

Analyzing Foreign Policy Crises in Turkey

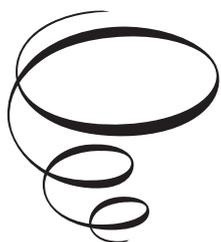
Analyzing Foreign Policy Crises in Turkey:

*Conceptual, Theoretical
and Practical Discussions*

Edited by

Fuat Aksu and Helin Sarı Ertem

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This book is dedicated to:

NURETTİN AKSU,

missing you, your curious questions and encouraging comments...

and

MELİH MURAT ERTEM,

thank you for your inspiring ideas and generous support...

TABLE OF CONTENTS

List of Tables.....	ix
List of Figures.....	x
Contributors.....	xi
Preface.....	xii
List of Abbreviations.....	xiv
Introduction.....	1
Assessing the Turkish Foreign Policy Crises and Crisis Management in the Republican Era Fuat Aksu and Helin Sarı Ertem	
Chapter One.....	17
An Integrated Model Proposal for Analysing Turkish Foreign Policy Crises <i>Aydın Şihmantepe</i>	
Chapter Two.....	38
Neoclassical Realism, the Limits of Analysis and International Relations Theory <i>Ümran Gürses</i>	
Chapter Three.....	58
Turkey's Protracted Foreign Policy Conflicts: Cyprus and Aegean Crises <i>Fuat Aksu and Süleyman Güder</i>	
Chapter Four.....	83
Insights of the Mavi Marmara Confrontation: Analysing the Turkish Crisis Management Process <i>Tuğçe Kafdağlı Koru</i>	

Chapter Five	112
Reflections of Beliefs and Worldviews of the Turkish Ruling Elite on the Syria Crisis <i>Helin Sarı Ertem</i>	
Chapter Six	143
A Humanitarian Foreign Policy Crisis: The 1989 Migration of the Bulgarian Turks <i>Zehra Gürsoy</i>	
Chapter Seven.....	158
Border Security in Turkish Foreign Policy Crises <i>Laçin Idil Öztığ</i>	
Chapter Eight.....	178
If the Crisis is What We Make of It: Turkey and the Uprisings in Syria <i>Gencer Özcan</i>	
Chapter Nine.....	199
Non-State Actors in Turkish Foreign Policy Crises <i>Ayşe Küçük</i>	
Bibliography	224
Index.....	253

LIST OF TABLES

Table 1. Turkey’s Crises in ICB Project and TFPC Project	14
Table 1.1. Turkish Foreign Policy Crises (1923-2015)	28
Table 1.2. Decision-Making Structure and Government Types	31
Table 1.3. Triggers in the Crises.....	32
Table 1.4. Characteristics of Crisis and Crisis Management	33
Table 1.5. Third Party Involvement in Crises.....	34
Table 1.6. Outcome of the Crisis	34
Table 3.1. Turkey-Greece Foreign Policy Crises (1923-2014).....	74
Table 3.2. Protracted Conflicts, Crises and Triggers	76
Table 4.1. Freedom Flotilla of Gaza	90
Table 5.1. Conceptual Analysis of FM Davutoğlu’s 84 speeches btw. 2009-2014	137
Table 5.2. Conceptual Analysis of PM Davutoğlu’s 10 Speeches Containing “Syria” btw. 2014-2016	139
Table 7.1. The Dynamics of Border-Related Turkish Foreign Policy Crises	175
Table 7.2. The Outcome of Border-Related Turkish Foreign Policy Crises	176

LIST OF FIGURES

Figure 1.1. Dispute, Conflict and Crisis Flow	29
Figure 2.1. Variables and Decision Making Process in Neoclassical Realist Model.....	54
Figure 3.1. Turkey-Greece Foreign Policy Crises in Protracted Conflicts (1923-2014).....	62
Figure 3.2. Turkey-Greece Foreign Policy Crises (1923-2014)	65

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In alphabetical order.

PREFACE

This book resulted from a three-year long TÜBİTAK (The Scientific and Technological Research Council of Turkey) Project, examining the Turkish foreign policy crises and crisis management strategies in the Republican Era. The project, which received remarkable interest in Turkish academia, allowed us to examine 34 foreign policy crises in the last 92 years since the foundation of the Republic of Turkey. It is worth underlining here that the brainstorming in our “Coercive Diplomacy and Crisis Management in Turkish Foreign Policy” course made a valuable contribution to the embodiment of this project. Colleagues and students, who encouraged us for a much comprehensive study of this critical issue, believed in the necessity of making it a book and gave their kind support by writing the chapters of it.

This book requires us to thank not only these esteemed contributors, but many other names and institutions. Among them, TÜBİTAK and Yıldız Technical University, Scientific Research Projects Coordinatorship (YTU - BAPK), deserve our special thanks for the academic and financial assistance they gave to this project. We would also like to thank the participants/staff officers of the Turkish War Colleges, The Armed Forces Higher Command and Management College, which made eye-opening contributions during our discussions there especially on the military decision making processes of the Turkish crisis management.

Prof. Dr. Klaus Brummer, our Section Chair in the 2014 ECPR General Conference in Glasgow, where the first findings of this project were shared with the academia, and a leading name in crisis studies, Prof. Dr. Charles F. Hermann also deserve our thanks due to their comments and questions that improved our researches. We also have to thank the Deans of the Faculty of Economics and Administrative Sciences at Yıldız Technical University, Prof. Dr. Güler Aras and Prof. Dr. Kenan Aydın, and Cambridge Scholars Publishing for their kind support during the research and publishing processes of this book.

Finally, our special thanks goes to our family members, especially our spouses and children, without whose love and patience this book would not be finished. We would also like to commemorate dear Nurettin Aksu,

whom we lost during the preparation of this book. His loving-kindness and support for his children and grandchildren will never be forgotten.

We hope this book can inspire further academic studies in the area of foreign policy crises.

Fuat Aksu and Helin Sarı Ertem
Istanbul, November 2016

LIST OF ABBREVIATIONS

DP	Democrat Party (<i>Demokrat Parti</i>)
FP	Felicity Party (<i>Saadet Partisi</i>)
FIR	Flight Information Region
EOKA	Ethniki Organosis Kyrion Agoniston or National Organization of Greek Cypriot Fighters
FSA	Free Syrian Army
GCA	Greek Cypriot Administration
GUP	Great Union Party
ICBP	International Crisis Behavior Project
IHH	The Foundation for Human Rights and Freedoms and Humanitarian Relief
ISIS	Al-Dawla al-Islamiya al-Iraq al-Sham or Islamic State of Iraq and Syria
JDP	Justice and Development Party (<i>Adalet ve Kalkınma Partisi</i>)
KRG	Kurdistan Regional Government
MB	Muslim Brotherhood
MIT	Turkish National Intelligence (<i>Milli İstihbarat Teşkilatı</i>)
MP	Motherland Party (<i>Anavatan Partisi</i>)
NMP	Nationalist Movement Party (<i>Milliyetçi Hareket Partisi</i>)
PKK	Partiya Karkerên Kurdistan or Kurdistan Workers' Party
PYD	Partiya Yekîtiya Demokrat or Democratic Union Party
RPP	Republican People's Party (<i>Cumhuriyet Halk Partisi</i>)
SNC	Syrian National Council
TFPC	Turkish Foreign Policy Crises
THY	Turkish Airlines
TMT	Turkish Resistance Organization (<i>Türk Mukavemet Teşkilatı</i>)
TPAO	Turkish Petroleum Corporation (<i>Türkiye Petrolleri Anonim Ortaklığı</i>)
TRNC	Turkish Republic of Northern Cyprus
TUBITAK	Technological Research Council of Turkey
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
YPG	Yekitina Parastine Gel or People's Protection Units

CHAPTER FOUR

INSIGHTS OF THE MAVI MARMARA CONFRONTATION: ANALYSING THE TURKISH CRISIS MANAGEMENT PROCESS*

TUĞÇE KAFDAĞLI KORU

Introduction

The Foundation for Human Rights and Freedoms and Humanitarian Relief (IHH) is a non-governmental organization (NGO) founded in Istanbul, Turkey in 1995. In addition to its relief organizations to various other countries, such as Bosnia Herzegovina, the IHH planned to provide humanitarian aid in 2010 this time to the people of Gaza in Palestine despite the Israeli blockade in the region. This aid organization was to be realized by sea with the involvement of many other national and international relief organizations. The aid convoy was called '*Freedom Flotilla of Gaza*' and comprised of eight ships. However, the flotilla was attacked by the Israeli armed forces within the international waters while being under way in the Mediterranean. During the raid by the Israeli soldiers in the Mavi Marmara, nine activists were killed and many were injured.¹ The ships in the flotilla were moored in the Port of Ashdod in Israel.

Although this aid campaign organized by the IHH can be considered to be a civil and humanitarian initiative, after the raid it became a political and international matter. In other words, a humanitarian aid campaign organized by an NGO turned into a foreign policy crisis between Turkey and Israel. In this sense, Mavi Marmara Crisis is unique one among

* This chapter is supported by the Scientific and Technological Research Council of Turkey - TÜBİTAK 1001 Project (Project No: 112K172).

¹ The number of casualties increased later to 10 with the death of a seriously wounded activist (Süleyman Uğur Söylemez) in 2014.

Turkey's foreign policy crises. This chapter aims to analyze how the aid campaign turned into an intergovernmental foreign policy crisis and how the crisis was managed by the decision makers.

Crisis and Foreign Policy Crisis

Amongst the many definitions of crisis in literature, the most remarkable one is that of Brecher, which he makes by posing the question 'what differentiates a crisis from a non-crisis?'² A foreign policy crisis, on the other hand, is a situation with three necessary and sufficient conditions that are either indigenous or exogenous.³ In other words, whether or not a situation is to be perceived as a crisis by a top decision maker of the state is about the following three conditions⁴:

1. A threat to basic values (simultaneous or subsequent)
2. High probability of military hostility
3. Awareness of a limited time to respond to the external threat

These three conditions of Brecher are about the emergence of the crisis' triggering actor and the meaning attributed to it.⁵ When we examine the definition of crisis made by the Turkish Foreign Policy Crises (TFPC) Analysis Group, we observe a relatively flexible framework:

According to that, the development considered to trigger the crisis;

- Is about any subject that may interest decision-maker's foreign policy agenda,
- May occur both all of a sudden or gradually within a certain period of time,
- Enforces (and/or is perceived to enforce) the decision-maker to make alteration in the fundamental values and priorities,
- This situation is perceived as a risk, threat, danger, attack,
- Because of this perceived situation, the decision maker has to choose one of the available options and make a decision,

² Michael Brecher, *Decision in Crisis Israel, 1967 and 1973*, (London: University of California Press, 1980): 1.

³ Michael Brecher and Jonathan Wilkenfeld, *A Study of Crisis*, (USA: The University of Michigan Press, 2003): 3.

⁴ Brecher, *Decisions in...*, 1.

⁵ The meaning attributed to the triggering actor of the Mavi Marmara Crisis will be elaborated in the part where the crisis phase is dealt with.

- The decision taken may lead the decision maker engaging in a military clash with its direct interlocutor, though it is not always the case.⁶

In this paper, TFPC's definition of crisis will be taken as the main basis. This definition is flexible enough to include non-state actors as the actors that take the triggering action in the crises. Furthermore, within the context of the perception and reality, this definition enables to attribute meaning to not only the fundamental values but also the priorities of the decision maker. Therefore, by using Brecher's method we can analyze the Mavi Marmara Crisis in different phases. For Brecher, a crisis is analyzed in four phases: Onset, escalation, de-escalation and impact.⁷ During the onset, there are initial signals for the escalation and thus a conflict breaks out in the relations. However, the stimulus, discourses and actions do not yet affect the defending party's values or interests. If the decision maker started to perceive threats against its goals and interests, then it means that the phase of escalation began. During this phase, where the aggressive party triggers the crisis, there are threat, limited time pressure and increasing probability of war.

During the phase of escalation, crisis management strategies against the perceived threat and attack are designated. In this phase, pressure and stress are high for the decision makers. Furthermore, the designated strategies are carried out in the escalation phase, where mutual challenges may break out. It is therefore the phase, where crisis management is in its clearest state. When it comes to the phase of de-escalation, it generally begins with the decrease of threat intensity that reached its peak during the escalation phase. The de-escalation of the crisis depends on the decrease in the threat perception, limited time pressure, the threat of use of force and increasing probability of war.⁸ The phase of impact, last but not least, refers to the results of the crisis. The most important factor that determines the attitudes of parties in the phase of impact is the result of the crisis. In the cases where the crisis is properly managed and resolved, this phase continues without any further problem. However, if the return to *status quo ante* could not be achieved and the problem remains unresolved, the

⁶ Fuat Aksu, "Uyuşmazlık-Kriz Sarmalından Algı Değişimine Türkiye-Yunanistan İlişkileri", in Mustafa Kaymakçı ve Cihan Özgün (Eds.), *Rodos ve İstanköy Türklüğü*, (İzmir: RİOTKDD Yay., 2014): 55-90.

⁷ Michael Brecher, *International Political Earthquakes*, (USA: The University of Michigan, 2011): 12.

⁸ Brecher, *International Political...*, 12.

outbreak of new crises is and remains probable due to perceptions in the phase of impact.

In the light of this information, Turkey's crisis management strategy in the Mavi Marmara Crisis will be analyzed in three phases. To analyze the phase of onset, first, the developments during the organization of the aid campaign will be elaborated. Second, the escalation phase, which begins with the Israeli attack against the Mavi Marmara, will be examined. Herein, what we should pay attention to is that for Israel the crisis actually began before it launched a military operation. With the departure of the Mavi Marmara from Antalya Port on May 28, 2010, Israel perceived a threat and the process of crisis management started. Israel preferred to launch a military operation in order to manage the crisis. On May 31, 2010, Turkey perceived Israeli military operation against the flotilla as an attack, meaning that the process of crisis management started also for Turkey. In the phase of escalation, Turkey's demands and Israel's responses could keep the escalation under control. Then, with the diplomatic initiatives in the bilateral relations between Turkey and Israel, the phase of de-escalation commenced. As for the phase of de-escalation, two separate de-escalation processes should be mentioned. The first de-escalating development was the release of the victims of the attack who were detained, the return of the ships and the acceptance of Turkey's demand for the setup of an investigation commission within the UN.

The second de-escalating development was Israel's apology and suggestions on indemnity payment, both of which had been demanded by Turkey. With these de-escalating developments, the effect of the attack against fundamental values/interests decreased but did not disappear. Because it is a continuing crisis, the final phase of impact has not begun yet. In what follows, I will analyze how the Turkish government, as the decision maker, perceived and then managed the crisis within the context of crisis management literature. Furthermore, I will also deal with the question which defensive crisis management strategies, conceptualized by Alexander George, are carried out by the decision makers in the Mavi Marmara Crisis.⁹ While dealing with this question, I will also evaluate to what extent the seven principles set out by Alexander George that aim at preventing the undesired escalation were abided by in Mavi Marmara Crisis.

⁹ For details see: Alexander L. George "Strategies for Crisis Management", in Alexander L. George (Ed.), *Avoiding War*, (USA: Westview Press, 1991).

The Freedom Flotilla of Gaza

The IHH started its voluntary activities in 1992 and institutionalized them in 1995. In the third article of its deed of foundation, the goal of the foundation is stated as follows:

*“... to extend humanitarian aid to anyone distressed, oppressed, victimized, wounded, crippled, made homeless and subjected to famine by wars, disasters, etc. and take necessary steps to prevent any violations against their basic rights and liberties ...”*¹⁰

After the ceasefire between Israel and Palestine had been broken in 2008, Israeli authorities declared that they would allow the passing of humanitarian aid material to Gaza.¹¹ With the worsening of the humanitarian situation in Gaza, the IHH that had long worked on the Palestine question came up with a new aid campaign with the slogan “Palestine Our Route” in order to break the blockade and bring aid to the people of Gaza. The aim was to break the blockade again, this time by sea after the aid convoys had entered Gaza on January 7, 2010.

IHH’s aid organization initiative was joined by another NGO called “Free Gaza Movement”. As an NGO registered in Cyprus, the Free Gaza Movement managed to reach Gaza by one or two small vessels five times between August and December 2008.¹² Because of the failure in the sixth try, Free Gaza Movement plunged into a quest of cooperation in order to increase the number of ships in the flotilla. Thus and so, Free Gaza Movement got in contact with the IHH, a Turkey-based NGO that had advisory status in UN Economic and Social Council. The IHH, carrying out activities in 120 countries including Gaza and organizing an own campaign for Gaza committed to join the flotilla with two cargo ships and a new 600-person passenger ship. Later on, a set of other NGOs joined in the flotilla, named Freedom Flotilla of Gaza later, including *Ship to Gaza (Sweden)*, *Ship to Gaza (Greece)*, *The International Committee to End the Siege on Gaza* and *European Campaign to End the Siege on Gaza*.

¹⁰ “Deed of Foundation, The Foundation for Human Rights and Freedoms and Humanitarian Relief”,

<http://www.ihh.org.tr/en/main/pages/vakif-kurulus-senedi/138>

¹¹ “Gazze’ye İnsani Yardım İçin Kapılar Açıldı”, *Cumhuriyet*, December 26, 2008. http://www.cumhuriyet.com.tr/haber/30902/Gazze_ye_insani_yardim_icin_kapilar_acildi.html [22.11.2013]

¹² The goal of these voyages was stated to be to break the Israeli blockade. Even though the organizers declared to have been threatened by Israel, Israeli authorities did not intercept these vessels.

The goals of the flotilla, as declared by the leaders of the Free Gaza Movement and the IHH, were as follows:¹³

- To attract international community's attention about the effects of Israeli actions and blockade in Gaza,
- To break the blockade and
- To deliver humanitarian aid to Gaza

Since the commercial shipping companies did not want to rent their ships to such a flotilla, participant NGOs had to buy their own ships. The crew service for IHH's cargo ships was provided through an agency in Istanbul. At the beginning, there were eight ships and 748 people in the flotilla¹⁴, which later had to continue with six ships due to a set of breakdowns. Because of some technical problems in the machines, Challenger II had to leave the flotilla and its passengers were taken to Challenger I and Mavi Marmara in the international waters. Corrie, on the other hand, could not join the flotilla on May 31 because its departure from Ireland had delayed. Some passengers planned to sail from Cyprus and get on board in the international waters, like in previous times. However, Cypriot authorities prevented these passengers from putting off from Cypriot coasts just in time. Despite all efforts, no permission could be obtained to put off from southern ports and thus some passengers went to the Northern Cyprus to use the port in Famagusta.

The institutions that joined the flotilla formed a flexible alliance based on a 9-article agreement. In this agreement, which they called 'points of consensus', the goals that all participants agreed on were stated, including the commitment to a non-violent resistance in case of an attack.¹⁵ According to Free Gaza Movement, each ship had an own board of directors composed of a representative from each participant institution. In the flotilla, there were in total 748 people from 40 different countries.

¹³ "Report of The International Fact-Finding Mission to Investigate Violations of International Law, Including International Humanitarian And Human Rights Law, Resulting From The Israeli Attacks on The Flotilla of Ships Carrying Humanitarian Assistance, United Nations, September 27, 2010", http://www2.ohchr.org/english/bodies/hrcouncil/docs/15session/A.HRC.15.21_en.pdf, [23.12.2015] Herein, it is worth noting that the members of the UN Investigation Commission stated that the activists, whom they talked with one on one, were sharing all these goals emphasizing upon the humanitarian aspect of the campaign.

¹⁴ See Table 4-1

¹⁵ "Report of the International Fact-Finding Mission", 20.

Each participant institution determined its own criteria and conducted a separate process of application and admission. There was not a protocol allowing a central registration of all participants and only some organizers preferred to carry out an individual application process.¹⁶ For both travel expenses and material aid in cash for those who need in Gaza, the participant institutions collected donations from their own communities.

It was decided that the ships of the flotilla meet approximately 40 sea miles away from southern Cypriot coasts. The ships departed from various ports in different dates in order to meet at the specified point. The ships' routes after departure were as follows:¹⁷

- May 14, 2010: *Gazze I* departed from Istanbul to Iskenderun
- May 18, 2010: *Rachel Corrie* departed from Greenore, Ireland. The destination was declared to be Malta. However, in fact, this ship departed from Dundalk on May 14 and had to stop due to a breakdown.
- May 22, 2010: *Mavi Marmara* departed from Istanbul to Antalya.
- May 22, 2010: *Gazze I* departed from Iskenderun to Gaza.
- May 24, 2010: *Defne Y* departed from Istanbul.
- May 24, 2010: *Eleftheri Mesogios* departed from Piraeus, Greece.
- May 25, 2010: *Mavi Marmara* arrived in Antalya.
- May 25, 2010: *Sfendoni* departed from Piraeus, Greece and later stopped off in Rhodes.
- May 28, 2010: *Mavi Marmara* departed from Antalya.
- May 29, 2010: *Challenger I* ve *Challenger II* departed from Crete; *Rachel Corrie* arrived in Malta.
- May 30, 2010: Six ships came together at the meeting point near Cyprus; *Rachel Corrie* departed from Malta.

In the bill of lading of the ships departing from Turkish ports, the destination was indicated as Gaza. However, as Gaza was not found in the computer system of customs bureau, the destination was indicated as Lebanon in the official documents. According to what some passengers told the UN Investigation Commission members, the intention was at first to head for Egypt and then to get in Gaza's territorial waters westward.¹⁸

¹⁶ "Report of the International Fact-Finding Mission", 20.

¹⁷ "Report of the International Fact-Finding Mission", 21-22.

¹⁸ "Report of the International Fact-Finding Mission", 22.

The flotilla turned towards Gaza as of 15.45 on May 30 from a point 65 sea miles away from Lebanon.¹⁹

Table 4-1 Freedom Flotilla of Gaza

Name	Flag	Owner	# of People	Type
Mavi Marmara	Comoros	IHH	577	Passenger Ship
Defne Y	Kiribati	IHH	20	Freighter
Gazze I	Turkey	IHH	18	Freighter
Eleftheri Mesogios	Greece	Eleftheri Mesogios Marine Company	30	Freighter
Sfendoni	Togo	Sfendoni S.A.	43	Passenger Ship
Challenger 1	USA	Free Gaza Movement	20	Passenger Ship
Challenger 2	USA	Free Gaza Movement	20	Passenger Ship (Broke down, passengers were transferred to Mavi Marmara)
Rachel Corrie	Cambodia	Free Gaza Movement	20	Freighter (Broke down and departure delayed one day)

Source: “The Foundation for Human Rights and Freedoms and Humanitarian Relief”, <http://www.ihh.org.tr/fotograf/yayinlar/dokumanlar/134-mavi-marmara-hukuk-raporu-10-aralik-2012-mavi-marmara-hukuk-raporu.pdf>

Mavi Marmara Crisis

The initiative of the IHH as an NGO to bring aid to Gaza turned into a foreign policy crisis between Israel and Turkey. What is intrinsic to the Mavi Marmara crisis is that both the actors that triggered the crisis and the beginning points of the onset are different for two parties. Basically the crisis is supposed to take place in four phases. Nevertheless, the Mavi Marmara crisis, as an example of a “developing crisis”²⁰ did not complete

¹⁹ “Report of the International Fact-Finding Mission”, 22.

²⁰See: http://tdpkrizleri.org/index.php?option=com_seoglossary&view=glossary&catid=1&id=10&Itemid=188&lang=tr

all the phases. The process that developed with the preparations of the flotilla makes up the onset phase. As for the phase of escalation, we observe that both parties label different events to have started and triggered the crisis. For Israel, the departure of the Mavi Marmara from Istanbul/Antalya was the triggering incident, which started the escalation. As for Turkey, on the other hand, Israeli attacks to the Mavi Marmara was the triggering incident that started the escalation. Afterwards, Israel's release of the detained activists upon Turkey's request, Israel's apology and suggestions on the issue of indemnity point out the start of the de-escalation. Nevertheless, the crisis is not over yet, which refers to the non-occurrence of the phase of impact.

The Onset

The IHH as an NGO undertook the Turkish part of the Freedom Flotilla of Gaza organization. The authorities of the foundation stated that they always consulted with influential people and institutions in Turkish politics, whenever they take an action concerning a threat to regional peace. For that purpose, IHH authorities state that they consulted with The Nationalist Movement Party (NMP), Republican People's Party (RPP), Felicity Party (FP), Great Union Party (GUP) and Justice and Development Party (JDP).²¹ According to these statements, the government did not prevent the flotilla from taking this action despite thinking that it would cause a big crisis. The government's opinion was that IHH and the other participant institutions were independent NGOs and

²¹ "We consulted with all the institutions and parties in Turkey, including NMP, RPP, FP, GUP. We also consulted with the JDP. (...) FP and GUP fully supported. We consulted with Gürsel Tekin of CHP, the leader of Istanbul Organization of the Party; he had told 'I will consult with the head office but, if it was up to me I would like to participate in the flotilla.' Besides, we consulted with the NMP. They told 'we cannot say anything (supportive) but we are not against it either.' (...) To be honest, government officials were very much concerned because they thought this would create a big crisis. So they were not in favor of this campaign. But, on the other hand, they told us very openly: '... you are an independent NGO; we cannot prevent you from going to Gaza as long as you want to. However, if you ask us, we would not approve this action.' Therefore, to be honest, it is apparently not that AK Party fully supported us and we organized this campaign together. Furthermore to claim this would be a big disrespect towards ourselves because we consulted with many opinion leaders as well as various NGOs. And we did all this by our own will." in "Fethullah Hoca'nın Kalbi Bizden Yana", Mavi Marmara Freedom and Solidarity Association, <http://www.mavimarmara.org/fethullah-hocanin-kalbi-bizden-yana/>. [22.11.2013]

it thus would not be correct to oppose to an action carried out by them. Nevertheless, the government proclaimed that it did not approve this campaign.²² Therefore, the IHH underlines that JDP did not support them and claiming that it did that would be a big disrespect for themselves. They particularly emphasize that they consulted with many opinion leaders and NGO representatives and carried out the entire organization by their own will.²³

According to Israeli Defence Commandership, in February 2010 Israeli authorities found out that a new flotilla was being organized to break the Gaza blockade. Then, Israel started to develop action plans and made an effort to prevent the action through diplomatic channels. Launching the first initiatives in April to prevent the departure of the flotilla, Israel prepared its action plan on May 11 and the plan was confirmed on May 13 by the Israeli Chief of General Staff.²⁴ On May 13, Israeli General Staff handed in the action plan to stop the flotilla, which included also military options to the Israeli Prime Ministry and Ministry of Defence. The preparations for the operation projected in the plan were made in the Port of Ashdod. For the operation codenamed “see breeze”, a special operation unit was formed out of “Shayetet 13”.²⁵ All these point out to the start of a conflict regarding the flotilla. The crisis’ stimuli were becoming apparent but the crisis was not yet escalated, which would cause the decision makers to perceive threat/risk/attack.

With the authorization of Israeli armed forces by the Ministry of Defence for launching the operation on May 26, the conflict turned into a clash. The reason of the operation that converted the conflict into a clash was that the organizers of the flotilla had not taken any step to stop their action despite the warnings of Israel. After the ships had started off, Israeli authorities made an effort to persuade that the ships anchor in the Israeli Port of Ashdod and the aid be delivered under Israeli control. Israel's then Consul General to Istanbul Mose Kamhi stated on May 29 that Israel had made all the preparations in order for the ships to anchor and the aid to be transported to Gaza.²⁶ The Consul General who thought that aid campaigns had to be organized through Turkish Kizilay or UN Institutions to minimize the security risks stated: “We have always said that such

²² Gürkan Zengin, *Hoca: Türk Dış Politikasında Davutoğlu Etkisi*, (İstanbul: İnkılap Yayınevi, 2010): 236.

²³ “Fethullah Hoca’nın Kalbi Bizden Yana”...,

²⁴ “Report of the International Fact-Finding Mission”, 22.

²⁵ A special unit within the Israeli Naval Forces.

²⁶ “Akdeniz’de Korkutan Restleşme”, *Hürriyet*, May 29, 2010, <http://www.hurriyet.com.tr/dunya/14865948.asp?gid=373> [31.7.2015]

flotillas, which we consider as political provocations are not necessary. However, now that they have already started off, we felt the need to make necessary regulations.”²⁷ According to what the Consul stated, these regulations included an air conditioned tent city near the Port of Ashdod, where the passengers of the flotilla could stay until the completion of legal transactions. Thereafter all passengers could directly fly back through Ben Gurion Airport. For those who refuse to leave, there was the possibility of detention.²⁸

On the other hand, although Turkey labelled the action of the flotilla as an NGO activity, Turkish Ministry of Foreign Affairs was claimed to set up a crisis desk, considering its potential of causing a crisis.²⁹ According to Zengin, the developments about the flotilla were followed from there. To the then Foreign Minister Ahmet Davutoğlu, Turkey was in contact with Israel at every level. He declared that Turkey had warned Israel not to use force against civilian ships and that this warning had not been a bluff.³⁰ In this context, Turkey considered all possible scenarios and gave necessary warnings to all parties between May 27 and May 31.³¹ Davutoğlu explained these mentioned scenarios as follows:

“After Mavi Marmara had departed, we basically worked on four different scenarios. First, when the flotilla approaches to Gaza’s territorial waters, it might be confronted by Israeli ships that block and prevent the ships from entering Gaza. The flotilla might protest against it and it then end up as a peaceful demonstration. Second, Israel might come up with a technical intervention to bring the ships to the port. Third, an operational intervention might be made to the flotilla, but not a violent one. The forth and the last, Israel might militarily intervene but not in a way where killings would occur. In theory, this was also one of the options but we have never expected such an outcome.”³²

The fact that Turkey analyzed different scenarios and made crisis preparations points out that Turkey had already perceived the flotilla would cause a bilateral crisis with Israel. Nevertheless, it did not take any

²⁷ “Akdeniz’de Korkutan Restleşme”...

²⁸ “Akdeniz’de Korkutan Restleşme”...

²⁹ Zengin, *Hoca...*, 236.

³⁰ *Türkiye Büyük Millet Meclisi Tutanak Dergisi*, c.74, July 1, 2010, <http://www.tbmm.gov.tr/tutanak/donem23/yil4/bas/b127m.htm>. [20.12.2013]

³¹ *Türkiye Büyük Millet Meclisi Tutanak Dergisi*...

³² “İşte İsrail Görüşmesinin Ayrıntıları”, *Bugün*, July 5, 2010, <http://gundem.bugun.com.tr/israil-gorusmesinin-ayrintilari-haberi/108279> [20.12.2013]

action to prevent the crisis. According to the statements of an Israeli diplomat reported by Tolga Tanış in his book *Potus ve Beyefendi*, Israel had requested Turkey that the ships anchor in a different port but the organizers of the flotilla rejected this request.³³ So it was demanded that the ships not have any arm. The Israeli diplomat stated that they were sure about the good faith of the Turkish Foreign Ministry but were never sure about the Prime Ministry and always had a doubt about its role in the organization.³⁴ Even though Israel was doubtful about Turkish Prime Ministry's attitude, the government did not allow any JDP member to join in the flotilla. Nevertheless, the decision maker that had the political responsibility could not prevent the escalation of the crisis. It is partly because as for Israel the triggering actor was an NGO. As for Turkey, on the other hand, Israel's attack against the flotilla was the triggering incident, after which the unstoppable crisis began for both parties.

The Escalation

The organizers who wanted to bring humanitarian aid to Gaza hoped that this action would bring about the de-escalation of the dominant atmosphere of war and chaos in the Middle East and help find new solutions to the chronic problems of the region. They claimed their goal to be to give hope to the people of Gaza, which they thought could lead to the end of the blockade and thus to contribute to the regional and global peace. However, the flotilla was attacked by Israel while under way in the Mediterranean within the international waters.

The six ships of the flotilla came together on May 30, 2010 near the southern coasts and the ships were navigating 70-80 sea miles away and parallel to the coast.³⁵ At 22.30, the Captain of Mavi Marmara, which was the flagship of the flotilla, started to receive harassing and threatening messages from Israel.³⁶ To each message that came from Israeli authorities, the captain replied that the ship had been navigating southwardly and heading to Gaza to deliver humanitarian aid. However, Israel kept on sending harassing and threatening messages to the ship that was under sail in the international waters.³⁷ Following this, Israel first cut off the ship's TURKSAT satellite broadcasting and communication and at

³³ Tolga Tanış, *Potus ve Beyefendi-2002 Gün Türkiye-Amerika İlişkisinin İnışli Çıkışlı Hikayesi* (İstanbul: Doğan Kitap, İstanbul): 149.

³⁴ Tanış, *Potus...*, 149.

³⁵ "Report of the International Fact-Finding Mission", 24.

³⁶ "Report of the International Fact-Finding Mission", 24.

³⁷ "Report of the International Fact-Finding Mission", 25.

around 03.00 the flotilla was besieged by some 30 zodiacs and four warships. At around 04.00, Israeli soldiers attempted to go on board to Mavi Marmara from the zodiacs.³⁸ While approaching, Israeli soldiers shot at the ship with non-lethal weapons such as paintball and teargas.

After it had been figured out that many were wounded, the ship board was raked through. In response, Bülent Yıldırım, IHH chairman and one of the top organizers of the flotilla, took off his white shirt and used it as a white flag to express that they surrendered. However, Israeli soldiers kept on raking through the board. According to authorities of Israeli armed forces, the active part of the operation ended at 05.17 following the release of three soldiers and the seizure of the ship's control.³⁹ During an operation that lasted 45-50 minutes, nine passengers were killed, more than 24 passengers were wounded with real bullets and many were injured with plastic bullets, beanbag buckshots etc.⁴⁰ The ships were brought to the Port of Ashdod by Israeli armed forces, where necessary transactions were completed for the return of the passengers. Then the passengers were put in prison to wait till the time of their return. Israeli authorities wanted all passengers to sign some official documents. The passengers later stated that the documents had been written in Hebrew and Israeli authorities told them that by signing these documents they would agree on the deportation and the 10-year ban to enter Israel. Almost all passengers refused to sign these documents. Some Israeli officials attempted to force the passengers to sign by threatening with physical violence. The Israeli authorities' efforts to convince the passengers to sign the documents lasted almost till they left the country. Following the transactions in Ashdod, most of the passengers were taken in groups to the prison in Beersheba, a city two hours away from Ashdod. The detention period of the passengers ranged from 24 to 72 hours depending on their time of departure. The citizens of Jordan and the other countries, which Israel did not have diplomatic relations with, were released earlier and sent back to Jordan by land. Other passengers were later brought to the Ben Gurion International Airport to be deported by air.

The deterioration of Turkish-Israeli relations following the raid against Mavi Marmara that carried many civilians from various countries and humanitarian aid for Gaza is one of the clear examples, where an NGO affects foreign policy. This case also showed how important an NGO may be particularly in Turkish foreign policy as a non-governmental activity caused a bilateral foreign policy crisis between two states. After the crisis

³⁸ "Report of the International Fact-Finding Mission", 25.

³⁹ "Report of the International Fact-Finding Mission", 28.

⁴⁰ "Report of the International Fact-Finding Mission", 28.

had broken out, the decision maker took diplomatic and political measures. It came up with a number of demands from the counter party, such as apology, indemnity, abolition of the blockade.

When it comes to Turkey's crisis management strategy, it is possible to say that it carried out horizontal triggering strategy conceptualized by George. According to George, there are two types of triggering strategy. First, vertical triggering strategy is pursued by triggering the crisis within its own scope. Horizontal triggering strategy, on the other hand, is pursued in that the defensive party tries to damage the offensive one in different realms. The threat to extend the crisis to other realms could enable the defensive party to render the negotiation conditions more advantageous.⁴¹ In this crisis, in particular, Israel attacked a ship carrying Turkish citizens, which puts forward the military dimension of the incident. Although Turkey could have legitimately responded militarily, it did not do so and preferred to highlight the legal and political/diplomatic dimension of the crisis. Thus, Turkey maintains its crisis management process in the legal and political sphere.

After the Israeli raid against the Mavi Marmara had been heard, UN Security Council convened upon Turkey's request. In the meeting, emphasizing upon the supremacy of law, Davutoğlu labelled Israel's action as piracy, barbarity and thuggery and stated that Israel had to be penalized.⁴² In his speech, he came up with a detailed list of actions to be taken, which were as follows:⁴³

- Israel should apologize to the international community as well as the families of those killed and injured.
- A detailed investigation should immediately be initiated.
- Legal proceedings should be immediately opened for responsible authorities and attack's perpetrators.
- UN should express its disappointment and warn. Israel should be called to respect fundamental human rights and international law.
- The return of the injured activists should immediately be permitted.
- The ships should be released and permitted to deliver the humanitarian aid they carried.

⁴¹ George, "Strategies...", 387.

⁴² "BM Güvenlik Konseyi'nin İsrail Açıklaması", *Hürriyet*, June 1, 2010, <http://www.hurriyet.com.tr/planet/14899943.asp?gid=301> [28.12.2013]

⁴³ "Dışişleri Bakanı Davutoğlu'nun Birleşmiş Milletler Güvenlik Konseyi'nde Yaptığı Konuşma (31 Mayıs 2010)", *Türkiye Cumhuriyeti Dışişleri Bakanlığı*, May 31, 2010, http://www.mfa.gov.tr/bakan-davutoglu_nun-birlesmis-milletler-guvenlik-konseyi_nde-yaptigi-konusma-_31-mayis-2010_.tr.mfa [28.12.2013]

- Indemnity should be paid to the families of those killed and injured as well as the NGOs and the companies.
- The Gaza blockade should be abolished and all humanitarian aid should be permitted to reach the region.
- Gaza should be quickly developed and reconstructed so that it can become a region of peace. International community should be called to contribute to this process.

Mavi Marmara Crisis was escalated at a different time and by different incidents for Turkey and Israel. For Israel the triggering incident was the departure of Mavi Marmara from Antalya on May 28 and triggering actor was an NGO; for Turkey, however, the triggering incident was Israel's attack against the flotilla on May 31, which means that triggering actor was a state. The conflict that started between an NGO and a state later turned into a crisis between two states. After the triggering incident, Turkey immediately started to conduct its crisis management. The crisis started to de-escalate with Israel's gradual acceptance of Turkey's demands.

De-Escalation

During the third phase of a crisis, the de-escalation, threat, time pressure and possibility of war decrease. In Mavi Marmara Crisis, the de-escalation began with the satisfaction of some of Turkey's demands by Israel. The first one of these was PM Netanyahu's declaration that imprisoned activists would be released on June 1, 2010.

Turkey was expecting an official UN condemnation of Israel's attack. After the UN Security Council meeting, some negotiations took place with the US on such a statement as well as its wording.⁴⁴ For example, the usage of the word "action" instead of "actions" was important, for the former would directly point to the perpetrator. Another important wording matter was about whether the investigation was to be conducted neutrally or independently. An independent investigation could also be conducted by Israel, whereas a neutral one could not. Following these diplomatic negotiations, the UN Security Council (UNSC) condemned Israel's attack against Mavi Marmara.⁴⁵ In the statement of condemnation, it was emphasized that the civilians and the ships had to be released and the humanitarian aid had to be delivered to its target.

⁴⁴ Zengin, *Hoca...*, 241.

⁴⁵ "BM Güvenlik Konseyi'nin İsrail Açıklaması"...,

After UNSC Meeting, Davutoğlu went to Washington from New York to consult with the US Secretary of State. During the meeting, Turkey sent a note to Israel through the US, stating that it would suspend its diplomatic relations with Israel unless Israel releases all imprisoned Turkish citizens within 24 hours. After this note had been transmitted to Israel, Reuters News Agency reported that all detained passengers would be released upon a government decision.⁴⁶ In the meantime, Turkey-Israeli relations were degraded to the level of charge d'affaires.

After the extraordinary meeting of UNGA (United Nations General Assembly) that had convened upon Turkey's request, UN Human Rights Council⁴⁷ decided (dated June 2, 2010 and numbered A/HRC/RES/14/1) that an investigation be conducted by United National Fact Finding.⁴⁸ The mission began its works as an independent three-member team of experts, under the presidency of a former International Criminal Court (ICC) justice Karl T. Hudson Phillips and with participation of the former ICC prosecutor Sir Desmond da Silva and former member of the Committee for Elimination of All Forms of Discrimination against Women Mary Shanthi Dairiam.⁴⁹

The report of the Mission on the actions of Israeli authorities vis-a-vis the Mavi Marmara navigating in the international waters, numbered A/HRC/15/21, was completed on September 22, 2015 to be presented to the UN Human Rights Council in Geneva. The 56-page report accuses Israel, which launched a military operation against Mavi Marmara, of violating the human rights and the international law. The report labels the raid against the civilian ship carrying humanitarian aid as an unacceptable brutality, emphasizing that Israeli armed forces used disproportionate amount of violence against the civilians. Another quite important point the report puts forward is that there is adequate evidence to open an intentional murder investigation against Israel. The report states that Israel did not have the right of self-defence due to satisfactory evidence that the ship did not pose a military threat.

⁴⁶ "İsrail'de Herkesi Bırakma Kararı", *Sabah*, June 2, 2010, http://www.sabah.com.tr/Gundem/2010/06/02/israilden_herkesi_birakma_karari [28.12.2013]

⁴⁷ An international organ of the UN consisting of 15 African, 12 Asian, 5 Eastern European, 11 Latin American and Caribbean, 10 Western European (and from other parts of the world) members.

⁴⁸ "Report of the International Fact-Finding Mission", 1.

⁴⁹ "Report of the International Fact-Finding Mission", 1.

Upon Turkey's request, the UN Secretary General organized a panel to investigate the incident on August 2, 2010.⁵⁰ The panel began its works with the participation of two independent members, former PM of New Zealand Geoffrey Palmer, who presided the panel and former Colombian President Alvaro Ulrike. For Turkey, former MFA Undersecretary Özdem Sanberk and for Israel former MFA General Director Joseph Ciechanover attended the panel.⁵¹

The report of this Panel was published in a year, after being postponed several times. Although the Panel, which considered both parties' reports and documents, completed its works in July 2011, the declaration of its report to the world public was postponed three times due to various reasons put forward by the parties of the crisis. Just before the final date of declaration, PM Netanyahu made an attempt on a 6-month postponement for the declaration of the report, however Turkey did not accept this request. So the report was leaked out and published in daily New York Times.⁵² In the official report published later, it was stated that the Panel works did not end up with an outcome that would bring any legal responsibility for any party. The purpose of the Panel, as specified in its introductory chapter, was to reveal the truths about the incident and put forward a set of recommendations to prevent a repetition of such an incident.

In the chapter, where the details on how the incident happened and the outcomes of the panel are provided, it is underlined that there are certain and definite limitations in the international law to take initiative about a ship navigating in the international waters. Nevertheless, it is stated in the same chapter that the Israeli blockade in Gaza is a legitimate security measure and fully in accordance with international law on the grounds that it is under the threat of militant groups in Gaza and thus has the right to prevent a possible entrance of weapons to the city. Report's emphasis on the legitimacy of Israeli blockade in Gaza implies that any concessions made to meet the demands of Turkey would be nonsense, considering Turkey's ultimate demand of the abolition of the blockade.

⁵⁰ "BM 'Mavi Marmara' Heyetini Kurdu", *Milliyet*, July 24, 2010, Accessed November 20, 2013, <http://dunya.milliyet.com.tr/bm-mavi-marmara-heyetini-kurdu/dunya/dunyadetay/24.07.2010/1267679/default.htm> [28.12.2013]

⁵¹ "BM 'Mavi Marmara' Heyetini Kurdu"...,

⁵² Neil Macfarquhar and Ethan Bronner, "Report Finds Naval Blockade by Israel Legal but Faults Raid", *The New York Times*, http://www.nytimes.com/2011/09/02/world/middleeast/02flotilla.html?_r=1&scp=1&sq=Report%20Finds%20Naval%20Blockade%20by%20Israel%20Legal%20but%20Faults%20Raid&st=cse

After the declaration of the UN Palmer Report, Davutoğlu insistently stated that the ships must not have been attacked and officially proclaimed that Turkey would not recognize the UN Palmer Report. Moreover, he added that Turkey specified what sanctions it would impose on Israel. These sanctions, with which Turkish-Israeli relations became even worse, were as follows:⁵³

- Turkish-Israeli diplomatic relations will be degraded to the level of second secretary.
- All military agreements between Turkey and Israel will be suspended.
- Turkey, which has the longest coast on the Mediterranean, will take all necessary measures for free navigation.
- Turkey does not recognize Israeli blockade. International Court of Justice will be called to investigate Israel's embargo on Gaza as of May 31, 2010. The UN will be called to take necessary measures accordingly.
- The right to legal remedies of all victims of Israel's attack against Mavi Marmara will be supported.

In 2012, a process of a deeper de-escalation began in Israel's approach to Turkey's demands. In an interview with *The Guardian* on May 24, 2012, Ramazan Arıtürk, one of the lawyers of the IHH, declared that Israel had accepted to pay indemnity to the activists in the MV Mavi Marmara and their families adding that the Israeli Government would make an official statement of regret.⁵⁴ On the issue of indemnity, the then PM Recep Tayyip Erdoğan stated that this was a matter concerning the families of the victims. Thus and so, as far as the issue of indemnity is concerned, the crisis between two states turned into a relation between a state and individuals.

Turkey's demand for an "apology" was met by PM Netanyahu in a teleconference with Erdoğan during US President Obama's visit in Israel

⁵³ "Press Statement By H.E. Mr. Ahmet Davutoğlu, Minister of Foreign Affairs of The Republic of Turkey, Regarding Turkish-Israeli Relations, 2 September 2011", *Türkiye Cumhuriyeti Dışişleri Bakanlığı*, September 2, 2011, Accessed December 30, 2013, http://www.mfa.gov.tr/press-statement-by-h_e_-mr_-ahmet-davutoglu_-minister-of-foreign-affairs-of-the-republic-of-turkey_-regarding-turkish-israeli-re.en.mfa

⁵⁴ "Israel Offers Compensation to Mavi Marmara Flotilla Raid Victims", *The Guardian*, May, 24 2012. <http://www.theguardian.com/world/2012/may/24/israel-compensation-mavi-marmara-flotilla> [15.7.2015]

on March 22, 2013.⁵⁵ In that conversation, Netanyahu declared that the tragic consequences of the MV Mavi Marmara incident had not been intended by Israel and expressed Israel's "regret" for the killings and injuries. In what was reported in media, Turkey's demand was not fully met because it was not "apology" but "regret" that had been declared by Israel. However, Davutoğlu declared that Israel's declaration of apology would not have been accepted, had it not used the word "apology" in its statement.⁵⁶ Netanyahu's statement was as follows: "*The incident took place as result of a set of operational errors. Israel apologizes Turkish society for the killings and injuries and expects to reach an agreement on the issue of indemnity.*"⁵⁷

Even though these developments deepened the de-escalation, Turkey has been acting insistently about the full satisfaction of its demands. On July 13, 2013, Erdoğan declared that Turkey suspended its relations with Israel and that he expected the abolition of the blockade in Gaza to put an end to the crisis, implying that Israel's apology was not enough.⁵⁸

Mavi Marmara Crisis was triggered by Israel's attack to Mavi Marmara and this was the main incident that escalated the crisis for Turkey. The crisis entered to de-escalation through diplomatic efforts made by the parties. At the beginning, Israel met Turkey's demand and released the activists it had detained. Netanyahu's apology and the negotiations on the issue of indemnity further deepened the de-escalation later on. A deal to normalize Turkish-Israeli relations after 6 years was signed on June 28, 2016 and according to that deal, Israel accepted to deposit 20 million dollars in compensation in a bank account opened by the Turkish government for the families of the victims.⁵⁹ However, if the

⁵⁵ "Özür Obama'nın Eseri", *NTV*, March 22, 2013, <http://www.ntv.com.tr/dunya/nyt-ozur-obamanin-eseri,0YWuW3hp3UuoSE5cVqFd8g> [26.12.2013]

⁵⁶ "Dışişleri Bakanı Sayın Ahmet Davutoğlu'nun İsrail'in Mavi Marmara Saldırısı Nedeniyle Türkiye'den Özür Dilemesine İlişkin Olarak TRT "Neler Oluyor-Özel" Programında Yaptığı Açıklamalar", Türkiye Cumhuriyeti Dışişleri Bakanlığı, March 22, 2013, http://www.mfa.gov.tr/disisleri-bakani-sayin-ahmet-davutoglu_nun-israil_in-mavi-marmara-saldirisi-nedeniyle-turkiye_den-ozur-dilemesine-iliskin-olarak.tr.mfa [15.7.2015]

⁵⁷ "İsrail Türkiye'den Özür Diledi", *Milliyet*, March 22, 2013, <http://www.milliyet.com.tr/israil-turkiye-den-ozur-diledi/dunya/dunyadetay/22.03.2013/1683768/default.htm> [26.12.2013]

⁵⁸ "İsrail'le İlişkilerin Normalleşmesi Mümkün Değil", *Hürriyet*, July 23, 2014, <http://www.hurriyet.com.tr/gundem/26795649.asp> [15.7.2015]

⁵⁹ "Will the Mavi Marmara Trials Be Dropped after the Turkish-Israeli Deal?", *Hurriyet Daily News*, August 22, 2016. <http://www.hurriyetdailynews.com/will->

families refuse to withdraw their cases, legal proceedings will continue despite Israel's demand to make the Turkish government prepare the necessary legal ground to drop these personal cases. Apart from that issue, Turkish officials defend that their demand of the abolition of the Gaza blockade has been met by Israel, despite the claims that this is not a removal of the blockade but actually a confirmation of it by Turkey.⁶⁰ As seen, the incident continues to be a developing crisis, which has not entered the phase of impact yet.

Characteristics of Mavi Marmara Crisis

When Mavi Marmara crisis broke out, Turkey was being governed by JDP's single party government. In the course of the crisis, the 60th, 61st and 62nd governments formed by JDP were in power. Like with most of the crises, the decision maker, which is supposed to deal with the crisis, was a smaller unit than the cabinet in Mavi Marmara Crisis. And throughout the process of crisis management, it was this smaller unit that took the decisions. In Mavi Marmara Crisis, this smaller unit was composed of the then PM Erdoğan and the then FM Davutoğlu.

When it comes to Israel, which is the counter party, we see that a coalition government was in power during the crisis. The Prime Minister of the coalition government formed by Likud, Labor Party, Yisrael Beiteinu, Habayit Hayehudi, Shas and Haatzma was Benjamin Netanyahu. Among leading decision makers during the crisis were Ministry of Defence Ehud Barak and Foreign Minister Avigdor Liberman. Besides, Israeli defense forces decided to launch the military operation against the flotilla on May 13, 2010 and this decision was ratified by Israeli Ministry of Defence on May 26, 2010.⁶¹

In the conflict-clash-crisis analysis in Mavi Marmara Crisis, it is obvious that the conflict started with the preparations of the Freedom Flotilla of Gaza of several NGOs that came together for the purpose of protesting and breaking Israel's blockade in Gaza. Israel criticized flotilla's preparations and underlined that it would not let it enter Gaza. Herein, the conflict basically came about with the Israeli critiques of the flotilla's preparations, Turkey's declaration that it would not prevent the

the-mavi-marmara-trials-be-dropped-after-the-turkish-israeli-deal.aspx?PageID=238&NID=103090&NewsCatID=570

⁶⁰ "İHH Başkanı İsrail'le Anlaşmaya 'Şaşkın': Davalar Kan Sahibinindir, Düşmez", *Diken*, June 28, 2016. <http://www.diken.com.tr/ihh-baskani-israile-anlasmaya-saskin-davalar-kan-sahibinindir-dusmez/>

⁶¹ "Report of the International Fact-Finding Mission", 22.

flotilla and the NGOs' declaration that they would not give up this organization.

The main source of the conflict between the NGOs and Israel, which was the departure of the Freedom Flotilla of Gaza, was also the starting incident of the crisis for Israel. At that moment, the crisis was not there for Turkey, as it did not perceive threat to its values/interests yet. For that moment, we may rather talk about a verbal conflict between Turkey and Israel on the action of the flotilla. As a matter of fact, Turkey's declaration that it cannot intervene in an NGOs' civilian activities as a democratic state, as a response to Israel's reactions about the flotilla was basically what brought about the conflict between two states. However, what triggered the crisis for Turkey was the military intervention against the flotilla on May 31, 2010, which it launched as a way to manage the crisis. In this respect, for Israel, which triggered the crisis was a non-state actor, however, for Turkey it was Israel, namely a state which took the triggering action.

The triggering actions happened generally in the eastern Mediterranean. Whereas at the beginning, the crisis was between an NGO and a state, namely between Free Movement of Gaza and Israel. Turkey later became a party of the crisis, after it had perceived an Israeli attack on Mavi Marmara as a threat to its fundamental values. Thus and so, the crisis turned into a bilateral crisis between the two states.

Crisis Management Principles in Mavi Marmara Crisis

When a crisis breaks out, the parties generally prefer to preserve their interests and values. In addition to that, an unintended escalation is to be prevented. The preservation of interests and values and the prevention of de-escalation may lead the decision maker to seesaw.⁶² In cases where this dilemma is overcome by the decision maker, the crisis management generally leads to success. For an efficient crisis management, there are two political needs: The limitation of the ends that one wants to achieve at the end of the crisis (1) and the limitation of the means to achieve these ends (2).⁶³ It is quite important that the parties limit their claims so that the bilateral diplomatic conflicts are resolved and not resulted in war. For the greater the ends and claims, the more motivated the counter party to resist. Likewise, the more dependent the parties are on their ends, the deeper the

⁶² Alexander George, "A Provisional Theory of Crisis Management", in Alexander George (Ed.), *Avoiding War*, (Westview Press, 1991): 22-30, 24.

⁶³ George, "A Provisional Theory of Crisis Management", 36.

interest conflict gets and thus the more probable the war becomes. As well as the ends and claims, the means to be used should also be limited. If war is the undesired option, the means that are used in crisis management should be limited and diplomatic means should be prioritized.

According to A. George, the limitation of ends and means is not sufficient to prevent the escalation of a crisis and he thus refers to some actual requirements. These requirements enable decision makers to balance the military and diplomatic measures during the crisis management. In the process of crisis management, the goal is to achieve, and sometimes preserve, the end with the least damage and risk. This is about whether the crisis is managed rightly. For correct crisis management, there are several points that decision makers should pay attention to. Herein, George refers to his seven principles, which he describes as actual requirements. He considers military-diplomatic balance necessary in order to achieve the desired end. He also refers to the importance of acts that are preventive for misunderstandings for a successful crisis management. In what follows, I summarize George's seven principles for a successful crisis management and their analyses within the context of Mavi Marmara Crisis:⁶⁴

1. "Each side's political authorities must maintain informed control of some kind over military options – alerts, deployments, and low-level actions, as well as the selection and timing of military movements."⁶⁵ For Turkey, the triggering incident was Israel's attack to Mavi Marmara, which is a military action. With this triggering incident, the escalation started for Turkey. The start of the phase of escalation entails a set of strategies to be pursued in order to cope with the process of crisis management. As Mavi Marmara Crisis was triggered, the decision maker group included PM Erdoğan and FM Davutoğlu. However, during the triggering incidents, politically responsible decision makers as well as top military officials were abroad. Therefore, official decision makers had the status of placeholder. In the morning after the attack against Mavi Marmara, an extraordinary meeting was convened in the Turkish Prime Ministry under the presidency of the then Deputy PM Bülent Arınç and with the participation of the then Interior Minister Beşir Atalay, the then Undersecretary of the PM Efkân Ala, the then Chief of Staff Operations Lieutenant General Mehmet Eröz and the then Chief of Naval Forces Staff Nusret Güner. According to the statements of Nusret Güner, the

⁶⁴ Alexander George, "A Provisional Theory of Crisis Management", in Alexander George (Ed.), *Avoiding War*, (Westview Press, 1991): 22-30; Paul Gordon Lauren, G. A. Craig and A. George (Eds.), *Force and Statecraft - Diplomatic Challenges of Our Time*, (Oxford University Press, 2007): 220-245.

⁶⁵ George, "A Provisional Theory of Crisis Management", 25.

government asked the Naval Forces, if they were ready to accompany Mavi Marmara.⁶⁶ Naval Forces stated, as Güner adds, that they were ready but warned that the accompaniment would lead to a clash with Israel. Güner stated to have opposed the government's plan to pretend that Turkish Naval Forces were sent to accompany Mavi Marmara.⁶⁷ For him, it was even less risky to send the ships but to not publicly declare it. After Erdoğan had come back from abroad, the military action and its risks were re-evaluated and it was expelled from the available options. Although top military officials' opinions and advices were asked on the military options, it was the government that was in the driving seat.

2. "The tempo and momentum of military movements may have to be slowed down and pauses created to provide enough time for the two sides to exchange diplomatic signals and communications and to give each side adequate time to assess the situation, make decisions, and respond to proposals."⁶⁸ The nature of the attack and the fact that Mavi Marmara was under way for a civilian purpose restricted the available military options. The humanitarian nature of the flotilla's purpose reinforced a limited reaction. The military options stayed naturally in the background as the crisis was not directly associated with security-related issues such as territorial integrity, sovereignty rights, border security etc. In the process where the available options were evaluated, both civilian and military bureaucrats and advisors pointed out to the risks of the militarization of the process.

In the first evaluation meeting that convened under the presidency of Arınç, the military options were assessed but not reflected on the decisions. Davutoğlu, on the other hand, set up a "crisis desk" during his flight back to Turkey. In that meeting, too, no decision was made in favor of a military intervention. Davutoğlu instructed Turkey's UN Permanent Representative, Ambassador Ertuğrul Apakan to call the UN Security Council for an extraordinary meeting. While military options were being evaluated, Davutoğlu laid them aside and resorted to diplomatic options. If right signals are given to the counter party during the diplomatic contacts, further escalation may be prevented. However, as underlined below, the conditioning of the de-escalation by Turkey and the fact that some of these conditions pushed Israel's limits prevented the resolution of the crisis.

3. "Movements of military forces must be carefully coordinated with diplomatic actions as part of an integrated strategy for terminating the

⁶⁶ Toygun Atilla, *Sakıncalı Amiral*, (İstanbul: Kırmızı Kedi, 2014): 118.

⁶⁷ Atilla, *Sakıncalı Amiral...*, 118.

⁶⁸ George, "A Provisional Theory of Crisis Management", 25.

crisis acceptably without war or escalation to higher levels of violence.”⁶⁹ During the entire process of crisis management, no military option was preferred. As was underlined above, political and diplomatic options were prioritized. The military options stayed in the background, mainly because of the power asymmetry between Turkey and Israel, alliance capacity and the international support on the side of Israel. Considering the humanitarian nature of the flotilla’s purpose, the humanitarian aspect of the incident was put forward. During the crisis management, the main emphasis was upon the killed innocent civilians and this has put forward the diplomatic and legal process.

4. “Movements of military forces and threats of force intended to signal resolve must be consistent with limited diplomatic objectives – that is ‘noise’ must be avoided or minimized.”⁷⁰ From the escalation onwards, Turkey came up with a set of demands. The primary demand was the release of the detained activists and Turkey limited its demands by urging upon this one. The signals of de-escalation came with Netanyahu’s declaration that the detained activists would be released. However, it was continuously emphasized by the decision makers that the demands of apology and the abolition of the blockade should be met in order for the crisis to come to an end. Despite the discussions on “apology or regret?”, the demand of apology was met with the intermediacy of the US. In the international relations, apology may bring about certain liabilities, which may refer to indemnity payment. Therefore, the states generally refrain from apologizing. At the beginning, Israel, too, did not give an inch on the matter. However, for the sake of regional balances, Netanyahu apologized in the teleconference with Erdoğan with the intermediacy of the US. Besides, Turkey’s demand for the abolition of the blockade in Gaza pushes Israel’s limits, for this blockade is about Israel’s perpetuity-related interests. The states never compromise about their perpetuity, since it is their primary interest. Thus and so, the demand for the abolition of the blockade seems to be pushing the limits for Israel. Furthermore, in the UN Palmer Report, the blockade was considered as legitimate and in accordance with the international law.⁷¹ Despite Turkey’s non-recognition of this report, it has become an international report providing the blockade with legitimacy.

⁶⁹ George, “A Provisional Theory of Crisis Management”, 25.

⁷⁰ George, “A Provisional Theory of Crisis Management”, 25.

⁷¹ “Report of the Secretary-General’s Panel of Inquiry on the 31 May 2010 Flotilla Incident, United Nations, September, 2011”,
http://www.un.org/News/dh/infocus/middle_east/Gaza_Flotilla_Panel_Report.pdf
[23.12.2013]

5. “Military moves and threats should be avoided that give the opponent the impression that one is about to resort to large-scale warfare, thereby forcing him to consider preemption.”⁷² Although military options were on the table in the initial meeting under the presidency of Arınc, Turkey refrained from warmongering acts to a big extent. As a matter of fact, Turkey abandoned the military options and resorted to a crisis management strategy based on horizontal triggering.

6. “Diplomatic-military options should be carefully chosen that signal, or are consistent with, a desire to negotiate a way out of the crisis rather than to seek a military solution.”⁷³ From the escalation of the Mavi Marmara crisis onwards, Turkey never resorted to military intervention despite having evaluated it. It preferred to trigger the crisis that first escalated following Israel’s military operation through a horizontal triggering rather than a military reaction. This was mainly because of the power asymmetry between Israel and Turkey. Military methods are generally used between the states even with military capacities. When compared, Israel is more powerful than Turkey in terms of military technology and has nuclear weapons. Therefore, Turkey came up with a legal-diplomatic defense rather than a military one, examining Israel’s high military capability and capacity. Israel can be said to be more advantageous than Turkey, considering not only the power asymmetry in its favor but also its ability to form alliances and to mobilize its superpower support. On the other hand, use of force without the international support would probably be resulted in failure. US probably would never promote a military confrontation between Israel and Turkey, considering the regional balances and its relations with its two close allies. Thus and so, Turkey preferred horizontal triggering to all military options. Although for Turkey it was Israel’s military action that escalated the crisis, Turkey preferred to trigger the crisis by legal, political and diplomatic means.

7. “Diplomatic proposals and military moves should be selected that leave the opponent a way out of the crisis that is compatible with his fundamental interests.”⁷⁴ Upon Turkey’s call, an extraordinary UN Security Council meeting was convened. In the meeting, Davutoğlu emphasized upon the supremacy of law and put forward a set of demands, one of which is the abolition of the blockade in Gaza.⁷⁵ As for Israel, to meet this demand would contradict with its fundamental values and

⁷² George, “A Provisional Theory of Crisis Management”, 25.

⁷³ George, “A Provisional Theory of Crisis Management”, 25.

⁷⁴ George, “A Provisional Theory of Crisis Management”, 25.

⁷⁵ “BM Güvenlik Konseyi’nin İsrail Açıklaması”..., *Hürriyet*.

interests, since it considers this blockade indispensable against possible threats to its perpetuity. Therefore, Turkey's insistence on this demand had a triggering effect for the tension between two states. Furthermore, according to the statement ratified in the UNSC's extraordinary meeting and the report of the investigation panel conducted by the UN Secretary General, such blockades can be carried out in the international armed conflicts.⁷⁶ As a result, the legitimacy of the Israeli blockade in Gaza is recognized in an official international document, which increased Israel's negotiating power.

Among Turkey's demands, release of the activists was realized; the issue of indemnity was negotiated; regret, not apology though, was declared. However, for Israel the abolition of Gaza blockade is not even a matter of negotiation. This supports the claims that the blockade is still going on despite official Turkish statements that it is over after the latest deal between Turkey and Israel in June 2016.

In lieu of Conclusion

Freedom Flotilla of Gaza was prepared by the IHH and various other NGOs as an aid organization to break the blockade in Gaza and to bring humanitarian aid to the people of Gaza by sea. This totally civilian action affected Turkish-Israeli relations negatively and caused a bilateral crisis between the two states. The attack by Israel against Mavi Marmara that resulted in the killing of ten people in total and the injury of many more forced Turkey to conduct a crisis management process, in which it expected the support of both the US and the UN as well as the other international organizations.

The reason why Turkey considered the problem between a civilian movement and Israel as its own, was mainly the already existing tension between Turkey and Israel after the crises of "*one minute*"⁷⁷ and "*lower*

⁷⁶ "UN, Report of the Secretary-General's Panel of Inquiry on the 31 May 2010 Flotilla Incident, September 2011.

⁷⁷ The then Turkish Prime Minister Recep Tayyip Erdoğan's heavy critiques against Israel at the World Economic Forum conference in Davos, Switzerland in January 2009 caused great anger on the Israeli side and started to tense the relations afterwards. The crisis owes its name to Erdoğan's interrupting the moderator, saying "one minute", to point out the unfairness in the time given to him and to the then Israeli President Shimon Peres. The turning point of the debate was Erdoğan's words accusing Israel of 'knowing very well how to kill' while discussing about the Israeli actions in Gaza.

sofa”⁷⁸ in addition to the fact that all killed in Mavi Marmara were Turkish citizens. The crisis that had started in Davos in Turkish-Israeli relations further escalated with the Mavi Marmara incident. In this chapter, I scrutinized the Mavi Marmara Crisis, which is an important turning point in Turkish-Israeli relations, where the action of an NGO was the primary reason of the escalation. This is an unprecedented case in the history of Turkish foreign policy, where the action of the IHH as a civilian NGO took on a political and legal dimension and brought about a crisis between the two states.

From within the body of the UN, the Human Rights Council and the Office of the Secretary General drew up two separate reports on the Mavi Marmara incident. Whereas the report of the Human Rights Council considers Israeli blockade unjust and the military intervention in the international waters illegal, according to the report of the Office of the Secretary General, the blockade is legitimate and the operation is within the scope of self-defence. Turkey did not recognize the latter and came up with a set of demands from Israel such as indemnity, apology etc. Thus and so, the action of an NGO apparently caused a multidimensional worsening of the Turkish-Israeli relations.

The teleconference between Netanyahu and Erdoğan, in which Netanyahu apologized, under the intermediacy of US President Barack Obama in 2013 and the negotiations on the indemnity payment were interpreted as the states’ efforts to get rid of the crisis. Obviously the US was not contented with the contradiction and instability between its two important allies in the region. Therefore, although Turkish-Israeli bilateral relations seemed to be tense before the national and international public opinion, it is impossible to claim that the strategic ties between the US, Turkey and Israel were severed. Political and military cooperation among the parties were maintained.⁷⁹ A visible effect of this was the claim that

⁷⁸ One of the symbolic revenges of the “one minute crisis” came a year later, in January 2010, when the Deputy Foreign Minister of Israel, Danny Ayalon, made Turkish Ambassador Oğuz Çelikkol sit at a sofa lower than the chair he sat and called the attention of the Israeli media to this intentional inequality during a meeting between them at the Israeli Parliament, Knesset. This further increased the tension between the two countries and Turkey called back its ambassador to Ankara.

⁷⁹ JDP government’s spokesman Ömer Çelik’s statements in December 2015, where he called Israeli state and its people as Turkey’ friends, caused great shock especially among the conservative groups and revealed the continuing talks between Turkey and Israel on the disputes they have including the Mavi Marmara crisis. See: “Hükümet, “İsrail dostumuzdur” dedi, AKP’ye yakın bazı yazarlar tepki

the Turkish government had limited options about Gaza and hostility against Israel. The recent changes in the power balances of the region and Turkey's strategic cooperation with the US render a long-term conflict with Israel irrational. The fact that the JDP Government brought Turkish-Israeli relations to the breakaway point initiated a discussion about which intentions and purposes the decision maker in Turkey gave importance to with regard to this incident. The Palestine question in general and the Gaza blockade in particular are not of "vital" and "existential" importance from the perspective of Turkey's medium- and long-term foreign policy priorities. As a matter of fact, during the onset of the crisis, Turkish Foreign Ministry signalled this and acted cautiously. However, the JDP governments' emphasis on common identity and historical heritage in their foreign policy caused the decision makers to consider the triggering incidents during the crisis as "attacks" that damaged the reputation of the government.

In sum, when the stimulus and the developments prior to the crisis are examined, it is clearly seen that Israel had already signalled to the parties that it would not allow any initiative to break the blockade. In other words, as for both Turkish Foreign Ministry and the organizer IHH, an inhibitory action from Israel was expected. What was unexpected was the high level of violence used by Israel, rather than the use of violence itself. For it is a fact that using violence is not unexpected whatsoever as far as Israel's behavioral pattern regarding its security strategy is concerned.

On the other hand, it is also controversial that Turkey, which had declared IHH's aid organization to be a peaceful civilian action and thus not to be able to prevent it in line with the democratic practices, became later a direct interlocutor of the crisis. Just to note, Mavi Marmara carried not the Turkish flag but the flag of Comoros during the Israeli attack. The only ship with Turkish flag in the flotilla was "Gazze I" but there was not a direct attack against this ship. However, most of those killed and injured during the attack in Mavi Marmara were Turkish citizens. Therefore, it is not strange at all that Turkey defends and protects the rights, status and life safety of its citizens. Moreover, the demands that Turkey came up with right after the incident were expressed so rigidly that it not only created a triggering effect but also precluded any negotiation and communication between the two states. This rigidity also beclouded the formation of a bilateral consensus platform during the de-escalation. Turkey's direct engagement in the crisis made things difficult not only about the bilateral relations with Israel but also about the legal remedies of the IHH and the

victims of the attack. As a matter of fact, the IHH, which was not satisfied with Israel's apology and recommendations on indemnity payment, opened a case against Israel in the International Criminal Court (ICC). Despite Turkey's inculcations, the IHH did not take a step back about the case in the ICC.

Mavi Marmara Crisis is also a crisis where the parties tested each other's limits in the bilateral relations. As Israel had not objected to several aid flotillas in the past, it might have done the same for the Freedom Flotilla of Gaza. But, on the contrary, it reacted with an unprecedented violence and ascribed a symbolic meaning to it: By launching a military intervention to a civilian ship carrying also Turkish citizens, it both pre-empted further organizations, intimidated and impeded Turkey's striving for reputation.

From the perspective of Turkey, the government supported the flotilla in the sense that it would enhance its popularity and reputation, which it mainly gained through its policy of supporting the cause of Palestine and Gaza. It maintained its support for the flotilla despite the high risks but did not allow it to move beyond an NGO activity. As a matter of fact, the government neither allowed its officials to participate in the flotilla nor provided it with a military company. Therefore, Turkey claimed that it was not a national but an international flotilla with Turkey based NGOs within it. So Turkey thought it would enhance its reputation by supporting the organization and, after the attack, by embracing it. This certainly means that all the possibilities in the crisis management process were not calculated.