

“Nato and the Mediterranean Security Agenda”, by Sonia Krimi

Amendments proposed by Manoussos Voloudakis

(Original paragraph’s text, with proposed omissions stricken out – proposed additions in red fonts).

5. The civil war into which Libya has sunk since 2011 is a complex web of issues and confrontations. On the political level, the opposition of two legitimate parties has entrenched a conflict between two camps, reinforced by the involvement of external actors. This radical dismantlement has a direct influence on the fight against terrorism and the illicit flows of people and goods. However, the recent reconciliation and reunification agreement opens up tentative prospects for a political solution, starting with general and presidential elections to be held on December 24, 2021.

6. In 2011, the violent repression of peaceful protests by Muammar Gaddafi’s regime sparked a multinational NATO-led intervention under the UN mandate (Operation Unified Protector). It aimed to enforce an arms embargo and impose a no-fly zone, and precipitated the fall of the regime (NATO, 2015). In 2012, the first attempt at democratic transition led to a parliamentary crisis from which two rival governments emerged (Barthe, 2021). The transitional government in place in 2014 refused to accept the results of that year’s elections, marked by a turnout of only 18%, while the newly elected House of Representatives together with the newly elected government formed a rival government in-fled to Tobruk, following violence unleashed by the militias in Tripoli. (Al-Jazeera, 2014). UN-facilitated negotiations in 2015 attempted to reconcile the rival governments with the creation of the Government of National Accord (GNA), based in Tripoli, the only one recognised by the UN and Allies. However, the Tobruk government continued to contest the GNA’s legitimacy. Most international actors agree that Libya’s lasting stability relies on the involvement of all Libyan stakeholders (Wehrey, 2019).

9. The UN-sponsored Libyan Political Dialogue Forum, with 75 participants, culminated on 5 February 2021, with the appointment of a new unified interim executive authority, consisting of a Presidential Council (composed of 3 members from each region with President of the Council 021 PCNP 21 E rev.1 DRAFT Report presented by Sonia Krimi (France) for the NATO PA’s Political Committee 3 Mohammad Younes Menfi representing the east) and a Prime Minister (Abdul Hamid Mohammed Dbeibah, a businessman with a support base in the west). The new leadership was charged with rapidly forming a new inclusive government, making the necessary preparations for national presidential and parliamentary elections scheduled for 24 December 2021, and launching a comprehensive national reconciliation process. A vote of confidence was given by an overwhelming majority of the members of the House of Representatives meeting in Sirte from March 8 to 10. The House of Representatives reconvened in Tobruk on March 15 for the solemn swearing-in ceremony of the new government. The following day, the outgoing Presidency Council of President Sarraj’s GNA completed the transfer of power to the new Presidency Council and Government of National Unity at a handover ceremony in Tripoli. ~~Some reconciliation measures were also implemented by the foreign sponsors of the conflicting parties.~~ Thus, an Egyptian delegation met the GNA in Tripoli, establishing the first diplomatic contact since 2014 (Wintour, 2021).

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Par. 10: “However, at present, two key components of the agreement – the departure of mercenaries, ~~and~~ foreign fighters, foreign regular forces, and the embargo on arms trafficking – are still not being entirely respected”

11. Throughout 2020 in the Eastern Mediterranean, tensions between Greece and Turkey reached levels not seen in decades. The current escalation is one of the most complex between these two NATO Allies, both in terms of the number of actors involved and the points of contention. The central issue remains the status of the Turkish Cypriot community, internationally recognised only by Turkey as the “Turkish Republic of Northern Cyprus”. Alongside the delimitation of maritime zones in accordance with UNCLOS, a key issue remains the resumption of UN led negotiations for a comprehensive and viable settlement of the Cyprus question, on the basis of the relevant UN Security Council Resolutions. However, this dispute is now linked to other developments in the wider region, including the conflict in Libya, energy-related geopolitics, the renewed conflict over maritime borders and the refugee/migrant crisis.

12. The growing tensions in the Eastern Mediterranean have complex causes, mainly related to national sovereignty and jurisdiction issues, but the stakes for regional actors have certainly increased with the discovery of several natural gas fields between 2009 and 2019. While the size of these reserves and the feasibility of extracting and transporting them remain to be determined, these findings have prompted states in the region to seek ways to secure their share of potential profits. In particular, Egypt, Cyprus and Israel have launched a platform to coordinate their efforts to explore reserves and potentially produce gas. Greece, Jordan, the Palestinian Authority and Italy later joined this initiative, which was named the EastMed Gas Forum (EMGF). In January 2020, it formally became an international organisation headquartered in Cairo. Another important element of the Eastern Mediterranean energy framework is the planned construction of the Israel-Cyprus-Greece (EastMed) gas pipeline as well as the use of Egyptian gas liquefaction plants (Tanchum, 2020).

16. Ankara has reacted in response to what it sees as a collective attempt to isolate and contain Turkey. In 2018, Turkish naval forces prevented a ship from the Italian energy giant Eni from reaching its drilling site in the Eastern Mediterranean. In addition, in 2019 and again in 2020, Turkey sent a seabed exploration vessel, escorted by the Turkish Navy, not only to the non-delimited areas in the Eastern Mediterranean, but also to areas of Cyprus’s EEZ delimited between Cyprus and Egypt with an agreement in 2003. These actions reflect what Ankara considers to be Turkey’s or the Turkish Cypriots’ legitimate share of Eastern Mediterranean hydrocarbon resources. Ankara has also strengthened its ties with the then Libyan Government of National Accord (GNA), its key partner in the region and the UN recognised government in Libya. In November 2019, Turkey and the GNA signed two ~~agreements~~ memoranda of understanding that were crucial for both parties: one on delimiting areas of maritime jurisdiction in the Mediterranean, and the other on cooperating in the field of security and defence (see above for the latter). Commenting on the first MoU, the EU has stated that it “...infringes upon the sovereign rights of third states, does not comply with the Law of the Sea and cannot produce any legal consequences for third States”.

17. The ~~agreement-MoU~~ on maritime jurisdiction areas is a representation of Turkey's view that a country's Exclusive Economic Zone (EEZ) should be determined on the basis of several factors, not just the contours of a country's mainland and islands – ~~factors not provided for in UNCLOS~~. While not a party to the UN Convention on the Law of the Sea (UNCLOS), Turkey argues that its position is in line with the principles of the Convention. Greece, on the other hand, refers to the provisions on UNCLOS clearly stipulating that islands can also generate an EEZ, provided they can sustain human habitation or economic life of their own. However, the Turkey-GNA ~~agreement- MoU~~ dividing the maritime area between Libya and Turkey is based on the assumption that even large Greek islands, including Crete and Rhodes, do not automatically generate EEZs. Ankara also claims that the "Turkish Republic of Northern Cyprus", internationally recognised only by Turkey, is entitled to its own EEZ. From a Turkish perspective, the Turkey-GNA agreement means that the Israel-Cyprus-Greece pipeline project would cross areas under Turkish maritime jurisdiction