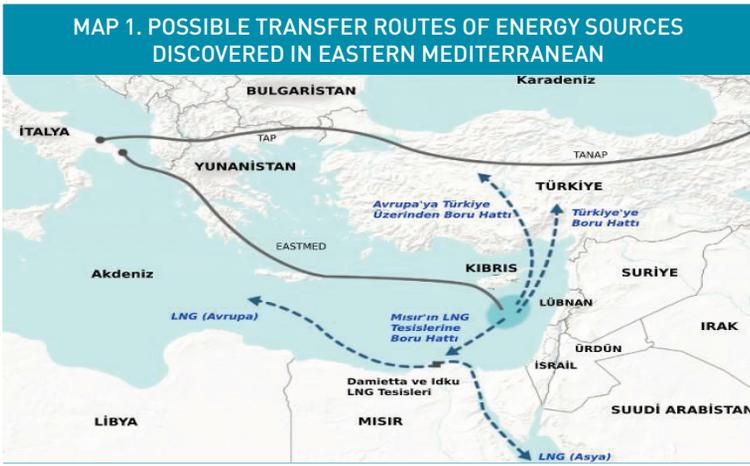
## TRANSFER OPTIONS

As well as the magnitude of the energy resources in the Eastern Mediterranean basin, the issue of transferring these resources to the global

<sup>1</sup> "Assessment of Undiscovered Oil and Gas Resources of the Levant Basin Province-Eastern Mediterranean", US Geological Survey, <https://pubs.er.usgs.gov/publication/fs20103014>, (Accessed on August 28, 2019).

<sup>2</sup> Sohbet Karbuz, *How Much Natural Gas is in the Eastern Mediterranean?*, Bilkent University Energy Policy Research Center, Bilkent Energy Notes No: 12, p. 5.

markets is currently at the center of the discussion. The presence of many countries and international energy companies in the region makes it difficult for the parties to meet on common ground. In this respect, the Eastern Mediterranean, which is at a very important point in terms of meeting the demand of the global energy markets, is a challenging region for creating a cooperative environment. There are currently three possible scenarios for the transfer of these energy resources (Map 1).



Source: Stratfor 2018

The first of these is the “Eastern Mediterranean (EastMed) Pipeline Project” starting from the south of Cyprus Island, and reaching the island of Crete, Greece, and Italy, respectively. As a second option, transporting resources from the region to Europe via Turkey comes to the fore. Finally, it is discussed on the processing and transfer of natural gas to be extracted from the region with liquefied natural gas (LNG) facilities that built especially in Egypt and Israel.

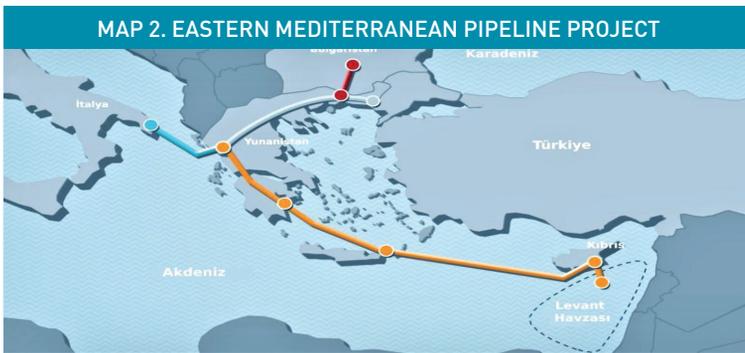
## EASTERN MEDITERRANEAN PIPELINE (EASTMED) PROJECT

The Eastern Mediterranean Pipeline Project, abbreviated as EastMed, consists of two parts: offshore and onshore areas. In the current plan-

ning of the project, it is envisaged to pass the pipeline 1300 km under the sea and 600 km over the land. The pipeline is planned to start from the region where natural gas discoveries are concentrated in the Eastern Mediterranean and to be delivered to the energy markets through the following routes.<sup>3</sup>

- 200 km long offshore pipeline from Levant basin to the island of Cyprus
- 700 km offshore pipeline connecting the island of Cyprus with the island of Crete.
- 400 km offshore pipeline from the island of Crete to Greece
- 600 km long land pipeline from the Peloponnese peninsula in the south of Greece to the northwest of the country

With the mentioned pipeline project, it is planned to transfer natural resources to the domestic markets of Cyprus, Crete and Greece, which are located on the transit route, and to transfer the resources to Italy via Greece (Map 2).



Source: IGI Poseidon (Eastern Mediterranean Pipeline Project is shown in yellow)

<sup>3</sup> IGI Poseidon, Eastmed, <http://www.igi-poseidon.com/en/eastmed>, (Accessed on September 5, 2019).

With the project, it is planned to transfer 10 billion cubic meters of natural gas annually to Europe from the sources in the Levant region.<sup>4</sup> Additionally, with the pipeline, it is envisaged to contribute to the natural gas consumption of the island of Cyprus at the level of 1 billion cubic meters annually.

Various figures are also mentioned about the investment costs of the Eastern Mediterranean pipeline project. The fact that EDISON, one of the project's contractor companies, has determined that the pipeline would cost around \$7 billion has raised doubts about the consistency of this project. In fact, while the Trans-Anatolian natural gas pipeline project (TANAP), which was realized for transferring the Azeri gas to Europe through Turkey with the total length of 1850 km (onshore), amounts to \$8 billion in investment costs, estimating that EastMed would have lower costs has led to questioning over the project's reality. Besides, even if the pipeline project is decided on today, the project is expected to be completed by 2023 at the earliest. In such a scenario, the state of the energy supply in the Eastern Mediterranean after 5 years is another question mark. Therefore, it is thought that the EastMed project was put forward as a result of political concerns and to produce a certain perception.

When a calculation is made by comparing with other pipeline projects in the region, the cost of the Eastern Mediterranean Pipeline Project is estimated to be around 25 billion dollars.<sup>5</sup> When the project is completed, as a result of reflecting these costs to prices, it is estimated that the purchase prices of natural gas for Europe will be much higher than today. Currently, Europe provides natural gas at the lowest price

<sup>4</sup> Oil Price, "Who Are The Biggest Winners In The East-Med Gas Game?", Global Risk Inside, <https://oilprice.com/Energy/Crude-Oil/Who-Are-The-Biggest-Winners-In-The-East-Med-Gas-Game.html>, (Accessed on September 3, 2019).

<sup>5</sup> Turkish Center for International Relations & Strategic Analysis (TURKSAM), "Greece's Eastmed bluff and Turkish Stream", <http://turksam.org/yunanistanin-eastmed-blo-va-ve-turk-aki-me>, (Accessed on September 3, 2019).

of the last 10 years.<sup>6</sup> The calculations show that the European continent receives natural gas at a cost of \$115/1000 m<sup>3</sup> today. On the other hand, if the EastMed project is implemented, it is estimated that the price of natural gas purchased by Europe will be more than double (\$260/1000 m<sup>3</sup>) than it is now.<sup>7</sup> Therefore, in order for the EastMed project to be feasible, the resource prices in the Eastern Mediterranean must reach a level that can compete with market prices. However, this situation seems unlikely at the current conjuncture.

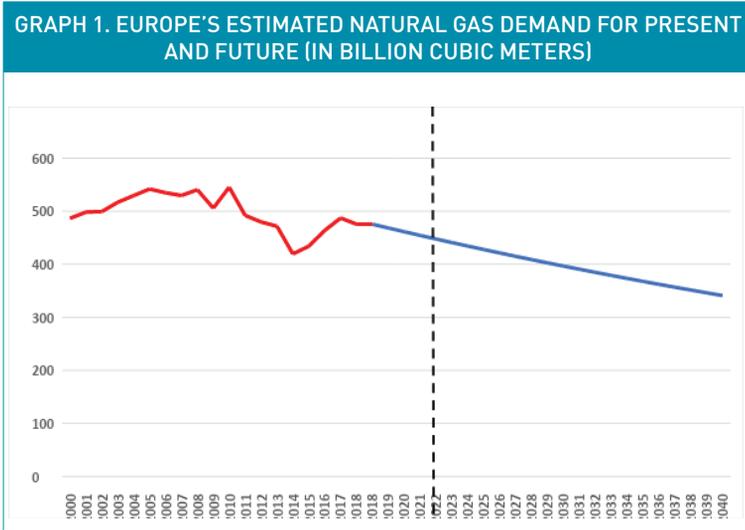
In addition to the high costs, it is useful to examine the natural gas demand movements of Europe to better understand how economical the EastMed project is. When looking at Europe's natural gas imports, its high dependence on Russia is remarkable. For this reason, the European Union conducts its policies primarily to increase the diversity of the source country. Nevertheless, Europe, which has made significant progress in this area by changing its energy infrastructure to use renewable resources, is gradually reducing its dependence and demand for natural gas.

The total annual natural gas demand of the European continent was recorded as 500 billion cubic meters in 2018.<sup>8</sup> Projections show that natural gas consumption, which is in a decreasing trend in the recent period, is expected to continue this decline in the future (Graph 1). By 2040, the European continent will demand about 30 percent less natural gas than today's consumption. If we interpret this situation in terms of the EastMed project, it is possible to qualify the project as unprofitable in the context of cost-benefit analysis, considering both the high cost and the decrease in Europe's natural gas demand.

<sup>6</sup> "Lowest European Gas Price in a Decade", Rystad Energy, <https://www.rystadenergy.com/newsevents/news/press-releases/Lowest-European-gas-prices-in-a-decade/>, (Accessed on: September 8, 2019).

<sup>7</sup> Turkish Center for Energy Strategies and Policies (TESPAM), Eastern Mediterranean (EASTMED) Pipeline Project, <https://www.tespam.org/dogu-akdeniz-eastmed-boru-hatti-projesi/> (Accessed on: September 9, 2019).

<sup>8</sup> Eurostat, Energy Database, <https://ec.europa.eu/eurostat/web/energy/data/database>, (Accessed on September 11, 2019).



Source: Eurostat and International Energy Agency

Another problem with the EastMed natural gas pipeline is that the project passes through the Turkish continental shelf. In this context, Turkey has the right to not consent for the project to be built in her boundaries of authority. In other words, the parties who want to realize this Project must request Turkey's opinion regarding the line that will pass on. Therefore, any operation without Turkey's permission can be considered as illegal.

The high costs, demand trends and legal status that are all in question show that this project has been put forward only to produce an alternative to the project that is likely to pass over Turkey. On the other hand, it is noteworthy that at the beginning of 2020, Israel, Greece and the GASC signed the EastMed gas pipeline agreement in Athens. Thus, the Eastern Mediterranean Pipeline Project can be regarded as an effort to create the perception that Turkey is weak at the table. In this respect, it is useful to compare the advantages of the potential pipeline project that delivers the resources in the Eastern Mediterranean to markets via Turkey with the EastMed Project.

## TURKEY ROUTE

The potential high cost and especially the scenario that EastMed project may raise the unit sales price for natural gas in Europe brings a pipeline project that will pass through Turkey into the agenda. Turkey, for its successful oil and gas pipeline projects realized so far, stands out in the region regarding the delivery of resources from the Eastern Mediterranean basin to the foreign markets. In this respect, Turkey is in a position to contribute to the markets' supply security thanks to both its geostrategic position and the energy infrastructure. The transfer of the resources in the region via Turkey, therefore, needs to be analyzed in depth. In this context, the possible transit route is one of the priority discussion topics. The possible route of the mentioned pipeline project is considered as follows (Map 3).<sup>9</sup>

- 200 km long offshore pipeline connecting Levant basin and Cyprus island
- 60 km of land pipeline from the south of the island of Cyprus to the north
- 200 km offshore pipeline from the island of Cyprus to Mersin
- 450 km long land pipeline from Mersin to the distribution station in Eskişehir
- Natural gas transfer to Europe can be made from the existing route integrated with TANAP in Eskişehir.<sup>10</sup>

Another project intending to carry out the transfer of resources via Turkey is the Israel-Lebanon-Syria-Turkey pipeline route. According to this project, it is possible to transfer the resources

<sup>9</sup> "The Export Options and Challenges for East Med Gas Was Presented by IENE's Executive Director at Israel's Annual Energy and Business Convention", Institute of Energy (IENE), <https://www.iene.eu/the-export-options-and-challenges-for-east-med-gas-was-presented-by-ienes-executive-director-at-israels-annual-energy-and-business-convention-p3034.html>, (Accessed on September 15, 2019).

<sup>10</sup> The calculations here are made by the author.

discovered in the Leviathan and Tamar regions of Israel to Ceyhan and establish a station in here. However, due to the current affairs in Syria and the complex structure of the region in an international sense, the Israel-Turkey pipeline project does not adequately come to the fore.



Source: Institute of Energy (IENE)

Of course, if a project which would pass through Turkey is approved, there may be changes in the routes and lengths in question. The main issue meant herein is that a transit project that would pass through Turkey is likely to have a shorter route, almost half of the EastMed project. Therefore, considering the pipeline construction costs and natural gas prices that will occur in the future, the Turkey route will be much more advantageous than that of the EastMed.

Turkey displays significant progress over time in terms of oil and gas pipelines infrastructure. The country currently has four operating crude oil pipelines and seven natural gas pipelines (Table 1). Furthermore, Turkey has strengthened its position in the energy transfer case with the TurkStream Natural Gas Pipeline Project that was opened at

the beginning of 2020 and has the capacity to transfer a total of 31.5 billion cubic meters/year.

TABLE 1. CURRENT CRUDE OIL AND NATURAL GAS PIPELINES IN TURKEY		
Name	Sort	Capacity
Iraq-Turkey	Crude Oil	70.9 million tons/year
Ceyhan-Kırıkkale	Crude Oil	7.2 million tons/year
Batman-Dörtyol	Crude Oil	4.5 million tons/year
Bakü-Tiflis-Ceyhan	Crude Oil	50 million tons/year
Russia-Turkey	Natural Gas	14 billion cubic meters/year
Blue Stream	Natural Gas	16 billion cubic meters/year
Baku-Tbilisi-Erzurum	Natural Gas	6.6 billion cubic meters/year
Eastern Anatolia (Iran-Turkey)	Natural Gas	10 billion cubic meters/year
Turkey-Greece	Natural Gas	10 billion cubic meters/year
TANAP	Natural Gas	16 billion cubic meters/year
TurkStream	Natural Gas	31.5 billion cubic meters/year

Source: Petroleum Pipeline Company (BOTAS) and Ministry of Energy and Natural Resources (MENR)

At this place, it is useful to open a separate parenthesis to the TANAP project. TANAP has the capacity to transmit a total of 16 billion cubic meters of natural gas, 6 billion cubic meters of which belong to the Turkish market in the present case.<sup>11</sup> In the following period, it is planned to increase the capacity of the line to 31 billion cubic meters. Therefore, it would be appropriate to implement a project that works integrated with TANAP to transfer the resources in the Eastern Mediterranean to Europe. In an environment where 10 billion cubic meters of natural gas is planned to be carried out with the East-Med project in the first place, the more active use of TANAP in the field of gas transfer will be accurate in the current conjuncture.

<sup>11</sup> "What is TANAP?", Trans-Anatolian Natural Gas Pipeline Project (TANAP), <https://www.tanap.com/tanap-projesi/tanap-nedit/>, (Accessed on September 11, 2019).

On the other hand, some problems may arise regarding the transfer of resources in the Eastern Mediterranean to Europe via TANAP. First of all, Azerbaijan may want to use TANAP's potential to move its resources to foreign markets. Turkey would need to convince Azerbaijan if such a situation arose. In addition, the priority of TANAP's deferred capacity increase will come to the agenda. Because the pipeline, which currently has a capacity of 16 billion cubic meters, will not be sufficient with additional resources coming from the Eastern Mediterranean.

If a pipeline project that would pass through Turkey gets approved, it would have political returns in addition to the economic benefits. The transportation of Eastern Mediterranean hydrocarbon resources to Europe via Turkey will positively affect Turkey-EU relations. It is useful to underline two important issues here.

The first is Turkey's contribution to the energy supply security of Europe as a result of becoming a transit country in gas trade. The second is that the high dependency of EU countries on Russian gas can be reduced through diversification of the source country. Also, possible cooperation in the Eastern Mediterranean will lead to the development of relations between the EU and Turkey and will enable the two segments to maintain their long-term alliance.

Turkey's plan of being a transit country in the region, as an alternative for the EastMed Project, is not that appreciated at the party of the GASC, Israel and Egypt. Other countries in the region want to keep Turkey and the TRNC out of the energy equation that modelled in the Eastern Mediterranean region. Moreover, at the beginning of 2019, seven countries in the region (Egypt, GASC, Greece, Italy, Israel, Jordan, and Palestine) participated in the "Eastern Mediterranean Gas Forum" meeting that was held in Egypt's capital of Cairo. The fact that Turkey and the TRNC were not invited for that meeting can be seen as proof of the abovementioned situation. In this meeting, important decisions were taken on the issues such as sharing, production and transfer of resources in the Eastern Mediterranean.

Furthermore, the policy of passivating the Turkish section, which has strategic and financial importance in the region, was implemented. However, the agreement of maritime jurisdiction signed between Libya and Turkey has changed the balance of the region in favor of Turkey. Finally, in January 2020, the same seven countries reached an agreement to formally establish the Eastern Mediterranean Gas Forum. It seems that the mutual moves of the actors in the Eastern Mediterranean will continue in the coming period. However, it is clear that the parties will not be able to provide benefits from a consortium that Turkey is not in, neither legally nor economically.

## LIQUEFIED NATURAL GAS (LNG) TRANSFER

Another project discussed at the point of transporting the resources of the region to foreign markets is the transfer of the natural gas by liquefaction via existing or new facilities. LNG is in a popular position for today's energy markets. When the natural gas trade data is analyzed, while the inter-regional pipelines meet 54.3 percent of the total transfer, the share of LNG has reached very high levels with 45.7 percent in 2018.<sup>12</sup> Future projections indicate that the transfer share in the form of LNG will gradually increase and in 2040, approximately three-quarters of the total natural gas trade will be realized as liquefied natural gas.<sup>13</sup>

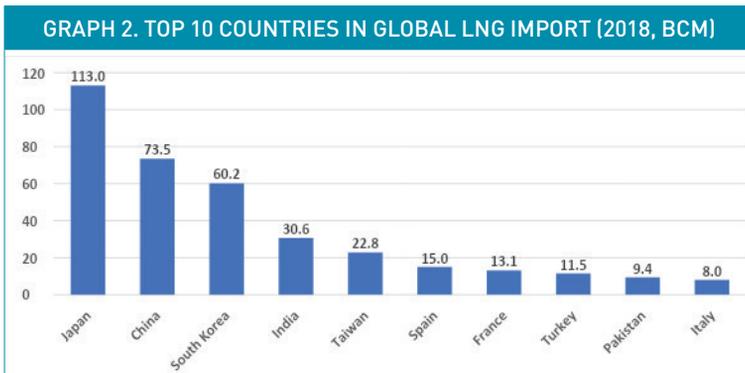
The main reason for the LNG trade to be in an increasing trend is the high mobility of this resource and the sustainable transfer process. More specifically, on the contrary of pipelines, LNG trade can be carried out between natural gas supplier and buyer countries without connection routes. Also, the fact that LNG trade can be provided from the

<sup>12</sup> "BP Statistical Review of World Energy-2019" British Petroleum (BP), <https://www.bp.com/en/global/corporate/energy-economics/statistical-review-of-world-energy.html>, (Accessed on September 14, 2019).

<sup>13</sup> "BP Energy Outlook-2019", British Petroleum (BP), <https://www.bp.com/en/global/corporate/energy-economics/energy-outlook.html>, (Accessed on September 14, 2019).

desired market thanks to the contracts made is an extremely important factor in terms of making this trade safe and sustainable.

LNG transfer has a critical place in terms of transmitting the natural gas resources discovered in the Eastern Mediterranean basin to the global energy markets. Since the transportation of natural gas by pipelines to the Asia-Pacific region is very costly, countries in this region are important in terms of transferring the resources of the Eastern Mediterranean as LNG. These countries are at the top of the total global LNG imports (Graph 2). Therefore, Eastern Mediterranean resources can be seen as an opportunity to reduce the high dependency of Far Eastern countries on Qatar and Australia in the LNG trade and to diversify the source countries.



Source: BP

Another important market in terms of resources in the region is the European continent. As is known, the structure of European countries is dependent on foreign suppliers for their intensive consumption of natural gas. Due to this, the European region, which faces certain risks from the point of energy supply security, attaches importance to LNG transfer both in terms of reducing these risks and reaching energy resources continuously and uninterruptedly.

The Eastern Mediterranean Basin, which has a very strategic position between East and West in terms of market opportunities, is not currently at a sufficient level in LNG facilities. The facilities especially

located in Egypt are forefront in transfer of resources as LNG. There are LNG terminals with a total capacity of 19 billion cubic meters in the Idku and Damietta regions.<sup>14</sup> These terminals are short of 90 km from Egypt's Zohr and Cyprus's Aphrodite, as well as approximately 7 km from Israel's Leviathan basin.<sup>15</sup> Therefore, these terminals, which are currently idle, can be used with the pipelines to be built from the resource area to Egypt's LNG facilities.

Besides, Israel plans to build Floating Storage Regasification Units (FSRU) in its own sites.<sup>16</sup> Accordingly, the Israeli energy company Delek and its American partner Noble have signed agreements with the Golar LNG and Exmar companies to carry out the pre-feasibility studies of the floating LNG facility. With these terminals, it is planned to process between 2.5 and 5 million tons (approximately 3.5-7 billion cubic meters/year) of natural gas annually and then transfer them to the energy markets with LNG ships.

Another country in the region with significant superiority in terms of LNG is Turkey, both because of its geographical location as well as its advantages in energy infrastructure. There are 4 terminals in the country, two of which are LNG and two of which are FSRU. These facilities are listed below.

- *Marmara Ereğli LNG Terminal*: The facility, which started its operations in 1994, has a daily gasification capacity of 37 million cubic meters and a total storage capacity of 225 thousand cubic meters.<sup>17</sup>

<sup>14</sup> Sohbet Karbuz, "Geostrategic Importance of East Mediterranean Gas Resources", Energy Economy, Finance and Geostrategy, ed. Andre B. Dorsman, Volkan Ş. Ediger and Mehmet Baha Karan, (Springer, Cham-Switzerland: 2018), p. 237-255.

<sup>15</sup> Özge Özden, "Eastern Mediterranean Natural Gas Resources Economic and Geopolitical Effects", World Energy Council Turkish National Committee, <https://www.dunyaenerji.org.tr/enerji-piyasalarina-ak-academic-bir-bakis-3-m-ozge-ozden/>, (Accessed on September 20, 2019).

<sup>16</sup> "Leviathan Partners Considering LNG Facility Offshore Israel", Reuters, <https://www.reuters.com/article/us-israel-natgas-leviathan/leviathan-partners-considering-lng-facility-offshore-israel-idUSKCN1UPOSM>, (Accessed on September 20, 2019).

<sup>17</sup> "Marmara Ereğlisi LNG Terminal" BOTAŞ, <https://www.botas.gov.tr/Sayfa/marmara-ereglisi-lng-terminali/20>, (Accessed date: 26 September 2019).

- *EgeGaz-Aliğa LNG Terminal*: Launched in 2001, the terminal has approximately 40 million cubic meters of gasification and 280 thousand cubic meters of storage capacity per day.<sup>18</sup>
- *Etki Liman FSRU Terminal*: Belonging to Etki Liman Operations in Natural Gas Import and Export Joint Stock Company, it became operational in 2016 as Turkey's first FSRU facility. The facility, which has a capacity of about 170 thousand cubic meters in terms of storage, can supply 28 million cubic meters of natural gas to the national gas network daily.<sup>19</sup>
- *Hatay-Dörtyol FSRU Terminal*: Having become officially operational in 2018, offers a 20 million cubic meters daily gasification and has 263 thousand cubic meters of storage, hence contributing to Turkey's energy infrastructure capacity.<sup>20</sup>

Additionally, with the third FSRU facility to be built by BOTAS that has a planned location off the coast of Saros, Turkey will provide a significant strategic advantage in this field.

Turkey, via the four mentioned LNG terminals, is carrying LNG imports from eleven different countries.<sup>21</sup> In this sense, Turkey is noteworthy as the country with the highest proportion in Europe, following Spain and France respectively, in LNG imports.<sup>22</sup> Referring also to the last decade, it is observed that Turkey's LNG imports

<sup>18</sup> "EgeGaz Aliğa LNG Terminal, EGEGAZ, <http://www.egegaz.com.tr/tr/terminal.aspx>, (Accessed on September 26, 2019).

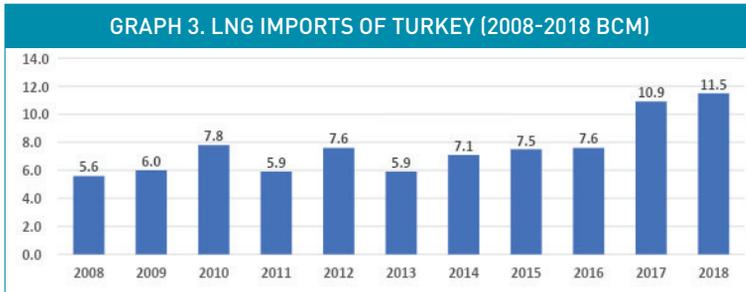
<sup>19</sup> "FSRU", ETKI LIMAN, <http://www.etkiliman.com.tr/tr/FSRU-/FSRU-.html>, (Accessed on September 26, 2019).

<sup>20</sup> "FSRU-Dörtyol, BOTAŞ, <https://www.botas.gov.tr/Sayfa/fsru-dortyol/24>, (Accessed on September 26, 2019).

<sup>21</sup> "Natural Gas Market Annual Sector Report-2018", Energy Market Regulatory Authority (EPDK), <https://www.epdk.org.tr/Detay/Icerik/3-0-94/yillik-sektor-raporu>, (Accessed on September 26, 2019).

<sup>22</sup> "BP Statistical Review of World Energy-2019".

increase more than two-times (Graph 3). Therefore, considering the improvements in terms of LNG facilities, the strategic superiority of Turkey in transferring the resources from the Eastern Mediterranean will be understood better.



Source: BP Statistical Review of World Energy 2019

Turkey, with the outcome of the mentioned facilities operating at full capacity, has an annual 30 billion cubic meters LNG gasification potential.<sup>23</sup> In this sense, Turkey is an important actor in the field of LNG both on a global scale and in its region. In addition, Turkey is progressing towards becoming a trading center beyond being a transit route for global energy markets with its target of increasing the underground gas storage capacity of 10 billion cubic meters. , ,

## CONCLUSION

All actors in the Eastern Mediterranean are doing their best to take part in global energy competition. Accordingly, the activities in the region focus especially on exploration-drilling and transfer issues. As well as the size of the resources discovered, the issue of transporting these resources to foreign markets in the safest and most cost-efficient way is one of the issues that the countries in the region, international companies and energy markets are constantly considering.

<sup>23</sup> "Oil Found in Southeast, Gas Found in Thrace Ministry of Energy and Natural Resources (ETKB), <https://www.enerji.gov.tr/tr-TR/Bakanlik-Haberler/Guneydoguda-petrol-Trakyada-gaz-found>, (Accessed on October 10, 2019).

Discussions are ongoing over three scenarios regarding the transfer of energy resources in the region. While the most probable of these options in the short term stands out as LNG transfer, the pipeline projects seem more likely possible for the long term. In the context of the pipelines, as the East-Med Project and transfer options over Turkey are being discussed in detail, it is accepted that routes over Turkey are more advantageous due to costs as well as energy security issues.

The fact that the EastMed project has many technical and economic problems poses a challenge in front of this project. However, the project can be approved for implementation if the economic conditions can be ignored and some political decisions can be made. In this case, it is necessary to evaluate the expectation that the project is a method of political pressure rather than one of economic gain.

Turkey is in a position in the region that can never be ignored. However, it is clear several states such as Israel, the USA, the EU, and Greece do not want Turkey to be strong and effective in the region. Therefore, it is noteworthy that serious attempts are made to remove Turkey and the TRNC from the energy equation in the Eastern Mediterranean. On the other hand, when the current transfer scenarios are considered, it is seen that the most suitable one is a pipeline project that passes through Turkey and transports natural gas after being liquefied, in the form of LNG. In this regard, it is clear that Turkey has an advantageous location for both cases and has suitable energy infrastructures. Thus, in the coming period, Turkey must reiterate its own advantages to the global opinion through intensive work on the energy agenda.

The two most important issues for the future of the global energy markets are to have resources and to deliver these resources to the foreign markets at the most affordable costs. In this context, having a strategic geographical location such as Turkey provides a significant superiority to the country in terms of energy transferring. On the other hand, Turkey continues its exploration and drilling activities both

within its own borders and in the Eastern Mediterranean and is aware that it will turn the tide of power in the region in favor of itself as long as it obtains successful results. On the one hand, Turkey, whose ultimate goal is to become an energy trade center, focuses on research, drilling and infrastructure activities in order to increase its advantages in these areas. On the other hand, Turkey also maintains the energy diplomacy in a precise way.



# TURKEY'S HYDROCARBON EXPLORATION AND DRILLING POLICY IN THE EASTERN MEDITERRANEAN

YUNUS FURUNCU\*

## INTRODUCTION

Hydrocarbon exploration and drilling activities (both on land and at sea) have been one of the most important agenda items of international politics since the beginning of the 20th century. Drilling in deep waters, defined as a water depth of more than 300 meters, is more difficult and costly than land drilling. However, a significant portion of hydrocarbon production is extracted from marine drillings. Offshore, namely, the open sea, which constitutes 28 percent of hydrocarbon reserves, also meets 28 percent of world production, with the understanding that this rate will increase in the future. The most important reason of this increase is the prediction of a significant ratio for the existence of world reserves in the seas, such as 75 percent, where exploration and dredging activities are less performed. These discoveries in the seas have become important for the increase of hydrocarbon reserves.<sup>1</sup> Therefore, discoveries in the Eastern Mediterranean started to attract the attention of strong players in the sector, and exploration and drilling activities have increased daily.

\* Dr., Kocaeli University

<sup>1</sup> Geoffroy Hureau ve Sylvain Serbutoviez, "Exploration-Production Investments, Onshore and Offshore Drilling Activities and Markets, Geophysics and Offshore Construction", *IFP Energies Nouvelles*, 2 February 2020.

Hydrocarbon exploration activities have considerable importance for Turkey, which has to import 93 percent of oil and 99 percent of natural gas. Turkey's hydrocarbon exploration history dates back to the 19th century. This activity became more institutional when the Oil Exploration and Exploitation Administration was established in the 1930s. The first drilling in the Mediterranean started in 1966, and it is seen that oil exploration activities have increasingly continued. When looking at the yearly drilling records, it is understood that in spite of the considerable amount of drilling, the oil production of Turkey is not at its desired level. Among the most important reasons for this situation are the scarcity of reserves and minimal resources in the discovered reserves.

The energy resources in the Eastern Mediterranean, which started to attract the attention of the world with great discoveries in the 2000s, have caused many states to focus on the region. It is seen that the Greek Administration of Southern Cyprus (GASC), Greece, Israel, and Egypt have granted search licenses to many international energy companies in the exclusive economic zones (EEZs) that they have declared among themselves. Important problems emerged as these developments took place. The first is the attempt to usurp the rights of the Turkish Cypriots. The second is the attempt to narrow Turkey's continental shelf. Against these situations, Turkey has begun conducting search and drilling operations using its own means, hoping to develop new policies in the region, strengthen its position at the table and compel its opposing forces into a just cooperation.

Despite Ankara's warnings, it is seen that the policy of excluding Turkey in the Eastern Mediterranean continues. Turkey began to follow the policy to strengthen its position in the region with the seismic vessels and drillships that it bought in recent years. For example, Turkey is involved in seismic research activities with the Barbaros Hayrettin Pasha and Oruc Reis vessels in order to explore the hydrocarbon potential in the deep-water and continues its drilling activities with the

Fatih and Yavuz ships according to the results of seismic studies. Turkey's increasingly proactive attitude can be seen in the Eastern Mediterranean through its use of deep drillships in following a strategy of protecting the interests of the Turkish Republic of Northern Cyprus (TRNC) and Turkey.

Although Turkey announced that it repudiates the GASC's unlawful actions and that tension should not be raised, the GASC has not approached the table of cooperation because of support it receives from the EU. In this situation, Turkey had to descend to the Eastern Mediterranean with its own vessels and started drilling attempts. Turkey first announced the continental shelf and EEZ where it would begin drilling and then reached the technical capacity and skilled labor force to do so. After, Turkey carried out a seismic survey to determine the precise location to be drilled, and finally began the drilling process. Turkey continues to defend its own and the TRNC's rights in the region with its three deep drilling ships and a vessel purchased at the beginning of 2020 named Kanuni.

## **TURKEY'S TECHNICAL CAPACITY IN THE RESEARCH AND DRILLING ACTIVITIES**

When looking at the drilling activities of 2018, 67,000 wells were opened on land and 2,300 wells were opened on the sea. An important progress has been made on a global scale in these deep-sea drillings. Production in this area is forecasted to increase by 49 percent in 2025 compared to 2018. This means that in addition to the existing wells, more than 1,200 wells will be drilled annually. It is predicted that Brazil will continue to conduct 41 percent of global deep drilling oil production in the 2019-2025 period.<sup>2</sup> It is understood that due to the advancement of technology and the decrease in costs, deep drilling figures will increase in the future. In this case, surrounded by the sea on

<sup>2</sup> "World Drilling and Production Market Forecast 2019-2025 Q3", *GII Partner*, 8 February 2020

three sides, Turkey's expectations regarding hydrocarbon research and conducting deep drillings are increasing.

It is observed that after the recovery of energy prices in 2017, land drilling activities continued to increase. As it is understood from the 2018 statistics, while a decrease of four percent was recorded in sea drilling, an increase of eight percent was measured for land drilling.<sup>3</sup> When Turkey's data is compared with the aggregate data for the year of 2018, it is understood that Turkey, who made 99 land drilling and 5 sea drilling,<sup>4</sup> should carry out more drilling activities. It is understood that Turkey, which could not show a presence in the seas in the past, increased its offshore drillings with three deep-sea drillships. Having advanced technology and equipment, Turkey is acknowledged to have adequacy to find and extract hydrocarbon resources in the eastern Mediterranean. The Fatih and Yavuz sixth-generation deep-sea drillships demonstrate the effectiveness of Turkey in the Eastern Mediterranean.

In 2018, both oil and natural gas exploration and production investments were counted as \$382 billion globally. In order to make these discoveries, important activities were carried out both on land and at sea. It can be seen that drilling and platform companies earned significant income for these activities that they perform. It is understood that in 2018, these companies' land drilling revenue increased by 15 percent to exceed \$24 billion. At the same time, offshore, namely sea drillings, fell 10 percent to \$25 billion. In order to increase the amount of activity in this area where deep-sea drilling costs are higher than land drilling, it is extremely important to have high oil prices.<sup>5</sup> This condi-

<sup>3</sup> Geoffroy Hureau ve Sylvain Serbutoviez, "Exploration-Production Investments, Onshore and Offshore Drilling Activities and Markets, Geophysics and Offshore Construction", *IFP Energies Nouvelles*, 2 February 2020.

<sup>4</sup> "2018 Faaliyet Raporu", *Ministry of Energy and Natural Resources*, 5 February 2020.

<sup>5</sup> Geoffroy Hureau ve Sylvain Serbutoviez, "Exploration-Production Investments, Onshore and Offshore Drilling Activities and Markets, Geophysics and Offshore Construction", *IFP Energies Nouvelles*, 2 February 2020.

tion applies to global markets but differs for Turkey. The original motivation for Turkey's activities in the Eastern Mediterranean using its own means was the protection of its and the TRNC's rights against the GASC. After harassment from the Greek Naval Forces during drilling, it became necessary to take measures with the Turkish Naval Forces' frigates. While drilling activities boost Turkey's influence in the region, they also increase drilling costs.

The fact that deep-sea drilling costs an average of \$100 million and needs an average of three months shows how this initiative has more difficulties than land drilling. Despite detailed seismic pre-studies, the probability of finding a reserve in the drilling site is not yet at the desired level.<sup>6</sup> The average probability of finding a well with natural gas or oil in the drilling activities conducted by the state-owned oil company, Turkish Petroleum (TPAO), or private sector is 12 percent. Along with these rates being higher in countries that are richer in oil in the world, the world average is acknowledged as 10 percent. Both two-dimensional and three-dimensional data are evaluated to start drilling in deep seas, and the green light is given as a result of a probability exceeding 15 percent.<sup>7</sup>

There are 115 geophysical ships worldwide that can perform 2D and 3D seismic searches using electromagnetic nodes. However, due to the low oil prices, only one-third of these ships (31 units) are operational.<sup>8</sup> Turkey has made important strides in doing seismic exploration with the two active vessels in its inventory. Turkey, which has a wide sea area, is investigating the potential presence of hydrocarbons in its regions by compiling the important data on seismic exploration studies.

<sup>6</sup> "Karadeniz'deki Petrol Arama Çalışmaları", *Milliyet*, 1 May 2014.

<sup>7</sup> TBMM, Plan Ve Bütçe Komisyonu Tutanak Dergisi, 8<sup>th</sup> meeting, 2 November 2018 Friday.

<sup>8</sup> Geoffroy Hureau ve Sylvain Serbutoviez, "Exploration-Production Investments, Onshore and Offshore Drilling Activities and Markets, Geophysics and Offshore Construction", *IFP Energies Nouvelles*, 2 February 2020.

One of Turkey's biggest advantages is to continue its seismic activities with its own means. Many countries bear serious costs for this work as it is carried out by outsourcing. Although there is a partial decrease in the daily rental prices of seismic research ships due to the decline in oil prices, it is seen that while the price of 2D seismic varies between \$60,000-70,000 per day, 3D seismic exploration prices are around \$150,000 per day.<sup>9</sup> The cost is much lower for Turkey as it conducts research with its own vessels. In addition, the research increases Turkey's experience in seismic studies.

In oil and natural gas research studies, deep-sea drilling activity equipment using advanced technology is extremely important. An appropriate oil platform is placed in the wells drilled with the help of remotely operated underwater vehicle (ROV) and autonomous underwater vehicle (AUV), taking into account the sea depth and reserve size. Oil platforms are selected as fixed or mobile, considering the depth, operation time and cost of the well. While ROVs are more actively used in the installation and maintenance of stationary platforms, both ROVs and AUVs are used in the observation of environmental conditions together with maintenance and repair in mobile platforms. In terms of drilling ships and their equipment that have advanced technology, field experience and qualified personnel, Turkey has become a country in an advantageous position at the end of the day.<sup>10</sup>

In order for Turkey to get better results in its oil and natural gas exploration and drilling activities, TPAO and the Turkish Petroleum International Company (TPIC) have been restructured and have begun to play a more active role in their respective fields. All kinds of vehicles, construction equipment, towers, ships, all other equipment, materials and immovables used in related services, which belong to

<sup>9</sup> Geoffroy Hureau ve Sylvain Serbutoviez, "Exploration-Production Investments, Onshore and Offshore Drilling Activities and Markets, Geophysics and Offshore Construction", *IFP Energies Nouvelles*, 2 February 2020.

<sup>10</sup> Asım Egemen Yılmaz, "İnsansız Su Altı Araçları, *Bilim ve Teknik*, August 2012, [http://vizyon21y.com/documan/Genel\\_Konular/Guncel/Dusununce/Insansiz\\_su\\_alti\\_araclari.pdf](http://vizyon21y.com/documan/Genel_Konular/Guncel/Dusununce/Insansiz_su_alti_araclari.pdf)

TPAO's drilling, well completion, and geophysical operations service works, have been transferred to TPIC free of charge. On the other hand, six search and four operating licenses that TPIC has at home and abroad and their shares in these licenses are given to TPAO with all their rights and obligations.<sup>11</sup> Thus, the fields of these national firms were restructured so that a way was opened for them to do higher-level expertise in their own fields.

Turkey, which is increasing its accumulation in the oil and gas sectors, has made legal arrangements for TPAO to focus on exploration and production activities in the international arena. TPIC, which operates in many countries such as Iraq, Kazakhstan, Turkmenistan, Azerbaijan, Syria, Colombia, the TRNC, and Bangladesh, has focused on drilling, well completion and geophysical operations.<sup>12</sup> Thus, firms directed to specific areas have become more efficient. However, according to the opinion of market experts, more steps must be taken for TPAO. As required by the responsibilities of TPAO, it is very important to make arrangements in accordance with international standards and practice for it to gain an autonomous "international company" status with the ability to make independent and proactive decisions.

The General Directorate of Turkey's Mineral Research and Exploration (MTA) bought the ship named *Hora* after Turkey's intervention in Cyprus in 1974. The ship, which was converted into a research vessel and renamed MTA Seismic-1, operated as a research vessel until 2002. *Piri Reis*, a research vessel owned by the Institute of Marine Sciences of 9 Eylül University and making seismic exploration in the Mediterranean on behalf of TPAO, was retired in January 2013.<sup>13</sup> In 2013, Turkey bought its third exploration vessel for \$130 million, the

<sup>11</sup> "TPIC'e Büyük Görev" *TPIC*, 12 Ocak 2020, <http://www.tpic.com.tr/tr/haberler/haberler/tpic-buyuk-gorev>.

<sup>12</sup> "TP-TPIC Devir Protokolü Tamamlandı", *TPIC*, 11 Ocak 2020 <http://www.tpic.com.tr/tr/haberler/haberler...>

<sup>13</sup> Volkan Ş. Ediger, "Turkey's First Drilling Vessel Heads to Mediterranean", [https://www.energy-reporters.com/..](https://www.energy-reporters.com/)

85-meter-long Barbaros Hayrettin Pasha. Beginning its work in February 2014, Barbaros was first active in the Black Sea and then moved to the Mediterranean in September 2014.

Barbaros Hayreddin Pasha, which is an important tool in reducing foreign dependency and protecting the rights of Turkish Cypriots, continues its 3D seismic studies. With Oruç Reis bought after, the active exploration of oil and natural gas in the seas has accelerated. Based on the interpretation of authorized teams, the data on sea areas provided by seismic ships are determined point by point and drilling works are beginning. The Fatih ship (whose name was Deepsea Metro-2 when it was purchased), built by the Hyundai company in South Korea in 2011, was purchased by TPAO in December 2017. The 229-meter long ship continues deep-sea drilling in the Mediterranean on behalf of Turkey.

Turkey's first deep-sea drillship, Fatih, is among the ships with the highest technology out of the 16 ships in its class. The ship, which has sixth-generation technology, has the feature to continue its operations by staying constant even at the wavelength of 6 meters. In addition to Fatih, the second drillship, Yavuz, has joined the inventory. Signaling to be more present in the region with the new drillship bought at the beginning of 2020 named Kanuni, Turkey is preparing to take a more active role in the oil and gas exploration by using these ships to drill separately in the Eastern Mediterranean.<sup>14</sup>

Another important issue in deep-sea drilling is the training of local personnel. There are 150 local and foreign crew members on the Fatih ship. It is observed that the number of foreign personnel on board is gradually decreasing after a capture decision by the GASC for engineers and technicians who are citizens of other countries together with the Turkish personnel on board. After this decision, the number of domestic employees on the ship increased. Thus, by employing more of its own people, Turkey's probability of having self-sufficient experience and workforce in the future has increased.

<sup>14</sup> TBMM, Plan Ve Bütçe Komisyonu Tutanak Dergisi, 8<sup>th</sup> meeting, 2 November 2018 Friday.

TABLE 1. TURKEY'S DEEP-SEA DRILLSHIPS AND SEISMIC RESEARCH VESSELS					
Name	Operation Field	Acquisition Date	Length	Width	Acquisition Cost
<b>Fatih</b>	Deep Drilling	2017	229	36	\$154 Million
<b>Yavuz</b>	Deep Drilling	2018	229	36	\$262 Million
<b>Kanuni</b>	Deep Drilling	2020	227	42	\$37 Million
<b>Bar-baros Hayret-tin Paşa</b>	Seismic Research	2012	84	17	\$130 Million
<b>Oruç Reis</b>	Seismic Research	2017	87	23	400 Million TL

Source: Marine Traffic<sup>15</sup>

Determination of the appropriate location considering geology and geophysics studies is a quite important issue for the drilling locations. Drilling the suitable place both reduces costs and offers advantages in terms of time spent. Therefore, the trained workforce that evaluates the data obtained and detects the drilling point before starting drilling is extremely important.

With its ultra-deep-sea drillships, Turkey has now reached a more active global position in this sector. With ships at the top-tier of the world in terms of technological infrastructure and safety equipment, Turkey's presence in the sea, especially in the Mediterranean, has become more prominent. The ships Barbaros and Oruç Reis continue their seismic studies and determine the locations of the drilling activities, before the wells are drilled with Fatih, Yavuz, and Kanuni. Depending on the situation of the source, deep-sea vessels, which have the ability to drill up to 12,000 meters, constitute the most important technical infrastructure of drilling activities.<sup>16</sup>

<sup>15</sup> <https://www.marinetraffic.com/tr...>

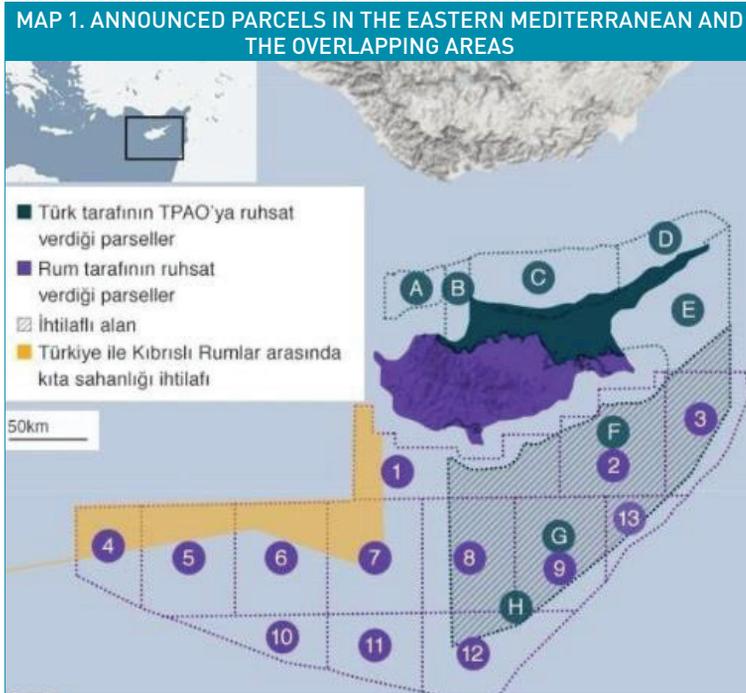
<sup>16</sup> "Türkiye'nin İlk Sondaj Gemisi 'Fatih' Akdeniz'e Doğru Yola Çıktı", *TPIC*, 22 January 2020, <http://www.tpik.com.tr/tr/haberler/haberler/turkiyenin-ilk-sondaj-gemisi-fatih-akdeniz-dogru-yola-cikti>.

## **TURKEY'S AND TRNC'S CONTINENTAL SHELVES AND DRILLING ACTIVITIES IN THE EASTERN MEDITERRANEAN**

In 2018, 30 search wells (80,756 m), 18 detection wells (38,161 m) and 51 production wells (91,423 m) were opened in Turkey by domestic and foreign firms. In total, 99 wells were opened on land, and about 210,000 meters of drilling in these wells was performed. Also in 2018, Turkey carried out a total of 8,177 km of 2D seismic data collection (1,811 km on land and 6,996 km on sea areas) and a total of 10,813 km<sup>2</sup> of 3D seismic data collection (744 km<sup>2</sup> on land and 10,069 km<sup>2</sup> on sea areas). These studies determined the points to be drilled, leading to a plan to carry out the performed drilling activities.

Since the eastern Mediterranean is a semi-closed sea area, littoral and neighboring states have to agree with each other on the determination of the margins of maritime jurisdiction. This is because the EEZ declaration reaches up to 200 miles and the distance of states with opposite coasts in the Mediterranean do not reach 400 miles of each other. It is seen that after the restriction of the maritime jurisdiction areas between the states in the region was done, seismic research was carried out. Afterward, it is understood that drilling works have been started in the places where the points are determined. Drilling exercises have started to be carried out according to the parcels in the Eastern Mediterranean, where it was seen that parcels were created for better progress of hydrocarbon exploration. For example, when looking at the path that Egypt or Israel chose to explore energy resources in the region, it is possible to follow the way to sign an EEZ agreement with neighboring countries on the sea. Later on, the EEZ area is divided into parcels by the carried out seismic studies. Finally, international energy companies are licensed in the parcels that are put out to tender.

Turkey signed the Continental Shelf Delimitation Agreement with the TRNC on September 21, 2011.<sup>17</sup> According to this agreement, Turkey has the authority to carry out exploration and drilling activities, taking into account the legitimate and equal rights of Turkish Cypriots and Greek Cypriots over the entire island. Accordingly, the area belonging to the TRNC was divided into seven parcels, and seismic research and drilling activities began in these parcels. In the license granted to TPAO, the seven regions were described as A, B, C, D, E, F, and G.<sup>18</sup>



Source: Anadolu Agency<sup>19</sup>

<sup>17</sup> “No: 216, 21 Eylül 2011 Türkiye-KKTC Kıta Sahanlığı Sınırlandırma Anlaşması İmzalanmasına İlişkin Dışişleri Bakanlığı Basın Açıklaması”, *Rep. of Turkey Ministry of Foreign Affairs*, <http://www.mfa.gov.tr>.

<sup>18</sup> “Türkiye Cumhuriyeti ile Kuzey Kıbrıs Türk Cumhuriyeti Arasında Akdeniz’de Kıta Sahanlığı Sınırlandırılması Hakkında Anlaşmanın Onaylanmasının Uygun Bulunduğuna Dair Kanun Tasarısı ve Dışişleri Komisyonu Raporu (1/471)”, *TBMM*, <https://www.tbmm.gov.tr/sirasayi/donem24/yil01/ss114.pdf>.

<sup>19</sup> “Doğu Akdeniz’de enerji denklemi-1” *Anadolu Agency*, 9 May 2019, <https://www.aa.com.tr/tr/analiz/dogu-akdenizde-enerji-denklemi-1/1474137>

When considering the surface area of the 13 parcels declared by the GASC, it is calculated as approximately 70,000 km<sup>2</sup>. The parcels numbered 1, 4, 5, 6, 7 in this field coincide with about 7,000 km<sup>2</sup> of Turkey's continental shelf in the Eastern Mediterranean. The parcels numbered 2, 3, 8, 9, 12, and 13, announced by the GASC also coincide with 55,000 km<sup>2</sup> of the TRNC's continental shelf. So the GASC's current practices violate both the TRNC's and Turkey's rights. As for the parcels numbered 10 and 11 declared by the GASC, it is necessary to state that Turkish Cypriots have rights in 10 and 11 since the TRNC has the right where the GASC has the right, even though there is no overlap.<sup>20</sup>

Turkey has started to research the seabed in some places deemed important before drilling operations. It began drillings after creating the license areas and has opened 13 exploration wells to date in the Eastern Mediterranean. However, a commercial amount of hydrocarbon was not found in any of them. More directed to seismic exploration and drilling operations, Turkey is continuing drilling activities in its continental shelf and the areas belonging to the TRNC. With all data obtained from these studies and every well to be drilled, the discovery of hydrocarbons will move one step closer.

Under the operations of TPAO, the Fatih and Yavuz ships are drilling in 3,000 meter-deep waters in the waters around Cyprus, according to the priorities set by Turkey.<sup>21</sup> Turkey has opened a total of five drilling wells since the day it received the drilling vessels, explaining that its target was five wells by 2020, and is increasing its activity in this field with the Kanuni deepwater drillship. Starting drilling operations in the Gulf of Antalya and Mersin in Erdemli North-1 in November 2018 with the Fatih deep-water drillship, Turkey completed Erdemli North-1 drilling in January 2019 and Alanya-1 in mid-April. The

<sup>20</sup> Sertaç Hami Başeren, "Doğu Akdeniz'de Gerilim", *Turkish Marine Research Foundation*. <http://tudav.org/calismalar/deniz-alanlari/munhasir-ekonomik-bolge/dogu-akdeniz-serhat-h-baseren/>

<sup>21</sup> "Cyprus", *Enverus*, <https://info.drillinginfo.com/blog/east-med-gas-hub-future-reality-or-pipe-dream/>.

drilling of the Yavuz vessel that will start operations for the Karpaz-1 well in the Eastern Mediterranean is expected to be completed in three months, at 3,300 meters deep.<sup>22</sup> Towards determining the hydrocarbon potential of the Eastern Mediterranean sea areas, drilling was also done in the Finike-1 deep-sea wells in 2019. Data on these drilling results are not disclosed.

Although Turkey has not encountered hydrocarbon reserves in the drilling operations, some reserves were found in the blocs declared by the GASC. While America's Noble Energy company found 129 billion cubic meters of natural gas in the Aphrodite field in 2011, the Italian company ENI announced that it found about 169-226 billion cubic meters of natural gas in the Calypso field in 2018. The partnership of ExxonMobil and Qatar Petroleum, continuing their exploration work on parcel 10, detected a natural gas reserve of 142-227 billion cubic meters according to initial reports in February 2019 in the field named Glaucus-1. Turkish Cypriots also have rights in all these reserves discovered in the regions of the island.<sup>23</sup>

The United States Geological Survey (USGS) estimated that Cyprus has an average of 3.4 trillion cubic meters of natural gas and 1.7 billion barrels of oil throughout the Levant basin. Along with this reserve, mentioning the existence of more than 10 trillion cubic meters of possibly extractable reserves in the entire Eastern Mediterranean has caused attraction among international companies.<sup>24</sup> It is seen that the companies wishing to continue their activities in the region despite Turkey's legitimate objections have recently faced hindering attempts from Turkey.

<sup>22</sup> "Türkiye Sondaj Gemisi Yavuz'u Doğu Akdeniz'e Gönderdi", *Voice of America*, 20 June 2019.

<sup>23</sup> Sohbet Karbuz, "East Mediterranean Gas: Regional Cooperation or Source of Tensions?", *CIDOB*, May 2017, [https://www.cidob.org/es/publicaciones/serie\\_de\\_publicacion/notes\\_internacional...](https://www.cidob.org/es/publicaciones/serie_de_publicacion/notes_internacional...)

<sup>24</sup> "Assessment of Undiscovered Oil and Gas Resources of the Levant Basin Province, Eastern Mediterranean", *USGS Fact Sheet* 2010-3014, March 2010

The Italian company ENI has announced that it has found reserves after drilling in the area that Greeks named as the parcel six. Although the reserve in the area called Calypso is not located in Turkey's EEZ, since the TRNC also has rights in this field, the unilateral action of Greeks is unacceptable. Parcel 3, on the other hand, coincides with the F license area given by the TRNC to TPAO. Here, too, the TRNC's, TPAO's and Turkey's rights and interests are being questioned. For this reason, ENI's attempts to drill here were prevented. Thus, Turkey opposed the hydrocarbon exploration license in parcel 3 given by the GASC to ENI and did what was needed.

Via a note given to the United Nations in 2004, Turkey announced that it does not acknowledge the EEZ declarations that are not in agreement with its claims in the Eastern Mediterranean. In addition, Turkey stated that of the 13 districts declared by the GASC, parcels 1, 4, 5, 6, and 7 are located in Turkish EEZ and thus, granting hydrocarbon exploration licenses in these areas has increased the tension in the region.

On the contrary, Greece, with support from the EU, has even become involved in attempts to establish a median line through the Kastellorizo island that is about two kilometers away from Turkey's coasts.<sup>25</sup> Not remaining silent on this situation, Turkey has expressed that it will never compromise its rights. President Erdogan said in a statement made on September 21, 2018 that Turkey's acceptance of the unilateral steps that Greeks took in the Eastern Mediterranean is impossible and Turkish warships are made fully authorized to protect Turkey's rights.

The Exxon Mobil Corporation being granted an exploration license in parcel 10, on the other hand, is contested by the Foreign Ministry of Turkey. It is expressed that these agreements in which the TRNC's rights are ignored will push the region into instability, and Turkey will

<sup>25</sup> Selçuk Duman, "Doğu Akdeniz'de Emperyal Girişimler ve Türkiye", *Journal of the Black Sea Studies*, Volume. 14, No. 62.

continue to protect its and the TRNC's continental shelves. With the Blue Homeland Exercise on January 29, 2019, it has been implied that the fait accompli in the region will not be allowed, and if necessary, the military option will be activated in the face of injustices.

The GASC has complained on the EU platform about Turkey's seismic research activities. By the GASC's initiative, this complaint was put into the agenda of the EU Leaders Summit held on 23-24 October 2014, and on November 13, 2014, the European Parliament accepted a decision against seismic research conducted by Turkey in the Eastern Mediterranean, supporting the GASC's theses. In the relevant decision, it is expressed that Turkey's activities in the region violate the GASC's sovereign right, and Turkey's ship must withdraw immediately. Otherwise, it was warned that this incident would adversely affect Turkey-EU relations.<sup>26</sup>

Turkey's rights must be regarded when an EEZ is declared. While, Turkey maintains its drilling exercises and manifests its legitimate arguments. Turkey expresses that it is impossible for the islands Karpathos, Kasota, Rhodes, and Kastellorizo to have an EEZ in the Eastern Mediterranean since they are located on the opposite side of the median line between the mainland areas of Turkey and Greece. On the other hand, in line with the principles of "superposition" and "proportionality," the shores of the Anatolian peninsula are incomparably longer than these islands. Also, due to their location in front of the Anatolian peninsula, these islands pose a contradiction to the principle of "non-encroachment." These extremely important principles and factors in delimitation eliminate the legal basis for the EEZ claims of Greece in the Eastern Mediterranean.<sup>27</sup> In addition, based on these reasons, the agreements that the GASC has made are not taken into consideration

<sup>26</sup> Yeliz Şahin, "Kıbrıs Müzakereleri İçin Yeni Fırsat Penceresi", *Economic Development Foundation Brief Notes*, April 2015, [https://www.ikv.org.tr/images/files/ikv\\_degerlendirme127\(2\).pdf](https://www.ikv.org.tr/images/files/ikv_degerlendirme127(2).pdf)

<sup>27</sup> Cihat Yaycı, "Doğu Akdeniz'de Deniz Yetki Alanlarının Paylaşılması Sorunu ve Türkiye", *Bilge Strateji*, Volume. 4, No. 6, Spring 2012, p. 1-70.

by Turkey<sup>28</sup> that has the longest coastline in the Eastern Mediterranean with 569 miles. Besides, it is expressed that the agreements made are null and void due to the lack of authority.

This discovery becomes meaningful if the discovered reserves are turned into production. Firms will continue their expensive exploration and field development efforts when they see that they have the ability to commercialize their discoveries with an appropriate rate of return. This situation will affect the firms' natural gas sales on the domestic market, export options and stability in the regulatory fiscal and political environment of the countries. However, in any case, the environment of conflict is complicating the commercialization of the discovered natural gas. These discoveries can be a factor in promoting energy security, economic prosperity and regional cooperation, or can stir up the existing conflicts. When looking at the current situation, it is seen that the tension in the Eastern Mediterranean has increased. In this case, conflict comes to the fore rather than collaboration. Natural gas sources open up the old wounds and cause new conflicts, rather than helping to suppress the conflict.

Even if a reserve is found as the result of drilling, it is necessary to do planning before production. It is understood that the utilization of these resources will be guided by the market, but will also be significantly influenced by local and regional policies that will reshape the map. In this context, it is observed that the Eastern Mediterranean Gas Forum countries caused political instability in the region despite the messages of political unity that they constantly used. An example of this is that they could not establish an inclusive decision-making mechanism in which all the countries in the region are present. An exclusionary decision-making mechanism will be a permanent obstacle that these countries will face in taking decisive steps on behalf of the region. Based on this point, the invitation of Turkey into the East Med-

<sup>28</sup> Yaşar Doğan and Yıldız Dursun, *Doğu Akdeniz'de Küresel Satranç*, *Truva Publications*, İstanbul, 2012, s. 47

iterranean Gas Forum has the potential to create a diplomatic synergy in the region and prepare the ground for taking decisive steps towards political unity of the island of Cyprus. Possible hydrocarbon diplomacy will increase the welfare of the region and will contribute to the region reaching a more stable structure.<sup>29</sup>

## CONCLUSION

At the beginning of the 2000s, the Eastern Mediterranean region with its discovered significant hydrocarbon reserves began to be among the most important outstanding topics in Turkey's foreign policy. Turkey has adopted the attitude in favor of dialogue and cooperation on the resolution of the problems that form around important issues such as the continental shelf and Cyprus issue, but this attitude has not been reciprocated with a positive response by Greece and the GASC. By signing maritime boundary delimitation agreements, Turkey began actively taking part in the region with three deep-sea drillships and two seismic research vessels. Starting drilling operations according to information obtained from seismic surveys, Turkey has increased its hydrocarbon exploration experience and infrastructure.

Turkey proposes that the energy in the Eastern Mediterranean should be utilized positively in the framework of integrated markets and the principles of interdependence. This point of view has a reconciliatory potential and offers important opportunities in the resolution of problems. Turkey has shown that it is aware of this situation by not drilling at the beginning and by inviting Greece and the GASC to a fair cooperation, revealing its strategy of collaboration. In the case of the Greek side ignoring the rights of Turkey and the TRNC, it is seen that Turkey began an exploration and drilling policy in places that it has rights according to its thesis.

<sup>29</sup> Mehmet Sağlam, "Doğu Akdeniz Bölgesel İstikrarının Türkiye Bağlamında İncelenmesi" [https://www.academia.edu/40317256/DO%C4%9EU\\_AKDEN%C4%B0Z\\_B%C3%96LGESEL\\_0...](https://www.academia.edu/40317256/DO%C4%9EU_AKDEN%C4%B0Z_B%C3%96LGESEL_0...)

Two important reasons are seen in Turkey beginning its drilling operations in the Eastern Mediterranean. The first of these is to reduce foreign dependence on energy. The other is to protect its rights in the region. The second reason has seemingly overtaken the first reason in recent times. Being at the key position to contribute to stability in the region, Turkey must be firmly present in the Eastern Mediterranean in order to be included in decision-making processes on behalf of the region.

It is important to benefit from drilling technology and expertise to find and utilize new resources. Thus, regarding Turkey's increasing ability and capacity on deep-field drilling, its presence in the Eastern Mediterranean increased with vessels that can drill up to 12 kilometers. In this context, the accumulated experience that TPAO has obtained here can carry this company to the point of being able to compete with international companies.

Countries in the region have started to make unilateral agreements with actors outside the region in order to strengthen their hand and to carry out their activities in the region more easily. With the agreements made by countries other than Turkey, the international companies such as Noble, Exxon Mobil, BP, Total, ENI, Kogas, and Shell appear to have a say in reserves in the Eastern Mediterranean. This is emerging as a thriving case against Turkey. It can also be assumed that Turkey can bring a balance to this situation by calling these international energy firms to its side.

Financial risks need to be taken into account for long-term profitability in the Eastern Mediterranean. It is important to act under the awareness that the rate of positive drilling operations is 10 percent, in terms of preparing the public both financially and psychologically. The plans that follow this fact will ensure that the drilling operations will continue in a healthy way even if they take a long time. The drilling Turkey has conducted in the Eastern Mediterranean will ensure its strengthening in this field with technical capacity and experience.

Turkey has begun taking an important stride in deep-sea drilling with its carried out drilling exercises. When its exploration and drilling activities in the Eastern Mediterranean are looked at in the long-term, it is seen that Turkey will, in any case, become better off.















**T**his book focuses on the contemporary situation in the Eastern Mediterranean, which has become one of the main spotlights of international politics. Especially after the discovery of hydrocarbon resources, the Eastern Mediterranean has been in the agenda of both regional and global powers. While regional actors such as Egypt, Israel, and Greece are attempting political maneuvers in order to benefit from the hydrocarbon resources, international actors such as the United States and Russia have become increasingly more engaged in the affairs of the region. In response to emerging partnerships and coalitions, Turkey, which has the longest shore in the Eastern Mediterranean, has adopted a pro-active policy to defend its rights and interests. This book examines political, legal, and economic dimensions of the Eastern Mediterranean and brings a new insight to the recent developments and the Turkey's policy in the region.

BURHANETTİN DURAN • KEMAL İNAT • MUHİTTİN ATAMAN  
MEHMET ÇAĞATAY GÜLER • İSMAİL EDİZ • MELİH YILDIZ • NURŞİN ATEŞOĞLU GÜNEY  
MENDERES KURT • TALHA İSMAİL DUMAN • MERYEM İLAYDA ATLAS • DENİZ İSTİKBAL  
FURKAN POLAT • YUNUS FURUNCU • İSMAİL KAVAZ • ERDAL TANAS KARAGÖL  
BÜŞRA ZEYNEP ÖZDEMİR • NASİH SARP ERGÜVEN • YÜCEL ACER  
MEHMET DALAR • MUSTAFA BAŞKARA • İSLAM SAFA KAYA

