



## HORIZON 2021/7

Migration Research Institute

Nikolett Pénczváltó: *In disputed waters – The escalation between Turkey and Greece in 2020-2021 and its background*

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### 1. INTRODUCTION

In its latest analysis, the Migration Research Institute examines the current developments of the Turkish-Greek relations. 2020 saw the escalation of conflict between Turkey and Greece, whose relations had already been described by severe tensions<sup>1</sup> in the past. In the first three months of the year, it was the migration crisis to cause a stir, while later on the consequences of the sea border dispute between the two countries became manifest. In the following, we present the recent events related to these two issues of conflict (migration and maritime border dispute, and the corresponding competition in the field of energy policy), by explaining the underlying reasons, and then the role minorities play in the overall picture as another permanent source of conflict between the two countries. The role of Cyprus – as another toxic issue in bilateral relations – is analysed here as part of the Turkish-Greek sea border dispute and energy dispute.

### 2. ISSUES OF CONFLICT – RECENT INCIDENTS AND THEIR ROOTS

#### 2.1. Irregular migration

The Turkish-Greek border means the gate to the European Union and the Schengen Area for migrants from the Middle East, Africa and Central Asia who use Turkey as a transit route (in 2019 and 2020, 74,613 and 15,669<sup>2</sup> people arrived by crossing Turkey,

## ABSTRACT

Turkey and Greece have a long record of conflicts in the past. In 2020, the tensions escalated between the two countries, in part due to the Turkish decision to give green light to mass irregular migration, and in part due to sea border disputes. The location of maritime borders is also essential for transport, fishery, trade and communication, but energy, strategic and defence considerations are at play as well. The tensions have started to ease between Turkey and Greece in early 2021, thanks to the pressure from international players. Still, it remains a question whether the parties will be able to step beyond the world of gestures, and to settle their conflicts.

<sup>1</sup> This analysis is not intended to present the historical background in detail, since other authors have already done it. For more details, see e.g.: EGERESI 2021, KACZIBA 2018.

<sup>2</sup> The large scale drop is predominantly explained by the Covid-19 pandemic.

respectively). The events of February-March 2020 – triggered by Ankara’s decision to no longer hold back migrants and refugees headed to the West via Greece – by themselves well reflect the significance of the issue of migration in the Turkish-Greek relations. Furthermore, they reveal how this bilateral nexus affects Turkey’s relations with the European Union in general as well as the efficiency of EU-level migration management policies.

Nevertheless, according to the Turkish perception, migration is not the number one problem between Turkey and Greece. A survey conducted by the Kadir Has University (Istanbul) was intended, among others, to find out what the Turkish believe to be the most important problem(s) between Turkey and Greece. In the survey, 55.3% named the Cyprus dispute, 49.9% the militarisation of the Aegean Islands, 48.5% the sharing of maritime jurisdiction in the Aegean Sea, 24.5% the airspace sharing problems, while only 22.5% of the respondents mentioned the issue of refugees.<sup>3</sup>

The first news of Turkey’s border opening appeared in the international press on 27 February 2020. Turkey, as the largest refugee-accepting country in the world (hosting currently approx. 4 million refugees), had already declared previously that it is not able to sustain such a huge number of people alone, and it expects the European Union to provide more support. Following the escalation of the neighbouring Syrian war and thus the departure of new masses of refugees from Syria’s Idlib province, Ankara decided to open its Greek borders. In the following days, according to official Greek data, the Greek authorities prevented more than 40 thousand illegal border crossing attempts, and arrested 293 migrants by 8 March.<sup>4</sup> This required the enhanced deployment of Greek forces. Among other measures, the Greek police used tear gas and water cannon against the masses of people. After their failed attempt to cross the Greek border, a group of irregular migrants settled in the border region. According to the European Commission’s estimates, 25 thousand migrants and refugees set up an informal camp at the official border crossing point at Pazarkule.<sup>5</sup> The events escalated the tensions between the Turkish and Greek armed forces as well. Greece accused Turkey of assisting migrants in crossing the border illegally, while Turkey accused Greece of using excess violence and brutality, and pushing back migrants illegally. This episode was interrupted by the appearance of the Covid-19 pandemic in Europe. On 27 March 2020, Turkey decided to close its land border, and to remove the irregular migrants from the border region as part of its pandemic containment measures. However, the Turkish minister of interior declared that Ankara will re-open the gates for those headed to the European Union as soon as the pandemic is over.<sup>6</sup>

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<sup>3</sup> AYDIN 2020.

<sup>4</sup> EGERESI – KACZIBA 2020.

<sup>5</sup> EUROPEAN COMMISSION 2020.

<sup>6</sup> HÜRRİYET DAILY NEWS 2020.

The other consequence of the coronavirus pandemic concerning the issue of migration was the suspension of readmissions by Ankara, undertaken in the 2016 EU-Turkey Statement, as of 16 March 2020. The step was explained by the pandemic situation. According to the Statement, Turkey agreed to readmit all irregular migrants reaching the Greek islands whose asylum applications the Greek authorities consider to be unfounded or inadmissible.<sup>7</sup> In January 2021, Athens requested the European Union to exert pressure on Ankara in order to readmit 1,450 rejected asylum seekers from the Greek islands. Turkey, however, reacted to the situation by declaring that it will not re-assess the situation until it manages to contain the coronavirus pandemic.<sup>8</sup>

Though the Turkish border was closed at the end of March 2020, Greece's fear prevails that Ankara will probably put pressure on Athens in the future through the control of migratory flows for the purpose of the maritime border dispute between the two countries, utilising the refugees in order to enforce its geopolitical interests in the Aegean Sea and the Mediterranean Sea.<sup>9</sup>

## 2.2. Maritime border disputes and energy policy considerations

In recent years, Turkey sent seismic research vessels and drilling vessels (usually accompanied by warships) to areas in the Aegean Sea and the Mediterranean Sea multiple times, which Turkey claims to fall under Turkish jurisdiction but Greece and the Republic of Cyprus consider their own. A seismic research vessel called Barbaros Hayrettin Paşa was the first to appear in the Mediterranean Sea region in April 2017, then Ankara sent two drilling vessels, Fatih and Yavuz to the Eastern Mediterranean in spring 2019. Recently, most news concern the seismic research vessel called Oruç Reis.<sup>10</sup> Turkey first announced the deployment of the vessel in the region in July 2019.<sup>11</sup>

The tensions between Greece and Turkey peaked in mid-August in the year 2020. Both Ankara and Athens held naval military trainings in the region for demonstration purposes, often involving third states as well. The enhanced, high level of preparedness and presence of both the Turkish and Greek military forces further increased the risk of an unintended escalation between the two NATO member states. On 12 August 2020, a Turkish and a Greek warship

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<sup>7</sup> PÉNZVÁLTÓ 2020a.

<sup>8</sup> NIELSEN 2020.

<sup>9</sup> CARASSAVA 2020.

<sup>10</sup> Barbaros Hayrettin and Oruç Reis were brothers and famous admirals of the Ottoman Turkish fleet (they lived in the 15-16<sup>th</sup> century). The two drilling vessels were named after two Ottoman sultans, Fatih Sultan Mehmet and Yavuz Sultan Selim.

<sup>11</sup> TEMIZER – BIR 2019.

even collided in disputed waters between Cyprus and Crete. The Greeks considered the incident an accident, while the Turks a provocation. The research vessel Oruç Reis – accompanied by five Turkish warships – were also followed by Greek frigates. When one of the Greek vessels (Limnos) had approached the Oruç Reis, it accidentally hit one of the escort ships (Kemal Reis).<sup>12</sup> In addition to this, a dogfight also occurred between Greek and Turkish F-16 fighter jets in disputed airspace. Though no one was injured in the incidents, several people died in aerial dogfights between the two countries in the 1990's.

The EU's operation in the Mediterranean called Irini also caused conflicts.<sup>13</sup> On 10 June 2020, a Greek frigate attempted to stop a Tanzanian-flagged vessel called Çirkin under Operation Irini, allegedly carrying weapons to Libya for the Government of National Accord (GNA) in violation of the UN arms embargo on Libya. However, the Greek vessel was forced to withdraw because of the Turkish frigates escorting the Çirkin.<sup>14</sup> Later on 22 November, the crew of a German frigate called Hamburg boarded the Turkish vessel Rosaline-A, but the search of the vessel had to be suspended due to objections raised by the Turks. Since Irini is commanded by a Greek officer, the Turkish president accused Greece again of provoking Turkey.

It is expedient to examine the underlying reasons of the above events in multiple dimensions and broken down into several geographical areas. Nonetheless, the starting point will be the same: a long-lasting territorial dispute, which was escalated by the exploration of deep-sea oil and gas fields in the disputed areas. Moreover, maritime border disputes in the region are no longer only bilateral (e.g. between Turkey and Greece, Turkey and Cyprus, Greece and Libya, Lebanon and Israel), but the scope of the parties involved in the conflict became extended, further making it more difficult to settle in any manner. On the one hand, nearly all players present in the region got involved in the competition for energy reserves, creating and joining informal alliances (for instance, one formed between Greece, Cyprus, Israel and Egypt against Turkey). On the other hand, external players also got involved in the conflict, who are present for either economic reasons (e.g. international energy companies, such as the American ExxonMobil or the French Total due to its interest in the exploration of the fields) or strategic reasons (e.g. the United Arab Emirates under its rivalry with Turkey for the leading position in the Middle East). These developments together gave rise to a rather complicated geopolitical game in a situation where the underlying conflicts (such as the division of Cyprus or the Libyan war) are themselves so complex that resolving them has not been possible for so long.

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<sup>12</sup> KAMBAS – GUMRUKCU 2020.

<sup>13</sup> PÉNZVÁLTÓ – VARGHA 2020.

<sup>14</sup> Later on 21 September 2020, the EU introduced sanctions against the Turkish company Avrasya Shipping which operates the Çirkin.

The location of maritime borders is relevant not only for the ownership and transit of energy resources. Seas are home to a number of human activities, such as transport, fishery, trade or communication (e.g. submarine cables), but strategic and defence considerations are also significant in border disputes.

We examine the sea border disputes concerned by the Turkish-Greek relations in three parts. First, we overview the situation of the Aegean Sea islands located very close to Turkish shores. Second, we analyse the consequences of the Turkey-Libya deal (in particular on Crete). Finally, we present the maritime border dispute related to the Cyprus conflict. The international law arguments made by the countries concerned are not analysed here in detail. The key relevant legal documents are the Treaty of Lausanne of 1923, the Montreaux Convention of 1936, the Dodecanese Convention of the Paris Peace Treaty of 1947, and the United Nations Convention on the Law of the Sea of 1982 (UNCLOS), a convention ratified by more than 160 countries, but not ratified by countries like Libya, Israel, Syria, the United States and Turkey. Several cases show that the different contents of international conventions provide room for Turkey and Greece to apply them selectively.<sup>15</sup>

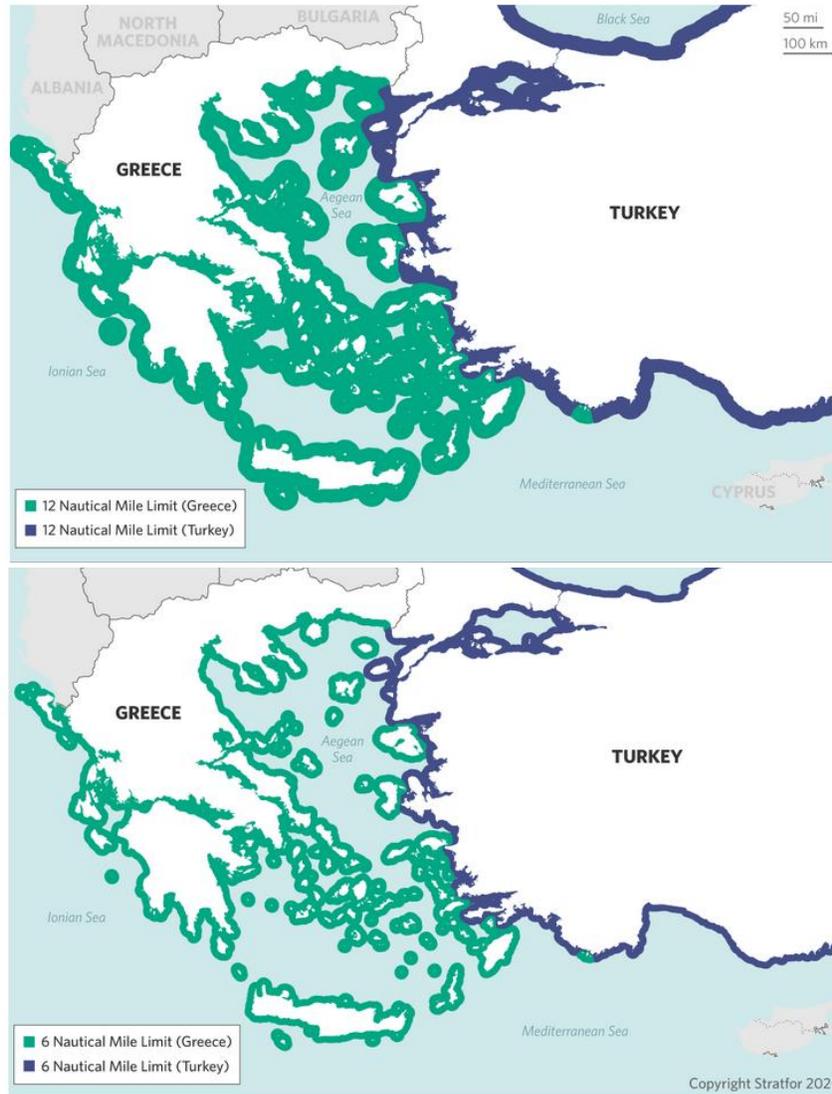
### *2.2.1. Island disputes in the Aegean Sea*

In the Aegean Sea region, the root of the problem is the fact that Greece has thousands of smaller and larger islands (including roughly 6,000 Greek islands and reefs, with 227 populated only). Some of these islands are located very close to the Turkish shores, even within 2 kilometres – but at the same time several hundred kilometres away from the Greek mainland. The map below clearly shows why the territorial sea possessed by the two countries (6 or 12 nautical miles) matters. Ankara objects to Greece's endeavours to turn the Aegean Sea into a quasi inland sea, completely trapping Turkey and depriving it of its possibilities. The (de)militarisation of these islands means another permanent source of tensions. Greece argues that the militarisation of the islands is justified by the threat posed by Turkey, while the latter claims that Athens arms itself unlawfully to threaten Turkey.<sup>16</sup>

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<sup>15</sup> KACZIBA 2018.

<sup>16</sup> DILARA 2020.



*Greek (green) and Turkish (blue) territorial sea with 12 and 6 nautical mile limit<sup>17</sup>*

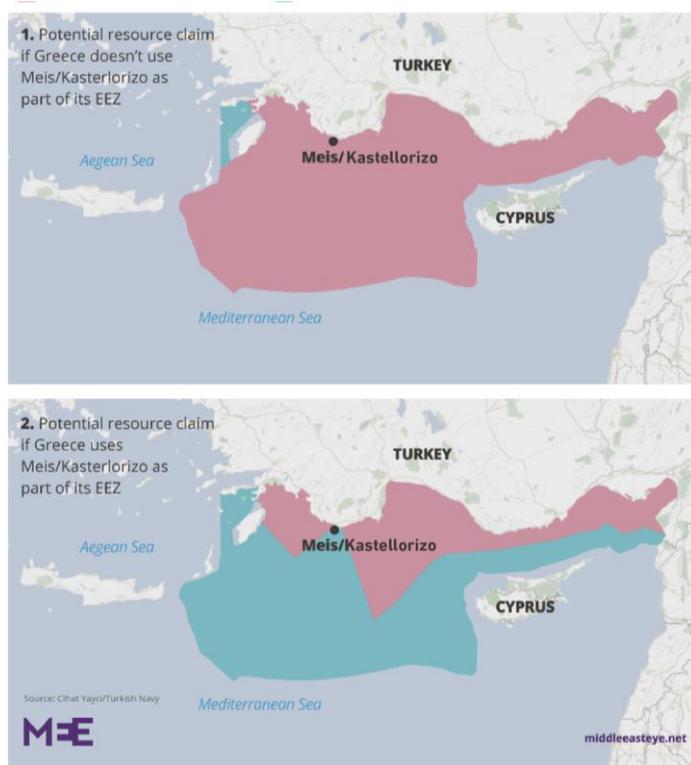
On a side note, this factor explains in part why Ankara struggles with preventing irregular migrants from crossing the sea: by reaching any of the Greek islands located close to Turkish shores, they already enter the territory of the European Union.

Despite their different claims, Athens and Ankara practically agreed to apply 6 nautical miles for the territorial sea in the Aegean Sea. The lack of escalating tensions on the issue of the

<sup>17</sup> STRATFOR 2020.

Aegean Sea islands is partly explained by the fact that no major oil and gas reserves have been explored in the region concerned, so stakes are not that high in this case.<sup>18</sup>

Within the Dodecanese islands, the situation of Kastellorizo (Meis in Turkish) deserves special attention. This small island with a population of 492 (according to the census of 2011) is located right off the Turkish shores. Based on Greece’s legal interpretation, the island would ensure an exclusive economic zone for Greece of a size indicated in green at the bottom of the figure below. In contrast, Turkey’s key argument is that the Greek islands are not entitled to any rights of the exclusive economic zone, since the islands lie on the Turkish continental shelf.



*Kastellorizo and the exclusive economic zone as claimed by Turkey (in red) and Greece (in green)<sup>19</sup>*

### 2.2.2. Island of Crete and the Libyan war

As the second element of the Turkish-Greek sea border dispute, we examine the role of Libya and Crete. On 27 November 2019, Ankara signed a Memorandum of Understanding with the

<sup>18</sup> KACZIBA 2020.

<sup>19</sup> SOYLU 2020.

Tripoli-seated Government of National Accord on the designation of their maritime borders.<sup>20</sup> The delimitation agreement practically disregards the territorial waters of Crete.<sup>21</sup> In response to the Turkey-Libya deal, Athens expelled the GNA ambassador from Greece, and got increasingly involved in the Libyan war on Khalifa Haftar's side against the GNA. Athens uses its best efforts to annul the Turkey-Libya deal, while Ankara is, for obvious reasons, interested in sustaining it. The conflict centred around the Operation Irini should also be interpreted in this context (in part).

### *2.2.3. Division of Cyprus and the surrounding natural gas fields*

Finally, the third dimension that needs to be mentioned is the situation of Cyprus. Though only indirectly, but this is closely connected to the relations between Turkey and Greece.<sup>22</sup> The island of Cyprus has been divided into two parts since Turkey's military intervention in 1974, a step justified by the protection of the Turkish minority living there. The southern part of the island comprises the internationally recognised Republic of Cyprus led by Greeks, while in the north we can find the Turkish Republic of Northern Cyprus, which is recognised only by Turkey, having declared its independence in 1983. (Ankara does not recognise the southern part as a legitimate representative of the island, and only refers to it as the Greek Administration of Southern Cyprus.) Despite a number of different negotiation processes in the past, the situation of the divided island has not been resolved to date. The most recent negotiations were interrupted in August 2017, but international efforts are permanently present to reopen them. Turkey and Greece (in addition to the United Kingdom) are guarantor states under the Treaty of Guarantee of 1960, which means they undertook to guarantee the independence and territorial integrity of Cyprus. Both countries remain to play a key role in any negotiations on the island's future to date. Athens is the most committed supporter of the Greek Cypriots, while Ankara is the most committed supporter of the Turkish Cypriots.

Recently, the complexity of the Cyprian situation has been increased further by an energy policy dimension. From 2011 on, substantial natural gas reserves (hundreds of billions of cubic

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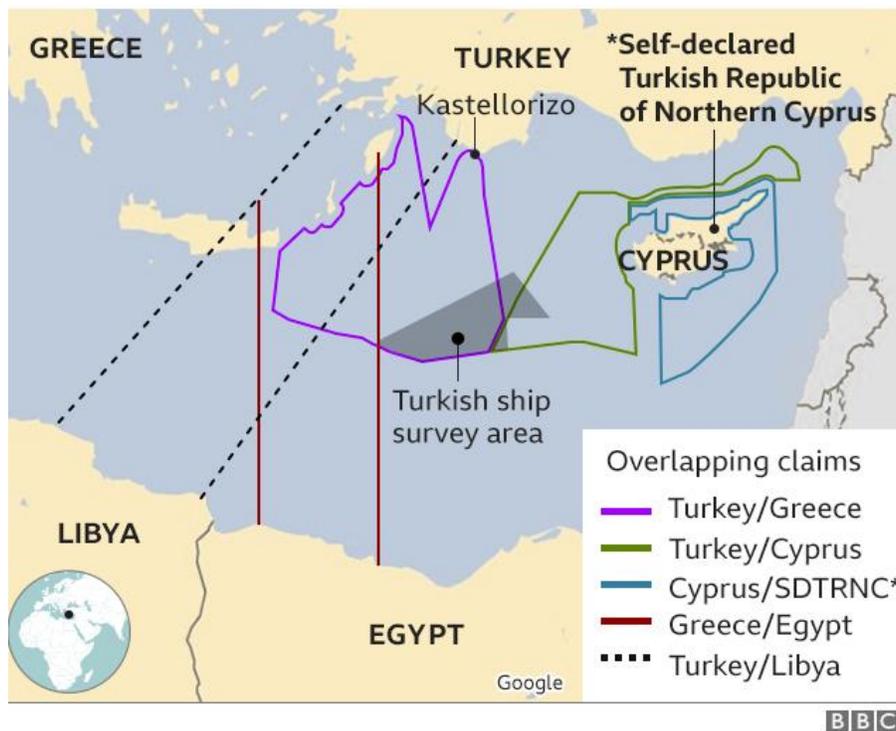
<sup>20</sup> In Libya, the period from 2016 to the formation of the new provisional government in February 2021 was described by the permanent fight between the GNA controlling the Western part of the country and the Tobruk-based Libyan National Army (LNA) led by Khalifa Haftar and controlling the Eastern part of the country. For more information on the Libyan situation, see e.g.: MARSAI 2020, PÉNZVÁLTÓ 2020b.

<sup>21</sup> In addition to the deep-sea port and naval base of strategic importance in the Souda Bay, the island of Crete plays a key role due to its proximity to the gas field called Talos (located west and south of the island). According to the announcement of the consortium exploring the gas blocks (comprising the American Exxon Mobil, the French Total and the Greek Hellenic Petroleum) of October 2019, the field hides a substantial volume of natural gas, that is 280 billion cubic metres. It is important to note, however, that Turkey does not claim any areas of the Talos field. KACZIBA 2020.

<sup>22</sup> EGERESI 2019.

metres) were discovered off the island (Aphrodite, Calypso and Glaucus fields). Ankara argues that the Turkish and Turkish Cypriot inhabitants of the northern part (approx. 300 thousand people in total) must also benefit from the mineral resources. However, since no other country recognises the northern part of the island, the rights of its inhabitants are not recognised either.

In addition, Turkey claims maritime areas by referring to its continental shelf which the Republic of Cyprus considers its own (see the area delimited with green on the map below). The European Union expressed its solidarity towards the Republic of Cyprus several times, and introduced sanctions for the Turkish drilling activities around Cyprus considered illegal first in July 2019, then in February 2020 under the framework for sanctions adopted in November 2019, targeting Turkey and Turkish individuals.<sup>23</sup>



*Overlapping territorial claims in the Eastern Mediterranean<sup>24</sup>*

<sup>23</sup> COUNCIL OF THE EUROPEAN UNION 2019.

<sup>24</sup> BBC 2020. The grey area on the map indicated as “Turkish ship survey area” represents the area where the Oruç Reis operated in August 2020.

Even if it will not be able to have its jurisdiction over specific maritime areas recognised by the international community, Turkey can hinder other states from extracting and transmitting natural gas from the fields already discovered. In addition, the sea area surrounding Cyprus and Crete is important, because the gas pipeline called Eastmed would cross this area according to the plans. The Republic of Cyprus, Greece and Israel signed an agreement on its construction in January 2020. Overall, one should be aware that no significant hydrocarbons deposit has been discovered yet in any disputed areas Turkey considers its own. Discovering such a deposit would probably escalate the existing disputes.

### 2.3. The minority issue

Finally, we have to mention the role of the minority issue in bilateral relations. This is a grievance for Turkey basically, since only 2-3 thousand Greeks lived in Turkey in early 1990's.<sup>25</sup> In Greece, Western Thrace, however, a Muslim Turkish community of tens thousands (according to Turkish estimates, 150 thousand) is still present.<sup>26</sup> Their exact number is not known, since Greece does not collect any population data by ethnic group. The Greeks consider the Turks a part of the Muslim religious minority, and refer to them as "Greek Muslims" along with the Muslim Pomaks and Muslim Romas. Athens believes this approach is in accordance with the Treaty of Lausanne of 1923, but Turkey claims the Greek state deprives the Turks in Thrace of their ethnic identity. Furthermore, Ankara expects more rights for the Turkish minority in Thrace. For example, they offended by not having the right to freely elect their religious leaders (muftis).<sup>27</sup> This is also a source of escalating tensions between the two states from time to time. In 2020, for instance, Ankara objected to the closing of Turkish minority schools,<sup>28</sup> and the Turkish press reported a Greek military training in the region held for the purposes of threatening the Turkish minority and demonstration (as believed by Turkey) in response to Turkey's operations in the Mediterranean.<sup>29</sup>

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<sup>25</sup> HUMAN RIGHTS WATCH 1992.

<sup>26</sup> Approximately 2 million people (about 1.5 million Greeks and 0.5 million Turks) were forced to leave their homes under the Turkish-Greek convention on population exchange of 1923. The convention did not apply to the Muslims in Western Thrace and the Greeks in Istanbul.

<sup>27</sup> ALJAZEERA 2020. At the end of the article based on a short documentary, the editors published the reply of the spokesperson of the Greek government, thus the article well presents Greece's position on the issue of Turks in Thrace beside Turkey's position.

<sup>28</sup> EKATHIMERINI 2020.

<sup>29</sup> DAILY SABAH 2020.

### 3. OPPORTUNITY FOR A THRAW?

Thanks to a substantial international pressure, Athens and Ankara started negotiations to ease the tensions between the two countries from autumn 2020. From 10 September, military delegations from the two countries (one per each) conducted technical negotiations in the NATO Headquarters in Brussels. The most recent meeting (the 9<sup>th</sup> in a row) was held on 7 February 2021. The discussions aim to set up a conflict prevention mechanism that would mitigate the risks of maritime and aerial incidents, accidents between the two NATO member states in the Eastern Mediterranean. In parallel, the two countries re-launched the exploratory talks on 25 January 2021. Ankara and Athens held sixty negotiations in this negotiating framework between 2002 and 2016 to find a solution to their conflicts. In March 2016, however, the series of negotiations had interrupted, and it took almost five years to continue them. Nevertheless, the negotiating process will not be easy, which is reflected by the fact that the two parties cannot even agree on the agenda of the negotiations. The parties' intentions are also surrounded by doubt: will they get stuck in the world of gestures so they can prove their willingness to cooperate towards international players; or are they willing to make actual compromises which is an essential precondition of settling the long-lasting conflict?

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