Weekly Briefing

Greece political briefing:
The Eastern Mediterranean in crisis
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The Eastern Mediterranean in crisis

Energy discoveries in the Eastern Mediterranean can be either a catalyst for peace and mutually accepted settlements or a reason for serious tensions among parties with different interests at stake. For the time being, the first option seems distant. Turkish policies in the Eastern Mediterranean outline the interest of Ankara to defend its interests, even if its actions defy international law. The recent deal signed between Turkey and the Government of National Accord (GNA) of Libya delimitating the maritime borders of the two countries is placed within this context. Greece has subsequently endeavored to expose Turkey at the international level and establish a protection umbrella under the US, the EU and Israel. But the crisis in the Eastern Mediterranean is far from over. 2020 will be a critical year.

On 15 November 2019 Turkish Permanent Representative to the UN Feridun Sinirlioglu signed a letter outlining Turkey’s alleged rights in the Eastern Mediterranean. According to the letter, Turkey reserves ‘its rights to further submit the geographical coordinates of the Turkish continental shelf to the west of longitude 28-00-00.000E, which extends to the outer limits of territorial waters of the islands facing the relevant area in the Mediterranean.’ This means Ankara believes it enjoys the right to have maritime zones and a continental shelf west of the 28th meridian ignoring thus the Dodecanese island chain in the southeast Aegean and Crete.

Greece rejected the illegal claims of Turkey and argued that according to the International Law of the Sea, islands – regardless of their size – have full entitlement to maritime zones as other land territories do. Further to this, the reference in the said letter to rights of Turkey west of the 28th meridian and up to a point ‘to be determined in accordance with the outcome of future delimitation agreements in the Aegean Sea as well as in the Mediterranean, among all relevant states’, constituted open interference with Greece’s right to effect delimitation agreements with third states.

Amid serious disagreements in the Eastern Mediterranean, Turkey and the Government of National Accord (GNA) of Libya signed a memorandum of understanding to delimitate their maritime borders on 27 November. On that basis, they established 18.6 nautical miles of a continental shelf and exclusive economic zone. The accord has been the result of a careful diplomacy by the Turkish side as far as its relations with Libya are concerned. Following the Libyan Revolution of 17 February 2011, Turkey had recognised the National Transitional
Council as the ‘sole representative of Libyan people’ and was the first country to appoint an Ambassador to Tripoli a few months later. In the end of 2015 it welcomed the signing of the Libyan Political Agreement on and supported the GNA to implement this agreement. Since then Ankara has actively supported Tripoli during the civil war. Even the possibility of Turkey sending troops to Libya is currently part of the media agenda.

From a Turkish perspective, the recently signed deal prevents any fait accompli attempts by regional states. Ankara had been concerned about the determination of other countries, namely Greece, Egypt, Israel and Cyprus to proceed with their drilling activities and possible energy deals, including on the shipment of natural gas from the Levantine Basin to third markets. Against this backdrop Ambassador of Turkey to Greece Burak Özyüner regularly gives media interviews criticising Greece and Cyprus for ignoring the interests of Turkey and the Turkish-Cypriots in the Eastern Mediterranean. In so doing, he encourages Greek-Turkish dialogue. On 12 December Turkey sent its accord with Libya to the UN for approval, a week after having gained parliamentary ratification. The Turkish position is the agreement with Libya is complied with international law. In an interview Foreign Minister Mevlut Cavusoglu said so while illustrating a map that depicted the purported new boundaries of his country’s continental shelf.

Greece is embarking on an international attempt to raise awareness about Turkish policies in the Eastern Mediterranean and gain diplomatic support. To start with it decided to expel the Ambassador of Libya, which – in the view of Turkish President Tayyip Erdogan – constitutes an ‘international scandal’. Also, in the first days of December it sent, for example, a letter to the UN criticising the maritime border deal signed between Turkey and the GNA. The deputy spokesman for the Secretary-General, Farhan Haq, responded in a rather neutral way though. ‘The Secretariat does not take a position or provide comments in relation to matters concerning the sovereignty, sovereign rights and jurisdiction of member states over their maritime spaces’, he said. He also commented ‘in certain areas, such as enclosed or semi-enclosed seas, particular attention needs to be paid to the interests of third parties’ and expressed his confidence ‘that all parties concerned recognise the need for continued dialogue on these sensitive matters’.

Additionally, the National Council on Foreign Policy convened under the Minister of Foreign Affairs Nikos Dendias on 10 December. Following the meeting national consensus and unity were ascertained. According to SYRIZA MP and former foreign minister George Katrougalos, for example, Greece should pursue an active foreign policy by exerting pressure
but also by continuing the dialogue with Turkey. Participants in the meeting included representatives of the governing New Democracy, main opposition SYRIZA, the Movement for Change, the Greek Solution and MeRA25 as well as the deputy foreign ministers and the chairman of the National Defence and Foreign Affairs Committee, Constantinos Gioulekas. In parallel with convening the National Council of Foreign Policy, Minister of Foreign Affairs Dendias appointed Ambassador Christodoulou Lazaris as Special Envoy for Libya.

US Ambassador to Greece Geoffrey Pyatt negatively commented on the initiative taken by Turkey and Libya, considering the deal as ‘unhelpful’ and ‘escalatory’. According to the American legal judgement, ‘inhabited islands as a matter of customary international law are entitled to the same treatment as continental territory’. In other words, the US approach differs from that of the Turkish government, which believes the opposite on the status of islands in its assertions regarding maritime claims and specifically continental shelves. Indeed, according to Article 121 of the United Nations Convention on the Law of the Sea, all islands – with the exception of certain uninhabited rock formations – are entitled to a territorial sea, an exclusive economic zone and a continental shelf. On the whole, Washington encourages dialogue instead of unilateral declarations that overlook the perspectives of the other affected states, in this case Egypt and Greece.

The EU supported Greece and Cyprus concerning the new crisis in the Eastern Mediterranean. The European Council of 12 December reaffirmed previous conclusions on ‘Turkey’s illegal drilling activities’ in Cyprus exclusive economic zone. More importantly, according to article 19 of the conclusions, ‘The Turkey-Libya Memorandum of Understanding on the delimitation of maritime jurisdictions in the Mediterranean Sea infringes upon the sovereign rights of third states, does not comply with the Law of the Sea and cannot produce any legal consequences for third states’. Greece is certainly bolstered by this EU support. In the press conference following the EU leaders summit Premier Kyriakos Mitsotakis argued ‘Greece will do everything it can and has to do to protect its sovereign rights’. He also focused on Turkey’s isolation. It should be mentioned that along with the US and EU, Israel expressed full support for Greece in the spat with Turkey. In a relevant tweet, the Israeli Ministry of Foreign Affairs mentioned it ‘follows with concern recent steps taken by Turkey in the Mediterranean’ and said that ‘ignoring customary international laws of the sea can jeopardize peace and stability in the area’.

It is obvious the current status of Greek-Turkish relations is problematic and the level of tensions can be easily realised. On 7 December 2019 Mitsotakis participated in an international conference organised by the Pan-Pontian Federation of Greece where he said that the Pontian
Genocide was a tragic chapter in the history of modern Greeks. The Turkish Ministry of Foreign Affairs rejected the statements of the Greek Prime Minister in this conference which it illustrated as a ‘propaganda event’. For its part the Greek Ministry of Foreign Affairs replied as such: ‘one chooses insult when they cannot accept their history. When they have no arguments and would instead provoke and threaten. When they stubbornly refuse to respect the rules that apply for everyone and arbitrarily demand special treatment.’

**Conclusion**

Turkey’s decision to sign a memorandum of understanding on maritime boundaries in the Eastern Mediterranean Sea with Libya is placed in the country’s provocations in the Eastern Mediterranean. As Emeritus professor of the University of Athens Christos Rozakis explains that the question is not whether Turkey is bound by the afore-mentioned Article 121 but whether islands have a continental shelf and exclusive economic zone. Based on certain criteria, the case law recognizes the continental shelf and the exclusive economic zone of the islands with full or half effect while the International Court offers several solutions. 2020 will be perhaps a critical year for Greece and Turkey and the role international justice might perhaps play.