

*UEF Background Information
Brussels, 23 September 2020*

THE CRISIS IN THE EASTERN MEDITERRANEAN IS A EUROPEAN PROBLEM WHICH NEEDS A EUROPEAN SOLUTION

In the past year, the situation in the Eastern Mediterranean has worsened significantly as tensions between Turkey and the neighbouring European states of Greece and Cyprus have risen. The civil war in Libya created a possibility for Ankara to become involved and it leveraged its defence of the Libyan Government of National Accord from General Haftar by signing a Memorandum of Understanding (MoU) delimiting the maritime borders between Turkey and Libya. This MoU overlaps with Greek waters and significantly violates Greek sovereignty and rights in the Mediterranean. As a response, Greece has agreed and ratified its own maritime agreement with Egypt delimiting the common maritime borders. In the meantime, Turkey has also been sending drilling ships, accompanied by navy vessels, into the waters claimed by Greece and Cyprus as a way of enshrining its claims.

These events have heightened the tensions in the region, as Greece has put its navy on high alert and has been conducting military exercises at sea, accompanied by French vessels. Joint military exercises have also been conducted by France, Italy, Cyprus and Greece. Additionally, accidents, like the one involving a Turkish and a Greek frigate, have the potential of exacerbating an already volatile situation.

For the European Union, this tense situation with Turkey poses significant problems. Turkey remains an important third country for the EU. It is an official candidate country for membership to the EU, being officially recognised as a candidate to accession in 1999. However, beyond its candidacy, Turkey has been an important economic partner for the EU. It has a bilateral customs union agreement with the EU and is both a large market and substantial exporter. In the past years, Turkey has also been an essential, albeit somewhat difficult, partner in managing the migration flow to the EU. As a country positioned crucially between the Middle East and EU (as well as the Schengen zone) borders, cooperation with Turkey in the field of migration remains vital.

However, despite this close cooperation, the EU's relation with Turkey has suffered, partly due to the increasing changes in Turkey's domestic and foreign policy. Domestically, under the premiership and subsequent presidency of Recep Tayyip Erdogan, Turkey has increasingly become more authoritarian and has moved away from its traditionally secular politics. The freedom of speech and of expression has been curtailed, with many journalists jailed. Erdogan has also curbed the independent power of the judiciary through purges throughout the ranks of judges and attorneys. After the failed military coup of 2016, purges in the army have intensified. However, the process of diminishing the power of the army, the traditional guardian of secularism in the country following Atatürk's legacy, started much earlier. Finally, in recent years, Erdogan has intensified his crackdown on the Kurdish separatists, increasing the military response towards the PKK while also imprisoning or attacking the main Kurdish political party, the HDP.

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These increasingly authoritarian domestic policies have been combined with a much more assertive Turkish foreign policy. Determined to control what it perceived as its natural geographical area, Turkey has become more involved in foreign military interventions. It has intervened in both northern Syria and Northern Iraq, allegedly to fight against Kurdish allies of the PKK. It has also intervened to help the Government of National Authority in Libya against the offensive of General Haftar. Finally, under the doctrine of 'Mavi Vatan', or 'Blue Homeland', it has engaged in a much more aggressive policy in the Aegean and Eastern Mediterranean, determined to challenge Greek and Cypriot claims to continental shelves and Exclusive Economic Zones in the region by all means necessary, including via the threat of military engagement. President Erdogan has doubted the resolve of Greece, France and the EU to accept the death of their soldiers in the same way as Turkey does.

It has become clear lately that Turkey has been drifting further and further away from the defining values that should characterise an EU Member State. It has become increasingly difficult to see how the country can meet the minimum requirements to be considered even a candidate state. Its drift towards authoritarianism under President Erdogan necessitates a reaction in the form of a deep rethinking of the place of Turkey in the Union's strategy.

Even with the current institutional framework of the European Union and the limitations of competence in the area of foreign and security policy, it would be a mistake to consider this assertive Turkish foreign policy purely as a bilateral problem between either Greece and Turkey or Cyprus and Turkey. The problem of an assertive, increasingly authoritarian Turkey affects the European Union as a whole, precisely because of the same strategic importance, which makes it such a vital partner in the first place.

The efforts of individual EU countries to resolve this situation should of course be acknowledged. EU countries have been trying to resolve the tensions between Greece and Turkey in the manner they see fit. France has pledged its support for Greece and the respect of international law in this situation and has challenged Turkey's actions in both Libya and the Middle East. During the Med7 meeting of September 2020 held in Ajaccio, France, Spain, Portugal, Italy, Malta, Cyprus and Greece condemned Turkish actions in the eastern Mediterranean and reaffirmed their support for a settlement of the dispute based on international law, adding that they would push for sanctions at the next EU summit if Turkey does not stop its unilateral actions. Germany, choosing a different method, has used shuttle diplomacy between Athens and Ankara to get the two sides to sit at the negotiation table. Despite these valiant efforts however, the problem requires a sustainable solution in line with European security interests and the respect of international law.

A challenge to the Greek and Cypriot maritime borders is essentially a challenge to the EU's external borders. While borders at sea might at first appear less important or consequential than territorial ones, for the EU, they are still of crucial importance regarding EU sovereignty and the application of its laws. Exclusive economic zones are far from a lawless environment,

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even if they do not constitute a fully integrated part of a state's territory. The realm of EU law, from environmental protection rules to fishing rights, is applied in this case and a dispute over the shape and outline of the border determines where EU law applies. Lack of secure delimitations, as well as conflicting claims, disrupt this legal application and create uncertainty over the geographical extent of EU sovereignty.

In a more political aspect, the dispute creates issues concerning EU security in the Mediterranean. The Turkish challenge to the maritime boundaries in the Eastern Mediterranean seem to concern the control of gas fields in the region. While the EU does not have in place a strong common energy policy and has been trying to decarbonise its energy sources, a domestic production of natural gas would, at the same time, allow for a decrease in dependency on Russian gas exports. This would ensure an increased energy security, as well as an economic development of south eastern EU states, which desperately need such security.

Furthermore, the tensions in the Eastern Mediterranean have led to challenges to the security of the Union. Turkey's barely veiled threats against Greece over this issue cannot be treated as merely a bilateral issue, but must be considered in the scope of the security of the European Union as a whole. According to Article 42.7 of the TEU, "if a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter".

The issue in the Eastern Mediterranean also reflects the wider picture in the Mediterranean. In the absence of a determined US leadership, the EU must take the initiatives necessary to advance its interests in a region so vital and so close to its shores. The tensions with Turkey reflect wider dynamics and problems in the region, including migration, partnerships with non-European riparian states in North Africa, as well as economic considerations in the sea and in the wider Mediterranean area. Therefore, it is necessary for the European Union to adopt an ambitious plan for the Mediterranean, not only economically but also in terms of security, without relying only on US efforts or on those of its individual member states.

As such, the current tensions in the Eastern Mediterranean urgently requires a coordinated EU response.

Firstly, **the European Commission** has presented a detailed legal analysis on issues of the conflict, which are of exclusive EU competence and covered by EU law in the area of **common fisheries policy**. As a reminder, what is challenged herein are the rights given to islands under **UNCLOS, a UN Convention that the EU has signed and ratified as a full party**.

Secondly, **the Council** should at least define a well-balanced, strong common response that goes beyond a strongly worded statement, as such initiatives have not only proven unsuccessful in persuading Turkey in the past, but have angered it further. It is important

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therefore, to have a coordinated response which will allow **EU Council Members to trust each other and communicate and share relevant information between them**. Situations like the Greek announcement of a partial maritime delimitation agreement with Egypt blindsided European partners and, in general, do not help in forming a coherent and united EU response.

Thirdly, **the European Parliament** should call for a **wider evaluation of the EU relations with Turkey concerning its candidacy to the Union**, the respect of human rights, the rules of law and values, the management of the migration flow transiting Turkey towards Europe and the reworking of economic ties between the two sides, with a view to assess possible ways of reforming the current framework of EU relations with this strategic neighbour country and preparing a strong, future relationship for the next decades. This evaluation, however, needs to take into account the drift of Erdogan's Turkey away from meeting the minimum required to be considered an EU candidate country, a status it still possesses. In this aspect, a sober and realistic view of how Turkey has changed since the Helsinki Summit in 1999 is a necessity.

Finally, it is necessary to recall that this is a **situation which can and should be resolved through existing international law**. Laws, as well as dispute-settlement mechanisms, exist for these sorts of matters and their use need to be promoted. Both the ICG in the Hague and the International Tribunal for the Law of the Sea in Hamburg have authority on matters of maritime delimitation and have been used in the past. **If the European Union is able to coordinate a cohesive and effective response it will become possible convince Turkey to settle this manner in court as this remains the only peaceful and rightful conclusion to the problem.**

With tensions mounting across the EU's borders, it is high time for an ambitious change to the way the European Union has been conducting its foreign and security policies. In the face of growing challenges like the one represented by Turkey, Europe needs a strong and unified position expressed through a common foreign policy. **The Conference on the Future of Europe is the right framework to discuss these topics and set which Treaty reforms are needed to empower the EU with the competences and means necessary for the purposes of a strong European sovereignty.**