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MASTER’S THESIS

CRISIS OF THE MARITIME JURISDICTION AT THE
MEDITERRANEAN SEA AND EU’S EFFECT ON
SOLUTION

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DECLARATION

I hereby declare that this master's thesis titled "Crisis Of The Maritime Jurisdiction at the Mediterranean Sea And EU's Effect on Solution" has been written by myself in accordance with the academic rules and ethical conduct. I also declare that all materials benefited in this thesis consist of the mentioned sources in the reference list. I verify all these with my honor.

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ÖZET

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Doğu Akdeniz'de son yıllarda enerji alanında yapılan keşifler bölgede zengin doğalgaz kaynaklarının varlığını ortaya çıkarmıştır. Ekonomik ve siyasi anlamda olumlu bir gelişme olarak kabul görebilecek bu zenginlik, tarafların konuya ilişkin uzlaşmadan uzak ve uluslararası hukuku ihlal eden tutumları nedeniyle bölgede gerilimlerin yaşanmasına neden olmaktadır. Çok taraflı bir savaşın patlak vermesi ihtimalinin dahi değerlendirildiği bu süreçte ülkeler "kazan kazan" stratejisinden çok "sıfır toplamli oyun" çerçevesinde konuya yaklaşıp çıkarlarını en üst seviyeye çıkarma amacı taşımaktadır.

Doğu Akdeniz'e kıyısı olan devletlerin deniz yetki alanlarının birçok noktada çakışması, çözüme kavuşmamış Kıbrıs meselesi, söylemlere yansımayan Rumların Megali İdea'sı ve Avrupa Birliği'nin kodlarını emperyalist tarihinden alan sömürü geleneği sorunun temelini oluşturmaktadır. Kuşkusuz Türkiye'nin bölgede enerji merkezi haline gelmesinden ve enerjiden kazanç sağlayacak olmasından dolayı duyulan kaygılar, neden uzlaşma sağlanamadığına ilişkin buzdağının görünmeyen kısmını oluşturmaktadır. Bölgede "de facto" bir oluşum yaratılarak, "oldu-bitti" stratejisi ile diğer kıyıdaş ülkelerin aleyhinde olacak biçimde, hem egemenlik alanı genişletilmeye, hem de bölgedeki doğal kaynaklar elde edilmeye çalışılmaktadır. Bu çalışmada bölgede varolan çatışma, deniz hukuku çerçevesinde ele alınıp çatışma çözümü yaklaşımı çerçevesinde çatışmanın analizi yapılacaktır. Son tahlilde, bir barış

projesi olan AB'nin çatışmadaki pozisyonu, tutumları ve çözüme yönelik etkisinin neler olduğu değerlendirilecektir.

Anahtar Kelimler: Doğu Akdeniz Anlaşmazlığı, Çatışma Analizi, Uluslararası Deniz Hukuku, Avrupa Birliği.



ABSTRACT
Master's Thesis
Crisis Of The Maritime Jurisdiction At The Mediterranean Sea And EU's
Effect On Solution
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The discoveries made in the energy field within the Eastern Mediterranean in recent years have revealed the existence of rich natural gas resources in the region. This wealth, which can be accepted as a positive development in economic and political terms, has been causing tensions in the region due to the attitudes of the parties that violate international law and which are far from reconciliation. In this process, where even the possibility of a multilateral war being underway is evaluated, countries are aiming to maximize their interests by approaching the issue within the framework of "the zero-sum game" rather than "the win-win strategy".

The overlapping of the maritime jurisdictions of the Eastern Mediterranean coasts at many points, the unresolved Cyprus issue and the Megali Idea of the Greeks, which is not reflected in the discourses, the exploitation tradition of European Union, which derives its codes from its imperialist history, constitute the basis of the issue. Undoubtedly, concerns related to Turkey becoming the energy center in the region and making gains from the energy source constitute the invisible side of the iceberg regarding the reason behind the state of not reaching an agreement yet. With the creation of a de facto formation in the region, it is tried to expand both the sovereignty area and acquire the natural resources in the region against other riparian countries

via fait accompli strategy. In this study, the existing conflict will be handled within the framework of maritime law and conflict analysis will be made within the framework of conflict resolution approaches. The position, attitudes, and impact of the EU regarding a solution to the conflict, as being a peace project will be evaluated in the final analysis.

Keywords: East Mediterranean Dispute, Conflict Analysis, International Maritime Law, European Union.



**CRISIS OF THE MARITIME JURISDICTION AT THE
MEDITERRANEAN SEA AND EU'S EFFECT ON SOLUTION**

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ABBREVIATIONS

CZ	Contiguous Zone
CS	Continental Shelf
East-Med	Eastern Mediterranean Natural Gas Boat Line
EEZ	Exclusive Economic Zone
EU	European Union
GCASC	Greek Cypriot Administration of Southern Cyprus
HIHK	The Heilderberg Institute on International Conflict Research
HSR	Human Security Report
HSRP	Human Security Report Project
ICJ	International Court of Justice
NATO	North Atlantic Treaty Organization
NGO	Non Government Organization
NOTAM	Notice To Airman
PESCO	Permanent Structured Cooperation Defense Agreement
SIPRI	Stockholm International Peace Research Center
T.C.	Türkiye Cumhuriyeti
TPAO	Turkish Petroleum Corporation
TRNC	Turkish Republic of Northern Cyprus
UCPD	Uppsala Conflict Data Program
UN	United Nations
UNCLOS	United Nations Convention Law Of The Sea
UNDP	United Nation Development Programme

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INTRODUCTION

As a result of increased drilling operations in the Mediterranean in recent years, the world's richest energy reserves have been discovered. The rapid increase in the population, the beginning of the depletion of energy resources, the difficulties in the energy supply process, and the functioning of the developing industry relying on energy, are increasing the need for energy every day. The presence of energy resources discovered in the Eastern Mediterranean attracted attention to the region and thus the drilling operations gained momentum.

However, the existence of rich energy resources in this region has become an increasingly more controversial and multilateral problem in the region, as it is a powerful tool that can be used for the solution of problems related to maritime jurisdictions and a frozen conflict such as the Cyprus issue. In this study, the events in the region will be mapped within the framework of conflict analysis and the visibility of details regarding the issue will be provided. In this process, the EU's attitudes and actions will be evaluated to examine whether the EU could have any contribution to the solution of the conflict in the region.

In the first part of this study which is prepared in three sections, the maritime jurisdictions' place in international maritime law and their established principles and the concepts related to maritime jurisdiction will be discussed in order to get a better understanding of the subject. In this section, the international principles that the arguments used by Turkey are based on in order to protect its rights in the region under international law will be stated. By addressing the areas covered by the principle of fairness, which is violated by the Greeks at every opportunity, it will be clearer to understand which part of the dispute in the region disregards which rule of law.

In the second part of the thesis, basic concepts of conflict resolution, causes, and types of conflict, methods of conflict resolution, conflict escalation, tools to be used in conflict resolution and conflict analysis will be discussed.

In the third chapter, how conflicts of the parties shaped the conflict in the context of cause and effect relationship will be evaluated in chronological order. Conflict analysis will detail the profile, actor, cause and dynamics of the conflict.

After mentioning the main causes of the conflict, the chronological order of the events in the region and the reasons that escalate the conflict will be discussed. How the attitudes of the parties to the conflict are shaped within the framework of the international law principles will be discussed. In the final analysis, the role that the EU plays in the solution of this process and the policies it implements will be analyzed.

In the study conducted with qualitative research methods; books, articles, reports of international organizations and think tanks will be used. The chronological order of the conflict, which is done by a descriptive method, will be examined from the news that were reported by the media.



CHAPTER ONE

MARITIME JURISDICTIONS IN THE INTERNATIONAL MARITIME LAW

1.1. HISTORICAL PROCESS OF THE INTERNATIONAL MARITIME LAW

Maritime law is the international law covering laws regarding national and international waters. These laws regulate many complex issues such as the traffic on the seas, the use of the natural riches under the sea and the width of the territorial waters of the country.¹

We can talk about the three phases that bring regulations on maritime rights to the countries at the international level. In the international arena, the creation of the legal rules related to maritime law was first determined in the 1958 Geneva Conventions on the Law of the Sea. At the First United Nations Conference on the Law of the Sea (UNCLOS 1) held in Geneva in 1958, four international conventions were adopted. These are;

- Convention on the Territorial Sea and the Contiguous Zone,
- Convention on the Continental Shelf,
- Convention on the High Sea and
- Convention on Fishing and Conservation of the Living Resources of the High Sea.

However, these conventions which was accepted in this conference had not include to regulation of some issues, like width of the territorial waters, technical developments, increasing of independent states' rate, therefore, it was felt the need of holding new conventions.² For these reasons, shortly after these agreements, the Second United Nations Conference on the Law of the Sea (UNCLOS 2) was held in Geneva in 1960.³

¹Ahmet Emin Dağ, **Uluslararası İlişkiler ve Diplomasi Sözlüğü**, 2nd Edition, Anka Publications, İstanbul, December 2005, p. 290.

²Enver Bozkurt, **Türkiye'nin Uluslararası Hukuk Kanunları**, 2nd Editon, Nobel Publications, Ankara, 1999, pp. 109-110.

³Aslan Gündüz, **Milletlerarası Hukuk**, (Ed.Reşat Volkan Günel), 6th Edition, Beta Publications, İstanbul, 2013, p. 197.

The conference failed because many issues related to maritime disputes, such as the resolution of the territorial waters that constituted the subject of the conference, could not be reached. The Third United Nations Conference on the Law of the Sea (UNCLOS 3), which was organized between 1973 and 1982, and resulted in the adoption and signing of the 1982 United Nations Convention on the Law of the Sea.⁴

This Convention is a comprehensive international treaty covering various rules governing the political, economic and military use of marine areas. It consists of 320 articles and IX appendices and being a party to the Convention is possible only if the agreement is accepted as a whole. As a matter of fact, Article 309 of the Convention is prohibited the drawbacks.⁵ For this reason, Turkey is not a party to the 1958 Geneva Convention on the Continental Shelf and the 1982 UNCLOS.

1.2. FUNDAMENTAL PRINCIPLES IN MARITIME JURISDICTIONS

We can divide the maritime zones into three separate divisions in terms of the use of powers.

- The first is the maritime zone under the sovereignty of the states.
- The second is the sea area where states have limited powers for the use of sovereignty.
- The third is the sea area that states have not use any sovereignty over.⁶

1.2.1. Maritime Zones Which Are Under the Sovereignty of States

These maritime zones cover the internal waters, territorial waters, international straits, archipelagic states and archipelagic waters.

⁴Şule Anlar Güneş, “Birleşmiş Milletler Deniz Hukuku Sözleşmesi ve Deniz Çevresi’nin Korunması”, **Ankara Üniversitesi Hukuk Fakültesi**, Vol.: 56, No.: 2, 2007, p. 5.

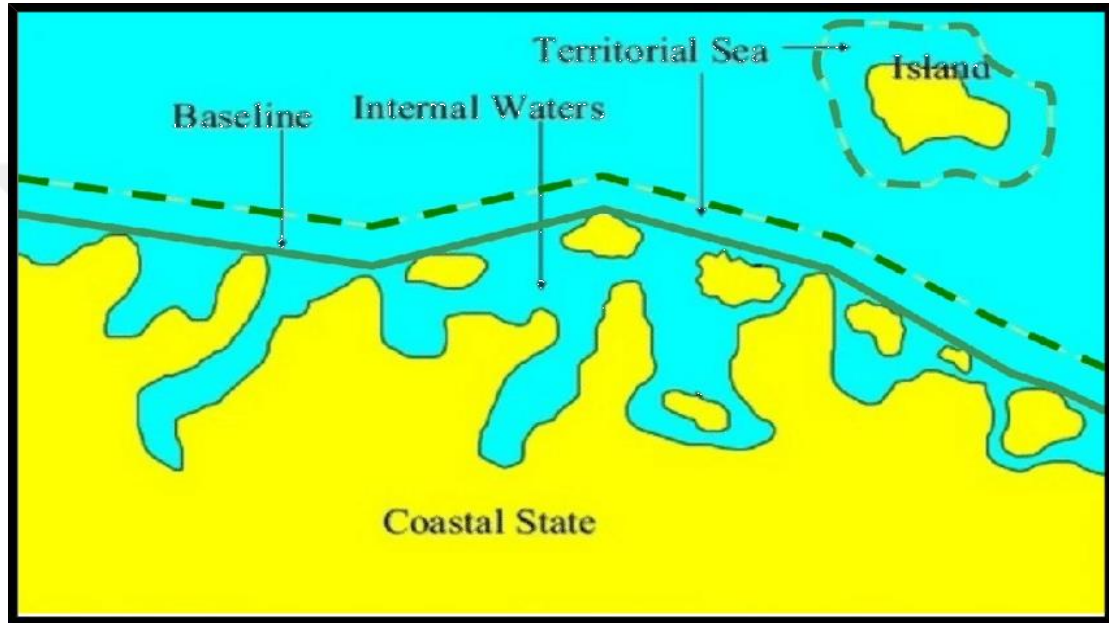
⁵Berat Lale Akkutay, “1982 Birleşmiş Milletler Deniz Hukuku Sözleşmesi Çerçevesinde Çekinceler ve İhtiyari İstisnalar”, **Milletlerarası Hukuk ve Milletlerarası Özel Hukuk**, Year: 31, No.: 1, 2011, p. 2.

⁶Murat Yıldırım, **Doğu Akdeniz’de Yetki Alanları ve Türkiye**, (Unpublished Master’s Thesis), Kocaeli Üniversitesi Sosyal Bilimler Enstitüsü, Kocaeli, 2008, pp. 18-19.

1.2.1.1. Internal Waters

According to the "1958 Convention on the Territorial Sea and the Contiguous Zone", and the UNCLOS, internal waters are the maritime zones between the baseline, where the area covered by the territorial waters began to be measured, and the national territory.⁷

Figure 1: Internal Waters



Source: David Smythe, "Consultation Submission to the Scottish Government on Unconventional Oil and Gas", Technical Report, 31 May 2017, https://www.researchgate.net/figure/Hypothetical-example-of-straight-baselines_fig4_317281930, (24.05.2019), p. 66.

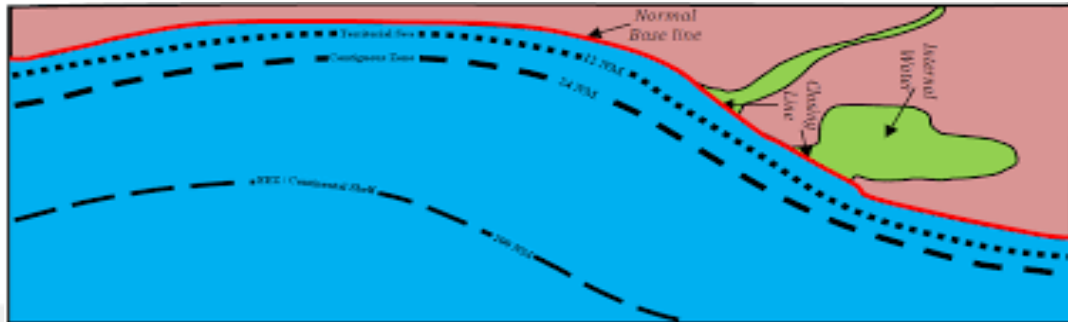
Baseline is a "line drawn along the coastline and refers to the the outer boundary point of country's internal waters and the inner boundary point of its territorial waters".⁸ In the determination of the baseline, where the maritime zones subject to the authority of the coastal state are started to be measured, two methods are used, namely the "normal baseline" and "the straight baseline". In maritime law,

⁷Hüseyin Pazarcı, **Uluslararası Hukuk**, Updated 4th Edition, Turhan Bookstore, Ankara, 2006, p. 255.

⁸Ahmet Çalık, **Deniz Ticareti Tatbikatçıları İçin Uluslararası Kamusal Deniz Hukuku**, Piri Reis Vakfı Publications, İzmir, April 2003, p.15.

“the normal baseline”, where the territorial waters are started to be measured, is based on the line with the lowest coastal waters along the coast. (UNCLOS Article 5).⁹

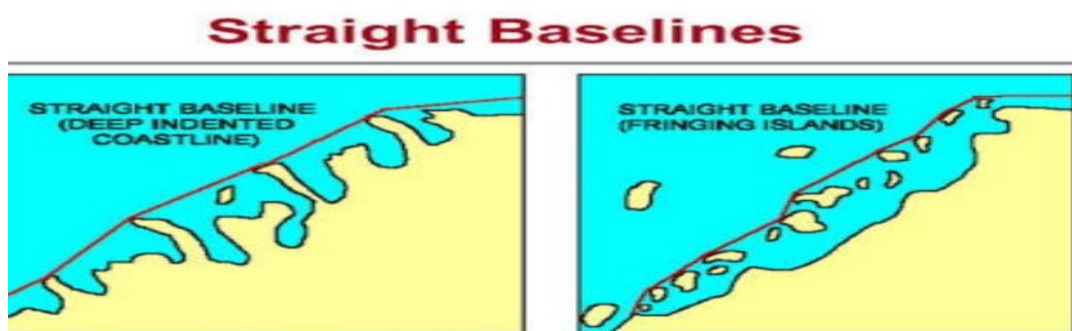
Figure 2: Normal Baseline



Source: Land Information New Zealand, "Maritime Boundary Definitions", <https://www.linz.govt.nz/sea/nautical-information/maritime-boundaries/maritime-boundary-definitions#tsb>, (23.03.2018).

“The straight baseline” method is the line formed when the coasts of the country are more indented and fragmented, or if there are islands close to the shore, it is the line formed by combining the endpoints that can be bounded by such coasts. (UNCLOS Article 7/1).¹⁰

Figure 3: Straight Baselines



Source:UNITAR, "Law Of The Sea", https://www.unitar.org/ny/sites/unitar.org.ny/files/IML_Law%20of%20the%20Sea.pdf, (05.02.2019), pp.8-9.

⁹UNCLOS, Article 5.

¹⁰Aydoğan Özman, **Deniz Hukuku I. Kaynaklar, Kişiler, Nesneler, Ulusal Deniz Alanları**, Turhan Bookstore, Ankara, 2006, p. 301.

The state may use all the power it has in internal waters, which is a part of the country and which is adjacent to the national territory.¹¹ Internal waters, like the territorial waters, are in the sovereignty of the coastal state. The seabed, subsoil and airspace which belong to internal waters and territorial waters of a country are under the sovereignty of the coastal state.

However, there is a difference between the internal waters and territorial waters due to the transition regime. While the use of sovereignty both water and the airspace is absolute for internal waters, a different legal regime is applied in the use of the sea surface and the airspace over territorial waters. While the airspace over the territorial waters has no right of passage for civilian and military aircraft belonging to foreign states, all ships, civilian and military, have the right of transition called “innocents passage”.¹²

1.2.1.2. Territorial Waters

The territorial waters are the coastal state's maritime area that reach beyond internal waters and surrounds the land territory of a coastal state. It includes in a certain width towards offshore in accordance with international law.¹³

It is not necessary for every state with coast to declare it to have its territorial waters. One of the most important problems in this matter is the question of how the regulations concerning the limitation of territorial waters should be. There is no provision in the 1958 Convention on the Territorial Sea and the Contiguous Zone about the territorial waters and the 2nd UN Conference has not been able to provide a solution to this problem. The first, 3 miles were implemented, but states like Brazil and Ecuador were able to declare territorial waters extending to 200 miles. Finally, it has been accepted with the Article 3 of the 1982 UNCLOS that every state has the right to determine the extent of its territorial waters. It has been determined that this width has the right to territorial waters that do not exceed 12 miles from the determined baselines. Many states have started to implement the 12-mile distance without entering into force. Article 15 of the Convention regulates the distance

¹¹Ayşe Nur Tütüncü, **Gemi Kaynaklı Deniz Kirlenmesinin Önlenmesi, Azaltılması ve Kontrol Altına Alınmasında Devletin Yetkisi**, 3rd Edition, Beta Publications, İstanbul, 2004, p. 112.

¹²Ferit Hakan Baykal, **Deniz Hukuku Çalışmaları**, Alfa Publications, İstanbul, 1998, p. 133.

¹³Pazarcı, **Uluslararası Hukuk**, p. 258.

limitations between the states having mutual and adjacent coasts. Accordingly, this limitation is normally agreed upon by an agreement between the parties. While limiting, if no other solution is agreed between the parties, there is no historical claim or, if there is no other option due to special conditions, the distance of territorial waters does not go beyond the midline measured from the point where the coasts of the two states are closest to each other.¹⁴

The length of territorial waters in the Aegean Sea between Greece and Turkey in Lausanne Peace Treaty was determined as 3 miles, in 1936, Greece had unilaterally declared a 6-mile claim on territorial waters. However, Turkey determined its territorial waters as a 6 mile with the Law of the Territorial Water numbered 476 that was issued on 15 May 1964. Article 2 of this law indicates that if the territorial waters of a state is wider, the "principle of reciprocity" will be carry out. With the Law of The Territorial Waters numbered 2674 published in 1982, it was determined that the Turkish Territorial Waters were to be 6 miles on principle. However, it was also stated that the Council of Ministers was authorized to determine that the length of its territorial waters is above 6 nautical miles, provided that it considers all the relevant properties of the seas and the equitable principles for certain seas. In this sense, while Turkey's territorial waters in the Aegean Sea is 6 miles, in the Mediterranean Sea and Black Sea it has been recognized as 12 miles.¹⁵

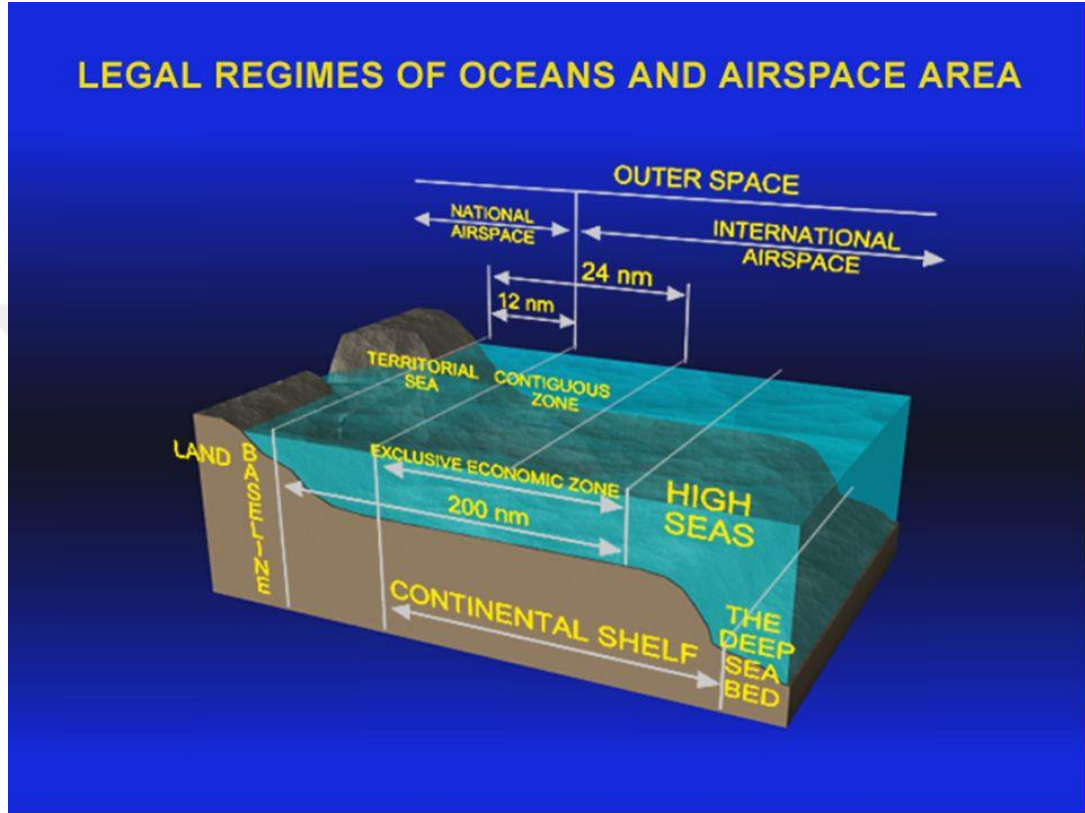
UNCLOS, which Turkey isn't party to accepts to width of the territorial waters as 12 mil. On this basis, Greece declared that it would use this right "at a time suitable for its strategy" by 1995 Parliamentary decision. Thereupon, Turkey designated that such an extortion attempted by Greece would be reason of the war (casus belli) for a period of time mentioned. This rule doesn't valid for the countries which are not party to this agreement but it, by continuous repeat, gains binding decision in the framework of the customary law. However, This implementation of Greece is not binding and valid for Turkey in terms of customary law, due to Turkey's opposition constantly to it. Another initiative of Greece is that it tries to have an airspace that is not equal to the length of territorial waters seen as first

¹⁴Funda Keskin, "Karasuları", **Türk Dış Politikası, Kurtuluş Savaşından Bugüne Olgular, Belgeler, Yorumlar**, (Ed. Baskın Oran), Vol.: 1, İletişim Publications, İstanbul, 2001, p. 752.

¹⁵Baskın Oran (Ed.), **Türk Dış Politikası, Kurtuluş Savaşından Bugüne Olgular, Belgeler, Yorumlar**, Vol.: 1, İletişim Publications, İstanbul, 2001, pp. 750-752.

implementation in the international arena. Accordingly, in 1981, Greece unilaterally issued a decree which extended its airspace area to 10 miles with the addition of 4 miles to the 6-mile territorial waters.¹⁶

Figure 4: Territorial Sea



Source: UNITAR, p. 18.

The state of territorial waters, like its sovereignty in the land country, has the sovereign right airspace over its territorial waters and under the sea bed below its territorial waters. In terms of the restraint imposed on sovereignty, there is only one difference of territorial waters with land, which is the “innocents passage”. This concept expresses to have the right of other states' ships to cross territorial waters provided that they have to realize certain conditions.¹⁷ The “harmless passage” rather

¹⁶Yılmaz Aklar, “Türkiye’nin Milli Menfaatleri Önünde Bir Engel: Yunanistan Gerçeği, Sorun Alanları, Politikalar”, **Stratejik Analiz**, Vol.: 4, No.: 42, 2003, p. 27, 29.

¹⁷Keskin, p. 752.

than quick passage means to not harm the peace, order and security of the state having territorial waters.¹⁸

1.2.1.3. International Straits and Canals

Strait is a "part of the sea between two terrains and conjoining two seas by getting narrow. Malacca, Gibraltar, Bab-el-Mandeb, Magellan, Bering, Hormuz, Messina, Formosa and Florida, Istanbul and Gallipoli are the major straits".¹⁹

Figure 5: Strait



Source: World Atlas, "Map Of Bosphorus Strait-World Straits, Bosphorus Map, Location", <https://www.worldatlas.com/aatlas/infopage/bosporus.htm>, (13.12.2018).

The straits are separated from the canals which are man-made waterways by their “natural” sense. Canals connect the seas and are used for international transportation. They shorten the sea routes and therefore play an important role in maritime trade. Decreasing of the transportation time cause to decrease of the costs so profit increases. However, they have strategic importance and position with regard

¹⁸Fahiman Tekil, **Deniz Hukuku**, 6th Edition, Alkım Publication, İstanbul, 2001, p. 500.

¹⁹Zeki Koday, Saliha Koday and Çağlar Kıvanç Kaymaz, “Dünyadaki Bazı Önemli Boğazlar ile Kanalların Coğrafi Özellikleri ve Jeopolitik Önemleri”, **Atatürk Üniversitesi Sosyal Bilimler Enstitüsü**, Vol.: 21, No.: 3, September 2017, p. 881.

to the military. In international law, canals, like straits and rivers, are waterways which might be only in the territory of one state as a whole and this kind of the waters are internal waters in sovereignty of the country. The waterways can also cross the territory of two or more states or create borders between them and its called international waterway.²⁰ We can give The Panama and The Suez Canal as examples of the best-known canals in the world.

Figure 6: The Panama Canal



It is also possible to divide the straits into two main groups. The first one is the national straits. There is only one state in the national straits and these straits are completely under the sovereignty of this state. This sovereignty includes not only the sea area but also the land area. The transition regime from the national straits is determined by the national legal system of that state.²¹ The national straits can also be in the form of a narrow seaway, often connected to a closed sea, just as a state is

²⁰Ayşe Nur Tütüncü, “Montrö Sözleşmesi ve Kanal İstanbul”, **Public and Private International Law Bulletin**, Vol.: 37, No.: 1, p. 116.

²¹Bengi Selen Yüceer, **Uluslararası Boğazlar ve Kılavuzluk**, Dokuz Eylül Publications, İzmir, September 2001, p. 6.

riparian. As an example, we can give the Kerch Strait that connects the Black Sea to the Sea of Azov in the era of the Soviet Union which was the only riparian.²²

Geographic location is a determinant in the acceptance of a strait as an international strait. In this sense, if a strait interconnects two open seas, it connects the exclusive economic area of the state with the open sea, and if it connects the exclusive economic regions of the same or different states, it is considered the international strait.²³ The transitional regime of international straits is subject to international law on certain issues and is under the jurisdiction of the coastal state in many respects.²⁴

1.2.1.4. Archipelagic State and Archipelagic Waters

The rules of the archipelagic waters have been regulated by the UNCLOS from Article 46 to Article 55. The terms and regulations related to archipelagic waters have entered into international law with the 1982 contract. We see that the states which UNCLOS first approved are the archipelagic states.²⁵

Archipelagic State is the state which consists of one or more archipelago and also includes other islands".²⁶ It refers to the fact that a group of islands, including archipelago, island parts, adjacent waters and other natural elements, have close ties with each other in a geographical, economic and political way, or in the historical sense.²⁷

²²Pazarcı, *Uluslararası Hukuk*, p. 267.

²³Çalık, p. 33.

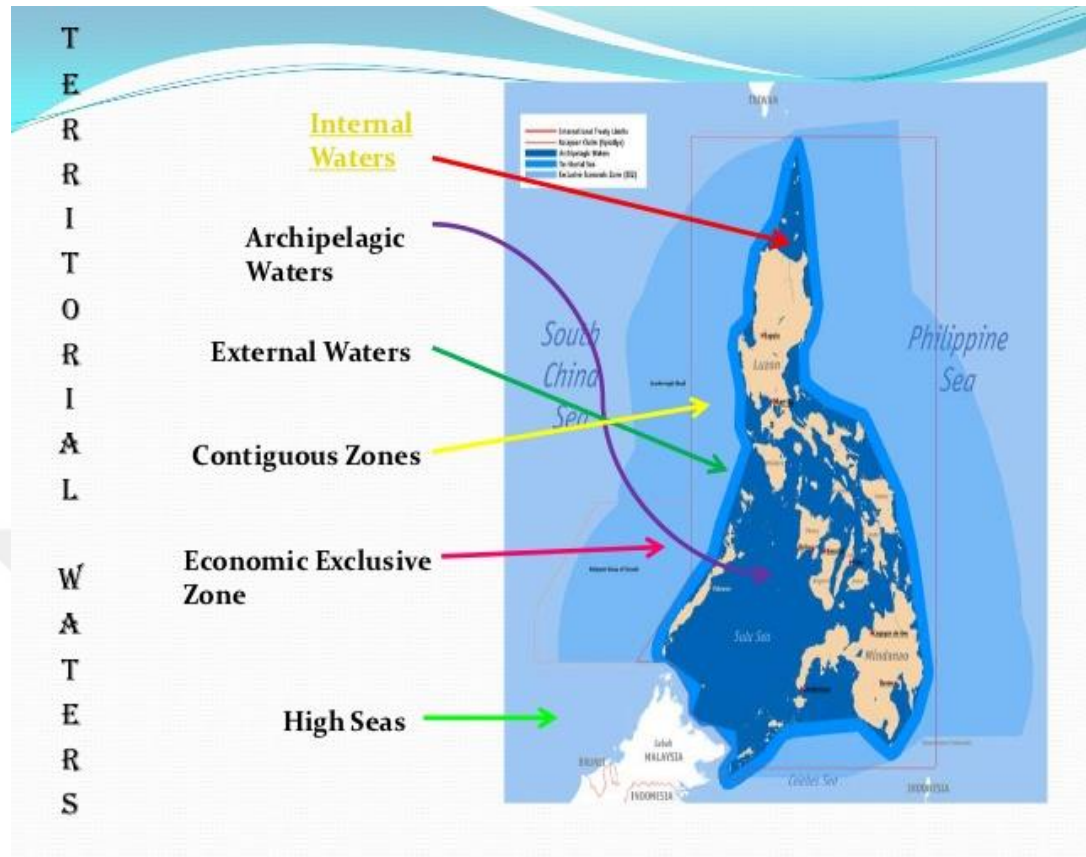
²⁴Pazarcı, *Uluslararası Hukuk*, p. 267.

²⁵Melda Sur, *Uluslararası Hukukun Esasları*, 7th Edition, Beta Publications, İstanbul, 2013, p. 336.

²⁶UNCLOS, Article 46/a.

²⁷UNCLOS, Article 46/b.

Figure 7: Archipelagic State



Source:<https://www.slideshare.net/NiachleoDianneSaplad/philippines-15168294>, (29.09.2018).

While determining outward bound of archipelagic waters, it is joined the outermost point of the islands which form the archipelago and of the reefs which remains water surface of the archipelago. (Article 47/1). For this, two conditions must be realized. The first condition is to obtain the boundary lines which should be drawn by combining to the most extreme points of the most remote islands and rocks. The length of these boundary lines must not exceed 100 nautical miles. However, some boundary lines may reach up to 125 miles provided that the total boundary lines of an archipelago do not exceed 3%. Second condition; The surface area of the waters in the area obtained according to the first condition should be at most nine times the whole of the land parts.²⁸

²⁸Pazarcı, *Uluslararası Hukuk*, p. 265.

According to the 1982 UNCLOS, states that possess both the continental country and the archipelago cannot be considered an archipelagic state. In addition, these states and islands cannot have archipelagic waters. This rule also refutes the argument made by Greece in 1976 when it applied to the ICJ to determine areas of dispute. In this application, Greece had suggested that the Greek Islands in the Aegean Sea formed the archipelago in indivisible territorial integrity with the mainland and that the maritime zones between them belonged to the country.²⁹

1.2.2. International Maritime Zones where States Have Specific Rights

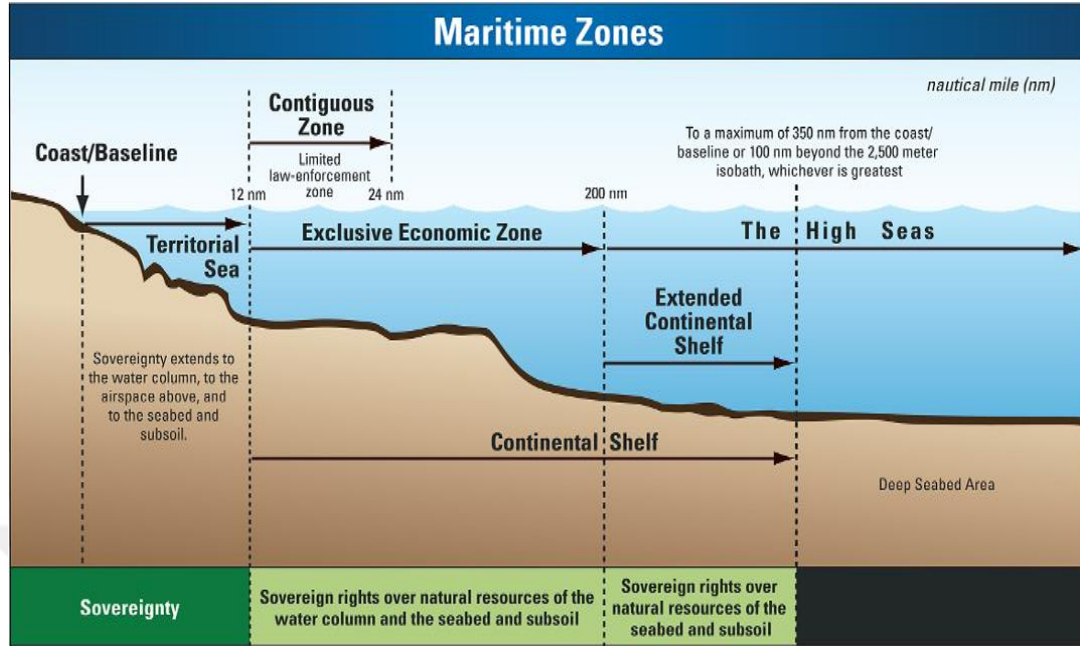
1.2.2.1. Contiguous Zone

The contiguous zone refers to the maritime area adjacent to a coastal state's territorial waters, where this coastal state has some of “supervisory powers” on certain issues up to a certain distance. According to the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone, the contiguous zone width is the sea area, which does not reach more than 12 miles, starting from the baseline where the territorial waters of a country are measured. With the 1982 UNCLOS, this width has been increased from 12 to 24 nautical miles from the baseline or straight baseline. The country should announce it in order to have an contiguous region. The powers of a coastal state in the contiguous region are limited to four purposes. These are its authorization related to control and inspections on the prevention of customs violations, finance, health and immigration.³⁰

²⁹Hüseyin Pazarcı, **Türk Dış Politikasının Başlıca Sorunları**, Turhan Bookstore, Ankara, 2015, p. 101.

³⁰Pazarcı, **Uluslararası Hukuk**, pp. 275-276.

Figure 8: Contiguous Zone, EEZ, Continental Shelf



Source: The University of Maine School of Law, "Maritime Zone from the UN Convention on the Law of The Sea", <https://mainelaw.maine.edu/faculty/south-china-sea-arbitration/maritime-zones/>, (02.02.2019).

The CZ is separated from its territorial waters by the restriction of its powers in these four areas by the 1958 and 1982 contracts. There is no limitation of such authority in their territorial waters and the coastal state is fully authorized on the territorial waters. The coastal state can use all legislative, executive and judiciary powers. While the territorial waters are part of the coastal state, the CZ is a part of the high sea.³¹

However, Turkey does not have any contiguous zone applications. Turkey determined that the second 6-mile territorial maritime zone outside the 6-mile territorial waters is the contiguous zone according to law No. 476 dated May 15, 1964. Even though the law no. 476 defined the adjacent region only for the operation of fishing and livestock resources, the new Territorial Waters Law no 2674 completely abolished the Law no. 476 on 29 May 1982. The new law no. 2674 did not include any regulations on the CZ.³²

³¹Selami Kuran, *Uluslararası Deniz Hukuku*, Türkmen Bookstore, İstanbul, 2009, p. 191.

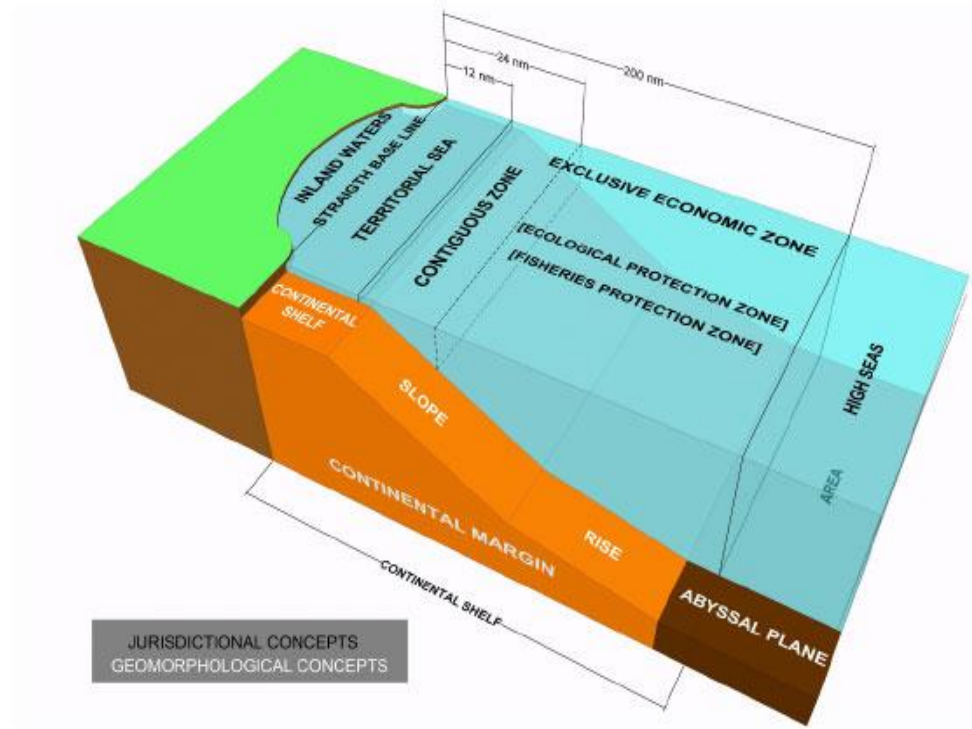
³²G. Yaşar Duran and Ç. Evrim Ergün, *Uluslararası Hukukta Adalar*, Çakmak Publications, Ankara, 2011, p. 157.

1.2.2.2. Continental Shelf

The definition of the continental shelf is made both geographically and legally. It was first born as a geographic concept and it is based on a geological definition. Accordingly, the CS is defined as the bottom and the below bottom of the natural geological extension of the land part of a coastal state.³³

From the land to the ocean floor, a geographical formation extends and it is called as a continental margin on which has continental shelf, continental slope and continental rise. The CS which is the natural extension of a state includes the continental slope and continental rise too because extends up to the endpoint of the continental margin.

Figure 9: Continental Margin

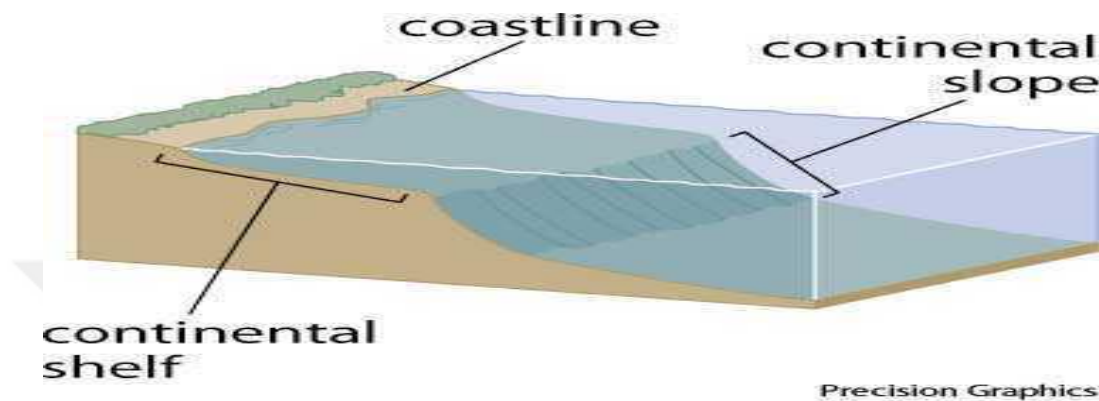


Source: Watch The Mediterranean Sea, "Rights at Sea", <http://watchthemed.net/index.php/page/index/2>, (01.06.2019).

³³İlyas Doğan, **Devletler Hukuku**, 2nd Edition, Astana Publications, Ankara, 2013, p. 233.

However, some places might not have continental rise and the natural geographical extension of the national territory reaches the ocean floor via only its continental shelf and continental slope.

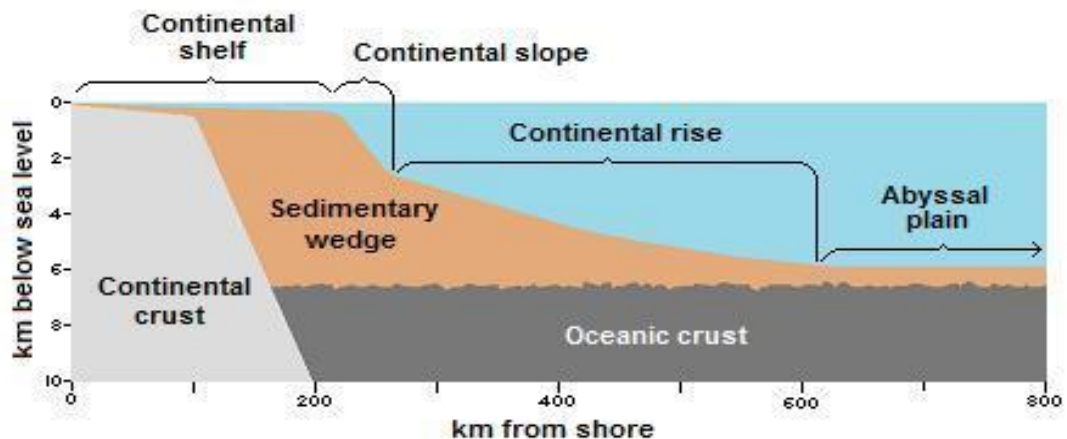
Figure 10: Continental Slope and Continental Shelf



Source: "Continental Shelf", <https://www.yourdictionary.com/continental-shelf>, (12.12.2018).

The ocean floor which starts after from continental margin is covered with a layer of sediment which has separate qualities.³⁴

Figure 11: Marine Sediment



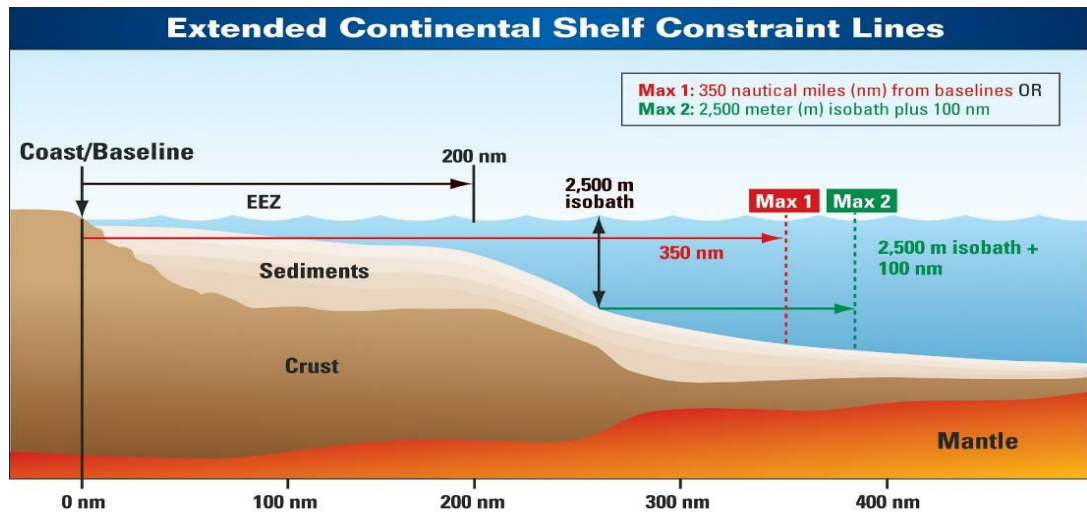
Source: "Historical Geology, Marine Sediments", https://en.wikibooks.org/wiki/Historical_Geology/Marine_sediments, (12.12.2018).

³⁴ Pazarcı, pp.277-279.

The coastal state holds the right to use this area, which is adjacent to the shore, for the exploration and operation of the seabed and the abiotic resources (oil, gold, natural gas, etc.) under it. The introduction of this concept into international law was through the Truman Doctrine. In his 28.09.1945 dated speech, President H.Truman expressed his opinion on the continental shelf. With this statement, 25 seaside states also announced that they had a continental shelf in their regions while starting to 1958 Geneva Maritime Law Conference. With this statement of the US, it was aimed to prevent the claim of other states on oil resources in the Gulf of Mexico.³⁵

In order to determine the width, a solution has been adopted to provide a balance between the states with a continental extension of more than 200 miles and less than 200 miles. According to this, it will be 200 miles where a coastal extension is less than 200 miles and if it is more than 200 miles the continent extension will be 350 miles at most or 100 miles from 2500m depth.³⁶ However, if the coastal state has not declared the EEZ within a 200-mile radius, the open sea regime is implemented on the rights of the coastal state on the CS.³⁷

Figure 12: Extended Continental Shelf



Source: "Continental Shelf", <https://www.legalbites.in/public-international-law-notes-continental-shelf/continental-shelf/>, (12.12.2018).

³⁵Doğan, p. 233.

³⁶Kuran, p. 232.

³⁷Sevin Toluner, *Milletlerarası Hukuk Açısından Türkiye'nin Bazı Dış Politika Sorunları*, 1st Edition, Beta Publications, İstanbul, 2000, p. 394.

In addition, if the state's CS exceeds 200 miles as from baseline, the state contributes in kind and in cash to the operation of inanimate assets at the CS after this border (82/1). This contribution is made through the International Seabed Authority. The authority fairly divides this contribution among the Contracting States in accordance with the interests and needs of the developing countries (82/4).³⁸

The sovereignty of the coastal state over the CS is not absolute. It only has the authority to conduct research under the sea and underneath this area and to process natural resources. (1982 UNCLOS article. 77/1). These are mineral resources, abiotic resources and sedentary living organisms (1982 UNCLOS article 77/4). If the coastal state does not utilize their rights in this area explore the CS or exploit its natural resources, no one can undertake activities without the express consent of the coastal state (1982 UNCLOS article. 77/2).³⁹

These waters over the CS maintain a position of high sea and the airspace above those waters maintain its international legal status. (1982 UNCLOS article 78/1).⁴⁰ All states can lay submarine cables and oil pipelines on this area. (1982 UNCLOS article 79/1).⁴¹ In addition, the coastal state has exclusive rights to permit and regulate drilling on the CS. (1982 UNCLOS article 81).⁴²

In reference to ICJ, the CS is within the internal and natural jurisdiction of the coastal state. Therefore, the authority of the coastal state in the CS is the result and extension of its domination in the land country. Thus, unlike EEZ, the coastal state does not have to give any declaration in order to use its powers, it obtains this right directly.⁴³

According to UNCLOS, the limitation of the EEZ among neighboring states is the same as the provision adopted to limit the CS. (Article 74 EEZ and article 83 CS). According to UNCLOS Article no 83/1, states that have adjacent or reciprocal coasts should limit the their CS with an "agreement" in a framework of the

³⁸UNCLOS, Article 82.

³⁹UNCLOS, Article 77.

⁴⁰UNCLOS, Article 78.

⁴¹UNCLOS, Article 79.

⁴²UNCLOS, Article 81.

⁴³Cenap Çakmak, **Uluslararası Hukuk, Giriş, Teori ve Uygulama, Bir Uluslararası İlişkiler Yaklaşımı**, Ekin Publications, Bursa, 2014, pp. 172-173.

international law and in accordance with Article 38 of the ICJ, in order to establish a equitable basis solution.⁴⁴

However, according to Article 121/2 of the UNCLOS 1982, the islands are also considered to be a national territory. Therefore, the islands have territorial waters, a contiguous zone, a continental shelf, an EEZ, and their limitations are decided in accordance with the provisions of the land. However, paragraph 3 of the same article provides an exception. Accordingly, the rocks that are not suitable for resident human life or which do not have their own economic zone do not have an EEZ or CS.⁴⁵

1.2.2.3. Exclusive Economic Zone

With the UNCLOS signed in 1982, the concept of EEZ is regulated in articles 55-75 of Section 5 of the Convention. The EEZ is the maritime zone where reach up to 200 miles starting from the baseline of the coastal state where the territorial waters of the coastal state began to be measured, and is the maritime zone that recognizes the exclusive economic rights and authorities to the coastal states for water table, seabed and bottom of the seabed in this sea area.⁴⁶

In the EEZ area adjacent and beyond to the territorial sea, there are rights and freedoms both to the coastal states and to other states. (UNCLOS Article 55). Coastal state has both economic and administrative and judicial rights on EEZ, which is not under the full sovereign state of the coastal state. Economically it is authorized in two areas. First of all, exclusive powers have been granted to the coastal state for all the biotic and abiotic natural resources in EEZ. Biotic natural resources include aquatic organisms such as nekton fish, whale, mammals like a dolphin, benthos type fixed sea products living under the sea bed or vegetative organisms. Abiotic resources include mines and mineral particles suspended in water, mineral deposits in the sedimentation layer, mineral deposits under the sea bed and hydrocarbon pockets. EEZ has the same rights as the continental shelf. The only difference is that economic rights include the water layer. The second rights of the coastal state in EEZ

⁴⁴UNCLOS, Article 83/1.

⁴⁵UNCLOS Article 121/2.

⁴⁶Kuran, p. 215.

possesses is that it has the power to search, operate, protect and regulate natural resources. The coastal state can place and use any type of artificial island, installations and structures according to its administrative and judicial domination powers on the EEZ. Other rights include marine scientific research, environmental protection and preservation. (UNCLOS Article 56/1, b). According to the same article, the coastal state acts in accordance with the contract, taking into account the rights and obligations of other states in fulfilling these rights and powers. These rights concerning other states are aimed at the freedom of flight and navigation in this area as well as cable and pipe laying rights (UNCLOS Article 58/1). The rights of the coastal state may also be limited by the provision of natural resources to these countries if other states show some characteristics. States with these characteristics are “land-locked” (UNCLOS Article 69) and “geographically disadvantaged states” (UNCLOS Article 70).⁴⁷

Geographically disadvantaged states that emerged at the Geneva Conference of 1975 are those that are land-locked states or coastal but with no continental shelf and states with limited access to the sea, those who do not have access to the open sea or are limited, those who do not have enough natural resources under the sea, those with the limited benefit from the sea because of the surrounding islands or archipelago belonging to a neighboring state.⁴⁸

EEZ boundaries are determined by two methods. One of them is the “announcement” and the other is “agreement”.⁴⁹ Rules for the determination of the EEZ area of the coastal state are set out in Article 74 of UNCLOS. The limitation of the EEZ between the coasts of adjacent or facing states shall be governed by an agreement in accordance with international law as provided for in Article 38 of the Statute of the ICJ. With this agreement, an equitable solution is aimed. Until this agreement is signed, the concerned states may sign a provisional agreement that provides practical solutions and without prejudicing the final limitation. If there are agreements in force between the relevant states, the issues related to the restriction

⁴⁷Pazarıcı, **International Law**, pp. 282-283.

⁴⁸Mehmet Zeki Akın, **Karasuları, İç sular, Gemilerin Bu Sulardaki Rejimi ve Kıta Sahaneliği**, Öztuğ Publications, Ankara, 1978, pp. 257-258.

⁴⁹Cihat Yayıcı, “Doğu Akdeniz’de Deniz Yetki Alanlarının Paylaşılması Sorunu ve Türkiye”, **BİLGESAM**, <http://www.bilgesam.org/incele/634/-dogu-akdeniz-de-deniz-yetki-alanlarinin-paylasilmasi-sorunu-ve-turkiye/#.XEzA7tIzbMxT>, (10.10.2018), p. 15.

shall be resolved by this agreement. Unless the agreement can be reached, the states shall apply the procedures referred to in section XV.⁵⁰

The boundary lines of the designated EEZ and the boundary lines determined in accordance with Article 75 are shown in the appropriate scale nautical maps or in the list of geographic coordinates of the specified points. The coastal state shall publish the lists of these maps or geographical coordinates as required and send a copy to the Secretary-General of the United Nations.⁵¹

The difference between the CS and the EEZ is as follows. A country with the EEZ area also has additional powers in fisheries. There is no the announcement required to have the CS, but the acquisition of rights from the EEZ is made only by announcement.⁵²

In the area of CS where the coastal state is exclusively authorized, the use of this region by the third states is subject to the permission of the coastal state, and these rights are aimed at the exploration and operation of natural resources in the continental shelf for both sides. The coastal state is not authorized in the airspace above the water area and the water area on the continental shelf, meaning that international law is applicable to these areas. If the water area above the continental shelf is high sea or EEZ, legal regimes specific to these areas are applied. For this reason, ships carrying the flag of the third states, alongside the CS rights, also have the right to move freely in these water areas and other rights such as fishing, cable laying, laying of oil or gas-bearing pipes. For example, in the case of Mavi Marmara attack, Israel intervened in the EEZ. In this regard, the convoy was not subject to the permission of the coastal state and had freedom of navigation in this area.⁵³

The coastal country at the CS has rights over the submarine and other subterranean and non-living resources and constant living organisms. In addition to this maritime area, the coastal state also has powers in the waters above the seabed. Therefore, the EEZ is more inclusive when compared to the CS and gives broader

⁵⁰UNCLOS, Article 74.

⁵¹UNCLOS, Article 75.

⁵²Mehmet Akif Kütükçü and İslam Safa Kaya, “Uluslararası Deniz Hukuku Kapsamında Doğu Akdeniz’deki Petrol ve Doğalgaz Kaynakları ile Türkiye’nin Hukuki Durumu”, **Yaşam Bilimleri**, Vol.: 6, No.: 2/1, 2016, p. 86.

⁵³Cemalettin Karadaş, **Uluslararası Deniz Hukukunda Açık Denizlerin Serbestliği İlkesi Mavi Marmara Olayı**, USAK Publications: 62, Ankara, December 2013, pp. 103-104.

rights to the coastal state. By declaring the EEZ, a state has all the rights arising from the continental shelf. In addition to the rights in the CS, it also has resources for non-fixed living resources.⁵⁴ Since the concept of the EEZ has been established as a customary law in international law, it can be said that the concept of independent fishing has left its place to this new concept today.⁵⁵

The CS and EEZ are difficult to implement in the Eastern Mediterranean Region due to the region being narrow. Turkey, despite having the continental shelf in the Eastern Mediterranean Sea has not declared the EEZ.⁵⁶ However, Turkey with the longest coastline in the Eastern Mediterranean Sea has not signed the EEZ agreement. Except for the "Continental Shelf Delimitation Agreement with TRNC", Turkey did not sign a treaty with the other riparian states.⁵⁷

1.2.3. International Maritime Zones Where States Have No-Sovereignty (International Waters)

1.2.3.1. High Seas

Maritime law includes two separate principles to each other. One of them is the principle of "freedom of seas" and the other is the "principle of sovereignty".⁵⁸ The high seas, which is not included in the sovereignty area of any state, starts from the point where the end of the width declared by the coastal states. According to the 1982 UNCLOS, high seas open to all states in line with the principle of the freedom of the high seas, regardless of whether they have shore and all states have powers under international laws.⁵⁹

It should be understood from the principle of the freedom of high seas, which is based on "customary law", that states have the authority to freely utilize these areas.⁶⁰ Within the framework of these authorities, states can benefit from facilities permitted by international law such as high seas navigation, the ability to fly over the

⁵⁴Kuran, p. 232.

⁵⁵Pazarcı, **Uluslararası Hukuk**, p. 277.

⁵⁶Şafak Beren Yıldırım, "Yunanistan'ın Doğu Akdeniz Politikası ve Münhasır Ekonomik Bölge Paylaşımı", **Bilgesam Analiz Avrupa**, No: 1303, 17.03.2016, p. 5.

⁵⁷Jale Nur Ece, "Doğu Akdeniz'de Enerji Savaşları", **DenizHaber**, 1.12.2014, <http://www.denizhaber.com/dogu-akdenizde-enerji-savaslari-makale,100905.html>, (10.10.2018).

⁵⁸Çalık, p. 15.

⁵⁹Çakmak, p. 175.

⁶⁰Karadaş, p. 108.

high seas, fishing, establishing artificial islands and other facilities, scientific research, submarine cable or pipe laying.⁶¹ However, this freedom is not unlimited. Third countries have been limited in the issues of the slave trade, sea piracy, drug trafficking, unauthorized broadcasts from the sea, and the use of double flags.⁶²

The use of these powers in the high seas is in the flag state of the ship. In other words, the country to which the ship's nationality belongs is authorized. The only exception to this is piracy. The seizure of a ship for political reasons is not within the scope of marine piracy. Another authority imposed by states is the hot pursuit. This follow-up continues until the territorial waters of another state.⁶³ According to Article 88 of the UN, high seas should be used for peaceful purposes.⁶⁴

1.2.3.2. International Seabed

Since UNCLOS only refers to the high sea area, the deep seabed regime has been regulated separately.⁶⁵ The most important rule of UNCLOS regarding the deep seabed is that this sea area is accepted as the common property of humanity. The works to be carried out in this area where no state has any sovereignty authority are carried out by the International Seabed Authority.⁶⁶ According to the maritime law agreement, the allocation of resources from the international seabed to the states is considered as a success of the developing countries.⁶⁷

⁶¹UNCLOS, Article 87.

⁶²UNCLOS, Article 92, 99, 100, 108, 109.

⁶³Çakmak, p. 176.

⁶⁴UNCLOS, Article 88.

⁶⁵Pazarcı, *Uluslararası Hukuk*, p. 288.

⁶⁶Çakmak, p. 176.

⁶⁷Aydoğan Özman, "Deniz Hukukunda Yeni Gelişmeler", *Ege'de Deniz Sorunları Semineri*, (Ed. Ömer Kürkçüoğlu, Necdet Serin), Ankara Üniversitesi Siyasal Bilgiler Fakültesi, ODTÜ Publications, No.: 552, Ankara, 1986, p. 25.

1.3. LIMITATION OF MARITIME ZONES IN THE INTERNATIONAL MARITIME LAW

Conflicts on demands may be seen between parties respecting the sea areas which might belong to more than one country such as a territorial sea, contiguous zone and the EEZ. Solving this problem, this sea area borders should be determined. However, the narrow sea area, the presence of islands and islets in the region, and the coastal shapes may complicate the solution to the problem.⁶⁸

1.3.1. Some Principles Used in the Limitation of the Maritime Zones

1.3.1.1. The Equitable and The Equidistance

It is accepted that the sea borders cannot be unilaterally determined in the delimitation of the CS according to “customary law”. The restriction to be made by the agreement and by the third authority should both have a fair value. However, the way to achieve this result has been discussed since the concept of CS has entered into international law. There are two different views, namely, restriction between states under the “Equitable Principles” and limitation in accordance with the “principle of equidistance”.⁶⁹ Until the beginning of the twentieth century, states limited their maritime jurisdiction only with political and military security concerns. However, later, the possibility of the exploration and exploitation of the precious natural resources of the seabed and its subsoil has also added economic interests to these concerns. Latin America countries which had recently gained their independence, were in the process of expanding their maritime zones with the emergence of 1944 Truman Doctrine. The principle of equidistance was accepted in international law to

⁶⁸Yücel Acer, “Deniz Alanlarının Sınırlandırılması Hukuku”, **Doğu Akdeniz Deniz Yetki Alanlarında Hukuk ve Siyaset**, (Ed.Sertaç Sami Başeren), Ankara Üniversitesi Siyasal Bilgiler Fakültesi Publications, Publication No.: 608, Ankara, 2013, p. 307.

⁶⁹Dolunay Özbek, "Ege Sahanlığı Sınırlandırılmasında Eşit Uzaklık Ve Hakkaniyet İlkelerinin Yeri", **Ege Kıta Sahanlığı ve İlişkili Sorunlar Sempozyumu Proceedings**, (Ed. Aslan Gündüz and Hüseyin Öztürk), TÜDAV Publications, İstanbul, 2002, p. 44.

solve this difficult and complex problem of limiting the maritime jurisdictions brought by this process.⁷⁰

According to Article 6 of the 1958 Geneva Convention on the Continental Shelf, it was stipulated that the delimitation of the CS limitation of two or more states facing the coast would be settled in accordance with the “principle of equidistance” if no “agreement” could be reached.⁷¹ However, since this principle does not cover the geographical, political, economic or historical elements of the countries, in the restriction of marine areas, reaching an equitable solution in the applied method has become more important. In line with the ICJ's 1969 North Sea Continental Shelf Cases decision, “the principle of equity” entered into international law as a “principle to be used in the limitation of maritime jurisdictions” for the first time.⁷²

In the ICJ's 1969 North Sea Case, the parties to the dispute concerning the CS were Federal Germany, Denmark and the Netherlands. Denmark and the Netherlands asked to enforce the lateral limitation of the continental shelf in line with the “principle of equidistance”, as set out in Article 6 of the 1958 Geneva Convention on the Continental Shelf. With the objection of the Federal Republic of Germany, on 2 February 1967, the matter was brought to the ICJ by all parties' agreements. In contrast to the claims of the Netherlands and Denmark, the Court stated that if there is no “agreement” or “special case”, the “principle of equidistance” and “midline” was not a mandatory rule of law, they gave up this principle and replaced it with "the principle of equitable" was introduced.⁷³

This principle for the solution of the limitation problem of the ICJ's maritime areas was also applied in the subsequent judicial decisions and “the “principle of equitable” became the positive law rule in the articles 74(1) and 83(1) of the 1982 UNCLOS.⁷⁴

⁷⁰Fevzi Topsoy, "Deniz Yetki Alanlarının Sınırlandırılmasında 'Hakkaniyet İlkesi' ve Dağıtıcı Adaletin Sağlanmasındaki Rolü", *Anadolu Üniversitesi Sosyal Bilimler*, Law Special Issue, pp. 191-192.

⁷¹GCSRC, Article 6.

⁷²Topsoy, p. 192.

⁷³Acar, pp. 307-308.

⁷⁴Topsoy, p.192.

According to UNCLOS, the states which their coasts are adjacent or facing, while limiting both the EEZ (UNCLOS Article 74) and the CS (UNCLOS Article 74), settled in a peaceful manner for the limitation dispute in order to achieve a equitable solution, as set out in Article 38 of the ICJ.⁷⁵

The decision taken in the Gulf of Main Case shows the principle of equitable means. According to the Court, equitability is determined for each event within the context of geographical characteristics and other relevant conditions of the region. In order to carry out this determination, it is necessary to determine the most appropriate method to ensure equitability for the relevant case and it has to be applicable. In this respect, the principles of equitable are not limited to a number of rules and or strictly applicable to each conflict situation.⁷⁶

In short, instead of applying the same general rules of law, we can say that the specific situation and characteristics of each event are taken into consideration. The instruments to be used within the framework of the principle of equitable in the limitation of sea areas have been identified in international judicial decisions. Below, we will examine what these principles are and which court decisions are made.

1.3.1.2. The Superiority of the Geography

Although there are many factors to be used in the limitation of maritime jurisdictions, the most important is geography because of its superiority in the powerful direction of the restriction.

A restriction made within the framework of other relevant elements should be in accordance with the topography of the region. There should be no significant differences between the maritime zones given to the two countries with geographically similar characteristics. This rule of geography in the limitation of maritime jurisdictions is called the principle of the superiority of geography.⁷⁷

The concept of geography mentioned in this principle is the mainland geography in the area where sea restriction is made between the two countries. In this context, the most important elements in determining the starting point and the main

⁷⁵UNCLOS Article 73 and 84, IJC Article 38.

⁷⁶Özbek, p. 46.

⁷⁷Yunus Emre Açıkgönül, **Deniz Yetki Alanlarının Sınırlandırılmasında “Hakkaniyet İlkesi” ve Dağıtıcı Adaletin Sağlanmasındaki Rolü**, Legal Publications, İstanbul, November, 2012, p. 75.

line of limitation of the coasts where the limitation is to be made are the “indents and protrusions” which are the general shape of the “coasts and the length” of the coasts. If the “coastal shapes” of the countries to be restricted are similar and the “coastal lengths” are close to each other, the boundary line will initially be an “equidistance line”.

If the “coastal shapes and lengths” are different from each other, the boundary should be determined by a method other than “equidistance”. “The principle of equidistance” is not a necessity, but the aim is to reach a correct solution.

“The principle of the superiority of geography” in international judicial decisions has been addressed in many cases.

➤ While the idea stated as “geography cannot be reshaped” in the North Sea Case, in the English Canal arbitration case between England and France, this principle is called “equidistance or the suitability of a different limitation method is determined by the geographical conditions.”

➤ The decision in the Tunisian-Libyan case was that “sea is ruled by the land”. In the Libyan-Maltese case, it was said that the “sides of the parties form to the starting line”.⁷⁸

1.3.1.3. Overlapping Sea Areas Cannot Be Determined by the Will of Any Individual On Their Own

In multilateral international conventions relating to maritime law, the case of overlapping of the maritime jurisdiction of neighboring states suggests that the limitation line should be determined by the common will of all parties, not by the unilateral will of one of the parties.

In addition, UNCLOS recommends that the parties cooperate with each other in the exercise of the rights arising from the contract and the fulfillment of the responsibilities in respect of closed and semi-enclosed seas (UNCLOS Article 123).⁷⁹

⁷⁸Acer, pp. 310-311.

⁷⁹Açıkgönül, pp. 66-67.

1.3.1.4. The Proportionality

According to the principle of proportionality, the ratio between the coastal lengths of the two states in the limitation of marine areas and the ratio between the continental areas and EEZ areas given to these countries should be close to each other. Proportionality is a mechanism that measures the equitability of the limitation and ultimately tests and controls the border in a way not to cause any marked disproportion in terms of coastal lengths. With this measurement, a great disproportion between proportions will be prevented.⁸⁰

1.3.1.5. Taking into Account of the Relevant Coastal Lengths

When limiting, it is necessary to evaluate the coastal parts, not the entire coastal lengths, but only the relevant coastal areas. If the coastal region which is fully independent of the area to be limited by a different application effects to the coastal line, it would not be equitable.

In this context, the coastline which is within the limitation process and has the potential to affect the limiting line is called “the relevant coastal length”. The relevant coastal limitation must be adjacent to the disputed sea area of the coastline. The coastal length, that is not related to the restricted geography, has no effect on the limitation.⁸¹

1.3.1.6. Impossibility of Totally Reshaping of Nature

It is the adherence to the geographical situation bestowed on the parties by nature when limiting. Replacing the geographical situation with artificial methods to be applied would mean reshaping the geography, which should be avoided. While limiting, geography should be best reflected. For example, due to the island of Meis on the opposite side of the Eastern Mediterranean, leaving a large sea area in the south of Anatolia to Greece would mean a reshaping of nature which cannot be justified by international law.⁸²

⁸⁰ Acer, p. 315.

⁸¹ Açıkgönül, pp. 71-72.

⁸² Açıkgönül, p. 76, 78, 79.

1.3.1.7. The Non-Encroachment

With the principle of non-encroachment is stated that the maritime jurisdiction of a state should not encroach or cover in front of the other state's coasts. Decisions have been made by the ICJ on the determination of boundaries by taking into account the regulations concerning sea transportation and security related to proportionality and the natural extension of the coasts in creating a lateral border.⁸³

With the principle of non-encroachment, it is emphasized that while the width of the continental shelf is determined, the limitation line should leave areas close to each country's own coasts and should not restrict the powers of the coastal state in this area. In this sense, a method of limitation leaving a sea area close to a country to the jurisdiction of another state is against equitable.⁸⁴

1.3.2. The Position of Islands in Restriction of Maritime Zones

All islands have a CS and an EEZ, but this effect is not the same as that of the mainland. However, the entitlement rights of the islands and the effect of the islands that will have during the restriction are different from each other. Because limitation is evaluated within the framework of equitable principles. The impact of the island will vary according to the general characteristics of the region, the characteristics of the island, and the geographical location of the island in regard to the mainland. The islands have three geographic effects while limiting. These are “the islands on the right side” where the island is located closer to its mainland country, “the islands on the coastal side” where it is located closer to the shore of the mainland country, and “the islands on the opposite side”, which are closer to the shore of another state than its own mainland. If the other country's sea area is limited to a large extent by the opposite islands, either little or no authorization is given.⁸⁵

In the UK-France continental shelf case, fair principles were taken as a basic rule. It was stated that different methods should be applied in different regions due to the special structure of geography. It was stated that the islands would be assumed to

⁸³Hasret Çomak, “Doğu Akdeniz'de Yetki Alanları”, *Uluslararası Ortadoğu Kongresi Proceedings*, (Ed. Hasret Çomak, İtir Aladağ, Derya Özver), Vol.: 1, 1-2.11.2011, p. 30.

⁸⁴Kütükçü, p. 88.

⁸⁵Acer, pp. 317-321.

be absent during the restriction, the continental shelf would not be entitled as the main continents, and the requirements of the geographical structure should be taken into consideration as well as the security and transportation requirements of the related states in order to realize the equitable principles.⁸⁶

1.4. LEGAL FRAMEWORK FOR THE RESTRICTION OF MARITIME ZONES

According to Article 38 of the Statute of the ICJ, the sources of international law are classified as principal and auxiliary law sources. According to this, international treaties, international customary law and general principles of law constitute the main sources of international law, while international judicial decisions and doctrine constitute to the auxiliary sources.

1.4.1. Principal Law

1.4.1.1. International Treaties

We see three maritime law treaties in the international sense. The first of these is the 1958 Geneva Conventions on the Law of the Sea which involve "Convention on the Territorial Sea and the Contiguous Zone", "Convention on the Continental Shelf", "Convention on the High Sea", "Convention on Fishing and Conservation of the Living Resources of the High Sea". The second is the 1982 UNCLOS and the last one is the US Presidency Notice (Truman Doctrine) dated 28 September 1945 and no 2667 on the Natural Resources of the Subsoil and the Sea Bed of the CS.

Maritime Law is regulated in Turkish Legislation as Turkish Territorial Waters and Turkish Straits. It is the regulation that includes Turkish Territorial Waters Legislation Law no 476 on territorial waters, Law no. 2674 on land and Council of Ministers decision no 8/4742, and The Regulation On The Arrival Of Foreign Ships In The Turkish Internal Waters And Ports And The Movements And Activities In These Waters. Besides, Turkish Straits Legislation includes article 23 of the Lausanne Peace Treaty on the freedom of navigation throughout straits, and the

⁸⁶Sami Doğru, *Uluslararası Hukukta Kıta Sahaneliği ve Ege Denizi Kıta Sahaneliği Uyuşmazlığı*, Ankara Üniversitesi Publication, Ankara, 2003, p. 25.

procedure to be carried out regarding straits, the contract signed on 20 July 1936 in Montreux about the regime of the Straits, the regulation of the sea traffic regulations of the Turkish Straits and the Istanbul Port Regulation.

International Treaties are the first source of international legislation. For the application of an international treaty to a country, that country must be a party to that treaty.⁸⁷ Since Turkey, Syria, Libya and Israel are not parties to UNCLOS, there is no any effect as binding on those countries of this agreement.⁸⁸ Turkey did not sign UNCLOS and the Genova Convention on the Law of Sea as it gives Greece the right to extend its territorial waters to 12 miles.⁸⁹

However, all of the riparian countries of the Eastern Mediterranean do not have an international treaty on the limitation of the CS and EEZ-related maritime jurisdictions. With bilateral or multilateral agreements in the region, they limit the maritime jurisdiction of the CS and EEZs among themselves. They also carry out joint research activities related to underground riches.⁹⁰

1.4.1.2. Customary Law

It is the concept where the behaviors and attitudes applied in the same direction gradually become a tradition. The customary rules, which are not written law rules, consist of two basic elements. These can be categorized as material and psychological elements. The material element is the repetition of the same attitudes and behaviors in similar situations. Repeated behavior or attitude becomes a tradition and gains customary value. These behaviors or attitudes can occur in doing something, opposing to doing something or not doing anything. The psychological element is that the repeated sample behavior is not sufficient and that there is a belief that this repetitive behavior is mandatory as a requirement of law. This belief should bring rights to one party and an obligation to respect the other party.⁹¹

⁸⁷Şenay Kaya, **Uluslararası Deniz Hukuku Kapsamında Doğu Akdeniz Sorunları**, (Unpublished Master's Thesis), Ankara Üniversitesi Sosyal Bilimler Enstitüsü, Ankara, 2007, p. 61.

⁸⁸Kaya, p. 64.

⁸⁹“Doğu Akdeniz’i Böyle Paylaştılar”, **Hürriyet**, 21.08.2010, <http://www.hurriyet.com.tr/dunya/dogu-akdeniz-i-boyle-paylastilar-15602974>, (07.09.2018).

⁹⁰Kaya, p. 63.

⁹¹Hüseyin Pazarcı, **Uluslararası Hukuk Dersleri 1. Kitap**, 4th Edition, Turhan Bookstore, Ankara, 1994, pp. 209-212.

The fact that an implementation can form an international practice and be binding for a state depends on that state accepting this international practice. Because inaction means accepting, it creates an international practice and bindingness. In this respect, the state, which does not want a custom to be formed, must constantly object to the practice.⁹² This is a feature that distinguishes it from the international treaty. Bindingness in the international treaty binds all states which are parties to the treaty. According to customary rules, there is binding for all states which did not clearly and persistently oppose to formations. In addition, customs are unwritten sources while international treaties are written ones.⁹³

The rules to be applied when limiting the marine jurisdiction areas are the customary rules for Turkey. Since Turkey did not sign the 1958 Geneva Convention on the Continental Shelf and 1982 UNCLOS, customary rules of international law should be applied in the limitation of the continental shelf contract between countries. This limitation is made according to three rules in international law. First, the limitation should be made by an agreement by the riparian states. Secondly, this customary rule should be in accordance with the principles of equitable restriction. Thirdly, the restriction should take into account all relevant circumstances.⁹⁴

1.4.1.3. General Principles of Law

Within a very long time span of centuries, there have been universal principles to be adopted by any law-related legal environment without opposing it, and these principles have laid down the general and basic rules of law. Examples to this are *bono fides*, *ahde vefa*, *legal acquies*, *pacta sunt servande*, compliance with acquired rights⁹⁵, the principle that no one can be judge in their case, that no one can grant more than his/her fair share, that no one can be held responsible due to someone else's fault, that finalized court decisions are the ultimate decisions, that

⁹²Kaya, p. 63.

⁹³Yücel Acer and İbrahim Kaya, *Uluslararası Hukuk Temel Ders Kitabı*, USAK Publications, Ankara, 2010, pp. 36-37.

⁹⁴Hüseyin Pazarcı, *Türk Dış Politikasının Başlıca Sorunları*, pp. 98-100.

⁹⁵Gündüz Aybay, *Türk Boğazları, Son Gelişmeler Üstüne Bir Deneme*, Aybay Publications, İstanbul, pp. 42-43.

abuse of right cannot be protected by law, that unjust enrichment cannot be protected legally and respect for acquired rights.⁹⁶

1.4.2. Auxiliary Sources

1.4.2.1. Court Decisions

Although judicial decisions are counted among the auxiliary sources of international legislation as a form of verdict, some judicial decisions are considered to have a general and binding effect, such as the main source. International judicial bodies to be assessed in the context of the limitation of maritime jurisdictions are the International Court of Justice, the International Tribunal for the Law of the Sea and some international arbitral tribunals like Ad Hoc.⁹⁷

Article 38 of the Statute of the ICJ refers to judicial decisions as auxiliary resources and reserves the provisions of Article 59. According to the article, the decision of the ICJ will result in only the relevant parties and the relevant event. Therefore, even if the parties are the same, if the event is different, the previous judicial decision cannot be applied in this new case, unless the parties agree. Court decisions in international law do not create a new law and it is not acceptable to apply (stare decisis) in similar cases. Court decisions only help in the interpretation of existing decisions. The bodies responsible for resolving international disputes examine these court decisions and refer to these decisions or cite them in their verdict. These judicial decisions may include both international judicial decisions and national judicial decisions.⁹⁸

1.4.2.2. Doctrine

Doctrine consists of scientific approaches of the professionals working on law such as faculty members, judges, prosecutors and lawyers about the problems of law. It is not intended to link a legal problem to a judgment. It forms and develops through topical meetings such as symposiums and seminars with publications such as

⁹⁶Aslan Gündüz, **Milletlerarası Hukuk Temel Belgeler Örnek Kararlar**, 5th Edition, Beta Publications, İstanbul, November 2003, pp. 30-31.

⁹⁷Açıkgönül, p. 33.

⁹⁸Acer and Kaya, pp. 40-43.

books, articles and papers describing the interpretation of laws and their interrelation with scientific methods.⁹⁹

The international judge may use the doctrine to investigate, find and interpret a rule of law. However, it cannot make any judgments based on the doctrine. The doctrine guiding the judge in the implementation of the law is also a tool used by referring to the views of the most renowned legal scholars to strengthen the arguments by states before international courts. There is no direct reference to the doctrine in the decisions of the ICJ. However, in their personal observations they add to the counter vote or decision, the judges state the views of the recognized authors.¹⁰⁰



⁹⁹Aydın Aybay and Rona Aybay, **Hukuka Giriş**, 5th Edition, Aybay Publications, Edition No.: 22, Law Series: 10, İstanbul, September 1998, p. 94.

¹⁰⁰Edip Çelik, **Milletlerarası Hukuk**, Vol.: 1, İstanbul Üniversitesi Publications, No: 2050, Faculty of Law No.: 456, 1975, p. 284.

CHAPTER TWO

CONCEPT OF THE CONFLICT

2.1. DEFINITION OF THE CONFLICT

Definition of the conflict is used in a variety of areas such as international relations, public administration, management, history, economics, communications, political science, psychology, sociology, administration, therefore it has various definitions.

According to Kohen, conflict is described as a “situation between two or more parties who see their perspectives to incompatible”. The perspective can related on the parties’ positions, interests, values, or needs. Conflict should not be thought of in a negative way because it can create change. But the way of responding to conflict might be negative and positive.¹⁰¹

Coser states to that conflict includes a struggle between opponents who may be groups or individuals. Parties' targets in conflict are related to scarce resources, power and status. In order to gain these values or claims, they can neutralize, injure and eliminate to their rivals.¹⁰²

These actors struggling against to each other may be individuals, small or large groups or countries. In a conflict, there are two or more parties who have in hostile attitudes or actions that could damage others for their interests and values. These interests can be different in terms of resources, force, identity and values. For example, parties can encounter hardship on a reach or allocation of resources such as land, financial power, energy resources and food. The conflict might happen with the distribution of authority and accession in political decision-making. We can show the different identities related to traditions, ethnic, social positions or different values which include religion or ideologies as reasons for the conflict.¹⁰³

¹⁰¹Larry Cohen, Rachel Davis and Manal Aboelata, “Conflict Resolution and Violence Prevention: From Misunderstanding to Understanding”, **The Fourth R**, Vol.: 84, No.: 1, 1998, p. 4.

¹⁰²Lewis Coser, **The Function of Social Conflict**, Free Press, New York, 1956, p. 8.

¹⁰³Creative Associates International, “Preventing, Mitigating Violent Conflicts: An Abridged Practitioners’ Guide”, April 1997, pp.4-5.

HIİK provides a more comprehensive description of conflict in the following way. Conflict is the collision of interests which contains national values like land, freedom, self-government, ideologies, force or resources. Conflicting parties must include at least two actors who may be states or groups of states, organizations, organized groups which have different positions.¹⁰⁴

2.2. CLASSIFICATION OF CONFLICTS

2.2.1. One-Sided Conflicts

It is a conflict concerning the death of the civilian in at least 25 civilian people per year. A state or officially organized group which might be a non-governmental group announcing its name on behalf of their groups uses the armed force against non-armed civilians and extrajudicial killings in custody are excluded. This armed force uses weapons from manufactured arms to sticks, stones, fire, water, pepper gas, etc. The aim is to use arms to implement violent power including in the killings.¹⁰⁵ It is separated from state-based conflicts by the presence of massacres aimed at defenseless civilians who do not fight with armed groups or the state.¹⁰⁶

2.2.2. Non-State Conflicts

These conflicts are the clashes in which the conflicting parties are not a state or a government but a group of two organizations. They are less timely and less deadly than state-based conflicts.¹⁰⁷ According to UCDP, non-state conflict includes two organized groups which use armed force against each other and are not state. These two groups consist of formally and informally groups. The formally organized groups had proclaimed a name for their group but informally organized groups do

¹⁰⁴HIİK, "Conflict Barometer 2002, Crises, Wars, Coups D'états, Negotiations, Mediations, Peace Settlements", **11th Annual Conflict Analysis**, 2002, https://reliefweb.int/sites/reliefweb.int/files/resources/7D3011B2DAF10DD0C1256C930037CEA6-uh-conflictbarometer_2002.pdf, (07.09.2018), p. 1.

¹⁰⁵UCDP, "One Sided Violence Code Book", September 2016, <http://ucdp.uu.se/downloads/nsos/ucdp-onesided-14-2016.pdf>, (03.04.2017), p. 2.

¹⁰⁶HSRP, "War and Peace in the 21st Century", 2005, <http://www.hsrgroup.org/docs/Publications/HSR2005/2005HumanSecurityReport-Part1-ChangingFaceOfViolence.pdf>, (03.04.2017), p. 66.

¹⁰⁷Ali Yıldız, "Uluslararası Çatışmaların Seyri: Son Asrın Çatışma Trendi", **Barışı Konuşmak Teori ve Pratikte Çatışma Yönetimi**, (Ed. Nezir Akyeşilmen), ODTÜ Publications, Ankara, January 2013, p. 187.

not announce their names. Both groups use armed forces such manufactured weapons, sticks, stones, fire, water, etc. against another. As a result of it, it caused at least 25 collide-related deaths in a year.¹⁰⁸ This sub-category of collective violence is separated from others like war and civil war with its aspect of the lack of a state as one of the conflicting participants.

A variety of groups occurs the non-state actors in organization levels such as ethnicity, clan, religion or separatist movement. It is divided into 3 categories. Rebel, political and communal conflicts. Rebel conflicts are between rebel groups and may include military and other organized groups in to the conflict. Political conflicts realize between parties and candidates alongside electoral violence. Communal conflicts happens among the communal groups like ethnicity, clan, religion, tribe or nationality. Rebel conflict takes place between formally organized groups political and communal conflicts belong to the informally organized groups.¹⁰⁹

2.2.3.State-Based Conflicts

2.2.3.1.Intra-State Conflicts

It is the most common form of the conflict today. These kind of conflicts are "state conflicts" which are stimulated by deepening political cleavage, economic pressure, rising inequalities and unemployment. In this situation, government legitimacy, law and order might breakdown and escalate ungovernable riots. The weakness of the state may be caused to by the illegal organizations such as armed and non-armed groups and criminal gangs who can provoke inter-ethnic conflict, separatist movement, anti-immigrant slaughters and important refugee flows.¹¹⁰ It occurs between stated-based armed groups and one or more non-state armed groups This kind of conflict always holds a serious risk that it might spill over the different

¹⁰⁸UCDP, "Non-State Conflict Codebook", Version 2.5-2016, <http://ucdp.uu.se/downloads/nsos/ucdp-nonstate-25-2016.pdf>, (02.02.2017), p. 2.

¹⁰⁹Hania Bugge, "Non-State Conflicts, Weak State Capacity, Regime Change", <https://havardhegre.files.wordpress.com/2013/10/hannabuggemathesis.pdf>, (03.04.2017), p. 6.

¹¹⁰Janusz Bugajski, "Early Warning, Conflict Prevention, Crisis Management, Conflict Resolution And Postconflic Rehabilitation: Lessons Learned And Way Ahead", **Annual Security Review Conference**, 01.07.2011, p.1.

countries and reach international scale.¹¹¹ In the period covering 1960-1992, there was an increase in interstate armed conflicts. Colonial system and the bipolar structure of the Cold War was the most influential factors for this increase. The end of The Cold War created a largely peaceful area with democratic transitions.¹¹²

2.2.3.2. Inter-State Conflicts

These conflicts could be related to the status of disputed territories or include the actions of ethnic origin in which intra-state conflicts can engage neighboring powers into the chaos. In addition, we can name energy conflicts and other resources conflict resulting from climate change with it is short and long term reflection. For example, if the northern polar ice melts, it provides bigger access to the region's rich energy reserves for Arctic States which have territorial disputes.¹¹³ In addition, interstate armed conflict points to the war between two states containing at least 1,000 battle-killings.¹¹⁴

2.2.3.3. Trans-State Conflicts

We could show international terrorism, economic sabotage, and cyber attacks in the trans-state conflicts. These attacks aim to weaken the state and national security and to exacerbate the international conflicts with sponsoring states. International terrorism threatens civilian life but the most important impact of it is phobia such as islamophobia which can affect large masses. Furthermore, they may attack global energy supplies through sabotage. On the other hand, cyber attacks are another threat that become more serious, more organized and its damages have been increasing day by day. It could badly affect government operations, business, military security and national infrastructure. Their target areas might be on important communications

¹¹¹"Definitions: What's the Difference Between Intrastate, Interstate & Extrastate?", (10.04.2017), <https://missworldsecurity.com/2012/09/26/definitions-whats-the-difference-between-intrastate-interstate-extrastate/>, (02.06.2017).

¹¹²Michael J. Butler, **International Conflict Management**, Routledge Publications, Oxon, 2009, pp. 50-51.

¹¹³Bugajski, p.1.

¹¹⁴Kristian Skrede Gleditsch and Steve Pickering, "Wars Are Becoming Less Frequent: A Response To Harrison And Wolf", **Economic History Review**, Vol.: 67, No.: 1, February 2014, p. 214.

systems, trade and its transit routes, investments and security of energy. Their attacks may aim to provoke retaliation and international conflict.¹¹⁵

2.2.3.4.Extra-State Conflicts

It exists between a state and a group outside of that state's border. These are mostly struggles for independence that are initiated to free from the colonial regimes in the mid-1950s.¹¹⁶ It is called territorial conflicts because the government side combats to retain control of territory outside of its own country.¹¹⁷

2.2.3.5. Internationalized Intrastate Armed Conflicts

It is the type of conflict in which each government or non-governmental armed group, or both, receives military support from a foreign country. These conflicts cause high death rates contrary to the small number.¹¹⁸ If the state or an armed group takes support from one or more foreign governments, it could transform intrastate armed conflict into internationalized intrastate armed conflict.¹¹⁹

2.3. REASONS FOR CONFLICTS

There are many reasons for conflicts in international relations. These conflicts may stem from economic, cultural, social, historical, psychological or even environmental reasons. In general, scarce resources, competition between hegemonic forces or ethnic differences constitute main justifications on the basis of conflicts. These reasons can make these countries a center for conflict because of their geopolitical position. The subject of this thesis consists of conflicts arising from natural resources and limitation of the maritime jurisdiction area.

¹¹⁵Bugaski, pp. 1-2.

¹¹⁶Andrew Mack, "Global Political Violence: Explaining The Post-Cold War Decline", **International Peace Academy**, New York, March 2007, https://www.files.ethz.ch/isn/126956/global_political_violence_03_2007.pdf, (18.09.2017), p. 1.

¹¹⁷UCDP, "Definitions", <http://www.pcr.uu.se/research/ucdp/definitions/>, (11.04.2017).

¹¹⁸Mack, p.1.

¹¹⁹HSRP, "The Decline in Global Violence Evidence, Explanation and Contest", **Human Security Report 2013**, HSRP Publishing, https://reliefweb.int/sites/reliefweb.int/files/resources/HSRP_Report_2013_140226_Web.pdf, (11.04.2017), p. 12.

A limited amount of natural resources can create a basis for cooperation, as well as the main cause of the conflict. This conflict or cooperation can be between the rich countries and the states which have scarce resources, even it can sometimes take place between the groups in that country. History has been the scene of many conflicts in this subject, most known of them take place in Europe due to the rich coal deposits in the region of Alsace Lorraine.¹²⁰

As the strategic need for natural resources increases, the extent, violence and intensity of conflict increase. Most of the time, the existing natural gas is inadequate to meet the increasing demand and the depletion of available resources causes energy centered conflicts. However, nowadays, energy resources are evaluated as a win-win instead of a zero-sum game. As the increase in trade with energy resources will increase the communication of the parties, the relations become more positive.¹²¹

2.4. TYPES OF CONFLICTS

Types of conflicts fall into two sections as non-violent and violent conflicts.

2.4.1. Non-Violent Conflicts

Non-violent conflicts are also divided into two categories as “Latent Conflict” and “Manifest Conflict” in itself. These conflicts do not include violence in any way.

2.4.1.1. Latent Conflict

In the conflict, we can say it is the first level in terms of intensity of violent in the conflict. It does not contain violence in any way. There is a danger of a potential conflict in society because of profound differences in value or injustice. Differences in values such as religion, language, culture and faith can cause conflict.¹²² A different section of society takes a different position on a certain subject. Although the tension in the social layers is known, its reflection on the language becomes a

¹²⁰İdris Demir, “Bıçak Sırtı: Çatışmadan İşbirliğine Enerji Kaynakları”, **Barışı Konuşmak, Teori ve Pratikte Çatışma Çözümü**, (Ed. Nezir Akyeşilmen), ODTÜ Publications, Ankara, January 2013, p. 158.

¹²¹Demir, p. 160.

¹²²Ertan Efegil, “Devlet-İçi Çatışmalara Yönelik Teorik Yaklaşımlar”, **Türkiye'nin Yakın Havzasındaki Devlet İçi Çatışmaların Analizleri**, (Ed. Ertan Efegil and Esra Pakin Albayrakoglu), Gündoğan Publications, İstanbul, 2015, p. 20.

more private area, in general it is not expressed at the public level. The difference in the perspective of society on EU membership or compulsory religious education in schools can be given as an example of it. In addition to this "Macedonia's name issue" between Greece and Macedonia and The "Aegean Islands issue" between Greece and Turkey can be given as of examples in the international area.¹²³

2.4.1.2. Manifest Conflicts

Also at this stage too, the parties do not use the elements of violence against each other. But at this stage, violent actions can be seen at a low-intensity level. In these actions, verbal pressure, separation-exclusion-threatening language is often preferred.¹²⁴ Even if there is no physical violence, there is psychological violence. Economic or non-violent diplomatic and political sanctions can also be applied. The Cyprus issue and Turkey-Armenia issue are an examples of this.¹²⁵

2.4.2. Violent Conflicts

It is the stage in which the parties in conflict give up peaceful methods in line with their interests and objectives. It may also occur when it is aimed to rule the opposite party and parties. Violent conflicts are divided into three sections, as "Crisis", "Severe Crisis" and "War". In the crisis phase, violence is at the medium level. There is intense tension between the armed parties. There is no systematic violence between the parties. Although there are sporadic conflicts, there is no intensive use of force.¹²⁶ At least one of the parties resorts to physical or armed violence in a sudden incident emerging in this type of crisis. However, this violence is temporary; it occurs and disappears, violence is not systematically applied. With this feature, "crisis" separates from "severe crisis" and "war". We can give an example for it from Turkey to Sivas, Çorum, Maraş, Gazi and Gezi events. On the international level, Azerbaijan-Montenegro problem it can be given.¹²⁷

¹²³Nezir Akyeşilmen, "Çatışma Analizi: Hak Temelli Stratejik Barış Modeli", **Türkiye'nin Yakın Havzasındaki Devlet İçi Çatışmaların Analizleri**, (Ed. Ertan Efegil and Esra Pakin Albayrakoglu), Gündoğan Publications, İstanbul, 2015, pp. 45-46.

¹²⁴Efegil, p. 20.

¹²⁵Akyeşilmen, pp. 46-47.

¹²⁶Efegil, p. 21.

¹²⁷Akyeşilmen, p. 47.

Conflicting parties in the "severe crisis" begin to use violence systematically. It is the level of violent intensity that military methods and military leaders are involved in. A militarist, exclusionary language dominates the conflict. The conflict spreads by deepening due to this language used and thus divisions are created in the society.¹²⁸ As an example of this violence in which armed violence is regularly and systematically used, The Kurdish problem in Turkey, Ukraine and Crimean conflict at the international level can be given.¹²⁹ The war is a stage in which the armed forces are regularly used.¹³⁰

2.5. CONFLICT MANAGEMENT METHODS

2.5.1. Conflict Settlement

Conflict settlement is strategies of conflict handling which try to end violence and to establish a win-win situation between the conflicting sides.¹³¹ In this process, conflicting parties try to reach a solution through an agreement by negotiating or bargaining. All goals may not be gained by the conflicting parties but mutual reconciliation may repair partly financial and emotional damage. Third-party mediators often choose some "stick and carrot" methods to push conflicting parties for settlement. Constraint, coercion or incentives can be their tools for the fastest solution. Responsiveness is the most important factor to defeat the violent circumstance. But we can not say its effectiveness is permanent because solutions do not aim the main problematic structure. For example, The Versailles Peace Treaty signed after World War I, could not succeed to solve the conflict. Open hostilities coming with war was finished by the agreement but it also created another conflict in the future by imposing difficult conditions on defeated Germany.¹³²

¹²⁸Efegil, p. 21.

¹²⁹Akyeşilmen, p. 49.

¹³⁰Efegil, p. 21.

¹³¹Heinz Jürgen Axt, "Conflict Settlement Through Europeanization? The Hexagon of Conflict Settlement", **Final Conference Paper Extract**, University of Duisburg-Essen Institute for Political Science,

http://www.mzes.unimannheim.de/projekte/typo3/site/fileadmin/Final_Conference/papers/Extract%20Hexagon_text%2028.08.08_Axt.pdf, (12.02.2019), p. 1.

¹³²"Conflict Management, Settlement, Resolution and Transformation", http://www.netuni.nl/courses/conflict1/week1/1.3_week.html, (12.02.2019).

2.5.2. Conflict Resolution

The conflict resolution approach aims to achieve a satisfactory solution for all conflicting parties. It produces the solution method that can be used to stop and to change the destructive dynamics of the conflict.¹³³ Conflict resolution includes many tools for the solving of disputes by the mediator or the third party. This approach has emerged in the post-Cold War era and has been handled a diverse range of academic disciplines. International relations, economics and development researches, law, sociology, psychology, psychotherapy, business, communication studies, anthropology and peace studies head toward this area. It focuses on obstructing, reducing, ceasing, transforming violent conflict by using peaceful and non-violent methods. Conflict resolution has common feature with the role of peacekeeping in international conflict management.¹³⁴

Peace activities in the process of conflict resolution are both very diverse and very complex. At this stage, the main reasons for the conflict and the parties' demands are clarified. In this process, the mediator should develop successful strategies and methods. In this regard, the mediators should reveal the feelings, values, experiences, expectations and fears of the parties. The main actors of the conflict should be brought together and should be helped to recognize each other closely. Common interests, similar demands and fears should be defined and cooperation should be initiated on issues that are less complex. Ideas for the solution should be discussed and practical suggestions should be developed. To be able to establish trust between the parties before moving to these stages, a preparation period with long and intensive activities should be carried out.¹³⁵

2.5.3. Conflict Transformation

Structural reason of the conflict which may contain the cultural, psychological, social values in the society is focused In order to provide a change in behavior or culture for peace. Because of this wide range, it is an integrated approach

¹³³ Axt, p. 16.

¹³⁴ Tom Woodhouse and Tamara Duffey, **Peace Keeping and International Conflict Resolution**, Peace Operations Training Institute Publication, Virginia, 2008, p. 16.

¹³⁵ Akyeşilmen, pp. 36-37.

and is aimed at long term solutions to reduce the effect of the conflict. It aims to changing of conditions, attitudes, and relationships that lead to the violent conflict to ensure sustainable peace. It goes beyond the concept of the conflict management by focusing on larger social, political and cultural sources of the conflict and on the constructive handling of conflict and prevent the resort to violence. Conflict transformation is often used synonymously with the term peacebuilding.¹³⁶ In a deeper structural dimension, it is targeted to transform the relationships, interests, expressions, and even the constitution of society causing violent conflict.¹³⁷ This process involves many actors who are categorized into four main groups. We can list them as follows; "(1) States and intergovernmental organization, (2) Development and humanitarian foundations, (3) International NGOs related to conflict prevention and transformation, (4) Parties in the conflict and other concerning groups within the affected societies".

Conflict transformation hold various dimensions. Problems might become at the micro or macro level, local or global and it might include grassroots and elite actors, its term may long short and long. To provide the structural changing and capacity building is main target. It tackles to conflict at the pre-violence and post-violence phases and with the causes and consequences of violent conflict.¹³⁸

It is considered the last stage of conflict management. Long-term strategies, structural reforms, social integration activities, civil training are developed and implemented. Democratization and social equity are targeted. Political and constitutional reforms, social development training, human rights and peace education are some objectives at this stage.¹³⁹

¹³⁶German Federal Ministry for Economic Cooperation and Development, **Connecting Human Rights and Conflict Transformation**, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) Published, Germany 2010, p. 12.

¹³⁷Hugh Miall, "Conflict Transformation: A Multi Dimensional Task", Berghof Research Center for Constructive Conflict Management, http://edoc.vifapol.de/opus/volltexte/2011/2569/pdf/miall_handbook.pdf, (12.02.2017), p. 4.

¹³⁸Hilal Ahmad Wani, Andi Suwitra and Joseph Fayeye Atikan, "Conflict Resolution and Conflict Transformation: Some Reflections", **Kajian Pendidikan Journal**, Vol.: 3, No.: 1, 2013, p. 37.

¹³⁹Akyeşilmen, p. 55.

2.6. CONFLICT MANAGEMENT TOOLS

2.6.1. Negotiation

Negotiation is the communication process between two or more parties who are mutually interdependent in order to reach an agreement on a situation perceived as a problem or conflict. In many ways, negotiation is a fundamental way to get what you demand from others. It is communication formed to reach an agreement in a situation where actors are on different sides of the problem.¹⁴⁰

In this process, both sides realize that they have a problem and they know that they can find a solution to this problem by talking to each other. Communication is usually the most important part of this process because negotiation can only be achieved when there is communication between the conflicting parties. Conflict can escalate and communication may be threatened or entirely stopped, thus negotiation may become harder. The negotiations are carried out at the early phase of the dispute and it is either positional or collaborative in this process. Positional negotiations reflect offensive, opposing and competitive attitudes. Parties have thoughtless demands and do not target a mutually beneficial outcome. Their only aim is to win in this competition process. Positional negotiations collapse easily. In a collaborative negotiation process, parties focus on the best way of providing to all parties their needs and demands by solving the problems. Mutual understanding and feelings are emphasized in this process. It is aimed at building a sustainable relationship.¹⁴¹

2.6.2. Mediation

It is a very important process for a peaceful settlement, an impartial third party, called the mediator, facilitates the conflict resolution between two or more conflicting parties. Mediator volunteers to support the agreement of the parties and

¹⁴⁰Theresa Breitmaier and Frans Schram, "Facilitating Negotiation and Dialogue", **Berghof Glossary on Conflict Transformation and Peacebuilding**, (Ed.Berghof Foundation), Berghof Foundation Operations Publications, Germany, 2019, p. 81.

¹⁴¹Moses Onyesom and Emeke Francis Igbesi, "Conflict Resolution and Management: The Macro Perspective", **Journal of Investment and Management**, Vol.: 4, No.: 5, 2015, p. 253.

provides easier communication, increases mutual understanding, and creates the best solutions for conflict in the framework of the parties' demands.¹⁴²

Mediation is more effective if it considers the dynamics and the reasons of the conflict, values and attitude of the parties, the requirements of the society in the regional and international areas. The backing of the external actor may increase the effectiveness of the mediator. Other states may reinforce a mediated solution or do damage to it. Providing effective mediation, conflicting parties must consent to negotiate for a solution and mediator must be supported, recognized, reliable and well informed. Besides, this process must be supported at the regional and international levels.¹⁴³

International mediators who organize the flow of communication might be unofficial individuals for example conflict researchers or an eminent persons group. States can also be mediators as decision-making authorities. The states which have less force and smaller, like Sweden, are known for their neutrality and frequently interfere through soothing and low profile interventions. Bigger and stronger states use sanctions and inducements and usually offer mediation in high-profile negotiations. Organizational mediators compose of international groups such as the UN to transnational groups like the Amnesty International or the Red Cross or regional groups such as the European Union or the Arab League.¹⁴⁴

Peace mediation includes a variety of activities which are related to mediation such as national dialogues and informal civil society dialogues which is realized at different phases (tracks). There are serious similarities between diplomatic steps and mediation and both reinforce mutually each other. Both are an important foreign policy instrument but mediation's potential is not being entirely used. There are two main common features of diplomacy and peace mediation. First of all, their aim is to transform and resolve to structures of conflicts, and secondly, non-violence is their main point. An important point creating differences between them is that the

¹⁴²The Institute of Arbitrators and Mediators, "Principles of Conduct for Mediators", <https://www.resolution.institute/documents/item/2266>, (12.12.2017), p. 1.

¹⁴³United Nations, "Guidance for Effective Mediation", September 2012, https://peacemaker.un.org/sites/peacemaker.un.org/files/GuidanceEffectiveMediation_UNDPA2012%28english%29_0.pdf, (3.3.2018), pp. 4-5.

¹⁴⁴Jacob Bercovitch, "Short of Mediation in International Conflict: An Overview of Theory, A Review of Practice", <https://www.beyondintractability.org/artsum/bercovitch-mediation>, (12.9.2018).

diplomacy aims to gain the country's own international policy goals and interests. Though, mediation handles and combats on the interests of all parties. As a result, their perceptions and implementations differentiate during the peace processes. Developing the interaction between diplomacy and mediation gives strong potential.¹⁴⁵

2.6.3. Conciliation

Mediation and conciliation are distinguished from each other with caution by many authors. However, there are no certain definitions for either, for example, "conciliation" is often been defined instead of "mediation". In Some countries like Canada, the "conciliation" points out a process of dispute resolution in which conflicting parties are at different places. The conciliator uses the "shuttle diplomacy" for each actor while communicating. "Mediation," by contrast, generally describes the third-party initiative and parties in conflict negotiate face to face. Conciliation also refers to the arbitration processes in some jurisdictions.¹⁴⁶

2.7. ANALYSIS OF CONFLICT

Conflict analysis examines the historical progression of a conflict, its causes, and its characteristics. The dynamics of the peace process are examined and strategies for the solution are developed within the scope of the plan. According to Efegil, we can talk about two models in the conflict analysis. One of them is "The Strategic Dialogue Model" which the problems are defined by examining the factors that cause the problem. The problem is detailed with its political, social, economic, cultural causes. The other is "Actor Analysis" in which the priorities, expectations and objectives of the groups and institutions that are directly or indirectly related to the conflict are examined. The actors' perspective on peace is also taken into account. Then, strategies are put forward to end the conflict. For example, steps can be taken

¹⁴⁵Federal Foreign Office, "Germany as Mediator, Peace Mediation and Mediation Support in German Foreign Policy", **Peace Mediation Conference Report**, 25 November 2014, <https://www.auswaertiges-amt.de/blob/286338/40282889ba852c0cae5a76d8fbb86037/konferenzbericht-mediation-2014-data.pdf>, (12.9.2018).

¹⁴⁶Catherine Morris, "Definitions in the Field of Conflict Transformation", <http://www.peacemakers.ca/publications/ADRdefinitions.html>, (12.9.2018).

to ensure a cease-fire decision to settle the conflict. In the long term, common tools for conflict resolution can be produced. In order to transform the conflict, structural problems that cause the conflict can be eliminated. Finally, the implementation phase is started. Implementation phase elements consist of an action plan, allocated resources and monitoring process. The action plan is determined during which action and time period for the peace process would take place. For example, it is determined how many times, where and when negotiations are held. How and by whom the allocated resources will be met in the solution process is indicated. Monitoring is about how the obstructions can be overcome according to feedback results related to which action is successful and which one fails.¹⁴⁷

To tackle a conflict influentially, first of all, it must be analysed and this provides a better understanding of the conflict. It is the most essential phase and strategies are determined before any conflict intervention can be put in force. It is aimed at gaining a deeper, clearer understanding and broad overview of the conflict by handling its origin, nature and dynamics via this process which includes acquiring information and evidence related to the conflict, after commenting and evaluating the data collected.¹⁴⁸ The absence of accurate conflict analysis could cause missed opportunities to prevent violence or too weakly designed interventions that unwittingly trigger or exacerbate the conflict.¹⁴⁹

The core analytical concept used in conflict analysis is almost the same in the literature and includes profile, actors, causes and dynamics of the conflict. In other words, conflict analysis is a structured process of analysis to evaluate and to comprehend conflict, handling on the conflict profile like a history of conflict, all actors' perspectives and interests in the conflict, the structural and close causes and

¹⁴⁷Efegil, pp.25- 26.

¹⁴⁸Council of Europe and European Union Joint Program Portal, "Understanding Conflict", <https://pjp-eu.coe.int/documents/1017981/7110680/3-Understandingconflict.pdf/0f63c846-6942-4e8f-83c0-3626f2f73dfa>, (20.05.2019), p. 48.

¹⁴⁹UNDG, "United Nation Conflict Analysis Practice Note", 13.05.2016, <https://undg.org/wp-content/uploads/2016/10/Conflict-Analysis-Practice-Note-13-May-2016-Version.pdf>, (24.06.2019), p. 2.

the dynamics of the conflict with relations and connections between these four elements.¹⁵⁰

There is not only one “correct” method for conflict analysis. Besides, these methods have some key questions in common. These questions are valid for all kinds of conflict, so they can be used for conflicts between two people or between two states.¹⁵¹ The concepts about the analysis and their questions are described below.

Profile: What is the context that forms conflict? What is the historical background of the conflict? How can describe the political, economic, socio-cultural and environmental structure of the conflict?

Causes: What are the reasons of the conflict? What are the structural, close and main causes of conflict?

Actors: Who are the actors that affect the conflict? Who are the fundamental actors? What are their basic interests, relevancies, abilities, aims, hopes, fears, strategies, positions, preferences, expectations and values? Which power and the capacities do they have? How are the relationships among actors?

Dynamics: What are the present conflict dynamics? Which factors of the conflict profile, actors and causes reinforce or sabotage each other? Which factors trigger conflict? What scenarios can be designed and improved?¹⁵²

2.8. STAGES OF CONFLICT

For conflict stages, different authors use different a series of phases. According to Brahm, we can divide to it 8 stages which involves at least the following stages as "No Conflict, Latent Conflict, Emergence, Escalation, Stalemate, De-Escalation, Settlement/Resolution, Post-Conflict Peacebuilding and Reconciliation."

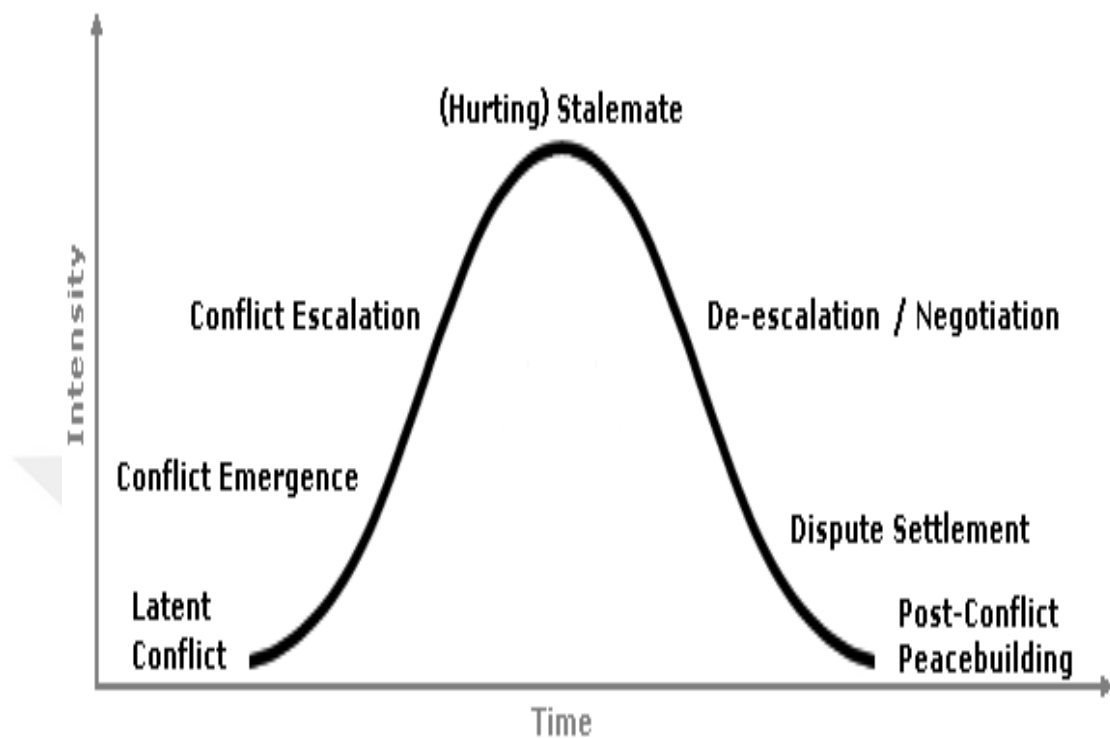
We can show them in a diagram like a figure. But the transit from one stage to the next is not smooth. It is possible that the conflicts may repeat stages a few times.

¹⁵⁰Conflict Sensitivity Consortium, "How To Guide To Conflict Sensitivity", 2012, http://conflictsensitivity.org/wp-content/uploads/2015/04/6602_HowToGuide_CSF_WEB_3.pdf, (24.06.2019), p. 4.

¹⁵¹Council of Europe and European Union Joint Program Portal, pp. 48-50.

¹⁵²GSDRC, "Conflict Analysis", May 2017, <https://gsdrc.org/wp-content/uploads/2017/05/ConflictAnalysis.pdf>, (25.06.2019), p. 13.

Figure 13: Conflict Stage



Source: Eric Brahm, "Conflict Stages", September 2003, https://www.beyondintractability.org/essay/conflict_stages, (12.12.2017).

If people have different needs, values or interests, a potential conflicts consist and it is called a "latent conflict" stage. The conflict may not appear clearly untill any "triggering event" causes the "emergence" or "beginning" of the obvious conflict. Even though Brahm describe this stage as an emergence stage, to use the definition of the "manifest conflict" stage seems more correct.

There are two possibilities when the conflict comes to the "emergence conflict" stage. One of them is a settlement or resolution stage that may quickly be provided. Another one is an escalation stage which has a very destructive effect. Escalation, however, cannot last indefinitely. De-escalation can be temporary or can take part in settlement or resolution. Another option is that escalation may stimulate the "stalemate" stage in which neither side can win. Lastly, if the sides can reach an

agreement, the peacebuilding process starts to repair damaged relationships with the long term goal.¹⁵³



¹⁵³ Brahm, https://www.beyondintractability.org/essay/conflict_stages.

CHAPTER THREE

ANALYSIS OF THE CONFLICT

3.1. HISTORICAL BACKGROUND OF THE CONFLICT

The attempts towards energy resources in the Eastern Mediterranean can be traced back to the 1960s. As a result of natural gas exploration efforts initiated by Egypt in the area, natural gas sources were found in the Nile Delta in 1969.¹⁵⁴ Turkey's activities for the region started with dated July 2, 1974, and decree no 7/8594, license given to the Turkish Petroleum Corporation by the Council of Ministers for the oil exploration area no AR/TPO/IX/D. This region, designated by the Ministry of Energy and Natural Resources, is located in the southeast of Rhodes Island. This initiative, which is the first state practice, gives the message that this region is outside the Turkish territorial waters but within the Turkish CS.¹⁵⁵

Greek Cypriot Administration of Southern Cyprus's (GCASC) tendency towards the region began in 1979 during the GCASC leadership of Spiros Kiprianu. Kiprianu signed an oil exploration treaty with Egypt. The first reaction of the Turkish Republic of Northern Cyprus (TRNC) was that Denktas stated that such an initiative was the cause of war. Shortly after, the UN has intervened as a response to the reaction of Turkey and Greece has taken a step back in the face of Turkey's determination and seriousness.¹⁵⁶ The unrest that has begun in the region would increase continuously due to the tension triggering behaviors and practices of the parties.

One of the events that caused the relations to deteriorate was experienced on March 15, 2002. In the Eastern Mediterranean, within Turkish CS, the GCSC flagged R / V Northern Access ship, which was engaged in geophysical research on behalf of the Norwegian company PGS Nopec was stopped by the Turkish warship at 33° 40' 00" D. The vessel was removed from the area by a warning stating that it was doing

¹⁵⁴Safa Bolat, "Doğu Akdeniz'de Doğal Gaz Yatakları ve Güçler Mücadelesi", **Time Türk**, 06.11.2014, <https://www.timeturk.com/en/2014/11/06/dogu-akdenizde-gaz-ve-mucadelesi.html>, (02.07.2018).

¹⁵⁵Sertaç Sami Başeren, **Doğu Akdeniz Deniz Yetki Alanları Uyuşmazlığı**, Türk Deniz Araştırmaları Vakfı Publications, Publication No: 31, İstanbul, 2010, p. 32.

¹⁵⁶Hakan Özden, "Türk Dış Politikası Yol Ayrımında mı?", **Yeni Şafak**, 10.10.2011, <https://www.yenisafak.com/yerel/turk-dis-politikasi-yol-ayriminda-mi-344853>, (04.07.2018).

research on the Turkish CS. This event is important as it's the second state implementation carried out by Turkey in the Eastern Mediterranean. The company has apologized to Turkey for doing unauthorized research on the Turkish CS.¹⁵⁷

The mobility that began in the region continued in 2003 with the arrangements of Syria and GCASC regarding the maritime jurisdictions in the Eastern Mediterranean. On 17 February 2003, the EEZ agreement was signed between the GCASC and Egypt for the limitation of maritime jurisdiction. On 19 November 2003, Syria adopted the "Law of the Determination of National Sovereignty in the Syrian Territorial Waters" and designated its the maritime zones.¹⁵⁸ With this law, Syria has informed the UN that, starting from the main lines, the territorial waters have a 12 miles and the contiguous region has 24 miles and EEZ has 200 miles.¹⁵⁹

The treaty mentioned above and signed on 17 February between Cyprus and Egypt, consists of 5 articles and 1 annex. The limitation in this agreement was established within the framework of the Principle of Equidistance (Article 1 / a) and is marked by points from 1 to 8 according to the list of geographical coordinates attached to the treaty (Article 1 / b).¹⁶⁰

Turkey reacted to the agreement and Turkey's objection consisting of annotation and annexes was published in the UN Marine Law Bulletin on March 2, 2004. In the note No: 2004 Turkuno DT / 4739 and dated March 2, 2004, issued by the Permanent Representation of Turkey to the UN Secretary General it was stated that Turkey had "ipso facto" and "ab initio" sovereignty rights based on international law in the Eastern Mediterranean especially through the western of the longitude "32° 16' 18" and over the limitation of the CS and the EEZ. It was emphasized that a treaty between the states in the region was more effective on the basis of equality regarding this area. Furthermore, because of the legal issues based on the principles

¹⁵⁷Hasan Ünal, 17 Februaray 2007 Dated Program Broadcasted on Başkent TV, refer Sertaç Sami Başeren, **Doğu Akdeniz**, p. 33.

¹⁵⁸United Nations, Division for Ocean Affairs and the Law of the Sea Office of Legal Affairs, "Syrian Arab Republic", 02.12.2011, <http://www.un.org/depts/los/LEGISLATIONANDTREATIES/STATEFILES/SYR.htm>, (10.09.2018).

¹⁵⁹United Nations, "National Legislation", **United Nations Law**, No: 28, http://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/syr_2003e.pdf, (10.09.2018).

¹⁶⁰United Nations Division For Ocean Affairs and The Law Of The Sea Office Of Legal Affairs, "Law of The Sea Bulletin", No.: 52, UN Publications, 2003, p. 45.

of international law, Turkey expressed that its all legal rights reserved concerning the seabed, subterranean and sea surface limitations in the mentioned area and refused to recognize this agreement. In addition, it was highlighted that a single authority could not be mentioned on the island, which would legally and de facto represent Turkish Cypriots and Greeks.¹⁶¹

Despite this attitude of Turkey, GSASC acting as if the only authority in the region announced EEZ on 2 April 2004 which would be valid as of 21 March 2003.¹⁶² One month after from this event, there was an incident that made relations in the region tense every day and rendered the situation almost insoluble. GCASC became a member of the EU on 1 May 2004 with the procedures and principles which are in complete contradiction with the EU's alleged values.

After GCASC joined the EU, Turkey signed an additional protocol establishing a partnership with the EU on 29 July 2005 which extended the Ankara Agreement to all new members and issued a declaration regarding Cyprus. In this declaration consisting of 6 articles which emphasize Turkey's commitment to the continuation of negotiations for solutions, it is also underlined that the UN's efforts in this direction will be supported. It was stated in the protocol that the state referred to as the GCASC did not represent the Turkish Cypriot people and that it exercised dominance, control and authority in the southern part of the region. It was emphasized that the signing of this document did not mean that the GCASC would be recognized in any way and that it was not the main partnership state established in 1960. With the 1960 Treaties of Guarantee, Alliance and Establishment it was expressed that Turkey's designated rights and liabilities would not be harmed.¹⁶³

In retaliation for this declaration of Turkey published, another declaration adopted by the member states at the COREPER meeting was published by the EU Council. The EU's 7-item declaration on Cyprus was ratified by the Council on 21 September 2005, with the adoption of the text by the member states. EU has expressed discomfort regarding Turkey's publishing a declaration about the GCASC at the additional protocol signing stage. It has been accepted that the declaration

¹⁶¹United Nations Division For Ocean Affairs and The Law Of The Sea Office Of Legal Affairs, "Law of The Sea Bulletin", No.: 54, UN Publications, 2004, p. 127.

¹⁶²Yaycı, p. 17.

¹⁶³T.C. Dış İşleri Bakanlığı, "Ek Protokol ve Deklarasyon Metni", <http://www.mfa.gov.tr/ek-protokol-ve-deklarasyon-metni.tr.mfa>, (24.09.2018).

which is not approved as a part of the protocol by the community and the member states is unilateral. (This declaration of Turkey which is claimed to be unilateral, still binding for all relevant countries). In the field of international law, it was stated that only the GCASC which became a member of the EU on 1 May 2004 was recognized and that the recognition of all member states was a part of the accession process and that therefore the initiation of the negotiations on the relevant chapters was necessary for the implementation of the additional protocol which should be just and non-discriminatory to all members. It was stated that the EU was expected to remove all obstacles to the free movement of goods and Turkey's non-fulfillment the obligations arising from the agreement in its entirety would affect the negotiation process. As a result of the meetings held in 2006 related to the relevant issues, the EU has decided that the eight chapters related to customs union should not be opened and no chapter should be closed temporarily due to Turkey's not opening its ports and airports to GCASC.¹⁶⁴

The attitude of Southern Cyprus to the violation of the rule of law continued in 2007 with 2 initiatives aimed at the region. The first of these is the signing of the EEZ limitation agreement on 17 January 2007 based on the principle of equidistance between GCASC and Lebanon. However, the Lebanese government has not ratified this agreement because of Turkey's objections.

The other initiative is the declaration of 13 oil exploration license fields in Southern Cyprus by the oil law dated 26 January 2007.

The total area of these exploration sites declared by GCASC is 70,000 km² and is within the boundaries drawn with Egypt and Lebanon. 5 of the 13 fields declared are 1,4,5,6,7 areas that overlap with Turkey's CS areas.¹⁶⁵

¹⁶⁴İKV, "Müzakere Kararının Alınmasından Fiili Müzakerelere", <https://www.ikv.org.tr/ikv.asp?id=370>, (24.09.2018).

¹⁶⁵Sertaç Hami Başeren, "Doğu Akdeniz'de Gerilim", Türk Deniz Araştırmaları Vakfı, <http://tudav.org/calismalar/deniz-alanileri/munhasir-ekonomik-bolge/dogu-akdeniz-serhat-h-baseren/>, (29.01.2019).

Figure 14: Cyprus' so-called EEZ Overlapping With The Turkish Continental Shelf



Source: Andrew Jacovides, "Turkey and the Law of The Sea: some Facts", Cyprus Mail, 11.02.2018, <https://cyprus-mail.com/old/2018/02/11/turkey-law-sea-facts/>, (12.12.2018).

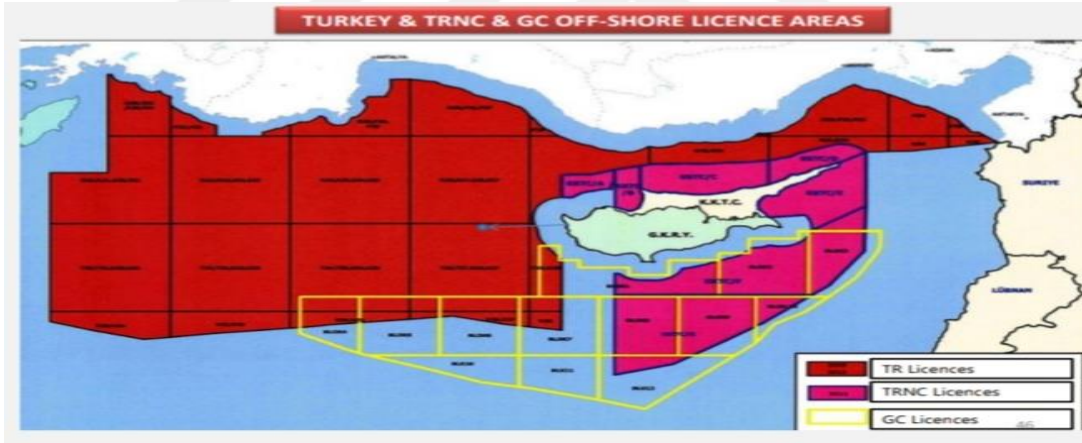
Due to GCASC's these initiatives violating international law, the Ministry of Foreign Affairs has drawn attention to GCASC's bilateral treaties with Egypt and Lebanon in a press conference and it was underlined that Turkey has opposed these initiatives from the beginning. Emphasizing that the region is a semi-enclosed sea, it is stated that the agreements to be made are possible with all the related coastal states and with the arrangements to be made by taking into consideration the rights and interests of these states. In the same statement, it was pointed out that legal arrangements were made regarding the exploration of oil deposits and it was stated that GCASC does not represent the entire island and that the TRNC has rights and authority on the island. Therefore, it was reported that the agreements GCASC made with other states have no provision for Turkey. It was reminded that Turkey has also rights regarding the treaties GCASC made and the declared license areas and that Turkey is determined to protect these rights. In this context, companies and countries that intend to conduct research in these null and void license areas were asked to approach the issue with sensitivity. Furthermore, the importance of avoiding harming the rights of the Turkish Cypriots and of the Cyprus solution process has been pointed out.¹⁶⁶

¹⁶⁶T.C. Dış İşleri Bakanlığı, "GKRY'nin Doğu Akdeniz'deki Ülkelerle Deniz Yetki Alanlarını İlgilendiren İkili Anlaşmalar Yapma Gayretleri Hk.", No:18, 30.01.2007, http://www.mfa.gov.tr/no_18---30-ocak-2007_-guney-kibris-rum-yonetimi_nin-dogu-akdeniz-deki-

In spite of these warnings, on 15 February 2007, in line with the seismic data of the year 2006, GCASC had invited all foreign oil companies for 11 of these 13 sites and initiated an international tender for oil and gas exploration. Turkey, without delay of response, has made the shot exercises with the navy and air force elements in these overlapping areas. In August 2007, the bidding process for the tenders was completed and the US company Noble Energy got the tender for the no 12 parcels.¹⁶⁷

Thereupon, Turkey for the second time gave a license to TPAO for oil and natural gas exploration off Cyprus in 4 regions in 2007. The application of TPAO on 18 April and 25 July 2007 was filed by the General Directorate of Petroleum Affairs and announced in the Official Gazette on 9 August 2007. These four regions were located in the Antalya petroleum region outside the Turkish territorial waters and marked with TPO / XVI / A, TPO / XVI / D, TPO / XVI / E and TPO / XVI / F, determined with 34, 35 and 36 latitudes and 30, 31, 32 longitudes.¹⁶⁸

Figure 15: Turkey, TRNC and GC Off-Shore Licence Area



Source: Çağatay Erciyes, "Maritime Issues, Maritime Boundary Delimitation and Turkey's Off-Shore Activities in the Eastern Mediterranean", Turkish Ministry of Foreign Affairs, 10.05.2019, http://www.mfa.gov.tr/site_media/html/maritime-delimitation-10-5-2019-presentation.pdf, (16.06.2019), p. 3.

ulkelerle-deniz-yetki-alanlarini-ilgilendiren-ikili-anlasmalar-yapma-gayretlerini-hk_-.tr.mfa, (28.03.2019).

¹⁶⁷Pınar Akarçay and Gökhan Ak, "Ulusal Güvenlik Bağlamında Kıbrıs Jeostratejik/Jeoekonomik Önem ve Gelişmeler", *Çeşm-i Cihan*, Vol.: 5, No.: 1, Summer 2018, p. 152.

¹⁶⁸Resmi Gazete, No.: 26608, 09.08.2007, <http://www.resmigazete.gov.tr/main.aspx?home=http://www.resmigazete.gov.tr/ilanlar/eskiilanlar/2007/08/200708094.htm/20070809.htm&main=http://www.resmigazete.gov.tr/ilanlar/eskiilanlar/2007/08/20070809-4.htm>, (28.08.2018).

With this initiative, Turkey has declared its EEZ and CS in the region as a de facto. Also, the fact that the identified regions overlap with the parcels declared by GSACS shows that Turkey does not recognize the declaration for tender and will intervene in each step taken by GSACS. In addition, Turkey's disapproving attitude and practices related to GCASC's initiatives in the region strengthened Turkey's stance considering the customary principle of international law.

The remarkable developments in the region in 2008, 2009 and 2010 were mostly related to the discoveries made by the American Noble energy company. The company, which has a license in the Israeli parcels, received a hydrocarbon exploration license on October 24, 2008, for the 12th parcel called Aphrodite, which is shown within the scope of GCASC's own EEZ. This region is 185 km from Cyprus and is located next to Israel's parcel called Leviathan.¹⁶⁹

Another research in the Eastern Mediterranean in 2008 was made by Norwegian flagged M / V Malene Ostervold seismic research vessel, leased for TPAO. On November 13, 2008, the vessel, which started seismic exploration in the south of Meis Island, was told by the Greek Navy that the research was in the Greek CS. As the ship continued its seismic activities, the activities of the ship were halted by the Greek Government's diplomatic intervention at Norway. The ship then left the region at its own volition.¹⁷⁰

In 2009, a discovery was made to increase the attention to the region. In the works carried out by Noble Energy, in the first month of the year Tamar field and in March field Dalit field were discovered.¹⁷¹

These developments related to the region were followed by the European Commission's "2009 Turkey Progress Report" on 14 October 2009. In the 4th paragraph of the sub-heading of Cyprus, which is under the heading of Regional Issues and International Obligations of the Report, the attempts to investigate the energy sources in the Mediterranean have been mentioned. In the EU's commentary

¹⁶⁹Kayhan Karaca, "Hidrokarbon Adası Kıbrıs", **DW**, 24.11.2014, <http://www.dw.com/tr/hidrokarbon-adas%C4%B1-k%C4%B1r%C4%B1s/a-18082205>, (10.07.2018).

¹⁷⁰Cem Gürdeniz, "Doğu Akdeniz ve Yeni Petrol Kanunu", **Aydınlık**, 13.03.2013, <https://www.aydinlik.com.tr/arsiv/dogu-akdeniz-ve-yeni-petrol-kanunu>, (10.04.2018).

¹⁷¹Bayta Natan, "Yeni Keşifler Ve Yeni Ufuklar: İsrail'in Doğalgaz Sahaları 1", **Solom**, 01.02.2012, http://www.salom.com.tr/haber-81420-yeni-kesifler_ve_yeni-ufuklar_Israilin_dogal_gaz_sahalari_1.html, (08.08.2017).

lacking quality and information, it was mentioned that the Turkish navy prevented civilian ships seeking petroleum on behalf of the Greek Cypriot Administration many times.¹⁷²

At the beginning of 2010, the discovery of the Leviathan, the largest and the third exploration area of the region, was added to the discoveries made by Noble Energy. According to the company statement, this area had about 16 tcf of natural gas. With the gas obtained from Tamar and Dalit fields, which are the other two areas, Israel has got enough gas and has reached the level of gas exporters with more. With only half of the reserves found in recent discoveries, Israel has acquired enough reserves for 100 years to itself. It is referred that even the reserves in the Tamar region will reach 1 bcf per day and this corresponds to three times the daily natural gas consumption of Israel.¹⁷³

On 19 October 2010, Lebanon, the other actor of the region, announced the borders of the EEZ by notifying the UN of a map showing the maritime jurisdictions. When we look back we can see that Lebanon, due to Turkey's diplomatic pressures, had not put the agreement into effect which was previously signed between Greek Administration and Lebanon about the limitation of marine jurisdiction areas. However, since Lebanon's declaration of EEZ includes the coordinates of the EEZ restriction agreement previously made with GCASC, there is no provision for Lebanon to endorse the agreement signed with GCASC. Also, the EEZ areas declared by Lebanon and by Israel overlap on a 9 km² section.¹⁷⁴ This shows that GCASC-Greece and Turkey are not the only countries in crisis with each other in the region concerning the limitation of maritime jurisdiction areas.

The country in the region who have problems in their relations with Israel is also Turkey. In 2010, after Israel's Mavi Marmara attack, Israel was considered a regional threat for the first time in the Turkish National Security Policy Document,

¹⁷²Avrupa Komisyonu, "2009 Yılı Türkiye İlerleme Raporu", https://www.ab.gov.tr/files/AB_Iliskileri/AdaylikSureci/IlerlemeRaporlari/turkiye_ilerleme_rap_2009.pdf, (10.07.2018).

¹⁷³Michael Ratner, "Israel's Offshore Natural Gas Discoveries Enhance Its Economic and Energy Outlook", **CRS Report for Congress**, 31 January 2011, p. 3.

¹⁷⁴Yaycı, p. 28-29

which was described as the Red Book or the Secret Constitution on 27 October 2010 (Article 2/c).¹⁷⁵

Another development in the region with Israel was related to EEZ agreement. GCASC who turns the conflicts between Turkey and Israel into an opportunity signed the EEZ agreement with Israel taking into account the principle of equidistance on behalf of Republic of Cyprus on 17 December 2010.¹⁷⁶ In the statement made by the Ministry of Foreign Affairs it has been emphasized that Turkey has no claim of rights over the EEZ area that GCASC determined with this agreement, however, that the rights and interests of Turkish Cypriots are ignored and that is why Cyprus negotiations and peace in the Eastern Mediterranean will be negatively affected. Turkey approaching this issue in the context of Cyprus has stated that the treaty GCASC made was at the wrong time and their attitude towards the settlement process was questionable. It has also been stated that GCASC did not represent the entire island of Cyprus by violating the rights of Turks in this agreement, therefore declared null and void by Turkey.¹⁷⁷

A different stress-causing event occurred when the Italian R/Y explore ship entered the CS and possible EEZ of Turkey in the Eastern Mediterranean to establish a telecommunications network between Bari/Italy and GCASC-Israel-Egypt on behalf of Alcatel Telephone Company. Therewith, on March 11, 2011, the Italian Embassy has been informed that Italy has to get permission from Turkey in order to conduct work in the region and a map showing Turkey's maritime jurisdiction limits has been presented with an attached note. On March 12, 2011, TCG Bandırma gave the coordinates to this ship stating that no research could be done in this region and this ship was forced to leave the region. Following this event, on 21-27 March 2011, permission has been granted after the Italian Embassy asked permission from the

¹⁷⁵T.C. Milli Güvenlik Kurulu Genel Sekreterliği, "27 Ekim 2010 Toplantısı", <https://www.mgk.gov.tr/index.php/27-ekim-2010-tarihli-toplanti>, (08.08.2017).

¹⁷⁶UN, "Agreement Between The Government of The State of Israel and The Government of The State of Cyprus, on Delimitation of The Exclusive Economic Zone", http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/cyp_isr_eez_2010.pdf, (08.08.2017).

¹⁷⁷T.C. Dış İşleri Bakanlığı, "İsrail ile GKRY Arasında İmzalanan MEB Anlaşması Hk.", No.: 288, 21.12.2010, http://www.mfa.gov.tr/no_-288_-21aralik-2010_-israil-ile-gkry-arasinda-imzalanan-meb-anlasmasi-hk_.tr.mfa, (08.08.2017).

Ministry of Foreign Affairs in order for Italian R/Y Explora ship to conduct work in the area.¹⁷⁸

There was an incident in the region that made energy resources more important for the Greek administration. On July 11, 2011, Vasiliko power plant was disabled with the explosion at the naval base of the Greek National Army. With this event, meeting the electricity and natural gas needs of GCASC became more problematic.¹⁷⁹ One day after this incident, on July 12, 2011, Israel announced EEZ by presenting the list of coordinates showing the EEZ boundaries to the UN Secretary General.¹⁸⁰

Another important development was that Turkish Republic Ministry of Foreign Affairs made a press statement on 5 August 2011 as a response to the works initiated on the 12th parcel known as Afrodite by the US Noble Energy company in October. It is clearly stated that GCASC does not have the power to unilaterally take initiative, to speak, or to make agreements on the equal use of natural resources in the region on behalf of the whole island. GSACS has been invited to act justly as such activities have usurped the rights of other constituent peoples which are Turks. In addition, it has been noted that GCASC has been pursuing bilateral agreements since 2003, in violation of the rights of third parties and international law, limiting maritime jurisdictions with countries in the Mediterranean. Countries and states seeking oil and gas in the license areas issued by GCASC in violation of international law have been called to act responsibly.

However, in order to protect the rights and interests of Turkey and TRNC a call for keeping away from activities that could usurp the rights of the Turkish side or impede the settlement talks has been made. It has been stated that Turkey would not

¹⁷⁸Yaycı, p. 31.

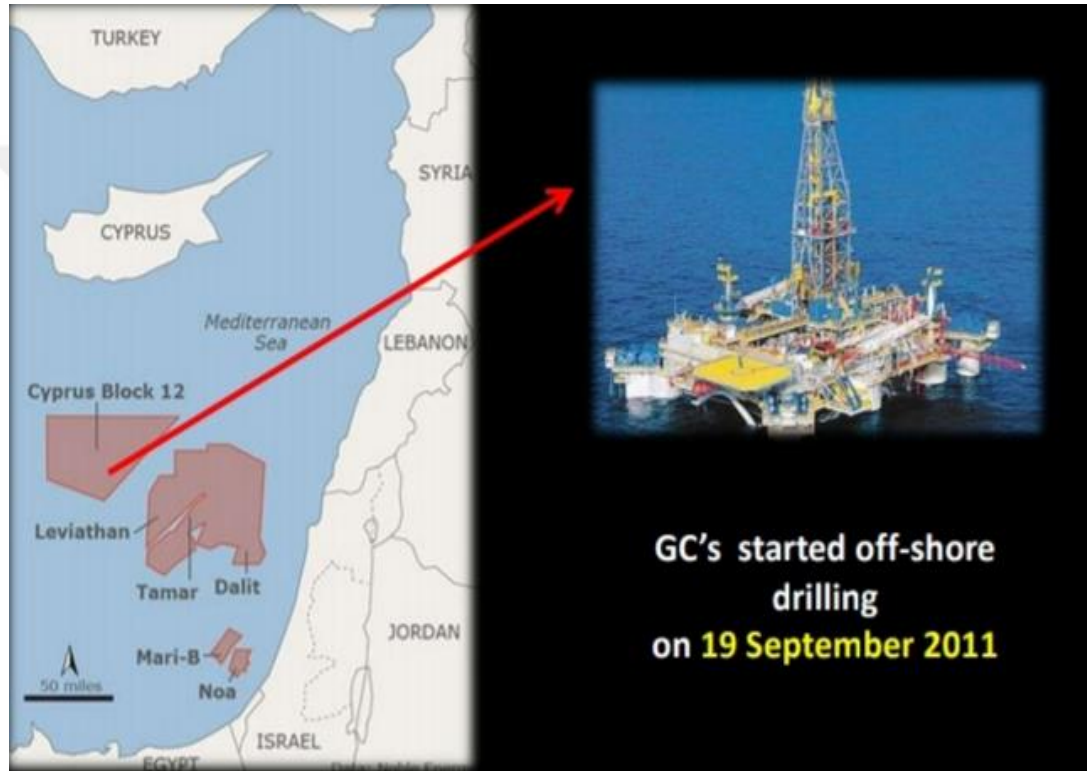
¹⁷⁹İKV, "Doğu Akdeniz'de Petrol Arama Krizi Sürüyor", **İktisadi Kalkınma Vakfı E - Bulletin**, 19-25 September 2011, https://www.ikv.org.tr/images/upload/data/files/dogu_akdeniz%E2%80%99de_petrol_arama_krizi_suyor.pdf, (08.08.2017).

¹⁸⁰United Nations Office of Legal Affairs Division for Ocean Affairs and the Law of the Sea of Legal Affairs, "Israel", 01.02.2018, <http://www.un.org/depts/los/LEGISLATIONANDTREATIES/STATEFILES/ISR.htm>, (08.08.2018).

allow “fait accompli policies” in any way and they would maintain their initiatives through diplomatic and political canal in accordance with the law.¹⁸¹

Although Turkey's disturbance, the vessels belonging to the US Noble and the Israeli Delek Company, which will search for natural gas at the 12th oil field, won the tender from the 13 oil fields on January 26, 2007, started drilling operations on 19 September 2011.

Figure 16: GC's Drilling Activity at the 12th Oil Field (Aphrodite)



Source: Erciyes, 2019, p. 21.

As a response to this Turkey signed an agreement with TRNC about the demarcation of the continental shelf in the Mediterranean on 21 September 2011 in New York. With this treaty, Turkey and the TRNC's continental shelf in the Mediterranean were limited by a line formed by joining the 27 geographical coordinates.

¹⁸¹T.C. Dış İşleri Bakanlığı, "GKRY'nin Doğu Akdeniz'de Petrol ve Doğalgaz Arama Faaliyetleri Hk.", No.: 181, 5.08.2011, -dogu-akdeniz_de-petrol-and-dogalgaz-exploration-activities-hk_.tr.mfa, (11.11.2017).

Figure 17: Turkey and TRNC's CS Delimitation

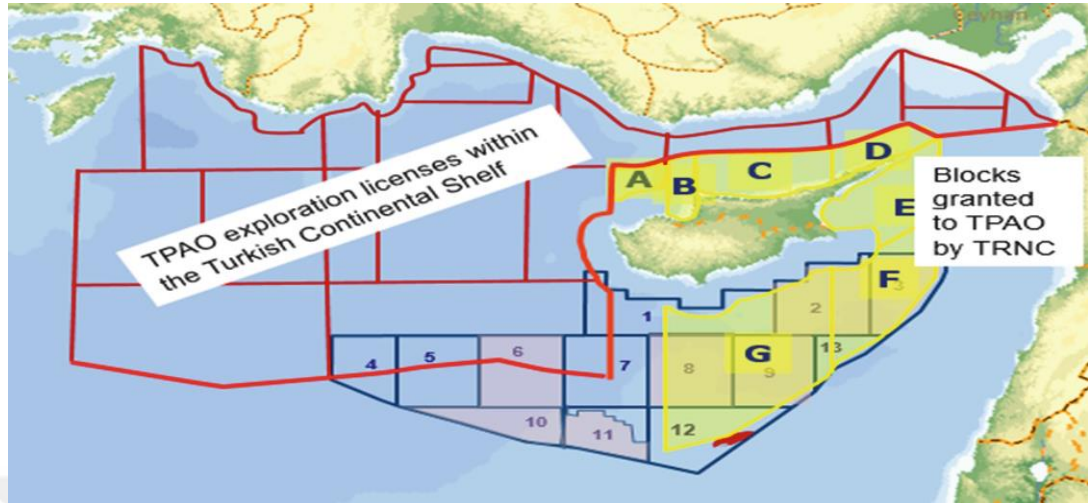


Source: Erciyes, 2019, p. 22.

With the treaty signed by Prime Minister Erdogan on behalf of Turkey and Dervis Eroglu on behalf of TRNC, the Turkish Petroleum Corporation (TPAO) was given a license to explore the sea areas around Cyprus.¹⁸²

¹⁸²T.C. Dış İşleri Bakanlığı, "Türkiye-KKTC Kıtasahaneliği Sınırlandırma Anlaşması İmzalanmasına İlişkin Dışişleri Bakanlığı Basın Açıklaması", No.: 216, 21.09.2011, http://www.mfa.gov.tr/no_-216_-21-eylul-2011-turkiye-_kktc-kita-sahanligi-sinirlendirma-anlasmasi-imzalanmasina-iliskin-disisleri-bakanligi-basin-ac_.tr.mfa, (11.11.2017).

Figure 18: The Exploration Licences Granted To Turkish Petroleum By Turkish Government And TRNC Government



Source: Analysts for Change, <https://www.analystsforchange.org/2018/12/barbaros-x.html>, (12.12.2018).

The service areas shown in this treaty overlap with the unilaterally declared territory of GCASC and thus indicate that the parties do not recognize this declaration. GCASC and Greece reacted against this situation and GCASC has claimed that this treaty is invalid since the TRNC is a structure against international law.¹⁸³

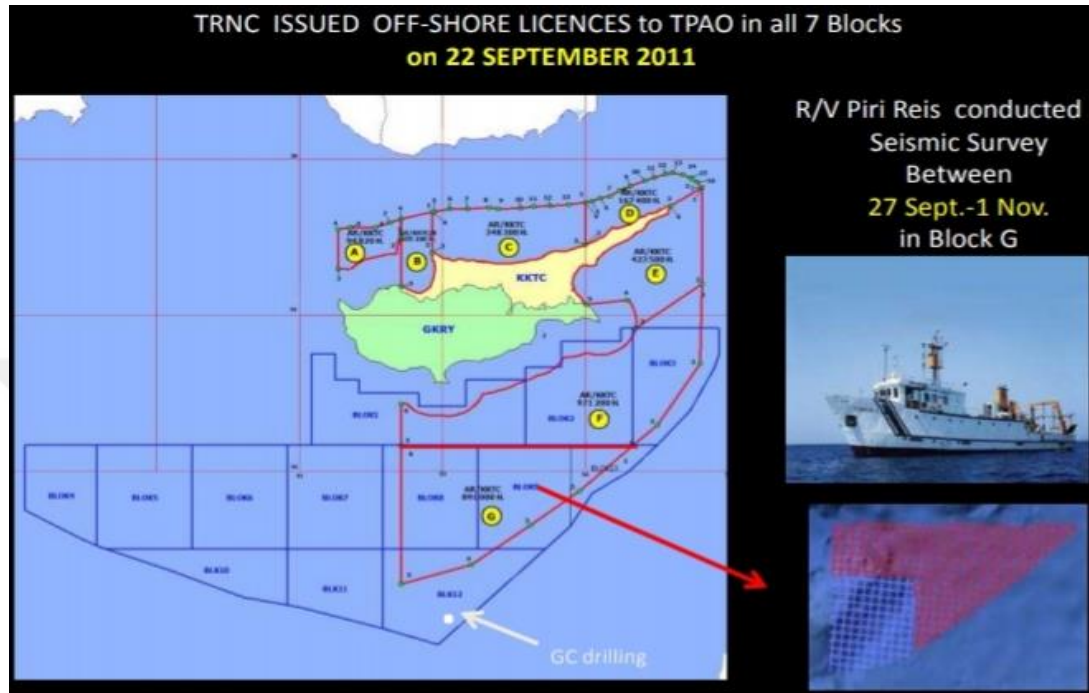
Immediately following this agreement, on 22 September 2011, with the decision of the Council of Ministers of the TRNC, TPAO was granted oil and natural gas exploration licenses at the sea sites in the vicinity of the island of Cyprus. If oil or gas found during these searches, which are granted permission for an indefinite period, a new agreement will be signed with Turkey in order to extract these resources. Piri Reis research vessel operating on behalf of TPAO in the G Region which is one of the seven license areas determined by the TRNC on 23 September 2011, has started its seismic research activities which will last approximately one year.¹⁸⁴ A team of 21 people including 10 academics took part in this ship departing

¹⁸³Deniz Tekin Apaydın, “Doğu Akdeniz’de Enerji Savaşları Kaynaklı Münhasır Ekonomik Bölge Çıkmazı”, **UHAM**, June 2018, <http://uham.fsm.edu.tr/haber/Dou-Akdenize-Enerji-Savaslari-Kaynakli-Munhasir-Ekonomik-Bolge-Cikmazi2018-06-26-09-09-46am>, (14.03.2019), p. 4.

¹⁸⁴Akçadağ, pp. 152-153.

from the Urla Port and which belongs to Dokuz Eylül University Marine Sciences and Technology Institute (DEU).¹⁸⁵

Figure 19: Piri Reis Seismic Survey in G Region



Source: Çağatay Erciyes, "Maritime Delimitation and Off-Shore Activities in the Eastern Mediterranean", Turkish Ministry of Foreign Affairs, 21 March 2012, http://www.mfa.gov.tr/site_media/html/maritime_delimitation.pdf, (13.03.2019), p.27.

With this treaty, TPAO was granted a search license for 7 blocks. Six of these regions included the EEZ, which GCASC declared unilaterally. Another one was located in Famagusta in the north. The Greek Cypriots, who did not take a step back, announced that a second registration with all the remaining parcels in the south of the island would begin. Turkey has stated that the island is bicommunal and contested the steps taken without the consent of Turkish Cypriots. The companies who will conduct energy exploration activities without the resolution of the Cyprus problem will not be included in the future energy projects of Turkey, therefore, it has been called on not to participate in the second tenders of GCASC. In spite of this, 5

¹⁸⁵"Piri Reis Çalışmalarına Başladı", *Aljazeera*, 27.09.2011, <http://www.aljazeera.com.tr/haber/piri-reis-calismalara-basladi>, (11.11.2017).

companies and 10 consortia from 15 countries have submitted bids for the contract of the GCASC.¹⁸⁶

After Piri Reis started to work in the region, on 24 September 2011, the President of the TRNC Derviş Eroğlu met with UN Secretary-General Ban Ki-Moon and proposed that all works carried out in the region be suspended synchronously until a clear solution is achieved. It was emphasized that there should be a tripartite committee with the help of the UN and the written consent of both parties should be taken for hydrocarbon activities. Suggestions were made that the energy reserves should be operated together with the TRNC and that the revenues to be obtained should be used for financing of the solution and in no way should be used for arming or similar activities. According to the “unacceptable” suggestions with the announcement made by GCASC.¹⁸⁷

If the suggestion accepted, energy revenues would be collected in a special fund created under the auspices of the Secretary-General of the United Nations. The income obtained would absorb the financial needs at the issue of property and land. If the solution did not take place, these revenues would be distributed to each side in proportion to their shares.¹⁸⁸

The treaty made between Turkey and TRNC on 21 September 2011 was followed by the “Oilfield Services and Production Sharing Agreements” signed between TRNC’s Ministry of Economy and Energy and TPAO on 2 November 2011. This agreement has empowered TPAO on search, drilling and processing on a profit share basis. The contract was published in the Official Gazette of TRNC dated 23 November 2011 after it was approved by the TRNC Council of Ministers and entered into force. The regions where the services in the contract have overlapped with the sites which were proclaimed by the Greek Cypriot Administration as unilateral and unlawful. With this move, Turkey has demonstrated that it does not recognize operations of GCASC.¹⁸⁹ The decision of the Council of Ministers dated 2011 and

¹⁸⁶Sohbet Karbuz, “Doğu Akdeniz’de Yeni Düzen Arayışında Enerjinin Önemi”, **Haber Kıbrıs**, 27.10.2012, <https://haberkibris.com/dogu-akdenizde-yeni-duzen-arayisinda-enerjinin-onemi-2012-10-27.html>, (10.12.2017).

¹⁸⁷Akarçay, p.153.

¹⁸⁸Emre Yılmaz, “Doğu Akdeniz’de Enerji Çıkmazı,” **SETA**, No: 188, March 2018, p. 3.

¹⁸⁹Nejat Doğan, “Doğu Akdeniz’de Enerji Stratejileri ve Bölgesel Güvenliğin Geleceği,” **21. Yüzyıl**, 13.10.2013, <https://www.21yyte.org/tr/arastirma/enerji-ve-enerji-guvenligi-arastirmalari->

numbered 1753 on oil operation in Adana Petroleum Region and in the region beyond the Turkish territorial waters in the Mediterranean Sea was published in the Official Gazette dated 27 April 2012 and numbered 28276 and entered into force.¹⁹⁰

Another initiative aimed at the region in November 2011 was the opening of the Bureau of Energy Resources in GCASC, which was founded within the Ministry of Foreign Affairs of the United States as it showed the importance of the energy resources in the Eastern Mediterranean for the US. The purpose of the bureau was to stimulate the relations between the main energy producers and consumers in the region by using energy diplomacy, to improve the access to energy in the developing countries and to improve good management, to support the existing policies related to alternative energy, electricity and energy development.¹⁹¹

By 2012, the point of crisis between GCASC and Turkey have experienced further exacerbate events. GCASC published the announcement related to the second tender for the so-called EEZ in the Official Gazette of 11 February 2012 with the number 2012 / C 38/10.¹⁹²

On 15 February 2012, the Republic of Turkey's Ministry of Foreign Affairs made a statement as a response to this move of GCASC. In this statement it was pointed out that the Greek side contravened the principle of equality by violating the rights of the Turkish Cypriots on the island, unilaterally determining the boundaries of the maritime jurisdiction, issuing a license, repeating the objection previously made to hydrocarbon exploration and extraction operations at sea. It was stated that the fact that they took these steps during the period of the UN negotiations was proof that they were a part of the insolubility. A part of the 1, 4, 5, 6 and 7 numbered areas which were opened to tender by the Greeks, Turkey's CS areas and the areas in the south of the island overlap with the license areas given to TPAO by TRNC on 22

merkezi/2014/01/15/7383/dogu-akdenizde-enerji-stratejileri-ve-bolgesel-guvenligin-gelecegi, (02.02.2019), p. 6.

¹⁹⁰Resmi Gazete, No.: 28276, 27.04.2012, <http://www.resmigazete.gov.tr/eskiler/2012/04/20120427-11.htm>, (16.07.18).

¹⁹¹Yiorgchos Leventis, "Sıcak Sularda Kontrolü Tasarlamak: Türkiye'nin Doğu Akdeniz'de Hidrokarbon Egemenliği Hedefleyen Tavrı", **Kıbrıs Deniz Hidrokarbonları: Bölgesel Siyaset ve Servet Dağılımı**, (Ed. Hubert Faustmann, Ayla Gürel and Gregory M. Reichberg), Friedrich Ebert Stiftung Publications, Reprt1/12, p. 10.

¹⁹²Official Journal Of The European Union, "Notice From The Government Of The Republic Of Cyprus Concerning Directive 94/22/EC Of The European Parliament And Of The Council On The Conditions For Granting And Using Authorisations For The Prospection, Exploration And Production Of Hydrocarbons", (2012/C 38/10), C38/24, 11.02.2012.

September 2011. Therefore, it has been underlined that necessary measures will be taken in case of unauthorized oil or natural gas exploration by international companies due to this illegal tender. For the solution of the matter through peace, it was emphasized that the rights of Turkish Cypriots, the other founding people on the island, should be taken into account and the natural resources should be explored and operated jointly under the auspices of the UN Secretary-General. It was reminded that the proposals of the President of the TRNC, Derviş Eroğlu, on 24 September 2011, which were rejected, were necessary for the preservation of peace.¹⁹³

With the “Oilfield Services and Production Sharing Agreements” signed between TPAO and TRNC’s Ministry of Economy and Energy, a total of 8 licenses, 7 of which were at sea and 1 of them was inland areas, were allocated to TPAO on June 17, 2012, another retaliation from Turkey for GCASC’s unlawful initiatives.¹⁹⁴ Within the framework of this contract, it was announced in September that there were signs of petroleum products in the first borehole called Türkyurdu-1 in TRNC where TPAO started explorations for petroleum, and in the land area of TRNC that a second drilling was going to be made for oil exploration in the western part of the TRNC.¹⁹⁵

In 2012 while the relations between Turkey and GCASC remained cold, the relations between Egypt and Israel have started to intensify. In 2011, due to attacks on the pipeline in the Sinai peninsula, the gas flow to Israel via the agreement with Egypt stopped. Therefore, the Israeli Electricity Company (IEC) initiated the arbitration process against the Egyptian Oil Company (EGPC) and the Egyptian Gas Company (EGAS) in February 2012 since they caused a violation of the agreement and to impairment of its industry. Israel won the arbitration case and The EGPC and EGAS were ordered to pay \$ 1.8 billion in compensation to the Israeli company. Egypt, on the other hand, stated that the problem with the interruption of the flow of

¹⁹³T.C. Dış İşleri Bakanlığı, ‘Kıbrıs Rum Yönetimi Tarafından Denizlerde Hidrokarbon Araştırması İçin Çıkan İkinci Uluslararası İhaleyle İlgili’, **Basın Açıklaması**, No: 43, 15 February 2012, http://www.mfa.gov.tr/no_-43_-15-subat-2012_-gkry_nin-actigi-ikinci-uluslararasi-hidrokarbon-arama-ihalesi.tr.mfa, (18.07.18).

¹⁹⁴Hakkı Kurban, “Doğu Akdeniz’de Doğal Gaz ve Petrol Umudu: İskenderun ve KKTC Radarda”, **Akşam**, 17.06.2012, <https://www.aksam.com.tr/guncel/dogu-akdenizde-dogalgaz-ve-petrol-umudu-iskenderun-kktc-radarda--121962h/haber-121962>, (16.07.18).

¹⁹⁵“KKTC’ de Petrol Emareleri Bulundu”, **NTV**, 18.09.2012, <https://www.ntv.com.tr/ekonomi/kktcde-petrol-emareleri-bulundu,rIdnNfxH10mv5n1yd7dEIg>, (16.07.18).

gas was based on compulsory reasons and that the decision would be appealed. Consequently, Netanyahu announced that he and Egypt agreed to send a special delegation to Cairo to discuss the issues that arose from the arbitration award.¹⁹⁶

After these developments, which proved to be vital for the interests of energy security, Israel decided to establish a military unit to protect the natural gas zone within its borders from the possible attack of a foreign state. This unit, which will be equipped with submarine and torpedo boats, will include Southern Cyprus as a result of the Joint Evaluation of the Natural Gas Deposits of the two countries agreement made with the Greek side. This special unit belonging to the Israeli Armed Forces, whose priority was to acquire an air base in Southern Cyprus, aimed to patrol the area of hydrocarbon deposits and conduct inspections at the border.¹⁹⁷

Another co-operation in the region was between two energy companies. On 6 October 2012 TPAO and Shell have signed a cooperation agreement for joint exploration and production, as Lebanon will open license tenders for oil and gas exploration in its EEZ. A partnership agreement was reached with Shell in a foreign country. Prior to this, another agreement has been signed with Shell for the exploration and production of rock gas in the Gulf of Antalya in the Mediterranean Sea. Thus, an agreement has been reached with Shell regarding exploration works both in Turkey and in a foreign country.¹⁹⁸ In addition to the cooperation of these two companies, a license agreement was signed between the Italian ENI and South Korean Kogas companies and Southern Cyprus for the natural gas exploration in the Eastern Mediterranean in 2013 with the increasing interest of the world's oil giants in the region.¹⁹⁹

¹⁹⁶“İsrail ile Mısır Doğalgaz Anlaşmazlığını Görüşecek”, **HaberTürk**, 08.12.2015, <https://www.haberturk.com/dunya/haber/1164336-israil-ile-misir-dogalgaz-anlasmazligini-gorusecek#>, (16.07.18).

¹⁹⁷Sefa Karahasan, “Güney Kıbrıs Gazına İsrail Şemsiyesi”, **Milliyet**, 22.02.2012, <http://www.milliyet.com.tr/g-kibris-gazina-israil-semisiyesi/dunya/dunyadetay/22.02.2012/1506061/default.htm>, (10.07.2018).

¹⁹⁸Merve Erdil, “Gaz’da Yeni Rota Lübnan”, **Hürriyet**, 06.10.2012, <http://www.hurriyet.com.tr/ekonomi/gaz-da-yeni-rota-lubnan-21635304>, (15.07.2018).

¹⁹⁹Faik Sönmez, “Güney Kıbrıs; İtalyan ENI ve Güney Koreli Koga ile Anlaştı”, **Enerji Enstitüsü**, 25.01.2013, <http://enerjienstitusu.de/2013/01/25/guney-kibris-dogalgaz-arama-icin-iki-firmaya-lisans-verdi/>, (15.07.2018).

With Morsi's coming into power in Egypt political and economic relations between Egypt and Turkey were positively affected. The most important development between the two countries was Morsi's annulment of the EEZ agreement signed with GCASC in 2003. Thus, the legality of the maritime areas where Egypt is still drilling has been eliminated. At the same time, the integrity of the EEZ agreement between GCASC and Israel has deteriorated. In April 2012, Morsi also revoked the Gas Transportation Agreement with Israel.²⁰⁰

This intense interest in the energy basins in the Eastern Mediterranean reopened negotiations on the Cyprus settlement process after the 18 months long break with the joint declaration of the Turkish and Greek sides on 11 February 2014. In the negotiations that started in 2008, there were 6 topics: management and power-sharing, ownership, land, EU, economy and guarantees. One of the factors that triggered the start of the solution process was the transfer of 200 square kilometers of the total area of 254 square kilometers belonging to England Agrotur and Dhekelia bases to the Greek Cypriot government by a treaty after Anastasiades paid a visit to England on January 15, 2014. Although this development was not directly related to the Cyprus negotiations, they were likely to reflect on property and land titles.²⁰¹ However, this positive step was soon shadowed by the developments in October.

On 1 October 2014, Greek Cypriot Administration launched a new drilling activity, on the 9th parcel in the South of the island (This area coincides with the G-spot designated for natural gas exploration by Turkey and the TRNC.) unilaterally declared by the Greek Cypriots, with the drilling vessel belonging to Italian-Korean consortium (Italian Eni and South Korean Kogas companies). Turkey was quick to respond to this decision and on 2 October, navigation instructions controlling sea traffic for the Greek part (Navigational Text - NAVTEX) was published. Navtex announced that Turkey was going to do seismical research off Larnaca and Limassol between the dates 20 October-30 December. As a matter of fact, on October 20, Barbaros Hayrettin Paşa seismic research ship was sent to the south of the island for this purpose, while the warships belonging to the Turkish Navy were shifted to the

²⁰⁰Nejat Tarakçı, "Mesele Mısır ve Suriye Değil: Doğu Akdeniz", **TASAM**, 2.09.2013, http://www.tasam.org/tr-TR/Icerik/5077/mesele_misir_ve_suriye_degil_dogu_akdeniz_, (21.12.2018).

²⁰¹Mehmet Hasgüler, "Yeniden Kıbrıs Müzakereleri", **Aljazeera**, 13.02.2014, <http://www.aljazeera.com.tr/gorus/yeniden-kibris-feelings>, (20.09.2018).

region.²⁰² Turkish naval warships also shifted to the region. Bafra Corvette, one of the Turkish naval battleships, closely monitored the drilling platform ship (Bahama flagged SAIPEM 10000) working on behalf of the Italian/Korean consortium in the 9th district.²⁰³

The response of the Greek side in the face of Turkey's rightful attempt was to announce that it was withdrawing from negotiations. Kudret Özersay, the Turkish Cypriot negotiator, said the contacts would be continued through the UN and this withdrawal was an excuse for the Greek Cypriot side's unwillingness to negotiate.²⁰⁴ In the framework of the plan which previously declared, Turkey started seismic research in retaliation on 20 October with its seismic vessel Barbaros Hayrettin Paşa capable of carrying out 3d research, in the parcels 2, 3, and 9 in the Eastern Mediterranean where the Greeks unilaterally declared EEZ and started drilling for natural gas.²⁰⁵

Upon this, the GCASC Administration decided to organize joint military exercises with Russia and Israel, which were in a close relationship. This situation caused uneasiness in the Italian-South Korean consortium, which was drilling in the parcels unilaterally declared by GCASC.²⁰⁶ In addition, GCASC has used its EU membership against Turkey once again. With the initiative of GCASC, the dispute was discussed at the EU summit on 23-24 October 2014. During the summit, the concerns regarding recurring tensions in the region were expressed also it was stated that Turkey should set its own boundaries and it should respect the sovereignty rights of GCASC in the so-called EEZ. In addition, a reference was made to the European Community and Member States Declaration of 21 September 2005, which underlines that recognition of all member states is a necessary condition for the accession of all

²⁰²Ceyhun Bozkurt, "Donanma Akdeniz'de Ağırlığını Koydu", **Ulusal Kanal**, 29.11.2014, <https://www.ulusal.com.tr/gundem/donanma-akdenizde-agirligini-koydu-h42531.html>, (20.09.2018).

²⁰³Selim Sayarı, "Türk Savaş Gemisi Sondaj Takibinde", **NTV**, 25.09.2014, <https://www.ntv.com.tr/dunya/turk-savas-gemisi-sondaj-takibinde,xfvVL7igZUm2bXk3KODp6g>, (20.09.2018).

²⁰⁴Ece Göksedef, "Rumlar Müzakereden Çekildi", **Aljazeera**, 07.10.2014, <http://www.aljazeera.com.tr/al-jazeera-ozel/rumlar-muzakereden-cekildi>, (20.09.2018).

²⁰⁵Ömer Bilge and Yorgo Kırbaki, "Barbaros' Kıbrıs'ta Kriz Sularında", **Hürriyet**, 21.10.2014, <http://www.hurriyet.com.tr/dunya/barbaros-kibris-ta-kriz-sularinda-27422006>, (21.09.2018).

²⁰⁶"Akdeniz'de Türkiye'ye Karşı Tatbikat Misillemesi", **Sözcü**, 21.10.2014, <https://www.sozcu.com.tr/2014/dunya/akdenizde-turkiyeye-karsi-tatbikat-misillemesi-626859/>, (21.09.2018).

member states of the EU, and the continuation of the negotiations has been pointed out.²⁰⁷

Turkey maintained its determined stance regarding the sovereignty of Cyprus at the 30 October 2014 meeting of the National Security Council. In line with the developments in the Eastern Mediterranean, Turkey has reiterated that it will take every precaution to protect sovereign rights and interests in its own continental shelf and in the areas TRNC has licensed.²⁰⁸ Hence, Turkey's responses against events in the region proved to this determined stance.

After the Saipem 1000 platform ship, this time GCASC gave permission to the Italian oil company ENI for drilling in the parcel called Afrodite which is located between Lebanon and Israel. Thereupon, Turkey decided to perform the actual naval exercise of Mavi Balina 2014 (Blue Whale) between 6-12 November with the USA, UK and Pakistan in Aphrodite parcel.²⁰⁹

In the following period, there were two important developments in favor of GCASC. The first one was the publication of the "Cairo Declaration" on cooperation in the region about security and energy issues signed by the Egyptian President Abdulfettah al-Sisi, the Greek Prime Minister Antonis Samaras, and the GCASC leader Nicos Anastasiades, on 8 November 2014 in Egypt.²¹⁰ At the summit, where the decision to resume negotiations on drawing EEZ boundaries was made, it was aimed to strengthen the activities in the energy field on the basis of political cooperation and to increase the development, investments and trade. In the Eastern Mediterranean region, the necessity of creating grounds for cooperation in order to ensure security in terms of terrorism, religious discrimination and xenophobia are underlined. At the summit, where the distribution of the Greek natural gas to the neighboring countries was discussed, the importance of the solution of the Cyprus

²⁰⁷European Council, "European Council Conclusions 23/24 October 2014", EUCO 169/14, CO EUR 13, CONCL 5, Brussels, 24.12.2014, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/145397.pdf, (23.09.2018).

²⁰⁸T.C. Milli Güvenlik Kurulu Genel Sekreterliği, "30 Ekim 2014 Toplantısı", <https://www.mgk.gov.tr/index.php/30-ekim-2014-tarihli-toplanti>, (24.09.2018).

²⁰⁹Gökhan Karakaş, "Doğu Akdeniz'de Sıcak Tatbikat", **Milliyet**, 05.11.2014, <http://www.milliyet.com.tr/dogu-akdeniz-de-sicak-tatbikat/dunya/detay/1965041/default.htm>, (24.09.2018).

²¹⁰Ahmet Zeki Buluç, "Doğu Akdeniz'de Rum-Yunan İkilişinin Yeni Stratejik Denge Girişimleri Ve Hedefleri", **ADD**, 11.05.2018, <https://add.org.tr/dogu-akdenizde-rum-yunan-ikilisinin-yeni-stratejik-denge-girisimleri-ve-hedefleri/>, (24.09.2018), p.7.

problem on the basis of international law was emphasized. Besides, Turkey was requested to discontinue its activities in the EEZ of Southern Cyprus.²¹¹

As a result of the growing tension in the region, UN Special Advisor on Cyprus Espen Barth Eide, in a statement on 10 November 2014, expressed concern that the long-standing crisis in the Eastern Mediterranean would be exacerbated if not resolved, and that more warships would come to the region. Eide had previously developed the Wise Men formula to solve the crisis, but this was also rejected by the Greeks.²¹²

As for that the second subject, A ruling by the European Parliament on 13 November 2014, has condemned Turkey's seismic activity in the Eastern Mediterranean and stated that Turkey has violated the sovereign rights of GCASC, regarding the exploration of natural resources within its so-called EEZ, stemming from international law. In addition, Turkey has been asked to refrain from provocative and threatening behavior towards GCASC. It has been requested from Turkey to cancel NAVTEX which was declared on 3 October 2014 and about the seismic research that would be carried out by the Barbaros vessel in the so-called EEZ in Southern Cyprus between 20 October and 30 December and to remove the ships from the region.

Turkey has been reminded of the need to comply with the EU declaration of 21 September 2005 and it was stated that otherwise Turkey's negotiation process, and in consequence of it, Turkey's relations with the EU would be harmed. It has been highlighted that the finding of gas by one of the parties may be a solution tool for the current conflict. It has also been expressed that Turkey should ratify the UNCLOS which is a part of the EU legal acquis without further delay.²¹³

In December 2014, a statement was issued that could ease the growing tension in the region. The SAIPEM 10000 platform vessel belonging to the Italian ENI-

²¹¹“Kahire’deki Üçlü Zirvenin Sonucu 'Kahire Deklarasyonu’”, **Gündem Kıbrıs**, 09.11.2014, <https://www.gundemkibris.com/rum-basini/kahiredeki-ucly-zirvenin-sonucu-kahire-deklarasyonu-h97024.html>, (24.09.2018).

²¹²Ömer Bilge, "Doğu Akdeniz Krizi'nin Sonu Kötü", **Hürriyet**, 10.11.2014, <http://www.hurriyet.com.tr/dunya/dogu-akdeniz-krizinin-sonu-kotu-27548976>, (24.09.2018).

²¹³European Parliament, “Turkish Actions Creating Tensions In The Exclusive Economic Zone Of Cyprus”, **European Parliament Resolution**, 13 November 2014, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2014-0052+0+DOC+PDF+V0//EN>, (20.09.2018).

Kogas consortium announced that it could not find natural gas in the drilling works carried out in the southern part of Cyprus called Onasagora, which is the 9th parcel of the sea although going down from the seabed to a depth of 5,500 meters.²¹⁴ Thus the platform ship left the region and then Barbaros seismic research vessel also returned to Turkey on March 31, 2014. With the termination date of the NAVTEX declared by Turkey on 6 April 2015, GCASC could not avoid the negotiation process anymore with pretexts. UN Secretary-General Special Advisor to Cyprus Espen Barth Eide announced that the negotiations would be recommended.²¹⁵

Another development in 2014 was that the Israeli Electricity Company won the arbitration case against Egypt. It was decided that Israel would receive \$ 1.8 billion in compensation from the Egyptian oil company (EGPC) and the Egyptian gas company (EGAS). After that, Egypt decided to abandon the attempts to buy gas from Israel.²¹⁶

Although relations between Israel and Egypt were broken, Egypt's rapprochement with GCASC brought re-cooperation with Israel. After termination of the Husni Mubarak Era in 2011, the disruption of Turkey's political relations with the Egyptian government created new alliances against Turkey in the Eastern Mediterranean. For this purpose, firstly, GCASC collaborated with Greece and Egypt in the extraction of natural gas in the Eastern Mediterranean basin. Later, on 16 February 2015, a memorandum of understanding was signed in Cairo between GCASC and Egypt. According to this, the Aphrodite seabed in the 12th Parcel would be connected directly to Egypt and the hydrocarbon resources that could be extracted from this area would be transferred via Egypt. In addition, a joint military exercise was carried out by Greece, Israel, Egypt and GCASC, in South Cyprus territorial waters on 12 February 2015.²¹⁷ Another development, which strengthened Egypt's position in the Eastern Mediterranean, took place on August 30th, when the Italian energy company ENI SPA announced that it had found one of the largest natural gas

²¹⁴Ömer Bilge, "Doğu Akdeniz'de Krize Neden Olan Sondajdan Gaz Çıkmadı", **Hürriyet**, 23.12.2014, <http://www.hurriyet.com.tr/ekonomi/dogu-akdeniz-de-krize-neden-olan-sondajdan-gaz-cikmadi-27819121>, (12.07.2018).

²¹⁵Yeliz Şahin, "Kıbrıs Müzakereleri İçin Yeni Fırsat Penceresi", **İKV**, No.: 127, April 2015, [https://www.ikv.org.tr/images/files/ikv_degerlendirme127\(2\).pdf](https://www.ikv.org.tr/images/files/ikv_degerlendirme127(2).pdf), (12.07.2018), p. 6.

²¹⁶"İsrail'den Türkiye'ye Doğalgaz Çağrısı", **Türkiye**, 14.12.2015, <http://www.turkiyegazetesi.com.tr/ekonomi/331929.aspx>, (12.07.2018).

²¹⁷Buluç, p. 8.

deposits in the world with 850 billion cubic meters on the Egyptian coast. The discovery of this bed, much more valuable than the existing energy basins of Israel, has changed all the energy balances in the Eastern Mediterranean.²¹⁸

The area called Zohr is located 6.5 km from the so-called EEZ border, which GCASC has declared unilaterally. This site, located directly opposite the 11th block of GCASC, is important because it is the largest gas field discovered in the Mediterranean waters and its geological formation is different from the areas already discovered. Moreover, Egypt's re-exportation of gas has destroyed Israel's dreams in the region. With the discovery of the gas, Egypt had to give up its intention that Israel's gas was directed to LNG export facilities in Egypt and afterward to distribute this gas its domestic market.²¹⁹

In 2016, Israel, Greece and Greek Cypriot leaders took steps to develop cooperation areas in the Eastern Mediterranean in January. Considering the efforts that may cause the exclusion of Turkey from the field, it was decided to work on the transportation of natural gas to the EU by pipeline. A consensus was reached on the establishment of a joint committee for the merger of the three countries with natural gas and electricity lines. However, at the time of these meetings, Israeli energy minister Steinitz made a statement to be able to get annoyed the Greeks and Greek Cypriots. He stated that they were planning to export natural gas to Europe both through Greece and Turkey and said laying a natural gas pipeline to Turkey would be much cheaper.²²⁰

These positive step continued to have good outcomes and Turkey and Israel signed a memorandum of understanding aiming at the improvement of relations in June 2016 which is 6 years after the Mavi Marmara attack where the Turkish ship was taking aid to Gaza was attacked by Israel and 10 Turkish people died in 2010. According to the agreement, which covers co-operation in the field of economy and security, Israel, with its "humanitarian fund", will provide \$ 20 million in aid of the

²¹⁸Bahar Bakır, "Doğu Akdeniz'de Gaz Sancısı Başladı", **Haber Türk**, 03.09.2015, <http://www.haberturk.com/ekonomi/enerji/haber/1123963-dogu-akdenizde-gaz-sancisi-basladi>, (12.07.2018).

²¹⁹Sohbet Karbuz, "Doğu Akdeniz Gazı Reloaded", **Petro Türk**, 19.12.2016, <http://petroturk.com/makale/dogu-akdeniz-gazi-reloaded>, (12.07.2018).

²²⁰Ömer Bilge, "Doğu Akdeniz'de Enerji Planı", **Hürriyet**, 29.01.2016, <http://www.hurriyet.com.tr/ekonomi/dogu-akdenizde-dogalgaz-plani-40046602>, (12.07.2018).

relatives of those who were killed during the conflict. The treaty was described as a diplomatic victory by the Turkish authorities.²²¹

As a consequence of this positive outcomes, energy projects started to be implemented and transportation of Israel's gas to Europe via Turkey and laying of 500-km pipeline in the Mediterranean between Turkey and Israel have been aimed.²²² At a meeting with the Israeli energy minister Yuval Steinitz at the 23rd World Energy Congress, transportation of Israel's natural gas to Turkey and then from Turkey to Europe has been discussed. It was also announced in the meeting that the ambassadors having retreated after the Mavi Marmara crisis was going to be reassigned. In the second week of November, the working group established for the gas pipeline project planned to be built between Turkey and Israel held its first meeting in Istanbul. The studies were evaluated at the 7th Turkey Energy Summit held between November 23 to 26 where the main theme was the Eastern Mediterranean.²²³

Another step towards the construction of the natural gas pipeline was laid by GCASC and Egypt. Egypt's ruler Sisi, who came to power with the coup, decided to evaluate the natural gas resources discovered in the region in order to overcome the economic collapse in the country. Thus, an agreement was signed in August for the construction of a natural gas pipeline between Egypt and Southern Cyprus.²²⁴ On the other hand, Egypt signed another agreement in December with the Italian company Eni to search for gas in the Zohr region in 2017.²²⁵

²²¹Erin Cuningham and Ruth Eglash, "Israel And Turkey Announce Deal To Repair Relations After Six-Year Split", **The Washington Post**, 27.06.2016, https://www.washingtonpost.com/world/israel-turkey-announce-deal-to-repair-relations-after-six-year-split/2016/06/27/aa2399ae-3bd5-11e6-9e16-4cf01a41decb_story.html, (30.09.2018).

²²²Bahar Bakır, "Dünden Bugüne Türkiye İsrail İlişkileri", **Haber Türk**, 05.07.2016, <https://www.haberturk.com/yazi-dizisi/haber/1262938-dunden-bugune-turkiye-israil-iliskileri>, (30.09.2018).

²²³Kemal Ulusaler, "Doğu Akdeniz Yeniden Isınırken Kıbrıs ve İsrail Görüşmeleri", **Birgün**, 30.11.2016, <https://www.birgun.net/haber-detay/dogu-akdeniz-yeniden-isinirken-kibris-ve-israil-gorusmeleri-137611.html>, (30.09.2018).

²²⁴Enerji Enstitüsü, "Mısır ile Kıbrıs Rum Kesimi Doğalgaz Anlaşması İmzalandı", <https://enerjiinstitutusu.org/2016/09/01/misir-ile-kibris-rum-kesimi-dogalgaz-anlasmasi-imzaladi/>, (30.09.2018).

²²⁵Hussein Abd El-Fettah and Daniel Gallego, "Mısır Akdeniz'de Asrın Kuyusunu Arayacak", **Aydınlık**, 28.12.2016, <https://www.aydinlik.com.tr/dunya/2016-aralik/misir-akdeniz-de-asrin-kuyusunu-arayacak>, (30.09.2018).

GCASC aimed to provide an alternative route to Turkey by keeping Turkey out of the project with this agreement with Egypt. Turkey expresses its discomfort with the attitude of GCASC violating international law at every opportunity regarding the resolution of the Cyprus crisis.

In December, Israel decided to negotiate with the energy ministers of Greece and Southern Cyprus together with European Commissioner of Energy about the transportation of natural gas from the Eastern Mediterranean to the European market and the construction of the pipeline, which is in the planning phase.²²⁶ With the project called East Med (Eastern Mediterranean Natural Gas Boat Line), the natural gas that will emerge from fields of Israel's and Cyprus's offshore will be first transmitted to Crete and then to Greece. It will be delivered from Greece to the EU via Italy. The project, which the European Commission considers to be a "Joint Interest Project" and pledges financial support, also includes many handicaps. First of all the cost of the pipeline which will pass through the Mediterranean Sea, is too high and it is seen as insufficient for the transportation of potential natural gas. It does not even meet one-fifth of the need for Italy which is the first country to receive natural gas after the distribution to Cyprus and Greece.²²⁷

If the project can be implemented, it will be the longest submarine pipeline in the world and 20 billion cubic meters of natural gas will be transported to Europe annually. Thus, the EU will reduce its dependence on Russian natural gas and Arab countries. It has been stated that the depth of the natural gas pipeline is expected to be fathomed to 3 kilometers so that no military submarine could reach this depth, thus it was aimed to secure natural gas transportation. However, the project which was expected to be completed in 2025, was said to pull up the technological costs due to the length and depth factors. Therefore, it was pointed out that natural gas could be even more expensive than the Russian prices. On the other hand, it was emphasized that this was an opportunity to create alternative energy sources and to reduce

²²⁶“İsrail, Yunanistan ve Kıbrıs Rum Kesimi Üçlü Zirvesi”, **Bloomberg**, 08.12.2016, <http://www.bloomberght.com/haberler/haber/1956751-israil-yunanistan-ve-kibris-rum-kesimi-uclu-zirvesi>, (30.09.2018).

²²⁷“Doğu Akdeniz’de Enerji Oyunu”, **Revizyon Analiz**, 1.08.2017, <http://revizyonanaliz.com/dogu-akdenizde-enerji-oyunu/>, (30.09.2018).

dependence on Moscow, and in particular, Italy put pressure on the EU to join in financing the project.²²⁸

GCASC, which has taken positive steps by intensifying its cooperation with European countries, failed to show the same success in the last Cyprus talks held in Crans Montana, Switzerland, between 28 June and 7 July 2017. The solution of the Cyprus problem, which is considered to be one of the longest-running political crises in the world, has been supported by the United Nations, but it has failed due to close deadlock attitude of the Greek Cypriot side. Furthermore, the Greek Cypriots' willingness to put energy issues on the agenda of regional and international actors by unilaterally allowing search and operation activities in energy fields, has caused the tension in the Eastern Mediterranean to rise again.²²⁹

After this negative process, 22nd World Oil Congress was held in Istanbul. Oil and energy cartel Exxon Mobil's former CEO and foreign minister of the US Tillerson, Russian Energy Minister Alexander Novak, Israel Energy Minister Yuval Steinitz attended the congress where it was decided that the construction agreement of the pipeline that was planned to be laid between Israel and Turkey would finish before the end of the year. The Israeli energy minister highlighted the importance of the two pipelines, emphasizing the supply security and supply diversity of energy resources. It was stated that Western Europe supply its natural gas need from Russia and the Northern Sea but the Northern Sea resources are about to run out. With the pipeline extending from Israel to Turkey, it was stated that the object was to meet both Turkey's domestic consumption and Europe's natural gas need. In addition, it has been also stated that with the pipeline that would extend to Italy with the connection of Southern Cyprus and Greece, the energy needs of these countries would be met the needs.²³⁰

This congress was followed by a summit held on November 21, 2017, in Nicosia. With the attendance of the Egyptian leader Abdel Fattah al-Sisi, Greek Prime

²²⁸“AB'den Avrupa'ya 2 Bin 200 Km.'lik Boru Hattı”, **AB Haber**, 04.04.2017, <http://www.abhaber.com/akdenizden-avrupaya-2-bin-200-kilometrelik-boru-hatti/>, (27.07.2018).

²²⁹Yılmaz, p. 1.

²³⁰İbrahim Varlı, “Enerji Savaşları Yeni Petrol Boru Hatlarıyla Sürüyor: Akdeniz’de Sular Isınırken Yeni Enerji Denklemleri”, **Birgün**, 14.07.2017, <https://www.birgun.net/haber-detay/enerji-savaslari-yeni-petrol-boru-hatlariyla-suruyor-akdeniz-de-sular-isinirken-yeni-enerji-denklemleri-169763.html>, (27.07.2018).

Minister Alexis Tsipras and Nicos Anastasiades, president of the Greek Cypriot Administration, it was decided in the Nicosia Declaration published after the 5th Trilateral summit that the tripartite alliance would expand with the inclusion of Italy. In the declaration which resembles an alliance against Turkey rather than an energy treaty due to its content, it was stated that Turkey has to act within the framework of respect for the sovereignty of Cyprus and has to compromise in the negotiation process considering the consensus.²³¹

On 5 December 2017 in Nicosia, after the Nicosia Declaration, between Greece, Italy, Israel and Greek Cypriot Administration of Southern Cyprus, a memorandum of understanding was signed in Nicosia for the joint pipeline project to transport Eastern Mediterranean natural gas to Europe, accompanied by the EU Commission. With the realization of this project, it was aimed to strengthen the EU's supply security and increase the competition.²³²

The fact that GCASC allowed Italian Eni and French Total companies to search for natural gas in late 2017 increased the tension in the region again. Turkey rightfully reacted when a part of the sixth parcel determined by GCASC overlapped with Turkey's EEZ. It was announced that Saipem 12000 drilling platform would be sent to the region in December. Turkey, as a response, continued to hold its 2 frigates and 6 patrol boats, which participated in the exercise taking place in the Eastern Mediterranean in November, in the area. Secondly, NOTAM* and NAVTEX were published related to a drilling exercise to be performed near the area where Saipem 12000 was located between 25-28 December. Turkey, while taking military measures also began investing in the economic field for the extraction of natural gas from the

²³¹Ata Atun, "Doğu Akdeniz'de Enerji İttifakı ve Doğal Gaz Hattı Güzergahı", **Hidropolitik Akademi**, 10.12.2017, <http://www.hidropolitikakademi.org/dogu-akdenizde-enerji-ittifaki-ve-dogal-gaz-hatti-guzergahi.html>, (27.07.2018).

²³² "Doğu Akdeniz Doğal Gaz Boru Hattı İçin İmzalar Atıldı", **Enerji Günlüğü**, 06.12.2017, <http://www.enerjigunlugu.net/icerik/25171/dogu-akdeniz-dogal-gaz-boru-hatti-icin-imzalar-atildi.html>, (27.07.2018).

* NOTAM (notice to airmen), is a statement issued to inform aviators about some important situations that may affect flight and ground safety. Countries notify another country with a NOTAM stating that they will use an area at a certain altitude at a specified time so that other countries cannot conduct activities there on that day or at that time.

area. Turkey purchased the South Korean made platform Deepsea Metro 2 from Norway for natural gas exploration earlier made with Barbaros in Cyprus.²³³

With the unlawful license granted by Southern Cyprus at the beginning of January 2018, Saipem 12000 drilling vessel began drilling in the EEZ unilaterally declared by GCASC and on the Calypso 1 seabed in the 6th parcel within Turkish continental shelf. After drilling in this area by the GCASC, the energy minister was stated that drilling would be carried out by ENI-Kongas on the Supya seabed in the 3rd parcel. In the following period, it was said that a drilling exercise would be conducted in the Delfinos Anthia seabeds in the 10th parcel with the partnership of ExxonMobil and Qatar Petroleum companies.²³⁴

On February 6, 2018, Foreign Minister Mevlut Cavusoglu announced that he would take all necessary measures to protect the rights of Turkey and the TRNC. On February 8, ENI Company announced that they had found natural gas (170 billion cubic meters) in its drilling area where is the 6th region called Calypso 1 by Greeks. Saipem 12000 drilling vessel belonging to the Italian ENI company unlawfully licensed by Southern Cyprus began to move towards the waters near Famagusta, a city in TRNC. Not long after, on 9 February, it was stopped at the boundary of the 3rd parcel by the NAVTEX issued by the Turkish Navy and by the obstruction to the ship in the region. This region belonging to the TRNC was in the license area owned by TPAO.²³⁵

On February 11, in a written statement made by the Republic of Turkey Ministry of the Foreign Affairs, it has been said that GCASC, who violates the fundamental rights of the Turkish Cypriots, maintains the hydrocarbon activities in the Eastern Mediterranean despite all the warnings expressed by Turkey. In response to the drilling conducted by GCASC in the 6th parcel in the so-called EEZ, it was stated that Turkey will continue to protect the rights and interests of itself and TRNC in the Eastern Mediterranean and that the sole responsibility belongs to GCASC in

²³³Özge Demirkan, “6. Bölgede 'Gaza' Basıldı”, **Vatan**, 29.12.2017, <http://www.gazetevatan.com/6-nci-bolgede-gaz-a-basildi--1130416-gundem/>, (22.12.2018).

²³⁴“Saipem 12000 Sondaj Platformu Deniz Dibine Ulaştı”, **Vira**, 02.01.2018, <https://www.virahaber.com/saipem-12000-sondaj-platformu-deniz-dibine-ulasti-46517h.htm>, (14.01.2019).

²³⁵“Doğu Akdeniz’de Taviz Yok”, **Petro Türk**, 02.03.2018, <http://petroturk.com/dogalgaz/dogu-akdenizde-taviz-yok>, (22.12.2018).

any case. In addition, it was stated that the companies belonging to other countries should not support this attitude of GCASC aiming to aggravate the problem in the region by cooperating in the field of hydrocarbons.²³⁶

Another country that Turkey was in tension within February was Egypt. Çavuşoğlu also stated that the 2013 agreement between Egypt and GCASC was invalid according to international law and that this treaty of the parties violated the Turkish continental shelf in the 32, 16 and 18 longitudes, therefore they applied to cancel for this agreement. Egypt, on the other hand, made an irrelevant statement, that the Turkish side never objected in the first place, saying that the treaty, which is directly related to the Egyptian sovereignty of the treaty which is registered in the UN, is done with GCASC and it should not concern any country. Another meaningless reaction of Egypt was the change of the name of Yavuz Sultan Selim Avenue (Selim I) in Zeytun district of Cairo and the publication of articles in the press against Yavuz Sultan Selim. The private and state newspapers in Egypt were constantly writing against Yavuz Sultan Selim. Egypt, not being content with this, even carried the issue to the Arab Parliament.²³⁷

Recent developments in the region had led to tensions between the EU and Turkey. The EU has called for an end to the blockade imposed by Turkish warships. EU Council President Donald Tusk has pointed to the importance of Turkey to respect the territorial sovereignty of Cyprus.²³⁸ European Commission spokeswoman Mina Andreeva, said that the actions carried out by Turkey in the region are damaging the good neighborly relations and amicable solutions and that all kinds of conflict and threats should be avoided. Andreeva pointed to respect for the sovereignty of the member states in the EU, its territorial waters and airspace.²³⁹

²³⁶T.C. Dış İşleri Bakanlığı, "GKRY'nin Doğu Akdeniz'deki Hidrokarbon Faaliyetleri Hakkında", No.: 43, 11.02.2018, http://www.mfa.gov.tr/no_-43_-gkrynin-dogu-akdenizdeki-hidrokarbon-faaliyetleri-hk.tr.mfa, (22.12.2018).

²³⁷"Doğu Akdeniz'de Türkiye-Mısır Gerginliği", **Dünya**, 15.02.2018, <https://www.dunya.com/gundem/dogu-akdenizde-turkiye-misir-gerginligi-haberi-403416>, (12.01.2019).

²³⁸"AB'den Türkiye'ye Kıbrıs Uyarısı", **Deutsche Welle**, 12.02.2018, <https://www.dw.com/tr/abden-t%C3%BCrkiyeye-k%C4%B1br%C4%B1s-uyar%C4%B1s%C4%B1/a-42552589>, (12.09.2018).

²³⁹"AB'den Türkiye'ye Komşularla İlişkileri Bozmama Çağrısı", **Sputniknews**, 12.02.2018, https://tr.sputniknews.com/dogu_akdeniz/201802121032218561-ab-turkiye-komsu-iliski/, (15.02.2018).

Despite Turkey's efforts to solve the issue diplomatically, GCASC, accusing Turkey of violating international law, has taken steps to make the problem multinational. The head of the church of GCASC, The Greek Orthodox Church's Archbishop, stated that the EU and the United States should take responsibilities and should not step back. In reports in the Greek press, it was stated that after Kardak Turkey took action in the Eastern Mediterranean as well. In the report, it was stated that there are 6 warships belonging to Turkey in the region. In addition, it was said that the Italian company would lose both prestige in the event of a backward step and, despite the investments, would face a never-ending Turkish threat.²⁴⁰ Commenting on the crisis in the Eastern Mediterranean between Greek Cypriots and Turkey, Russian Foreign Ministry spokesman Mariya Zaharov urged the parties to avoid escalating tensions and to take steps to make the crisis more difficult to resolve, urging the parties to act within the framework of international legal norms.²⁴¹

The Turkish navy, which did not allow the Italian ship to enter the 3rd parcel, experienced a similar crisis on February 19, when American energy giant Exxon Mobil announced that it would send two vessels carrying a submarine robot to investigate the natural gas in the Eastern Mediterranean. The Turkish Navy has increased measures by sending new battleships to the area against a possible violation of rights by Exxon Mobil's vessels. With Qatar Petroleum partnership, Exxon Mobil whose former CEO Rex Tillerson, currently the US Secretary of State, aimed to search for natural gas on three targets named Anthias, Delfinos and Glafkos in the 10th parcel of EEZ, which was declared unilaterally by the Greek Cypriots. Even though the 10th parcel remains outside Turkey's EEZ, Turkey still objected due to equal rights TRNC has in the region.²⁴²

In response to these happenings, Turkey extended the date of the NAVTEX from 22 February to 10 March and announced that it would conduct a drilling exercise in the region including the 3rd parcel which Turkey adopted as its own EEZ

²⁴⁰Musa Kesler, "Rum Başpiskopos'tan ABD ve AB'ye Türkiye Çağrısı: 'Durumumuz Çok Zor'", **Milliyet**, 13.02.2018, <http://www.milliyet.com.tr/rum-baspiskopos-tan-abd-ve-ab-ye-dunya-2609063/>, (12.09.2018).

²⁴¹"Rusya'dan Kıbrıs Gerilimi Açıklaması", **Haber 7**, 14.02.2018, <http://www.haber7.com/dis-politika/haber/2550757-rusyadan-kibris-gerilimi-aciklamasi/?detay=1>, (24.04.2018).

²⁴²"Doğu Akdeniz'de Sular Isınıyor", **Aydınlık**, 19.02.2018, <https://www.aydinlik.com.tr/dogu-akdeniz-de-sular-isiniyor-dunya-subat-2018-1>, (22.12.2018).

where also Greeks wanted to conduct drilling operations in order to search for natural gas and that to be performed a new military exercise. Saipem 12000 vessel belonging to the Italian Eni company seeking natural gas on behalf of the Greeks in the Eastern Mediterranean was blocked by the Turkish warships when it approached the third region parceled out by the Greek Cypriot Administration unilaterally and waited 11 days for the Turkish Navy to finish military exercise off Famagusta in TRNC.²⁴³

On February 22, Saipem 12000 drilling platform belonging to Italian oil company ENI tried to re-enter the 3rd parcel where its entrance had been blocked before. However, the drilling platform was blocked for the second time by 5 battleships under the Turkish navy. It was reminded that Turkey declared Navtex in the region and was told that the vessel must change its course and leave the area immediately. The ship was forced to leave Cyprus on February 24 before drilling due to the stable stance of the Turkish navy and set out for Morocco.²⁴⁴

On the 5th of March, on the 10th parcel where the GCASC declared one-sided EEZ, operations conducted by Ocean Investigator and Med Surveyor of the US company Exxon Mobile and Qatar Petroleum consortium have started. Hamad Bin Khalifa al Thani, Emir of Qatar supported by Turkey and the Turkish Military in the crisis with Saudi Arabia, had formal meetings with Greece on 25 February. In addition to these developments, the US decided to send its 6th fleet to the Eastern Mediterranean in order to control the crisis in Syria.²⁴⁵

It was evaluated that the main purpose of this fleet was to protect ExxonMobil, an American oil giant based in Texas, established with funds from the Rockefeller, known for its close ties to all US governments. This claim was corroborated by that The search and drilling date of the operations to commence on the 10th parcel coincided with the date when the 6th fleet set out for the Eastern Mediterranean. In March, the US Department of Defense denied the allegations that the 6th fleet would provide protection to the Exxon Mobil company, which will carry

²⁴³“Türkiye’nin Doğu Akdeniz’deki Hamlesi Panik Yarattı”, **Batı Trakya**, <https://www.batitrakya.org/bati-trakya-haber/turkiyenin-dogu-akdenizdeki-hamlesi-panik-yaratti.html>, (18.07.2018).

²⁴⁴“Akdeniz’de Doğal Gaz Gerilimi”, **NTV**, 23.02.2018, <https://www.ntv.com.tr/dunya/akdenizde-dogalgaz-gerilimi,9MWO5Lj3wUGU0Vpn0ZedTg>, (18.07.2018).

²⁴⁵Ata Atun, “Doğu Akdeniz’de Doğalgaz Gerilimi Yükseliyor”, 02.03.2018, <http://www.ataatun.org/dogu-akdenizde-dogalgaz-krizi-yukseliyor.html>, (18.08.2018).

out unilateral drilling operations on the 10th parcel on behalf of the Greek Cypriot Administration.²⁴⁶

In the final declaration concerning “Turkey’s activities in the Eastern Mediterranean and the Aegean Sea” of the EU summit held in Brussels between 22-23 March, it was said that these activities were illegal. EU stated that Greece and GCASC were not alone on this issue and urged Turkey to end these activities immediately. Southern Cyprus, as stated in UNCLOS, has the right to search and operate natural resources in accordance with international law and the EU. It was said that Turkey would harm the normalization process and good neighborhood relations with all member countries with these activities.²⁴⁷

The EU-Turkey leaders’ meeting in Varna on 26 March started with tension due to EU’s these statements. President Donald Tusk spoke related to the Eastern Mediterranean and reiterated that the fact that a candidate country has good bilateral relations with the EU member states constitutes an important part of the EU accession process.

As stated in the previous summits, he reiterated that the European Union supports GCASC regarding the right of GCASC to search and use natural resources in the so-called EEZ. Tusk said that it was necessary for the success of shared common goals, such as the reunification of Cyprus.²⁴⁸

Turkey, on the other hand, refused to accept the statement made by the EU which described the activities of Turkey in the Aegean and Eastern Mediterranean as illegal. In activities related to natural resources in the region, it was once again

²⁴⁶“Pentagon: 6. Filo’nun Exxon Mobil’i Korumak İçin Doğu Akdeniz’de Olduğu İddiaları Asılsız”, **Sputniknews**, 08.03.2018, https://tr.sputniknews.com/dogu_akdeniz/201803081032560945-pentagon-6-filo-exxon-mobil-dogu-akdeniz/, (18.08.2018).

²⁴⁷European Council, “Remarks By President Donald Tusk Following The Informal Meeting Of The 27 Heads Of State Or Government”, 23 February 2018, <https://www.consilium.europa.eu/en/press/press-releases/2018/02/23/remarks-by-president-donald-tusk-following-the-informal-meeting-of-the-27-heads-of-state-or-government-on-23-february-2018/>, (20.07.2018).

²⁴⁸“Varna’da Düzenlenen AB-Türkiye Liderler Toplantısının Ardından Başkan Donald Tusk Tarafından Yapılan Açıklama”, **Avrupa Info**, 27.03.2018, <https://www.avrupa.info.tr/tr/pr/varnada-duzenlenen-ab-turkiye-liderler-toplantisinin-ardindan-baskan-donald-tusk-tarafindan>, (20.07.2018).

emphasized that GCASC was unfair in unilateral behavior and that Turkish Cypriots had equal rights in the region as well.²⁴⁹

Another negative development created by the EU took place with the PESCO (Permanent Structured Cooperation Defense Agreement), which is known as the NATO of the European Union, by putting into effect the so-called protection plan for the Mediterranean. In this context, it was decided by the EU administration to send a navy through PESCO in order to increase security around Cyprus. In line with this decision, French and German navies would be shipped to the region. There are 6 support projects for GCASC, which will in a way become the EU's station. The EU Administration intends to disrupt the oil exploration activities conducted by Turkey in the region whose domination area narrowed by PESCO. Turkey is expected to respond to this intervention with UAV/UCAV and naval force.²⁵⁰

This EU policy of double standards towards Turkey published on April 17, 2018, continued with the EU Progress Report. In the sub-heading of the "Cyprus" and sub-section of the "Regional Issues and International Obligations" section of the report, it was stated that the Cyprus conferences, that took place in Crans Montana in January 2017 and in Geneva in July 2017, for reconciliation in Cyprus ended without an agreement. Turkey's threatening statements have been mentioned in the report in response to GCASC's hydrocarbon exploration right for the benefit of all Cyprus in its so-called EEZ. The removal of the Italian ENI, which conducted drilling in Turkey's own EEZ, from the region in February 2018 has been also criticized in the report. However, this region is a territory of the Republic of Turkey and Turkey, within the framework of international law rights for this region, engages in discourse and action.

The EU has chosen to ignore the subject related to the sovereignty rights of Turkey and TRNC, although, stated the attempts which were unilaterally carried out by GCASC in the region were based on UNCLOS. Turkey was reminded of the indiscriminate application of the additional protocol to the association agreement. It was reiterated that the restrictions on direct transport and free movement of goods

²⁴⁹“Türkiye ve Yunanistan Arasındaki İlişkiler Ege ve Akdeniz Nedeniyle Yine Gerildi”, **Şarku'l Avsat**, 02.04.2018, <https://turk-archive.aawsat.com/2018/04/article55386923/turkiye-ve-yunanistan-arasindaki-iliskiler-ege-ve-akdeniz-nedeniyle-yine-gerildi/>, (20.07.2018).

²⁵⁰“AB'nin NATO'su PESCO'dan Yunanistan'ı Koruma Hamlesi”, **Türkiye**, 08.04.2018, <https://www.turkiyegazetesi.com.tr/dunya/554990.aspx>, (20.07.2018).

with GCASC continued. In the 8 chapters in relation to these restrictions, it was also reiterated that negotiations should not be opened and no chapter should be provisionally closed. It was stated under the title of “Peaceful Settlement of Border Disputes” that the negotiation meetings related to the restriction of continental shelf have started however Turkey’s objection to the tender on the offshore oil and natural gas exploration in the open sea which includes Greece’s so-called continental shelf and Meis Island, continued. Concerning the possible expansion of Greek territorial waters, it was also stated that the possible cause of war (casus belli) in the Grand National Assembly of Turkey’s 1995 judgment still continued. It was referred to in the report that Greece and GCASC made formal complaints regarding Turkey’s violation of territorial waters, airspace and flights over Greek islands.²⁵¹

A third of the summit, organized routinely to strengthen the cooperation between Greek Prime Minister Alexis Tsipras, Israeli PM Benjamin Netanyahu and GCASC PM Nicos Anastasiades according to the decision made in January 2016, took place in Nicosia on 8 May 2018. At the summit, 5 agreements and memorandums of understanding were signed under the name of Euroasian Interconnector Project Agreements included telecommunications, digital communications, the cooperation of the three countries’ Chambers of Commerce and space technologies, satellite and communication systems, and most importantly, research, extraction, marketing and transport of resources in the Eastern Mediterranean. In 2018, it was agreed that the intergovernmental agreement on the construction of the pipeline would be prepared and signed. With the signing of the East-Med project, the treaty related to the construction of a pipeline, which was also discussed at the 22. World Oil Congress, Israel and Turkey were pushed back.²⁵²

The pipeline is expected to cross the south of the island of Cyprus starting from Israel's port of Haifa and connect it to the Greek administration with an additional pipeline. From here, it will extend towards the Adriatic Sea and Italy through the Greek island of Crete and the mainland of Greece. Greece, the Greek Cypriot Administration and Israel, which aim to bring natural gas to the EU, are

²⁵¹Avrupa Komisyonu, **2018 Türkiye Raporu**, Strazburg, 17.4.2018 SWD(2018) 153, https://www.ab.gov.tr/siteimages/pub/komisyon_ulke_raporlari/2018_turkiye_raporu_tr.pdf, (18.08.2018).

²⁵²“East-Med Projesi Anlaşması ve Etkileri”, **Havadis Kıbrıs**, 13.05.2018, <https://www.havadiskibris.com/east-med-projesi-anlasmasi-ve-etkileri/>, (10.01.2019).

aiming to connect the natural gas resources on the Egyptian coast after the completion of the project as well.²⁵³

For the project, \$ 34.5 million will be allocated and the EU will provide financial assistance to the project. Within the scope of the project, an agreement was also made on the construction of electricity lines through the same line. Thus, it was aimed to provide fast internet and satellite access between the three countries. Although it is known that the cheapest and easiest way of laying the pipeline will be between Cyprus and Turkey, it is thought to be difficult to put that into practice before solving the Cyprus problem. Anastasiades and Tsipras stated that the negotiations in Cran Montana should continue from where it left off and that they were in favor of a fair and permanent solution with regard to the document prepared by UN Secretary-General Antonio Guterres, however, this solution must be free from foreign armies and guarantor systems.²⁵⁴

Following the unfavorable initiative of the parties, at a press conference held at the end of the tripartite summit, Greek Cypriot leader Nicos Anastasiades said that Turkey should put an end to its provocative actions in order for Cyprus talks to be successful. Tsipras has said of the tensions in the Aegean and the Eastern Mediterranean which was unilaterally parcelled by Greeks that all three countries agree on the fact that Turkey must respect the sovereign rights of its neighbors.²⁵⁵ Turkey started drilling operations in response to the parties' attempt to parcel all the Eastern Mediterranean. For the drilling operations to be supported by the Turkish Military Forces, Turkey's drilling vessel Fatih departed on 31 May and arrived in Antalya on 5 June.

A new ring has been added to the cooperation with Europe, who is GCASC's biggest supporter of moves against Turkey, on the day of July 1. GCASC leader Nikos Anastasiadis and French President Emmanuel Macron met at the Paris Elysee Palace on July 1. In this meeting, the treaty which had been signed in 2007 and which

²⁵³“İsrail, Yunanistan ve Güney Kıbrıs Harekete Geçti”, **Türkiye**, 08.05.2018, <https://www.turkiyegazetesi.com.tr/dunya/559381.aspx>, (10.01.2019).

²⁵⁴“Kıbrıs'ta Üçlü Zirve: Avrupa'ya Doğalgaz Hattı İçin Anlaştılar”, **Sputniknews**, 08.05.2018, https://tr.sputniknews.com/dogu_akdeniz/201805081033347100-kibris-dogalgaz-yunanistan-israil-dogu-akdeniz/, (10.10.2018).

²⁵⁵Ömer Bilge, “Planları Ortaya Çıktı! İşte O Harita”, **Hürriyet**, 08.05.2018, <http://www.hurriyet.com.tr/dunya/dogu-akdenizde-turkiyeye-karsi-dogalgaz-hamlesi-40830142>, (10.10.2018).

envisions opening its bases to France and cooperation for defense and security was updated. According to the new articles added to the treaty, which will be reviewed every 10 years, the French would provide the security of the energy drilling and sea traffic in the Eastern Mediterranean together with the Greek Cyprus side. The French army will be able to use air and sea bases continuously in the Greek territory. In this way, France, which has military forces in Syria under the name of combating terrorism, has gained the right to permanent use of air and sea bases in Southern Cyprus with the new treaty, at the same time France concluded agreement with Southern Cyprus for the modernization of the naval base of the Mari sea base, transfer of military equipment and training of Southern Cyprus soldiers in French military schools. If the Cyprus problem was resolved and a federation was established with the Turks, the treaty would remain in force and be re-affirmed if requested by the parties.²⁵⁶

The new treaty resulted in the expansion of the old cooperation treaty, which envisages the use of bases in Cyprus against refugee crises. In 2006, during the Israeli-Lebanese conflict, many French citizens were evacuated from Beirut with the help of the French army. The Syrian civil war had not begun when the original treaty was signed in 2007 and the Cyprus Greeks were not making one-sided drilling in the eastern Mediterranean.²⁵⁷

In August and September, a new initiative has been added to attempts to establish a base in Cyprus. First, on August 20, US Land Forces Commander General Mark Alexander Milley, during his visit to Cyprus, demanded "convenience" from the Cyprus Greeks on sea and air bases. In addition, in normal conditions, the US naval and air force can use Ağratur air base near Limassol city and Dikelya sea base near Larnaca in GCASC that belong to England, a guarantor country in Cyprus, in joint operations.²⁵⁸ Second of all, as a result of the alliances established against the country in the region, a comprehensive proposal was submitted to the Ministry of

²⁵⁶“Doğu Akdeniz’de Sular Isınıyor: Fransa’dan Rumlara Sondaj Koruması”, **Mepa News**, 09.07.2018, <https://www.mepanews.com/dogu-akdenizde-sular-isiniyor-fransadan-rumlara-sondaj-korumasi-17285h.htm>, (04.03.2019).

²⁵⁷Ömer Bilge, “Kıbrıs’ta Yeni Rum Oldubittisi”, **Hürriyet**, 08.07.2018, <http://www.hurriyet.com.tr/dunya/kibrista-yeni-rum-oldubittisi-40889870>, (04.03.2019).

²⁵⁸Ömer Bilge, “ABD’li Komutan Güney Kıbrıs’ta Üs Arayışında”, **Hürriyet**, 21.08.2018, <http://www.hurriyet.com.tr/dunya/abdli-komutan-guney-kibrista-us-arayisinda-40934712>, (04.03.2019).

Foreign Affairs by the Turkish Naval Forces to establish a naval base in TRNC. With the naval base that is planned to be established, in case of potential conflicts that may arise in the Eastern Mediterranean, Turkey's reaction time shall be shortened.²⁵⁹

The cost of the base, infrastructure requirements and physical conditions were determined and the report was sent to Ankara. With this modern naval base to be established, Turkey aims the protection of its rights and interests in the Eastern Mediterranean and aims to guarantee the preservation of sovereignty rights of TRNC. There will be many buildings in the naval base that will be built on an area of approximately 280 thousand acres in Iskele district and that will include frigates, corvette, submarines and helicopter carriers, radar center and social facilities. The establishment of a naval base in Cyprus came up in 2009 for the first time. The fact that the Cyprus Greeks put into service the Baf air base and the signing of an agreement under the Common Defense Doctrine between the Cyprus Greek Administration and Greece was the driving force to establish a base. The acceleration of these steps was influenced by the unilateral hydrocarbon activities of GCASC in the region, the naval base agreement with France, the EU's financial support to modernize the Mari Naval Base until 2021, and many other reasons such as US initiatives in the region. Along with the naval base, decisions were taken to build the Geçitkale air base in Cyprus.²⁶⁰

Another move on establishing a base came from France in September. In order to locate warships permanently, France asked a base from the Cyprus Greek Administration at the Port of Larnaca. Accordingly, the French naval fleet will be permanent in Larnaca and the special facilities to be built here will serve only to France. Marine fleet was aimed to be at a ready stance at the operational level.²⁶¹

A different development that got Turkey's reaction in September was the signing of an agreement between GCASC and Egypt that regulated the undersea pipeline transportation of natural gas. The natural gas belonging to the Aphrodite

²⁵⁹“Türkiye’den ABD’ye Akdeniz Balyozu”, **Ulusal Kanal**, 28.08.2018, <https://www.ulusal.com.tr/gundem/turkiye-den-abd-ye-akdeniz-balyozu-h209817.html>, (04.03.2019).

²⁶⁰Tevfik Kadan, “Doğu Akdeniz’de Krtitik Hamle: Türkiye Kıbrıs’a Deniz Üssü Kuruyor”, **Aydınlık**, 10.12.2018, <https://www.aydinlik.com.tr/dogu-akdeniz-de-kritik-hamle-turkiye-kibris-a-deniz-ussu-kuruyor-turkiye-aralik-2018-2>, (10.03.2019).

²⁶¹“Doğu Akdeniz’e Bir Hamlede Fransa’dan: Kıbrıs’ta Üs İstiyor!”, **Aydınlık**, 16.09.2018, <https://www.aydinlik.com.tr/dogu-akdeniz-e-bir-hamle-de-fransa-dan-kibris-ta-us-istiyor-dunya-eylul-2018>, (04.03.2019).

region, located in the 12th parcel in the EEZ, which was declared unilaterally by the Cyprus Greek administration, was decided to be transported to the natural gas liquefaction terminal in Egypt via a submarine pipeline. The European Commission Energy General Directorate Representative also participated in the signing ceremony in Southern Cyprus, since it was a European pipeline.²⁶²

In October, the Cyprus Greek Administration, disregarding international law, unilaterally invited the international energy companies for a license in the site of EEZ indicated as number 7. Ministry of Foreign Affairs of Turkey warned GCASC and the countries that plan to attend the event and emphasized that an important part of the number 7 so-called a license site remains within the borders of Turkey's outward continental shelf in the Mediterranean Sea which was registered by the UN as well. It is emphasized that with the notes of Turkey dated March 2, 2004, and March 12, 2013, the outer limits of the CS are reported to the United Nations. As it was expressed before, it was indicated that Turkey would not permit illegal hydrocarbon exploration activities in our maritime jurisdiction to any company or any ship and Turkey shall not permit it in the future. Despite this explanation, ExxonMobil Senior Vice President Neil Chapman has announced that they shall start drilling operations in the 10th block in which they are partners with Qatar Petroleum until the end of this year, and upon the call of GCASC, he indicated that they could evaluate block 7 in which Turkey reserves rights as well.²⁶³

The Greek frigate, which was harassing Barbaros Hayrettin Paşa ship carrying out exploration in Güzelyurt Exploration Site, which was announced in advance, was blocked by Turkish Naval Forces elements. After the attempt of Greece, Turkish Foreign Ministry said in a statement "We advise Greece to stay away from tensions in the region". "In order to maintain bilateral relations and good neighborly relations, we

²⁶²“Rum Yönetimi ile Mısır Arasında Doğal Gaz Anlaşması”, **Aydınlık**, 19.09.2018, <https://www.aydinlik.com.tr/rum-yonetimi-ile-misir-arasinda-dogalgaz-anlasmasi-dunya-eylul-2018>, (04.03.2019).

²⁶³“Exxon Mobile Türkiye’nin Haklarına Göz Dikti”, **Aydınlık**, 7.10.2018, <https://www.aydinlik.com.tr/exxon-mobil-turkiye-nin-haklarina-goz-dikti-dunya-ekim-2018-1>, (04.03.2019).

advise Greece not to resort to violate rules and to avoid any attempt to escalate tensions in the region" Turkish Energy Ministry stated.²⁶⁴

Another statement by the Foreign Ministry of Turkish Republic regarding the violations of the law in the region was made on the 10th of October after the sixth summit of the Greek-Cyprus Greek-Egyptian tripartite alliance in Crete. This tripartite alliance was almost institutionalized by the establishment of a Permanent Coordination Secretariat in Crete. In a joint statement issued after the summit, expressions such as removing Turkey from Cyprus and the region, asking Turkish troops to leave Cyprus were used. Although it was not mentioned in the joint statement, the news of the agreement of the tripartite alliance to enlarge as the quadruple alliance with the participation of France took place in the Cyprus Greek press.²⁶⁵ In the statement made by the Foreign Ministry of Turkey, the efforts of protecting the rights and interests arising from the common ownership of the island of Turkish Cyprus People will be continued with determination, the message was given. It was indicated that those who act contrary to the legitimate rights and interests of Turkey and TRNC, those who disregard Turkey in the region would never reach their ambitions.²⁶⁶

One of the steps taken in this discourse was the change in Turkey's rules of engagement. In the face of the attempted harassment by the Greeks against the Turkish drillship, freedom was brought in response to the Turkish maritime engagement. The engagement will increase with the threat level, and the order will be transferred to a lower level such as the commander of the ship.²⁶⁷ Another initiative of Turkey to speed up its drilling activities in the Eastern Mediterranean bought a \$ 262.5 million worth new drillship. The ship which was dubbed Deep Sea Metro 1 shall be the second ship bought by TP after the Deep Sea Metro 2 whose name was

²⁶⁴“Doğu Akdeniz’de Türk Araştırma Gemisine Yunan Tacizi”, **Habertürk**, 18.10.2018, <https://www.haberturk.com/dogu-akdeniz-de-turk-gemisine-yunan-tacizi-2183482>, (04.03.2019).

²⁶⁵Cahit Armağan Dilek, “Kıbrıs İkinci Girit Oluyor”, **Yeniçağ**, 15.10.2018, <https://www.yenicaggazetesi.com.tr/kibris-ikinci-girit-oluyor-49242yy.htm>, (04.03.2019).

²⁶⁶“Türkiye’den Yunanistan-Mısır-Güney Kıbrıs Ortak Bildirisi’ne Tepki”, **Sputniknews**, 13.10.2018, <https://tr.sputniknews.com/turkiye/201810131035646929-turkiye-yunanistan-misir-kibris-ortak-bildirisi-teпки/>, (05.03.2019).

²⁶⁷“Türkiye Angajman Kurallarını Değiştirdi”, **Defence Turk**, 21.10.2018, <https://www.defenceturk.net/akdenizde-angajman-kurallari-degisiyor>, (05.03.2019).

later changed to Fatih.²⁶⁸ Fatih is an ultra-deep sea drilling vessel capable of operating 3 thousand 600 meters deep. This capability exists in 7-8 countries around the world.²⁶⁹

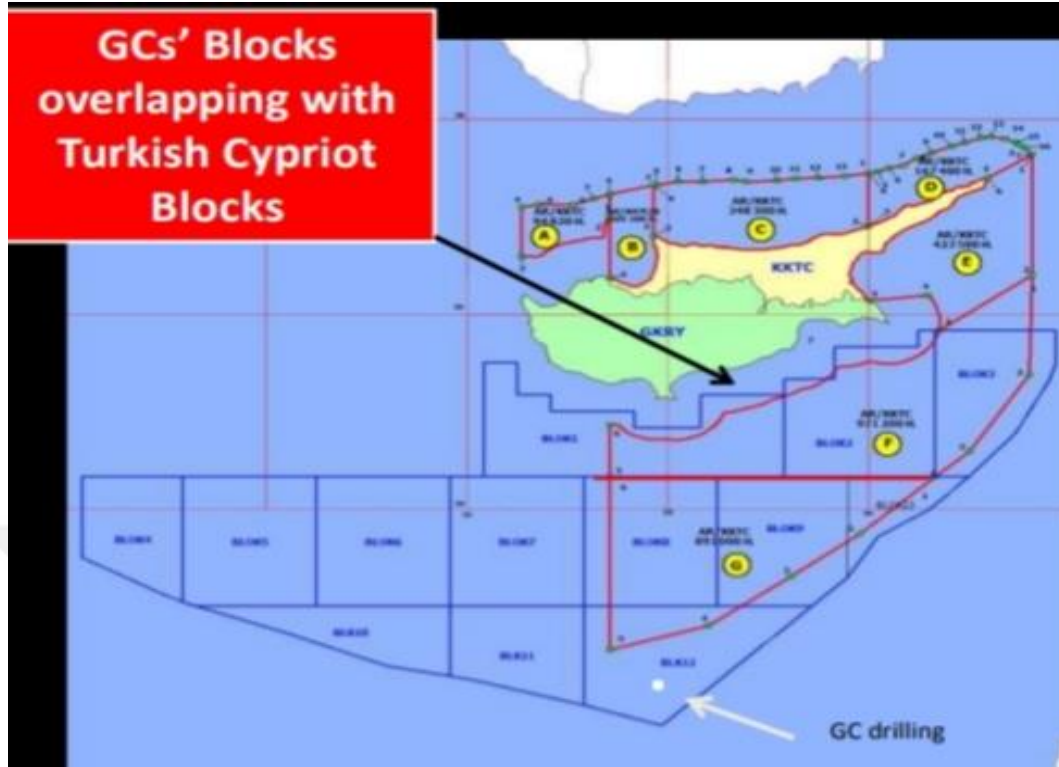
In November, another provocative movement came from the Greeks. The Cyprus Greek Administration published a new Navtex after the Nemesis Military Exercise. The Navtex was announcing to undertake drilling operations with the British flagged ‘Stena Icemax’ drillship for 4 months from 10 November to 25 February 2019. With the partnership of US ExxonMobil and Qatar’s Qatar Petroleum, there was a mention of closing the region to the sea traffic for drilling in the so-called 10th parcel. Blocks 1, 2, 3, 8, 9, 12 and 13 of the GCASC which are divided into 13 parcels in total intersects with the regions of A, B, C, D, E, F and G of North Cyprus of whom North Cyprus granted permission for drilling to TPAO. In accordance with TRNC's license for oil and natural gas exploration granted to TPAO, the areas where the E, F and G fields overlap are blocks identified by the Cyprus Greek Administration with the number 1, 2, 3, 8, 9, 12 and 13. The number 10 block where ExxonMobil will search remains outside the area of the overlapping areas of Turkey and TRNC. However, Turkey does not accept the unilateral agreement of the Cyprus Greeks because of the TRNC have equal rights on the Island.²⁷⁰

²⁶⁸“Doğu Akdeniz’de Artan İhtiyaç Üzerine İkinci Sondaj Gemisi Alındı”, **Akşam**, 26.10.2018, <https://www.aksam.com.tr/ekonomi/dogu-akdenizde-artan-ihhtiyac-uzerine-ikinci-sondaj-gemisini-de-alindi/haber-786988>, (05.03.2019).

²⁶⁹“Deniz Sondajlarımız Oyunu Değiştirecek”, **Hürriyet**, 02.11.2018, <http://www.hurriyet.com.tr/ekonomi/deniz-sondajlarimiz-oyunu-degistirecek-41005840>, (08.03.2019).

²⁷⁰Tevfik Kadan, “Rumlar Exxon İçin Navtex Yayınladı”, **Aydınlık**, 5.11.2018, <https://www.aydinlik.com.tr/rumlar-exxon-icin-navtex-yayinladi-dunya-kasim-2018>, (08.03.2019).

Figure 20: GC's Blocks Overlapping with TRNC



Source: Erciyes, 212, p. 35.

The Cyprus Greek part of the so-called 1, 4, 5, 6 and 7 of the parcels, overlap with possible EEZ area of Turkey.

Many criticisms were made for explorations of Qatar in the 10th region along with ExxonMobil. In the evaluation of authorities from Foreign Ministry of Turkey on this topic, the reason why Turkey has not given a backlash is, besides the strong cooperation between the two countries, Qatar is under embargo of Gulf countries and for this reason its cooperation with the United States is linked to great importance. Other justifications included the fact that the operator is Exxon Mobil, the fact that Qatar Petroleum who is a partner in the operation of the region does not own ships, the area where the license was received is not in the disputed areas with Turkey. However, the agreement is made before the embargo and the reaction of Turkey to areas outside the disputed regions is causing discomfort for Turkey.²⁷¹

²⁷¹Ece Göksedef, "Türkiye Katar'ın Kıbrıs Açıklarında Doğalgaz Aramasına Nasıl Bakıyor?", **BBC**, 14.12.2018, <https://www.bbc.com/turkce/haberler-turkiye-46531483>, (10.03.2019).

New steps were taken in November between the parties for new partnerships. Bulgaria was included in the European transport projects of transportation of the gas in the Eastern Mediterranean via East-Med bypassing Turkey. The gas which would extend from Israel to Cyprus Port of Vassilikos, from here to Crete and Greece, was decided to be stored in Bulgaria and Alexandropoli and from here would be distributed into Europe.²⁷²

Another cooperation step made was the cooperation between Turkey and Libya. In the negotiations between Turkey and Libya, the two countries discussed how Greece violated the areas belonging to the two countries in the Eastern Mediterranean area and the map of actual boundaries complying with international law. Greece tried to take advantage of the chaos emerged with the overthrow of Gaddafi, Libya, and has seized an area of 39 thousand square kilometers by the sea. Turkey's intention for continued support for Libya's reconstruction and the establishment of military power was transmitted for a country of which internal turmoil continues. Greece has violated both Turkish and Libyan maritime areas by announcing the EEZ area and Marine Jurisdiction agreements not based on their mainland but on the basis of the island of Crete. In case an agreement is signed between Turkey and Libya for the maritime authority area, the occupation area stretching from GCASC to Greece shall be prevented. Because in the talks with Egypt, Greek Cyprus and Israel, Greece is still making plans over Turkish and Libyan continental shelf for the sources that will be extracted from the Eastern Mediterranean.²⁷³

A further initiative within the region was made within the framework of the Permanent Structured Cooperation (PESCO), which aims to increase cooperation between the 25 EU Member States in the field of defense. Of the 17 new projects agreed, the most notable was the EU Intelligence Academy, which was planned to be set up in Greece or Southern Cyprus. This academy envisaged increasing the training

²⁷²“East-Med Projesine Bulgaristan da Dahil Oluyor”, **Vira**, 09.11.2018, <https://www.virahaber.com/east-med-projesine-bulgaristan-da-dahil-oluyor-50766h.htm>, (08.03.2019).

²⁷³“Türkiye'nin Libya ile Deniz Yetki Alanı Anlaşması İmzalaması Halinde Yunanistan'ın İşgal Projeleri Bozulacak”, **Güneş**, 11.11.2018, <http://www.gunes.com/dunya/turkiye-nin-libya-ile-deniz-yetki-alani-anlasmasi-imzalamasi-halinde-yunanistan-in-iskal-projeleri-bozulacak-927506>, (09.03.2019).

and cooperation of the intelligence units of the countries and NATO in the field of intelligence.²⁷⁴

Another solidarity for security provided between the USA and Italy. On July 30 in the White House, the countries launched a strategic dialogue process between the two countries in order to develop security and stability efforts in the Mediterranean. In the US-Italy Strategic Dialogue Meeting held in Washington on November 19-20, issues such as energy, counter-terrorism, and security and defense cooperation in the Mediterranean region again put on the agenda. In addition, international support for UN mediation and the provision of stability in Libya were among the issues discussed. The conference that took place on November 13 in Palermo Italy, had resulted in a scandal for the resolution of the crisis in Libya. Turkey and Qatar were excluded at an informal meeting that was held on the second day of the conference. Upon this, the Turkish delegation had left Palermo. after a strategic dialogue with the US, Italy approved on November 25 to connect the pipeline Otranto city for the East-Med project which violates the continental shelf right of Turkey. The Italian company ENI sent a ship to parcel no. 3 in February, but the Turkish Navy did not allow drilling. The Italian company has applied a license to the Cyprus Greek Government in order to make hydrocarbon drilling in parcel no.7 which overlaps with the Turkish CS, and the company also prepares to sue Turkey for the parcel number three.²⁷⁵

Turkey, the country tried to be pushed out by the exploitation alliance from all kinds of cooperation in the region has expanded its natural gas exploration in the eastern Mediterranean area. Through 00 39/19 numbered Navtex was announced that exploration will be made on 6 and 7 January on the south of the island of Meis and a large area covering the east of Rhodes. Barbaros Hayrettin Paşa seismic research vessel, along with the accompanying ships Tanux-1 and Apollo Moon ships, started to sail in order to pursue exploration in Cyprus EEZ. In addition to Barbaros, TP is also undergoing drilling exploration in the region. Our drilling vessel Fatih continued

²⁷⁴Elif Sudagezer, "Katar'dan Türkiye ve Suriye'yi Kapsayan 5'li İttifak Önerisi Geldi, Avrupa'nın İstihbarat Çalışmaları İşe Yaramaz", **Sputniknews**, 22.11.2018, <https://tr.sputniknews.com/columnists/201811221036277473-katar-suriye-turkiye-irak-kibris-dogu-akdeniz-ab-avrupa-birligi-istihbarat-akademisi/>, (09.03.2019).

²⁷⁵"Doğu Akdeniz İçin "Stratejik Diyalog", **Aydınlık**, 3.12.2018, <https://www.aydinlik.com.tr/dogu-akdeniz-icin-stratejik-diyalog-dunya-aralik-2018-2>, (10.03.2019).

drilling efforts in Alanya-1 borehole and Deep Sea Metro 1 vessel which was priorly considered to drill in the Black Sea was planned to perform the second drilling activity in the Mediterranean.²⁷⁶

Soon, due to the establishment of Eastern Mediterranean Gas Forum as a new alliance model by Greece, Egypt, Cyprus, Italy, Israel, Jordan and Palestine on January 14, 2019, in Cairo, the eyes were once again turned to the region. The establishment supported by the EU and the World Bank aims to bring together the producers, consumers and transition countries of gas in the Eastern Mediterranean. The fact that the owner of the longest coastlines in the Mediterranean, which along with Turkey include Syria, Lebanon, Libya, Tunisia and Malta have not been invited to the Forum, reflected the confrontation in the region.²⁷⁷

In the meeting which aimed to develop bilateral and multilateral relations, it was decided to establish an international organization in the Eastern Mediterranean region among the countries that have the resources. Although the decision to establish an international organization seems to be a positive step in general, the desire to exclude other rights holders of the Mediterranean coast is in itself a contradiction. The organization should involve all stakeholders in this cooperation area in order to achieve the purpose of effectively and efficiently utilizing the energy resources in the region.²⁷⁸

Although it is considered as “a mini-OPEC-, East Mediterranean Gas Forum, whose one of the aims is to isolate Iran and Turkey in the Eastern Mediterranean which appears likely to have a low chance of becoming a global player.”²⁷⁹ As a matter of fact, the Qatar-based “Gas Exporting Countries Forum”, which is a similar organization, has not achieved the expected success despite being a broad-based institution.

²⁷⁶“Türkiye Doğu Akdeniz’deki Arama Sahasını Genişletti”, **Sputnik**, 08.01.2019, https://tr.sputniknews.com/dogu_akdeniz/201901081036983670-turkiye-dogu-akdenizdeki-dogalgaz-arama-sahasini-genisletti/, (05.04.2019).

²⁷⁷Tevfik Kadan, “Doğu Akdeniz’de Saflar Netleşiyor”, **Aydınlık**, 16.01.2019, <https://www.aydinlik.com.tr/dogu-akdeniz-de-saflar-netlesiyor-turkiye-ocak-2019>, (05.04.2019).

²⁷⁸Ismail Kavaz, “Doğu Akdeniz’de Türkiye’siz Bir Mutabakat Mümkün mü?”, **AA Haber**, 17.01.2019, <https://www.aa.com.tr/tr/analiz-haber/dogu-akdeniz-de-turkiye-siz-bir-mutabakat-mumkun-mu/1367182>, (04.04.2019).

²⁷⁹Hüseyin Koyuncu, "Doğu Akdeniz'deki Doğalgaz Rezervleri İsrail'in Arap Komşuları ile İlişkilerini Nasıl Etkiledi?", Euronews, 25.01.2019, <https://tr.euronews.com/2019/01/23/dogu-akdeniz-dogalgaz-rezervleri-israil-in-arap-komsulari-ile-iliskilerini-nasil-etkiledi>, (09.01.2019).

Another assessment of the current situation in the Eastern Mediterranean was made in the Fifth “Med 7” Summit in Nicosia on January 29th, in which 7 EU member states of the Mediterranean; France, Italy, Spain, Greece, Portugal, Malta, and Cyprus have come together. At the summit, the major problems the European Union is facing that include; migration crisis, Brexit, energy security, a multi-year budget framework for the 2021-2027 period, developments in Eurozone and climate change were discussed.²⁸⁰ It was stated in the MED 7 Summit that the cooperation between France and Southern Cyprus would be realized not only in the naval area but also in the airspace. In a joint declaration issued by the participating countries of the MED 7 Summit, it was clearly stated that "the supports to the so-called EEZ activities and the East Med Pipeline project were renewed and that Portugal would contribute to the pipeline effort as a result of increased cooperation."²⁸¹ The declaration also underlined the resumption of negotiations and the establishment of a solution in line with the UN Security Council resolutions and in line with EU values and principles. In the Nicosia Declaration, it has been expressed for Turkey to fulfill all its obligations towards Cyprus within the framework of Turkey's accession process.²⁸²

In response to this joint communiqué, The Ministry of Foreign Affairs of the Turkish Republic stated that the appreciation of the Greek Cypriot side's alleged efforts to solve the Cyprus problem and the support of its unilateral efforts on energy resources are evidence of the abuse of the EU by the GCASC. Moreover, it was recalled that the main reason for the failure of the Cyprus Conference in 2017 was the fact that the GCASC acted as the sole authority on the island by regarding the Turkish Cypriot people as a minority. In the declaration, it has been pointed out that not mentioning the legitimate rights of the Turkish Cypriots on the natural resources of the Island is one of the reasons why there is a continued deadlock and that Turkey

²⁸⁰"Lefkoşe'de Yapılacak MED-7 Zirvesi'nde AB'nin Büyük Sorunları Ele Alınacak", **AB Haber**, 29.01.2019, <https://www.abhaber.com/lefkosada-yapilcak-med-7-zirvesinde-abnin-buyuk-sorunlari-ele-alinacak/>, (12.04.2019).

²⁸¹Emete Gözügüzelli, "2012'den Günümüze Doğu Akdeniz'de Bazı Askeri ve Diplomatik Faaliyetler", https://www.researchgate.net/publication/332550366_2012'den_Gunumuze_Dogu_Akdeniz'de_Bazi_Asker_i_ve_Diplomatik_Faaliyetler, (12.04.2019), p. 5.

²⁸²"Lefkoşe'de Yapılacak Med 7 Zirvesi'nde AB'nin Büyük Sorunları Ele Alınacak", <https://www.abhaber.com/lefkosada-yapilcak-med-7-zirvesinde-abnin-buyuk-sorunlari-ele-alinacak/>, (12.04.2019).

will protect the rights of Turks on the island.²⁸³ In line with this objective, on February 4, the seismic research vessel called "Barbaros Hayreddin Paşa", has come to the region that also includes parcel number 9 located within the south of Cyprus, which was declared unilaterally as being in EEZ and give out to contract to Italian ENI and South Korea's KOGAS firms by Greeks to search for gas, accompanied by 2 frigates and 2 corvettes. Barbaros Hayrettin, which will conduct activities in the licensed field obtained by Turkish Petroleum on behalf of the TRNC, is planned to conduct research on also a portion of Parcel No. 1 and Parcels No. 8 and 12 later on.²⁸⁴

GCASC has also begun to prepare to give a permanent base to France. The naval base was planned to be built within the framework of the European army's Pesco project and to be built next to the Evangelos Florakis in the Mari region on the Larnaca-Limassol road of the Greek Administration, where France will cover the cost. The fact that the Greek naval base did not have sufficient depth and size for the French frigates to berth necessitated the construction of a new base.²⁸⁵ The base will be built by updating and expanding the defense co-operation agreement between the two countries, which was previously made in 2007 and entered into force in 2010. The current agreement was aimed at training and equipping the Greek armed forces by the French. Since 2010, France has been able to use the Andreas Papandreou airbase in Paphos, located at the southwest of the island. Nonetheless, while the GCASC persistently demands the withdrawal of Turkish troops from Cyprus during the negotiation process, its willingness to provide military bases to France in addition to the British bases actively used by the USA on the island is contradictory.²⁸⁶

In addition to this, the fact that the GCASC is taking steps to remove the military embargo imposed by the USA on the GCASC and USA is making

²⁸³T. C. Dış İşleri Bakanlığı, "Beşinci Med 7 Zirvesi'nde Kabul Edilen Ortak Bildiri Hk.", No.: 20, 31.01.2019, http://www.mfa.gov.tr/no_20_-besinci-med7-zirvesinde-kabul-edilen-ortak-bildiri-hk.tr.mfa, (12.05.2019).

²⁸⁴"Kim Takar Rum'u! Barbaros Akdeniz 9. Parselde", **Haber7**, 02.02.2019, <http://ekonomi.haber7.com/ekonomi/haber/2819110-kim-takar-rumu-barbaros-akdeniz-9-parselde>, (12.06.2019).

²⁸⁵Ömer Bilge, "Rum Tarafı Fransa'ya Deniz Üssü Verecek", **Hürriyet**, 02.02.2019, <http://www.hurriyet.com.tr/dunya/rum-tarafi-fransaya-deniz-ussu-verecek-41102781>, (12.06.2019).

²⁸⁶Nikoloa Stelya, "Fransa Doğu Akdeniz'e Yerleşiyor", **T24**, 13.02.2019, <https://t24.com.tr/haber/fransa-dogu-akdeniz-e-yerlesiyor,808070>, (12.06.2019).

preparations in this direction deepens this contradiction.²⁸⁷ On the one hand, the attempts of the USA to lift the arms embargo and on the other hand USA Cypriot Ambassador Judith Gail Garber's statement showing their concern regarding the launch of the "Yavuz" drillship in the region raises another question mark. Another statement was made by Matthew Palmer, Deputy Undersecretary for European and Eurasian Affairs at the US Department of State, and he said that the United States recognizes the GCASC' right to explore natural resources in its so-called EEZ.²⁸⁸

On March 20, 2019, Mike Pompeo met with leaders of Israel, Greece and the Southern Cyprus Administration for the Mediterranean gas, it was predicted that the security of the Eastern Mediterranean would be protected against all kinds of harmful external factors. News regarding the aforementioned external factor is Turkey has taken place in both the Turkish and Greek press. Within the following process, the Republican Senator Marco Rubio from Washington and Democrat Bob Menendez have presented a legislative proposal stipulating "the USA to be positioned against Turkey in East Mediterranean". It is added to the 1987 agreement, which included the lifting of the arms embargo on Southern Cyprus that the delivery of 124 F-35s, which were planned to be transferred as a final clause, was to be stopped in the case of the purchase of S-400s.²⁸⁹ At the US Congress, the embargo was imposed on the Greeks since 1987 on the principle of not selling arms to the conflicting parties. However, even if this proposal is accepted, the implementation initiative is in the US administration.²⁹⁰

The bill, entitled 'Eastern Mediterranean Security and Energy Partnership 2019', was aimed at the security and energy cooperation between the US, Greece, Israel and Southern Cyprus in the Eastern Mediterranean. While the 19-page bill, which also includes the drills planned in the region, is expected to give Greece \$3

²⁸⁷"ABD Rum Kesimi'nde Ambargoları Kaldırıyor", **Gazete Duvar**, <https://www.gazeteduvar.com.tr/dunya/2019/02/19/abd-kibris-rum-kesiminde-ambargolari-kaldiriyor/>

²⁸⁸"ABD Kıbrıs Büyükelçisi: "Washington Türkiye'nin Kıbrıs'ın MEB'indeki Faaliyetleri Konusunda Endişeli", **Kıbrıs Haber Ajansı**, 07.06.2019, <http://www.cna.org.cy/WebNews-tr.aspx?a=6c7f421bfc48c5b93b9d7ee0000bb3>, (13.06.2019).

²⁸⁹Gunter Seufert, "Türkiye Afrin'deki Stratejiyi Doğu Akdeniz'de Uyguluyor", **Aydınlık**, 18.05.2019, <https://www.aydinlik.com.tr/turkiye-afrin-deki-stratejiyi-dogu-akdeniz-de-uyguluyor-dunya-mayis-2019>, (13.06.2019).

²⁹⁰"Doğu Akdeniz'de 9 Milyar Dolarlık Oldubitti: Rumlardan İlk Satış Antlaşması", **Sabah**, 07.06.2019, <https://www.sabah.com.tr/dunya/2019/06/07/dogu-akdenizde-9-milyar-dolarlik-oldubitti-rumlardan-ilk-satis-anlasmasi>, (13.06.2019).

million in military finance and \$2 million for military training in the first step, Southern Cyprus will be supported with \$2 million for military training. The draft, which draws attention to the abundance of energy resources in the region, supports the work of Southern Cyprus in the EEZ and touches on the importance of East Med. It is being underlined that the embargo is in effect in order to not cause any obstacles to the reunification efforts and the Turkish Army deployed in the Island's north is using US-made weapons. It was pointed out that this situation pushed Southern Cyprus to buy arms from countries including Russia, the US's global rival.²⁹¹ Following these developments, the American think-tank Atlantic Council brought forward the issue of taking Cyprus into NATO this time.²⁹² A defense-focused development in the region was also the signing of a memorandum of understanding between the UK and the GCASC, which envisaged the strengthening of cooperation in the field of defense and security.²⁹³ 121 F-35B-type fighter aircraft belonging to the British Air Force will be placed in Akrotiri Base, where 700 thousand air attacks were made against DAESH. The number of UK's 17 F-35B fighter jets will be increased to 138.²⁹⁴ By assessing all aspects that may be against Turkey, the GCASC has taken steps with Lebanon, Jordan, Egypt, and Armenia for cooperation in May 2019. Cyprus and Lebanon begin negotiations to provide a framework agreement on oil and gas extraction regions in the Mediterranean, disputed regions, export and transportation of oil and natural gas and their share. Lebanon signed the first agreement on oil and gas exploration in 2018, and by so a consortium consisting of France's Total, Italy's ENI and Russia's Novatek companies were granted the

²⁹¹"ABD Güney Kıbrıs'a Uyguladığı Silah Ambargosunu Sonlandırıyor", **Kıbrıs Postası**, 10.04.2019, http://www.kibrispostasi.com/c58-GUNEY_KIBRIS/n281942-abd-guney-kibrisa-uyguladigi-silah-ambargosunu-sonlandiriyor, (13.06.2019).

²⁹²"Atlantic Council: NATO'ya Üye Yapılması Kıbrıs Sorununu Çözebilir", **Sputniknews**, 02.04.2019, https://tr.sputniknews.com/dogu_akdeniz/201904021038576597-atlantic-council-natoya-uye-yapilmasi-kibris-sorununu-cozebilir/, (13.06.2019).

²⁹³"İngiltere ve GKRY Arasında Savunma Mutabakatı", **Derin Kıbrıs**, 05.04.2019, <https://www.derinkibris.com/haber/ingiltere-ve-guney-kibris-rum-yonetimi-arasinda-savunma-mutabakati-256>, (13.06.2019).

²⁹⁴"İngiltere Kıbrıs'a Yığınak Yapıyor: 121 Savaş Uçağı Yerleştirecek!", **Aydınlık**, 09.04.2019, <https://www.aydinlik.com.tr/ingiltere-kibris-a-yiginak-yapiyor-121-savas-ucagi-yerlestirecek-dunya-nisan-2019>, (13.06.2019).

permission to oil exploration and extraction in two of the 10 blocks in the Lebanese maritime field.²⁹⁵

It was decided to sign a series of a memorandum of understanding in the framework of the Southern Cyprus-Greece-Jordan Trilateral Summit with Jordan, which stands forward as another country of cooperation. It has stated that the agreements covered the subjects of research, innovation and technology, terrorism and drug fighting, and illegal migration. During the summit, a number of issues including energy, trade, tourism, health, education, transportation, agriculture, inter-parliamentary cooperation and Jordan-EU relations, the peace process in the Eastern Mediterranean, developments in Syria, Cyprus issue and migration crisis were also decided to be discussed. With the agreement signed with Egypt, the natural gas pipeline project planned to be built by submarine between Southern Cyprus and Egypt was approved.²⁹⁶

On 12 February 2019, the Greek Defense Minister held official contacts in Armenia. During the negotiations with bilateral and regional security issues have been evaluated and Armenia was informed on the energy program of the GCASC and Turkey's actions in Cyprus's EEZ.²⁹⁷

Another initiative that has strained relations is the invitation of the NATO allies to the ceremony, which has taken place in SHAPE located in Mons, Belgium on 3rd of May and the European Union (EU) member states' military and diplomatic representatives, as well as Greek Cypriot representatives, who do not have any partnerships with NATO, whereupon Turkey has not participated in this invitation.²⁹⁸

The EU followed NATO, which already has taken Southern Cyprus under its protection, and Greece's reaction to the activities of the vessel called "Fatih", which began drilling at the west of Cyprus and continued on 4 May with Federica Mogherini, European Union High Representative for Foreign Affairs. In the

²⁹⁵"Güney Kıbrıs ve Lübnan Doğalgaz Anlaşması İçin Kolları Sıvadı", **DW**, 11.04.2019, <https://www.dw.com/tr/g%C3%BCney-k%C4%B1br%C4%B1s-ve-l%C3%BCbnan-do%C4%9Falgaz-anla%C5%9Fmas%C4%B1-i%C3%A7in-kollar%C4%B1-s%C4%B1vad%C4%B1/a-48294740>, (13.06.2019).

²⁹⁶"Rumlar Gözünü Ürdün'e Dikti", **Aydınlık**, 14.04.2019, <https://www.aydinlik.com.tr/rumlar-gozunu-urdun-e-dikti-dunya-nisan-2019>, (13.06.2019).

²⁹⁷Gözügüzelli, p. 5.

²⁹⁸"NATO'da GKRY'nin Davet Edildiği Törene Türk Heyeti Katılmadı", **Hürriyet**, 03.05.2019, <http://www.hurriyet.com.tr/dunya/natoda-gkrynin-davet-edildigi-torene-turk-heyeti-katilmadi-41202647>, (13.06.2019).

statement, it is indicated that the activities of Turkey in the region is condemned and the EU will give the GCASC its full support.²⁹⁹

In response to this, the Ministry of Foreign Affairs of the Republic of Turkey has stated that those who have not taken a step towards a solution for years have no right to speak on this subject. Within the framework of rights stemming from international law due to Turkey being the country, which has the longest coast within this region, it is reiterated that Turkey is protecting both its and the TRNC' rights and interests. It was stated that it was the GCASC that had rejected the fundamental rights of Turkish Cypriots, who are the co-owners of the island of Cyprus on natural resources, and cooperation proposals and did not give up its unilateral activities despite all warnings.³⁰⁰

US State Department spokesperson Morgan Ortagus has stated that the drilling work, which is conducted within the EEZ of GCASC, is provocative and carries the risk of increasing the tension in the region.³⁰¹

The Greek has announced that they will send out an "international warrant" on the ship's personnel after the start of the drilling operations of the drill ship "Fatih" in Eastern Mediterranean.³⁰² On the other hand, the Greek Cypriot administration signed its first natural gas revenue-sharing agreement with American Noble Energy that will lead The Greeks, who will have 52% of the income, to earn more than 9 billion dollars in 18 years.³⁰³

Foreign Ministry spokesman Hami Aksoy has expressed that they support the statements of the authorities of the TRNC, and that the agreement shows the usurpation by the Greek Cypriot Administration of the rights of TRNC, which owns

²⁹⁹Faruk Can, "AB Dış İlişkiler Yüksek Temsilcisi Mogherini'den Türkiye'ye Doğu Akdeniz'de Sondaj Tepkisi", **Euronews**, 04.05.2019, <https://tr.euronews.com/2019/05/04/ab-ds-iliskiler-yuksek-temsilcisi-mogherini-den-turkiye-ye-dogu-akdeniz-de-sondaj-tepkisi>, (13.06.2019).

³⁰⁰T.C Dış İşleri Bakanlığı, "AB Dış İlişkiler Ve Güvenlik Politikası Yüksek Temsilcisi'nin Açıklaması Hk.", No.: 124, 04.05.2019, http://www.mfa.gov.tr/no_124_-ab-dis-iliskiler-ve-guvenlik-politikasi-ytemsilcisinin-aciklamasi-hk.tr.mfa, (10.06.2019).

³⁰¹"Dış İşleri Bakanlığı'ndan ABD'nin Doğu Akdeniz Açıklamasına Tepki", **Aydınlık**, 6.05.2019, <https://www.aydinlik.com.tr/disisleri-bakanligi-ndan-abd-nin-dogu-akdeniz-aciklamasına-tepki-politika-mayis-2019-2>, (13.06.2019).

³⁰²"Rum Yönetiminden Fatih Sondaj Gemisi Personeline Küstah Tutuklama Tehdidi", **Güneş**, 6.05.2019, <https://www.gunes.com/gundem/rum-yonetiminden-fatih-sondaj-gemisi-personeline-kustah-tutuklama-tehdidi-979815>, (13.06.2019).

³⁰³"Doğu Akdeniz'de 9 Milyar Dolarlık OlduBitti Rumlardan İlk Satış Anlaşması", **Sabah**, 07.06.2019, <https://www.sabah.com.tr/dunya/2019/06/07/dogu-akdenizde-9-milyar-dolarlik-oldubitti-ruumlardan-ilk-satis-anlasmasi>, (13.06.2019).

equal rights in the Island, and it is an unacceptable situation for both Turkey and the TRNC, and hence Turkey will do what is necessary on this subject. "It is stated that the Turkish Cypriots will continue to protect the rights of the continental shelf unless the GCASC and the companies cooperating with them accept the fact that Turkish Cypriot is the co-owner of the island and involve the Turkish Cypriots in decision-making and revenue sharing on hydrocarbon resources. In this context, it is stated that our drilling vessels called "Yavuz" and "Fatih" will also begin drilling in the near future within the licensed fields, whose license was given by the Turkish Petroleum in 2011 to the TRNC.³⁰⁴

While England's European Minister Sir Alan Duncan is making a statement on Turkey's and the TRNC's rights regarding the Executive Economic Zone, which was unilaterally declared by the Greeks in the Eastern Mediterranean, as referring to the region as "the region, whose sovereignty is dubious",³⁰⁵ The EU has made different comments in its 2019 progress report, which has come to the aid of the now under-pressure Greece and the GCASC. It has been expressed by the EU that the actions taken by Turkey in the region are illegal and it should avoid it, otherwise the appropriate response will be given. It has been indicated that the tension in the region increased due to Turkey's hydrocarbon research in the area, where the research area is within the alleged EEZ of Cyprus and the tension has increased by Turkey sending research vessels in May.

Additionally, it has been mentioned that Turkey should respect the good neighborhood relations and the sovereignty rights of GCASC, and its responsibility for the implementation of the Additional Protocol for all the members equally is still not performed. The EU has stated the expectations including: "Respect for the sovereign rights of the GCASC regarding the utilization of the research and natural resources", "Turkey continues to refuse the right of the GCASC to benefit from bed

³⁰⁴T.C: Dış İşleri Bakanlığı, "Dışişleri Bakanlığı Sözcüsü Hami Aksoy'un GKRY'nin Doğu Akdeniz'de Bazı Uluslararası Petrol Şirketleri ile Ahiren Yaptığı Doğal Gaz Gelir Paylaşımı Anlaşması Hakkındaki Soruya Cevabı", SC.: 1, 7.06 2019, http://www.mfa.gov.tr/sc_-41_-gkry-nin-dogu-akdenizde-bazi-petrol-sirketleri-ile-yaptigi-anlasma-hk-sc.tr.mfa, (13.06.2019).

³⁰⁵"Anastasiadis, Sözde Rum MEB'i için 'Şaibeli Bölge' Diyen Duncan'a Ateş Püskürdü", **Kıbrıs Postası**, 15.05.2019, http://www.kibrispostasi.com/c58-GUNEY_KIBRIS/n285197-anastasiadis-sozde-rum-mebi-icin-saibeli-bolge-diyen-duncana, (13.06.2019).

in Cyprus within its EEZ" by targeting Turkey. In the report, in which the sovereign rights of the EU member countries in territorial waters and airspace are emphasized, it was reminded that the European Council had condemned Turkey's activities in March 2018. In the report, it was stated that Turkey has responded positively to the efforts of the UN to engage the parties to hold a consultation in order to reopen the negotiations regarding the Cyprus issue.³⁰⁶

The tension in the region continues to increase day by day due to the un-resolving attitude of the parties.

3.2. THE REASONS OF THE CONFLICT

It is generally accepted that the Mediterranean is divided into three regions as East, West and Middle East Mediterranean by geographical location. The West Mediterranean covers the region between Gibraltar and the Island of Malta, while the Central Mediterranean is the area between Malta and the 27th Longitude. The east of the 27th Longitude is called the Eastern Mediterranean. Accordingly, the Eastern Mediterranean covers Turkey, Syria, Lebanon, Israel, Palestine, Gaza-West Bank, Egypt, the Turkish Republic of Northern Cyprus, South Cyprus and Jordan.

In the Mediterranean, where approximately 4000 trade ships are cruising daily, 30% of the world trade is realized. Each year, about 40,000 Russian ships cross to the Mediterranean Sea through the Bosphorus Straits. The Mediterranean Sea is a semi-enclosed sea, surrounded by Asia in the east, Europe in the north and Africa in the south and this sea is combining these continents. The opening of the Suez Canal, which is the shortest route of trade of west with the east and the first artificial canal, has increased the density of the ship transitions and made the region much more important. With the feature of being an inner sea in the Eastern Mediterranean, the Suez Canal shortens the European-Far East sea route by 7000 miles compared to the sea route passing through the Cape of Hope. In addition to trade, the region has been the maritime route to the west in the oil transportation of the Middle East, which has

³⁰⁶European Commission, "Turkey 2019 Report", 29.05.2019, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-turkey-report.pdf>, (13.06.2019).

65% of the world's oil reserves. Therefore, the region has been transformed into an energy transport corridor.³⁰⁷

Demand for energy resources increases every day due to population increase, technological developments, and due to the fact that the hydrocarbon-based resources are not renewable. In this sense, the Eastern Mediterranean has great importance in providing the transportation of 47% of the world proven oil reserves, 43% of natural gas reserves of the Middle East to the Mediterranean, Aegean, Black Sea, Red Sea and Atlantic.³⁰⁸ Due to its proximity to oil fields, the important position of the region has increased with the discovery of new hydrocarbon deposits. According to the report published by the US Geological Research Institute in 2010, 3 Trillion 450 Billion cubic meters of natural gas reserves and 1.7 billion barrels of oil are located in the Eastern Mediterranean.³⁰⁹ Levant Basin located in the southeast of the Eastern Mediterranean, the Aphrodite Basin located in the south Cyprus, the Nile Delta and the region between Cyprus and Crete have important natural gas deposits.³¹⁰

Another geopolitical importance of the region originates from the island of Cyprus. On micro-level, the island of Cyprus dominates the regions where Eastern Mediterranean, South Anatolia, Northeastern Africa, Suez Canal, Israel, Palestine, Lebanon and Syria are located. On the other hand, at the macro level, it is the only island that dominates the great sea basin at the conjunction of three continents that consist of the Mediterranean Sea, the Black Sea, the Aegean, the Red Sea, the Persian Gulf and the Caspian Sea.³¹¹

Cyprus, which further increases the importance of the region with its position as a fixed aircraft carrier, is also of strategic importance for the West's technical monitoring policies. One of the most important Echelon bases, which can listen to almost all the phone, fax, radio, SMS and e-mail communications in the world, and is defined as a giant ear, was established in Cyprus, at the top of Troodos mountains and

³⁰⁷Dursun Yıldız, **Tarihi, Geçmişi, Stratejik Önemi, Su Sorunu Açısından Akdeniz'in Doğusu**, Bizim Kitaplar Publishing House, Ankara, 2008, pp. 55-57.

³⁰⁸Necdet Pamir, "Doğu Akdeniz Kıbrıs ve Doğalgaz", **Bütün Dünya**, March 2017, <http://www.butundunya.com/pdfs/2017/03/051-057.pdf>, (27.02.2019), p. 53.

³⁰⁹U.S. Geological Survey, "Natural Gas Potential Assessed in Eastern Mediterranean", 08.04.2010, <http://www.usgs.gov/newsroom/article.asp?ID=2435>, (21.12.2018).

³¹⁰Serdar Keskin, "Türkiye'nin Enerji Politikasında Alternatif Bölgelerinden Biri Olarak Doğu Akdeniz", **EkoAvrasya**, No.: 4, Year: 9, February 2016, p. 7.

³¹¹Soyalp Tamçelik, **2012 Kuzey Kıbrıs Gelecek Vizyonu**, EkoAvrasya Publications, Ankara, April 2013, p.1.

in the US-British cooperation at the Ağrotur base. The US National Security Agency NSA is the leader of Echelon, the code name of the joint project US, England, Canada, Australia, and New Zealand intelligence organizations set up to monitor the communication systems of intelligence around the world. Thanks to the location of the island, it becomes easy to control Israel, the 200 km far away Suez Canal, and the Aegean and Turkish ports through this system. In addition, the Middle East, Central Asia and all Caucasus have the potential to be monitored. This operating system, which is one of the world's most important intelligence signals collection and analysis networks, is vital for the US. In fact, this system has been put on the agenda of the United States under the GMEI and the Eastern Mediterranean policies so as to be relocated to the far end part of Karpaz in Cyprus and the plan is that it is coordinated from Cyprus. Certain features are required for this system to be installed. One of these is the necessity of having the ionosphere layer on the command centers of these bases. Cyprus is one of the four places in the world with this feature. Along with this, the orbits of the US spy satellites need to go exactly over these areas, which is also the feature of Cyprus.³¹²

3.3. PARTIES AND THEIR ATTITUDES

3.3.1. Turkey

Turkey, one of the most important countries located in the East Mediterranean basin, is not a party to the UNCLOS dated 1982. However, with the 1982 Tunisia/Libya and 1985 Libya/Malta decisions passed by the ICJ, EEZ became an unwritten law of nations through state practices. After accepting this decision, Turkey declared 200 nautical mile EEZ in the Black Sea in 1986. Its rights regarding the seabed and underground here have been based on its continental shelf rights and its rights regarding fishery have been based on the open sea freedoms by Turkey having not performed this practice in the Mediterranean Sea.³¹³ Turkey has only a convention on the CS in the Eastern Mediterranean entered into with the TRNC in New York on September 21, 2011. Apart from that, the reason for the fact that there

³¹²“Kıbrıs 'Derin Kulak' Üssü”, **Kıbrıs Postası**, 21.10.2009, http://www.kibrispostasi.com/c35-KIBRIS_HABERLERI/n30947-Kibris-Derin-kulak-ussu, (12.12.2018).

³¹³Apaydın, p. 3.

is no limitation agreement regarding the EEZ and CS is that a fair agreement to be made considering all the relevant states and special conditions is requested in accordance with international law.³¹⁴

The policy of Turkey regarding the region is shaped in two different interest aspect. The first one is related to the rights of the TRNC on its maritime jurisdiction area in the East Mediterranean and the violation of these rights by the GCASC with one-sided dispositions. In this context, Turkey, the guarantor state, has taken steps in protecting the rights of the TRNC. The second one is related to the violation of the CS, and the said EEZ of Turkey in the region by Greece and the GCASC.³¹⁵

Turkey objects to such attempts clearly and insistently so as not to be in the position of estoppel known as “a legal rule that previous silence and approval prevents the objections which will be made in the future”. The rights of Turkey in the region within the framework of international law can be listed as follows:³¹⁶ Firstly, In the note dated 2004/ Turkuno DT/4739 and March 2, 2004 communicated to the UN by Turkey with the signing of the agreement between the GCASC and Egypt in February 17, 2003, Turkey stated that it has "ipso facto" and "ab initio" sovereignty rights based on the international law in the limitation of CS and EEZ in the East Mediterranean and especially "32° 16 '18 longitude along the west of Turkey. Another matter required to be stated here is that the problem of energy resources in the Eastern Mediterranean is or is tried to be addressed within the framework of EEZ rather than CS within an attitude that may be deliberate. In fact, the rights concerning the CS are "ipso facto" and are deemed "ab initio"; therefore, they do not require an announcement like the EEZ. The rights concerning natural resources under the ground and in the seabed such as oil and natural gas have been granted to the coastal states with a CS. Therefore, Turkey has irrefutable rights to the CS.³¹⁷

³¹⁴Bilgesam, “Doğu Akdeniz’de Enerji Keşifleri ve Türkiye”, **Bilge Adamlar Report**, Report No: 59, İstanbul, December 2013, p. 26.

³¹⁵Mustafa Bağ, "Türkiye Dördüncü Gemiye de Doğu Akdeniz'e Gönderiyor", **Euronews**, 16.07.2019, <https://tr.euronews.com/2019/07/16/turkiye-dorduncu-gemiye-de-dogu-akdeniz-e-gonderiyor>, (17.07.2019).

³¹⁶Ferhat Ercümen, “Doğu Akdeniz Enerji Denklemi ve Uluslararası Hukuk”, **AA Haber**, 26.12.2018, <https://www.aa.com.tr/tr/analiz-haber/dogu-akdeniz-enerji-denklemi-ve-uluslararasi-hukuk/1349235>, (12.03.2019).

³¹⁷Ercümen, <https://www.aa.com.tr/tr/analiz-haber/dogu-akdeniz-enerji-denklemi-ve-uluslararasi-hukuk/1349235>, (12.03.2019).

That the GCASC acts as the sole representative of the island are considered as a violation of international law by Turkey. The island is bi-communal and two-state according to the 1959 London-Zürich Agreements and the 1960 Treaty of Nicosia. Therefore, the parties may not attend a judicial process that shall bind the entire Cyprus individually. However, the GCASC is able to both make an agreement and declare EEZ. Therefore, Turkey does not recognize any unilateral agreement made by the GCASC and requests that any agreement to be made in the region shall be made in an equitable manner with the participation of all the sovereign states in the region. Another issue with which Turkey feels discomfort within the framework these agreements is the EU membership of the GCASC on May 1, 2004. According to these agreements, there are provisions preventing the membership of the GCASC to any organization.³¹⁸

One of the legal arrangements indicating that the GCASC may not make an agreement individually can be found in the 122nd and 123rd articles concerning enclosed and semi-closed seas of the UNCLOS. Enclosed and semi-enclosed sea specified in the 122nd article is gulf, basin or sea enclosed by two or more states and connecting to another sea or ocean by a narrow outlet. There are territorial waters and EEZ of two or more coast states in the whole area or large part of this area.³¹⁹ In the 123rd article, it is specified that the states with these coasts in adjacent or opposite position should fulfill their rights and obligations arising out the agreement within the framework of “cooperation”.³²⁰

The Eastern Mediterranean is “a semi-enclosed sea” according to international law. The distance between the states with a coast to the East Mediterranean is maximum of 400 nautical miles. This means that the CS and EEZ of the coastal states are intertwined and collided with one another. Therefore, the states with a coast to the Mediterranean Sea are required to cooperate with one another while using their rights and fulfilling their obligations. Due to the special location of the Eastern Mediterranean, Turkey argues that a limitation should be made in equity within the scope of special conditions through an agreement. Also, the agreements and alliances

³¹⁸Enver Bozkurt and Havva Demirel, **Doğu Akdeniz Enerji Denklemi ve Uluslararası Hukuk**, Nobel Publications, Ankara, 2004, s.22.

³¹⁹UNCLOS Article 122.

³²⁰UNCLOS Article 123.

of the GCASC increasing the tension in the region on all occasions violate the "provision of bonafide" as per the provisions of the states party to the contract specified in the Article 300 of UNCLOS.³²¹

Turkey has rights in this region in accordance with the decisions taken in the framework of international judicial decisions. The principle of non-encroachment, one of these principles, indicates that as a result, a state leaves marine space near it to other states, a limitation line that may cause the closure of its own natural extension, that is to say, its coasts shall not be equitable. Thus, the mainland and an island opposite to this mainland do not have an equal effect in limiting the maritime jurisdictions. However, the implementation of the principle of equidistance has been taken as a basis by the GCASC like Greece in its all limitation agreements made in the East Mediterranean. The EEZ of Turkey shall be limited to the Gulf of Antalya and approximately 41.000 km² marine space shall remain from a minimum of 152.000 km² of possible Turkish EEZ between Turkish coasts and Greek Islands; thus, minimum of 104.000 km² of Turkish maritime jurisdiction shall be lost.³²²

The principle of "the land dominates the sea" indicates that the continental size and the length of the coastal strip, which are the terrestrial characteristics of the states, are determinant in the separation of marine spaces. In this sense, even though the CS of Turkey with the longest coastal strip in the East Mediterranean is not denied, the areas belonging to Turkey are requested to be violated with the announcement of a single-sided EEZ by the GCASC.³²³

These coasts are the southern side of the island for the GCASC, and Greek mainland for Greece within the framework of the principle of "the coasts of the parties form the starting line". The Principle of "proportionality" indicates that the marine space to be granted to parties should be proportional to the coastal length of each state. In other words, the states with a short coast shall have less area of the CS and EEZ. Turkey is the state with the longest coast strip in the Eastern Mediterranean. Therefore, the marine space should be granted according to the length of coasts to be limited. Thus, the marine spaces of Anatolian coasts are shared equally with the

³²¹UNCLOS Article 300.

³²²Yaycı, pp. 4, 24, 39.

³²³Ercümen, <https://www.aa.com.tr/tr/analiz-haber/dogu-akdeniz-enerji-denklemi-ve-uluslararası-hukuk/1349235>.

Greek islands such as Kasos, Karpathos, Rhodes, and Kastelorizo, which are so small that they cannot be compared with Turkey's coasts shall not be fair and cannot be accepted. In addition, Kasos, Karpathos, Rhodes, and Kastellorizo islands of Greece are the islands located on the opposite side of equidistance. Thus, it is not possible that these islands have EEZ or CS in the East Mediterranean or it is only possible by granting a very limited effect. In particular, it is impossible that Kastellorizo island has a marine space rather than its territorial waters due to its location and size.³²⁴ Another principle is that “agreement is the main principle in the limitation”. The GCASC takes actions individually by entrenching upon the rights of other states in the region and by violating international law in the limitation of marine spaces. The international legislation states that firstly, these spaces are shared among the riparian states “by being agreed among themselves”, if not, they should go to the “international arbitration and courts,” and in case this can not be achieved, “temporary solutions” can be applied between the related states with fair advantages.³²⁵

3.3.2. Turkish Republic of Northern Cyprus

The TRNC has not any agreement or announcement relating to the limitation of the EEZ and CS of Cyprus. The TRNC, like Turkey, requests that any limitation to be made in this region should be made according to international law and in accordance with the mutual agreements to be made within the framework of the equitable principle with the participation of all the relevant states in the region including Turkey.

As the Greek Cypriot Administration does not represent the whole island, which is bi-communal and has no authority to make a limitation agreement individually, it has been stated that the agreements made are in abeyance, this limitation shall not be possible until an agreement is made with the TRNC and it is obligatory to act together with the TRNC.³²⁶

³²⁴Apaydın, p. 11.

³²⁵Ercümen, <https://www.aa.com.tr/tr/analiz-haber/dogu-akdeniz-enerji-denklemi-ve-uluslararası-hukuk/1349235>.

³²⁶Demir, p. 103.

3.3.3. Greece

Concerning the impasse in the East Mediterranean, we have been observing not only the expectations of Greece to economic benefits but also its desire to realize the Megali Idea, one of the biggest dreams of Greece, by extending its sovereign base area. In line with this aim, the status quo achieved with the Lausanne Peace Treaty is tried to be changed in favor of Greece with *politique de faite accomplie* through the attitudes and actions against Turkey.

The existing problem in the Eastern Mediterranean is not only to acquire energy sources but also to obtain sovereignty in the seas. The sovereign rights granted to territorial waters within the framework of international law have not been recognized for EEZ and CS. However, the *politique de faite accomplie* in the region is considered as the steps to pave the way for *de facto* change. This *de facto* change that can also be used by Turkey in its legal and political arguments is the effort to maintain territorial waters laws in the EEZ and CS. This change tried to be made can be considered as a precedent. This change paves the way Greece and the GCASC for spreading in the Mediterranean Sea and even uniting (Enosis in the Sea) the marine spaces by excluding Turkey from the Mediterranean. In this framework, the EEZ limitation agreement to be entered into between Greece and Egypt is of great importance. Since Greece emphasizes in the agreement to be made with Egypt that Kastellorizo island off the coast of Antalya should be based on.³²⁷

Greece hopes that the limitation on the region is to be made with the equidistance method and it shall have a CS and EEZ in a wide marine space through the southern border to be determined between Egypt's northern coasts and south coasts of Crete, Karpathos, Kassos, Rhodes, and Kastellorizo islands. Thus, Turkey shall be stalemated to the north and excluded from the Mediterranean Sea through this equidistance considered to be drawn between the coasts of Anatolian and Rhodes and Kastellorizo islands.³²⁸

³²⁷Gözde Kılıç Yaşın, "Doğu Akdeniz'de Yeni Durum: De Facto Hukuk Değişimi", **Ekoavasya**, 07.01.2015, http://ekoavasya.net/Duyuru.aspx?did=162&lang=TR#_ftn2, (01.03.2019).

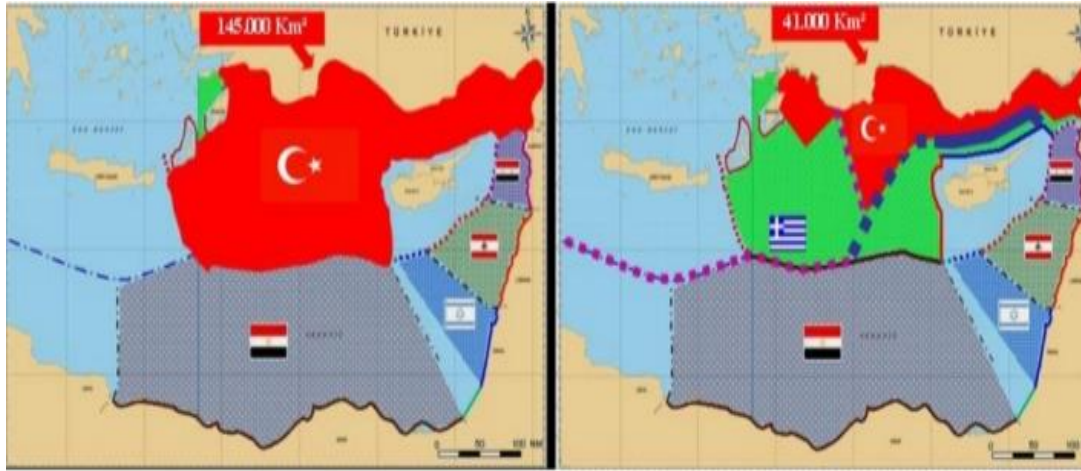
³²⁸Arda Özkan, "Doğu Akdeniz'de Münhasır Ekonomik Bölge'nin Sınırlandırılması Uyuşmazlığı", **II. Regional Issues and Turkey Symposium**, 1-2.12.2012, p. 375.

Greece leaves Turkey very little CS and EEZ with the Gulf of Antalya through this attitude far from the equity in terms of international law. These islands shall be the islands located in the “Reverse Side” in the equidistance to be drawn between the coasts of Turkey and Greece. According to the principle of supremacy of geography, the maritime jurisdiction of islands in the reverse side of the equidistance between two mainlands is up to their territorial waters. In this regard, these islands cannot form a coast in terms of limitation by being connected to a line and cannot have a continental shelf outside territorial waters. Greece cannot form a coast eliminating the coast strip of Turkey facing towards to the limitation zone by combining Crete, Kasos, Karpathos, Rodos, and Kastelorizo islands with a line. This issue that is in contradiction with the principle of supremacy of geography, one of the equitable principles, is clearly specified in the dispute of Canal continental shelf between England and France by the ICJ in 1977. In this case, the provision of “geographical conditions” determines the compliance of equidistance or any other limitation method” was passed. In the Libya-Malta case, it was decided as “starting line forms the coasts of the parties,” and in the Tunisia-Libya case, it was decided as “continent dominates the sea”. In the decision dated February 3, 2009, and made regarding the dispute between Ukraine and Romania, the Snake Island belonging to Ukraine was not considered as the relevant island and a limitation is made by using an equidistance between two countries while determining the limitation line. In case of the realization of this dream of Greece, although Turkey is the state with the longest coast strip in the East Mediterranean, it shall have 41.000 km² of maritime jurisdiction in total off the coast of the Gulf of Antalya. Thus, approximately 104,000 square kilometers of maritime jurisdiction shall be encroached.³²⁹ Turkey has 145.000 km² of CS, 71.000 km² of which shall be transferred to Greece and 33.000 km² of which shall be transferred to the Greek Cypriot Administration of Southern Cyprus.³³⁰

³²⁹Yaycı pp. 20-21, 24.

³³⁰Yaşın, <http://ekoavrasya.net/Duyuru.aspx?did=162&lang=TR>.

Figure 21: Comparing With Turkey's EEZ And Greece-GC's EEZ Which is Foresaw For Turkey



Source: Yayıcı, p. 25

Egypt will lose an area of 7400 square kilometers in the event of coming to terms with Greece and accepting Crete, Kasos, Karpathos, Rhodes, and Kastellorizo as the coastal border of Greece in comparison to making a similar agreement with Turkey. However, if this limitation agreement is made with Turkey by taking into consideration of the international law, the median line will shift northward and Egypt will survive this loss.³³¹

3.3.4. Greek Cypriot Administration Of Southern Cyprus

GCASC differs from the other states in the region with its intense economic zone identification efforts. In the 2000s, by signing EEZ treaties with Egypt, Lebanon, and Israel, GCASC acts as a single and legitimate state in the name of the Republic of Cyprus while making these agreements. The GCASC violates the 1959 Zurich and London Treaties and the 1960 Nicosia Agreement because it does not receive the approval of the TRNC on the steps it takes. Thus, both the TRNC and Turkey have reported that they do not accept these agreements at every opportunity.³³²

³³¹Cavid Abdullahzade, “Doğu Akdeniz’de Mısır ile Antlaşma Şart”, **Doğu Akdeniz’de Hukuk ve Siyaset**, (Ed.Sertaç Sami Başeren), Ankara Üniversitesi Siyasal Bilgiler Fakültesi Publications, Publication No: 608, Ankara, 2013, p. 344.

³³²Apaydın, p. 4.

GCASC believes that it has the right to restrict the maritime jurisdictions with riparian countries and to operate drilling works and energy resources within these regions. It claims that these agreements were drawn in accordance with the rules of international law. Its other argument is that Turkey has no right to intervene in the bordering made between the non-adjacent or opposite coasts on its shores. It states that the declaration of national regulations to the UN entitles them. By claiming the argument that Turkey and the states that have semi-closed sea coasts have to cooperate with each other, GCASC asserts the claim that Turkey indirectly recognizes the GCASC as the legitimate government of Cyprus.³³³

GCASC usurpation of other marine areas is not only limited to Turkey and the TRNC. GCASC has won the sea areas of the states in which it has signed a limitation agreement in the region by violating these countries rights, which arise from international law. It was understood that the GCASC took the Paphos and Cape Victory as its own shore in the limitation agreement signed with Syria, Lebanon, and Israel. While the length between Paphos and Cape Victory was 168, 905 nautical miles, the coastal length between Syria, Lebanon, and Israel corresponded to 316, 907 nautical miles. Accordingly, the coastal length ratio is 1.87. Therefore, the GCASC has usurped slightly less than about 2 times the coasts of these countries. Likewise, a violation of rights is seen in the treaty with Egypt. The total length of the coast between the Cape of Victory and Cape Arnauti is 197,659 nautical miles. Egypt's related coastal length is 400,128 nautical miles. The coastal lengths are 2 times in the favor of Egypt. However, the treaties made by GCASC had more maritime zone by taking 21.500 km² from Egypt, 4600 km² from Israel and 3.957 km² from Lebanon. Therefore, the Greek Government has not only violated the principle of making a fair limitation agreement with coastal states by taking into consideration of the reciprocal rights stipulated by the international law but also disregarded the rights and standpoint of Turkey and the TRNC.³³⁴

³³³Özkan, p. 376.

³³⁴Yaycı, pp. 36-37.

Another view put forward by the Greek Cypriot side is that the existence of the TRNC does not have the capacity to make an agreement due to not being recognized internationally.

3.3.5. Britain

Britain has two bases which are in sovereignty status within the framework of the Warranty Agreements on the Cyprus Island, one of them is in Akrotiri, which is close to the city of Limassol and the other in Dhekelia located in Larnaca. According to the amount of petroleum and natural gas to be determined by the drilling works around the island, a new disputed region may emerge in the region in the future if there is a demand for the determination of its own maritime jurisdiction.

Another area of uncertainty about Britain in the region is the negotiation of Brexit and the status of British military bases in Cyprus. The European Commission sent a letter to the 27 EU Member States and the letter, which is a roadmap to Brexit, stated that the status of the British bases on the island should be redefined and that foreign countries will not have a military base on EU territory without EU approval. About 3,000 British troops serving on the bases, and the status of employees' residence permits were also requested to be reviewed.³³⁵

Another disturbance of the EU is the fact that Britain, which is close to the Arab countries and plays an important role in intelligence gathering, is running the ECHELON system that is able to listen to phone calls in all countries in the world at the base of Dhekelia. In the report prepared by a British scientist, writer, and journalist Duncan Campbell, European discomfort was expressed by emphasizing the spy network system used by the US, UK and Australia and information collected on industrial espionage, diplomacy and economy and the ignorance on the right of private life.³³⁶

³³⁵Stelyo Berberakis, "Avrupa Komisyonu: Brexit Müzakerelerinde Kıbrıs'taki İngiliz Üsleri de Masada Olsun", **BBC**, 3.04.2017, <https://www.bbc.com/turkce/haberler-dunya-39481699>, (20.03.2019).

³³⁶European Parliament, "Report On The Existence Of A Global System For The Interception Of Private And Commercial Communications (ECHELON Interception System)", 11.06.2011, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+REPORT+A5-2001-0264+0+DOC+PDF+V0//EN>, (20.03.2019).

3.3.6. Syria

Sharing a border with Turkey and being a riparian country in the Eastern Mediterranean, Syria has conducted bilateral discussions GCASC in 2001 and even though during these discussions, the CS and EEZ subjects have come to the agenda the said agreement has not yet taken place.³³⁷ The north side of the 3 different areas, which are announced as tender by Syria Petroleum and Natural Resources Ministry between the dates of March 24-October 5, 2011 for about 6 months, extends up to 30 nautical miles in the western direction of the point where the land border ends between Turkey and Syria. A portion of the mentioned region is under the maritime jurisdiction of Turkey, and Syria has identified this area as a part of their territorial waters and EEZ.³³⁸

3.3.7. Egypt

Morsi, who came to power on June 30, 2012, after Hosni Mubarak period came to an end, has changed the Egyptian policy and Israel has been negatively affected by this change. Israel's gas line has been cut off from Egypt where Israel was buying gas at an affordable price since 2005. On the other hand, while the agreement signed during the Mubarak period was terminated unilaterally³³⁹, the agreement on the establishment of the EEZ borders, which was signed with Southern Cyprus in March 2013 was canceled. However, Sisi, who captured the country's management with a coup, approved in September 2014 a framework agreement to seek energy resources in the Southern Cyprus and the Mediterranean region. After these developments, there has been a development that was going to affect the region, especially Egypt. On August 31, the Italian Energy Group ENI announced that Egypt had found a large natural gas field off the Mediterranean coast. Zohr underwater natural gas source, which is referred to as a “supergiant” by the company, is stated as being one of the world's largest natural gas sources.³⁴⁰

³³⁷Özkan, p. 376.

³³⁸Yaycı, pp. 25-26.

³³⁹Bolat, <https://www.timeturk.com/tr/2014/11/06/dogu-akdenizde-gaz-ve-mucadelesi.html>,.

³⁴⁰Dursun Yıldız, “Doğu Akdeniz’in Yeni Enerji Oyuncusu: Mısır”, **Toprak Su Enerji**, 6.09.2015, <http://www.topraksuenerji.com/2015/09/>, (13.12.2018).

Egypt, which pursues a natural gas exploration studies in the waters of the Mediterranean Sea since the 1960s, has found the first natural gas in 1969. Until the 2000s, Egypt played an important role in the region's energy market for nearly 40 years. In 2018, a new natural gas field of about 2 trillion 550 billion cubic meters was determined as a result of the drilling conducted by the Italian Eni Company in Egypt. The field, which is named as Noor has been reported to have more reserves than the combination of any other natural gas fields ever discovered in the Mediterranean. With this discovery, Egypt will meet both the domestic demand and export natural gas.³⁴¹

3.3.8. Lebanon

On October 1, 2011, by the Law No. 6433, Lebanon determined the boundaries of the exclusive economic zone and officially informed these boundaries to the UN on 14 November 2011. However, Lebanon has objections to the treaty between the GCASC and Israel because it violates its own marine areas. As a matter of fact, in a letter dated 3 September 2011, the UN Secretary-General notified Lebanon's objections.³⁴²

On February 9, 2018, Lebanon signed agreements for drilling with international energy companies. Lebanon has concluded contracts for drilling with The Italian ENI, French Total and the Russian Novatek consortium in two blocks, which includes the controversial 9th block, which has created tension with Israel. This situation caused a reaction from Israel, who had previously claimed rights, and it was announced that these works would not be allowed.³⁴³

³⁴¹Tevfik Kadan, "Akdeniz'de Dengeler Her An Değişebilir", **Aydınlık**, 12.12.2018, <https://www.aydinlik.com.tr/akdeniz-de-dengeler-her-an-degisebilir-dunya-aralik-2018>, (20.03.2019).

³⁴²UN, "Submission Compliance with the Deposit Obligations Pursuant to The UNCLOS, Lebanon", 01.02.2018, <http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/STATEFILES/LBN.htm>, (13.06.2018).

³⁴³RUSEN, "Doğu Akdeniz'de Enerji Savaşları", 28.10.2018, <http://www.rusen.org/dogu-akdeniz-enerji-savaslari/>, (12.12.2018).

3.3.9. Israel

Israel's energy exploration work began in the 1990s, which include natural gas resources in Gaza City and the Western Bank. In spite of this, the Palestinian Authority aimed to give the operation of the natural gas deposit in the open waters of Gaza City to Russian companies. Although it was stated in 2007 that the income to be obtained within the framework of an agreement that would expand the gas fields with Palestine will be used for the correction of the economy, it was used by Israel to create the ground for the operations to be carried out by Hamas, claiming that Palestine would use these fields against Israel as armed actions. Israel also seeks to dominate the Syrian and Lebanese reserves. As a matter of fact, Ansis and Sagex companies that make researches in Syria stated that Syria has richer reserves than the sources of Qatar. Lebanon objected to the agreement between the GCASC and Israel on the grounds that it coincides with its maritime jurisdiction.³⁴⁴

Although 60% of the natural gas reserves in the west of Gaza have declared by Israel that is in its own sovereignty area, it is claimed that the reserves are located within Palestinian sovereignty.³⁴⁵

3.3.10. Palestine

According to the Oslo Accord, Israel needs to cooperate with the Palestinian Authority for its initiatives in the region. However, Israel aims to export its gas from the region to the world markets with the fait accompli tactics related to the Palestinian issue even though it is in the process of being unresolved. According to the 1994 Gaza-Jericho Agreement, the region called “Gaza Marine”, which is located to the south of Mari-B including two wells called Marine 1 and Marine 2 should be under Palestinian control. However, due to the blockade of the region, even the fishing boats in Gaza City cannot go sailing for more than 6 miles. Israel had blocked the region in 2006, with Hamas taking power in Gaza City. As a result, Israel had unilateral access to the gas of Palestine, as Palestine was under the blockade and its

³⁴⁴Zeynep Bozdaş, “Ortadoğu ve Akdeniz’de Enerji Politikaları”, **Fikir Zemini**, 14.08.2015, <http://www.fikirzemini.com/yazarlar/zeynep-bozdas/ortadogu-ve-akdeniz-de-enerji-politikalari/14/>, (02.03.2018).

³⁴⁵Özkan, p. 376

access to the gas that is originally theirs is blocked. Moreover, by purchasing their own gas, they were the first customers of Israel's natural gas from the Levant. Apart from this, 85% of Palestine's consumption of electricity is provided by IEC due to not being able to produce its own electricity, which buys this natural gas from Israel. Palestine cannot produce its own electricity due to not having fuel or due to the destruction of its facilities. In 2006 and 2014, Israel's first target in Gaza City, where Israel turned the place into hell, was the electricity generation and water treatment facilities.³⁴⁶

3.3.11. Multinational Companies

GCASC first-round initiation of tender unilaterally by usurping the territory of Turkey and the TRNC in the eastern Mediterranean was launched in 2007, continued with the second round of bidding in 2012, and in 2016 with its performed third round of license auctions. These so-called EEZ areas are in the form of 13 squares with 3 rows from north to south. The fields listed are located at 1st 2nd and 3rd fields in the north, 4th 5th 6th 7th 8th 9th and 13th fields in the middle and the 10th 11th and 12th fields in the southernmost location respectively. In the 2nd 3rd and 9th fields, Italian Eni and South Korean Kogas have joint licenses. The shares of these companies in the mentioned areas are 80% of Eni and 20% of Kogas. The French Total and the Italian Eni companies are located on the 6th and 11th fields with equal percentages. In the 8th field, Eni stands alone in the so-called license holder position. In another partnership in the 12th field, US Nobel, British BG, Israeli Delek, and Avner companies have 35, 35, 15 and 15 percent share, respectively. In the 10th block, there is a partnership of Exxon Mobil from USA / Qatar Petroleum and Total/Eni in the 11th field. Turkey and the TRNC had claimed a right from the so-called license areas, in which there is no intersection in the 10th and 11th field. However, the Turkish side on the island has the right to have the resources available to them in these fields where there is no intersection³⁴⁷ These so-called fields' areas

³⁴⁶TENVA, "Doğu Akdeniz'de Güç Uyanıyor", 01.02.2016, <http://www.tenva.org/dogu-akdenizde-guc-uyaniyor/>, (02.03.2018).

³⁴⁷Muhsin Barış Tiryakioğlu, "Türkiye Güzelyurt Restleşmesi ile Akdeniz'deki Duruşunu Pekiştirdi", AA, 19.10.2018, <https://www.aa.com.tr/tr/analiz-haber/turkiye-guzelyurt-restlesmesi-ile-akdenizdeki-durusunu-pekistirdi/1286450>, (12.12.2018).

numbered as 1, 4, 5, 6 and 7 have an intersection with Turkey's continental shelf, whereas, areas numbered as 1, 2, 3, 8, 9, 12 and 13 coincides with the TRNC sea areas. In line with the developments in 2011, TRNC gave 7 license areas named A, B, C, D, E, F, G to TPAO.³⁴⁸

ENI has sold 30 percent of its shares in Zohr field, which is the largest natural gas field in the region, to reduce the costs of operating and risk in Zohr field to Russia's Rosneft and then to Mubadele Petroleum Company, which is based in UAE, however continued on being the senior partner in the Zohr field.³⁴⁹

The political and economic benefits of the lobbying efforts to be carried out by the GCASC are taken into account by the GCASC. For this reason, it has the aim to benefit from the market's power by the licenses it has given to the powerful energy companies including Noble Energy, Shell, Eni, Total and Exxon Mobile. Anastasiades' indication of pointing out that the solution to the region is based on the market rather than military force proves this policy.³⁵⁰

In addition that, the fact that Turkey makes drilling works on its own would increase the confrontation of competing states in the region and the imminence among the multinational companies against Turkey due to not obtaining any benefit from the profit.

3.3.12. Hegemonic Powers

Although it is desirable to have a distribution of power between the states that make up the international system to be equal, it is difficult to actualize this expectation in practice. Equality between states in international relations theories is considered as a utopia, which is far from rationality. This acceptance makes the struggle of global hegemony natural within the framework of conflicting interests and policies. This natural struggle can be done to obtain the hegemony or to preserve

³⁴⁸Gökhan Güler, "Doğu Akdeniz'deki Yetki Alanı Meselesi", **TURKSAM**, 6.04.2018, <http://turksam.org/dogu-akdeniz-deki-yetki-alani-meselesi>, (03.01.2019).

³⁴⁹İsmail Numan Telci, "Doğu Akdeniz'de Enerji Rekabetinin Geleceği", **Star**, 26.01.2019, <https://www.star.com.tr/acik-gorus/dogu--akdenizde--enerji--rekabetinin--gelecegi-haber-1429356/>, (29.02.2019).

³⁵⁰İsmail Şahin, "Doğu Akdeniz'de Enerji Diplomasisi: Rum Tezleri", **Diriliş Postası**, 23.03.2019, <https://www.dirilispostasi.com/makale/dogu-akdenizde-enerji-diplomasisi-rum-tezleri-5be4d61d5fe8294a9d02d5b3>, (23.03.2019).

the existing hegemony. The classic means to win a victory in this struggle are military power and war. Today, innovation, technology, and qualified manpower are added to these. Sometimes this tool is to cooperate with other states on a regional or global level in commercial or military terms. The hegemonic struggle takes its place in the theories of international relations with different perspectives. For example, according to realism, while this struggle is realized in the field of the military area, liberalism aims at maintaining the order. Wallerstein points to the economic sphere, and Gramsci points to the struggle between the classes. Modelski draws attention to the political spheres and global sea battles. According to him, those who want to be hegemony or to maintain their hegemonic power must dominate the competition in the oceans. Another challenge in this race is political and legal. Regional and global struggles on problematic issues in the maritime jurisdiction, CS, EEZ and other gray areas can lead up to hot conflicts. The relations between the global hegemon and states, which have lower hegemon power are very important for the parties. However, in the formation of decisions on the use of sea areas to be provided by international organizations, countries are setting up combat platforms to prevent decisions that are not in their interests, and by forming alliances, they prevent the issue of decisions.³⁵¹

In the hegemonic struggle in the Eastern Mediterranean, the United States aims to obtain economic gains through its multinational companies that exercise drilling work in the region and to provide the energy it needs. In order to achieve this, the energy sources to be obtained from the region and the safeguarding of these energy ways lead the US to establish superiority in the field of security. Ensuring security is not only important for the interests of energy but also for the US in order to ensure the goals in the Middle East and Israel's presence in the region. On the other hand, in order to prevent the global rival EU, China and Russia gaining power in the region, it has to take measures to keep the interest in the region at the highest level and increase its security in all areas. Keeping its 6th fleet in the region, the United States has also demanded a base from GCASC. In addition, the United States,

³⁵¹ Cengiz Ekin, "Küresel Hegemonya Mücadelesi Açısından Deniz Yetki Alanları", **Doğu Akdeniz Deniz Yetki Alanlarında Hukuk ve Siyaset**, (Ed.Sertaç Sami Başeren), Ankara Üniversitesi Siyasal Bilgiler Fakültesi Publications, Ankara, 2013, pp.88-93.

which uses bases belonging to England at Troodos Mountain, can monitor the Middle East, Central Asia, and the Caucasus in the military, diplomatic and economic terms. Furthermore, taking steps towards the views of the island, which suggests taking the whole Island as a member of NATO in order to provide the solution on the Island may lead to new tensions in the region for other global powers.

Another actor in the region is Russia. Russia's goal towards the region is foremost to protect its energy, and economic, commercial and security interests of itself, and to prevent their rivals, the EU and the US, from becoming stronger in the region. In order to achieve this, Russia has turned towards making cooperation with the countries of the region, and without a doubt Russia's biggest partner in the Eastern Mediterranean region is Syria. The bases in the Syrian port of Tartus and the Hmeymim air base in Latakia is of great importance for Russia, which supports the Assad regime in the Syrian crisis, which started in 2011. The S-300 and S-400 missiles in Tartus and the SU-25 jets in Hmeymim provide Russia with a great military advantage. With this presence in Syria, Russia becomes more permanent in the Eastern Mediterranean and gains a right to speak in the region. An agreement was signed between the Russian state Soyuzneftgaz, which not only wants to gain an advantage in terms of security but aims to make economic gains, and Syria directed at the exploration of energy in Syrian coasts. Developing relations in the area of security, trade, energy sign that Turkey would be another country for these cooperations.

New global power China's interest in the region is based on connecting Asia, Africa, and Europe economically with the "21st Century Sea Silk Road" project. "One Belt One Road" initiative announced by the President of the People's Republic of China, Xi Jinping in 2013, aims at China's contacts with East Asia, Central Asia, West Asia, Africa, and Europe from land and sea to improve its economic cooperation. "21st Century Sea Silk Road" project is the sea-related part of the "One Belt One Road" project. For this purpose, China aims to invest especially in ports in Cyprus, which acts as a bridge in terms of access to the Russian, the Middle Eastern, North African and European. Israel and the EU countries have expressed concern that China's intentions are not only economic but that these ports may be used for

political and military purposes in the future. Therefore, significant developments are expected in the region in accordance with the struggle for hegemony.³⁵²

3.4. DYNAMICS OF THE CONFLICT

The present conflict in the Eastern Mediterranean is a multi-actor interstate conflict and economic, political and security objectives are the main cause of the conflict. The rich hydrocarbon reserves took out from the region is great importance for countries such as GASC and Egypt, which are in economic deadlock. Undoubtedly, another important factor for Greece and the Greek Cypriot Administration is political. A parallel to the expansion of maritime jurisdictions, it is hoped that their ultimate goal, Megola Idea, will be realized. With the membership of the GASC, the EU will take a stronger position against its rivals such as the US and Russia in the region with the expansion of its borders, while supplying the energy it needs.

It is manifest conflict in terms of the intensity of violence. However, the parties are in an attitude that can bring the conflict into a crisis or even war stage which has violent content. We can list these prominent attitudes and actions which are a trigger and raise of the conflict as follows:

- Signing of the unilateral EEZ limitation agreement by the GCANC declaring the license area and opening these areas for international tender for drilling in these areas by ignoring TRNC,
- Overlapping of some areas declared with Turkish maritime jurisdiction area
- Not including of Turkey into the EAST MED Project which is one of the most important potential tools for providing peace, although financial difficulties will be lived without Turkey
- Planning of installing this pipeline under Turkey's continental shelf
- Rising of the military cooperations

³⁵²Mehmet Cem Demirci, “Kıbrıs ve Doğu Akdeniz Üzerinde Hegemonya Mücadelesi”, **Euronews**, 02.03.2019, <https://tr.euronews.com/2019/03/02/kibris-ve-dogu-akdeniz-uzerinde-hegemonya-mucadelesi>, (12.03.2019).

➤ Omitting Turkey from East Mediterranean Gas Forum although it is the appropriate platform for peace negotiations

Apart from these, the most complicated factor in the resolution of the conflict is that the Greek Cypriot Administration became a member of the EU as a representative of the whole island. EU had not used the principle of conditionality which is one of the tools of its conflict resolution and called stick and carrot. Moreover, although it can still implement these tools for peace with a compulsion mechanism called a stick such as suspending the membership or cut the incentive. But all these mechanisms have been used by the EU against Turkey in the framework of good neighbourhood relations.

So we can say that EU's attitude in a way for the solution is passive but for creating more powerful conflict is active. In this process, Turkey has been showing the right reactions against these countries' actions which violate the international law and its rights. It seems that this action and reaction or cause and effect relation will stay stable unless any mediation process does not put in place. It is the middle scenario for this conflict analysis.

It seems that this action and reaction or cause and effect relation will stay stable unless any mediation process does not put in place. This is middle case scenerio or status quo scenerio for this conflict's analysis. Mediation which is one of the conflict resolution methods should be utilized in order to provide a solution in the region and all countries that have coast at the Mediterranean must be multilaterally signed the EEZ restriction agreement. The most important platform for peace talks may be the Eastern Mediterranean Gas Forum for his potential initiatives. It may be the best scenerio for the dynamics of the conflict analysis.

One of the parties could bring tension to a more advanced stage by provocation, therefore conflict could become more dangerous. The worst scenario is a war between the parties and this war may spread suddenly to all Mediterranean areas.

3.5. EU'S EFFECT ON THE SOLUTION

The attitude of the European Union towards the region is to dominate Cyprus to gain a superior position against other global players. The EU, whose borders are expanding with Cyprus and in the south-east, will also expand in the Eastern Mediterranean and the energy routes and supplies will be secured. However, in order to achieve these goals, it has become a part of the non-settlement in the East Mediterranean region by ignoring international law and taking steps that contradict its own values and norms.

One of the most important events that caused the persistence of the problem in the EU axis was the Annan Plan, which aimed at resolving the Cyprus problem. In the referendum on 24 April 2004 for the ratification of the Annan Plan, which the EU strongly supported, the Turkish Cypriot side said “Yes” with 64.9% and the Greek side with “No” with 75.8%. In spite of the resolution of the solution and the provisions of the plan against Turkish, this plan could not be concluded positively because of the guarantee EU had given to the Greek Cypriot Administration that the EU would be accepting them as a full member. In May 2004, the EU embodied this support as a result of the GCASC taking the name of “The Republic of Cyprus” to represent the entire island. Thus, the continuity of the problem is guaranteed in Cyprus and therefore in the Eastern Mediterranean so to speak.³⁵³

In this process, the EU could have played an important role as a strong actor to provide a solution and, in particular, by using the “Conditionality Principle” as an effective tool for a solution. EU has put conditions for candidate countries in order to become a full member of the union including economic, social, administrative, legal and political areas, which consist of identified obligations to fulfill. This principle, which is expressed as the “EU Conditionality Principle”, is a driving factor as being a “soft power” tool in the realization of the values and norms related to the EU by the candidate countries. For the realization of the reforms, the prize and punishment mechanisms, called carrots and sticks, are used as tools. For example, if the necessary steps are not taken to provide financial support to carry out the requested

³⁵³ BILGESAM, pp. 41-42.

reforms, there is an attitude towards cutting or suspending such incentives which are used for reforms demanding to be realized. The biggest pressure mechanism in this process is the full membership of the candidate country if they realize all these conditions.

This pressure element could not be managed to provide a solution to the long-standing Cyprus problem. The requirement that the political problems, which are a prerequisite for the candidate countries to be resolved before full membership, has been violated by the EU by accepting the full membership of the GCASC. Thus, the current problem has become much more complex as an opportunity to solve the problem in the region has been missed. In the Cyprus problem, the EU has a contradictory attitude with its own values and norms. GCASC' obligations are ignored meanwhile the same problem's solution is demanded as a full membership criterion from Turkey, thus violating the equal implementation of the policies for each country. The dispute in Cyprus has been moved to the EU to cover the maritime jurisdictions, and by Europeanization, this problem has become the domestic affair of Europe as in the case of Greece's membership. During this process, GCASC has not only carried this problem to the EU institutions but also used his veto right against Turkey and thus adversely affected the relations between Turkey and the EU and turned the problem to be very comprehensive and more complicated.³⁵⁴

This first link of this problem chain was formed by a declaration that Turkey does not recognize the Republic of Cyprus on May 25, 2004, when Turkey was signing the additional protocol, which has expanded the Ankara Agreement to new members, for all new members of EU.³⁵⁵ In retaliation to the declaration issued by Turkey, the EU Council also issued a declaration with member states adopted by the COREPER meeting that Turkey has adopted this initiative unilaterally. In the EU the Government and Heads of State Summit held in December 2006, due to Turkey's decision of not opening its ports and airports to the GCASC, it is decided to not open eight chapters related to the customs union, and provisionally close any chapters.³⁵⁶ In the next process, the EU has deepened the problem in Cyprus including its

³⁵⁴ BILGESAM, pp. 40-41.

³⁵⁵ T.C. Dış İşleri Bakanlığı, "Ek Protokol ve Deklarasyon Metni", <http://www.mfa.gov.tr/ek-protokol-ve-deklarasyon-metni.tr.mfa>, (24.09.2018).

³⁵⁶ İKV, "Müzakere Kararının Alınmasından Fiili Müzakerelere", <https://www.ikv.org.tr/ikv.asp?id=370>, (24.09.2018).

expectation from Turkey to find solutions related to Cyprus subject in the Progress Reports published by the EU. These demands are not only limited to the Cyprus issue but also ended up them making demands related to the Greek islands and Turkey's maritime jurisdiction with its own discourse by disregarding international law.

In fact, ships that are taken out, which had border breached the sea areas under the sovereignty of Turkey, have been subject to criticism. However, not satisfied with the decision taken at the EU Parliament, on Nov 13, 2014, the EU condemned the seismic activity in the eastern Mediterranean field, which was carried out by Turkey under international law, and even ships were asked to be withdrawn from the region. EU who has believed that only the GCASC had an EEZ field in the region, stated that Turkey prevents the drilling works within the GCASC' so-called EEZ area. Turkey's actions to protect the sovereignty of the region has been described as a provocative and threatening behavior.³⁵⁷

Instead of avoiding a possible conflict in the region by being included in a conciliatory stance and engaging in mediator activities, the EU has taken a position against Turkey in favor of the GCASC and has almost become a party to the conflict. The EU has imposed the Conditionality Principle to Turkey on this resolution of the Parliament even though the same principle is not implemented on GCASC' EU membership process and the Cyprus problem. In the mentioned decision, it is stated that Turkey's noncompliance of the declaration issued by the European Community and EU member states on 21 September 2005 will adversely affect Turkey's accession negotiations. EU, which inherited its codes from the exploiting history of Europe with certainly containing an unconscious fear, has caused consequences that can be seen from the continuity of the unstable environment in the region due to its anti-politics towards Turkey.

Energy sources also play an important role as one of the reason they want to develop their borders by establishing de facto sovereignty in the region for EU. EU

³⁵⁷ European Parliament, Turkish Actions Creating Tensions In The Exclusive Economic Zone Of Cyprus, European Parliament Resolution Of 13 November 2014 On Turkish Actions Creating Tensions In The Exclusive Economic Zone Of Cyprus (2014/2921(RSP)), P8_TA(2014)0052, 2014-2019, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2014-0052+0+DOC+PDF+V0//EN>, (20.09.2018).

has been developing policies towards obtaining alternative energy sources and routes due to being dependent on Russia in terms of natural gas. It is determined that the energy sources of the region will meet the 100-year natural gas requirements of Europe. Therefore, the Eastern Mediterranean is of great importance with its rich natural deposits and its proximity to other energy bases in the region. Due to its strategic and geopolitical position in terms of controlling the region, Cyprus is becoming a focus for the EU.

With the technical and financial support of the EU, it is planned to implement the natural gas pipeline in the Eastern Mediterranean. The energy sources to be obtained from the region are expected to be transported to the EU through the Israel-Cyprus-Greece-Italy line. The cost of the pipeline will be very high due to being the longest in the world and due to security concerns, it will be laid 3,5 km deep below the sea.³⁵⁸ However, financial losses would reduce transport costs by transporting natural gas to be obtained through Turkey. In addition, this line of the route that would pass through the region within Turkey's maritime jurisdiction would create a new potential crisis area. Despite these two handicaps, and although the passage of the natural gas pipeline through Turkey would force the countries of the region to compromise, the EU's attitude is more towards ensuring the continuity of the problem in the area. Instead of pushing the countries in the region towards a solution with a mediation activity, the state of insolubility is supported by financial and technical assistance. The attitudes and actions of the EU make their goals more specific in the region, which are political rather than being related to economic concerns. These attempts indicate the prevention of Turkey to become an energy region and the violation of the Marine Jurisdiction Areas without war with fait accompli strategies.

With the discovery of the Eastern Mediterranean energy resources and the efforts of the GCASC and Greece for the determination of the Marine Jurisdiction Areas in the Eastern Mediterranean, a map of the Eastern Mediterranean Marine Authorities recognized by the institutions of the European Union were established. In this map, by giving 7 square kilometers of the continental shelf to the island of

³⁵⁸"Doğu Akdeniz'de Doğalgaz Boru Hattı Anlaşması", **Dünya**, 26.10.2018, <https://www.dunya.com/sektorler/enerji/dogu-akdenizde-dogal-gaz-boru-hatti-anlasmasi-haberi-433195>, (10.12.2018).

Megisti and thus trying to create a perception of Turkey's marine jurisdiction areas as if they belong to Greece' sovereignty. Turkey determines that Antalya's Kaş district is only one and a half nautical miles from this island, which is 7 kilometers in size, therefore, it can only have territorial waters instead of a continental shelf within the framework of the rule of law. Additionally, Turkey has shared a map of its maritime jurisdiction areas with the whole world by highlighting the importance of the continental shelf of the mainland (i.e., Anatolia) rather than the islands as an international rule of law. Accordingly, the size of the area determined by Turkey is about 150 thousand square kilometers. Greece and GCASC's claim leave a living space of 50 thousand square kilometers to Turkey.³⁵⁹

Another striking step taken by the EU in the region is that Union has put into effect the so-called conservation plan for the Mediterranean with PESCO (Permanent Structured Cooperation in Defense Agreement), which is known as the NATO of the Union.³⁶⁰ While the EU should play a pioneering role in the steps to be taken in order to increase confidence in the region, the idea of sending a navy to the region through the PESCO and the establishment of an Intelligence Academy in Southern Cyprus creates the perception that a larger conflict can be realized rather than creating a peaceful ground in collective perceptions.

An opportunity to support the possible peace in the region was the establishment of the Eastern Mediterranean Gas Forum on 14 January 2019 in Cairo, which brings the gas producers and consumers together, including Greece, Egypt, Cyprus, Italy, Israel, Jordan, and Palestine. Not inviting the riparian states including Turkey, Syria, Lebanon, Libya, Tunisia and Malta to the forum, which would be supported by the EU and the World Bank and planned to be transformed into an international organization in the future, have formed another chain of circle, which plays a role in taking the conflict into another level.³⁶¹ In this formation, which could

³⁵⁹Fatih Erbaş, "Doğu Akdeniz Enerji Mücadelesinde ABD'nin Tutumu", **AA**, 12.03.2018, <https://www.aa.com.tr/tr/analiz-haber/dogu-akdeniz-enerji-mucadelesinde-abdnin-tutumu/1086392>, (12.12.2018).

³⁶⁰ AB'nin NATO'su PESCO'dan Yunanistan'ı Koruma Hamlesi, **Türkiye Gazetesi**, 08.04.2018, <https://www.turkiyegazetesi.com.tr/dunya/554990.aspx>, (20.07.2018).

³⁶¹Kadan, <https://www.aydinlik.com.tr/dogu-akdeniz-de-saflar-netlesiyor-turkiye-ocak-2019>, (05.04.2019).

have a major contribution to peace in the region, the EU has not succeeded in being in an active position or did not want to succeed.

The fact that this meeting took place before the European Union and the World Bank shows that the EU behaves as if it is legitimate for the hydrocarbon activities in the region, which have not yet been agreed upon in the area of maritime jurisdictions, in order to realize their own energy interests in the Mediterranean. These actions are with the intention of disrupting peace by both the EU's and Greece's and the GCASC' sea piracy.³⁶²



³⁶² RUSEN, <http://www.rusen.org/dogu-akdeniz-enerji-savaslari/>, (12.12.2018).

CONCLUSION

In international relations, conflicts can have a variety of reasons based on political, economic, cultural and sometimes environmental factors. Most conflicts can be the result of identity-based cultural mismatch related to differences regarding race or religion, as well as the inability to access scarce resources or problems in sharing these resources. One of the reasons for conflicts, even though it is not often encountered today, is that a country tries to expand its borders against another country. We see that the existing conflicts in the Eastern Mediterranean are due to the need for three reasons; namely economic, political and scarce resources.

The richness of the energy sources determined as a result of the drilling works in the Eastern Mediterranean is one of the reasons for the conflicts in the region. In parallel with the increase in the industry in Europe; the continuously increasing energy demand, the start of the depletion of the available resources, the preference to use clean energy resources, and the difficulties in the energy supply have led the countries to obtain alternative energy sources. Especially in the crisis between the EU, Russia, and Ukraine, the EU has been deprived of energy for a long time after Russia cut off the gas flow and the energy has become more important as a result of this obstacle. In this sense, the region is crucial for the EU to provide alternative energy.

The coastal states in the Eastern Mediterranean are planning to export the remaining gas after meeting these reserves for their internal needs. The discovery of natural gas, especially in countries such as the GCASC and Egypt, which has been experiencing long-standing economic difficulties, becomes the hope of liberation from the economic bottleneck they live in. However, in the steps taken towards the realization of these goals, they are usurping the maritime jurisdiction of Turkey in an unlawful manner. Turkey's main argument on the restriction of the maritime jurisdiction areas is to come into an agreement regarding this issue within the framework of equity via gathering all the respondent states. However, we see that the GCASC is in an effort to expand its borders by violating international law instead of creating such a compromising ground. Within this framework, we can say that the objectives of the GCASC in the region are not limited to the energy resources of the

region and it has the goal of actualizing its Megali Idea in the region. Undoubtedly, this spreading strategy includes the goals that can lead to Cyprus being completely left to Greece oncoming process. This spread is also an ideology supported by the Union as it will mean the expansion of the borders of the EU since Greece and the Greek Cypriot Administration are members of the European Union.

With the analysis of the current situation via chronological order, we see that Turkey gives the necessary answers without delay to the steps taken GCASC in the region unilaterally and in violation of international law. With the knowledge and the framework of the rule, which suggests that "silence" would mean the approval of the undertakings being made and would bring these actions into a legally binding state, Turkey does what is necessary for response to all the efforts made by the GCASC. Additionally, the exercises carried out in the region have a deterrent impact on these unlawful attempts carried out by the GCASC.

In the analysis, we see that the GCASC is considering every opportunity that would be against Turkey. GCASC uses the unfavorable state Turkey is in with Egypt and Israel in the region by getting closer with these countries and manipulates this situation to turn against Turkey. The actions taken primarily from the cooperation in the energy sphere to joint military exercises in the region play an important role in strengthening the front against Turkey. However, the GCASC also uses the advantages of its EU membership and makes the issue a multidimensional one by moving the problem to EU institutions, and uses its veto power as a trump card against Turkey.

Increasing mobility in the region has a qualification of escalating the current conflict. This interstate conflict, which mostly takes place within the axis of Turkey, the TRNC, Greece and GCASC, has the potential to pull the Middle East, EU, USA, and Russia in. The West has the target of increasing its borders by usurping the maritime areas within the sovereignty of Turkey without war by fait accompli strategies in the region. The West constantly demanding a base in Cyprus, the signing of joint defense treaties, the military vehicles being heavily piled up in the region, the subject of lifting the arms embargo imposed on the Greek Cypriot Administration coming into the agenda are the indicators of a war possibility in the near future. The current type of conflict in the region is the "non-violent latent

conflict". Although there is a low intensity between the parties at this stage, violence is not generally used. Rather, among the parties, there are attitudes of domination, oppression, and the language of menace to one another. Economic or non-violent diplomatic sanctions can be applied. However, developments are in the course of violent conflict and can bring the parties into the war phase very quickly. Therefore, it is crucial for Turkey to conduct intense energy diplomacy in the first place, and to rapidly set an envisioned base in the TRNC, which would increase Turkey's intervention force. It would be effective to create a unit under the Ministry of Foreign Affairs in order to exterminate the operations of negative perceptions claiming that Turkey is the party to blame in the eye of the international law, which are suggested by GCASC, EU and Greece in the international arena.

We see that there is no attempt by the parties in order to ensure consensus within the conflict process. On the contrary, we witness the exercises that increase the tension, the dominance of the conflict language, and the exercises organized continuously for retaliation are predominant. On 24 September 2011, the President of the Turkish Republic of Northern Cyprus Dr. Derviş Eroğlu met with UN Secretary-General Ban Ki-Moon and proposed a solution package for solving the issue in the region but this solution package was rejected by the Greek Cypriot Administration of Southern Cyprus.

The level of conflict with the attempts to increase a different tension each day is rising to a violent stage. At this point, taking steps towards preventive diplomacy would prevent the occurrence of a disaster that may arise in the future and would even lead to war. Since the conflict is in a multi-actor structure, the span will be very wide. Thus, both in the period of war and in the post-war reconstruction phase, the high level of pecuniary loss and intangible damages may be a convincing factor for the solution of the problem by diplomacy.

Is the EU a driving force in guiding the conflicting parties to the consensus or in providing the solution itself? In the chronological order made to analyze the conflict, we see that the steps taken by the EU throughout the period make the solution much more complicated and problematic. For instance, even though the EU could have created a pressure mechanism to provide a solution by executing the conditionality principle to the Greek Cypriot Administration of Southern Cyprus in

their membership process regarding Cyprus, the EU decided against it and instead now pressures Turkey for the same issue. Thus, the EU has also violated the principle of equal application of EU membership criteria for each country.

In the summit meetings with regard to the issue in the region, the unwilling party that prevents reaching a compromise is shown as being Turkey in progress reports and only the Greek Cypriot Administration of Southern Cyprus and small islands of Greece are shown as being in the Executive Economic Zone. Turkey failing to comply with the declaration of the European Community and its Member States dated 21 September 2005 and not signing the additional protocol in which the principle of conditionality is also executed upon is determined to adversely affect Turkey's accession negotiations.

Although the most suitable place for the intended route of the pipeline is within Turkey in terms of cost and duration, by not involving Turkey in the project, the attitudes on the favor of conflict are fed. However, in the case of laying the condition of bringing Turkey into the project for financial support to be given, the parties would have been forced to take steps in favor of the solution. This situation has been ignored by the EU and the route of the pipeline, which will pass through Turkey's maritime jurisdiction areas has created a new dispute. In addition to this, instead of providing confidence-building measures in the region, the EU creates a ground for the conflict to be brought to a more advanced level with the perception of the threat it has created by settling in the region in a military sense via PESCO. However, even though it would have been possible to build up trust and pave the way for a permanent solution via Eastern Mediterranean Gas Forum with the increase of relations and cooperation under it, Turkey was not invited to this forum. The pressure mechanism could have been used by introducing the conditionality mechanism within this formation, which is to be supported by the EU.

It can be said that the EU is effective in making the conflict permanent and even escalating rather than finding a solution to the conflict in the region. The lack of "peace-building and conflict resolution", even though it is one of the political goals of the EU, who wants to be a global player, has shown its inadequacy in the Eastern Mediterranean as well as in Kosovo and Bosnia. The most important reason for the failure of the EU is that it has not been able to act impartially. In addition, the need

for energy and the accession of EU's borders to this region with the membership of the Greek Cypriot Administration of Southern Cyprus also increase the expectations from the region. In order to benefit more from the advantages of the region, international law is disregarded and the attitude of pretending the usurpation of maritime jurisdictions is legal is maintained. Therefore, we can say that the EU can easily abandon the values of peace it defends when it comes to its interests. In fact, the organization itself was terminated with the cooperation between France and Germany in the Loren region of Alsace as a part of another energy-related issue due to the conflict of not being able to share the coal, and thus the ECSC was established. As a result of this step taken with the win-win model, the organization has opened the way for cooperation in different fields and transformed into the formation of today's EU. The world's largest economy is based on the rejection of the continuity of the existing conflict and accepting the ways of sharing, cooperating and reconciliation. The EU's consideration, which has won the Nobel Peace Prize as a peace project, on the other side of the medallion and stepping forward in accordance with this consideration, is the best way to aim a state in which all parties are winning.

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