



# CENTRE FOR AIR POWER STUDIES

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## Did Turkey break the 1936 Montreux Convention to help Russia?

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**Russian warship Novocherkassk sails through the Bosphorus Strait to Mediterranean Sea, on 21 Dec 2020 Ankara has closed the passage to warships as a result of the Ukraine war**

Image: Middle East Eye



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Turkey's diplomatic juggling act as a member of NATO and a country with close connections to Moscow is on display once again with the apparent transit of a merchant vessel carrying military equipment for Russia from Syria via the Bosphorous Strait.<sup>1</sup>

At the start of Russia's invasion of Ukraine this year, Turkey enforced the 1936 Montreux Convention,<sup>2</sup> which allows it to limit naval transit through the Dardenelles and Bosphorus straits, effectively imposing a Black Sea maritime arms trade embargo on the two countries and their supporters.

If Turkey had officially allowed the Russian shipment, which appeared to contain elements of the S-300 air defence missile systems, it would have violated its own stated commitments. The shipment was allegedly carried out on the Greece-flagged, but Russian-chartered, bulk carrier Sparta II, ostensibly carrying a cargo of Syrian fruits and agricultural products.

The story was first brought to light on August 28, 2022, when Image Satellite International (ISI) tweeted images (Figure 1) of Sparta II berthed at Tartus port, where the S-300 AD battery was kept on a jetty ready to be loaded on-board.<sup>3</sup> MarineTraffic, a marine traffic monitor, reported that on August 30 the Sparta II docked in the Russian port of Novorossiysk after a seven-day journey from Tartus, Syria. Russia's only Mediterranean naval facility is located in Tartus, and it is being used to assist the Russian military activities in Syria and the surrounding area.

The Ukrainian Ministry of Foreign Affairs (MoFA) took a rare action on August 29 and summoned the Turkish ambassador to Ukraine, Yagmur Ahmet Guldere, to the ministry for a public dressing-down over the exemption Turkey may have made to the Montreux Convention. The Ukrainian statement on August 29 expressed "alarm" about the "transportation of S-300 missile systems from Syria to Russia across the Bosphorous Strait" by the Sparta II, a ship chartered by the Russian Ministry of Defence<sup>4</sup>. The Ukraine MoFA said that it has also issued a verbal note on the matter to the Turkish ambassador.

Furthermore, Ukraine's Deputy Foreign Minister Mykola Tochytskyi "requested the Turkish side to provide official information regarding the cargo that was transported by the ship Sparta II through the Bosphorus Strait, and regarding the measures taken by Turkey to fulfil the provisions of the [Montreux] Convention and prevent further escalation of the Russian-Ukrainian war." In addition, the Ukrainian MoFA "expressed hope" that Turkey would "strictly comply" to its decision to block all naval traffic through the Black Sea straits.



Source: ImageSat Intl.

### Running with the Hare and Hunting with the Hound

Turkey also plays a pivotal role in the Black Sea Grain Initiative (BSGI), an initiative launched by the United Nations to facilitate the export of Ukrainian grain and other products that have been sitting in ports due to the Russian naval blockade and are now in desperate need of a buyer. To check that no illegal armaments are being smuggled onto their ships, BSGI-regulated commercial shipping must visit ports within Turkish territorial waters. So it is quite certain that S-300 missile systems wouldn't have passed through without the nod from Ankara.

It's a case of running with the hare and hunting with the hound, on one hand, Turkey has helped Moscow, and at the same time, Turkey has become the biggest recipient of Ukrainian grains under the BSGI initiative. According to World-Grain.com, as of August 17, more than 560,000 tonnes of grain have been exported from Ukraine's Black Sea ports since Russia agreed to lift its naval blockade in July. 26 per cent of the goods transported via the BSGI were delivered to Turkey. The Republic of Korea (22 per cent), Iran (22 per cent), and China (8 per cent) rounded up the other three major destinations for Ukrainian grains.<sup>5</sup> Since the beginning of the BSGI, almost a million metric tonnes of Ukrainian grain and food products have been exported.

Relations between Turkey and its fellow NATO members have been strained since Ankara's decision in 2017 to purchase the Russian-made S-400 air defence missile system, which has led to the country's ignominious suspension from the US-led F-35 stealth fighter programme in 2019.

According to an official US State Department release, the purchase of the S-400 surface-to-air missile system by Turkey from Rosoboronexport RoE (Russia's primary arms export agency) in December 2020 prompted the United States to impose sanctions on Ankara under the Countering America's Adversaries Through Sanctions Act (CAATSA)

for “knowingly transacting with the RoE.”<sup>6</sup> Despite forging close ties with Russia in the face of US disapproval, Turkey hasn’t shied away from dealing with Russia’s adversary, Ukraine. Turkey chose not to intervene in the transfer of Bayraktar 2 drones to Ukraine this year under Transfer of Technology. Turkey maintains that the state has no business meddling in a deal between another country’s government and private industry.

Furthermore, Turkey has a tense relationship with Greece, a fellow NATO member and historical adversary, due to their frequent disagreements on maritime, economic, and diplomatic matters as well as Turkey’s invasion of Cyprus in 1974, which ultimately resulted in the partition of the island.

### Implications for the World?

Comparable to the American-made Patriot, the S-300 is an effective air-defence missile system. Although the S-350 and S-400 have been introduced, it is still a very potent frontline system. There were reports that the missile that was fired at Israeli jets in May 2022, was fired from the S-300 system based in Masyaf. These are the same units that may have been sent to the Black Sea.

The relocation of major air defence assets from Syria to the Black Sea in such a devious manner is not a trivial matter. This may imply that Russia has insufficient resources to continue the war in Ukraine. Furthermore, this move also reduces the strength of Russia and its ally, the Assad regime, in Syria.

### NOTES:

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<sup>1</sup> Alba Sanz, “Russia Continues to Transport Weapons via Its Merchant Ships,” *Altayar*, August 10, 2022, Between the Shores edition, sec. Politics, <https://atalayar.com/en/content/russia-continues-transport-weapons-its-merchant-ships>. Accessed on 09 Sep 2022.

<sup>2</sup> M. Emre Hayyar, “Can Turkey Close the Turkish Straits to Russian Warships?,” *Ejil Tak! Blog of the European Journal of International Law* (blog), February 28, 2022, <https://www.ejiltalk.org/can-turkey-close-the-turkish-straits-to-russian-warships/>. Accessed on 08 Sep 2022.

<sup>3</sup> ImageSat Intl., “#ISI Reveals: Russian S-300 Air Defense Battery DEPLOYED FROM #Syria to #Russia. Russian Forces in Syria Have Deployed out of the Country the S-300 SAM Battery Originally Located Masyaf.,” August 28, 2022, <https://mobile.twitter.com/imagesatintl>. Accessed on 07 Sep 2022.

<sup>4</sup> “Ukraine Delivers Diplomatic Note to Turkey in Relation to Ship Carrying Russian S-300 Missiles via Bosphorus,” *Ukrainska Pravda*, August 29, 2022, <https://www.yahoo.com/news/ukraine-delivers-diplomatic-note-turkey-174359477.html>. Accessed on 02 Sep 2022.

<sup>5</sup> Arvin Donley, “Black Sea Grain Initiative Exports Top 560,000 Tonnes,” *World-Grain.Com*, n.d., <https://www.world-grain.com/articles/17341-black-sea-grain-initiative-exports-top-560-000-tonnes>. Accessed on 09 Sep 2022.

<sup>6</sup> Amanda Macias, “U.S. Sanctions Turkey over Purchase of Russian S-400 Missile System,” *CNBC*, December 14, 2020, sec. Politics, <https://www.cnn.com/2020/12/14/us-sanctions-turkey-over-russian-s400.html>. Accessed on 08 Sep 2022.