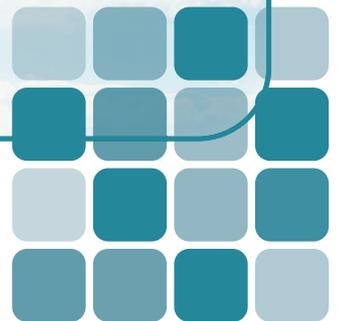


# IMPACT OF THE MEMORANDUM WITH LIBYA UPON THE EASTERN MEDITERRANEAN EQUATION



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## Introduction

### Energy Equations in the Region

The hydrocarbon reserves discovered in the Eastern Mediterranean have led to the reshaping of regional dynamics. The changing dynamics have accelerated energy competition and controversial issues and deepened the current crises in the region. With the hydrocarbon reserves discovered, the competition between the countries that want to be exporters in energy trade and the determination of maritime jurisdictions, the disagreements on the route through which the reserves to be drilled will be sold, and the search of European countries which have the highest share in the energy demand market for new markets as an alternative to countries like Russia stand to be the main issues that help deepen the crisis.

“With the hydrocarbon reserves discovered, what stand to be the main issues that help deepen the crisis are the competition between the countries that want to be exporters in energy trade, the determination of maritime jurisdictions, the disagreements on the route through which the reserves to be drilled will be sold, and the search of European countries which have the highest share in the energy demand market for new markets as an alternative to countries like Russia.”

The large amount of the said reserve resource is the biggest factor that may explain the complexity of this scale. According to the estimated figures, there are 122 trillion cubic meters of hydrocarbon reserves in the region; and this richness will be an invaluable gain for any actor with high reserve share and market advantage. Therefore, a resource of this amount raises the appetite of actors who are mostly energy importers in the region.

Among the equations in the region, the Greek Cypriot side (GASC), which increased the current tensions through unilateral steps, signed the so-called Exclusive Economic Zone (MoNE) agreements with Egypt in 2003, Lebanon in 2007 and Israel in 2010.<sup>1</sup> After each deal, Turkey unilaterally contended in the presence of the United Nations (UN) that it was null and void. Turkey's strongest thesis at this point is the fact that the rights of the Turkish Cypriots which have political equality along with Greek Cypriots on the Island have been usurped. The Greek Administration of Southern Cyprus, which has continued to use the name of “the Republic of Cyprus”, which had, indeed, disappeared in 1963, tries to act as an authority representing the entire island. Also accepted into the European Union (EU), the GASC seizes the rights of the Turkish Cypriots. Using her guarantor rights, Turkey claims before the UN that the so-called EEZ agreements the GASC has signed are invalid; that it should cease its unilateral exploration activities in the region; that the right to conserve natural resources around the island belongs to both sides.

In addition to the so-called EEZ agreements signed unilaterally, the GASC signed licensing agreements with various international companies and started to search for natural resources in the pre-determined parcels. In addition, the GASC, which signed a Defense Cooperation Agreement

with France, authorized France and the U.S. to establish bases in the region.<sup>2</sup> Moreover, the Greek Cypriot Administration was not satisfied with all these and purchased UAVs from Israel. The United States, on the other hand, lifted the arms embargo on the Greek Cypriot side and took part in the anti-Turkey block in the region. Before all these unilateral steps, Turkey has not signed any EEZ agreements and just rejected the given agreements before the UN; on the contrary, she gave voice to the rights of the Turkish Republic of Northern Cyprus (TRNC) and suggested the sharing of hydrocarbon reserves through the establishment of a joint commission.

Through this agreement with strategic importance, a maritime zone stretching from Turkey's Marmaris-Fethiye-Kas coastline up to Libya's Derna-Tobruk and Bardiyah shoreline in the western part where the GNA has control has been determined to be the continental shelves of the two countries.

Turkey could not get results from these steps, and, by signing licensing agreements with the TRNC, launched exploration and drilling activities in the parcels both in this area and her own continental shelf. Proving her presence in the region with four ships, Turkey also took advantage of military power and showed that she was a permanent actor in here. As a result of this decisive action by Turkey, the French Total and Italian Eni companies have stopped their search opera-

tions in the area. Not having declared her EEZ despite all of the unilateral steps taken, Turkey has surprisingly signed a memorandum of understanding on the "delimitation of maritime jurisdictions".

### Dolmabahçe Consensus

"*The Memorandum of Understanding on the Delimitation of Maritime Jurisdictions*", determining both Turkish and Libyan maritime zones, was signed between Turkey and Libya on 27 November 2019. The memorandum also includes military assistance articles such as the determination of maritime boundaries, economic cooperation and the establishment and training of law enforcement agencies in Libya. Through this agreement with strategic importance, a maritime zone stretching from Turkey's Marmaris-Fethiye-Kas coastline up to Libya's Derna-Tobruk and Bardiyah shoreline in the western part where the GNA has control has been determined to be the continental shelves of the two countries. With this agreement, Turkey has set the western boundary of her maritime jurisdiction areas in the Eastern Mediterranean. In addition, Turkey has reinforced her argument, based on international maritime law, that the islands that are on the opposite side of the middle line in the Eastern Mediterranean cannot be a maritime jurisdiction except for the territorial waters by an international agreement. This agreement transformed Turkish foreign policy from defensive nature it has recently had into an advantageous position.

Entering into force on 8 December 2019, this agreement is similar to the agreement Turkey signed with the TRNC in 2011. However, the deal aroused outrage in the region and attracted the reaction of EU countries, especially Greece, France and Germany. Greece, which lodged a complaint to the UN, claims that the agreement usurped the marine areas of Rhodes and the Do-

decanese. Greece declared the Libyan ambassador to Athens persona non grata and announced that will use the card of “Pontus Genocide” against Turkey. How this move by Greece which had to pay compensation, according to the Lausanne Treaty, for the massacre she carried out in Anatolia will be reflected in the international arena that adopts a hypocritical stance against Turkey at every opportunity remains ambiguous. The heads of state and government of the EU member states, who met on December 12, declared that the agreement was null and void on the grounds that it violated the rights of third countries and that their support for the Greece-GASC bloc continued. The EU, which acts as an international court, exceeding its competence on the Eastern Mediterranean, is clearly in violation of the United Nations Convention on the Law of the Sea.

Pursuing the goal to reduce EU energy dependence on Russia and becoming the dominant energy force in the region, the United States have also taken its place in the anti-Turkey block, and has decided to impose a series of sanctions on Turkey after the Libyan agreement on December 17, within the framework of the “National Defense Authorization Act”. In the sanction decisions, non-delivery of F-35s, introducing additional sanctions due to the Turkish purchase of S-400s, imposing sanctions on ships operating under the Turkish Stream project and foreign nationals working on these ships, and the lifting of the sanctions upon the GASC on the condition that the Greek Cypriot harbors be closed to Russian ships. Thus, the United States chose to use the law “the Countering America’s Adversaries Through Sanctions Act” (CAATSA) which entered into force in 2017 and ignores the sover-



eignty of states and international law once again on Turkey.

The Senate, the top wing of the US Congress, passed the law recognizing the Armenian claim, which has now turned into political blackmail, as “genocide” on December 12 with a similar hostile step. A similar decision came from the House of Representatives. The Donald Trump administration, however, expressed its disagreement. Despite the political decisions and illegal sanctions of both Greece and the United States and the EU, Turkey opened a new front by making an agreement with Libya in the Eastern Mediterranean where she fights all alone and achieved a great advantage in the sense of area domination. In the economic part of the agreement, Turkey has expanded the field to conduct exploration activities in the region and increased her chances of discovering possible resources. Delimiting energy transmission lines to her own, Turkey seems to have reinforced her dominance. However, the political instability in Libya and the future of the legitimate government GNA recognized by the UN will affect the success of the agreement.

Gaining a strategic advantage in the region by the agreement she reached with Libya, Turkey became a party to the internal struggle in Libya.

### Impact of the Agreement on the Eastern Mediterranean

Gaining a strategic advantage in the region by the agreement she reached with Libya,

Turkey became a party to the internal struggle in Libya. In the post-Muammar Gaddafi period, the “Libyan National Army” composed of foreign mercenaries under the command of General Khalifa Haftar, struggling to overthrow the UN-recognized Government of National Accord, is supported by countries such as Egypt, Russia, Saudi Arabia, France, Greece, and the United States. Haftar has declared Turkey an enemy and argues that the latter interferes with the internal affairs of Libya.

While the U.S. and EU countries’ support for the Haftar forces can be evaluated to be rational to some extent in the context of the Eastern Mediterranean, the attitude of Egypt and Russia on this issue raises question marks. Russia’s motivation at this point can be to obtain a new base in the Eastern Mediterranean. However, that Egypt and even Haftar himself take their places on the side restricting their areas while they could achieve larger dominance in the Eastern Mediterranean by making a maritime delimitation agreement with Turkey is contrary to the national interests of these countries. Despite this reality, Egypt has declared that Turkey’s involvement in Libya is her national security issue.<sup>3</sup>

It is seen that war diplomacy in the region continues unabated. The GASC recently purchased a UAV from Israel and authorized France to open a naval base. On the other hand, the U.S. conditionally lifted the arms embargo on the Greek Cypriots. The region is surrounded by many warships. In the face of the given developments, Turkey and the TRNC have agreed on the allocation of the Geçitkale airport to the Turkish Armed Forces as an airbase. This agreement states that UAVs and armed UAVs belonging to Turkey will follow drilling and seismic research activities in the Eastern Mediterranean. Thus, Turkey has moved its airbase to the TRNC after Muğla and Dardanelles, and achieved an important airbase in the region. This move,

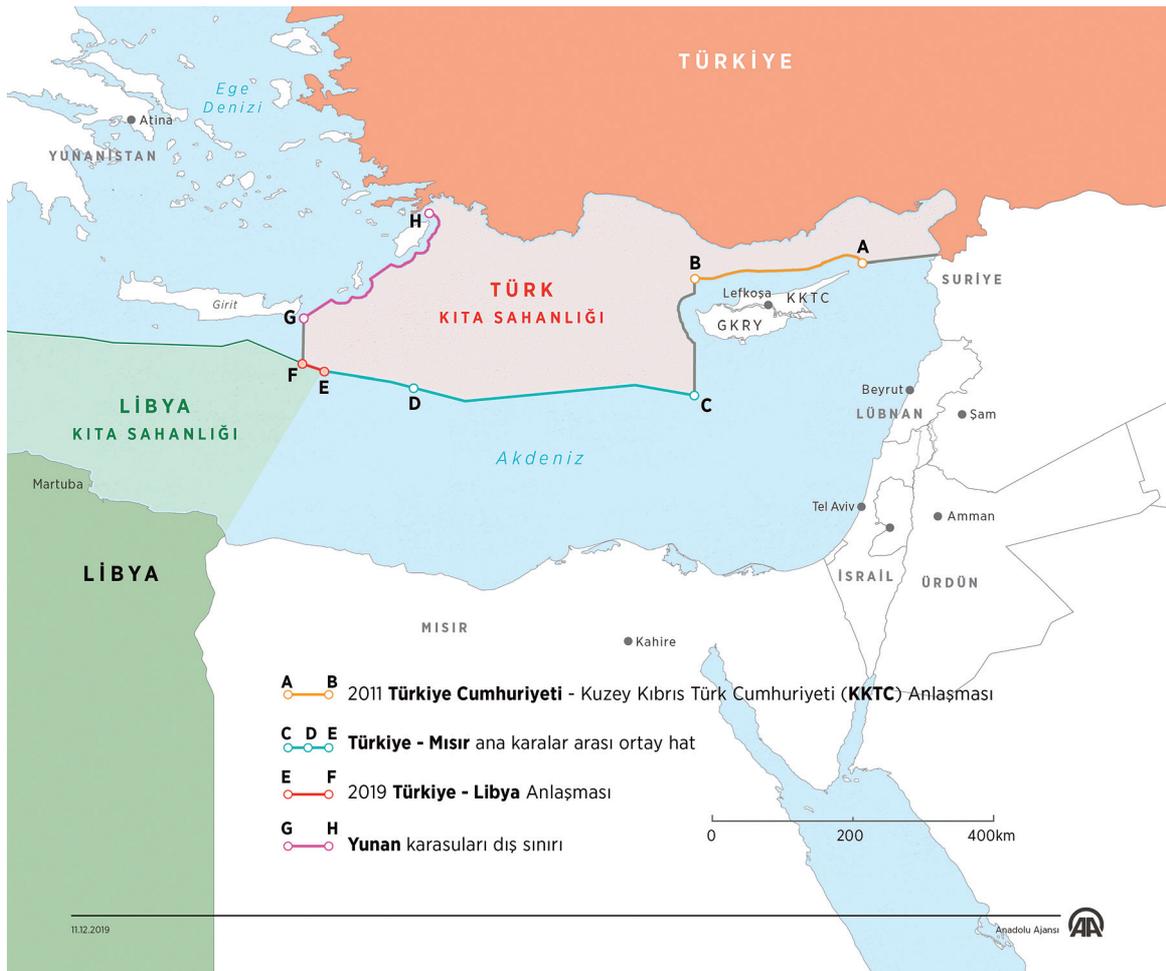
which followed Israel's UAV sale to the Greek Cypriot Administration, has been seen as a new step in the regional chess game.

On the other hand, that the military assistance also exists under the Libya agreement has brought about the discussion of whether Turkey should send troops to the region or not. After the approval of the Agreement in the Grand National Assembly of Turkey, the NGA has requested military assistance from Turkey. In the coming period, it is clear that the effects of the memorandum of understanding signed with Libya will determine the agenda in the Eastern Mediterranean. Turkey's possible military intervention in Libya will change the balance in the region.

Indeed, Turkey has put forward her negotiating card with Russia, with whom she acted together firstly in Astana, and in this direction, Turkish President Recep Tayyip Erdogan announced that he would meet Putin in the coming weeks. This interview will likely draw the borders of Turkey's intervention in Libya.

### The Impact of the Dolmabahçe Consensus on the Regional Partnerships

The said crises have given birth to regional alliances and as a result of these alliances, projects such as the East-Med and Vasilikos which leave Turkey outside have been brought to the agenda. The East-Med, the largest and most



comprehensive project, is built on the delivery of Israeli reserves to global markets. Israel, which can only export new resources to Egypt and Lebanon, wants to reach the European and global markets. There are three ways to do this; the cheapest and most reasonable option is the transportation of the current reserves through an Israel-Haifa-Ceyhan pipeline route via Turkey to Europe. Another option is to transport natural gas to Europe via LNG facilities in Egypt. The last option is the plan to reach Europe via Greece through the East-Med project. The support of the U.S. and the EU for the Project keeps alive the

hopes of Israel, Greece, and GASC. However, the high cost and the EEZ discussions make the plan difficult.

The GASC wants to establish an LNG facility with the support of the U.S. and EU and become a trade center for energy. In this context, the Vasilikos plan aims to transport the natural gas in the Aphrodite and Leviathan fields to this new facility and process them in here. The processed gas will be transported to Europe and global markets through Greece. In accordance with this plan, the GASC authorized the U.S. and France to establish a military base in order to secure all agreements.

With such collaborations, non-regional countries have now a say in the regional reserves through their companies (U.S. companies Noble and Exxon Mobil, British firm BP, French firm Total, Italian firm Eni, Korean firm Kogas, Dutch firm Shell, Russian companies Rosneft and Novatek).

The regional countries have made unilateral agreements with countries such as the U.S. and France in order to strengthen their hands and perform their activities more easily in the region. With such collaborations, non-regional countries have now a say in the regional reserves through their companies (U.S. companies Noble and Exxon Mobil, British firm BP, French firm Total, Italian firm Eni, Korean firm Kogas, Dutch firm Shell, Russian companies Rosneft and Novatek).

As can be seen, not only Turkey but also Russia has been left alone in the regional equation. In fact, considering that the biggest motivation



of EU countries is to get rid of energy dependence on Russia, that the excluded actors in the region tend to act together is seen as a new strategic move. That Russia and China have recently declared that they do not support the EU's unilateral limited sanctions on Turkey may be addressed in this regard. It is so important that Turkey is supported by Russia and China in her fight in the Eastern Mediterranean. Turkey has achieved successful diplomacy in this field and has managed to win two important members of the UNSC over. This could be read as a countermove from Russia's point of view. Acting together with Turkey in the region just as in Syria is understood as a true strategy for Russia.

Until now Turkey has responded all alone to the regional countries that unilaterally signed licensing agreements with various companies. In the new period, by developing different strategic moves, Turkey has decided to make agreements with the international companies in the areas where she claims rights such as extraction of natural gas found in the region, infrastructure works, processing, distribution and creation of a market. With this new strategy, Turkey aims to increase her current capacity, and have a more advantageous position in terms of reserve exploration in the region. In this respect, the Russian energy company Rosneft, which currently operates in the Eastern Mediterranean, comes to the forefront.

Especially in the period when the issue of partnership with Russia in the region has come to the fore, the agreement of maritime jurisdiction signed with Libya has led to the re-establishment of balances. Although the anti-Turkey block remains the same, the United States and EU countries have increased their tone of the response to the memorandum and brought the sanctions card again on the agenda. Though it has worked quite well in Syria, Turkey has run counter to Russia in Libya in the wake of the agreement with the latter; yet, Turkey has still started first negotiations with Russia.

Another issue discussed in the last days is possible Turkey-Israel cooperation. Israel dreams of becoming a NATO ally to have a new safety shield in the Middle East and, to this end, is willing to overcome the Turkish obstacle; nevertheless, the two countries' finding a middle ground still seems unlikely. Even though the Israeli dream is based on the structure without Turkey, she still needs Turkey, the sole alternative for the transport of natural gas to the European market. However, the Greek Administration, Greece and the EU will have to be overcome in case of possible cooperation. Without EU support, cooperation aimed at the EU market would be difficult. In addition, it seems difficult for Israel to take the risk of being left alone by eliminating Greece, Egypt and GASC, with which she acts together in the region and signed agreements.<sup>4</sup>

## End Notes

- <sup>1</sup> NO: 18-30 January 2007, Press Release Regarding the efforts of the Greek Cypriot Administration of Southern Cyprus to sign bilateral agreements concerning maritime jurisdiction areas with the countries in the Eastern Mediterranean (Accessed 20.12.2019)  
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- <sup>2</sup> NO:39 - 1 March 2007, Press Release Regarding the Defence Cooperation Agreement;between France and the Greek Cypriot Administration of Southern Cyprus (Accessed 17.12.2019)  
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- <sup>4</sup> Is cooperation between Turkey and Israel possible in the Eastern Mediterranean? (Accessed 20.12.2019)  
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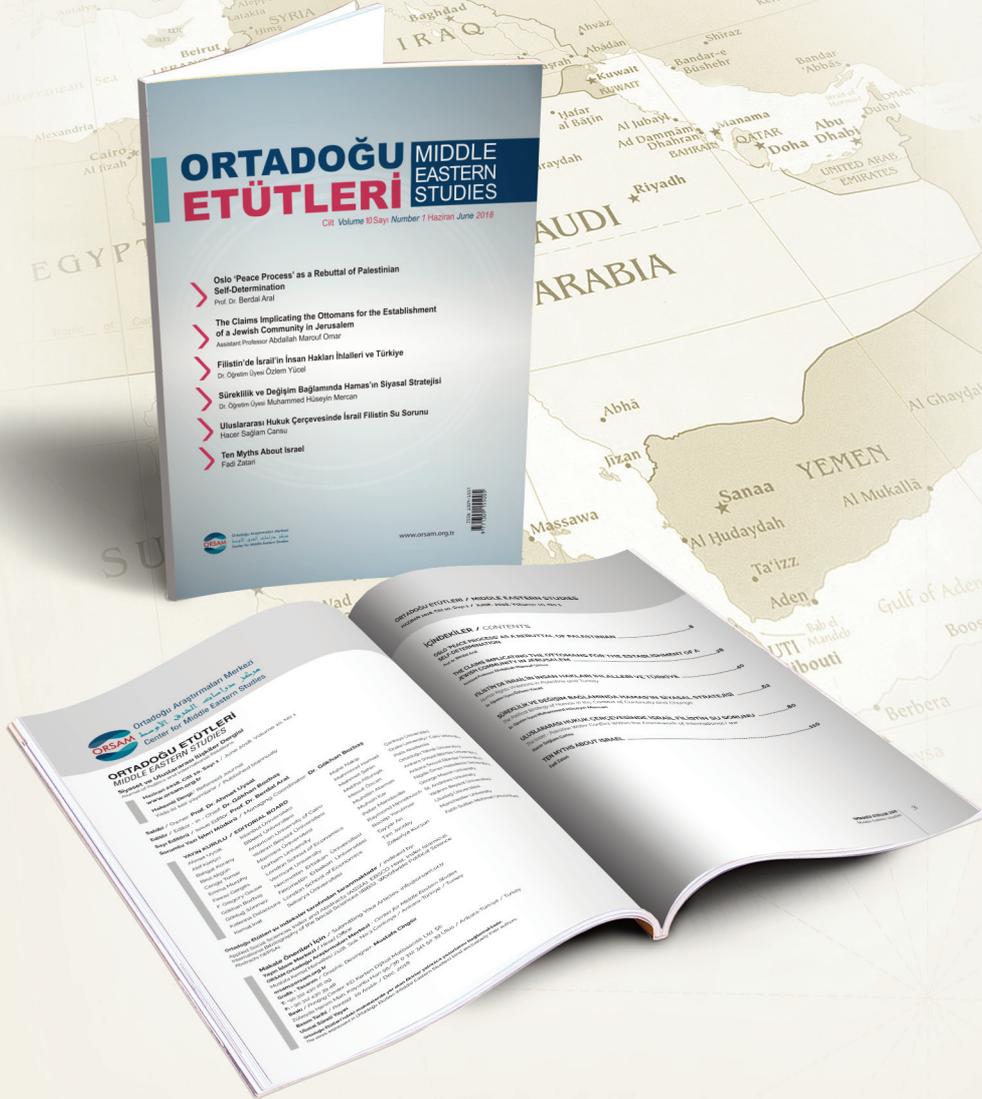






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