



SPECIAL ISSUE: The Cyprus Problem and Energy Challenges at Crossroads

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1993-2019 TWENTY SIX YEARS OF POLICY FORMULATION AND ANALYSIS

WHAT CAN WE EXPECT FROM A POSSIBLE RESUMPTION OF THE BICOMMUNAL NEGOTIATIONS?



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On August 9, 2019 President Anastasiades and the Turkish Cypriot leader Mustafa Akinci met in the presence of the UN Secretary-General's Special Representative Elizabeth Spehar and discussed the prospects of embarking on a new round of negotiations with the objective to reach at last a viable and functional solution of the Cyprus problem. Despite the fact that President Anastasiades and the Turkish Cypriot leader Akinci have different views on various issues they agreed to a meeting with the UN Secretary General in New York in late September. It is expected that subsequently an informal conference under the auspices of the UN will be arranged involving the two community leaders and the three guarantor powers. It is important to note that an agreement on the terms of the negotiating framework has not been reached so far despite the visit and the intensive work of the Special Envoy of the UN Secretary General Mrs Jane Holl Lute.

The Greek Cypriot side accepted to explore the possibility of a new round of bicomunal negotiations despite the fact that Turkey has been systematically violating the EEZ of the Republic of Cyprus. Ankara has been stressing that no major development in relation to energy can take place in the Eastern Mediterranean without its participation and consent. It is also useful to note that the Turkish Cypriot leadership has been supporting Ankara's positions both in relation to energy and the substance of the Cyprus Problem.

It would be misleading to try to understand the Cyprus question exclusively within the framework of its bicomunal dimension. The Cyprus problem contains additional dimensions, including the following:

- (a) Greco-Turkish: Greece and Turkey are two of the three guarantor powers of the Republic of Cyprus;
- (b) European: Cyprus is a member of the EU while Greece and Britain are also members. Turkey has its own special relations and arrangements with the EU while it has been a candidate since 1999;
- (c) International: inevitably the Cyprus question is an international problem as it involves the invasion and occupation of about 38% of the territory of a small country by its strongest neighbor;

(d) Regional/Geostrategic: the Cyprus Problem is inevitably linked with the power struggles for supremacy in the Eastern Mediterranean. Indeed, the bicomunal dimension is not the most important.

It is essential to keep in mind that Turkey has been using the Turkish Cypriot community as a strategic minority to advance its objectives in Cyprus, that is to achieve, maintain and legitimize its control of this island-state. If we assess the positions of the Turkish Cypriot leadership it is easy to observe that these fully satisfy Ankara's objectives. More specifically, the demand for a new partnership within the framework of a bizonal bicomunal federation or a loose confederation amount to putting aside the Republic of Cyprus and replacing it with a new state entity. The demand for political equality as defined by the Turkish side, if implemented, would imply that no major decision will be taken without the consent of the Turkish Cypriot side. The demand for rotating presidency is also indicative. Last but not least, the Turkish policy of colonialism has as an objective to dramatically change the demographics in Cyprus. In other words, Turkey aspires not only to turn Cyprus into a protectorate but to create in due time a Turkish demographic majority in the island.

Cyprus has always been an island with a predominantly hellenic identity. And over time the island has had an overwhelming Greek demographic majority. Since 1974 Turkey has embarked a policy of colonialism of the occupied northern part of Cyprus which it ethnically cleansed. We should also remember that all Turkish Cypriots were transferred to the occupied northern part of the island. In the last few years colonialism has been intensified. This has also been accompanied by a policy of islamization.

Under these circumstances it is unlikely that a solution that will constitute an improvement of the status quo for the Greek Cypriots will be reached. To the present day Turkey's actions in Cyprus have not been effectively addressed by the UN and the international community. And the EU's recent decisions in relation to the violation of the Cyprus EEZ by Turkey did not lead to any spectacular outcome; nevertheless, they constitute a step in the right direction.

One can also raise the question whether the prerequisites for a federal solution of the Cyprus problem exist. There is a huge gap between the two communities while the Greek Cypriots, justifiably, mistrust Turkey. Furthermore, it also seems that the two sides do not have a minimum list of common objectives. Consequently, it may be necessary to think creatively outside the box to achieve progress and a better climate that will facilitate a lasting solution.

RECENT DEVELOPMENTS ON CYPRUS: RE-ASSESSING THE AGENDA OF PUBLIC DISCOURSE



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In the last few months, Turkey's bellicose rhetoric and forcible activity in the Cypriot exclusive economic zone has dramatically increased tensions in the Eastern Mediterranean. Furthermore, some moves made by the Turkish Cypriot leadership and Ankara on the chessboard of the Cyprus problem reveal a potential change of course that could kill the long-moribund hopes for an agreed and viable solution. Apparently, there is a degree of accuracy in this assessment, but also overstatements. In this article we will attempt to offer some alternative interpretations, in an effort to re-assess the agenda of public discourse.

Coercive diplomacy at two levels

Fall 2019 comes with increased tensions and unclear expectations regarding natural gas explorations in the Eastern Mediterranean. Ankara's risky moves in the sea, in the context of its strategy of coercive diplomacy, are sending the message that regional energy arrangements that leave Turkey out of the picture may face severe obstacles. Turkey's forcible activity in the Exclusive Economic Zone (EEZ) of the Republic of Cyprus (RoC) aims to interrupt the Cypriot quest for offshore natural gas findings, enforce its own agenda at the expense of Nicosia and gain regional primacy in energy affairs.

When it comes to the Cyprus problem, the approach is more or less the same: Ankara makes systematic use of its overwhelming military presence on the island in an effort to neutralize the arrangements of 1960 (with the exception of the status of the guarantor powers). At the tactical level, this strategic goal is being pursued through a combination of threats, hybrid activity and diplomacy that will culminate in the eventual enforcement of the "realities on the ground" on the island's legal order and international identity. Threats and hybrid activity will create the right atmosphere by injecting fear and yieldingness to the other side, while negotiations and diplomacy will create the necessary framework of legitimacy that will "purify" the illegal conduct and outcomes of the 1974 Turkish invasion of Cyprus and make them part of the new state of affairs.

More tension, more interpretations

In Summer 2019, while the RoC was proceeding with its offshore energy agenda and a new UN initiative for the revitalization of the negotiations for the Cyprus problem was unfolding, Turkey intensified its coercive manifestations in an effort to achieve combined gains in both fields. This intensification included some bellicose public statements made by President Recep Tayyip Erdoğan and the Minister of Defence Hulusi Akar, warning the Greek Cypriots that Turkey was willing to repeat what it did in 1974 if necessary. This aggressive rhetoric, in conjunction with Ankara's renewed revisionism in the Aegean Sea, generates tensions that could lead to undesirable military repercussions across the Eastern Mediterranean.

Undoubtedly, these developments suggest a clear indication of Turkey's military superiority vis-à-vis the RoC and resoluteness to impose its will. However, in order to avoid flawed interpretations and conclusions we should examine them in the broader historical context that has been formed since 2011, when the Cypriot offshore exploratory program was launched. Therefore, we should keep in mind that Turkey's initial reaction was not that much successful: the RoC ran three consecutive licensing rounds and assigned a number of blocks to eight oil and gas companies (including giants like the French-owned Total and the US-owned Exxon Mobil). Between 2011 and 2019 six drillings were accomplished, leading up to the discovery of three potential natural gas reservoirs. Despite imminent threats, the dispatch of Turkish seismographic vessel RV Barbaros Hayreddin Paşa accompanied by warships in the Cypriot EEZ and the issuing of navigational warnings (NAVTEX) for military exercises offshore Cyprus, Nicosia's exploratory and drilling program proceeded in a relatively smooth manner. Turkey's clear-cut military advantage over the RoC has not played a critical role, at least not for the time being. The main reason for this seems to be the presence of multinational oil and gas companies, some of them from countries with high diplomatic and military status and international impact. The fact that Turkey chose to intercept a prescheduled drilling operation in Block 3, which is geographically positioned close to Turkey and is licensed to Italian ENI, while it refrained from any forcible measures in cases where French or US-based companies were involved (including Block 6 where Turkey claims sovereign rights), suggest an indication of the validity of this hypothesis. In that sense, Ankara's decision to dispatch two drillships in May 2019 (with the symbolic names 'Fatih', namely 'Conqueror', and 'Yavuz', namely 'Resolute') offshore Cyprus, evoking rights over its continental shelf as well as on behalf of the "Turkish Republic of Northern Cyprus" ("TRNC"), suggest a step of escalation that was deemed necessary due to the prior failure to stop the Cypriot drilling program.

In relation to the latest developments related with the Cyprus problem, there is also room for multiple interpretations. The steps taken by the "TRNC" (in full accordance with the Turkish Ministry of Foreign Affairs) towards the

colonization of the enclaved city of Famagusta, along with the marginalization of moderate Turkish Cypriot leader Mustafa Akinci in favor less pro-solution politicians like Ersin Tatar and Kudret Özersay, were mainly interpreted by the Greek Cypriot media as signs that the Turkish side is changing the course. The goal of an agreed federal arrangement, the argument goes, is abandoned and now Turkey and the “TRNC” will push for a two-states solution. Maybe this is the case. After all, why would Ankara and the “TRNC” choose to “burn a card” like Famagusta, which could have been used as a low-cost diplomatic *quid pro quo* in order to safeguard desirable gains in the negotiations? But, on the other hand, why does this happen now? Is it a real indication of a changing strategic goal, or is it just one more manifestation (more resounding this time) of coercive diplomacy aiming to force the Greek Cypriots to comply, both in the Cyprus problem and the natural gas issue? And, if so, doesn’t it look like a hasty reaction?

The three barriers to analysis: bias, sentiment and misperceptions

When it comes to Turkey’s policy on Cyprus-related issues, Greek Cypriot perceptions and inferences are usually driven by two elements: Turkey’s military superiority and the credibility of its threats (due to the traumatic experience of 1974). Furthermore, in the Greek and Greek-Cypriot literature and media, we may observe a typical narrative of an outstandingly efficient Turkish foreign policy, both in terms of designing and execution. There is truth in this assumption, but there is also a degree of exaggeration. Credible analysis should take into account historical evidence, but the analytical and theoretical framework is equally important. Distorted views of reality will definitely lead to equally distorted conclusions and interpretations. To this end, evaluation of incoming information and data must be (to the degree possible) unbiased, unsentimental and free from misperceptions.

REALPOLITIK IN EUROPE AND EASTERN MEDITERRANEAN


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Realpolitik is a concept coined in 19th century to describe politics as they really are; politics unmasked from any ideological or moral beliefs that may veil reality; politics as a system of interests, power, coercion, bargaining and exchange. Realpolitik was associated with the way in which national revolutions were coerced by Empires and Great Powers of the time, the emergence of nationalism leading to the unification of Germany and Italy, and the years ultimately fueling the causal mechanisms that drove European powers to the First World War. Hence, Realpolitik is thought to be a way of explaining politics and a way of pursuing politics in a rather blunt and almost cynical way.

In the field of international politics, Realpolitik is understood as the eternal impact of power on politics and the sources states seek for defending and/or imposing their interests. In that account, Realpolitik is mostly associated with Classical Realism, a school of thought that was mainly cultivated by the works of Edward Hallett Carr, Hans Morgenthau and Robert Gilpin, among others. Obviously, Realism is a more systematic approach to world politics than the rather simplistic way in which Realpolitik followers approach politics, but it is fair to say that the former, when thought from the actual way world politics is pursued, is a system of principles based on power politics, asymmetry, self-interest, anarchy, alliance politics, contingency and violent change.

The omnipresent Realpolitik in Europe

In traditional world politics analysis, there seems to be a differentiation in conceptualizing and/or categorizing regional and global politics. While in the aftermath of the Second World War international politics departed from a Eurocentric analysis, Europe would still be the most important region. What matters to observe in the context of this account is that the prevalent view that Western Europe has gradually overcome Realpolitik to advance a more principled and institutional political realm is highly problematic. As Joseph Grieco, a leading Realist, rightly contended in late 1980s, European politics were still governed by traditional nation-state concerns, such as the fact that, in any relationship, states consider the power position of one another, as well as they pay a lot of attention in the way in which cooperation gains are

distributed. This is the so-called relative-gains problem, a stabling block that European cooperation, in the form of regional economic and political integration, could have never evaded. Even after the so-called re-unification of Europe in the 1990s and early 2000s, there is little to argue against the fact that states in Europe are primarily concerned with national interest and they still compete for power and influence, without however resorting to the use (or the threat to use) of physical force against one another.

That short-lived (mis)perception of everlasting peace, security, growth and wealth in Europe ended sadly in the early stages of 2010s with the spark of a huge wave of economic crisis and the asymmetric dissemination of its implications across EU member states. The confidence in the project of European integration was shaken for good. In addition to internal institutional uncertainty and confidence crisis, Europe came across the resurgence of Russia as a regional great power with a global agenda. The crisis in Ukraine drove the EU-Russian relationship to the lowest point in the post-Cold War era.

Even though Russia was portrayed as a source of concern and instability in Europe – some even talked for a new enemy to be contained – Realpolitik was such a strong instinct that ultimately shaped perceptions and choices among the largest European states. Among other things, Russia is an indispensable European energy partner and this cannot be ignored. EU energy security is heavily dependent on Russian natural gas (and to a lower degree oil) supply across member states. There is some talk about diversifying energy sources, as well as seek alternative markets, but the reality suggests that the so-called Russian 'energy dependency' is on a steady rise. Large European states seem not to worry about that, since this is not an one way dependency relationship, but a rather convenient interdependency.

Apparently, Realpolitik drives the choices and reveals a visible asymmetry in interests and preferences among European states. Not all EU member states, for instance, see Russia as an enemy, or a potential one. European states that host large Russian minorities, as well as small European states that depend on Russian energy supply way above 50% of their overall energy consumption, seem to worry more than large states, such as Germany, France and Italy. The latter three happily enlarge and extend energy collaboration with Russia.

In 2019, for instance, Gazprom supplied the French market with a total of 5.8 billion cubic meters (bcm) of natural gas, an increase of 5.6% from 2018. France also advances a long-term Franco-Russian cooperation in the field of nuclear energy. Germany is the largest importer of Russian natural gas. In 2018, Germany imported way beyond 35% of all Russian natural gas exported to Western European markets (including Turkey). In that year, Germany imported 58.5 bcm of natural gas. The second largest importer was Turkey

with 23.96 bcm, followed by Italy with 22.77 bcm, the UK with 14.26 bcm and France with 12.92 bcm. With a large pipeline network and the prominently remarkable Nord Stream, as well as the two new and quite vital under-construction sub-sea pipelines of Nord Stream 2 and TurkStream, Russia strengthens its position as Europe's largest natural gas supplier.

Energy seems to be the new currency of Realpolitik bargaining in Europe in the 21st century. This seems to be a relatively more peaceful means for pursuing political and economic stability among states that non-Realpolitik accounts would see them striving to contain or even eliminate one another. Still, the 'energy currency' is an equally cynical method of political exchange, analogous with the kind of exchanges that prevailed in the 19th century. At the end of the day however, the Realpolitik of energy security seems to be the primary component of the new holy or unholy Euro-Russian political order.

Realpolitik in Eastern Mediterranean

Energy is the principal currency of Realpolitik in many other regions of the world for quite a few decades now. That was evidently visible in Middle-East and North Africa (MENA) throughout the 20th century. A meticulous researcher will easily discern many other regions and countries where Realpolitik was fueled by petrodollars. Oil and Gas companies and the markets that determine their profits emerged as the most reliable partners of states in pursuing Realpolitik across and beyond MENA, in the oil-rich countries in Latin America and Africa. Taking all that into consideration, it should not come as a surprise that, wherever energy resources are discovered, there is a strong appetite for Realpolitik.

In the early 21st century, Eastern Mediterranean emerged as a region with a strong potential in hydrocarbons. Levant basin, the largest part that underlays Eastern Mediterranean seabed, seems to be rich in natural gas, and possibly oil. A research by the United States Geological Survey in 2010 estimates that there could be more than 122 trillion cubic feet (tcf) of natural gas in the Levant basin. Geological surveys in the last decade seem to be very encouraging. Energy companies with global enterprises, such as Noble Energy, ExxonMobil, ENI and Total, have already invested some millions of dollars in drilling in the deep waters of the Levant basin. Some considerable quantities of natural gas are already discovered in the seas of three countries, Israel, Egypt and Cyprus. More drilling projects are on the way. Israel and Egypt also managed to develop and monetize some of their off-shore natural gas fields.

With the discovery and fast development of the giant Zohr field, Egypt, not only closed a huge gap of its domestic energy shortages, but mostly it will be able to return to LNG exports in the coming months. Israel has the second largest proven natural gas reserves in Eastern Mediterranean, behind Egypt. Production from the Tamar field alone shifted the country's energy fuel mix.

Natural gas accounts for some 30% of Israel's fuel consumption. With the development of the country's largest off-shore natural gas field, Leviathan, Israel shall improve its energy security and advance a more ecologically friendly economy.

Israel also has a very strong potential for natural gas exports. Multi-billion export deals with Egypt and Jordan may commence before the end of 2019. Exports to both destinations are certainly challenging, still the chances of going ahead are higher than to be put on halt. Israel considers some other export options in terms of sub-sea pipelines and LNG, options which shall not be pursued here.

Cyprus is an oil-dependent country. Its primary fuel mix consist of less than 6% of renewables, a tiny margin of coal and 94% of oil. In 2011, Noble Energy, a Texas-based American company, discovered Aphrodite field off-shore Cyprus, estimated between 5 and 8 tcf. This is the only verified natural gas field in an area which is part of Cyprus' exclusive economic zone, known as the "study area". After the third licensing round in 2016 and a couple of failed off-shore drilling attempts by the Italian ENI and the French Total, the American ExxonMobil (working with Qatar Petroleum) announced in February 2019 one of the world's biggest natural gas discoveries in a couple of years' time. That discovery was estimated to be more or less the same as one reserved in the Aphrodite field (i.e. 5-8 tcf). However, the new natural gas field, known as the Glaucus field, combined with the Aphrodite field, contain way smaller reserves than the Israeli fields Tamar (10.8 tcf) and Leviathan (21.9 tcf) or a fraction of the Egyptian Zohr field (estimated at 30 tcf).

In 2018, Cyprus completed an agreement with Egypt for a sub-sea pipeline connecting Aphrodite field with LNG plants of the latter. That is the only viable project for Cyprus to join the ranks of natural gas exporting countries before 2020. Unless more natural gas resources are discovered, Cyprus has very limited export choices and it may need to continue the discussion on some joint monetizing projects with neighboring countries. A couple of these projects, such as an LNG plant and a pipeline connecting Israeli and Cypriot natural gas fields with Greece and other European markets are under consideration.

Beyond the business and economic facets of hydrocarbons or the so-called political economy of natural gas in Eastern Mediterranean, there are some other things to consider, mostly the geopolitics of oil and gas in the region. Realpolitik suggests that geopolitics are molded by the interests of the strongest. Israel, being a strong country with an equally strong status-quo mindset, is certainly capable of defending its interests and pursue the development of its off-shore resources with confidence. Equally Egypt, also having a strong status-quo mindset, is capable of doing the same. Even though Egypt is under pressure by domestic factors and pockets of instability,

it may have an advantage over Israel in achieving a faster development and monetization of its own off-shore resources. Whereas in Israel the development, monetization and export of the country's off-shore resources come under political debate, legislative initiatives and even sometimes litigation, the Egyptian government is more effective in making and implementing this kind of decisions. This is evident when one compares the pace of development of Egypt's Zohr field with Israel's Leviathan field. An interesting instance for comparing democratic and non-democratic decision-making in the energy sector.

Israel and Egypt experience and strongly support a rather long – still not convenient and palatable for all local fractions – peace that is based on mutual security and lately on common energy interests. Realpolitik is prominently more preferable than other choices for these two countries. Their strong desire to maintain a viable status-quo in Eastern Mediterranean that would facilitate hydrocarbon projects seems to be a valuable public good. The same status quo desire is shared by quite a few countries who demonstrate willingness to collaborate in that direction. The delimitation of exclusive economic zones between a few of them (Cyprus and Egypt, Israel and Cyprus, Lebanon and Cyprus) is just one indication of the degree that the countries concerned appreciate status-quo and stability.

A second dynamic that is driven by the desire to establish and maintain a viable status-quo in Eastern Mediterranean is demonstrated by the so-called trilateral meetings between Cyprus, Greece and Egypt, Cyprus, Greece and Israel, Cyprus, Greece and Lebanon, just to name but a few of them. A third dimension that emanates from the joint status-quo mentality is the persuasion of joint energy projects and trade deals, some of them have already been named in the previous section. What is maybe also interesting to see is that bilateral and trilateral collaborations have a spill-over effect in many political, economic, financial and cultural domains of the countries involved. But not only that. A strong yearn for a viable status quo in Eastern Mediterranean brings together countries that would hardly agree on a status quo on the land that separates them. It creates a new geopolitical trend that works on its own logic. The most vivid example is the formation of the East Med Gas Forum, a regional regime joined by Egypt, Cyprus, Greece, Israel, Italy, Jordan and the Palestinian territories. This example demonstrates a potential for institutionalizing cooperation in Eastern Mediterranean equally among friends and among competitors.

All these developments took the attention of policy-makers and members of Congress in Washington. The most recent initiatives entail the participation of the US in trilateral meetings between Cyprus, Greece and Israel and a bipartisan bill by Senators Bob Menendez and Marco Rubio. That bill seeks to lift a four decades long arms embargo to the republic of Cyprus, strengthen US security relationships with Cyprus and Greece, and enhance energy

security in Eastern Mediterranean. US initiatives however have a strong bias towards supporting Israel and containing Russian presence in the region.

The mistake that the US makes in this case is that it targets Russia, a country that has a different agenda for Syria than the US has. At the same time however, Moscow is supportive of all energy initiatives in the region. The global appetite for natural gas is growing and according to the most recent report by the International Energy Agency, new discoveries are very much welcomed for addressing these growing needs. Russia has no reason to see Eastern Mediterranean natural gas in a competitive manner. Some explanation was already given in the previous section. Russia has already signed long-term contracts and embarked in new natural gas projects that would stretch its production capacity to its very limit. European and Asian industries would need much more gas than the current producing countries would be able to provide. Eastern Mediterranean gas is not an alternative source, but mostly a new emerging source which is much needed in the global economy.

Taking all together, there is only one serious challenge in pursuing energy security and hydrocarbon development in Eastern Mediterranean. That challenge emanates from the revisionist and in some cases offensive and aggressive policies of Turkey in the region. Cyprus is at the focal point of these policies, though their implication extent much beyond Cyprus. Turkey pursues hegemony in Eastern Mediterranean. Under hegemony there cannot be any kind of status quo among neighboring countries, but the order the hegemon would prefer to establish.

Ankara does not want to join the existing status quo regime in Eastern Mediterranean but to spell out the terms for a new regime to be tailored around its interests. Turkey questions all bilateral agreements that let into the delimitation of exclusive economic zones, puts forth a number of unreasonable claims, and would like to determine the route of exports from the region.

Erdogan's authoritarian regime drove Turkey into the club of illiberal, undemocratic and rogue countries. This is the first time in the post-Ottoman Empire era when Eastern Mediterranean countries come across such a revolutionary actor, in terms of the taxonomy made by Martin Wight in 1990s. More and more actors in world politics realize that Turkey is a destabilizing agent in the Middle East and Eastern Mediterranean. At the same time however, a number of large and influential countries still have a strong appetite for the Turkish market in terms of direct investment, trade and other business. In addition, Turkey plays a key role in the humanitarian/refugee crisis in Syria, something that gives Erdogan some negotiation leverage over political bargaining with many global actors, especially with the European

Union. The latter is under severe political pressure by a highly skeptical and growingly anti-immigration public.

Realpolitik is not an one-way policy. It may equally accommodate and oppose ambitious troublemakers. The big question for Eastern Mediterranean actors is whether Turkey may be accommodated in the energy game. Turkey is too big to ignore, but, at the same time, too ambitious to trust. As things stand at the moment, Realpolitik in Eastern Mediterranean shall continue to yield results among the like-minded pro-status quo countries. But at the same time, unless Turkey is contained from exerting its influence all over Cyprus' waters, Nicosia will grow as the weakest link of the new emerging energy regime in Eastern Mediterranean and it will be gradually ignored from grand energy planning.

One of the most interesting issues to address is whether a political agreement in Cyprus over the longstanding and inconvenient division that Turkey imposed on the island in 1974 would make any difference. At the moment Turkey unilaterally extends the military occupation of Cyprus to cover the territorial waters and other sea waters which are under the sovereign control of the government of Cyprus. Will a political solution change that? Much will depend on the content of such a settlement. Turkey aims to impose a hegemonic regime in Cyprus, even in the context of a political arrangement. A hegemonic regime that would give Turkey the principal role in determining the energy program of Cyprus and assign to Ankara the leading role in negotiating with other regional actors the terms of any joint energy programs that would involve the island. In that regard, the current imbalance of power between Cyprus and Turkey consents no reasonable hopes for an arrangement that would allow Cyprus to function as a normal sovereign and independent country. The alternative is regional and other actors to offer substantial assistance and support to Cyprus to pursue its energy program and thus remain a key member of regional arrangements. This however would hardly materialize unless Cyprus shows some more vivid interest in enhancing its self-help capabilities.

Conclusion

Energy seems to be a very strong and effective currency in driving Realpolitik in Europe and Eastern Mediterranean. This realm is primed to pertain for the foreseeable future. In that regard, Russia will be a necessary – even for some an inconvenient – partner in guaranteeing the energy security in Europe. At the same time, Eastern Mediterranean emerges as a new source for energy security in the region, as well as a promising source of natural gas for Middle-Eastern countries, Europe and Asia. Natural gas discoveries in Eastern Mediterranean is supported by a strong desire to maintain a stable and viable status quo in the sea, independent of historic or more contemporary differences among the countries involved. That promising development is

questioned by Turkey that advances some revisionist policies, supported by an offensive military posture.

Cyprus is exposed more than any other Eastern Mediterranean country to Ankara's superior military power. Without serious external assistance and support, Cyprus will have a difficult time in defending its territorial waters and pursue its off-shore energy program. The rest of the countries in the region deal with a dilemma, i.e. whether Turkey needs to be included in energy programs or kept in a safe distance. Much depends on the dynamics of natural gas markets and its 'supply and demand' curve. Oil and gas companies have a strong say over the monetization circle of natural gas projects, but geopolitics was never indifferent to Realpolitik choices.

A LEGAL APPRAISAL OF THE TURKISH DRILLING ACTIVITIES IN THE CONTINENTAL SHELF/EEZ OF CYPRUS



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Introduction

In the aftermath of the 2003 Egypt-Cyprus EEZ delimitation agreement and the ensuing maritime activities of the Republic of Cyprus within the context of its energy programme, Turkey has repeatedly expressed its objections to any developments purportedly disregarding its own maritime rights, as well as the rights of the Turkish Cypriots over the natural resources of the continental shelf/EEZ of the Republic of Cyprus. Therefore, in the light of the hydrocarbon discoveries offshore Cyprus, Turkey has endeavoured 'to kill two birds with a stone', namely to stave off Cyprus' energy programme on the one hand and pursue its own energy goals on the other. The intermittent deployment of survey vessel 'BARBAROS' since 2013 and the ongoing activities of drillships 'FATIH' and 'YAVUZ' in Cyprus' continental shelf/EEZ and territorial sea are part of this strategy. Nevertheless, the aforementioned activities are in breach of international law, as well as Cyprus' sovereignty, sovereign rights and jurisdiction over its maritime zones.

The Turkish drilling activities

On 04 May 2019, in an unprecedented move, the drillship 'FATIH' was established at a distance of 36.6 nm off the western coast of Cyprus and started drilling a few days later. On top of that, Turkey dispatched a second drillship called 'YAVUZ' to the south of the Karpasia peninsula on 08 July 2019, at a distance of about 10 nm from the coast. At the same time, the 'BARBAROS' returned in the sea waters to the south of Cyprus in order to carry out additional seismic surveys (Figure 1). Notably, both drillships and the 'BARBAROS' were accompanied by Turkish warships.

As expected, this ignited a vehement reaction by Cyprus, which protested against those activities to the UN¹ and sought support from its EU partners. Furthermore, as a response to the deployment of 'FATIH', Cyprus deposited with the UN a list of geographical coordinates concerning the northern and

¹ Letter dated 11 July 2019 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General, UN Doc A/73/944-S/2019/564.

northwestern outer limits of its continental shelf/EEZ (Figure 4).² Of course, unilateral delineation of the outer limits of maritime zones is not opposable to any state. Nonetheless, it appears that Cyprus' aim was to illustrate visually its claims based on the median line in order to strengthen its argument that 'FATIH' was operating in the Cypriot continental shelf/EEZ.

On its part, the EU dealt with the matter at the European Council meeting held in June 2019³ and apart from condemning Turkey's activities it also, for the first time, contemplated the possibility of taking measures against Turkey.⁴ Furthermore, in a meeting on 15 July 2019, the EU Council of Foreign Affairs decided to impose measures on Turkey owing to the latter's failure to conform to the European Council call to cease its illegal activities.⁵ By way of response, the Turkish Government stated that the EU is biased towards Turkey but this will not prevent the latter from pursuing its energy programme in the Eastern Mediterranean. It is also worth mentioning that Turkey expressly rejected Cyprus' invitation for the commencement of negotiations aiming at the delimitation of their maritime zones restating that it does not recognise the government of the Republic of Cyprus.⁶

The pertinent legal framework

With respect to the 'FATIH', given that it is located within Cyprus' continental shelf/EEZ, Turkey violates Articles 56(1)(b)(i), 60 and 80 of the 1982 United Nations Convention on the Law of the Sea ('LOSC' or 'the Convention') envisaging that only the coastal state has sovereign rights and jurisdiction concerning the establishment and operation of installations and structures on its continental shelf and in the EEZ. Furthermore, the performance of drilling operations by the 'FATIH' are in breach of Articles 56(1)(a), 77 and 81 LOSC. It is worth mentioning that all the foregoing provisions of the LOSC are binding upon Turkey by way of customary international law, since the latter is not a party to the Convention.

Turning to the 'YAVUZ', it should be borne in mind that its drilling activities constitute a more serious violation. As the 'YAVUZ' operates within the Cyprus' territorial sea the performed drilling contravene the latter's sovereignty. Moreover, it should be pointed out that Turkey, as an Occupying Power, is not entitled to exploit the natural resources of the occupied areas of Cyprus, by virtue of the rules on belligerent occupation. Lastly, the illegal

² Deposit by the Republic of Cyprus of a list of geographical coordinates of points, pursuant to article 75, paragraph 2, and article 84, paragraph 2, of the Convention (07 May 2019) https://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/mzn_s/MZN.144.2019.LOS-Cyprus.pdf.

³ The EU had already expressed its concerns over the planned drilling by Turkey in Cyprus' EEZ few months before they took place. Press statement following the 54th meeting of the Association Council between the European Union and Turkey, Brussels, 15 March 2019 (15 March 2019).

⁴ European Council conclusions (20 June 2019) para 17 (emphasis added).

⁵ EU Council of Foreign Affairs conclusions (15 July 2019) paras 1-2, 4 (emphasis added).

⁶ Ministry of Foreign Affairs of Turkey, Press Release (16 July 2019) http://www.mfa.gov.tr/no_206_-ab-disiliskiler-konseji-nin-aldigi-kararlar-hk.en.mfa.

conduct of Turkey has triggered its international responsibility, hence the latter is under an obligation to cease its unlawful activities and make reparations to Cyprus.⁷

Conclusion

In light of the above, it goes without saying that Turkey has been attempting to ratchet up tension in the Eastern Mediterranean Sea with a view to gaining political and energy advantages. However, Turkey's drilling activities offshore Cyprus run afoul of a gamut of conventional and customary rules of the law of the sea. Moreover, by virtue of the rules on state responsibility, Turkey is under an obligation to abandon its wrongful conduct and pay damages to the Republic of Cyprus. Even though the possibility of a judicial settlement of the above disputes is virtually non-existent, it is important to stress that international law supports the interests and safeguards the sovereignty, sovereign rights and jurisdiction of the Republic of Cyprus over its maritime zones.

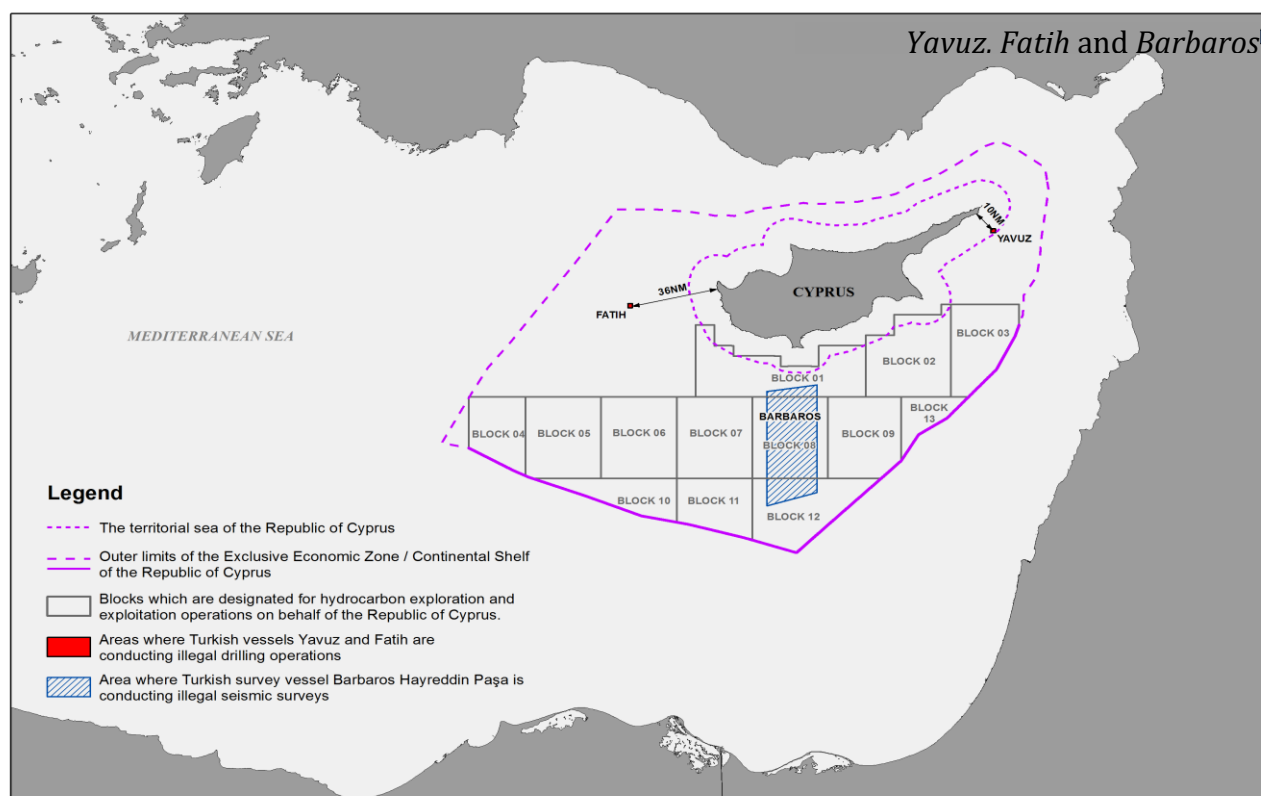


Figure 1 - Area reserved for research by the survey vessel 'Barbaros' on behalf of Turkey as between 25 July – 20 August 2019 (Source: Letter dated 11 July 2019 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General).

⁷ International Law Commission, 'Articles on Responsibility of States for Internationally Wrongful Acts' with commentaries (53rd Session, 2001) UN Doc A/56/10. Reproduced in YBILC, Vol II (2001) art 30.

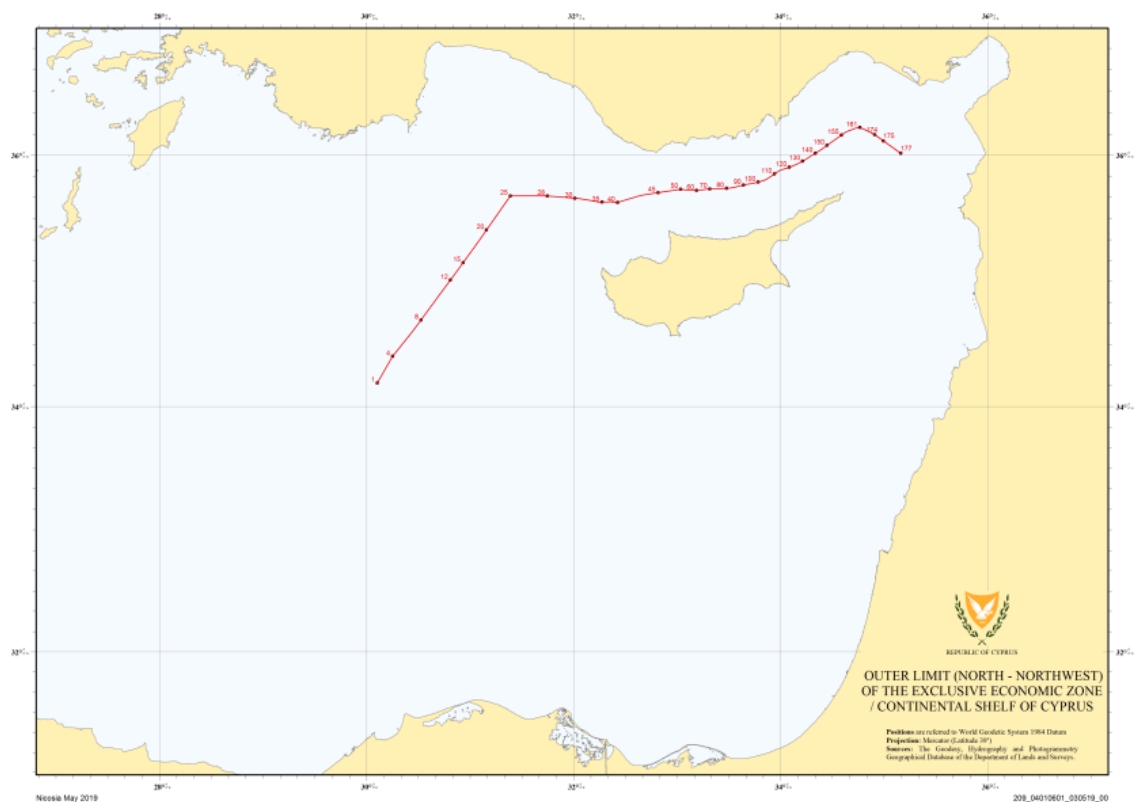


Figure 2 – Claimed outer limit of the north/northwestern continental shelf/EEZ of Cyprus (Source: Submission of the Republic of Cyprus to the United Nations – May 2019)

TURKEY'S AMBITIOUS AGENDA IN THE EASTERN MEDITERRANEAN



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Energy at the core

Natural gas has always been at the heart of EU-Turkey energy discussions. Turkey has emerged as a potential key transit country in a position to contribute significantly to the security of the EU's gas supply, largely due to its strategic position between Europe and the gas-rich countries of the Caspian and the Middle East.

Particularly on the eve of the first Russian-Ukrainian energy crisis, Turkey became the focal transit country of the Southern Gas Corridor (SGC), a European Commission initiative started in 2008 with the aim of reducing the EU's perceived over-dependence on Russian gas supplies. The expectation back then was that by linking Turkey with every single project that would bypass Russia, bilateral bonds would become stronger, anchoring Ankara in the European family.

But this expectation has not panned out. A key transit route/state has to be credible, predictable and trustworthy. Turkey's actions are not suggestive of such qualities.

Turkey has numerous things at stake in the Eastern Mediterranean energy game. These include the following:

- strengthening its regional position,
- ensuring maximum energy autonomy,
- transformation into a transit hub,
- averting the upgrading of the roles of Nicosia and Athens, and
- hindering joint ventures involving the other regional powers.

Thus, when, in the past, the Muslim Brotherhood was in power in Egypt, Turkey unsuccessfully approached them to cancel the delimitation agreement with Cyprus. Through the leaking of maps he had 'drawn up', rear admiral Yaycı lured Tel Aviv and Beirut with the prospect of expanding their maritime zones if they backed out of their agreements with Nicosia. However, both the negative climate -- especially with Egypt and Israel -- and the irrational

nature of the delimitation proposals stopped these proposals from being adopted as a basis for discussion.

Subsequently, as of 2011, Turkey adopted the tactic of de facto 'greying' of the maritime borders of the Cypriot exclusive economic zone (EEZ), citing the legal rights of the 'Turkish Republic of Northern Cyprus' -- recognized only by Ankara -- and discovered that some of the fields being auctioned off by Nicosia abut the Turkish continental shelf. In all of this area, Ankara has often designated areas for exercises, sent vessels to carry out seismographic research, and in general maintained a presence that is a reminder of the role it would like to play. In every case apart from one (field 3, with the expulsion of the ENI (Italian) drillship), Turkey neither harassed exploratory drilling nor tried to have it suspended, being aware of the consequences such actions would have.

Turkey's negotiating tactics through the projection of power

Akar contrived "blue homeland" as a recasting of Erdogan's "borders of the heart" for maritime purposes, and presented maps making absurd, unsupported claims, provoking an outcry and attempting to shape a tailor-made negotiating framework (that suits Turkey's ends). After presenting the maps, Turkey proceeded to carry out military exercises, issuing illegal Navtexes to reserve areas in order to subsequently claim that Turkey has the first say in these areas. Later, it sent ships to carry out seismic surveys, and depending on given reactions (which it is Ankara's longstanding policy to test constantly) it is now in a position to move to the next level of power-projection by sending drillships, as happened in the case of Cyprus. In practice, however, Turkey is careful about choosing the areas it disputes, preferring areas the other side has not fully secured or areas the status of which can be seen as disputable. Turkey acts even more freely in occupied Cyprus, where it has received licenses from the Turkish Cypriot side, which in the north is seen as a state, so that it can issue permits to the Turkish state petroleum company, whereas in the south it is seen as a community that has a right to a share in the exploitation of the hydrocarbons of the island as a whole.

Turkey is threatening to step up its aggressiveness if its demands aren't met. It wants to give the sense of a gradual asphyxiation of Cyprus through flanking manoeuvres that could reach the south, where there are thirteen delimited sea blocks. Until mid-August, the ones most 'vulnerable' to a Turkish projection of power were blocks 2, 3, 8 and 9, where the presence of Italy's ENI and Korea's KOGAS didn't seem to constitute a deterrent for Turkey. The fact that France's Total became involved in further blocks as well as in block 7 nullifies the chances of Turkey's taking actions to dispute them, though in a more extreme scenario Turkey could attempt exploratory drilling in block 6 (based on the claim that it overlaps its continental shelf), where Total is operating jointly with Eni.

Can the West mitigate Turkey's assertiveness?

The EU had no choice but to impose sanctions on Turkey. However, the interdependence that exists in various policy areas doesn't leave much margin for manoeuvring in such a way that these sanctions would have direct and practical results. Moreover, Erdogan is seeking immediate results, and this is why he is defying international pressures, betting that, in the short term, he will get what he wants (which won't be the case if the crisis drags on). The sanctions that will "hurt" Ankara the most – and especially its beleaguered economy – are the U.S. sanctions resulting from Turkey's purchase of the S-400 system, but president Trump is giving time to both Erdogan and the US administration in the hope that they can avoid further confrontation.

So, can the US's commitment to Eastern Med energy cooperation in partnership with Greece, Cyprus, and Israel act as a catalyst for moving regional projects forward? Not necessarily, although it is helpful. The geopolitical/security perspective is crucial, but at the end of the day it is up to the market to define which project is preferable based on market needs. Given the emerging competition and the drop – or at least stabilization – in oil and natgas prices, the cost is also another defining factor. Still, it is encouraging that the involved companies in the wider Eastern Mediterranean seem to be coordinating their actions while attempting to find common ground. This does not mean that the interests of states and companies converge in all cases (e.g. Egypt seems to be against the East Med undersea pipeline), but the creation of mechanisms (such as the East Med Gas Forum) shows each party's level of dedication (including that of external powers like the US, France and Italy) to reaching a point of mutually acceptable and beneficial agreements. The support of Washington adds value to regional developments as long as it does not exclude other players from the energy equation. Although Ankara seems defiant and assertive, its revisionist agenda is effectively stalled by the ongoing and developing regional synergies under the US umbrella.

THE NEO-OTTOMAN TURKISH LEBENSRAUM AGENDA TOWARDS CYPRUS-CYPRIOT EEZ: A CONSTRUCTIVIST APPROACH OF A STATE AS SUPERORGANISM



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Recent developments in the Cypriot EEZ

Since the beginning of 2019, we are witnessing an apparently growing tension in the Eastern Mediterranean region, particularly in the Cypriot EEZ. The discovery¹ of oil giant ExxonMobil and Qatar Petroleum consortium at the Claucus-1 target in Cyprus's Block 10, has acted as a catalyst and provoked a severe deterioration between Cyprus and Turkey.

Turkey's reaction to the findings was to illegally deploy numerous drilling and explorations ships, accompanied by a military flotilla within the Cypriot EEZ, searching for natural gas discoveries. Ankara demands the Republic of Cyprus (the "Greek-Cypriot administration" for them) to stall its energy program and share equally its energy resources between the two ethnic communities of the island, as prerequisites for the revitalization of the Cyprus problem talks, in order to mutually suspend her hydrocarbon activities.

Turkey's maximalist and revisionist approach derives from a successively and simultaneously anthropogeographical-machiavellian approach of the state and its need to expand and control its vital space. This aggressive lebensraum approach denotes acquisition of land, sea, space and their resources for national empowering and economic self-sufficiency.

Therefore, it is necessary to examine what fuels Turkey's fierce responses in the Cypriot EEZ and how the neo-Ottoman Turkey is willing to exercise its revised regional strategic role. Given that, as Onuf suggests, a crucial element to understand Turkey's policies is to focus on the social factors which direct Turkey's actions to shape the "world of its making".²

¹ Preliminary interpretation of the data shows the existence of an offshore natural gas reservoir estimated between 5-8 tcf.

² Nicholas G. Onuf, *World of Our Making* (Columbia: University of South California Press, 1989).

Turkish state as a superorganism seeking for Lebensraum

The concept of “Lebensraum” was firstly introduced in the 1890s by the German political geographer Friedrich Ratzel, (1844-1904) into a conservative ideological framework of German right. Linked to social Darwinism and Malthusianism, Lebensraum-organic state theory, at a nation-state level, drives régimes/political authorities to define the conditions and the opportunities which provide the socio-political and geographical justifications by considering violence, war and the land Expansion³ as necessary means of survival.

According to the German thinker, living space is defined as:

“The geographical surface area required to support a living species at its current population size and mode of existence (Ratzel,1901) ... The exact boundaries of a species’ Lebensraum were relative to its member’s metabolic requirements and environment and expanded as population grew.”⁴

Even though today, organismic thinking of states is considered an anathema for modern IR scholars, the neo-Ottoman lebensraum doctrine of Turkey fit to Alexander Wendt’s constructivist theory of states as superorganism.

Wendt suggests that:

“it is the participation of individuals in a collective thought process (in this case, in a 'narrative of state'), whose boundaries are instantiated by the practices that produce and reproduce that process, which enables superorganisms to survive.”⁵

In other words, it seems that the neo-Ottoman lebensraum concept in Turkish foreign policy agenda is playing out as if the Turkish state as a “subject” forms and implements its foreign policy agenda under the “collective consciousness” of its political elite who seek for perpetual expansion of its vital space. Significantly enough, it seems that there is a consensus among the main political forces in Turkey for the national aspirations depicted by the neo-Ottoman lebensraum concept.

³ Morad Kavaniarad, Chamran Booye, "Role of Lebensraum as a Concept in Forming Iraq Foreign Policy and Political Behavior" SID, Geopolitics Quarterly, Volume: 8, No.1, Spring 2012, pp. 8.

⁴ "Man's prime means of adaptation was culture, which Ratzel saw as technology, intellectual traits, and social organization. A state, for example, was simply the result of a people's adaptation to an environment", Ibid, pp.53.

⁵ Alexander Wendt, 'The state as a person' Cambridge University Press, Review of International Studies, Vol. 30, No. 2 (Apr. 2004), pp. 311.

Neo-Ottoman version of Lebensraum (vital space)**a. National Oath - The territorial part of the Turkish Lebensraum**⁶

Turkey's view regarding its vital space drives its national aspirations since the establishment of modern Turkey, through the Treaty of Lausanne, in 1923, which defined the contemporary international borders in the region. Historically, during the last session of the Ottoman Parliament in 1920, the then Ottoman Turkey approved the "National Oath"⁷ which was the basis of Turkish claims in the Treaty of Kars and in the Treaty of Lausanne.

The National Oath etched the specific geographical borders of the future independent Turkish land including the actual political borders of the Turkish Republic, but also provinces such as Kirkuk, Thessaloniki, Aleppo and Mosul as strategically important ex-Ottoman provinces.⁸

Turkish president references to the "National Oath" and ambiguous historical narration for the re-examination of the Treaty of Lausanne, confirm the existential anguish of modern Turkey, as the broader Middle East is reshaping once again, and its self-belief that "*will either broaden its influence or lose it completely*".⁹

National Oath presents the territorial part of the neo-Ottoman lebensraum doctrine which Turkey has already put into full operation in Cyprus, Syria and Iraq through its recent military invasions.

b. Blue Homeland - The nautical part of the Turkish Lebensraum

During the ratifications of the National Oath, Cyprus was an imperial British colony, a status which was re-confirmed under the Lausanne Treaty. Since the '60s but especially soon after the Turkish invasion in Cyprus, the Greco-Turkish clash over the Aegean Sea and Cyprus entered a new era of escalation which continues until today.

The Turkish invasion in 1974 was the outcome of a systematic injection of the religious-historic factor of Islamic-Ottoman legacy through the political agenda of the Turkish Islamic movements. Nevertheless, the proclamation of the Cypriot EEZ (2004) and particularly the discovery of the Aphrodite field (2011), have revealed a gap in Turkish grand strategy which had to be covered immediately.

⁶ Hayat alanı in Turkish.

⁷ Misak-ı Millî in Turkish.

⁸ Sinan BAYKENT, "Misak-ı Millî or the 'National Oath': Turkey's new foreign policy compass?", Hurriyet Daily, Oct. 30th, 2016.

<http://www.hurriyetdailynews.com/misak-i-mill-or-the-national-oath-turkeys-new-foreign-policy-compass-105529> (accessed 10-05-2018).

⁹ Ibid.

The “Blue Homeland”¹⁰ doctrine, which has been issued for the first time as a term in 2006¹¹ by a Turkish admiral and then has been shaped and endorsed by Erdogan’s regime, has designated the maritime areas where Turkey should have jurisdiction.

According to the Turkish defense analyst, Dr. Can Kasapoglu, the Blue Homeland drill program was not merely a military exercise but an ongoing strategic political and military concept¹² of Turkey which is formed on a trilateral basis where naval power is at the epicenter.

Conclusion

We have to bear in mind that Cyprus (in geographical terms) is a small but essential part of the equation of a broader sea area (which extends from the straits of Giblartar, across the horn of Africa, the Mediterranean Sea to the Red Sea and the Gulf), that Turkey acknowledges as an extended zone of influence whose immediate control is vital for her national interests.

It is therefore reasonable to conclude that Turkey’s reaction to the Cypriot drilling program is the manifestation of the Blue Homeland. The nautical part of the neo-Ottoman lebensraum is the political-military agenda of Ankara which aims to expand the National Oath concept on the sea and “restore” the Ottoman empire’s legacy.

The Turkish invasion in Cypriot EEZ, its illegal drilling program and its broader actions in the East Mediterranean (Greece, Israel, Libya, Egypt etc) are indicators on how Turkey perceives its broader national rights in the region and the way it is planning to support them in the years to come, if a window of opportunity appears.

¹⁰ Mavi Vatan in Turkish.

¹¹ Working Paper: The ‘Two and a half wars’ theory and the Mavi Vatan naval exercise: Strategic Culture and the new phase of Turkish strategy, *Eliamep*, Zenonas Tziarras, March 15th, 2019.

https://www.eliamep.gr/wp-content/uploads/2019/03/103_2019_-WORKING-PAPER-%ce%96%ce%b7%cc%81%ce%bd%cf%89%ce%bd%ce%b1%cf%82-%ce%a4%ce%b6%ce%b9%ce%b1%cc%81%cf%81%cf%81%ce%b1%cf%82.pdf (accessed 24-08-2019)

¹² "Firstly, the concept has a pronounced power projection aspect. Coupled with Turkey’s burgeoning forward-basing posture across the horn of Africa and the Gulf, Turkey aims at pursuing its national interests in an enhanced zone d’influence. Secondly, this understanding adopts a more active role for the Turkish Navy in energy geopolitics competition, coercive efforts, and naval diplomacy. Thirdly and finally, the sustainability of the concept depends on maintaining the uptrend in Turkey’s indigenous defense industry." ‘The Blue Homeland’: Turkey’s largest naval drill, Anadolu Agency News, February 27th, 2019 <https://www.aa.com.tr/en/analysis/-the-blue-homeland-turkey-s-largest-naval-drill/1404267> (accessed 25-08-2019).

Therefore, the neo-Ottoman lebensraum concept of Turkish foreign policy as an outcome of collective thought of the Turkish state as a superorganism can be a way to analyze the current and future developments not only in the Cypriot EEZ but in the broader periphery of Turkey.

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