



## SECURITY OF THE TURKISH STRAITS IN THE BLACK SEA: IMPACT OF THE NATO/EU ENLARGEMENTS ON THE MONTREUX CONVENTION

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### ABSTRACT

The Turkish Straits (composed of İstanbul and Çanakkale Straits) are strategic geographic regions between the Black Sea and the Mediterranean Sea. Their legal status and the sovereignty-navigation regimes are determined by a multilateral treaty, namely the Montreux Straits Convention of 1936. Today, the International Relations (IR) environment has changed greatly when compared with the period of the signing of the Convention. The Cold War is now over and the balance between the East and the West has been disrupted. Furthermore, there are some conflicts in the Black Sea basin, such as the war between Russia/Ukraine and Russia/Georgia. The complex nature of the Black Sea requires a securitization framework from both Russia and the EU/NATO perspectives. In this context, the recent developments in international politics about the region may also have an impact on the Montreux regime in the Turkish Straits in future. Considering these current developments, this paper analyzes the impact of the NATO and EU enlargements on the Montreux regime and evaluates future scenarios about the security of the Turkish Straits. In doing so, it will use the securitization theory as an explanatory approach for the developments in the region. Thus, the Black Sea and the Turkish Straits contains the securitization dynamics within itself.

**Keywords:** Black Sea, littoral states, regional security, securitization, Turkish Straits.

## KARADENİZ'DE TÜRK BOĞAZLARININ GÜVENLİĞİ: NATO/AB GENİŞLEMELERİNİN MONTRÖ SÖZLEŞMESİ ÜZERİNDEKİ ETKİSİ

### ÖZ

İstanbul ve Çanakkale Boğazlarından oluşan Türk Boğazları, Karadeniz ile Akdeniz arasında stratejik bir coğrafi konumdadır. Türk Boğazları'nın hukuksal statüsü ile egemenlik/seyrüsefer rejimi, uluslararası bir antlaşma olan Montrö Boğazlar Sözleşmesi tarafından belirlenmektedir. Ancak, günümüzdeki Uluslararası İlişkiler (UI) ortamı, Sözleşme'nin imzalandığı döneme göre büyük ölçüde değişmiştir. Soğuk Savaş artık sona ermiş ve Batı ile Doğu arasındaki denge (daha spesifik olarak NATO/AB ile Rusya) bozulmuştur. Ayrıca, Karadeniz havzasında Rusya ile Ukrayna ve Rusya ile Gürcistan arasındaki savaş gibi çatışmalar da yaşanmaktadır. Karadeniz'in karmaşık yapısı, hem Rusya hem de AB/NATO perspektifinden güvenlikleştirme çerçevesi gerektirmektedir. Bu bağlamda, bölgeye ilişkin uluslararası politikadaki güncel gelişmelerin gelecekte Türk Boğazları'ndaki Montrö rejimi üzerinde de etkisi olabilir. Bu güncel gelişmeleri göz önünde bulunduran bu çalışma, NATO ve AB genişlemelerinin Montrö rejimi üzerindeki etkisini analiz etmekte ve Türk Boğazları'nın güvenliğine ilişkin gelecek senaryolarını değerlendirmektedir. Bunu yaparken, bölgedeki gelişmeleri açıklayıcı bir yaklaşım olarak güvenlikleştirme teorisini kullanacaktır. Nitekim, Karadeniz ve Türk Boğazları kendi içinde güvenlikleştirme dinamiklerini barındırmaktadır.

**Anahtar Kelimeler:** Karadeniz, kıyıdaş devletler, bölgesel güvenlik, güvenlikleştirme, Türk Boğazları.

**Gönderilme Tarihi: 14 Haziran 2024**

**Kabul Tarihi: 11 Aralık 2024**

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## **Introduction**

During the Cold War years the Turkish Straits were strategically very important as it played a key role in stopping Russian diffusion to the Mediterranean. But the strategic importance of the Turkish Straits also continued after the ending of the Cold War. In the aftermath of the Cold War both regional powers of Black Sea and global players of international relations developed various strategies to be influential in the Black Sea politics. Moreover, following the collapse of the USSR, Western powers had the opportunity to intervene in the politics of the region. Several Black Sea countries exited from the Russian influence and became the EU and NATO members. Hence, the importance of the Black Sea has increased after the ending of the Cold War particularly with regards to energy, trade and security aspects. Thus, Black Sea became a fighting ground for the global players of international relations and the Turkish Straits are at the heart of this region.

Through the Strait of Gibraltar, the Red Sea, and the Suez Canal, Turkey is connected to the Atlantic, Red Sea, and Indian Oceans. The Turkish Straits play a significant role in international trade and maritime transit in the Black Sea basin. Indeed, the Bosphorus (Istanbul Strait) and the Strait of Dardanelles (Çanakkale) are located where Asia, Europe, and Africa are close to each other. Turkish Straits are particularly important for Black Sea littoral states (Turkey, Georgia, Russia, Ukraine, Romania and Bulgaria) as they provide access to international waters for these states. The Turkish Straits, which link the Black Sea with the Mediterranean and Aegean Seas and comprise the Bosphorus, the Strait of Dardanelles, and the Sea of Marmara, are among the most significant waterways in the world from a strategic standpoint. Furthermore, because the Turkish Straits are a vital route that links the coastal states of the Black Sea to global markets, they are significant for political, military, and economic security. Geography has endowed Turkey with a particular strategic significance; its possession of the Straits is the single most important segment of the overall Turkish geostrategic complex. For instance, one of the reasons for Turkey's entrance to NATO is considered as related to the importance of the Turkish Straits for the Western alliance and Russian threats against Turkey (Vali, 1972, p. 82).

In retrospect, the Turkish Straits were under the full control of the Ottoman Empire from the conquest of Constantinople in 1453 to half of the 19th century. In other words, the passage could only take place with the permission of the Ottoman Empire (Pazarıcı, 2015, p. 276). Considering the political developments regarding the Straits during and after the First and Second World Wars, the Straits became a vital balancing factor in world history after Ottoman rule, which lasted for approximately 450 years, when the world was reshaped and the balance of power was re-established. During the Turkish Republic era, first in 1923, the Lausanne Peace Treaty's "Convention on the Régime of the Straits" determined the corresponding transportation within the existing tradition of regulating the passage through the Straits by multilateral conventions. However, Turkey initiated a peaceful diplomatic process to replace the Lausanne Straits Convention on the basis of the principle of *rebus sic stantibus* (if the conditions change) in the face of the negative developments in international politics during the 1930s. Finally, The Montreux Straits Convention, which is still in force today, was accepted with the conference

held in Switzerland in 1936 (Güneş, 2007, p. 218). In force since 1936, the Montreux Convention is a multilateral treaty that regulates passage regimes through the Straits. This Convention represents a fairly balanced regime between non-Black Sea states and the Black Sea littoral states, with Turkey overseeing its implementation. With the Montreux Convention, Turkey's sovereignty related rights that provide security for the country have been protected. Also, the Convention created a situation where the trade potential of the littoral states of the Black Sea are supported and their security is strengthened. Moreover, it also provided an opportunity for the international community to use Turkish Straits as a commercial maritime route because they are crucial for international trade. Hence, the Montreux regime is based on a triple equilibrium (Meray and Olcay, 2020). Moreover, today, as Black Sea littorals, Turkey, Bulgaria, and Romania are members of NATO, and Bulgaria and Romania are also members of the EU, and this situation helped these two organizations to be active in the region. Therefore, one can say that the Montreux Convention and its Black Sea regime also plays a key role in international relations. In the current Russia-Ukraine war period, Turkey complies with the Convention actively by closing the Straits to both the littoral states of the Black Sea and Western states. Thus, it became once again apparent that the Convention contributed significantly to the security of Turkey, the littoral states of the Black Sea, and regional states, as well as international peace and security.

The Montreux Convention also has a potential to transform the region to a cooperation area (even to a Regional Security Complex<sup>1</sup>) as it favors the littoral states of the Black Sea with regards to maintaining navies in the region. However, the diverging policies of both Russia and the Western Bloc have led to conflicts between the Black Sea littoral states. Furthermore, the actors defining the Black Sea and indirectly the Turkish Straits and claiming that these regions are a security problem for them are the NATO/EU, thus the Western Bloc has securitized the region in parallel with their foreign policies. In IR, the question of what actually makes an issue a security problem is the main starting point of the securitization theory.<sup>2</sup> According to this approach, security problems are those that threaten the sovereignty or independence of a state in a swift and dramatic manner, disrupting the functioning of the normal political order and requiring maximum effort to counter these threats (Buzan, 1997, p. 13-14). Indeed, the most important problem that underlines the element of conflict among the basin countries is their seemingly incompatible political understandings (Altmann and others, 2010, p. 310-318).

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<sup>1</sup> The security complex is a special regulatory mechanism. It depends on the quality of interaction between states in a specific area (in these circumstances it is important that states belong to a single geographical area). It depends on the ability of the conditions to minimize disputes, quarrels and conflicts. At the same time, the complex should have a framework capable of providing developed, efficient, effective processes that can prevent crises and conflicts (Ryabtsev, 2006, p. 98).

<sup>2</sup> Securitization was first proposed by Ole Waever, one of the representatives of the Copenhagen School, in his article "Securitization and Desecuritization" published in 1995, and then discussed in detail in the book "Security: A New Framework for Analysis" published in 1998, and took its place in the discipline of security studies. The Copenhagen School did not only consider security from a military perspective, but also expanded the security agenda by defining different sectors, such as political, economic, environmental and societal security (Buzan, 1983, p. 214-242).

Therefore, there are big differences among the states on many issues, particularly on their perceptions of security.

The securitization, which builds on the approach put forward by the constructionist theory, tries to explain how and in what way a certain issue is determined or tried to be described as a security problem (Miş, 2011, p. 348). Ole Wæver indicates the securitization as a conscious choice made by social/political elites. According to the Copenhagen School, by pronouncing the word "security", a state official moves a particular development into a private sphere and thus acquires a special claim to use whatever means necessary to prevent it (Wæver, 1995, p. 44-45). In this framework, it can be said that the securitization approach is a method used by social/political elites to achieve certain goals, to legitimize certain understandings or ideologies, and to make society accept the policies to be pursued (Williams, 2003). The US, acting together with the EU in the context of the international system, has started to act in accordance with the approach of filling the power vacuum that emerged in the Black Sea basin after the dissolution of the USSR politically through the EU and militarily through NATO. This strategy is essentially an attempt to build a regional identity/structure and can be explained within the framework of social constructivism, i.e. securitization (Tassinari, 2011, p. 231-232).

After the Cold War, Russia has been opposed to the presence of the Western military vessels, especially the US, in the region. From time to time, it does not hesitate to show this discomfort in a way that takes risks against the Western naval ships and displays a sensitive attitude towards initiatives that may lead to a change in the status in the region (Binnendijk, 2020, p. 6). The legal status, which includes provisions in favor of the littoral states, is provided by the Montreux Convention. This, which does not allow the presence of military ships in the region beyond a certain proportion, also creates a situation in favor of Russia against the West. Russia does not consider this advantage provided by the Convention sufficient and pursues a strategy that envisages imposing its superiority in the Black Sea and its wider basin on the littoral states. Following its invasion and annexation of Crimea, Russia transformed the region into a strong defensive fortress and regained supremacy in the Black Sea as a result of the modernization and restructuring of the Black Sea navy (Wezeman and Kuimova, 2018; Eissenstat, 2022). Therefore, one may consider the Black Sea area as a region and the Montreux Convention as a catalyst to form regionalism of the littoral states. Although regional integration and deep cooperation among the littoral states have not been fully institutionalized, the importance of the Black Sea region is still undisputed especially in terms of the Turkish Straits. In this context, Montreux Convention has a potential to form the Black Sea area as a region<sup>3</sup> for the littoral

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<sup>3</sup> Geographically, a region is a homogeneous area on the earth's surface with characteristic features that distinguish it from others (Pace, 2006: 1). It is a place constructed between states that have geographical ties with each other and a subjective sense of belonging to the area in question through a relationship of interdependence (Pace, 2006, p. 27). The concept of territory is often used to refer to a border or a specific area. Many disciplines and discourses analyze or define territory in terms of "territory", "function" and "governance" (Söderbaum, 2005, p. 90). However, borders are not always natural geographical boundaries between states. They are also the product of politics, violence and state-building (Bellamy, 2004, p. 44). Inside these borders are the structures through which people are

states. Within this scope, the characteristics of the Convention/Turkish Straits as major factors determining regional politics and the securitization policies of regionally important global actors will be summarized in the following pages.

### **The Turkish Straits: A Unique Waterway**

The Turkish Straits represent the waterway comprising the Bosphorus (Istanbul Strait), Marmara Sea, and the Strait of Dardanelles. This waterway is the door for the Black Sea to the world (Aybay, 2019, p. 2729).<sup>4</sup> The Turkish Straits, with a total length of 164 nautical miles<sup>5</sup>, is one of the longest natural and narrow waterways in the world used for maritime transportation, with its geographical location, physical structure, and *sui generis* features (Kurumahmut, 2006, p. 14). The importance of the Straits stem from the fact that it establishes connections between Europe and Asia on the one hand, and between the Mediterranean and the Black Sea on the other, and then between the oceans of the world (Pazarcı, 1986, p. 850-851). The Straits connect the high seas and hence have the status of an international waterway. Although it shows the characteristics of a national strait in terms of borders, the Straits are international straits because they constitute the subject of a multilateral treaty and are the only way for the Black Sea littoral states to reach the high seas (Şener, 2014, p. 469). Because of their different features, the passage through the Turkish Straits are governed by international regulations.

The Bosphorus is an international waterway that connects the Sea of Marmara to the Black Sea and divides the city of Istanbul into two. The Dardanelles Strait, on the other hand, is an international waterway that connects the Aegean Sea to the Sea of Marmara and passes through the center of the city of Çanakkale. There is a population of approximately 20 million in the city of Istanbul, which is located around the Bosphorus, and about half a million in the city of Çanakkale, which is located around the Dardanelles. As it is seen, the Turkish Straits, which are the entrance and exit gates of the Black Sea, are of vital importance, particularly for the Black Sea littoral states.

The Turkish Straits geopolitically connect Asia with Europe. More clearly, the Middle-Eastern European and Balkan states, where the Danube–Dnieper–Volga rivers are particularly crucial; and Russia, Ukraine, Georgia, Romania, and Bulgaria, which are littorals of the Black Sea, reach the world markets through the Turkish Straits. The Straits are bustling waterways integrating the trade link (Katırcıoğlu, 2000). After the collapse of the USSR, Russia had to shift its maritime trade to its Black Sea ports. This situation is one of the factors increasing the traffic in the Straits. Besides, the vessels previously traversing the Volga–Don and Volga–Baltic Sea

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interconnected in their daily lives, and which are constantly reproduced through social and institutional practices through tools such as education and media (Pace, 2006, p. 39).

<sup>4</sup> The Turkish Straits are present in a location where Asia, Europe, and Africa are close to each other. The Straits are the lifeline of the Black Sea littoral states because they represent the only route for these states to reach the high seas (İrge, 2017, p. 82).

<sup>5</sup> 1 nautical mile is 1,852 meters.

routes began using the Black Sea–Mediterranean route with a perceivable traffic density (Özer-say, 1999, p. 105-106).

After maritime trade gained increasing importance, the number of vessels passing through the Turkish Straits reached 50,000. This number was eight times the number of vessels passing in 1936, the year when the Montreux Convention was signed (Kutluk, 2018, p. 293).<sup>6</sup> Nevertheless, this number has declined in recent years, since the capacity and size of the vessels increased. The pressure on the traffic region in the Turkish Straits, which has become dangerous in parallel with the increase and diversity of the cargo carried, will increase in the coming years (DGMT, 2019). To date, numerous accidents have occurred in the Straits, resulting in casualties, property damage, environmental hazards, and petroleum pollution. The increasing number of ships carrying dangerous goods through the Bosphorus threatens life, property, and navigational safety (Ece, 2011, p. 49).

Nowadays, an environmental dimension has been added to the present military, economic and strategic concerns regarding the Turkish Straits. The cargo carried by vessels transiting through the Straits varied in amount and diversity compared to the past. Environmental security holds significant importance in terms of both general transportation security and threats to the shores of the Straits. In particular, the threats that may arise from the ships passing through the Straits are worrisome (Güneş, 2007, p. 246). Under such circumstances, it is necessary to sustain safety that can prevent environmental pollution in the Straits, which serve as a vital corridor between the Black Sea and the Mediterranean. It is essential to minimize the associated risks while ensuring the safety of the increasing shipping traffic (Zenginkuzucu and Çintan, 2019, p. 74).

The Turkish Straits are crucial for the Black Sea littoral states' political, military, and economic security. Therefore, throughout history, the Turkish Straits have been a region that other states have watched carefully (Toluner, 1996, p. 157) and the special regime through the Straits have been determined depending on the political conjuncture (İnan, 1995, p. 4).

Since ancient times, several wars have been fought between world powers to control the Turkish Straits. During the period after the signing of the Montreux Convention in 1936, peace has been maintained in the region for quite a long time. However, the ongoing disputes between the Western Bloc and Russia continues in the Black Sea today. Both Russia and the NATO/EU are trying to securitize the region by using several counter arguments. Particularly, Russia argues that the West is besieging the Black Sea and pushing itself to the northeast. On the other hand, the NATO/EU are arguing the Black Sea countries have a right to live in democracies and therefore their attempts to be part of western institutions are natural paths that they should

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<sup>6</sup> The Turkish Straits have witnessed intense maritime traffic since the second half of the 20th century. For example, while the number of ships passing through the Turkish Straits were only 4,500 in 1936, it increased to 24,000 in 1985, 46,954 in 1995, and 48,079 in 2000. In 2010, this number reached 50,871 (Taşlıgil, 2013).

follow. That said, the Montreux Regime tries to create a balance in the region between major global powers of the East and the West.

The Montreux Convention establishes Turkey's responsibility as the sole protector of the Convention. Under certain conditions, Turkey has the right to impose restrictions on passage through the Straits and to deny access to the Black Sea to non-coastal states. This shows that the regime in the Straits favors Russia over the United States. The Montreux regime also allows any ship that actually enters the Black Sea to be closely monitored by Russian tracking ships and radio intelligence systems (Kuczynski, 2019). Therefore, a stronger US military influence in the region appears to be an elusive goal due to the Convention, which prohibits the military presence of non-coastal states in the Black Sea waters. It can be argued that the current military situation favors both Russia and Turkey. It has always been important to prevent the militarization of the Black Sea by the NATO for Russia. It is also important for Russia to have a peaceful and sustainable area with direct access to the Mediterranean Sea and the Atlantic Ocean (Kobrinskaya, 2008, p. 2). However, the increasing western influence in the region greatly isolates Russia in the Black Sea.

In the post-Cold War process of integration of the former Eastern bloc countries with the European geography, the regionalization debate has gained a new dimension. Based on the European experience, regionalization initiatives were encouraged with the expectation that regionalization would have an impact on economic development and thus reduce the security threats and military tensions inherent in economic problems (Dellenbrant and Olsson, 1994). Deep-rooted problems in the Black Sea region, conflicting economic and political priorities, and membership in different regional mechanisms have shown the limits of integrating the region through economic cooperation. Finally, Russia's invasion of Ukraine did not prevent the Black Sea basin from turning into a conflict area influenced by conflicting geopolitical interests. In this context, regionalization debates that distinguish between economic and political dimensions are insufficient to understand the nature of regionalization as a complex and multidimensional process, especially under the influence of post-Cold War dynamics (Ghica, 2012).

For quite a long time, the West is trying to integrate the Black Sea region to its security frameworks. The West argues that it is Russia that creates security problems in the Black Sea region and the Turkish Straits particularly for littoral states. However, Russia also tries to increase its influence in the region. Therefore, the appearance of the Black Sea as a separate region out of the influence of the East and the West, particularly due to Montreux Convention, is highly difficult. Before going into details of these mutual policies, detailed information will be given on the legal status of Turkish Straits and an analysis on their geographical characteristics will also be made in the following pages. In this context, Turkish Straits' and Montreux Convention's role in the Black Sea security framework will be explored.

### **Legal Status of the Turkish Straits: A *Sui Generis* Passage Regime**

The passage regime through the Turkish Straits, which have characteristics of an international strait, is regulated by the Montreux Convention. The Convention has helped establish

a unique system in which a balance is created between the security of the littoral states in the Black Sea and the rights of the non-littoral states to navigate. The Convention regulates transit and navigation through the Turkish Straits consisting of the Dardanelles, the Sea of Marmara, and the Bosphorus (Bozkurt, 2018, p. 212). With this Convention, the Straits are bound to a regime that can be described as the *ad hoc* right of passage (a purpose-specific transit regime) (Pazarcı, 2006, p. 271). The Convention comprises 29 articles, four annexes, and one protocol.

The Convention possesses two critical characteristics. The first characteristic is that it fills the gap left open by the Lausanne Treaty for Turkey and has brought great security to Turkey. Moreover, the Convention is a noteworthy document in that it exemplifies how political agreements in international relations can be made more appropriate to contemporary conditions through negotiation and peaceful means (Kurumahmut, 2006, p. 59). However, following Article 34 of the 1969 Vienna Convention on the Law of Treaties, international treaties create the rights and obligations solely for their parties. However, the international treaties generating *erga omnes* rights and responsibilities are an exception. The treaties of territorial status of a country generating objective situations are in this qualification and binding for all states (Shaw 2014: 674). As are the treaties regulating Suez and Kiel Canals, the Montreux Convention regulating the Turkish Straits are in this status. The general rule specified by these treaties is the freedom of passage, which necessitates uninterrupted transit without making any port stops (*non-stopover passage*) (Toluner, 2017, p. 187, 230).

The main purpose of the Montreux Convention is to reconcile the requirements and benefits of global maritime trade while reserving the sovereign rights of Turkey, littoral to the Black Sea. In other words, a new regime through the Straits have been accepted by the Convention, and Turkey has been made responsible for implementing and supervising this unique regime. Through the Convention, Turkey has been granted privileges in determining the passage of warships through the Turkish Straits, considering the security interests of Turkey and the benefit of having a coast to the Black Sea. Such distinctions have permitted Turkey to ensure its security. Without the Convention, Turkey would not be able to ensure its security by preventing warships from passing through the Straits during wartime. Furthermore, Turkey would not be able to ensure its neutrality in case of any war and this would negatively affect the states in the region and place Turkey under various pressures (Tosun, 1994, p. 111-112).

The regime of the Straits determined by the Montreux Convention aims to establish a balance between littoral states of the Black Sea and non-littoral states. The Convention provides detailed regulations for the transition conditions of merchant ships and warships, separately for ships in both classes, according to “peacetime”, “wartime” and “during imminent danger of war”, which were not addressed in the Lausanne Treaty (Keskin-Ata, 2022, p. 117-121). Under the terms of the transition regime outlined in the Convention, merchant ships from any state are permitted to pass freely through the Straits at any time during peacetime. Nonetheless, there are restrictions on the freedom of passage for merchant ships during times of war if Turkey is at war or believes that it is about to go to war. For example, there are restrictions on the



number of foreign ships that may pass through the Straits, as well as requirements for notification, a daytime transit limit, and a time limit for ships under a specific tonnage when passing through the Straits during peacetime. Notably, the passage of large warships of non-littoral states is prohibited (Gündüz, 2014).

Ships from neutral states are permitted to cross the Straits at any time of day, provided that Turkey is not a belligerent. Nonetheless, it is forbidden for ships from belligerent nations to cross the Straits. On the contrary, the following situation constitutes an exception to this prohibition: the return of warships of the warring littoral states to their ports if their mooring ports are in the Black Sea. However, this exception does not allow ships to pass through the Straits continuously but only allows warring state ships outside the Black Sea to reach the mooring ports by passing through the Straits. The transition regime is fully up to Turkey's discretion if Turkey feels threatened by a war or is one of the warring parties during one. Under such conditions, Turkey has the authority to control the Straits' transit regime as it sees fit in order to maintain security. The imminent danger of war requires the application of peacetime provisions with restrictions on merchant ships, such as the requirement to pass during the day and to be guided free of charge. It also entails the implementation of wartime rules for warships, when the passage of foreign warships through the Straits will be completely subject to Turkey's permission (Gündüz, 2014).

Turkey, like many strait-coastal states involved in international transportation, took various measures to ensure the security of transportation, and for the protection of life, property, and the environment in the Straits. In 1994, new measures were added to the measures taken by the Port Law and port regulations through the "Maritime Traffic Regulations for the Turkish Straits and the Marmara Region." Various objections were raised to these regulations, in which the traffic separation schemes were envisaged to ensure transportation safety and order in the Straits. Also, ships passing through the Straits were placed under certain obligations in terms of their size and the loads they carried. Hence, Turkey reviewed the 1994 regulation and adopted a new regulation titled "Maritime Traffic Regulations for The Turkish Straits" in 1998. With Turkey's implementation of the 1994 and 1998 Regulations, an improvement has been recorded in the strait traffic and the following decrease in the number of accidents demonstrated the effectiveness of these regulations (Güneş, 2007: 219).

That said, the recent geopolitical developments in the Black Sea once again increased the discussions about the future of the Montreux Convention. In this context, the NATO and EU enlargement processes had an impact on the Montreux Convention and the Black Sea in general and Turkish Straits in particular, and these regions have been influenced by the actions of these international actors. The securitization policies of such Western actors in the region have further problematized the politics of the Black Sea. Montreux Convention played a key role in keeping the Turkish Straits and Black Sea as a peaceful region for quite a long time. However, the divergent policies of the West and Russia during the last decades have turned Black Sea an area of confrontation for these two parties. Particularly, following the collapse of the Soviet Union, the West oriented policies of littoral states such as Romania, Bulgaria, Georgia and Ukraine and

their distancing from Russia have created a political schism in the Black Sea. In this context, several discussions have also been started about the possible renewal of the Montreux regime. In this context, the NATO/EU have started to argue that the Montreux regime is mostly benefiting the Russian interests in the region. Hence, Montreux Convention have also been used as a securitization tool by the Western countries. The NATO and EU enlargements in the Black Sea have also contributed to this process.

In fact, following the WWII there have also been several regionalization attempts for achieving peace in international relations. The establishment of the UN, which was created in the aftermath of World War II, can be seen as a common step in ensuring and maintaining international security in the new era. This step was followed by steps taken on a regional scale to find solutions to international problems, including security, in accordance with Article 52 of the UN Charter. For example, the Organization for Security and Cooperation in Europe (OSCE) was launched as a result of such efforts (Gheciu, 2008, p. 119). Such initiatives strengthened the argument that international security began as a result of the softening of rivalry in the bipolar system and continued after the Cold War. Indeed, according to Bary Buzan and Ole Wæver (2003, p. 3), regional security initiatives have become both more autonomous and more prominent since the start of the decolonization process, and the end of the Cold War accelerated this process. One of these is economic cooperation initiative in the Black Sea, which envisions turning the region into a zone of prosperity and peace rather than conflict and chaos. The process, which started with the Bosphorus document signed in Istanbul on 25 June 1992 with the participation of 10 countries bordering the Black Sea and its wider basin, resulted in the establishment of the Organization of the Black Sea Economic Cooperation (BSEC) with the agreement signed in Yalta on 5 June 1998 (Shlykov, 2018, p. 97).

Although the need to create a region in the Black Sea basin manifested itself with the formation of the BSEC<sup>7</sup>, it could reach to a level of regionalization since 1990s. Although there has been BSEC meetings attended by EU officials, BSEC leaders and ministers in the fields of environment, criminal law and energy, there has been no evidence of deepening cooperation within the framework of the BSEC (Manoli, 2010). In this context, the Black Sea region could develop as a region with the help of the Montreux Convention, however, diverging policies of the littoral states in the middle of superpower politics, prevented such a development. Contrarily, with securitization perspective, the West and Russia have considered the Black Sea area as a region and have tried to increase their influence in this area. Hence, we can say that there is conflictual regionalism of the West and Russia in the region.

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<sup>7</sup> The regionalization model envisaged by the BSEC is based on the paradigm that through economic cooperation frozen conflicts and regional disputes will be resolved, political security and stability will be ensured, and thus economic cooperation will move to the political dimension (Ciută, 2008). The BSEC is the only organization that covers the countries of the region, but its ability to resolve tensions among its members is rather weak. This is largely due to the fact that the current problems are not regional in nature, but rather tensions arising from the differences between projects of Russia and Western actors (EU, NATO, US,) for the region (Alexandrova-Arbatova, 2008, p. 293).

The strategic importance of the Black Sea Region has been rediscovered, which was neglected due to its location on the line separating the communist East and the liberal/democratic West during the Cold War, in the period when the new world order was trying to be built after the war. The Black Sea region has been re-created by non-regional actors (notably the EU/NATO) as a new region with the potential for regionalization (Doğangün, 2023, p. 246). Despite the geographical proximity of the Black Sea region countries, their size, population economic structure and political orientation are very different. This prevents the development of the perspective of belonging and cooperation in the region. These differences show the limits of regionalization initiatives based on the region (Doğangün, 2023, p. 259). Furthermore, the superpowers in the region fight with each other for regional dominance and this prevents the collaboration of the littoral states. Only exception to this is the Montreux Convention, which still keeps the littoral states of Black Sea in a partial cooperation particularly with regards to navigation of vessels in the region and presence of navies of littoral states and foreign countries. As is well known, Montreux Convention does not allow the Western regional or global powers or NATO to maintain a strong navy in the region, apart from the littoral countries (Coffey and Kochis, 2021, p. 3).

Russia clearly opposes the presence of naval elements in the region that belongs to the West after the Cold War. Russia shows its discomfort and does not hesitate to take risks against the Western navy elements from time to time. Similarly, the littoral states of the Black Sea have historically shown that they do not want the presence of foreign, particularly western navies in the region. However, more recently, the countries such as Romania and Bulgaria as EU members and Ukraine as West/NATO/EU adherent, have started to support western presence in the region. This surely damages the balance created by the Montreux Convention in the Black Sea. In this context, the impact of the NATO/EU enlargement in the region will be analyzed in the following section.

### **The Montreux Convention and NATO/EU Enlargement Processes from Securitization Perspective**

The Turkish Straits have always held an important status on the world agenda and attracted the attention of the great powers of international politics. Particularly, the conflicts between the NATO allies and Russia in the region are continuing to this day. To a great extent, Russia believes that a balanced Montreux regime puts Russia in an advantageous position, given that the terms of the Montreux Straits Convention continue to protect the Black Sea from the NATO forces. However, compared to 1936, when the Montreux Convention was signed, a very important geopolitical shift has taken place in the Black Sea today. Romania and Bulgaria are currently members of both NATO and the EU. Georgia and Ukraine, on the other hand, pursue pro-Western and pro-American policies and want to join NATO and EU. Turkey has been a NATO member since 1952 and strives for good relations with the West. In Particular, it has been a candidate for EU membership for quite a long time. These developments create a feeling in Russia that it is surrounded in the Black Sea and pushed to the north-east. In this context, the conflict between the NATO/EU and Russia in the Black Sea continues at full speed and has a

potential to further intensify. Moreover, the recent Russian occupation of Ukraine has created a situation of intense conflict in this region.

The positions of the EU and NATO regarding the Montreux Convention should be considered together because the Black Sea littoral member states of both NATO and EU are the same (Romania and Bulgaria). Both organizations have similar strategic interests and approaches to the fundamental security conditions of the region, for example, the annexation of Crimea by Russia, the rising Russian threat, energy security, and regional conflicts (Lutzkanova, 2017; Aurescu, 2011). In this context, the assessment of NATO in the face of its access to the Black Sea is largely valid also for the EU's Common Foreign and Security Policy (CFSP). Any fundamental changes to the Montreux Convention would indirectly affect the foreign and security policy of the EU. Similarly, as Turkey, Bulgaria, and Romania are NATO members, NATO also maintains a presence in the Black Sea. This situation exists as an element of the delicate balance (Saribe-yoğlu-Skalar and Cecanpınar, 2021, p. 74, 77).

Today, the Black Sea security directly impacts the economic development, peace and stability of the Euro-Atlantic region. The NATO and the EU, as well as their members and partners, have various interests in ensuring a secure and prosperous environment in the Black Sea, advancing trade relations through the East-West corridor, and further promoting the notion of a Europe "whole, free and at peace" (Adzinbaia, 2017, p. 1). Furthermore, in the past, the EU's eastern enlargement included countries such as Bulgaria and Romania in the Black Sea. Currently the EU candidacy status has also been given to Ukraine and Moldova. Similarly, NATO's southeastern enlargement included the Black Sea states such as Bulgaria, Romania and Turkey. More recently Finland and Sweden also became NATO members. In future NATO even desires to include the countries such as Ukraine, Moldova and Georgia to the bloc. In this context, it is obvious that the broad Western interest (particularly of NATO and the EU) in the Black Sea region has been increasing during the last decades.

The twin eastern enlargements of the EU and NATO in the late 1990s and mid-2000s were an important development for regionalization. The end of the unrest in the Balkans and the easing of the dividing lines that the enlargements could produce have been instrumental in Europe's close attention to its periphery. This interest made itself felt in the economic, political and cultural spheres. Moreover, the global economic crisis and the August 2008 war (5-Day War), which were among the key developments of the post-enlargement period, signaled that relations with Russia would be more complex than before (Manoli, 2011, p. 1-2).

Since enlargement, Russia and the West's "neighbours" have been intersecting. However, the roles played by the two sides in the region are quite different. First of all, the strategies of the two actors are completely different. Russia abuses the dependence of the countries around it. On the other hand, the EU affects its neighbors not with "what it does" but with "what it is". These two regional powers have different interests. The West tries to strengthen European integration in the region and works for the stability of its member and candidate states. However,

Russia tries to keep the regimes in the region as weak, isolated powers under its own dominance. Another difference is in the nature of the integration processes between the Commonwealth of Independent States (CIS)<sup>8</sup> and the EU and its neighbors. While the EU model pools sovereignties, seeks compromise, and seeks to promote stability, structural peace and liberal values, the CIS process emphasizes bilateral relations (Casnier, 2007, p. 88).

To a great extent, these states' Western orientation is comprehensible as they want to replicate Western ways of governance based on democracy and free market economy in their political and economic models. Therefore, the Western model is more attractive than the possible alternative authoritarian Russian and Chinese models for the societies of these states. In this context, one should state that the NATO and EU enlargements in the region are a result of the democratic will of the region's respective countries.

That said, following the invasion of parts of Georgia by Russia, the recent Russian invasion of the parts of Ukraine has created a new war in the Black Sea. For the Black Sea, Russia does not want to lose its historically existent dominance in the region, which greatly diminished after the ending of the Cold War. Particularly by occupying the Crimean Peninsula, Russia gained a strategic advantage in controlling the whole of the Black Sea (Melvin, 2018, p. 17-47). In the past, Russia also invaded various regions of Georgia and increased its presence in the Black Sea region. In 1992-1993, there was a 13-month war between the Georgian army and the Abkhazian separatists supported by Russia. In 2008, the conflicts between Russia and Georgia, known as the South Ossetia War, broke out, and after the war, the regions of Abkhazia and South Ossetia, supported by Russia, declared their independence from Georgia unilaterally. Russia recognized the so-called independence of these two regions in 2008, while Georgia, in turn, cut diplomatic relations with Russia. On the other hand, problems between Russia and Ukraine started with the independence of Ukraine, and it intensified when the President of Ukraine Yanukovich was overthrown in 2014. Followingly, in violation of the Budapest Treaty, Crimea was occupied and annexed by Russia.

To a great extent, Russia feels itself pushed towards northeast by the NATO and EU enlargements. Also, it considers ex-Communist countries such as Ukraine and Moldova (also Georgia and Belarus) as its natural protectorates and does not want the West to be active in these countries. Moreover, Russia considers the Crimea as strategically important and as a natural naval base to reach the Black Sea and the wider Mediterranean (and even Oceans). Russia's Black Sea fleet is based in Sevastapol and it tries to enhance its naval base infrastructure in the Crimea peninsula. Also, in Ukraine and other ex-Communist countries in the north of Black Sea, there is a big Russian speaking population that wants to annex their countries to Russia. Particularly in the eastern parts of Ukraine (such as Donetsk), there is a big Russian population that has close cultural ties with Russia. Although Russia was already unhappy with the enlargement of the EU and NATO to Eastern Europe, their further enlargement attempts to Moldova and

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<sup>8</sup> The CIS is a political and economic community established after the collapse of the USSR with the participation of 11 countries. These countries are Azerbaijan, Armenia, Belarus, Kazakhstan, Moldova, Kyrgyzstan, Russia, Tajikistan, Turkmenistan, Uzbekistan and Ukraine.

Ukraine created a fury in Moscow. Moreover, Russia could not accept the Ukraine's sovereignty in the Crimean Peninsula. All of these reasons led to Putin's decision to invade Ukraine. Also, Russia does not want to lose the control of Georgia in Black Sea and the latest protests in the streets of Tbilisi (mainly by pro EU supporters) shows that the country is swinging between the EU and Russian influence areas. Overall, one can say that for Russia, Black Sea is particularly important to reach to Mediterranean and therefore it does want to lose its grip on the countries of the region (Erdemir & Erdemir, 2014). It was in this context that the debate arose about the implementation of the Montreux Straits Convention in case of an intensifying war between Russia and Black Sea littorals; and between Russia and the West.

The Montreux Convention clearly favors the Black Sea states and permits them a superior naval presence (in terms of type, duration, tonnage) in the Black Sea. However, this situation may be challenged by various conflicts, wars, disputes in the region, including the Russo-Ukrainian War, Russian domination of South Ossetia and Abkhazia, and the NATO and EU expansion into the Black Sea. In future, the Western powers may push Turkey to accept an alternative treaty taking the place of the Montreux Convention as the war with Russia intensifies. Undoubtedly, a possible Western military operation against Russia could increase the discussions about the Montreux regime in future. Since Russia now effectively occupies parts of the sovereign states of Georgia and Ukraine, the Western countries have imposed various sanctions and even started to mention a possible military intervention. That would make it harder for Turkey to remain neutral in a possible full-scale war between NATO/West and Russia/China emanating from the Black Sea.

Aside from all of these, the recent approval of Georgia, Moldova, and Ukraine as EU candidates is a new development pertaining to the Black Sea. With the inclusion of these states in the EU, Russia will become even more isolated in the Black Sea, and the implementation of the Montreux Convention in case of a full scale war may be even more difficult. Today, it will not be wrong to say that the Black Sea is completely surrounded by the Western Bloc. Already feeling itself being pushed to the East by the NATO and/or EU enlargements, Russia may continue acting militarily in the future against these countries. Today, Russia exemplifies an authoritarian regime in the Black Sea region, which is feared by most of the Black Sea littoral states. In this context, it is difficult to say that all of these developments will not affect the Montreux Convention.

The current Ukrainian crisis is a result of Russia's attack against this country in the middle of Europe, in which international law is violated, and Ukraine's national sovereignty, territorial integrity, and with it, respect for international law is destroyed in front of the whole world. Moreover, it should be stated that the NATO and EU enlargements in the region have taken place with the consent and will of the new member states' societies. Hence, Russia does not have the right to criticize the will of the societies of these states to be part of these blocs. Contrarily, the current Russia seems to be posing a threat to the Western states as it tries to go back to the days of the Soviet Union by enlarging its sphere of influence to the neighboring states in Eastern Europe, the Black Sea and Central Asia. Also, China supports the broad Russian

policies in the region, and this further problematizes the existing conflict. Undoubtedly, Moscow is not capable of offering an alternative to either Tbilisi or Kiev that would guarantee sovereignty, economic prosperity, and political stability in these two countries. Instead, Russia employs conventional and asymmetrical means of warfare to counter the process of democratization, Western integration and economic development in Georgia and Ukraine, as well as in NATO's Black Sea member states (Adzinbaia, 2017, p. 1).

Particularly, due to the Ukrainian war, both regional and global trade activities in the Black Sea have been disrupted by the blockade of Ukrainian ports, damage to infrastructure, disruptions in maritime logistics, and increased transportation and insurance costs (Jacobs, 2022). Especially in the last phase of the escalating tensions between the parties after the Grain Corridor Agreement of 2022 was not extended by Russia in June 2023, ports and merchant ships have become the target of attacks, making commercial activities in the Black Sea risky (Latschan, 2023).

When these issues are taken into account, one can say that, as a highly authoritarian regime, Russia cannot be an alternative for Turkey or any of the Black Sea littoral states. As a country that aspires for democracy in its political system and as a major economic power in the region that tries to further strengthen its free market economy, Turkey should surely follow the Western models of governance in its political and economic steps. That said, it should be stated that an alteration in the Montreux regime by Western guidance may also bring several drawbacks for Turkey particularly in the short run. Of course, Turkey should not favor such a new treaty that may bring in the Western navies/interests to the Black Sea. But remaining totally outside the possible conflict between NATO/EU and Russia/China and being neutral against the obviously aggressor states such as Russia, will not also be correct either.

However, one should state that it is primarily the EU and NATO that define the Black Sea as a region and claim that there is a security gap here. In this context, the EU and NATO is analyzing the Black Sea region from securitization perspective. Particularly, they use the Russian threat as the main tool to legitimize their securitization arguments. Although Russian threat is a reality, the west also exaggerates it to achieve its own political aspirations.

That said, Russia looks at the Black Sea region with a securitization viewpoint. Russia considers the EU membership of Bulgaria and Romania, and western orientation of countries such as Ukraine, Moldova and Georgia as direct threat to its presence in the Black Sea region. Also, NATO membership of Turkey, Romania and Bulgaria is considered as an intimidation by Russia in the region. Moreover, future prospect of the remaining Black Sea countries to become NATO members is considered by Russia as a direct Western threat to Russian interests in the region. In this context, it won't be wrong to state that NATO/EU analyzes the region from securitization perspectives.

### **Overview: Future of the Montreux Convention**

The Montreux Convention determines the status of not only the Straits but also the Black Sea. The disappearance of Montreux will not only endanger Turkey's sovereignty over the

Straits, but also may lead to further competition between Russia and the USA, especially with the permanent settlement of the USA in the region. For instance, Turkey did not allow the US ship *Missouri*, which came to Istanbul for support in 1947, to enter the Black Sea, even during the period when Stalin openly demanded control of land and the Turkish Straits. Hence, Turkey did not want to provoke the USSR further by letting the US ship into the Black Sea (Kınıklıoğlu, 2006: 58).

Following the Cold War, not only regional powers but also global powers began to develop various strategies for changing the geopolitical dynamics in the Black Sea basin. It has gained increasing importance in the regional and international developments because of its proximity to energy resources and its key role in transferring energy to the West (Bükülmez and Küpeli, 2007, p. 195). The power gap that emerged from the collapse of the USSR created an opportunity for various states to increase their influence on the Black Sea region. Also, a considerable number of states in the Black Sea region exited from the Russian influence with the ending of the Cold War and became the members of many West and European-oriented organizations, such as NATO and the EU (Koçer, 2007, p. 198-199). Therefore, the Black Sea became a fighting ground for global powers, especially for maritime states particularly in the last decades. In this context, Turkey, controlling the Turkish Straits, and other littoral states, prepared new security policies against these emerging risks (Ece, 2022, p. 1407-1408).

Even if Turkish Straits are geographically narrow and have a status that is established after long debates and conflicts, the regional powers regularly made requests to alter the legal status of the region because of its key strategic location (Popescu, 2015, p. 235). Moreover, one should state that the Montreux Convention, which regulates the state of the Straits, is not unalterable. Several terms of the Convention permit review and remittance of the Treaty itself. The states party to the Convention may call for some provisions to be reviewed or amended every 5 years following the Convention (Article 29). Conversely, according to Article 28 of the Convention, the validity period for the Convention was 20 years from the date of entry into force of the Convention, and this period expired on November 9, 1956. Thus, the parties to the Convention, especially Russia, may terminate the Convention at the end of the 20-year period and request a conference to determine the provisions of the new transitional regime. If the conference to be held to amend the Convention or draw up a new Convention does not yield results (which is likely), the provisions and rights provided by the Montreux balanced regime in favor of Turkey will be abolished, and a transitional regime granting limited rights to the coastal state will be implemented in the Straits (Toluner, 2004, p. 410).

Considering the approach of the US and Russia to the Montreux balanced regime, Russia followed a policy within the scope of the continuation of the balance. In contrast, the US accepted the Montreux balanced regime and introduced a policy to change the balance through its allies. In this context, the US may adopt new initiatives and policies in the future and assign new roles to Turkey to change the balance in the region in its favor. Indeed, both the US and Russia have an interest in establishing new bases in the Black Sea according to their strategies. In this case, it would be most prudent for Turkey to resolve the tensions here before they turn



into a hot conflict and hence stabilize the region. In this framework, the deterioration of the balance of power provided by the Montreux Convention in the Black Sea in favor of any of the parties and the spread of conflicts pose a threat to the security of Turkey (Aridemir, 2016, p. 252).

One other important issue regarding the Straits today is the Canal Istanbul project, which is planned to be built parallel to the Bosphorus. Straits are natural waterways, whereas canals are artificial waterways and may be subject to national or international status, similar to the straits. If a strait is located in the landlocked country of a single state, it is considered a national waterway. However, if it passes through two or more states and forms a border, it is considered an international waterway. Although a strait should be qualified as a national waterway, some waterways have been included in the category of international waterways due to their use in transportation, especially since their status is tied to an international treaty. The transition regime for national waterways is generally determined by the sovereign state (Tekin-Apaydin, 2018, p. 123).

When looking at Canal Istanbul due to its special location, one may encounter claims that the Canal is being constructed to bypass the Articles of the Montreux Convention. This is because when the rights arising from international law are used on the parallel natural waterway on the same route, these rights may conflict with the rights granted by the national status determined by the state itself for the other (artificial waterway). For this reason, it is necessary to give the Canal an international status that can be accepted by the Black Sea littoral states for the effective and convenient use of Canal Istanbul (Ecemiş-Yılmaz, 2020, p. 101). Another issue that needs to be examined is whether the transition can be arranged by ignoring the provisions of the Montreux Convention with Canal Istanbul. First, the Convention regulates the transit regime through the Dardanelles Strait, the Sea of Marmara, and the Bosphorus, regardless of the regime to be determined on the Canal Istanbul. However, it will only be an alternative to the Bosphorus, and the provisions regarding the Dardanelles Strait, the Sea of Marmara, and the Bosphorus will continue to be implemented on this new Canal as well (Tütüncü, 2017, p. 117). That said, there are also counter views about this issue which states that the provisions of the Montreux Convention will not be applicable in this region.

Interestingly, the construction of a new Strait of Dardanelles is also mentioned in the Canal Istanbul Environmental Impact Assessment (EIA). Such a structure bypassing the Turkish Straits may interfere with the management of the Montreux Convention. The Turkish press has already claimed that the US is backing the project to give warships alternative access to the Black Sea. The Black Sea basin is currently experiencing armed conflict; introducing such a project into the mix could alter the current situation. In the event that the Convention is discussed and a new treaty is thought to be required, Turkey might not benefit from the new system either. It is important to remember that prior to World War II, the international environment was more balanced when the Convention was signed. Today, this balance is no longer present. Reconstructing any treaty about this region may be impossible, especially in an environment where the littorals of the Black Sea are at odds with one another.

The Canal Istanbul project will also reveal the concern that Turkey will be subjected to pressure from international power centers such as the US and the EU. Under the principle of international law, when a state constructs a canal within its own borders, it will be completely under its control, and the passage of warships or merchant ships becomes subject to the discretion of the country that owns the canal (Pazarıcı, 2011). If such a free use occurs, the principle of disarmament foreseen for the Black Sea will disappear and states such as the US will increase the pressure to soften the Montreux Convention. It is highly uncertain whether Turkey, which can currently resist such pressures based on the Convention, would maintain its ability to resist when it assumes control of the Canal Istanbul project that circumvents this Convention. If Turkey allows the armament of the Black Sea through this channel, the Convention is no longer applicable and the passage through the Straits will be completely free. This scenario will most benefit the US, the NATO, and the EU countries, which desire a presence in the Black Sea and cannot do so due to current restrictions (Çakırözler, 2011).

As the Montreux Convention permits the presence of navies of the littoral states in the Black Sea, and limits foreign powers' naval presence in this Sea, the protection of the Convention is surely to the benefit of the Black Sea littoral states. However, the Western Bloc's presence in the region has been increasing during the last decades and this bloc is representative of human rights, democratic values, and market economy. In this context, if a full-scale war develops between the NATO/EU/West and Russia/China/East, it will be very difficult to remain neutral for Turkey. But in the short run, the protection of the Montreux regime is to the benefit of the littoral states including Turkey and the international community. Also, it should not be forgotten that Turkey's neutrality in the Russian-Ukrainian war has been questioned by the West in recent years. As is well known, Turkey did not close its airspace to Russia and did not confiscate the assets of the Russian oligarchs. In this context, Turkey's neutrality in a possible military operation against Russia in Ukraine or Georgia, which may also take place within the framework of international law, will also be criticized.

As it is known, the Montreux Convention provides an advantage to the warships of the states that have a coast to the Black Sea. At a time when the Black Sea states are waging bitter wars and conflicts with each other, the balance-based legal regime of the Turkish Straits created under the Montreux Convention may be threatened from the conflict between Russia and Ukraine / West in the Black Sea, and by the NATO and EU enlargements. In addition, today Russia occupies northern Georgia and controls Abkhazia, making the Black Sea an even more problematic geography. Contrarily, most of the Black Sea littorals (Turkey, Bulgaria, Romania, Georgia and Ukraine) want to have good relations with the West (NATO/EU). In this context, further intensification of the conflict between Russia and the West in the Black Sea region is highly probable.

That said, one must not forget that the Black Sea is the only sea to which the West, especially the US, cannot have unrestricted access, particularly by means of warships. Without a doubt, the Western states may seize this opportunity to change the situation. In this context, Turkey should be very careful both in the policies it has developed against Russia's aggressive

attitude and in projects such as Canal Istanbul. In a possible new treaty regarding the Turkish Straits, Turkey may have difficulty in obtaining its gains in the Montreux. At this point, it can be said that a possible new treaty will have to be prepared in compliance with the United Nations Convention on Law of the Sea (UNCLOS), including the right of transit passage, and it surely will not please Turkey. Especially in a conjuncture where the littoral states of the Black Sea are at armed conflict with each other, it may be totally impossible to re-establish a contract that favors all the Black Sea states.

In this context, the protection of the Montreux Convention, which regulates the Black Sea security and is the document of the balance regime, surely creates a conjecture for the benefit of the entire international community. One should never forget that the Montreux regime was very established in very difficult times, and it successfully survived for decades. Therefore, the Montreux regime should not be sacrificed because of the current developments in the Black Sea. Particularly, both Russia and the NATO/EU should stop securitizing the region and abide by the peace regime created by the Montreux Convention. The securitization of the Black Sea region and the Turkish Straits negatively influences the countries of the Black Sea and distorts the peace in the region.

### **Conclusion**

The Turkish Straits are the only waterway connecting Europe and Asia continents. The Straits have always had strategic importance in Black Sea Basin and international politics. The location of the Straits is unique among all other straits because of the structure of the Marmara Sea. Surrounded by Turkish lands, the Bosphorus and the Strait of Dardanelles, the region shows national characteristics. However, it also serves as international waterways due to its connection with the international seas, the Marmara Sea, and their significant role in global transportation.

The Montreux Straits Convention, which regulates the sovereignty–navigation regime in the Turkish Straits region, is described as an international treaty that has been in effect since the day it was signed. The existence of the Convention, which is a special multilateral treaty about the Turkish Straits that determines the sovereignty–navigation regime, further increases the importance of the Straits. Moreover, the Straits is one of the important flow routes of world trade. Therefore, the Straits have also a lot of economic importance for the littoral states.

The conflict of interests between Russia and the US (or the NATO) greatly complicates the process of reaching a new agreement regarding the Turkish Straits in the Black Sea basin. As an influential naval power of NATO in the region, the US will try to remove or lessen the constraints on the Straits according to its interests during this period. At the same time, it will try to restrict Russian rights. In a new agreement to be done, the US would also like to be a party to prevent the pressures of Russia on Turkey regarding the sovereignty of Turkey over the Straits. Under these conditions, it is possible that the states with interests in the Straits will be met in the common denominator (Buzan, 1976, p. 242-246).

In this context, in this study, the policies of the EU/NATO and Russia, which are based on different approaches, perceptions and goals revealed by their discourses towards the region, are put forward by using the conceptual framework of the Copenhagen School. In addition, it is argued that the West uses securitization as a tool to ensure its own security, and as a result, regionalization processes have become a security issue for the West. It is also concluded that the Wider Black Sea basin was designed as a political project that would facilitate the management of the process of de-securitization, while the countries of the region are far from the ability to form a Regional Security Complex due to the specific problems of the countries included in the region and Russia's securitization initiatives towards the region.

Within this scope, the Montreux Convention should be protected more, especially in the short run. If the Convention is opened for discussion, it is more likely that Turkey and littoral states will experience losses. Therefore, the Convention should be supported and the Black Sea's status as a sea of peace should be preserved. It won't be wrong to say that Turkey, as the sovereign of the Turkish Straits, will work for protecting the rights of the littorals of the Black Sea. That said, as a NATO member and EU candidate, it will also try to protect the Western interests in the region in future. Indeed, the Montreux Convention gives Turkey such an important duty to keep the delicate balance between the East and the West in the Black Sea region.

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### **GENİŞLETİLMİŞ ÖZET**

Soğuk Savaş yıllarında Türk Boğazları, Rusya'nın Akdeniz'e yayılmasını durdurmada kilit bir rol oynadığı için stratejik açıdan çok önemliydi. Ancak, Türk Boğazlarının stratejik önemi Soğuk Savaş'ın sona ermesinden sonra da devam etmiştir. Soğuk Savaş sonrasında hem Karadeniz'deki bölgesel güçler hem de uluslararası ilişkilerin küresel aktörleri Karadeniz siyasetinde etkili olabilmek için çeşitli stratejiler geliştirmiştir. Dahası, SSCB'nin dağılmasının ardından Batılı güçler bölge siyasetine müdahale etme fırsatı bulmuştur. Birçok Karadeniz ülkesi Rusya'nın etkisinden çıkarak AB ve NATO üyesi olmuştur. Dolayısıyla, Soğuk Savaş'ın sona ermesinden sonra Karadeniz'in önemi özellikle enerji, ticaret ve güvenlik açılarından artmıştır. Böylece Karadeniz, uluslararası ilişkilerin küresel oyuncularını için bir mücadele alanı haline gelmiştir ve Türk Boğazları bu bölgenin kalbinde yer almıştır. Türk Boğazları, coğrafi açıdan önemli konumu nedeniyle siyasi, ekonomik ve stratejik öneme sahiptir ve özellikle Karadeniz'e kıyıdaş devletler Türkiye, Gürcistan, Rusya, Ukrayna, Romanya ve Bulgaristan için önem arz etmektedir.

Türk Boğazları'nın güvenliğini sağlayan 1936 tarihli Montrö Boğazlar Sözleşmesi, Türkiye'nin egemenlikle ilgili hakları koruyan bir belgedir. Sözleşme, Karadeniz'e kıyısı olan devletlerin ticaret potansiyellerinin desteklenmesi ve güvenliklerinin güçlendirildiği bir durum yaratmıştır. Ayrıca, uluslararası ticaret için hayati önem taşıyan Türk Boğazları'nın ticari bir deniz yolu olarak kullanılması için uluslararası topluma bir fırsat sağlamıştır. Ayrıca, günümüzde Karadeniz kıyıdaşları olarak Türkiye, Bulgaristan ve Romanya NATO; Bulgaristan ve Romanya da AB üyesidir ve bu durum bu iki örgütün bölgede aktif olmasına yardımcı olmuştur. Dolayısıyla

Montrö Sözleşmesi ve onun Karadeniz rejiminin uluslararası ilişkilerde kilit bir rol oynadığı söylenebilir. Mevcut Rusya-Ukrayna savaşında Türkiye, Boğazları hem Karadeniz'e kıyısı olan devletlere hem de Batılı devletlere kapatarak Sözleşme'ye aktif bir şekilde uymaktadır. Böylece Sözleşme'nin Türkiye'nin, Karadeniz'e kıyıdaş devletlerin ve bölge devletlerinin güvenliğinin yanı sıra uluslararası barış ve güvenliğe önemli ölçüde katkıda bulunduğu bir kez daha ortaya çıkmıştır.

Montrö Boğazlar Sözleşmesi, Karadeniz'e kıyısı olan devletleri bölgede donanma bulundurma konusunda desteklediği için bölgeyi bir işbirliği alanına (hatta bir Bölgesel Güvenlik Kompleksine) dönüştürme potansiyeline de sahiptir. Ancak hem Rusya'nın hem de Batı Bloğunun farklı politikaları Karadeniz'e kıyısı olan devletler arasında çatışmalara yol açmaktadır. Ayrıca, Karadeniz'i ve dolaylı olarak Türk Boğazlarını tanımlayan ve bu bölgelerin kendileri için bir güvenlik sorunu olduğunu iddia eden aktörler NATO/AB'dir; dolayısıyla Batı Bloku bölgeyi kendi dış politikalarına paralel olarak ve çeşitli karşı argümanlar kullanarak güvenlikleştirmeye çalışmaktadır.

Günümüzde Karadeniz'in güvenliği Avrupa-Atlantik bölgesinin ekonomik kalkınmasını, barış ve istikrarını doğrudan etkilemektedir. NATO ve AB'nin yanı sıra üyeleri ve ortaklarının Karadeniz'de güvenli ve müreffeh bir ortamın sağlanmasında, Doğu-Batı koridoru aracılığıyla ticari ilişkilerin geliştirilmesinde ve "bütüncül, özgür ve barış içinde" bir Avrupa kavramının daha fazla desteklenmesinde çeşitli çıkarları bulunmaktadır. Ayrıca, geçmişte AB'nin doğu genişlemesi Karadeniz'deki Bulgaristan ve Romanya gibi ülkeleri de kapsamıştır. Şu anda Ukrayna ve Moldova'ya da AB'ye adaylık statüsü verilmiştir. Benzer şekilde NATO'nun güneydoğu genişlemesi de Bulgaristan, Romanya ve Türkiye gibi Karadeniz ülkelerini kapsamıştır. Yakın zamanda Finlandiya ve İsveç de NATO üyesi olmuştur. NATO gelecekte Ukrayna, Moldova ve Gürcistan gibi ülkeleri de bloğa dahil etmek istemektedir. Bu bağlamda, Batı'nın (özellikle NATO ve AB'nin) Karadeniz bölgesine olan ilgisinin son yıllarda artmakta olduğu açıktır.

Rusya ise Karadeniz'de tarihsel olarak var olan ve Soğuk Savaş'ın sona ermesinden sonra büyük ölçüde azalan hakimiyetini kaybetmek istemiyor. Rusya, özellikle Kırım Yarımadası'nı işgal ederek Karadeniz'in tamamını kontrol etme konusunda stratejik bir avantaj elde etmiştir. Rusya geçmişte de Gürcistan'ın çeşitli bölgelerini işgal etmiş ve Karadeniz bölgesindeki varlığını arttırmıştır. 1992-1993 yıllarında Gürcistan ordusu ile Rusya tarafından desteklenen Abhaz ayrılıkçılar arasında 13 ay süren bir savaş yaşanmıştır. 2008 yılında Rusya ile Gürcistan arasında Güney Osetya Savaşı olarak bilinen çatışmalar patlak vermiş, savaşın ardından Rusya'nın desteklediği Abhazya ve Güney Osetya bölgeleri Gürcistan'dan tek taraflı olarak bağımsızlıklarını ilan etmişlerdir. Rusya, 2008 yılında bu iki bölgenin sözde bağımsızlığını tanımış, Gürcistan ise Rusya ile diplomatik ilişkilerini kesmiştir. Öte yandan Rusya ile Ukrayna arasındaki sorunlar Ukrayna'nın bağımsızlığı ile başlamış, 2014 yılında Ukrayna Devlet Başkanı Yanukoviç'in devrilmesiyle daha da derinleşmiştir. Ardından Budapeşte Antlaşması ihlal edilerek Kırım Rusya tarafından işgal ve ilhak edilmiştir. Bu bağlamda, Rusya ile Karadeniz kıyıdaşları arasında ve Rusya ile Batı arasında yoğunlaşan bir savaş durumunda Montrö Boğazlar Sözleşmesi'nin uygulanmasına ilişkin tartışmalar ortaya çıkmıştır.

Montrö Sözlüşmesi sadece Boğazların deęil Karadeniz'in de statüsünü belirlemektedir. Montrö'nün ortadan kalkması sadece Türkiye'nin Boğazlar üzerindeki egemenliğini tehlikeye atmakla kalmayacak, aynı zamanda özellikle ABD'nin bölgeye kalıcı olarak yerleşmesiyle birlikte Rusya ve ABD arasında daha fazla rekabete yol açabilecektir. Karadeniz'in güvenliğini düzenleyen ve denge rejiminin belgesi olan Montrö Sözlüşmesi'nin korunması elbette tüm uluslararası toplumun yararına bir konjonktür yaratmaktadır. Montrö rejiminin zor zamanlarda kurulduğu ve on yıllar boyunca başarıyla ayakta kaldığı asla unutulmamalıdır. Dolayısıyla Karadeniz'deki güncel gelişmeler nedeniyle Montrö rejimi feda edilmemelidir. Özellikle NATO/AB bölgeyi güvenliştirmekten vazgeçmeli ve Montrö Sözlüşmesi ile oluşturulan barış rejimine bağlı kalmalıdır. Karadeniz bölgesinin ve Türk Boğazlarının güvenliştirilmesi Karadeniz ülkelerini olumsuz etkilemekte ve bölge barışını bozmaktadır.

Eđer Sözlüşme tartışmaya açılırsa, Türkiye'nin ve kıyıdaş devletlerin kayıplar yaşaması daha muhtemeldir. Bu nedenle Sözlüşme desteklenmeli ve Karadeniz'in bir barış denizi olma özelliği korunmalıdır. Türkiye'nin de Türk Boğazları'nın egemeni olarak Karadeniz'e kıyıdaş ülkelerin haklarının korunması için çalışacağını söylemek yanlış olmayacaktır. Bununla birlikte, bir NATO üyesi ve AB adayı olarak Türkiye, gelecekte Batı'nın bölgedeki çıkarlarını da korumaya çalışacaktır. Nitekim, Montrö Sözlüşmesi Türkiye'ye Karadeniz bölgesinde Doęu ile Batı arasındaki hassas dengeyi korumak gibi önemli bir görev vermektedir.