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The Perils of the Turkey-Libya Maritime Delimitation Deal

Gallia Lindenstrauss, Sarah J. Feuer, and Ofir Winter

The November 27, 2019 signing of the maritime delimitation agreement between Turkey and the internationally recognized Government of National Accord (GNA) in Tripoli, led by Prime Minister Fayez al-Sarraj, has heightened concerns among many countries in the Eastern Mediterranean. The deal will negatively affect Turkey's relations with Greece, Cyprus, Egypt, and Israel; pose further challenges to the already questionable plans for the EastMed pipeline; and raise the stakes for outside actors involved in the Libyan civil war, likely prolonging the conflict there. It may, however, have a boomerang effect from Ankara's perspective in that it strengthens Egypt's determination to become an energy hub for the region.

On November 27, 2019, Turkey signed a maritime delimitation agreement with the internationally-recognized Government of National Accord (GNA) in Tripoli, Libya. A rival government, based in the eastern city of Tobruk and linked to self-styled military commander Khalifa Haftar, has rejected the legitimacy of the agreement, as have Greece and Egypt. Athens denounced the deal for ignoring the presence of the Greek island of Crete, which lies between the coasts of Turkey and Libya, and Cairo similarly dismissed the agreement as illegal. Following the signing, Greece expelled the Libyan ambassador and the European Union condemned the deal.

Three key factors help to explain the motivation and timing of the agreement. The first is Turkey's longstanding objection to the United Nations Convention on the Law of the Sea (UNCLOS) of 1982, which (along with Israel and the United States) it has refused to ratify. Given the geographic proximities between Turkey, the Greek islands, and Cyprus, implementation of UNCLOS principles would likely limit the scope of Turkey's exclusive economic zone (EEZ) and continental shelf. Turkey is highly dependent on energy imports, and so its objections to some of the UNCLOS principles have only intensified in light of the natural gas findings in the Eastern Mediterranean in recent years.

The second is Ankara's frustration with a number of agreements ratified by its neighbors in recent years and considered inimical to Turkish interests in the region. These include the Republic of Cyprus's EEZ delimitation deals with Egypt in 2003, Lebanon in 2007, and Israel in 2010. More broadly, Ankara views the evolving cooperation between Israel,

Egypt, Greece, and Cyprus – as reflected, for example, in their recent establishment of an Eastern Mediterranean Gas Forum (EGMF) – as an effort to isolate Turkey. Washington's support for such agreements has only added to Ankara's concerns. From this perspective, the Turkey-Libya agreement should be seen as an attempt to push back against Turkey's perceived encirclement. If it holds, the deal will represent a considerable success, as thus far Turkey has only concluded a continental shelf delimitation agreement with the breakaway Turkish Republic of Northern Cyprus (2011), a territory that Turkey alone recognizes as a sovereign state.

The third factor is Turkey's assertiveness in its immediate neighborhood, a trend evidenced by the three military operations Ankara has conducted in northern Syria since 2016 (most recently in October), and by Turkey's decision earlier this year to send drilling ships accompanied by gun boats to the Cypriot EEZ, which Turkey contests in light of its ongoing conflict with Cyprus.

Setting aside the matter of its legality, which will likely remain in dispute since the Libyan government in question only exercises control over a small portion of Libyan territory, the Turkey-Libya agreement is likely to have three main consequences. These relate to bilateral Turkish relations with the different Eastern Mediterranean countries, the feasibility of the construction of the Eastern Mediterranean (EastMed) natural gas pipeline, and the renewed civil war in Libya.

Perhaps first and foremost, the Turkey-Libya agreement presents a challenge to the already fraught Turkey-Greece relations. In contrast to the ties between Ankara and Cairo, or between Ankara and Jerusalem, there are still open lines of communication between Ankara and Athens, as reflected in the meeting between the two heads of state on the sidelines of the NATO summit in London earlier this month. However, there is a heightened sense of fear that a military confrontation between the two states could erupt, and the agreement adds new areas of disagreement and potential conflict to the tense relationship.

The Republic of Cyprus has suffered the most from Turkey's growing assertiveness in the Eastern Mediterranean, and Turkish actions may now lessen the appetite of foreign companies to be further involved in developments concerning the natural gas findings in the Cyprus vicinity. On the other hand, it is possible that the Turkish moves will add urgency to a renewal of talks concerning a political solution in Cyprus, even as the difficulties that rendered earlier rounds of negotiations unsuccessful are likely to remain.

Reactions in Egypt to the Turkey-Libya agreement have also been negative. Egypt-Turkey relations were already strained, and the deal prompted warnings in state-run

Egyptian media that Cairo will not stay silent in the face of growing Turkish influence in Libya. From Egypt's standpoint, such interference adds to the instability in Libya and increases the potential threat of terrorist activity spilling over into Libya's eastern neighbor. For Egypt, Saudi Arabia, and the United Arab Emirates (UAE), the agreement is not only a violation of UNCLOS and of previous understandings between rival Libyan parties, but also reflective of the broader regional struggle between advocates and opponents of political Islam. Egyptian media has highlighted the Turkish-Libyan agreement as an unacceptable intervention in Arab-Libyan affairs, as harm to the Arab nation, and as an action that requires a response from the Arab League. Moreover, it is cast as a threat to Eastern Mediterranean states, specifically Egypt, Greece, and Cyprus. In November 2019 the latter three conducted the Muduza 9 joint military exercise in the Eastern Mediterranean, which was meant to enhance their cooperation on defense and security challenges stemming largely from Turkey.

Meanwhile, whereas the feasibility of the EastMed pipeline was already in question even before the latest Turkey-Libya agreement, the deal presents further complications. The original plan was for the (1300 km offshore and 600 km onshore) pipeline to extend from Eastern Mediterranean natural gas fields off the Israeli coast to Cyprus, from Cyprus to Crete, from Crete on to the Peloponnesian Islands, and from there to western Greece, where it would link up with another pipeline, the Poseidon, before ultimately reaching Italy. But Turkish President Recep Tayyip Erdogan has reportedly stated that his agreement with Sarraj means "Greek Cyprus, Egypt, Greece, and Israel cannot establish a gas transmission line without first getting permission from Turkey." The diminished possibility of a direct route to export gas to Europe might actually reinvigorate Egyptian efforts to position itself as a regional energy hub, as it already possesses facilities for liquefying natural gas, thus enabling the export to Europe and other markets by ship and obviating the need for a long pipeline.

Finally, the deal, which was accompanied by an enhanced security cooperation agreement, is likely to exacerbate the negative effects of foreign intervention in the ongoing Libyan civil war. Prior to the agreement, Turkey was already providing the GNA with weapons, including drones and armored vehicles, and Ankara was assisting the GNA in training its affiliated militias. Erdogan has now announced that Turkish forces may be deployed in Libya, should the GNA request them. Haftar's forces, meanwhile, have received financial support and weapons from Egypt, Saudi Arabia, and the UAE, while Russia recently bolstered its presence to the tune of an estimated 1,400 military contractors fighting on Haftar's behalf. Meanwhile, notwithstanding President Trump's statements of support for Haftar earlier this year, the United States remains largely absent from the scene. Since Turkey and Russia now support opposing factions in Libya, the recent Erdogan-Sarraj pact may become a source of friction between Ankara and

Moscow. Indeed, Haftar has reportedly ordered his naval forces to sink any Turkish vessel approaching the country. Ankara's assistance to the GNA is likely to grow, thereby raising the stakes for rival outside actors and prolonging the conflict, which has already claimed over one thousand lives and left tens of thousands internally displaced since April.

For its part, Israel has a clear interest in seeing the Eastern Mediterranean remain an area free of conflict. The strengthening of Israel-Greece-Cyprus relations in recent years led Israel's Ministry of Foreign Affairs to issue statements of solidarity, both with Cyprus in response to the dispatch of a Turkish drilling ship to its EEZ, and with Greece in response to the Turkey-Libya agreement. These unprecedented statements signal that Israel will have growing difficulty remaining a bystander if hostilities break out between its neighbors in the Eastern Mediterranean. Indeed, in recent weeks Turkish ships reportedly forced an Israeli research vessel operating in the Cypriot EEZ (in conjunction with the Cypriot government) to depart the area. Given that Israel will not want to become mired in the emerging regional conflict, policymakers in Jerusalem should begin formulating potential responses to this increasingly complicated situation.