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Cyprus and the European Union :
Beyond accession

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L'adhésion en vue de la réunification

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Chypre et l'Union Européenne : l'adhésion en vue de la réunification

Joseph Joseph *

Stephanos Constantinides **

En juillet 1990, Chypre a soumis sa candidature à l'Union européenne. A cette époque, des réserves se sont exprimées quant au succès de cette entreprise. Ces réserves, qui se sont avérées plutôt non fondées, étaient reliées au problème de Chypre qui était vu comme un obstacle aux ambitions européennes de l'île.

Les premiers signes encourageants ont fait leur apparition le 30 juin 1993, quand la Commission européenne a émis son *Avis* concernant la demande d'adhésion de la République de Chypre. Trois mois plus tard, le 4 octobre, cet *Avis* a été adopté par le Conseil des ministres devenant ainsi un document officiel reflétant la politique de l'UE. A ce stade, l'UE indiquait clairement que la position géographique, l'histoire, aussi bien que la culture, la vie politique, économique et sociale du peuple chypriote "conféraient indéniablement à Chypre son identité et son caractère européens et confirmaient sa vocation de devenir membre de la Communauté".[1] L'UE a fait un pas de plus en envoyant un message positif aux autorités chypriotes confirmant que " la Communauté considère que Chypre est éligible pour adhérer à la famille européenne".[2] En même temps, cependant, s'exprime une inquiétude quant à la division *de facto* de l' île et le fait que quelques libertés et droits fondamentaux "devraient être garantis dans le cadre d'un règlement restaurant les droits constitutionnels de la République de Chypre"[3] Dans le but d'exercer une pression sur les parties concernées l'*Avis* soulignait que "le besoin de promouvoir une solution politique devient de plus en plus urgent car la situation actuelle rendrait difficile l'acceptation et l'application des engagements prévus dans le Traité de l'Union européenne".[4]

Les questions soulevées dans l'*Avis* il y a dix ans, refletaient un debat et des efforts répetés de combiner l'adhésion avec un règlement politique de la question chypriote. Le Conseil a également nommé en 1994 un observateur pour le problème de Chypre dont le travail consistait à suivre les

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développements et faire rapport "sur les implications de ces développements politiques à Chypre, sur l'application de l'acquis communautaire incluant le progrès de la mission de bons offices du secrétaire géneral de l'ONU"[5]. Une conclusion tirée très tôt par Serge Abou, l'observateur européen à ce moment là était qu'il y avait de l'éspace pour une implication plus active de l'UE à Chypre. Plus précisement, il a mentionné que l'UE avait une responsabilité "spécifique"de jouer un rôle dans le règlement de la question de Chypre et de "jouer une part active dans les efforts afin de trouver une solution à la question chypriote".[6]

La recherche d'un règlement n'a mené nulle part, bien que le processus d'adhésion a été mené à terme. Les négociations d'adhésion ont commencé en mars 1998 et se sont conclues avec succès en octobre 2002. La signature du Traité d'Adhésion en avril 2003 était la confirmation finale et collective, que Chypre était politiquement et légalement membre de la famille européenne des nations. En mai 2004, quand le cinquième élargissement de l'UE se matérialisera et que le processus "d'une union mettant plus proche les peuples de l'Europe"[7] entrera dans une nouvelle phase, Chypre restera encore un Etat membre divisé. Ceci constitue un paradoxe, sinon une anomalie. D'un côté, le continent européen multiethnique intensifie et étend son unification, tandis que, de l'autre côté, Chypre, une petite île demeure divisée.

Il faut souligner qu'en plus de ses forts atouts économiques et autres caractéristiques européens, Chypre avait plutôt un parcours d'adhésion relativement facile pour deux autres raisons interdépendantes : d'abord, la participation de l'île à un élargissement majeur en bloc de l'UE et ensuite, le fait que la Grèce était déjà un membre de l'UE et déterminée de se battre jusqu'au bout pour l'adhésion de Chypre, même en bloquant l'élargissement. Toute complication ou suspension de l'élargissement constituait un scénario cauchemardesque que personne ne voulait imaginer.

A travers la longue période de pré-adhésion, des efforts afin de trouver une solution au problème chypriote avaient été deployés par les Nations Unies et soutenus par les Etats-Unis et l'UE. Le plan soumis par le secrétaire Général de l'ONU Kofi Annan, comme "base pour une solution équitable du problème de Chypre" était la proposition la plus complète et détaillée présentée pour un règlement de la question chypriote. Ce plan a été soumis en trois versions le 11 novembre, le 10 décembre 2002, et le 26 février 2003.

C'était l'aboutissement de longues rondes de régociations indirectes et de consultations qui ont commencé en 1999. Selon le secrétaire Général de l'ONU "le niveau, l'intensité et la durée de l'effort déployé par l'ONU durant cette période étaient sans précédent".[8]

Le plan Annan prévoyait des arrangements qui reliaient l'adhésion à la solution du problème chypriote. Mais l'échec d'un règlement sur la base du plan Annan (plus particulièrement à Copenhague et La Haye) n'a pas constitué un obstacle à l'adhésion de Chypre. Les questions concernant le statut de la partie nord de Chypre occupée par la Turquie ont été abordées dans le Protocole attaché au Traité d'Adhésion qui prévoit que :

"1. L'application de l'acquis communautaire sera suspendu dans ces régions de la République de Chypre sur lesquelles le Gouvernement de la République de Chypre n'exerce pas un contrôle effectif.

2. Le Conseil, en agissant unanimément sur la base d'une proposition de la Commission statuera sur le retrait de la suspension à laquelle on se réfère au paragraphe 1."[9]

Aujourd'hui la question n'est pas de savoir si Chypre va "joindre l'Union européenne. A la suite de la ratification unanime du Traité d'Adhésion par le Parlement chypriote le 14 juillet 2003, l'adhésion officielle de Chypre comme membre à part entière de l'UE est seulement une question de temps. Le 1er mai 2004, est dèjà arrivé.

Maintenant la vraie question qui se pose est de déterminer s'il y a encore le temps et la volonté politique du côté turc pour un autre effort de dernière minute afin d'arriver à un règlement qui permettra aux Chypriotes turcs de "joindre l'UE avec les Chypriotes grecs dans une Chypre réunifiée. Cette interrogation est une des issues majeures abordées dans cette édition thématique de la revue *Etudes helléniques-Hellenic Studies* qui réunit une variété d'approches, de points de vue et d' opinions.

Evanthis Hatzivassiliou essaie d'intensifier les tendances européennes dans l'histoire chypriote contemporaine. En commençant par l'arrivée des Britanniques en 1878 et en abordant les développements majeurs depuis, il examine les relations de Chypre avec l'Europe durant le vingtième siècle. Il soutient de façon convaincante que l'occupation britannique a doté Chypre et sa vie politique d'une couleur occidentale et l'a amené plus près du

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monde européen "libéral" que du monde asiatique "despotique". Après l'indépendance, l'identité européenne de Chypre a été renforcée encore plus, bien que, pour des raisons tactiques, la jeune République a cherché un support politique et a joué un rôle important dans le Mouvement du Tiers Monde et des Pays non Alignés. Hatzivassiliou, insiste sur le fait que malgré la proximité géographique du Moyen Orient, Chypre a réussi à demeurer dans le courant européen. Par conséquent, l'île a été bien préparée politiquement, culturellement, idéologiquement et économiquement à rejoindre le processus d'intégration européenne. Il conclut que l'adhésion de Chypre à l'UE peut "être regardé comme un retour longtemps attendu à l'Europe qui de plus ouvre de nouvelles opportunités dans la recherche d'un futur commun entre les Chypriotes-Grecs et les Chypriotes-Turcs.

George Christou examine l'impact que la longue relation entre Chypre et l'UE a exercé sur le problème de Chypre. Bien que l'île ait signé un traité d'association avec l'UE en 1972, c'est seulement en 1993, que la Commission européenne a publié son Avis sur Chypre et que leur relation est devenue politisée et s'est dotée de nouvelles complexités et sensibilités. L'UE a essayé d'utiliser le processus d'adhésion comme catalyseur afin de faciliter un règlement dans l'île. Le principal argument mis en avant à Bruxelles était que l'adhésion d'une île unifiée bénéficierait aussi bien aux Chypriotes-Grecs qu'aux Chypriotes-Turcs. La Grèce et la Turquie bénéficieraient grandement d'une solution du conflit Chypriote. L'UE a été particulièrement sensible aux aspirations européennes de la Turquie et a essayé de développer et améliorer ses relations avec cet Etat en lui accordant le statut de pays candidat à l'adhésion. L'UE, cependant, au lieu d'avoir une stratégie claire et indépendante pour un règlement dans l'île, a été un ardent supporteur des initiatives de l'ONU respectant sa primauté dans le processus de recherche de solution. Christou conclut que l'UE peut devenir un acteur majeur dans la recherche d'un règlement à travers la voie européenne de la Turquie, plus particulièrement "en l'attirant plus près à l'intérieur de "ses structures".

Tozun Bahcheli examine l'orientation européenne de la Turquie et les possibilités de son adhésion à l'UE. Ce faisant, il examine l'impact que le "facteur Chypre" a eu sur la route de la Turquie vers l'Europe. Il mentionne que le règlement du problème chypriote "ne constitue pas une condition formelle préalable à l'adhésion de la Turquie à l'UE", bien qu'il existe un

point de vue différent véhiculé et mis de l'avant principalement par la Grèce. Bahcheli fournit également un exposé de la politique turque sur Chypre, spécialement depuis 1974, et prend en considération le "facteur Denktash". Apparemment, la division de l'île et la présence des troupes turques dans l'île "garantissaient qu'Ankara et les Chypriotes-turcs auraient la main forte en négociant une nouvelle solution qui allait sauvegarder les intérêts stratégiques de la Turquie et la securité des Chypriotes-turcs". Pour ce qui est de la recherche d'un règlement de la question chypriote, la Turquie n'a pas été enthousiaste avec l'implication d'une troisième partie et ceci a été le cas plus particulièrement avec l'UE à cause de la présence grecque au sein d'elle. En examinant les récents développements à Chypre et les relations de l'UE avec la Turquie, Bahcheli conclut que l'objectif de cet Etat d'adhérer à l'UE paraît de plus en plus réalisable. Il existe encore, cependant, une certaine anxiété parmi les Turcs "concernant le lien entre un règlement de la question Chypriote et l'adhésion de la Turquie à l'UE",

Hasan Elmas examine les relations entre la Turquie et l'UE en particulier à travers le prisme de la candidature de Chypre à cette organisation. Il estime qu'après l'intervention turque à Chypre en 1974 l'Europe n'a plus été le centre de gravité autour duquel Ankara cherche une réponse à ses problèmes économiques et sociaux. Indépendamment d'une solution de la question chypriote, H. Elmas considère qu'il n'y a pas dans l'UE de consensus sur l'adhésion de la Turquie.

Susanne M. Baier-Allen examine en quoi le "facteur UE" n'a pas permis une percée dans la recherche d'une solution du problème de Chypre avant la signature du Traité d'Adhésion en avril 2003. Cet auteur souligne que, durant le processus d'adhésion, la communauté internationale "a graduellement pris conscience que l'UE pourrait promouvoir un règlement global". Mais, en examinant les contraintes que la candidature à l'UE pourrait imposer sur un règlement ainsi que les tactiques utilisées par l'UE dans la poursuite de sa politique sur Chypre, Susanne Baier-Allen pense que ces contraintes "ne sont pas particulièrement onéreuses pour espérer la percée attendue. La stratégie de l'UE visait la création de conditions favorables pour un règlement par la promotion et la mise en place de mesures de rapprochement et de confiance entre les deux communautés, "en vendant" l'adhésion aux Chypriotes-turcs et en utilisant le profond désir de la Turquie à devenir membre de l'Union. L'auteur soutient que l'UE a

visiblement renforcé les efforts de l'ONU, plus particulièrement en engendrant "la volonté de négocier" mais la convergence des perspectives n'était pas assez forte pour produire des resultats. Sa conclusion est qu'après l'adhésion de Chypre, l'UE peut jouer un rôle en facilitant la solution de la question chypriote en jouant avec les aspirations de la Turquie à devenir membre et en capitalisant les effets positifs des nouvelles réalités qui ont résulté de l'ouverture de la "ligne verte".

Michael Tsinisizelis, Dimitris Xenakis et Dimitris Chryssochoou, examinent le rôle joué par la présidence hellénique de l'UE (première moitié de 2002) en mettant en avant le dialogue concernant la securité en Méditerranée. La Grèce a assuré également la présidence pour la Securité et la Défense européenne pendant la présidence danoise de l'UE (deuxième moitié de 2002) à cause de l'option du Danemark de s'abstenir de faire partie de ce comité sur les questions de securité. Dans un contexte d'un environment international turbulent qui a suivi les attaques terroristes contre les Etats-Unis le 11 septembre 2001, l'Europe, comme le reste du monde, a commencé à regarder les questions de securité comme étant des questions d'urgence. La politique commune extérieure de défense et de securité (CFSP) a occupé une place importante dans l'agenda de l'UE tandis que les aspects de securité et de défense méditerranéenne ont gagné une importance additionnelle. La paix, la stabilité et la securité en Mediterranée sont des objectis difficiles à atteindre, car cette région est particulièrement vulnérable aux changements de la scène internationale. La Méditerranée est également un endroit des perceptions déformées, des malentendus, des conflits profondément enracinés et d'une rhétorique revencharde qui ne peut être ignorée en évaluant les risques et les perspectives pour une solution européenne de défense. Les auteurs soutiennent que la Grèce, avec sa forte orientation européenne et plus particulièrement ses intérêts méditerranéens, a soutenu et "promu" une politique euro-méditerranéenne en prenant en considération le contexte historique et culturel et guidée par le respect des frontières internationales, la democratie et les droits de l'homme.

Brendan O' Duffy utilise une approche comparative afin d'examiner la situation à Chypre à travers le prisme anglo-irlandais (Irlande du Nord). Son point de vue basé sur l'évidence empirique de regulation de conflits va à l'encontre de quelques considérations analytiques et conceptuelles. L'analyse prend en consideraiton le rôle des "mères-patries", la Grèce et la Turquie, ainsi que le rôle des facteurs externes, tels que l'UE et l'ONU. O'Duffy

souligne la signification "des relations d'échange mutuel" entre la Grèce et la Turquie pour la promotion d'un règlement à Chypre. L'article propose également des moyens pour reconcilier des revendications ethniques vitales opposées. Globalement, l'article tente d'apporter une contribution théorique à la regulation des conflits en explorant et comparant des conflits entre deux communautés comme ceux de Chypre et d'Irlande du Nord.

Cette publicaion spéciale de la revue *Etudes helléniques-Hellenic Studies* inclut des articles examinant les relations de Chypre et l'UE sous différents angles. D'une certaine façon, l'adhésion de Chypre à l'UE a créé des conditions d'urgence pour un règlement dans l'île et peut également créer une occasion pour un dialogue entre la Grèce et la Turquie, qui pourrait être productif. La recherche de la paix, de la securité et de la stabilité en Méditerranée orientale cependant, ne peut faire oublier les principes et les pratiques de l'UE qui ont conduit à l'intégration européenne pendant un demi siècle. Une solution à Chypre, soit avant, soit après l'adhésion, ne peut faire abstraction de la rationalité et de la dynamique de l'intégration européenne. Tout règlement, soit sur la base du plan Annan ou de tout autre plan, document ou ensemble d'idées, devra prendre en considération les lois, règlements, regulations, pratiques et politiques qui sont les fondements de l'UE. C'est dans ce sens, qu'une ligne de pensée en faveur de l'unification de Chypre pourra être plus significative, constructive, productive et juste. Le plan Annan qui a provoqué beaucoup de discussions dans cette édition d'*Etudes helléniques-Hellenic Studies*, semble contredire quelques principes fondamentaux de l'UE. Très simplement, à la lumière de l'adhésion et dans le contexte de l'intégration européenne, il est plus logique de parler d'unité et de coexistence pacifique que d'une coexistence basée sur les antagonismes et la division. En d'autres termes, Chypre est trop petite pour être divisée, mais assez grande pour faire vivre l'ensemble de sa population dans des conditions d'unité, de paix et de prospérité. Nous espérons que les articles de cette édition spéciale constitueront une contribution au debat sur l'avenir de Chypre, nouvel Etat membre de l'UE.

NOTE DE L'EDITEUR ; La politique éditoriale d'*Etudes helléniques-Hellenic Studies*, en conformité avec les principes de l'ONU de non reconnaissance de la "RTCN", est de mettre entre guillemets le terme "RTCN" et des termes qui en resultent, même si certains auteurs ne l'ont pas fait dans leurs travaux soumis initialement à la revue.

NOTES

1. *Commission Opinion on the Application by the Republic of Cyprus for Membership*, 30 June 1993, paragraph 44.

2. Ibid., paragraph 48.

3. Ibid., paragraph 11.

4. Ibid., paragraph 22.

5. Council of General Affairs, *Conclusions*, Meeting of February 7-8, 1994.

6. *European Observer's Report on Cyprus*, paragraph 2 (ii), January 23, 1995.

7. *Treaty Establishing the European Union* (Consolidated Version), Preamble.

8. UN Security Council Document S/ 2003 /398, *Report of the Secretary General on His Mission of Good Services in Cyprus*, paragraph 145.

9. *Accession Treaty*, Protocol No 10, article 1.

Cyprus and the EU: Beyond accession

Joseph Joseph *

Stephanos Constantinides **

In July 1990, Cyprus submitted its application to become a member of the European Communities (European Coal and Steel Community - ECSC, European Economic Community – EEC, and European Atomic Energy Community – EAEC). At that time, quite a few people had reservations about the prospects for a successful completion of the long trip to membership. Those reservations, which eventually proved ungrounded, had to do with the Cyprus problem which was seen as an obstacle to Cyprus's membership.

The first encouraging signs came on June 30, 1993, when the European Commission issued its *Opinion on the Application by the Republic of Cyprus for Membership*. Three months later, on October 4, the *Opinion* was adopted by the Council of Ministers and became an official policy paper. At this early stage, the EU made it clear that the geographical position and history, as well as the contemporary cultural, political, economic and social life of the Cypriot people "confer on Cyprus, beyond all doubt, its European identity and character and confirm its vocation to belong to the Community."[1] The EU went a step further and sent a strong positive message "to the authorities and the people of Cyprus confirming that the Community considers Cyprus as eligible for membership."[2] At the same time, however, concern was expressed about the *de facto* division of the island and the fact that some fundamental freedoms and rights "would have to be guaranteed as part of a comprehensive settlement restoring constitutional arrangements covering the whole of the Republic of Cyprus."[3] In an obvious effort to put pressure on the parties involved, the Opinion stressed that "the need to promote a political settlement is all the more paramount as the current situation would make it difficult for Cyprus to accept and implement commitments made under the European Union Treaty."[4]

The above questions, raised in the *Opinion* ten years ago, were the focus of a protracted debate and repeated efforts to combine accession with a

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political settlement of the Cyprus question. The Council also appointed in 1994 an Observer for the Cyprus problem whose job was to follow developments and report "on the implications of political developments in Cyprus for the Union's *acquis communautaire* including the progress of the UN's Secretary General good offices mission for Cyprus."[5] One of the early conclusions drawn by Serge Abou, the European Observer, was that there was room for more active EU involvement in Cyprus. As he put it, "the EU had a special responsibility" to play a role on Cyprus and "play an active part in efforts to find a solution to the Cyprus question."[6]

The search for a settlement has not led anywhere, although the accession process has been completed. The accession negotiations began in March 1998 and were successfully concluded in October 2002. The signing of the Accession Treaty in April 2003 was a final, collective, political and legal confirmation that Cyprus is part of the European family of nations. In May 2004, when the fifth EU enlargement materializes and the process "of an ever closer union among the peoples of Europe"[7] enters a new stage, Cyprus may still be a divided member State. This is a paradox, if not an ironic anomaly. On the one hand, the multiethnic European continent is intensifying and expanding its unification, while, on the other hand, Cyprus, a small bicommunal island, remains divided.

It should be pointed out that besides its strong economic and European credentials, Cyprus had a rather smooth accession journey for two other interrelated reasons: First, the decision for a major EU package expansion, and second the fact that Greece was already a member of the EU and determined to fight for Cyprus's accession all the way, even by blocking enlargement. Any complication or suspension of the enlargement was a nightmarish scenario that no one dared to think of.

Throughout the long pre-accession period, efforts to solve the Cyprus problem were made by the UN and supported by the United States and the EU. The plan submitted by the UN Secretary General, as a "Basis for a Comprehensive Settlement of the Cyprus Problem" was the most comprehensive and detailed proposal ever put on the table for a settlement on Cyprus. It was submitted in three versions on November 11 and December 10, 2002, and February 26, 2003. It was the culmination of repeated rounds of "proximity talks" and extensive consultations that begun

in 1999. In Annan's words, "[t]he level, intensity and duration of the effort of the United Nations in this period are without precedent."[8]

The Annan plan provided for special arrangements which were, in effect, linking accession with settlement. But the failure to reach a settlement on the basis of the Annan plan (especially at Copenhagen and The Hague) were not an obstacle to Cyprus's accession. Questions about the status of the Turkish occupied northern part of Cyprus were answered in a Protocol attached to the Accession Treaty which provides:

"1. The application of the acquis shall be suspended in those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

2. The Council, acting unanimously on the basis of a proposal from the Commission, shall decide on the withdrawal of the suspension referred to in paragraph 1."[9]

Today the question is not whether Cyprus will join the European Union. Following the unanimous ratification of the Accession Treaty by the Cypriot Parliament on July 14, 2003, full membership is just a matter of time. May 1, 2004, is around the corner.

Now the real question is whether there is still time and political will for another last-minute effort to reach a settlement that will allow the Turkish Cypriots to join the EU along with the Greek Cypriots in a reunited Cyprus. That is one of the major issues addressed in this special thematic issue of *Hellenic Studies/Etudes helléniques* that brings together a variety of approaches, new viewpoints and diverse opinions.

Evanthis Hatzivassiliou attempts to identify a European tendency in contemporary Cypriot history. Beginning with the arrival of the British in 1878 and looking at major developments ever since, he looks at the relations of Cyprus with Europe during the twentieth century. He argues persuasively that the British rule gave Cyprus and its political life a Western flavor and brought it closer to the European "liberal" world rather than the Asiatic "despotic" world. After independence, the European identity of Cyprus was further strengthened, although, for tactical reasons, the young Republic sought political support and played an important role in the Third World and the Non-Aligned Movement. Hatzivassiliou, emphasizes that despite

geographic proximity in the Middle East, Cyprus managed to stay on a European course. Consequently, the island has been well prepared politically, culturally, ideologically and economically to join the European integration process. He concludes that the accession of Cyprus to the EU can "be regarded as a long-awaited return to Europe, which additionally opens new opportunities in the search for a common future of Greek-and Turkish Cypriots."

George Christou looks at the impact that the long Cyprus-EU relationship has had on the Cyprus problem. Although the island signed an association agreement with the EEC in 1972, it was only after 1993, when the European Commission issued its *Opinion/Avis* on Cyprus, that their relationship became politicized and took on new complexities and sensitivities. The EU tried to use the accession process as a catalyst to facilitate a settlement on the island. The main argument in Brussels was that the accession of a united island would benefit both the Greek Cypriots and the Turkish Cypriots. Greece and Turkey would also benefit greatly with the removal of the Cypriot bone of contention. The EU has been especially sensitive to Turkish European aspirations and tried to develop and enhance their relations by granting her the status of a candidate country. The EU, however, instead of having a clear and separate strategy for a settlement on the island, it has been a firm supporter of UN initiatives respecting the primacy of the UN process and framework. Christou concludes that the EU can be a major actor in the search for a settlement through the Turkish connection, especially "by drawing Turkey further into the EU structures."

Tozun Bahcheli looks at Turkey's European orientation and prospect for accession to the EU. In doing so, he examines the impact that the "Cyprus factor" has had on Turkey's European course. As he points out, a settlement on Cyprus "is not a formal precondition for Turkey's EU accession," although there is a different view held and promoted primarily by Greece. Bahcheli provides also an overview of the Turkish policy on Cyprus, especially since 1974, and takes into account the "Denktash factor." Apparently, the division of the island and the presence of Turkish troops on the island "ensured that Ankara and the Turkish Cypriots would have a strong hand in negotiating a new settlement that would safeguard both Turkey's strategic interests and Turkish Cypriot security." With regard to the search for a settlement on Cyprus, Turkey has not been enthusiastic with

third-party involvement and this has been the case especially with the EU because of Greek membership. In examining recent developments in Cyprus and EU-Turkish relations, Bahcheli concludes that the Turkish goal of accession to the EU is becoming a more and more realizable goal. There is, however, still some anxiety among the Turks "concerning the link between a Cyprus settlement and Turkey's EU accession."

Hasan Elmas, attempts to identify the obstacles that Turkey faces integrating Europe. He mentions difficulties related to international and regional context as well as those related to the turkish interior politics. In doing so, he refers to the Cyprus and kurdish issues, questions of democratization and the changing of balance with the EU, from political and demographic point of view, with the prospect of Turkey's accession. The author also explains that after the invasion of Cyprus by the turkish army in 1974, Turkey lost for some years interest in integrating Europe. He concludes that without a clear signal from the European countries Turkey will remain the hostage of either the military and nationalists, or of the islamists.

Susanne M. Baier-Allen examines why the "EU factor" has not been successful in achieving a breakthrough in the search for a settlement on Cyprus before the signing of the Accession Treaty in April 2003. As she points out, during the accession process, the international community "gradually came to see that the EU could provide a conducive settlement for an overall settlement." But, by examining the constraints that EU membership could impose on a settlement and the EU tactics used in pursuing its policy on Cyprus, Baier-Allen suggests that the constraints "are not particularly onerous" and the tactics not efficient enough in achieving the hoped for breakthrough. The EU strategy was aimed at the creation of favorable conditions of prospective winners by promoting rapprochement and confidence-building between the two communities, "selling" accession to the Turksih Cypriots and using Turkey's bid for membership. The author argues that the EU involvement visibly empowered UN efforts, especially by generating "willingness to negotiate," but the convergence of perspectives was not strong enough to produce results. Her conclusion is that after Cyprus's accession, the EU can play a role by nurturing Turkey's membership aspirations and capitalizing on the new realities that resulted from the opening of the "green line."

Michael Tsinisizelis, Dimitris Xenakis and Dimitris Chryssochoou look at the role of the EU Hellenic presidency (first half of 2002) in promoting security dialogue in the Mediterranean. Greece held also the presidency of European Security and Defence Policy (ESDP) during the Danish Presidency (second half of 2002) due to Denmark's opt-out from defence issues. Against the background of a turbulent international environment that followed the terrorist attacks against the United States on September 11, 2001, Europe, like the rest of the world, began looking at security issues with a sense of urgency. Common Foreign and Security Policy (CFSP) became a major item on the agenda of the EU while the security and defense aspects of Euro-Mediterranean policy gained additional importance. Peace, stability and security in the Mediterranean are almost elusive as the region is especially vulnerable to changes on the international scene and the new emerging security setting. The region is also a place of distorted perceptions, misunderstandings, deep rooted conflicts and revengeful rhetoric that cannot be ignored in assessing risks and prospects for a European defense policy. The authors argue that Greece, with its firm European orientation and particular Mediterranean concerns, has been supporting and promoting a "principled" Euro-Mediterranean policy taking into account the historical and cultural context and guided by respect for international borders, democracy and human rights.

Brendan O'Duffy uses a comparative approach to examine "Cyprus through the British-Irish (Northern Ireland) prism." His assessment of empirical evidence for conflict regulation is discussed against the background of some conceptual and analytical considerations. The analysis takes into account the role of the Greek and Turkish "matro-states" and the role of other external factors such as the EU and the UN. O'Duffy stresses the significance of "mutual exchange relations" between Greece and Turkey for the promotion of a settlement on Cyprus. It is argued that Greek EU membership and Turkish candidacy have led to an asymmetrical polarization, with the EU becoming an instrument for exercising power rather than a vehicle for seeking consent for a settlement on Cyprus. The article also has a prescriptive element and suggests ways for reconciling vital opposing ethnic claims. Overall, the article attempts to make a contribution in conflict regulation theory by exploring and comparing dyadic (bicommunal) conflicts like Cyprus and Northern Ireland.

This special issue of *Hellenic Studies/Etudes helléniques* includes articles looking at Cyprus and the EU from different angles. In a way, the forthcoming accession of Cyprus to the EU has created conditions of urgency for a settlement on the island. It may also generate a momentum for a result-oriented dialogue between Greece and Turkey. The search for peace, security and stability in the eastern Mediterranean however, cannot ignore the EU principles and practices which have been shaping European integration for half a century. A solution on Cyprus, either before or after accession, cannot ignore the rationale and dynamics of European integration. Any settlement, either on the basis of the Annan Plan or on the basis of any other plan, document or set of ideas, will have to take into account the laws, rules, regulations, practices and policies on the basis of which the EU is built and functioning. In this sense, a pro-unification line of thinking in Cyprus can be more meaningful, constructive and productive. The Annan plan which gets considerable attention in this issue seems to contradict some fundamental EU principles. Quite simply, in the light of accession and in the context of European integration, it makes more sense to talk about unity and peaceful coexistence rather than antagonistic and divisive separation. To put it differently, Cyprus is too small to be divided, but big enough to accommodate its entire population under conditions of unity, peace and prosperity. We hope that the articles of this special issue can make a contribution in the debate on the future of Cyprus as an EU member state.

EDITORIAL NOTE: As a matter of editorial policy and according to the principles adopted by the United Nations, *Hellenic Studies/Etudes helléniques* uses inverted commas with "TRNC" and related terms, although some of the authors did not in their original submissions.

NOTES

1. *Commission Opinion on the Application by the Republic of Cyprus for Membership*, 30 June 1993, paragraph 44.

2. Ibid., paragraph 48.

3. Ibid., paragraph 11.

4. Ibid., paragraph 22.

5. Council of General Affairs, *Conclusions*, Meeting of February 7-8, 1994.

6. *European Observer's Report on Cyprus*, paragraph 2(ii), January 23, 1995.

7. *Treaty Establishing the European Union* (Consolidated Version), Preamble.

8. UN Security Council Document S/2003/398, *Report of the Secretary General on His Mission of Good Services in Cyprus*, paragraph 145.

9. *Accession Treaty*, Protocol No 10, article 1.

Return to Europe: EU Accession as a Turning Point in Cypriot History

Evanthis Hatzivassiliou *

RÉSUMÉ

L'occupation britannique a facilité le contact de Chypre avec les réalités européennes. En effet, même le mouvement de l'Enosis a refleté l'idée d'autodetermination à travers le continent européen et celle de modernisation occidentale comme complément des structures administratives, économiques et juridiques occidentales introduites par le " libéralisme britannique ". Cependant, l'extension dans l' île de la gouvernance coloniale après la Première Guerre Mondiale a détaché Chypre de la tradition européenne et l'a placée dans le contexte du mouvement anticolonialiste. L'adhésion à l'UE représente un retour à l'Europe, qui ouvre de nouvelles perspectives pour un avenir commun entre Chypriotes-Grecs et Chypriotes-Turcs.

ABSTRACT

British rule significantly facilitated Cyprus's contact with European trends. Indeed, even the rise of the *Enosis* movement reflected the advent of the idea of self-determination throughout the continent, and complimented the imposition of Western administrative, economic and judicial structures by 'liberal Britain'. However, the extension of colonial rule after the First World War partially detached Cyprus from the mainstream of European history and placed the island in the context of colonial liberation movements. The accession to the EU represents a long-awaited return to Europe, which opens new opportunities in the search for a common future for the Greek-Cypriots and Turkish-Cypriots.

Introduction

International scholarship has repeatedly stressed that Cypriot history has been excessively influenced by international politics, the strategic interests of the great powers, and more recently by the cold war, decolonization or the Middle Eastern crises. This article attempts to detemine whether there is a distinct European tendency in contemporary Cypriot history, from the arrival of the British in 1878 to the signing of the EU accession treaty in April 2003. It will be argued that until the end of the First World War, British rule facilitated Cyprus's increasing contact with European trends.

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However, the extension of colonial rule after 1918 partially detached Cyprus from the mainstream of European history. Even then, the Greek-Cypriots continued perceiving themselves as a European people. As a result, the accession to the EU may be regarded as a long-awaited return to Europe, which also opens up opportunities in the search for a common future of Greek- and Turkish-Cypriots.

Tracing larger trends in contemporary history is an extremely difficult process which touches upon perceptions and political ideology, as well as events. Given that it tries to access ideology and identities, this short article can only sketch some points which might be useful for the interpretation of contemporary Cypriot history. But this is a broad subject, one which must wait for more detailed study in the future.

Historical Background

The British acquired Cyprus in 1878 because of the island's strategic value in the Eastern Mediterranean. According to Prime Minister Benjamin Disraeli, the island was a key to Western Asia and a valuable stepping-stone on the route to India.[1] Yet, the arrival of the British brought Cyprus under the administration of a great European power and led to the imposition of a European administrative and judicial system, as well as a partially elected Legislative Council. In the relatively liberal political climate that British rule created, Cypriot political activity acquired the opportunity to develop. Thus, despite the fact that nominally sovereignty still belonged to the Sultan, from 1878 onwards it became significantly easier for Cyprus to follow European developments than during the previous period of Ottoman administration.

The development of the *Enosis* movement indicated this clearly. Throughout Europe, the second half of the nineteenth century was the age of the rise of liberal ideals, of the idea of the nation-state, even of nationalism; and Cyprus followed this lead.[2] After the arrival of the British, *Enosis* appeared much closer: in those years the *Enosis* movement put forward a rather moderate political program, hoping that liberal Britain would repeat in Cyprus its impressive offer of the Ionian islands to Greece (1864). This has been described as the Ionian pattern of the *Enosis* movement, placing its emphasis on the concept of a peaceful struggle.[3] By the end of the nineteenth century two Greek Cypriot political parties had

emerged, the 'intransigents' and the 'moderates', representing a harder and a softer line respectively; yet neither was for an all-out clash with the colonial authorities. In fact, they both hoped that London would finally concede to *Enosis*.[4] The development of trade in the Eastern Mediterranean helped increase Cyprus's contact with Europe and thus facilitated the intensification of the Enosis claim. It is noteworthy that the power of the so-called moderate party was based on inland Nicosia, while the intransigent group was dominant in the ports of Larnaca and Limassol, where contact with the outside world was much easier.

Despite friction with the colonial authorities over economic issues and mainly the Cyprus Tribute, authors have noted the "peculiar mildness" of Greek Cypriot nationalism of these years.[5] The early Enosis movement made a distinction between English (European) liberalism, and 'Oriental despotism', namely, the Ottoman *ancien régime*. Even during the 1897 Greek-Ottoman war, at a moment of deep disillusionment with the policies of the European great powers, the attitude of the leaders of the Enosis movement and of the Press was illustrative: Greece, they claimed, had "undertook alone the task of driving the Asiatic tiger out of the grove of European civilization," but Europe had not done its "duty" to help in this; still, the Greek Cypriot Press finally concluded that "the three most liberal governments" (Britain, France and Italy) anyway had not taken an anti-Greek attitude.[6] A tendency to look to Europe – not only for support but also as a liberal model – was more than clear. It must also be remembered that the Enosis claim aimed at the incorporation of Cyprus to the Greek kingdom, which also perceived itself as a European state. Taking into account that *the Enosis* movement expressed the demand for democratic rule during a period when a modern economic structure and a European administrative system emerged in the island, it may be argued that the Enosis ideal projected a claim for European-style modernization. It is also possible to suggest that by placing its hopes on "liberalism," the early *Enosis* movement was characterized by a profoundly idealistic tendency, which would follow Greek nationalism in Cyprus in the years to come.

Ironically, however, the British themselves, who had facilitated the political development of the Greek Cypriot community, refused to accept its claims. The British 'divide-and-rule' policy in Cyprus, and their attempt to play the Turkish-Cypriot minority community against the Greek Cypriot majority have been noted by numerous authors. London kept focusing on

the strategic value of Cyprus; the colonial officials consistently underestimated the strength of the Enosis vision and resisted its demands. The reluctance of the British to realize that they faced a European (indeed, Balkan) irredentism in Cyprus, and their insistence on viewing Cyprus solely in a colonial context stand out among the factors which gradually led to polarizing relations between the majority of the indigenous population and the colonial authorities.[7]

A break in Cypriot history occurred after the First World War. Greek Cypriot hopes run high in 1914-18; indeed, in 1915 Britain officially offered the island to Greece to lure it into the conflict, but the then neutralist government in Athens rejected the proposal. After Greece's defeat in Asia Minor in 1922 such hopes were dashed; British sovereignty was formalized by the 1923 Treaty of Lausanne, and Cyprus was proclaimed a Crown colony in 1925.[8]

In 1923, nominal Turkish sovereignty was ended and Cyprus came under the full ownership of Britain. Ironically, however, this caused a major detachment of Cypriot history from the mainstream of European history. By that time, in other countries of southeastern Europe, 'liberation' had already occurred, at least liberation of majorities. Most of these countries (Greece, Yugoslavia, Romania, Turkey) slowly turned their attention to a different agenda, namely security, protection of the status quo, reconstruction, and domestic development. None of this took place in Cyprus, which was definitely put into a colonial/imperial rather than European sphere. Nonetheless, liberation remained at the top of Greek-Cypriot agenda; and, after 1925, this meant liberation from Britain, not from any "Asian despot".

The matter might not have been so grave, had Cyprus managed to start its course towards self-government; i.e. towards an *evolutionary* road to freedom. After 1922 a constitutionalist tendency, or party, emerged among the Greek-Cypriots, accepting the idea of a long period of liberal constitutional government under British sovereignty. In the 1920s, the rise of Kemalism and of secular nationalism was also recorded among the Turkish-Cypriots. This process had been completed by the late 1930s[9]. Yet, Kemalism aspired to bring Turkey closer to Europe, while Greece and Turkey solved their differences with their impressive rapprochement in 1930. Thus, Greek- and Turkish-Cypriot cooperation in a liberal colonial regime was possible.

Yet this was not the option that the British colonial officials preferred. The 1925 revision of the Cypriot constitution again failed to set up proportional representation in the Legislative Council, which remained powerless. British reluctance to concede more power to the indigenous population destroyed the position of the constitutionalists and became one of the factors that led to the 1931 Cyprus revolt.[10] This revolt was followed by the abolition of the Legislative Councils and led to government by decree. During the 1930s, there was a visible trend among Greek-Cypriots to hope for liberal self-government. Moreover, there were indications that there could even be some cooperation between Greek- and Turkish-Cypriots in return for a relaxation of the régime. However, the British strongly ruled out political concessions to the indigenous population, and blocked any move for joint Greek- and Turkish-Cypriot petitions regarding this demand.[11]

The oppression of the 1930s dealt another severe blow to gradualist ideas for the establishment of self-government. The no-change policy that Britain adopted after 1945, culminating in Henry Hopkinson's famous "never" statement in 1954, completed this process. Greek-Cypriots had once more participated on Britain's side in a world war and had ended up with a colonial régime. In 1948, no longer believing in British good faith, Greek-Cypriots rejected a rather liberal British constitutional offer, the Winster plan. The rationale was that after another world war, a constitution was not enough. This was a major opportunity to set a pace for smooth political development that was lost by the Cypriots. Still, one should keep in mind that in 1947-8 the left-wing Greek Cypriots participated in the constitution-making process, despite accusations of giving in to British pressures. The Left asked for the establishment of a restricted form of self-government but was forced to reject the British proposal when Britain indicated that it would not concede Cypriot control of ministries. Thus, once again in 1948, the British pulled the carpet out from beneath the feet of the supporters of an evolutionary strategy.[12]

Developments in 1922-48 were crucial. The evolutionary concept lost its appeal for Greek-Cypriots, and, after WW II, it was gradually replaced by a *revolutionary* mood. After successive bitter disappointments, the inherent idealism of the Enosis movement led to more violent paths, and to a 'Cretan' pattern for its struggle. The emphasis now lay on the need to *fight* for freedom, if freedom was denied. In other words, the radicalization of Greek

Cypriot nationalism took place in those years, culminating in Archbishop Makarios' *Enosis* campaign in 1950-54 and to the armed struggle in 1955-59. It was mainly now that the rhetoric of Greek-Cypriot nationalism acquired its combatant, often excessive, style.

Certainly Greek Cypriot rhetoric of that time argued that the British were denying freedom to a European people, at a time when colonies around the globe were gaining independence. Makarios himself stated at a press conference in London, in February 1953, that "Cyprus belongs to the West",[13] and in 1954 the first Greek appeal to the UN noted that Cyprus was "one of the most ancient cradles of Western civilization".[14] The strong insistence on principles also reappeared, with Makarios appealing to the liberalism of the US and of the British people, but also denouncing the 'illiberal' attitude of the British governments.[15] Yet liberalism now equaled 'Western' (in general), or 'anti-colonial', rather than 'European'. Makarios made few direct references to Europe. This is not surprising as many European states, such as Britain, France and Belgium, were colonial powers and used to vote in the UN against Greek appeals for the self-determination of Cyprus. If, in the 1950s, there were two images of Europe: a 'reactionary'/colonialist one and a progressive Europe of integration—the Greek Cypriots had an experience only of the former. In any event, the *Enosis* movement had now placed its hopes on the UN, and therefore had to broaden its scope to include wider geographical areas.

After 1956-7, Greece and the Greek-Cypriots resisted the Turkish claim for partition, arguing that it was unacceptable to effect compulsory population transfers and upset the economy and the society of a European land in this way.[16] The Greek-Cypriots kept stressing that they were Europeans; but they connected their European identity with their liberation claim, not with the search for a common future within a wider European framework. This was another natural consequence of prolonged colonial rule. Supranationalism, integration or even traditional European cooperation can be the options of free societies only.

In those years Britain itself did not view Cyprus as a European land, but as a part of its invaluable Middle Eastern imperial/strategic position. Thus Britain's strategic and international needs in the Middle East largely determined its policy on Cyprus throughout the 1950s.[17] The detachment of Cyprus from the mainstream of European history had reached a new peak: Cyprus was now part of a very violent pattern of the decolonization process.

The Modern Era

After independence was gained in 1960, Cyprus entered a new phase in its history, but new difficulties occurred.[18] This was both a post-colonial and a post-revolutionary period, while independence did not particularly appeal either to Greek-or Turkish-Cypriots. Yet, free political life presented opportunities both for internal political development, as well as for the international position of the new state.

According to the Greek Prime Minister, Constantinos Karamanlis, after independence Athens strongly advised Makarios to pursue a pro-Western policy with the aim of "ending today's prevailing psychosis in Turkey on the Cyprus question;" alignment with, and integration in the West was the only way of solving Cyprus's problems. Karamanlis claimed that in that case, one might hope that at some point in the future Turkey could even agree to consider Enosis itself.[19]

Indeed, it must be remembered that even during its revolutionary phase, the Enosis movement aspired to keep Cyprus in the West: Enosis would result in the union of Cyprus with a NATO country. Makarios' participation at the 1955 Bandung Conference aimed at securing support for Cyprus at the UN, not at detaching it from the West. During the final meeting of the Greek policy-makers prior to the 1959 Zurich Conference, Makarios strongly stated to Karamanlis that the Cyprus Republic should become a NATO member.[20] This did not transpire, mainly because of British reservations for Cypriot entry in the Western alliance.

Yet there were other options, for example, the European Economic Community. It is important to note that immediately after the Cyprus settlement, in 1959, negotiations for the association of Greece with the EEC started and the Greek Treaty of Association was signed in July 1961. The Turkish agreement followed in 1963. Athens regarded association with the EEC as a strategic option for Greece that would provide for its political, economic and social integration into the country's 'natural space'.[21] The Karamanlis government encouraged Cyprus to follow the same course; thus, according to the British Embassy in Athens, during Makarios' 1962 official visit to the Greek capital, discussions focussed mainly on Cyprus's possible association with the EEC.[22]

Yet, Nicosia followed London's not Athens's lead with regard the EEC. Cyprus considered reaching an Association Agreement with the Community in 1962, at a time when London also sought full membership. When de Gaulle vetoed British entry, Cypriot interest in association evaporated. Cyprus concluded an Association Agreement in 1972, shortly before Britain's entry in the Community. In the 1960s Nicosia viewed the EEC merely as a trade mechanism rather than a strategic option for the country, and its main aim was to protect Cypriot trade with Britain and the Commonwealth, as well as the position and residence rights of the large Cypriot diaspora in Britain.[23]

The main reason why Cyprus failed to make a European option in the 1960s lay in the gradual breakdown of its recent constitutional settlement. After 1963 Cypriot affairs were dominated by internal armed confrontation and ethnic conflict, a situation hardly compatible with a European perspective. During this period Nicosia saw the EEC as a supplementary rather than as a main theme of its policy: the primacy of the question of its international status was not disputed. Yet on that level, the Commonwealth, the non-aligned countries and the UN were regarded as more appropriate forums to attain Nicosia's aims. This is a further reason why the eruption of the second Cyprus crisis prejudiced the island's future. Crises kept detaching Cyprus from the search for a Western and a European perspective. Makarios' decision to approach the non-aligned countries has been severely criticized. Similarly, his Thirteen Points proposal for constitutional revision has been described as a fatal mistake.[24] From this point of view, the failure of Nicosia to steer its course toward Europe in the early 1960 may be regarded as a major lost opportunity.

It should be noted that the post-1963 crisis dramatically destabilized Cypriot domestic as well as foreign policy. Hence, in his letter of 1 March 1964 to the Greek Prime Minister, George Papandreou, Makarios stated that "Cyprus historically and culturally belongs to the West, although it will continue pursuing a non-aligned foreign policy."[25] This was at best a contradictory policy. Furthermore, it tended to increase US and Western suspicions about Makarios. In 1964, repeatedly threatened by a Turkish invasion, Makarios felt the need to appeal to the Soviet Union for support, which also severely alienated the US and the Western powers, even Athens.[26] This in turn created anti-Western reflexes among the Greek Cypriot policy-makers, which made them turn even more toward the non-aligned. In the

vortex of successive crises after 1963, Cyprus kept regarding itself as a European country on the verge, but not as a country of the European mainstream.

Thus, ethnic conflict as well as Cyprus's uncertain international position tended to become self-fulfilling prophesies. As has been suggested, after 1964 Makarios proved skillful in becoming an "international power broker,"[27] but this was a dangerous course in a very troubled region of the world, and it was doubtful whether the Archbishop's intelligence and personal abilities were enough to overcome all possible difficulties. Most of all, these marked Cyprus's failure to pursue a *long-term* policy, either domestic or foreign.

The 1974 Turkish invasion, the US and NATO's immobility during the crisis, and the destruction of the Cypriot economy after the occupation of almost 40% of the country's territory, should enhance anti-Western views in Cyprus and further remove it from Europe. Significantly, this did not take place: in 1963-74 the Greek Cypriots had not disputed that their country was European; they simply searched for support in the Third World for tactical reasons. Even in the post-1974 years, their European identity was not brought into question.

Indeed, trying to survive in the post-invasion period, the Greek Cypriots were forced to turn their attention primarily to such goals as reconstruction, development, and the strengthening of their democratic institutions. All these form part of the European agenda. And the stunning economic success of the Greek Cypriots, the so called "Cypriot economic miracle," further confirmed the Western/European orientation of the Cyprus Republic. At the same time the Cypriot political system evolved after the loss of the father figure of Makarios in 1977. This weaning of the Cypriot political system from Makarios' dominant personality would inevitably take place sooner or later; it occurred at a very difficult moment, shortly after the trauma of 1974, but was carried out smoothly and successfully.

In other words, the Cypriot decision to seek a new course within a united Europe was a process which touched upon Cypriot politics, ideology, as well as on the economy. By the late 1980s things were ripe for a new European opening, and Cyprus applied for full membership to the EEC in July 1990, during Giorgos Vassiliou's presidency (1988-93). This was also strongly encouraged by the Greek governments, mostly by the Constantinos

Mitsotakis administration; in June 1993 the Commission's Opinion opened the road for accession. The new Greek governments under Andreas Papandreou (1993-96) and Constantinos Simitis (1996-) also strongly supported this option during the presidencies of Glafkos Clerides (1993-2003) and Tassos Papadopoulos (2003-) in Cyprus.[28]

Thus the new convergence of the Greek Cypriots with Europe started not only on the economic, but also on the political and the ideological levels in the 1980s; it also naturally derived from the fact that throughout the modern era the Greek Cypriots strongly held that they are a European people. Consequently, accession is not merely a technical/economic event, but the culmination of a long process. This is why Cyprus is well-prepared, politically, mentally and ideologically (not only economically) for EU accession.

Forward-Looking Perspectives

There has been a notable European trend in Cypriot history in general: the island was a part of the Byzantine Empire, then a Frankish and a Venetian possession up until the Ottoman conquest. In modern times, the arrival of the British in 1878 gave to Cypriot political life the opportunity to develop and to seek integration into a "liberal" (European) rather than the so-called despotic (Asiatic or Oriental) world.

However, the definite placing of Cyprus into a colonial/imperial sphere, following the First World War, caused a major break in Cypriot history. At a time when other European countries, including the Balkans, were in search for security and development and were making a transition to a more contemporary political agenda, liberation remained at the top of Greek Cypriot priorities. After 1945 the radicalization of the Enosis movement was combined with an excessive British interest in the Middle East. Cyprus became the field of a war of decolonization in an Eastern Mediterranean which went through a succession of crises. Thus, the Cyprus question became a part of a wider Middle Eastern upheaval, which also involved cold war antagonisms and the rise of other regional forces, such as Turkey or Arab nationalism. All these factors contributed to a detachment of Cypriot affairs from the mainstream of European history. Yet, British strategic priorities or post-independence mistakes of the Cypriots (both Greeks and Turks) could confuse the fundamental European trend in Cypriot history, but could not

arrest or cancel it. Today the return of Cyprus to Europe is being completed; the problem is that this may not involve the whole of the divided island.

It goes without saying that the European perspective of Cyprus is directly connected to settlement of the Cyprus question. EU membership makes available new procedures and guarantees for political and economic development, which would be unattainable outside the EU context. EU accession will also ensure that Cyprus's fate not be decided primarily by the severe international rivalries of this troubled region. This should ensure that its progress will be irreversible in the future.

NOTES

1. G. S. Georghallides, *A Political and Administrative History of Cyprus*, 1918-1926. With a Survey of the Foundations of British rule, (Nicosia: Cyprus Research Centre, 1979), 3-7.

2. See this point also in Georghallides, *Political and Administrative History*, 80.

3. Giorgos Georgis, "O Antiktypos tis Enosis tis Eptanisou me tin Hellada stin Kypro" (The Echo in Cyprus of the Union of the Seven [Ionian] Islands with Greece), in Ioannis Theocharides (ed.), *Praktika tou Tritou Diethnous Kyprologikou Synedriou* (Proceedings of the Third International Cyprological Conference) volume III, (Nicosia: Society for Cypriot Studies, 2001).

4. On Greek Cypriot politics see among others Michael A. Attalides, "Ta Kommata stin Kypro (1878-1955)" (The political parties in Cyprus), in *Kypriaka*, 1878-1955 (Cypriot Issues, 1878-1955) (Nicosia: Municipality of Nicosia, 1986); Hubert Faustmann, "Divide and Quit? The History of British Colonial Rule in Cyprus, 1878-1960. Including a Special Survey of the Transitional Period, February 1959-August 1960," Diss. (Manheim: University of Manheim, 1999), 21-22.

5. Rolandos Katsiaounis, *He Diaskeptiki, 1946-1948: me Anaskopisi tis Periodou 1878-1945* (The Consultative Conference, 1946-1948: with a Survey of the Period 1878-1945) (Nicosia: Cyprus Research Centre, 2000), 19-20. See also idem, *Labour, Society and Politics in Cyprus during the Second Half of the Nineteenth Century* (Nicosia: Cyprus Research Centre, 1996); Georghallides, *Political and Administrative History*, 81-87; Michael A.

Attalides, Cyprus: *Nationalism and International Politics* (Edinburgh: Q Press, 1979), 29. On the essentially moderate character of Greek Cypriot tactics even during the Balkan Wars, see Petros Papapolyviou, *He Kypros kai oi Valkanikoi Polemoi: Symvoli stin Historia tou Kypriakou Ethelontismou* (Cyprus and the Balkan Wars: a Contribution to the History of Cypriot Voluntarism) (Nicosia: Cyprus Research Centre, 1997).

6. Petros Papapolyviou, *Faeinon Simeion Atychous Polemou: he Symmetochi tis Kyprou ston Hellenotourkiko Polemo tou 1897* (A Bright Sign of an Unfortunate War: Cyprus's the Participation in the 1897 Greek-Turkish War) (Nicosia: Cyprus Research Centre, 2002), 204-212.

7. See Evanthis Hatzivassiliou, *The Cyprus question, 1878-1960: the Constitutional Aspect* (Minneapolis: Minnesota Mediterranean and East European Monographs, 2002), chapter I.

8. On the 1914-25 developments, see among others, Georghallides, *Political and Administrative History.*

9. James A. McHenry, *The Uneasy Partnership on Cyprus, 1919-1939: the Political and Diplomatic Interaction Between Great Britain, Turkey, and the Turkish Cypriot Community*, (New York and London: Garland, 1987).

10. See mostly G. S. Georghallides, *Cyprus and the Governorship of Sir Ronald Storrs: The Causes of the 1931 Crisis*, (Nicosia: Cyprus Research Centre, 1985).

11. Diana Weston Markides and G. S. Georghallides, "British Attitudes to Constitution-Making in Post-1931 Cyprus," *Journal of Modern Greek Studies*, 13 (1995): 63-81; Katsiaounis, *Diaskeptiki*, 55-57.

12. On the important 1948 British constitutional offer, see Katsiaounis, *Diaskeptiki*; Yiorghos Leventis, *Cyprus: the Struggle for Self-determination in the 1940s. Prelude to Deeper Crisis* (Frankfurt-am-Main: Peter Lang, 2002); Ioannis D. Stefanidis, *Isle of Discord: Nationalism, Imperialism and the Making of the Cyprus Problem* (London: Hurst, 1999), 108-113; Faustmann, 79; Nancy Crawshaw, *The Cyprus Revolt: An Account of the Struggle for Union with Greece*, (London: George Allen and Unwin, 1978), 39.

13. Makarios' press conference, 20 February 1953, in *Apanta Archiepiskopou Kyprou Makariou III* (Collected Texts of Archbishop of Cyprus Makarios III), volume I (Nicosia: Archbishop Makarios III Foundation, 1992), 335.

14. The text of the Greek appeal in *Apanta Makariou*, volume I, 435.

15. Out of numerous references to liberalism see Makarios' memorandum to Adlai Stevenson on 17 June 1953, his speech at Phaneromeni Church on 28 June 1953, his press conference in London on 20 February 1953, his interview with the Greek-American paper *Ethnikos Kyrix* on 10 August 1954, in *Apanta Makariou*, volume I.

16. See the Greek government's arguments in successive conversations of Foreign Minister Evangelos Averoff-Tossizza in Stephen G. Xydis, *Cyprus: Conflict and Conciliation, 1954-1958* (Columbus, Ohio: Ohio State University Press, 1967).

17. It is impossible to discuss British policy in the 1950s here. See, among others, Stefanidis, *Isle of Discord*; Evanthis Hatzivassiliou, *Britain and the International Status of Cyprus, 1955-59*, (Minneapolis: Minnesota Mediterranean and East European Monographs, 1997); idem, *The Cyprus question: the Constitutional Aspect*, chapter IV; Robert Holland, Britain and the Revolt in Cyprus, 1954-1959 (Oxford: Clarendon Press, 1998).

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25. Makarios to George Papandreou, 1 March 1964, in Papageorgiou, *Ta Krisima Documenta*, volume 1, 306.

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EU Influence on the Cyprus Issue: From Association to Accession

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RÉSUMÉ

Avec la signature du traité d'adhésion en avril 2003, l'Union européenne fait un pas historique en acceptant dix nouveaux membres, incluant Chypre, dès mai 2004. Bien que la décision d'inclure Chypre a été prise dans un climat d'euphorie générale, celle-ci a été minée par le fait que le processus d'adhésion n'a pas mené à une solution du problème chypriote. Il y a eu une controverse depuis 1993, date à laquelle la Commission européenne a émis son avis favorable à l' adhésion de Chypre sur l'influence que ce processus européen pourrait avoir sur une solution de la question chypriote. L'UE a toujours été optimiste, bien qu'il ait existé un gouffre entre les attentes et les véritables resultats. Le but de cette étude est de déterminer les intentions des décideurs politiques de l'UE sur le problème de Chypre et l'impact du processus de l'élargissement pour la création d'un climat plus conciliant, favorisant la coopération entre les parties concernées.

ABSTRACT

With the signing of the Accession Treaty in April 2003, the European Union took a historic step to admit ten more countries by May 2004, including Cyprus. While the decision to include Cyprus was met with general euphoria, this was undermined by the fact that the accession process and the decision to enlarge had not led to a solution of the Cyprus issue. The degree to which the accession process can help trigger a solution has been a controversial issue since 1993, when the European Commission issued its Opinion (*Avis*) on the application of Cyprus for membership. The EU has always been optimistic, although there has been a gap between expectation and outcome in reality. It is the purpose of this paper to assess the thinking of EU policymakers on the Cyprus issue and the impact of the enlargement process on promoting a more conciliatory climate for cooperation among the parties involved.

Introduction

The EC-Cyprus relationship began in the form of an Association Agreement signed in 1972, and up until the 1990s the relationship was predominantly economic. It was only after the Commission's favourable

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Opinion (1993) on the application of the Republic of Cyprus to join the EU that the relationship effectively became 'politicised'—and the EU's relationship with Cyprus took on a new complexity—that of addressing the implications of enlargement to Cyprus if a solution to the island's problem was not found. The Europeanization of the Cyprus issue in the 1990s forced the European Union to become involved once again as another international actor aiming to catalyze a solution to the Cyprus problem through the accession process. Indeed the EU consistently reiterated that the enlargement process could act as a 'catalyst' for the resolution of the Cyprus problem. It also consistently argued that both Greek Cypriots and Turkish Cypriots could benefit from the accession process if a solution was found before Cypriot entry to the EU family. The question this paper aims to address is that of 'how' EU policy makers believed that enlargement towards Cyprus (and Turkey) would act as a catalyst for a solution to the Cyprus issue.

When the European Commission delivered its favourable Opinion on the application of the government of Cyprus in 1993, it noted, "the adoption of the Community *acquis* would present no insurmountable problems, but that the division of Cyprus meant that the freedoms provided for under the EU Treaties could not be exercised fully throughout the island" (Andrews 1998: 17). Nevertheless, the Opinion also expressed the view that the process of accession would help to bring the communities in Cyprus closer together (Commission Opinion 1993).

Since 1993, the EU institutions have reiterated the view that the accession process could act as a catalyst for the solution of the Cyprus issue. At the Helsinki summit in December 1999, the EU confirmed Turkey's eligibility to join, in the expectation being that this would aid the drive to finding a solution to the Cyprus issue. Turkey had been waiting for confirmation of its eligibility since the signing of its Association Agreement with the EEC in 1963, but had been denied such status in several Commission Opinions and Reports (1990, 1997) and European Council decisions (Luxembourg, December 1997), which had a detrimental effect on the Cyprus issue. The EU clearly believed that by linking Turkish accession with progress on the resolution of the Cyprus issue, it could bring pressure to bear on Ankara.

Following both the Helsinki (December 1999) and Copenhagen (December 2002) European Councils, regular statements and declarations have reflected EU optimism in the accession process and incentives that

accompany this as the 'best tool' for ensuring a peaceful coexistence of the two communities. The enlargement process and with it the tool of conditionality (carrot and stick) has clearly been at the forefront of the EU 'approach', and its belief that the accession process (for Cyprus and Turkey) would act as a 'catalyst' for the resolution of the Cyprus issue.

At the Copenhagen European summit in December 2002, EU member states agreed to review the Turkish application as early as December 2004. The EU clearly indicated that this decision and timing for reviewing Turkish progress was important in order to maintain the most powerful leverage on Turkey in moving towards a settlement. Since Copenhagen, the European Commission has also made certain concessions in order to encourage Turkey—one Commission official hinting that 'the criteria would be assessed at different levels and that if all political criteria are met then the economic criteria would not be an obstacle for opening negotiations' (http://www.euoberver.com/index.phtml?aid=9087).

Of course negotiation for a political settlement is not directly in the hands of the EU. Indeed, it has never been the primary responsibility of the EU— and it is important to recognize this at the outset. The EU is only one of many actors seeking a solution in Cyprus but the EU is the primary focus of this paper. This responsibility for negotiating a solution to the Cyprus issue has primarily been in the hands of the United Nations (UN) since 1974, and the high level agreements of the past were all agreed under the auspices of the UN (1977, 1979, 1992 'Set of Ideas').

On November 11, 2002, the UN Secretary General, Kofi Annan, in a renewed effort to resolve the Cyprus issue before the Copenhagen Summit, presented a comprehensive settlement plan (Annan Plan) to the leaders of the Greek and Turkish Cypriot communities, Glafkos Clerides and Rauf Denktash, and to the guarantor states of Greece, Britain and Turkey. Although this was not the first plan to be presented under UN auspices, it certainly represented one of the most ambitious attempts for a comprehensive settlement of the Cyprus issue[1]. The hope that a settlement could be reached before the decision to enlarge the EU at Copenhagen in December 2002 – and there was no doubt that the timing of the summit was a key factor catalysing the renewed effort by the UN to find a solution through the Annan Plan.

The search for a solution to the Cyprus issue then, is diplomatically complex—the UN has been directly involved in negotiating a political settlement for many years. However, the EU has also directly and indirectly, through its process of *enlargement* and *inclusion*, contributed much to the climate of cooperation surrounding the current negotiations for a settlement. The assertion in this paper is that the EU has not necessarily had a clear strategy[2] on Cyprus vis-à-vis the political problem, due to the complexity of the issues involved internally and externally. A key question that this paper seeks to answer therefore is has the EU ever had an explicit strategy for addressing the Cyprus question or has it been based on the 'strategy of hope' underpinned by the enlargement process? It is suggested that the EU has had an implicit strategy based on a specific logic of 'inclusion' as a method of aiding the movement towards a settlement of the Cyprus problem —albeit *ad hoc* and uncoordinated at times.

In order to articulate this argument, the article will be broken down into three sections. The first section presents a brief history of EC-Cyprus relations. The second section will outline the developments in EU-Cyprus relations after the acceptance of Cyprus as an enlargement candidate in 1993. The final section will then analyse the actions and polices of the EU at the Helsinki and Copenhagen European Councils before drawing conclusions on the nature of the EU's thinking and strategy on the Cyprus issue.

Historical Overview

The relationship between the EEC and Cyprus, in the form of an Association Agreement signed in 1972, was an economically motivated one with only implicit political connotations attached. From the EEC perspective it made sense to draw Cyprus into the European club and make it economically interdependent. The reason for this however, was more strategic than economic from a European point of view. It had little to gain economically from Cyprus at that time, but the importance of attaining political stability in the region and the strategic importance of Cyprus as a bridge to the Middle East overrode any economic argument (Gaudissart 1996: 11). The aims and interests of the EEC have been longstanding and have not changed substantially since then. The Commission has succinctly noted these interests:

> *... The stability and prosperity of the Mediterranean region are essential to the stability and prosperity of the Community. In a wider sense, the security of the community is at stake (local or regional conflicts, political instability, and terrorism) (cited in Redmond 1993: 2)*

There was no uniform agreement in Cyprus between the political parties or between the two communities as to the benefits of EEC association. There was also internal argument over with whom the EEC should be negotiating, as the constitution by this time had effectively collapsed. The EEC however, following UN resolutions, chose to negotiate with the recognised Greek Cypriot government, although it did manage to avoid positioning itself on either side and EEC Commissioner Christopher Soames stated that the agreement would be to the benefit of the whole population on the island (Redmond 1993: 66). The policy of neutrality towards each community on the island was a stance that would become prominent in the EU's strategy and thinking towards Cyprus in the future.

The Association Agreement between the EEC and Cyprus provided for the establishment of a Customs Union in two stages. The first stage provided for the phased reduction of tariffs on industrial goods and agricultural products. This stage was interrupted by the 1974 invasion[3] and was extended to 1987 by which time all criteria were met and all aims achieved. The interruption that the invasion brought with it did, however, result in a cautious and neutral approach by the Member States, in continuing to the next stage of the agreement. This impediment took two forms, economic and political. The economic aspect culminated directly from the economic and social destruction that the invasion had brought (http://hri.org/ Cyprus_Problem/europeanunion.html), which led to the EEC and even Cyprus covertly admitting that proceeding to the next stage would not be a viable or sensible step (Tsardanidis 1980: 359). Not to ignore the fact that some member states did not want further association as they produced goods, which were in direct competition with Cypriot products. The political aspect stemmed from the fact that the member states wanted to remain neutral in the eyes of the parties involved in the dispute, namely Turkey, Greece and Cyprus.

What happened in effect was that the first stage was extended through Additional Protocol Agreements, a method that would be used repeatedly

until 1985[4], when a mandate was issued to the Commission for negotiations with Cyprus on the second stage of the Agreement. The Protocols and the financial assistance that came with them were to be used in the period 1976 to 1988 in order to enhance training and technology, industry and the infrastructure and for other economic and social developments in the Cypriot economy, for the benefit of all Cypriots (Cyprus-EC Relations 1989:4). The third Financial Protocol, worth 62 million ECU was signed in 1989, to develop projects in the Cypriot industry and help the Cypriot economy adjust to the changing competitive structure brought about by the EEC-Cyprus Customs Union Agreement (Meale and Erotokritos 1998).

The role of Greece, which acceded to the Community in 1981, along with the euphoria of completing the Single European Act (with a revision of policy towards Mediterranean countries) was to be decisive in this phase of EC-Cyprus relations (Gaudissart 1996: 15). The consent and support of Greece within the EEC institutional structure for a Mediterranean policy which gave a mandate for negotiating a Customs Union agreement with Cyprus, coupled with the positive political climate, led on May 22nd 1987 to a Customs Union Agreement between Cyprus and the EEC (Iacovou 1986: 5).

The problems faced by the EEC in dealing with Cyprus in this period were both of an *external* and *internal* nature. The EEC had to tread a fine line, trying to accommodate Member States (and non-members such as Turkey) and their conflicting views and all parties already historically involved in the dispute in Cyprus, two of which became members in 1973 (Britain) and 1981 (Greece) respectively. This was made even more difficult by the fact that the EEC did not want to become directly embroiled in the political conflict and hinder its neutrality (Interview: Hannay 1999). The economics and the politics however, were not easily disentangled and Turkey had already voiced its disapproval of the acceptance of Greece as a potential member in the 1970s. When dealing with Cyprus, the EEC had to balance the demands and views of the Turks as well as those of the Greeks and Greek Cypriots.

Externally, the UN had been in Cyprus since 1964, and had been negotiating for a settlement since 1974 – adopting and passing many resolutions with regard to the political problem in Cyprus[5]. The UN had the perceived neutrality to break the deadlock on the island and had established positions on the legality and illegality of the Cyprus situation, a major reason the EEC Member States were reluctant to become involved directly in the

dispute after its failed attempts in 1974 through the European Political Cooperation mechanism, to formulate a coherent action and policy towards Cyprus. The EEC did however, have a vested interest to preserve and enhance the peace and stability of the region by drawing Turkey, Greece and Cyprus closer to the European home through economic interdependence and linkage.

It was clear that in this particular period the involvement of Member States in a situation that was 'historically constructed' served to sharpen rather than placate national interests. This was particularly true of Greece, which after joining in 1981 became the "voice" and sole defender of Greek-Cypriot rights in order to try and bring Cyprus closer to the EEC. This early period in EEC-Cyprus relations suggests that first, history, in the form of already established international positions and perceptions on Cyprus by the actors involved in the dispute and importantly by the UN, served as the constraints and set the parameters for the EEC in its action and attitude towards Cyprus. Second, strategic concerns relating to stability and peace in the Mediterranean region also influenced the positions taken by the EEC on Cyprus, in particular with regard to the implications for Turkey (and NATO). Finally, the internal processes and politics of the EEC, and in particular the steadfast positions formed and taken by Greece in the Council, determined by their own historical relationship with Cyprus, (as well as differing positions taken by other Member States and their perceptions of the Cyprus problem) had implications for the direction of European policy towards Cyprus.

The Commission Opinion (1993)

When Cyprus formally submitted an application to join the EC on July 4, 1990, the government of Cyprus believed that membership was a natural progression from its association, and that involving the EC in the Cyprus problem provided another avenue and another form of pressure in seeking a solution. For the EC, given the nature of events that it had to deal with in that period, it was more a matter of procedure, reflected in the fact that it took almost three years for the Commission to produce an opinion on the application. In reality, the period of the application saw the EC tackling problems of immense proportions on its borders and internally. Until these

were resolved and the TEU signed, Mediterranean enlargement was a secondary thought (Gaudissart 1996: 21).

An indication of the EU thinking on the Cyprus was given however, following a declaration at the Dublin European Council in 1990 (June):

> *The European Council, deeply concerned at the situation, fully reaffirms its previous declarations and its support for the unity, independence, sovereignty and territorial integrity of Cyprus in accordance with UN resolutions. Reiterating that the Cyprus problem affects EC-Turkey relations, and bearing in mind the importance of these relations, it stresses the need for the prompt elimination of the obstacles preventing the pursuit of effective inter-communal talks…on the basis of the mission of good offices of the Secretary-General, as it was recently re-affirmed by Resolution 649/90 of the Security Council (European Stand on the Cyprus Problem 1994: 64).*

This statement set a precedent and highlighted two key factors for future decisions on Cyprus, including the application made by the government of Cyprus on July 4, 1990:

- Firstly, it tied relations with Cyprus inexorably to the Community's relations with Turkey[6].

- Second, it deflected responsibility for the political problem to the previously agreed UN initiatives.

The suggestion here was not that the Community did not recognize the implications of the political problem for Europe, but that the resolutions and principles for solving the problem in Cyprus had already been 'set in stone' by the two communities[7] on the island and other involved parties under the auspices of the UN. This meant that although the EU had, "clear responsibilities towards Cyprus" and were willing to throw their full weight behind UN efforts, no separate initiatives that deviated from this would be taken (Interview: Hannay 1999). Hans van den Broek, president of the EC Council of Ministers at the end of 1991, confirmed the view that the EC would not play a direct or active role in Cyprus but would only support UN efforts (Theophylactou 1995: 117).

It was clear that the Commission was willing to play a stalling game on the application of Cyprus to the EC, in the hope that something would give. For the EC this was justifiable however, given the size of the internal reforms and the EC's reasoning of trying to remain neutral whilst also facing up to the fact that the political division would provoke mixed emotions from the Member States. From the Commission's perspective, it had to deliver an opinion that was fair to all sides but did not anger the Greeks nor unduly punish the Greek Cypriots and their credibility for membership because of the division of the island. It also had to ensure that Turkey would be compensated for any positive decision given on Cyprus.

Given the sensitive issues surrounding the situation, the Council of Ministers was willing to continue supporting the Commission in its quest and to reiterate the fact that with reference to Malta and Cyprus, "The Union will consider each of these membership applications on its own merits" (European Stand on the Cyprus Problem, 1994). This was hardly the most pro-active stance that could be taken by the EU but one that suited the interests of the EU at the time. It meant that a positive message was given to both Cyprus and Malta, whilst at the same time, not alienating Turkey so soon after their application for membership had been rejected by the Commission.

The Commission's opinion in 1993 on the application of Cyprus to join the EU was favourable and re-affirmed Cyprus's European orientation and eligibility for membership (Commission Opinion, 1993). There were three important areas on which the Commission's opinion focussed:

- The eligibility of the Republic of Cyprus for membership

- The ability of Cyprus to adopt the *acquis communautaire*

- The political problem and the implications for accession

The Commission, having recognized that the Cyprus question had never left the agenda of the United Nations Security Council since 1960 and that, "diplomatic efforts conducted under United Nations auspices to bring about a mutually acceptable institutional solution had been blocked by the intransigence of both sides" (Commission Opinion, 1993) confirmed, "beyond all doubt, [Cyprus's] European identity and character" and was willing to validate "its vocation to belong to the Community" (Commission Opinion, 1993).

The opinion also recognized and rejected the Turkish Cypriot challenges to the legality of the application by the government of the Republic of Cyprus. The Union was following decisions made by the United Nations in the past on Cyprus and stated clearly that,

> *The Community... following the logic of its established position, which is consistent with that of the United Nations where the legitimacy of the government of the Republic of Cyprus and non-recognition of the "Turkish Republic of Northern Cyprus" are concerned, felt that the application was admissible (Commission Opinion 1993).*

There was also recognition, however, that when assessing the eligibility of Cyprus the greatest respect and regard would be paid to the links between the two communities and other countries, namely Greece and Turkey. With reference to Turkey specifically the opinion reflected its "major strategic, political and economic importance to the Community" (Commission Opinion 1993).

On the issue of the adoption of the *acquis communautaire*, the report stipulated that although the north and south would face several problems, (the former more than the latter) it appeared that none of these would prove insurmountable in the context of an overall settlement of the Cyprus problem. The Commission was very optimistic that the south had the instruments and the political will to adapt to the challenge of integration and that accession, if perceived in the right manner by the north, would help close the economic gap between the two communities.

On the issue of the Cyprus problem and accession, the Commission was somewhat more ambiguous. For the first time, however, there was recognition that inter-communal talks under the direction of the Secretary-General could fail and that the Commission would have to reassess the situation in light of the positions adopted by each party in the talks. Accession would then have to be reconsidered, it concluded, in January 1995. Other than this, however, a solution was still at this stage an implicit pre-requisite for accession. The Commission was convinced 'that the result of Cyprus's accession to the Community would be increased security and prosperity' but that the practical problems that would be encountered without a solution would make it very difficult to apply certain parts of the community legislation e.g. the fundamental freedoms. It noted in particular that,

> *The fundamental freedoms laid down by the EEC Treaty, and in particular freedom of movement of goods, people, services and capital, right of establishment and the universally recognised political, economic, social and cultural rights could not today be exercised over the entirety of the island's territory. These freedoms and rights would have to be guaranteed as part of a comprehensive settlement restoring constitutional arrangements covering the whole of the Republic of Cyprus (Commission Opinion 1993).*

The Commission thus concluded that, "Cyprus's integration with the Community implies a peaceful, balanced and lasting settlement of the Cyprus question" (Commission Opinion 1993). It was hoped that by sending out a positive signal to the people of Cyprus and attaching with it a time-frame for assessment, *this would act as a catalyst for finding a solution to the problem under UN direction and smoothing the road for accession by the whole of the island.*

Post-1993

Many important decisions were made between 1993 and 1999 on Cyprus and Turkey, which had implications for the Cyprus issue. These included a decision in 1995 to proceed with the Turkey-EU Customs Union and an agreement to allow Cyprus to begin accession negotiations six months after the 1996 IGC; Agenda 2000, the acceptance of Cyprus as a candidate country at the Luxembourg European Council Summit in 1997; and the beginning of accession negotiations in 1998. The EU thinking on Cyprus, however, did not change radically – although one important detail became much clearer and unequivocal - that the settlement of the Cyprus problem could not be regarded as a pre-condition for Cyprus's entry to the EU – despite unilateral assertions by certain Member States to the contrary e.g. France (Interview, CFSP official, anonymous 1998).

The EU upheld its position of 'neutrality'. Dick Spring, President of the EU in the latter part of 1996, stated that, 'accession is in the interest of both parts of the island and we want to work in that direction' (Spring 1996)[8]. Commissioner van den Broek also adopted this line and the insistence that, 'Cyprus' accession to the EU could also act as a catalyst for the efforts under

UN auspices to finding a solution to the Cyprus question' (van den Broek 1997:3). From the European perspective, the optimal scenario would almost certainly have been accession talks with a unified Cyprus, but on many occasions Commissioner van den Broek had gone to great lengths to emphasise that this was 'not a condition which you can put on the table' (Cyprus News (b), 1998). He had also made it clear however that, 'both communities of Cyprus [would] derive considerable political, economic and social benefits from EU membership' although he said he could not envisage this scenario 'without any movement on the political side' (van den Broek 1997: 5).

Predictably this view is one that both the Greeks and the Greek-Cypriots had always maintained and, in the case of Greece, promoted within the EU[9]. Turkey, however, did not see it in this light, despite Commissioner van den Broek's message that, 'the opening of the accession negotiations with Cyprus is not directed against the Turkish Cypriot Community or Turkey' (van den Broek 1997: 4). Indeed, in a speech to Turkish Cypriot businessmen and politicians in February of 1997, he gave a clear message that "Cyprus is being offered the considerable prize of EU membership" going on to say to the Turkish Cypriot audience, "Whether you accept it and all it has to offer is for you to decide" (Cyprus News (b) 1998).

Despite many EU assurances about the guaranteed security of the Turkish Cypriots within a EU umbrella if a federal solution was agreed upon, for Turkey, the position was resolute and clear as far as EU accession was concerned. There could be no entry of Cyprus to the EU without the permission of Turkey being granted first and without the consent of the Turkish Cypriots. In addition, any entry of Cyprus into the EU would have to be accompanied by a parallel move for Turkish entry. Turkey also threatened to annex the northern two fifths of the island if the Union admitted the government of Cyprus represented only by the Greek-Cypriots (Mortimer 1997). So although the EU attitude reflected the view that the issues of enlargement/accession should be kept separate from finding a political solution in Cyprus, informal links between the two issues were unavoidable and reflected the weakness in the EU's approach.

Additional to these threats, warnings were also given by Tansu Ciller, Turkey's Foreign Minister at the time. She threatened that if Turkey's re-application for membership of the EU in January of 1997 was not seen in a positive light then there would be serious consequences. In particular

Turkey threatened that if they were not admitted into the EU structures, the planned enlargement of NATO would be vetoed (Mather 1997: 5). The source of these threats was Turkey's frustration with the West's acknowledgement and use of Ankara during the Cold-War era in defending Western values, only to be rejected by the EU in the 1990s because they were not good enough (Mather 1997: 5).

Once again it seemed the Cyprus issue within the EU could not be detached from the question of Turkey and Greece. EU involvement in the Cyprus issue was hardening the stances of all sides concerned and raising the question of how far the line between accession and the solving of the political problem was becoming increasingly blurred. It was clear that disagreement within the EU on how to tackle the triangular question of Turkey, Greece and Cyprus was also a major hindrance to future thinking on the situation with regard to action and strategy – it would require diplomatic coherence and a consistent and common stance. This was something that the EU possessed in principle on the issue of enlargement to Cyprus. However, given the international constraints, the diversity of opinion institutionally and between Member States in the Council of Ministers, added to the incremental nature of EU foreign/external policy, it seemed that the EU was incapable of any form of long-term strategy to deal with the ramifications that this brought with it concerning the political problem in Cyprus. In particular, there was no alternate 'real' strategy to deal with the scenario of Cyprus's accession negotiations being completed before any political solution was found. One CFSP diplomat dealing with the Cyprus issue captured the problems in formulating policy towards Cyprus in the EU in the following statement:

> *In terms of the enlargement process and what happens if there is no political solution to the Cyprus problem once and if negotiations have been concluded – this has not been adequately or sufficiently discussed in the Council and its various official fora. This poses a very difficult question for the Council ... The Council prefers to play a waiting game and hold to the position and principle that the accession process may act as a catalyst and contribute to a solution – this is in the hope that something or somebody (Turkey) will eventually give. The attitude is – why discuss it now because anything could happen that could contribute positively in finding a solution (Interview: Official - CFSP official, anonymous 1998).*

In other words the EU's implicit strategy was one of enlargement and inclusion—plus the hope that the involved parties, in particular those seen as intransigent (Turkey, Turkish-Cypriots) would realize the benefits of such a process, and move towards a more conciliatory stance on the Cyprus issue. However, although the EU was aware of the link between the Cyprus issue and progress in EU-Turkey relations, EU thinking on Turkey was more than just about Cyprus. In this sense the EU had to proceed with caution and, as a result, attitudes towards the Cyprus issue hardened until the Helsinki European Council in 1999.

EU Positions and Reactions

After the deal struck at the 1995 General Affairs Council allowing progress on the Turkey-EU Customs Union and Cyprus-EU relations, *Agenda 2000* was to be perceived in very different ways. It resulted in both positive and negative repercussions with regard to accession, and a potential solution to the Cyprus problem. The issue of enlargement was again to prove controversial because enlargement and the political solution, despite the obvious link, were treated as separate processes. Although the Commission was aware of the implications of enlargement for a political solution in Cyprus, they chose to disassociate themselves from it and concentrate on the economic, social and legal issues that confronted them. There was a consensus that the political question, which raised difficult and unresolved questions in the Council, would be left in the capable hands of the UN. The EU was neither willing nor able to discuss future scenarios in relation to Cyprus—the thinking remained very much in the short term and a concentration on completing accession negotiations. What would happen after this the EU and its Member States had not and could not decide (Interview: CFSP official, anonymous 1998; Interview: Senior Commission official, anonymous 1998; Interview, Maurer, 1998; Interview Hannay, 1999).

For Cyprus, there was a positive message welcomed by both Greece and the Greek Cypriots. Following the Opinion issued in 1993 by the Commission, *Agenda 2000* confirmed and reiterated the view that for the south there would be no major obstacles or problems in the adoption of the *acquis communautaire*, although changes would still have to be made in the financial sector and in the area of Justice and Home Affairs. It also noted that the

Turkish Cypriots were much less well off per head than the Greek Cypriots in the south and that there had been signs of an increasing dependence on financial transfers from Turkey. In addition there was a reiteration of the fact that the EU fully supported all UN efforts to secure a settlement on the island and the belief that opening accession negotiations and including the Turkish-Cypriots in the enlargement negotiations would promote a political settlement (Andrews, 1998: 17). The Commission stated that:

> *If progress towards settlement is not made before the negotiations are due to begin, they should be opened with the government of the Republic of Cyprus, as the only authority recognised by international law (cited in Andrews 1998:17).*

For Turkey this development was neither desirable nor acceptable, in particular since they were still seething about a European Commission Report in July 1997 that recommended excluding it from the first wave of applicant countries for 'technical' reasons. This was particularly annoying for the Turks, as it had come after re-affirmation from the EU-Turkey Association Council in April 1997 that Turkey was eligible for EU membership and would be judged by the same objective criteria as the other applicants[10]. In Agenda 2000 the Commission, after reviewing the economic, social and political climate in Turkey concluded "that the EU should continue to support Turkey's efforts to resolve its problems, using the Association Agreement and the customs union as the foundations for developing closer political and economic relations" (cited in Andrews 1998: 25). The Report also highlighted the importance the EU attached to the resolution of 'Regional problems', although it strangely neglected any direct responsibility in helping to achieve this. It was stated that:

> *Tensions in the Aegean can be overcome only through the settlement of the issues between Greece and Turkey in accordance with international law…and…the UN Charter. Moreover Turkey should contribute actively to a just and lasting settlement of the Cyprus question in accordance with the relevant United Nations resolutions (cited in Andrews 1998: 25).*

Again the developments concerning enlargement and increasing interdependence of Turkey with the EU were on the one hand being set out as independent processes while at the same time 'the politics' of the situation,

although fully acknowledged and made a condition of closer relations with the EU, was deflected to other established international institutions with regard to resolution. The EU was once again sending out contradictory messages to Turkey, condemning it for its behaviour and violations whilst also making sure not to 'exclude' it from the European club. At the same time, however, the EU showed no desire (or indeed capability) to become embroiled in the resolution of these problems other than through the politics of 'inclusion'. Immediately after Agenda 2000, a Commission communication on the further development of EU-Turkey relations reaffirmed the eligibility of Turkey for membership whilst also making other suggestions for further consolidating relations in certain policy areas and the CU[11].

In the midst of the developments in EU-Cyprus and EU-Turkey relations, August 1997 also witnessed another failed attempt by the UN, in meetings in Troutbeck and Glion, to persuade the two leaders of the communities to agree on a package deal to resolve the long-standing dispute in Cyprus[12]. The Turkish Cypriot leader, Rauf Denktash, citing the EU accession process as one of the major stumbling blocks to progression, attached extra conditions to the potential success of the UN. These pre-conditions included:

- The recognition of the illegal "TRNC" as a separate and independent state

- A confederal solution to the Cyprus issue

- The halting of the accession process until a political solution was found and the Turkish Cypriots could contribute to their future

For the Greek Cypriots, the international community and the UN in particular, this was unacceptable. For the Greek Cypriots, EU accession provided another excuse for the intransigence of the Turkish Cypriot leader. Turkey and the Turkish Cypriot leadership were not interested in a solution previous to these developments, so the argument that the EU was now a stumbling block, for them, was erroneous (Interview, Greek Cypriot diplomat, anonymous 1998). This was the view adopted by the EU and one that subsequently became a source of contention at the Luxembourg summit in December 1997.

Luxembourg, December 1997

The Luxembourg European Council proved a significant and controversial affair in the relations between the EU and Cyprus, and the EU and Turkey. The assumption that the EU could act as a catalyst for a solution to the Cyprus problem would be dismissed by the perception and reaction of the Turks to the conclusions reached at the Council. On the other hand, the perception of the EU, Cyprus and Greece was altogether more positive and consistent as they saw it as a 'historic' decision that would benefit all parties.

The perceptions and reactions of Cyprus/Greece and Turkey to the conclusions of the Luxembourg Council were to prove as polarised as could be possible. The Greeks and Greek Cypriots maintained that accession would 'benefit the people of Cyprus as a whole' and contribute positively to the peace process, acting as a catalyst for a political settlement (Cyprus News 1997). The Turks saw it as another rejection by the European Union with negative consequences stating that, 'from now on the responsibility for all the negative developments to do with Cyprus …will belong to the European Union' (Yilmaz 1997 cited in Tucker and Burnham 1997). This was also a period which saw greater American involvement and criticism in the EU's handling of relations with Turkey – something the EU was not willing to accept gracefully (Interview: Senior Commission Diplomat, anonymous 1998).

For the EU the European Council conclusions reflected a consistent and fair policy for all the actors concerned. On Cyprus, the summit's Presidency conclusions stated that Cyprus's accession,

> …should benefit all communities and help to bring about civil peace and reconciliation [adding that] the accession negotiations will contribute positively to the search for a political solution of the Cyprus problem under the aegis of the United Nations [which it stressed] must continue with a view to creating a bi-communal, bizonal, federation[13].

The Council also reflected on a positive gesture by the Greek-Cypriot Prime Minister to include Turkish-Cypriots in the negotiation team and requested that this should be acted upon, as it was an important development in helping international efforts to find a solution to the Cyprus problem.

Although under the Luxembourg Agreement a single framework for the negotiations for the countries selected for accession was outlined, Turkey's hopes that it would be included in this were disappointed. Turkey's eligibility for accession to the EU was confirmed once again by the Member States, but they also reiterated that Turkey would be judged by the same objective criteria as those candidates selected. In this sense they also made it clear that Turkey neither economically nor politically met the criteria for entering the accession process. The Member States did, however, view the relationship with Turkey as significant and important and thus the European Council considered that it would be, "…important for a strategy to be drawn up to prepare Turkey for accession by bringing it closer to the EU in every field" (Andrews 1998: 26). In this context it was also made explicit in the Presidency conclusions that Turkey was invited to the European Conference that was to take place on 12 March 1998 in London, in advance of the launching of the accession process for new applicants.

The Luxembourg Council also made it clear that if Turkey wished to develop further and strengthen its relationship with the EU it had to vigorously pursue political and economic reforms,

> *including the alignment of human rights standards and practices on those in force in the EU; respect for and protection of minorities; the establishment of satisfactory and stable relations between Greece and Turkey; the settlement of disputes, in particular by legal process, including the International Court of Justice; and support for negotiations under the aegis of the UN on a political settlement in Cyprus on the basis of the relevant UN Security Council resolutions (Andrews 1998: 26).*

The EU's strategy sent out two clear messages for Turkey:

- The first was that Turkey and its relations with the EU were valuable and important – the development of a 'European Strategy' for Turkey and a reconfirmation of its eligibility demonstrated that it was important for the EU to keep Turkey close to Europe and the door open.

- The second message, however, was that relations with the EU were conditional on certain values and principles being upheld. In particular with regard to the accession of Cyprus, the EU was not going to be blackmailed or threatened by Turkey.

British Foreign Secretary Robin Cook[14] reflected this in a statement when he stated that no party was 'going to concede any kind of veto to Turkey over the application for Cyprus which should be judged on its own merits...' (quoted in Andrews 1998: 26). Jean-Claude Juncker, the President of the European Council, also made it clear on 12 December 1997 that Turkey 'must cease impeding Cyprus accession to the European Union. Turkey must make it clear that Cyprus can become a member' going on to add that requests to stop Turkish threats to use military force in Cyprus from the international community and the EU had been ignored and that this was not acceptable (Andrews 1998: 26).

The post-Luxembourg reaction from Turkey was of anger and disillusionment with the EU stance. A government statement expressed the view that, 'The EU's attitude is far from constituting a solid and credible base to develop relations with Turkey' (Tucker and Barnham 1997). After breaking off all political dialogue the Turkish Prime Minister, Mesut Yilmaz, announced immediately that Turkey would not attend the European Conference saying that, 'Turkey's attendance at the EU Conference had been made dependent on the fulfilment of conditions'. He rejected both the conditions and the significance of the Conference for Turkey whilst also warning the EU that after this decision his government would not discuss either the issue of Cyprus or its relations with Greece, with the EU (Ibid).

There were also threats to further integrate northern Cyprus with Turkey. In 1997 for example, there was a "TRNC"-Turkey Joint Declaration; both parties agreed to establish an Association Council between Turkey and the "TRNC", with the aim of drawing up measures relating to economic and fiscal integration of the two countries, as well as partial integration in foreign policy, defence and security[15]. This clearly undermined any efforts at negotiation for peace under the UN framework of a bi-zonal, bi-communal federation. For Greece this reaction was unacceptable, stating that such a move would benefit none of the involved protagonists and would bring Turkey into direct confrontation with the EU. For the Greek Cypriots, Cyprus Foreign Minister, Ioannis Casoulides, emphasised that 'Turkish threats would not be acceptable to the international community' but he also added, that 'if Turkey accepts what today are considered European values and principles, these can form the framework in which the Cyprus problem can be solved'[16]. The conditions stipulated for Turkey, embodying European principles, could hardly have justified the harsh Turkish reaction, given that

the UN had already formulated the declarations concerning territorial disputes and Cyprus at bilateral meetings between Greece and Turkey. The EU view was that Turkey could have seen the decisions made at Luxembourg in a more positive light and exploited the potential for Turkey to move closer to Europe (Interview: Van de Pas 1998).

The EU's strategy was clearly a balancing act, and the thinking behind it lay in the different Member States' perceptions of Turkey's relationship with the EU. Although all agreed on a process of rapprochement rather than a full pre-accession strategy for Turkey, countries such as Britain, Spain, Italy, Austria and France were all anxious to placate Turkey as far as possible, even if it was not necessarily because they wanted to see Turkey as an immediate member. The main motive behind this was strategic and the fear that if Turkey was left behind this would lead to resentment of the EU and a turn away from the west and towards more 'fundamental' forces in Turkey. There were also of course individual Member State interests concerning trade and access to markets in the Middle East.

Germany and Greece, although having no objection in principle to Turkish membership had many other reasons, based on national interest, for denying Turkey any part in the EU structure. Specifically, Greece had consistently used the EU as a forum and lever for trying to solve its own disputes with Turkey, in particular involving territory in the Aegean and the illegal occupation of Cyprus (Parikiaki 1999: 14). Germany's Chancellor Kohl had been unusually frank about Germany's objection when he stated after the summit 'a dramatic change in the number of Turks in Germany would not be tolerable to German public opinion nor to those in the rest of the EU' (Mortimer 1997). Both Greece and Germany wanted Turkey to be excluded from enlargement of the EU unless certain concessions were made in advance (Tucker 1997; Mortimer 1997).

The Helsinki European Council (1999)

Up until the Helsinki European Council it could be argued that enlargement was the only policy that the EU possessed with regard to resolution of the Cyprus problem – and that this approach was not exactly proving a catalyst for a solution to the political decision in Cyprus. On the contrary Cyprus' application for membership could be characterized as a

'serious headache for the EU' (Yiangou 2002: 4). EU thinking and policy had hardened the attitudes of all sides in the dispute, with no signs of compromise from either Turkey or the Turkish Cypriots. There was a clear recognition by the EU that Turkey-EU relations had a direct impact on the Cyprus issue, but up until this time, the EU had not done enough to secure any leverage in terms of ensuring 'good behaviour' on the part of Turkey or the Turkish Cypriots.

Although Turkey aspired to become a member of the EC/EU for many years, Turkish applications to join the European club were consistently rejected by the EP, the Commission and the Member States of the EU because Turkey did not meet the conditions set by the Copenhagen criteria (and perhaps for other veiled reasons). This sent out negative signals to Turkey about its European orientation, but more fundamentally it had a detrimental effect in terms of changing Turkish minds on moving towards a Cyprus settlement. However, there is no doubt that a major factor in the improvement of relations between the EU and Ankara (and thus Cyprus) was the EU's decision to accord Turkey candidate status at the 1999 Helsinki European Council summit[17]. Indeed, according to Gordon, it "was a historic turning point that will have long-term benefits for the entire eastern Mediterranean region" (Gordon 2000).

There was a clear realisation on the part of the EU that in order to achieve a settlement in Cyprus, incentives had to be offered to Turkey if the promise of accession was to change minds in Ankara. The EU saw Ankara as a fundamental supporter of the illegal northern regime in Cyprus, and the policies of its leader, Rauf Denktash. Indeed, many view Ankara as key protagonist in the formulation of Turkish Cypriot positions and policies on the Cyprus issue. For the EU then, encouraging Ankara to change its mind and adopt a more compromising stance on Cyprus, in their minds, would help to create a more accommodating climate in which to resolve the Cyprus issue. The hope was that the benefits of accession to the EU for Turkey, which has been a long-standing ambition, would far outweigh the importance of its occupation of Cyprus for mainly strategic reasons[18]. As is pointed out by Bahcheli "western officials believe that – since EU membership is so highly prized by Turkish leaders – Ankara would agree to a negotiated Cyprus settlement along federal lines if it were given a clear timetable for accession" (2001: 218). Indeed the Turkish Ambassador to the EU in December 1999 suggested that "all the problems with Greece, the

Cypriot question…could be resolved rapidly…and easily if the EU agreed…to admit Turkey in to the European family" (Akyal 1999).

Alongside the EU thinking on Cyprus and Turkey, external events also provided a more positive climate for cooperation between Greece and Turkey (the earthquake diplomacy of 1999; see Avci 2002: 97). These combined changes in climate were subsequently reflected at Helsinki when Turkey was, after many years of trying, accepted as a candidate for membership of the EU. In the words of one commentator, 'The Helsinki summit finally broke the Luxembourg deadlock, marking the end of one of the darkest periods in EU-Turkey relations' (Tocci 2001). The Helsinki European Council concluded that:

> *Turkey is a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States. Building on the existing European strategy, Turkey, like other candidate States, will benefit from a pre-accession strategy to stimulate and support its reforms. This will include enhanced political dialogue, with emphasis on progressing towards fulfilling the political criteria for accession with particular reference to the issue of human rights, as well as on the issues referred to in paragraphs 4 and 9(a).*

In addition to recognizing Turkey as a candidate state, the European Union also confirmed that there would be no requirement for a solution to the Cyprus problem for Cyprus to be admitted to the EU:

> *The European Council underlines that a political settlement will facilitate the accession of Cyprus to the European Union. If no settlement has been reached by the completion of accession negotiations, the Council's decision on accession will be made without the above being a precondition. In this the Council will take account of all relevant factors.*

This statement did not explicitly exclude solution as a precondition – the fact that the Council could take into account 'all relevant factors' left room for manoeuvre in the final decision, and indicated a cautious approach from the EU. However, the fact that it was implicitly stated served the purpose of satisfying the demands of Greece (and the Greek Cypriots of course) – who were clearly opposed to any such preconditions. This decision by the EU

then, as well as appeasing Greece, served to ensure that the enlargement process as a whole continued on a progressive path.

In terms of EU-Turkey relations the Helsinki European Council was important in several ways. From a EU perspective it officially confirmed the candidate status of Turkey and reinforced its European orientation and confirmed its European credentials – a subject of bitter dispute up until then. In turn this provided a greater incentive for Turkey to pursue the reforms required by EU conditions. Not only this but confirmation of candidate status also meant that Turkey would receive and benefit from pre-accession instruments (e.g. financial aid, participation of Turkish delegates in EU organs) – which in the minds of EU officials, would help to facilitate the painful short and medium term reforms that Turkey needed to undertake (Interview, Commission: 2002).

At Helsinki the EU clearly acted upon a recognition that they had made years before, that for there to be any progress in moving towards a resolution on the Cyprus issue it had to be more forthcoming in providing the necessary climate for cooperation and reconciliation. Although the linkage between a Cyprus settlement, Cyprus' EU membership and Turkey's EU membership had been explicitly rejected whilst at the same time implicitly acknowledged, such linkage was 'explicitly' accepted at the Helsinki European Council in the hope that it could be used to encourage a win-win agreement (Tocci 2002: 3). As Turkey was a key actor in the dispute the EU hoped that 'enlargement' and the incentives that came with that - would change Turkish minds on Cyprus. Not only this, but Helsinki also sought to encourage the more positive climate of cooperation between Greece and Turkey (again with the hope that this would have a spillover effect on the Cyprus issue) that had begun with the earthquake diplomacy of April 1999.

However, although a brief period of euphoria pervaded EU-Turkey relations after Helsinki, the EU did adopt a more (traditionally) cautious approach thereafter, which in the words of Tocci, "…led to the proposal…of a 'special relationship' between Turkey and the EU as an alternative to full membership as an ultimate end-point of Turkey-EU ties". (Tocci 2001: 2). There were also, as in the past, criticisms from the EP on the failure of Turkey to fulfil conditions on human rights and the Kurdish issue. The nascent ESDP was also a cause of controversy; Turkey was not satisfied with its assigned role within its structures, and threatened to veto the use of

NATO assets unless it could be more actively involved in the decision-making process. The EU's cautious approach was justified through a reiteration of the fact that Turkey had not fulfilled the Copenhagen criteria or the condition with regard to resolution of the Cyprus problem, in particular the political aspects. However, such justifications did not work to placate those in Turkey who already had a deep-seated suspicion of European motives, and who believed that the insistence on fulfilling the Copenhagen criteria simply veiled the real reasons for the EU's reserved approach; that of religious and cultural prejudice.

Despite such problems however, and the internal disputes regarding Turkish membership, there were positive developments after Helsinki. The EU continued with its approach in developing and enhancing the relationship with Turkey in the belief that this would in turn, lead to greater Turkish pressure on the Turkish Cypriot leadership to move towards a settlement of the Cyprus problem. The EU approach was clearly embedded in the belief that EU membership for Turkey, in the long term, would clearly be more valuable than its 'strategic' interests in Cyprus. Perhaps the most important reason why the EU believed Turkey would want to work towards a Cyprus settlement was because the day of accession for Cyprus loomed ever closer – and that the ramifications of a divided Cyprus joining the EU would be potentially disastrous for Turkey and its interest vis-à-vis the EU. First, what is effectively an intercommunal or Greco-Turkish dispute would become a EU-Turkey dispute – presenting grave political, security and military implications in the context of the development of an ESDP. Second, if Cyprus acceded as a divided island, this would effectively, alongside Greece, give the Greeks greater scope to block Turkish accession to the EU without a resolution of the Cyprus issue (Tocci 2001: 4; Bahcheli 2001: 215-6). The EU's hope was that because such high costs were attached to intransigence vis-à-vis movement towards the resolution of the Cyprus issue – Turkey would become more pro-active in the search for a solution. Added to this were the positives for Turkey of a unified island joining the EU. As Barkey and Gordon have noted "the inclusion of Turkish Cypriots in the EU would have the added benefits of making Turkish an official EU language, and perhaps help to lower the psychological barrier to Turkey's eventual accession" (2001: 7).

The efficacy of the EU's approach however, was not vindicated by events immediately after Helsinki. Indeed, although Turkey-EU relations had

improved – attempts to launch UN proximity talks in order to negotiate a settlement (August 2000) failed due to a demand from the Turkish Cypriot leader that he be recognised as the legitimate head of government – a demand fully supported by Ankara. However, in November 2001, progress was made due to two factors: first, the pressures of the accession timetable and Cyprus' near completion of accession negotiations (as hoped by the EU); second, because of pressure from Turkey. In this context, there was an agreement to resume talks between the leaders of the two communities in Cyprus under UN auspices. The talks in themselves were a positive development given the stalemate that had existed before, even though no solution was agreed by the agreed deadline date of June 2002. According to one senior Commission official, these movements were directly attributable to the 'prospect of accession for Cyprus' and were 'delivered by the EU accession timetable'. (Interview, anonymous 2002).

The Copenhagen European Council 2002 and beyond

Events preceding the Copenhagen European Council were characterized by internal disputes on the issue of when accession negotiations should begin with Turkey, and by inflammatory and controversial remarks by the former French President, Valery Giscard d'Estaing (president of the convention), stating that Turkey must never be allowed to join the EU because it had 'a different culture, a different approach, a different way of life' (Black 2002: 16). In addition to this there was also great pressure from the US for a positive decision on early Turkish membership to the EU – pressure that was not appreciated by many inside the EU. Given the irrevocable link made by Turkey (and the EU) between progress on its own accession and positive movement on the Cyprus problem, this did not provide for the most agreeable climate for discussion and negotiation at Copenhagen.

The EU attempted to assuage Turkish misgivings and disappointment in the final conclusions of the Copenhagen Council. In terms of the eligibility criteria the EU welcomed 'the important steps taken by Turkey towards meeting the criteria' and acknowledged 'the determination of the new Turkish government to take further steps on the path of reform' (Presidency Conclusions 2002: 5). Moreover, through persuasion by Britain the final text was more positive. It made clear that:

> [i]f the European Council in December 2004, on the basis of
> a report and recommendation from the Commission, decides
> that Turkey fulfils the Copenhagen political criteria, the
> European Union will open accession negotiations with Turkey
> without delay (Presidency Conclusions 2002: 5).

The conclusions also indicated that, "In order to assist Turkey towards EU membership, the accession strategy for Turkey shall be strengthened" (Presidency Conclusions 2002: 6). This would involve a revision of the Accession Partnership, an extension and deepening of the Customs Union, and greater pre-accession financial assistance for Turkey[19] in order to help Turkey to meet the political and economic criteria for membership. Turkey viewed the overall outcome of the Council as generally positive, despite what they perceived as the 'double standards' being applied by the EU. From a EU perspective Turkey had been given a firm date for opening negotiations: the only condition was the fulfilment of the 'eligibility criteria' for membership.

One senior EU official stated of the Copenhagen European Council that the ideal outcome would have been to 'bag a Cyprus settlement, the accession of a united Cyprus, significant forward movement in EU-Turkish relations and a deal on EU defence policy' (cited by Black 2002: 17). The only concrete achievement was in the latter of these objectives, where Ankara agreed to lift a long-standing veto on plans for the EU's embryonic rapid reaction force to have guaranteed access to NATO's planning capabilities. Marginal progress was made on Turkey-EU relations, and no tangible progress was made on a Cyprus settlement and the accession of a united Cyprus, despite renewed UN efforts and pressure, under Secretary General, Kofi Annan, to resolve the dispute - with the full support of the EU as in the past.

In terms of the EU's approach to Cyprus the European Council confirmed its strong preference for a united Cyprus to join the EU, but as in the past it was reliant on the UN process in order to negotiate a settlement. In this context the EU welcomed 'the commitment of the Greek Cypriots and the Turkish Cypriots to continue to negotiate with the objective of concluding a comprehensive settlement of the Cyprus problem…on the basis of the [United Nations Secretary General's] UNSG's proposals'.

In addition to this the EU also reconfirmed 'its willingness to accommodate the terms of a settlement in the Treaty of Accession in line with the principles on which the EU is founded' (Presidency Conclusions 2002: 3). The primary

tool available to the EU was once again enlargement – in helping to promote the correct climate for a positive outcome in any UN-led negotiations. More specifically the EU hoped that by promoting development across the island, in particular in the north, that this would facilitate political negotiations for a solution under the new UN plan ('Annan Plan'). Indeed the European Council decided that '…in the absence of a settlement…the Council invites the Commission, in consultation with the Government of Cyprus, to consider ways of promoting economic development of the northern part of Cyprus and bringing it closer to the Union'.

The EU approach on Cyprus at Copenhagen and since Copenhagen has followed a familiar pattern in terms of its two separate but intimately linked strands. First, it is clear that any EU strategy on Cyprus is inexorably linked to the EU's relationship with Turkey – and its progressive development. Thus the EU approach has been to promote and encourage Turkey to reform in order to meet the criteria for membership - although the EU has been constrained in this sense by internal disputes and the reservations of member states and prominent individuals in the EU, who are clearly sceptical about Turkish membership of the EU, some on legitimate grounds (in the sense that Turkey has not yet fulfilled the Copenhagen criteria), but others on grounds beyond that of the eligibility criteria. In terms of Cyprus itself, the prominent EU approach has been to emphasise the benefits the EU can offer to both communities on the island (in particular the north) and to attempt to encourage a greater climate for cooperation and agreement between the communities through economic and financial assistance.

Conclusions

Overall it would be too strong to conclude that the EU has had clear strategy on Cyprus vis-à-vis the political problem, due to the complexity of the issues involved of internally and externally. The EU however, has had an implicit strategy based on a specific logic of 'inclusion' as a method of aiding the movement towards a settlement of the Cyprus problem.

There has been no attempt to develop a clear and separate EU strategy for the 'solution' of the Cyprus problem – the primary reason (or constraint) for this being the established UN frameworks and resolutions for resolving the dispute. The EU strategy for resolving the Cyprus issue has always been

through inclusion and enlargement – where it has an established and embedded frame of reference. The EU thinking on Cyprus has reflected the primacy of the UN process and framework for resolving the dispute on the island, while promoting the process of accession (in parallel) in the belief that this would act as a catalyst for a solution to the Cyprus problem.

Although the EU has never actually spelt out an explicit rationale for this stance, since 1993 there have been regular statements and reports alluding to the very idea that the result of "Cyprus' accession to the Community would help to bring the communities on the island together" (Commission Opinion 1993) or that "progress towards accession and towards a just and viable solution of the Cyprus problem will naturally reinforce each other" (European Commission-Regular Report on Cyprus Progress towards Accession 1999). Such a belief has been grounded in the view that accession to the EU for Greek Cypriots, Turkish Cypriots and Turkey, is much more desirable than that of conflict and division – and in particular the strategic interests Turkey has had in Cyprus historically.

Through accession and enlargement, the EU strategy has had to balance the interests of the three key actors in the dispute: the Greek Cypriots, the Turkish Cypriots and Turkey, not forgetting Greece (and other Member States) inside the EU. Moreover having adopted UN positions on Cyprus, the EU recognized the legitimacy of the Greek Cypriot government of Cyprus, and believed that the central cause for the deadlock on the island was Turkish Cypriot intransigence, with the support and backing of Turkey. Therefore, the EU's strategy and implicit reasoning was that it could offer appetizing incentives through accession to the involved parties, on the condition that movement was forthcoming on the settlement of the Cyprus problem. In this sense the EU hoped that through the logic of inclusion, a climate for cooperation and compromise would be constructed, which would in turn trigger a settlement.

Of course the enlargement strategy of the EU has not always been straightforward or consistent. The prospect of Turkish membership raised wider issues than that of its involvement in Cyprus. Indeed, despite the synergy between progression in Turkish EU relations and the resolution of the Cyprus problem EU policy towards Turkey was cautious and pragmatic, based on legitimate concerns about the fulfilment of economic and political criteria, but also unofficial concerns about the religious and cultural

implications of Turkey acceding to the European club. The future of the Cyprus issue will depend very much on how the EU reconciles the polarised views on Turkish accession to the EU in the near future.

The EU's strategy has been to convince the Turkish Cypriot community of the political, economic and social benefits open to them upon membership of the EU if a solution were found while consistently reiterating that the accession negotiations with Cyprus were not directed against the Turkish Cypriots or Turkey. The EU has allocated not only post-accession funds for the reconstruction of northern Cyprus, but substantial sums of money at the pre-accession stage to create the necessary political will for a solution on the island. Once again however, the key will probably lay in changing minds in Ankara as the Turkish Cypriot leadership has not yet been persuaded by EU incentives (even though the Turkish Cypriot population has) thus making the future of Turkey–EU relations even more important if a unified Cyprus is ever going to join the EU.

The process of accession and the EU's strategy of conditionality and incentives have not worked to 'catalyse' a settlement to the Cyprus issue as yet —*but it has not catalyzed catastrophe either*, as suggested by more pessimistic analyses (Olgun 2002). Such a strategy has been based on the hope that 'something would give' and that the enlargement process in parallel with the UN process would eventually persuade the involved parties to resolve their differences. The EU has always had a clear idea on their end destination (enlargement) – but the 'road map' for reaching this destination in relation to the Cyprus problem has been characterised by complexity, in particular the inexorable link between Turkey-EU relations and the Cyprus issue. The EU's rejection of the Turkish application up until Helsinki certainly exposed the EU's approach to the Cyprus issue as it only served to harden attitudes on all sides of the dispute. Since the Helsinki European Council in 1999, however, the accession process has worked to create a more positive climate for the negotiation of a solution to the Cyprus issue thus leading to the opening of the borders in Cyprus to allow Greek Cypriots and Turkish Cypriots to travel freely around the Island after Accession Treaties were signed in Athens on 16th April 2003. In this sense, it could be argued that the accession process is beginning to 'change minds' on Cyprus – and that the EU's implicit strategy is beginning to make a difference. It has not however, led to a solution of the Cyprus issue, and although the EU is only one actor among many that can make a difference the EU can certainly 'oil

the wheels' of compromise further, in particular with regard to Turkey: first, by being clear and consistent in its application of conditionality; second, by confirming and reiterating Turkey's European credentials; and third, by drawing Turkey further into the EU structures. A solution to the long-standing Cyprus issue would certainly be a very welcome initial application by-product of the EU's 'strategy of hope', underpinned and reinforced by the incentives offered through the enlargement process – although time is quickly running out if a unified Cyprus is to join the EU by May 2004.

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NOTES

1. See http://www.can.org.cy/data/var/sxedioen.htm for a copy of the plan. The original plan has since then been modified twice following intense negotiations between the Greek Cypriots and Turkish Cypriots on points of concern (A second plan was submitted on the 10th December 2002 and a third on the 24th February 2003). See http://www.pio.gov.cy for revised plans.

2. If we take strategy to mean purposive, goal directed behaviour to pursue more or less specified objectives, themselves as a result of the identification, prioritisation and articulation of interests. See Allen 1998

3. The European Commission did however present proposals for enhancement of the Association Agreement in 1976 although Member States were reluctant to adopt these proposals given the fragility of the situation in Cyprus at the time (Redmond 1993: 68).

4. Within the period 1976-1985 the following protocols were signed: On the 15th September 1977 an Additional Protocol Agreement was signed in Brussels which provided for the extension of the first stage until 31 December 1979. At about the same time Cyprus signed the First Financial Protocol worth ECU 30 million. On the 11th May 1978, Cyprus and the EEC, also entered into two new protocols: a special supplementary protocol which settled some additional agricultural issues in line with Mediterranean policy of the Community and another laying down certain provisions relating to the trade in agricultural products. A new transitional protocol was again signed on 7th February 1980 extending this Agreement and in July 1983 yet another special Protocol was signed which made additional concessions on customs duties and quotas on a number of agricultural products and lifted quotas on certain industrial categories. In addition, in December 1983, Cyprus and the EEC signed the Second Financial Protocol, which totalled ECU 44 million. See Cyprus–EEC Customs Union (1986);

Cyprus-EC Relations (1989); The Cyprus Problem: Cyprus Towards the European Union, http://hri.org/Cyprus_Problem/europeanunion.html. For a more detailed analysis of the economic measures see Tsardanidis (1984).

5. All UN resolutions on Cyprus can be found on: http://www.hri.org/Cyprus/Cyprus_Problem/Undocs.html

6. In reality this precedent had been set much earlier in as far back as Greece's application to the EEC in the 1970s. Turkey had previously submitted its application for membership to the EC in 1987 and the Commission in December 1989 issued an opinion. The opinion gave as one of its reasons for not granting Turkey early EC membership the various disputes with Greece, in particular over Cyprus, as obstacles.

7. The Greek Cypriot side was particularly effective at promoting and gaining legitimacy for its position at UN level (see Joseph 1997: 113).

8. See for details: http://www.pio.gov.cy/update/english/news/1996/96_09/960926)

9. See for instance http://www.MFA.GR/foreign/

10. A reference was also made to Cyprus in the meeting through a joint position, which also acknowledged that lack of progress in solving the Cyprus problem would be to the detriment of Turkey, the EU and EU-Turkish relations. See: http://www.kypros.org/PIO/english/update/news/1997/9705/970502.html

11. http://www.kypros.org/PIO/english/update/news/1997/9707/070716.html).

12. For the reactions of both the Greek Cypriot President and the Turkish Cypriot leadership see *Cyprus Weekly*, August 22-28, 1997: 1.

13. http://www.kypros.org/Embassy/Jan98/text.htm.

14. Britain's special envoy for Cyprus, Sir David Hannay however, voiced the following opinion with regard to the EU's handling of the Turkish relationship, 'I think that the handling of the Turkish candidacy has been a-bit clumsy frankly and I feel it has not been ...the EU has shown a tendency to try to answer questions that weren't being posed...nobody is asking the question at the moment ...can Turkey join the European Union now...The

Turks aren't asking it…no-one is asking it …and yet we seem half the time try to answer that question when it is not being posed….its not being posed because the Turks accept that they do not fulfil the criteria..' (Interview: Hannay 1999)

15. On the basis of the 1997 joint declaration, there was agreement in 1998 to move towards a Turkey-"TRNC" 'joint economic zone' – thus formalizing the virtual *de facto* position. Annexation threats were also consistently made by the Turkish Cypriot leadership and importantly by Turkish elites.

16. http://www.kypros.org/Embassy/Jan98/text.htm

17. As was the more positive relations between Greece and Turkey after the earthquakes of 1999.

18. Even more so given the fact that certain quarters in Turkey do not believe Cyprus is of great strategic relevance for Turkey any longer (Atilla Kiyat, 30th Dec 2002, Translated interview)

19. The Council adopted on 17 December 2001 a regulation concerning pre-accession financial assistance for Turkey. The regulation reiterated the Commission's objective to establish pre-accession financial assistance, on average, at an annual level of 177 million. See http://www.deltur.cec.eu.int/english/e-mali-view-new.html

Turkey, the Cyprus Issue and the European Union

Tozun Bahcheli *

RÉSUMÉ

L'adhésion de la Turquie à l'UE était une possibilité lointaine dans les années 1980 et 1990. Cependant, suite à la décision de décembre 2002 du Conseil européen de Copenhague cette adhésion est plus facile à atteindre aujourd'hui. Maintenant que la Turquie a obtenu le statut de pays candidat, des négociations d'adhésion pourront commencer si l'UE fixe une date à celui-ci au Conseil européen de décembre 2004. Même si une solution du problème de Chypre ne constitue pas une condition formelle pour l'adhésion de la Turquie, il existe néanmoins une opinion répandue selon laquelle ce pays doit faire des concessions essentielles afin de favoriser la réunification de l'île. Car, en effet, la question chypriote peut avoir un impact sur l'évolution de la candidature européenne de la Turquie.

ABSTRACT

Turkey's EU membership was a distant possibility in the 1980s and 1990s. Following the decision of the December 2002 Copenhagen European Council, however, it has become a more realizable goal. Now Turkey is a candidate country and accession negotiations may commence without delay if the European Council so decides in December 2004. A Cyprus settlement is not a formal condition for Turkish accession. Yet, there is also a view spearheaded by the Greek side that Turkey must make substantial concessions in Cyprus to help reunify the island. This position may have an impact on both Turkey's European course and the search for a settlement on Cyprus.

Introduction

Turkey's contentious relationship with the EU (and its predecessors, EC and EEC) spans four decades. In keeping with the Kemalist vision that Turkey's rightful place is within the Western family of nations, the Turkish secular establishment has pursued close European/Western ties for many years. Turkey has been a member of the Council of Europe since 1949, and joined NATO (along with Greece) in 1952. It is also a member of the Organization for Security and Cooperation in Europe (OSCE), and in 1992, became an associate member of the Western European Union (WEU), the EU's security arm.

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Turkey became an associate member of the EEC in 1963. As with the Greek associate membership that came into effect one year earlier, the agreement with the EEC envisaged full Turkish membership in due course. However, when the Turgut Ozal government submitted Turkey's application for accession in 1987, the EU (then known as EC) decided that Turkey did not satisfy the membership requirements. In spite of the disappointment arising from this and subsequent rebuffs from Brussels, the prospect of ultimate membership remained alive among pro-EU circles in Turkey. These hopes were boosted with the 1999 European Council decision in 1999 to formally grant candidate status to Turkey. Moreover, Turkish prospects were further improved by the offer of the Copenhagen EU summit of December 12-13, 2002, to begin accession negotiations in December 2004.

A Cyprus settlement is not a formal precondition of Turkey's EU accession. However, in view of Greek membership of the EU it has always been assumed in many circles that beyond satisfying the accession requirements demanded of other applicants, Turkey and the Turkish Cypriots would be required to make substantial concessions in Cyprus in order to help reunify the island. In broad terms, these concessions would comprise forsaking the claim of sovereignty of the self-declared "Turkish Republic of Northern Cyprus" ("TRNC"), substantial territorial adjustments in favour of Greek Cypriots, and the withdrawal of the bulk of the Turkish forces from the island; these have constituted key provisions in all the United Nations settlement proposals for Cyprus for more than two decades.

Turkish governments have balked at these provisions not least due to the anticipated domestic resistance. However, even if facing the risks of domestic political opposition for a Cyprus settlement appeared manageable to Turkish governments, they have been unwilling to bow to Greek and European pressures for Cyprus concessions unless the prospects of Turkey's EU accession looked reasonably secure. Moreover, unlike other candidates for EU membership who chose accession as a strategic goal for their societies, the Turkish political establishment has struggled to achieve a political consensus on EU membership, thus further complicating the prospects for a Cyprus settlement tied to Turkey's EU aspirations.

Ankara's Approach to Resolving the Cyprus Issue after 1974

In the aftermath of the war of 1974, when Turkey sent its military to avert the Greek junta's bid to unite the island with Greece, Ankara has supported the Turkish-Cypriot bid to create a new settlement based on the separation of the two communities. As a consequence of the war of 1974, 160,000 Greek-Cypriots (a third of the Greek community) became refugees, as did 45,000 Turkish-Cypriots (representing nearly 40 percent of the Turkish community). The forced movement of people resulted in the creation of two homogeneous ethnic entities on the island. This, and the presence of thousands of Turkish troops on the island, ensured that Ankara and the Turkish Cypriots would have a strong hand in negotiating a new settlement that would safeguard both Turkey's strategic interests and Turkish Cypriot security. Officially, Ankara supported the creation of a bi-zonal federation in Cyprus until the early 1990s. As Nancy Crawshaw, a long-time observer of Cypriot developments explained:

> *The difference between 'federation' and 'confederation' may be blurred, but it has been clear for some years that the Turkish Cypriots have been moving away from the original agreement in favour of two sovereign states with equal rights to self-determination. This was confirmed in March 1990 by Rauf Denktash in discussion with the then UN Secretary-General, Javier Perez de Cuellar.*[1]

Although a separate Turkish Cypriot state, the "Turkish Republic of Northern Cyprus" ("TRNC") was established in 1983, the international community has continued to recognize the Greek-Cypriot controlled Republic of Cyprus as the sole legitimate government of the island. The Greek-Cypriot leadership (acting with Athens) has used this position to its diplomatic advantage by internationalizing the dispute to pressure Turkey to withdraw its troops.

Ankara and the Turkish-Cypriot leadership have rejected the internationalization of the Cyprus issue since 1974. However, they have accepted—albeit with deep misgivings—the continued involvement of the United Nations Security Council in the dispute, as well as the presence of the United Nations Peace Force that has been stationed on the island since 1964.[2] Turkish and Turkish-Cypriot governments have insisted that a new

settlement be negotiated by the Cypriot communities themselves. They have only reluctantly accepted United Nations and periodic United States mediation efforts, while insisting on the Turkish-Cypriot right to negotiate the terms of a settlement with Greek-Cypriots. They have also reacted with suspicion or opposition to any mediation initiatives that would propose terms for a settlement.

Since the late 1970s, Turkish-and Greek-Cypriot leaders pledged to seek a settlement for the island based on a bi-zonal and bicommunal federation. A bi-zonal federation was, in fact, a Turkish-Cypriot idea that Greek-Cypriots reluctantly embraced in order to avoid the partition of the island. However, after many years of negotiating, the two communities could not reconcile their visions of what a federal Cyprus ought to be. While Turkish-Cypriots envisaged self-government in a loose federation, Greek-Cypriots preferred a centralized federation with a single sovereignty. The Turkish-Cypriot position, supported by Ankara, hardened in the 1990s, partly in response to unilateral Greek and Greek-Cypriot initiatives to secure EU membership for the island. Turkish-Cypriot leader Rauf Denktash called for a two-state confederation in Cyprus on August 31, 1998, and received Ankara's backing. He proposed that negotiations aim at creating a "confederal structure of two peoples and two sovereign states"[3] while entrenching the special relationships between Greek-Cypriots and Greece, and Turkish-Cypriots and Turkey.

Resisting EU Involvement in Cyprus

Even though they have been unenthusiastic about any third-party involvement, Ankara and Turkish-Cypriot officials could be consoled by the fact that the UN Secretariat treats the Turkish and Greek-Cypriot leaders as equals in the context of the UN-sponsored talks. Turks objected to EU involvement on the island principally because they anticipated that Greece's membership in the EU prevented Brussels from being an objective party in dealing with the Cypriot communities. Even before Greece succeeded in placing Cypriot accession on the EU's agenda in the early 1990s,[4] Turkish leaders were frustrated that Athens impeded progress in EU-Turkish relations. Until the warming of Greek-Turkish relations in the second half of 1999, Athens repeatedly vetoed the release of aid that the EU agreed to

provide to Turkey as part of the association and customs union agreements. Furthermore, Greece's success in getting the EU to begin accession talks with the Republic of Cyprus in 1998 caused dismay and anger in Ankara. In Turkish eyes, the EU had sided with Greece in a dispute involving Turkish-and -Greek Cypriots as well as Athens and Ankara.

Beyond challenging the EU's credentials as an impartial third party, Ankara has marshaled legal objections to EU accession for Cyprus. Ankara has objected to Cypriot accession without Turkish-Cypriot consent on the grounds that Article I (2) of the 1960 Treaty of Guarantee provides that "Cyprus cannot participate, in whole or in part, in any political or economic union with any state whatsoever."[5] According to Ankara and the Turkish-Cypriot authorities, Article I of the Treaty of Guarantee equally applies to more than one state as much as a single state.[6]

However, EU officials have not accepted that legal obstacles prohibit Cypriot accession. In any case, the EU decision to move forward on the Greek-Cypriot accession process without the agreement of Turkish-Cypriots, has had less to do with the merit of the island's membership than with Greece's ability to sway its EU partners. In spite of the potential headaches that Brussels would face by admitting a divided island, Greece extracted concessions to advance Cypriot accession each time its EU partners wished to promote Turkey's membership prospects. When the EU presidency affirmed Turkey's eligibility to become an EU member at the Helsinki summit on December 10, 1999, fellow EU members were obliged to make a balancing concession to Greece by stating that a political settlement would not be a precondition to Cyprus's accession.[7] Subsequently, Greece's threat to veto the accession of eastern European states was instrumental in winning support for the Greek-Cypriot bid for accession at the EU's Copenhagen summit on December 12-13, 2002.

For several years, successive Turkish governments warned Brussels that EU accession prior to a settlement would close the doors to future possibilities of reuniting the island. Former Turkish prime minister Bulent Ecevit even threatened that Turkey might annex north Cyprus.[8] However, when the Justice and Development Party (JDP) came to power in Turkey on November 3, 2002 with a comfortable parliamentary majority, it signaled a serious intention to achieve EU membership and that it would pursue a different Cyprus policy than its predecessors. Thus Ankara responded mildly

when the EU Copenhagen summit in December 2002 ignored Turkish entreaties and endorsed Cyprus's membership.

The Denktash Factor

Indeed, in a bid to improve prospects of securing an early date for Turkey's accession talks with the EU, Tayyip Erdogan, the leader of the JDP, unsuccessfully tried to persuade Denktash to accept the plan that UN Secretary-General Kofi Annan presented to the parties on November 11, 2002. Soon after his party formed the government in Ankara, the JDP leader announced that he did not favour the continuation of Ankara's longstanding Cyprus policy and made numerous other statements criticizing Denktash's policy.[9] In the months leading up to the December 2002 EU Copenhagen summit, but especially since the submission of the UN proposals (better known as the Annan plan), numerous Turkish newspaper columnists have argued that Denktash's hard line has jeopardized Turkish Cypriot chances of EU accession, as well as Turkey's own membership prospects.

These criticisms of Denktash have coincided with massive demonstrations in the "TRNC" demanding negotiations based on the Annan plan to ensure that Turkish Cypriots do not forsake the opportunity to enter the EU at the same time as Greek Cypriots.[10] The opposition left-centre parties in the "TRNC", the Republican Turkish Party and the Communal Liberation Party, have been emboldened by the stance of Erdogan's government in Ankara and have campaigned for a resumption of negotiations with the Greek-Cypriot leadership based on the Annan plan. They have pledged to remove Denktash as the Turkish Cypriot negotiator if they win the parliamentary elections in the "TRNC" scheduled for December 14, 2003.

Turkish critics of Denktash are clearly anxious too: should Greek Cyprus become an EU member alone, Greek Cypriots would agitate against Turkey in the EU and complicate Turkey's future accession. Turkish officials fear that what has hitherto been an issue between the Cypriot communities and between Greece and Turkey will become an EU-Turkish issue. Turkish observers and officials believe that upon accession, Greek Cyprus will renew its efforts to secure the withdrawal of Turkish troops on the grounds that the latter are occupying the territory of an EU member.[11]

The Erdogan-Denktash disagreement is reminiscent of the policy differences between the Turkish Cypriot president and former Turkish prime ministers Turgut Ozal and Tansu Ciller. These differences surfaced when Ozal and Ciller pressed Denktash to adopt more flexible positions in intercommunal negotiations in order to smooth Turkey's EU membership path. Ozal was a keen advocate of Turkey's EU membership and believed that a Cyprus settlement was essential for Turkish accession. He did not fully trust Denktash, and sought to ensure that the Turkish Cypriot leader did not evade negotiations that could yield a settlement. Ciller had a similar outlook on the 'TRNC' leader; hence, she preferred to handle Cyprus policy primarily through the prime minister's office rather than through the foreign ministry, where Denktash enjoyed greater support. Ciller and Denktash had major policy differences concerning the acceptance of confidence-building measures promoted by the UN, and when Ciller appeared receptive to calls from Washington and EU states for the adoption of the confidence-building measures in late 1993 and early 1994, the opposition supported Denktash in resisting the measures. By the time Erdogan's party assumed power in 2002, prospects for Turkey's EU accession looked considerably better. Thus, with Turkey facing higher stakes than before, averting a veto by Denktash on Ankara's Cyprus policy became more urgent for Erdogan than was the case with his predecessors.

Anxieties among Turks concerning the link between a Cyprus settlement and Turkey's EU accession have become more manifest as Turkish accession prospects have improved since late 1999. Some Turkish commentators have complained that the future of 69 million Turks is being jeopardized because of a policy geared for the benefit of 200,000 Turkish Cypriots.[12] In fact, Turkey has borne considerable costs for many decades because of its Cyprus policy. Successive U.S. administrations have routinely petitioned Ankara to help settle the Cyprus issue and to pressure Denktash to show more flexibility in intercommunal negotiations. Greek/Greek Cypriot lobbying in Washington has regularly caused problems for Ankara by generating critical congressional resolutions, cuts in US aid, and circumspection over American arms to Turkey. In Europe, too, governments have also called upon Turkey to exercise its influence with Turkish Cypriots to help achieve a settlement on the island. European Parliament resolutions criticizing Turkey's Cyprus policy have been commonplace.

In a major blow to Ankara, the July 28 1996 ruling by the European Court of Human Rights (ECHO) held Turkey (rather than the Turkish Cypriot government) responsible for barring a Greek Cypriot refugee's access to her property in northern Cyprus and ordered the Turkish government to pay her compensation. Ankara has rejected the rulings and has refused to pay any compensation, arguing that the "TRNC", not Turkey, represents the legitimate authority in northern Cyprus. Nevertheless, since the 1996 ruling the ECHR has issued several other similar judgments for Greek-Cypriot refugees, and dozens more such appeals to the court have been lodged against Turkey.[13] Some Turkish commentators have argued that the Turkish government might be held liable for hundreds of millions of dollars in compensation to settle these judgments and future claims, unless a political agreement is reached that mandates the settlement of property claims between the two island communities (as provided by the 2002 UN plan).[14]

Denktash has typically sought allies within the Turkish political establishment in order to strengthen his hand in dealing with politicians or high-level bureaucrats who might apply pressure on him. In Turkey, he has enjoyed enormous prestige as a vigorous defender of Turkish Cypriot rights and of Turkish interests. He has cultivated political ties with influential Turks in many walks of life, including the military, the foreign policy establishment, political parties, and the media. His success in cultivating such ties, his political longevity, and his decades-long experience in dealing with the Cyprus issue has given him a significant advantage in dealing with Turkish leaders. Premiers, foreign ministers, and military chiefs have come and gone, but Denktash remains Turkish Cypriots' voice on the island and abroad.

In the latest contest of wills with the JDP leader, Denktash has received the backing of the powerful Turkish military and the senior ranks of the Turkish foreign policy bureaucracy, as well as that of the opposition parties.[15] He has also been supported by political groups which either oppose Turkey's EU accession or doubt that EU states would allow Turkey to become a member. These groups argue that concessions in Cyprus would yield no commensurate benefit for Turkey.

Turkey's EU Membership: Uncertain Prospects?

A 2002 survey conducted by two academics at Bogazici University in

Istanbul indicated that 74 percent of the respondents would vote in favour of Turkey's membership should a vote be conducted on the issue.[16] Domestic support for Turkey's EU membership has been strong and, in the aftermath of the economic crisis that has gripped the country since late 2000, this sentiment grew even stronger.

The same survey reported that Turks expect a higher living standard to result from EU membership. As for what needs to be done in Turkey to facilitate EU membership, the respondents stated that Turkey needed to remove restrictions on religious practices, improve freedom of expression, and find diplomatic solutions to problems with Greece and Cyprus.[17]

In as much as this and similar surveys demonstrate the EU's popularity among ordinary Turks, some Turks–including influential groups within the Turkish establishment–have displayed considerable ambivalence and opposition to the EU. According to the veteran Turkish journalist Sami Kohen:

> ... excepting a few marginal groups, there is no party in Turkey which opposes our EU membership... However, the degree of this desire and support varies among the parties. Some of them take the necessary criteria for EU membership into consideration and fully support them. Others always start their sentences, yes, but and then lay down conditions.[18]

In 2001, Ersel Aydinli and Dov Waxman argued that "two opposing camps have emerged" in the debate on the EU's accession Partnership Document, "the 'integralists and the 'gradualists'".[19] According to these writers, "traditional gradualists include the armed forces and the right-wing Nationalist Action Party, while integralists are generally associated with more centrist political parties, the media, the foreign ministry, and the business world ..."[20] Beyond these broad observations, however, Aydinli and Waxman noted significant divisions among influential groups, including the powerful military. Indeed, several high-ranking members of the military have voiced some of the strongest criticisms of the EU, particularly over the alleged support that European governments have provided to Kurdish groups, and the reticence of European authorities to designate the PKK (the Kurdistan Workers Party) and its successor KADEK (Kurdistan Freedom and Democracy Congress) as terrorist organizations.

However, notwithstanding periodic criticisms of the EU by high-ranking members of the armed forces, the Turkish military has apparently supported Ankara's implementation of reforms required by the EU. Thus the military has endorsed an end to 15 years of semi-military rule in the predominantly Kurdish area in the south-east of the country, and its replacement with civilian rule as required by the EU. Moreover, the Turkish military appeared flexible on such sensitive issues as the abolition of the death penalty and Kurdish language broadcasting and education. Since coming to power in November 2002, the Justice and Development Party has ushered even bolder reforms to satisfy EU political requirements: the most notable among these has been the curbing of the influence of the military in Turkish politics through the reduction of the powers of the highly-influential National Security Council (NSC) in August 2003.

Whereas domestic support for Turkey's EU course gathered momentum in 2002, largely owing to deteriorating economic conditions, many Turks have long doubted the willingness of EU states to proceed with Turkey's accession. At 67 million in 2002, Turkey's population is expected to overtake that of Germany–the most populous EU country–by 2014.[21] Many Turks wonder whether Europe is ready to admit a Muslim country with such a large population into its club.

Occasional statements made by European leaders questioning Turkey's European credentials and its suitability to join the EU has added to Turkish suspicions. Former French President Giscard d'Estaing warned in an interview in late 2002, that Turkey's admission would mean the "end of Europe".[22] He declared that Turkey "… has a different culture, a different approach, and a different way of life. It is not a European country".[23] Other European politicians have expressed similar misgivings. It is well known in Turkey that German administrations under former Chancellor Helmut Kohl have had strong misgivings regarding Turkish membership, and that these are not merely related to the human rights problems in Turkey. Edmund Stoiber, leader of the Christian Democrat Party in Germany, has expressed similar reservations regarding the Turkish membership of the EU.[24]

The German authorities' reservations regarding Turkey's membership are rooted in Germany's experience of Turkish immigration since the 1960s, and anxieties that EU membership would prompt huge numbers of poor Turks to move to German cities in search of jobs and social benefits, thereby

creating major economic and social problems. Teitelbaum and Martin have explained the background of German sensitivities regarding Turkish immigration in these terms:

> *Numerically, Turks have never represented more than a third of all the foreigners in Germany, but in many respects they have been the most visible and least integrated. Turks were the last guest workers to arrive in large numbers, the poorest, the least educated, and the most different in cultural and historical terms.*[25]

While Germany may bear the economic and social brunt of Turkey's future membership, other EU members too will seriously consider the anticipated economic costs of admitting a poor country with a huge population. *Osteuropa-Institut*, a research organization in Munich, estimated in late 2003 that "Turkey's membership of the EU could cost up to 14 billion Euro a year."[26]

Conclusion: A Window of Opportunity?

Notwithstanding European unease regarding Turkey's membership, pro-EU groups in Turkey believe that EU membership for Turkey is achievable. Although Turkish leaders have long resisted Greek and other external pressures for Turkish/Turkish Cypriot concessions on the island, they have also been long aware that Turkey's EU membership cannot be achieved without a settlement in Cyprus. But if the prospects of Turkey's EU membership were uncertain, Turkish government were unlikely to take great domestic political risks by endorsing important concessions (such as abandoning the claim of Turkish-Cypriot sovereign statehood) to achieve a Cypriot settlement.

The convergence of several developments during the past year has enhanced Turkish receptivity toward a Cyprus settlement. The first was the victory in Turkish elections on November 3, 2002, of the Justice and Development Party with a comfortable parliamentary majority, marking an end to eleven years of short-lived coalition governments in Ankara; the party's commitment to a reformist agenda in order to achieve EU membership set it apart from its predecessors. Secondly, and more

importantly, by offering Ankara a date (December 2004) for the start of accession negotiations, the EU summit of December 12-13, 2002, marked a crucial step in advancing Turkey's EU prospects. Thirdly, the Turkish government viewed the Annan plan as providing a solution that it could "live with". While it fell short of Turkish Cypriot and Turkish call for a confederation of two states, it provided a wide measure of autonomy for Turkish Cypriots in a loose bi-zonal federation and political equality between Turkish and Greek Cypriots..

While Turkey's EU membership was merely a distant possibility during the Ozal era in the 1980s, it has become a more realizable goal for Ankara since the EU's Copenhagen summit of December 2002. This represents the strongest incentive for the Turkish government to reach a compromise settlement in Cyprus. However, much can go wrong in the future with a Cyprus settlement and Turkey's EU accession course, in spite of the JDP's evident commitment to achieve greater democratization in order to satisfy the EU membership requirements and desire to find a political solution for Cyprus. Hence, other parties with a direct stake in the Cyprus issue and Turkey's EU membership might consider what they could do to in order to exploit the opportunity for a Cyprus settlement before the island's accession to the EU takes effect in May 2004. In an article published in September 2003, two veteran United States officials, Morton Abramowitz and James Wilkinson, argued for proactive EU diplomacy to ensure that the unresolved Cyprus issue does not derail Turkey's accession process.[27] They argued for a step-by-step application of the Annan plan, and the integration of the Turkish Cypriot state into the EU to be linked to the start of accession talks between the EU and Turkey.[28] Having made a Cyprus settlement a precondition for its EU accession Turkey, with all the attendant domestic difficulties for the Turkish government, it is particularly apt that Brussels undertake imaginative diplomacy to salvage both a Cyprus settlement and Turkey's democratization in pursuit of EU membership.

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3. "Denktash proposes loose Cyprus confederation of two states," *Agence France Press*, 31 August 1998.

4. The Greek Cypriot government submitted Cyprus' application for EU accession in 1990.

5. For the text of the Treaty of Guarantee, see Appendix B in *Cyprus* (London: Her Majesty's Stationery Office, 1964).

6. Ergun Olgun, Undersecretary to Rauf Denktash, President of the "TRNC", reiterated this view in a statement issued by TAK, the official Turkish Cypriot news agency, on 31 July 2002.

7. In the words of the Helsinki communiqué: "*The European Council underlines that a political settlement will facilitate the accession of Cyprus to the European Union. If no settlement has been reached by the completion of accession negotiations, the Council's decision on accession will be made without the above being a precondition. In this the Council will take account of all relevant factors*". Helsinki European Council, *Presidency Conclusions*, December 10 and 11, 1999, <http://www.europa.eu.int/council/off/conclu/dec99/dec99/_en.pdf>.

8. Reported in *Turkish Daily News* (Ankara), 5 November 2001.

9. Turkish leader Recep Tayyip Erdogan declared 'I am not in favour of the continuation of the policy that has been maintained in Cyprus over the past 30-40 years…We will do whatever falls on us. This is not Denktash's private matter.' *The New York Times*, 2 January 2003.

10. In one of the largest demonstrations, an estimated 50-60,000 Turkish Cypriots (almost a third of the entire Turkish community) marched on 14 January 2003 calling for negotiations based on the UN plan and Turkish

Cypriot accession to the EU. The Economist Intelligence Unit, Country Monitor, *Cyprus*, 20 January 2003.

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21. Teitelbaum, Michael E. and Martin, Philip L., "Is Turkey Ready for Europe?", *Foreign Affairs*, Vol. 82, No. 3, (May/June 2003), p. 106.

22. *Ibid*, p. 98.

23. Ibid.

24. See the Economist Intelligence Unit, Country Report, *Cyprus*, 3 July 2002.

25. Teitelbaum and Martin, p. 105.

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27. Abramowitz, Morton and Wilkinson, James "A Cypriot Threat to Turkey's Revolution", *Financial Times*, 2 September 2003.

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L'intégration de la Turquie en Europe : un processus conflictuel.

Hasan Elmas *

ABSTRACT

The author of this article explains that after the intervention of the turkish army in Cyprus, in 1974, Europe ceased to be the center of gravity from which Turkey sought an answer to its economic and social problems. The perspective of integration of Turkey in the EU, considered by the European Council of Helsinki of 1999 supposes a recasting of the turkish political system, which is opposed by the nationalists who in turn are backed by the military. Furthermore, there is no consensus in Europe over Turkey's accession, most Europeans prefering a privileged relationship or a strategic partnership with Ankara.

RÉSUMÉ

L'auteur de cette étude explique qu'après l'intervention de l'armée turque à Chypre en 1974 l'Europe n'a plus été pendant longtemps le centre de gravité autour duquel la Turquie cherchait une réponse à ses problèmes économiques et sociaux. La perspective d'intégration de la Turquie à l'UE, envisagée par le Conseil européen d'Helsinki de 1999 suppose une refondation du système politique turc que refusent toujours les nationalistes soutenus par les militaires. De plus il n' y a pas en Europe de consensus sur l'adhésion de la Turquie, de nombreux Européens préférant avoir avec Ankara des relations privilégiées ou un partenariat stratégique.

Le processus d'élargissement à des pays d'Europe centrale et orientale entamé il y a plus de dix ans vient de se finaliser. L'Europe vit ainsi un grand tournant de son histoire politique. Et pourtant, on ne peut dire que le processus d'unification européenne soit arrivé à son terme. Si l'Europe a pu intégrer les dix pays sans grande difficulté politique, la candidature du onzième, à savoir la Turquie, n'est toujours pas finalisée, ce qui pose des problèmes cruciaux à l'Europe ainsi qu'aux différentes forces politiques européennes et turques. Pourtant, ce pays est candidat à une adhésion depuis 1963. L'accord d'association conclu à cette époque justement pour réaliser

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cette adhésion n'a donc toujours pas atteint son objectif final et rien ne nous permet de dire que cet objectif pourrait être réalisé dans un très proche avenir. Or, la Turquie fait partie de l'histoire européenne ; elle est toujours intervenue dans le jeu politique du vieux continent et sans son intégration politique on ne saurait dire que le processus d'intégration soit achevé.

Les obstacles de l'intégration de la Turquie à l'Europe ne sont pas réductibles aux données socio-économiques. Depuis l'après-guerre, l'influence du contexte international et régional, ainsi que les évolutions de la politique intérieure turque ont marqué chacune des étapes des relations turco-communautaires. De l'après-guerre et jusqu'aux décennies qui ont suivi, la nature de la dynamique du rapprochement entre l'Europe et la Turquie s'inscrit dans le contexte international de la " guerre froide " : les pays occidentaux ont tenté d'intégrer la Turquie au bloc occidental en raison de son importance stratégique ; de son côté, face à la menace de l'Union Soviétique, la Turquie s'est orientée dans une politique d'alliance avec le bloc occidental afin de briser l'immobilisme et l'isolement, conséquences d'une politique ambiguë entretenue avec l'Allemagne hitlérienne.

L'objectif de la politique extérieure turque ne consistait donc pas en une stratégie d'intégration, mais se cantonnait à une alliance garantissant sa sécurité. Ainsi, sans oeuvrer dans le sens d'une démocratisation du système politique, elle a pu adhérer à des organisations militaires, politiques et économiques après la guerre. L'élément sécuritaire n'était cependant pas la seule motivation du rapprochement avec l'Occident : la puissance militaire et politique ainsi acquise allait permettre à la Turquie de mener une politique hégémonique et expansionniste au Moyen-Orient et à Chypre. Cette politique plongera la Turquie dans un nouvel isolement régional en l'entraînant dans des relations conflictuelles avec ses voisins, en particulier avec la Grèce, la Syrie et les pays arabes.

La Grèce a toujours constitué un facteur déterminant dans les orientations de la politique extérieure turque et le système de relations internationales qu'elle a voulu créer. La demande d'association de la Grèce à la CEE en 1959 va jouer de ce point de vue un rôle déterminant, puisque la Turquie a déposé sa demande quelques jours plus tard. L'ambition de recouvrer une puissance régionale imposait en même temps la nécessité de sortir d'une situation économique particulièrement inquiétante, imputable aux politiques économiques menées par les gouvernements de Menderes dans les années 50.

La Turquie a alors opté pour un plan stratégique de développement économique au début des années 60, dont la réalisation et le succès dépendaient de l'aide économique substantielle accordée par l'Europe.

Mais parallèlement, sur le plan de la politique intérieure, les dirigeants turcs se sont orientés dans une direction contraire à ce que supposait l'ambition d'une intégration politique à l'Europe. On a assisté à la mise en place de deux processus contradictoires en apparence, mais parfaitement intégrés dans la logique des objectifs poursuivis. Sur le plan de la politique extérieure, la Turquie ambitionnait une intégration aux diverses organisations européennes, tandis qu'elle entrait sur le plan intérieur dans une évolution culturelle et politique anti-démocratique, accompagnée d'une islamisation du pays. Le passage au multipartisme en 1945-46 fut uniquement motivé par les facilités qu'il procurait à l'entrée de la Turquie à l'ONU et au Conseil de l'Europe notamment. L'instauration du multipartisme ne poursuivit pas l'objectif de transformer le système institutionnel en une démocratie parlementaire, car il était essentiellement limité aux deux composantes du Parti Républicain du Peuple (CHP), ancien parti unique. Ainsi, si les dirigeants du CHP ont autorisé la création du Parti Démocrate (DP) comme principal parti d'opposition, le but était de bâtir un système des partis dominé par une alternance restreinte et contrôlée. Mais la victoire du DP en 1950 déjoua les plans du CHP. Le Parti Démocrate demeurera au pouvoir de 1950 à 1960. Le Parti Démocrate a accordé des concessions importantes aux islamistes et entrepris une rupture avec les réformes républicaines. L'islamisation de la vie publique et politique plonge ainsi ses racines dans les années 1950 et s'est progressivement développée jusqu'à nos jours, de manière latente ou plus directement selon les périodes.

Les ambiguïtés des politiques intérieure et extérieure de la Turquie sont à l'origine des relations difficiles et même conflictuelles avec l'Europe, et contribueront à l'éclatement de la dynamique de rapprochement, sous l'effet d'une nouvelle situation internationale.

Les relations difficiles de la Turquie avec l'Europe

A partir du début des années 60, on peut observer l'éclatement de la dynamique du rapprochement Turquie-Europe née dans l'après-guerre. La

relative détente dans les relations internationales apparue aux débuts des années 60 a certainement modifié l'importance que les Occidentaux accordaient à la Turquie. Si celle-ci avait pu trouver un appui à sa politique régionale, avec des ambitions hégémoniques et des visées expansionnistes dans les années 50, la crise chypriote de 1963-64 va lui démontrer que le soutien des Occidentaux n'est pas sans limite. La Turquie va alors entreprendre un recentrage de sa politique extérieure et s'orienter vers une politique de réconciliation avec l'URSS et les pays du Moyen-Orient, avec lesquels elle avait jusque-là entretenu des relations difficiles. L'objectif de cette réorientation consistait évidemment en la recherche d'un appui à sa politique expansionniste auprès de son voisin du Nord, ainsi qu'en un soutien économique de l'Union Soviétique pour pallier à ses difficultés, difficultés que l'Europe ne l'aidait qu'imparfaitement à combler. Ainsi la Turquie va tenter d'obtenir une politique d'immobilisme de l'Union Soviétique sur la question de Chypre ; par ailleurs, plusieurs grands projets de complexes d'industries seront financés ou leur construction sera prise en charge par l'Union Soviétique. Cette nouvelle orientation fera perdre toute sa substance à l'Accord d'association avec la CEE signé en 1963.

L'Accord d'association, dit Accord d'Ankara, visait une intégration complète de la Turquie, préparée au cours de trois phases ; mais les dispositions de l'Accord étaient loin de créer les conditions économiques et politiques indispensables à l'objectif affiché. La phase préparatoire (1964-1972) était plutôt limitée à des avantages commerciaux qui ne concernaient que les principaux produits d'exportation turcs (les produits agricoles) ; l'absence de rigidité dans les dispositions et le manque d'engagements économiques de part et d'autre, ont permis la réalisation de la première phase sans grandes difficultés.

Mais si les avantages commerciaux accordés ont permis l'accroissement des échanges, ils ont été loin de combler les disparités économiques importantes entre les deux parties, et donc, loin de préparer l'économie turque à la phase transitoire qui a débuté avec la signature du " protocole additionnel " à l'Accord d'Ankara de 1973. Celle-ci s'est au contraire heurtée à d'importantes difficultés. Tout d'abord, sous les effets de la récession économique mondiale, puis sous les répercussions des deux chocs pétroliers des années 70, les deux parties n'ont pas pu tenir leurs engagements économiques. La Turquie, frappée par une grave crise de déficit de la balance

extérieure et de la balance des paiements, a mené une politique protectionniste, tout comme les pays européens ; ceux-ci ont stoppé par ailleurs l'immigration des travailleurs turcs, qui constituait une importante source de devises pour la Turquie. Parallèlement à ces difficultés économiques, les gouvernements turcs des années 70 ont clairement affiché leur manque de volonté politique d'entrer dans l'Europe, ce qui rejoignait d'ailleurs la politique des pays européens. Par ailleurs, le cadre institutionnel de l'Association CEE-Turquie, confronté au manque de volonté politique des deux parties, a démontré son inefficacité ; les blocages institutionnels et le gel des obligations financières ont finalement conduit à la mise en sommeil de la phase transitoire de l'Association. L'évolution de la situation intérieure, notamment avec le coup d'Etat militaire de 1980 et le régime politique instauré par la suite, n'a pas facilité la normalisation des relations entre la Turquie et la Communauté européenne, laquelle a gelé leurs relations après 1980. Les organes de l'Association n'ont repris que partiellement leur fonctionnement à partir de 1986, sans qu'il ait été noté d'amélioration majeure dans les relations entre les deux parties.

Le caractère fondamental de la politique extérieure turque, à savoir la poursuite de visées expansionnistes et hégémoniques, s'est vu concrétisé par la remise en cause du *statu quo* en mer Egée en 1973 - statu quo qui existait depuis 1923- et par l'intervention militaire sur l'île de Chypre en 1974 et la proclamation d'un Etat chypriote turc en 1983. Il ne fait aucun doute que le différend profond entre la Grèce et la Turquie a joué un rôle important dans les relations turco-communautaires, en particulier depuis l'adhésion de la Grèce à la Communauté en 1981. La Communauté européenne a posé comme condition à toute normalisation de ses relations avec la Turquie, le retour au *statu quo* dans l'île de Chypre et en mer Egée. Mais la détermination des dirigeants turcs, défiant la communauté internationale, a largement contribué à la détérioration des relations turco-communautaires.

L'élément le plus visible de l'éclatement de la dynamique est sans aucun doute l'approfondissement de la réorientation de la politique extérieure entreprise dans les années 70. En effet, à partir de 1974, le gouvernement de coalition dirigé par le CHP (parti républicain du peuple) et le MSP (parti du salut national -parti islamiste), puis les gouvernements successifs ont opéré un véritable tournant : l'Europe n'est alors plus le centre de gravité autour duquel la Turquie cherchait une réponse à ses problèmes économiques et

sociaux ; elle est remplacée par les pays du Moyen Orient et, dans une moindre mesure, par l'Union soviétique. C'est ainsi que les pays du Moyen-Orient deviendront les premiers partenaires commerciaux de la Turquie jusqu'en 1986 ; cette ouverture tous azimuts, tant politique, économique que culturelle, sera accompagnée par une islamisation sans précédent de la vie politique et publique. C'est pourquoi on aurait tort d'interpréter la demande d'adhésion de la Turquie à l'Europe en 1987, comme le signe d'une " maturation " des relations turco-communautaires. La chute des revenus pétroliers des pays du Moyen-Orient arabe va rapidement enlever tout espoir aux dirigeants turcs.

L'Accord d'Union douanière de 1995 : un rapprochement avec l'UE sans perspective d'intégration

De même, les motivations de la Communauté à renforcer les liens avec la Turquie étaient de nature tout autant stratégique. Ainsi, bien que la demande d'adhésion ait été l'objet d'un refus en 1989, en raison d'obstacles économiques et politiques, la Turquie s'est vue attribuer un rôle précieux dans la nouvelle configuration internationale et régionale redessinée par la disparition des deux blocs. C'est dans cette perspective qu'a été conclu l'Accord d'Union douanière. Ainsi, par la conclusion de cet accord de 1995, on observe un renforcement des relations turco-européennes sans perspective d'intégration. En effet, pour répondre à ces problèmes posés par une nouvelle configuration internationale et régionale, les pays européens se sont orientés vers la conclusion d'un " partenariat stratégique avec la Turquie ". Le Conseil européen réuni à Lisbonne en 1992 a fait des rives méridionales et orientales de la Méditerranée une cible prioritaire. L'Union européenne s'est ainsi lancée dans " *la mise sur pied d'un ordre de paix européen, d'un partenariat euro-méditerranéen et le développement d'un lien transatlantique plus vaste* " qui constitueront " *les tâches et les défis les plus urgents auxquels la PESC est appelée à faire face* ". Dans ce projet, qui doit mener au rétablissement ou à la préservation de la stabilité dans les régions voisines de l'Europe, sources de conflits, la Turquie est considérée comme un facteur de stabilité qu'il s'agit d'exploiter. Ainsi, la constitution d'un " partenariat stratégique avec la Turquie " est devenue l'un des aspects de la mise en place de la politique étrangère et de sécurité commune. Les chefs d'Etat et de gouvernement de l'Union (Lisbonne en 1992) ont estimé que la Turquie

jouait un rôle d'une importance croissante et qu'il y avait tout lieu d'intensifier la coopération et de développer les relations avec ce pays. Lors de la réunion des Ministères des Affaires étrangères des pays de la Communauté en Mai 1992 (Gui Mares, Portugal), ceux-ci ont décidé de renforcer les liens avec la Turquie par le biais d'une nouvelle approche qui se substituerait, du moins momentanément, à la demande d'adhésion introduite par le gouvernement turc. Ainsi, les gouvernements de l'Union européenne ont fait l'impasse sur la question des droits de l'homme et le Parlement européen a finalement ratifié l'accord le 13 décembre 1995, alors que le rapporteur du Parlement européen Carlos Carnero Gonzalès, dans son rapport du 16 décembre 1995, relatif à la mise en place de la phase définitive de cet accord, a rappelé qu'à l'heure actuelle " *la Turquie n'était toujours pas un Etat de droit* " :[1]

> *Le système politique en vigueur en Turquie est à tous égards une démocratie incomplète dans laquelle on remarque l'absence de mécanismes essentiels pour l'exercice de libertés fondamentales très importantes : la mise en œuvre de l'union douanière devrait servir, le moment venu, à ce que le processus de transition que connaît la Turquie débouche sur l'établissement d'une démocratie intégrale qui permette d'affronter les principaux problèmes du pays. (...) Dans une situation aussi complexe que celle que présente la Turquie, les questions abordées par le Parlement européen dans ses résolutions et exposées par votre rapporteur au cours de son récent voyage (d'une part, réforme constitutionnelle, mise en liberté des députés du DEP, abolition ou modification substantielle de l'article 8 de la loi anti-terroriste et de la législation ordinaire concomitante, arrêt des violations des droits de l'homme ; et, d'autre part, traitement non militaire de la question kurde et acceptation des résolutions de l'ONU sur Chypre) ont clairement été perçues comme une demande d'approfondissement, d'élargissement, d'amélioration et de normalisation de la démocratie ; (...). Votre rapporteur estime enfin que le Parlement européen commettrait une grave erreur s'il donnait son avis conforme à l'union douanière avec la Turquie tant que des progrès notables ne sont pas accomplis dans les principaux domaines énoncés plus haut, car il se*

priverait ainsi de toute possibilité de contribuer à la mise en place de la démocratie dans ce pays, objectif que désire atteindre sans doute la majeure partie des citoyens.

Ainsi l'accord de l'union douanière sera conclu dans une stratégie de renforcement du " partenariat stratégique " alors que la vie politique turque, à cette période, est marquée par les répressions et les violences les plus extrêmes de son histoire récente, alors même que les pays européens, deux ans plus tard, rejetteront lors du Conseil européen de Luxembourg la demande de candidature turque justement pour des raisons politiques, à savoir que la Turquie était loin d'être un pays démocratique. Cette ambiguïté de positionnement face à la Turquie, comme lors de la période précédente, va marquer les relations turco-communautaires.

Le Conseil européen d'Helsinki de 1999 et la perspective d' adhésion de la Turquie

Néanmoins, le Conseil européen d'Helsinki (1999) acceptera la demande de candidature turque qui posera de nouveaux problèmes, avec des enjeux différents et plus importants que jamais depuis la conclusion de l'Accord de 1963 et ainsi on rentre dans un processus hautement conflictuel de perspective d'adhésion de la Turquie. La signature de l'Accord d'Ankara de 1963 envisageait une adhésion de la Turquie " au Marché Commun ", alors que les structures communautaires sont en évolution vers une Union européenne depuis le Traité de Maastricht. Cette dynamique d'intégration a modifié naturellement la problématique de l'adhésion et de l'intégration. L'intégration de la Turquie dans les structures limitées à un marché commun qui ne consistait qu'en un tarif extérieur commun, en une politique agricole commune et quelques secteurs commerciaux et industriels il y a quarante ans ne posait pas de problèmes aussi cruciaux qu'aujourd'hui. Les problèmes posés à l'époque étaient plutôt de nature économique. Ces problèmes naturellement existent aujourd'hui encore mais ne sont pas aussi déterminants qu'au cours de la précédente période. Avec l'accord d'Union douanière, une nouvelle étape dans l'intégration économique a été franchie et la perspective d'une intégration économique paraît possible sans qu'il y ait intégration politique. Or une adhésion à l'Union européenne aujourd'hui est une question éminemment politique et c'est là toute la grande difficulté. De

nombreuses questions se posent à la fois à l'Europe et à la Turquie sans qu'aujourd'hui il n'existe de consensus en Europe et en Turquie pour apporter des réponses aux problèmes politiques posés.

Ainsi deux données fondamentales déterminent les formes et les contenus des relations turco-européennes. La première, s'agissant de la communauté, consiste en une évolution vers une intégration plus poussée par la réalisation d'une union économique et monétaire et vers une communautarisation de plus en plus accrue de la Politique étrangère et de la Sécurité commune, de la Justice et des Affaires intérieures ; à cela s'ajoute l'impact de l'élargissement à de nouveaux pays. Les perspectives d'une Constitution européenne accentuent les problèmes politiques de cette hypothétique adhésion. La seconde donnée fondamentale réside dans le fait que les problèmes internes politiques turcs, culturels ainsi que les relations conflictuelles que la Turquie entretient avec ses voisins pèsent et pèseront sur la nature de ces relations avec l'Europe.

Toute perspective d'intégration de la Turquie nécessite une refondation du système politique turc et une recherche de réponses à des blocages institutionnels et idéologiques auxquels la classe politique turque a été jusqu'ici incapable de répondre. Le processus d'intégration à l'Europe pose d'abord la question des transferts de souveraineté ou l'acceptation de la part de la Turquie d'exercice de la souveraineté dans le système institutionnel de l'Union. Sans cela on ne peut envisager une adhésion à un ensemble qui est de plus en plus devenu une union politique. Cela nécessite des réformes institutionnelles et politiques qui se heurtent à une résistance et, depuis le Conseil européen d'Helsinki, la Turquie n'a toujours pas fait le chemin pour s'asseoir à une table de négociation. Toute modification, toute réforme politique ou institutionnelle pour se conformer aux critères de Copenhague entraîne et entraînera des changements politiques. La Turquie candidate est amenée à entreprendre des réformes politiques institutionnelles pour une refonte totale du système politique. Dans ce cadre, elle doit affronter et affronte un problème crucial qui consiste à rendre le pouvoir politique aux civils. Dans ce processus de transition, la résistance des militaires avec l'appui d'une partie de la classe politique provoque des tensions internes. En effet, la construction de l'Etat nation turc est l'œuvre tout d'abord des militaires qui, s'appuyant sur une légitimité historique, interviennent dans la vie politique (coup d'Etat de 1960, 1971, 1980, 1997).

Dans le système politique en vigueur, les militaires turcs par le biais du " Conseil de sécurité nationale " détiennent des pouvoirs politiques importants. Cette institution par laquelle les militaires imposent leurs choix en matière de politique étrangère et intérieure constitue un obstacle majeur dont l'Union a, à plusieurs reprises, demandé la modification. Cette institution, de par le dispositif constitutionnel, constitue le centre de gravité du pouvoir législatif et exécutif ; toute réforme implique donc une refondation du système politique et, par conséquent, le changement de l'actuelle constitution mise en place ou imposée par les militaires en 1982 après le coup d'Etat de 1980. Le Parlement, appelé la " grande Assemblée nationale ", ne peut légiférer que sur les grandes questions des orientations proposées par le Conseil national de sécurité. Jusqu'à maintenant, aucune force politique n'a sérieusement pris l'initiative de modifications constitutionnelles. Quand le premier ministre du Parti islamiste Erbakan en 1997 a réclamé que le pouvoir législatif revienne à l'Assemblée, il a été poussé à la démission par les militaires après leur coup d'Etat dit " coup d'Etat de velours ".

Le poids de l'oligarchie militaro-industrielle

Depuis, la classe politique turque, tout en sachant que sans cette réforme toute perspective de négociations en vue d'une adhésion est nulle, n'a pas apporté de réponse, alors que tous les sondages effectués ces deux dernières années montrent que trois quarts de la population est favorable à une adhésion à l'Union européenne. Devant cette volonté populaire les forces politiques, y compris les islamistes et les militaires, ne sont pas dans leurs discours contre une adhésion mais quand il faut prendre des réformes concrètes, le blocage et la conflictualité demeurent la réalité de la politique turque. L'oligarchie militaro-industrielle est contre toute modification constitutionnelle mais est prête à une modification de la composition du Conseil de sécurité nationale qui ne remette nullement en cause les pouvoirs de cette institution. Pour le moment, il apparaît que le seul consensus qui pourrait être dégagé consiste en ce que le secrétaire du Conseil de sécurité nationale ne soit plus un militaire ; les chefs d'état-major de l'armée, de la marine et de la gendarmerie ne siégeraient plus au Conseil de sécurité nationale et l'armée ne serait représentée que par le chef d'état-major inter-armées. Si ce consensus est réalisé, la Constitution de 1982 sera modifiée

partiellement mais pas dans sa philosophie car ce consensus ne remet pas en cause les attributs de cette institution et la hiérarchie institutionnelle définis dans la constitution. C'est à cette institution que reviendra toujours de décider sur les grandes questions de la politique intérieure et extérieure turque.

Par ailleurs, au-delà du rôle des militaires, toute politique qui tende vers des réformes de l'exercice de la souveraineté dans le cadre du système institutionnel de l'Union est confronté à une autre résistance sur le plan idéologique car le nationalisme turc comme élément fondateur de l'Etat turc rejette une telle perspective. Dès lors, les forces politiques sont confrontées à un problème, à savoir de pouvoir concilier le nationalisme comme élément fondateur de l'Etat avec le processus d'intégration européenne. La grande difficulté de la Turquie à se conformer aux obligations imposées par les critères dits de Copenhague qui demandent le respect des droits de l'homme, des minorités et une justice indépendante - ce qui implique des réformes politiques et institutionnelles importantes -, et tout projet qui tente des réformes provoque des tensions internes. En effet toute réforme qui tente une réforme des minorités ethniques et culturelles touche aux fondements de l'Etat, c'est-à-dire d'une part la turquicité et d'autre part l'islam. Ainsi le problème kurde est le noeud de toute réforme démocratique. Par exemple, le Président turc Necdet Sezer, proche des militaires, peut tenir un discours européen et laïc alors qu'au début de l'été, il a opposé son veto à la suppression de l'article 8 de la loi anti-terroriste qui réprime toute personne se livrant à la " propagation du séparatisme ". La suppression de cet article, expliquait le chef d'Etat turc " *peut engendrer des risques importants pour l'existence de la République et l'unité et l'indivisibilité de l'Etat.* " Ainsi on peut donner une série d'exemples comme celui que l'on vient de citer qui montrent toute la difficulté de la classe politique turque à reconnaître l'existence du peuple kurde et ses droits politiques et culturels. Si toute tentative de reconnaissance des droits des Kurdes se heurte au nationalisme turc, la reconnaissance des droits culturels pour les minorités culturelles et religieuses se heurtent à des résistances et touchent naturellement à l'islam. L'Etat turc, devant ses citoyens, n'est pas neutre et il n'existe pas une séparation de l'Etat et du religieux dans les mosquées ; au contraire, par le biais des directions des affaires religieuses l'Etat turc contrôle toutes les activités religieuses, emploie plus de 80.000 fonctionnaires religieux et plus de 90.000 mosquées sont à la charge de l'Etat, alors que plus de 22 millions

de personnes ne sont pas de confession " sunnites musulmans " et que l'Etat turc a usé de tous les moyens pour islamiser cette minorité dite " Alévis ". Naturellement tout cela pose un problème d'une autre nature mais aussi important que la question kurde car toutes les réformes démocratiques impliquent des réformes laïques.[2] Les réformes républicaines, imposées par le haut et sans grandes réformes sociales, ont tout de même obtenu le soutien populaire. Ces réformes, dont l'objectif était de pousser le religieux dans l'espace privé, ont eu l'adhésion des Alévis qui avaient été soumis à une islamisation forcée et étaient considérés comme infidèles sous l'empire ottoman. Lors de toutes les élections législatives, les Alévis ont constitué un réservoir de votes pour le parti républicain du peuple. Or, l'institutionnalisation du référent religieux après le coup d'Etat de 1980 a eu pour conséquences la rupture entre les Alévis et l'Etat. Ce phénomène a entraîné le développement, surtout depuis une dizaine d'années, des revendications identitaires, dans la perspective d'une intégration européenne, cette population espère des vraies réformes démocratiques et laïques. Mais une Turquie gouvernée par les islamistes enlève toute hypothèse de réforme laïque même si ces derniers prétendent à une intégration européenne.

La recomposition du paysage politique turc autour des nationalistes et des islamistes

Deux faits majeurs depuis les deux dernières élections législatives montrent que la recomposition du paysage politique turc s'est opérée autour de deux pôles idéologiques, les nationalistes et les islamistes. Si le bloc nationaliste, soutenu par les militaires, a remporté les élections législatives de 1999 et a gouverné jusqu'en novembre 2002, l'alternance s'est produite par la victoire écrasante des islamistes qui gouvernent aujourd'hui. Cet enfermement entre islamistes et nationalistes et l'impossibilité de trouver d'autres alternances constituent un obstacle majeur pour toute réforme démocratique en vue d'une adhésion. A partir de l'observation des élections législatives depuis 1987 on peut observer que la recomposition du paysage politique qui s'opère autour de ces deux pôles est une évolution structurelle. Cette évolution est accompagnée d'un effacement progressif du centre droit et du centre gauche et, à l'évidence, depuis les élections de 1999, les islamistes constituaient la seule alternance à la majorité gouvernementale précédente (extrême droite

nationaliste et nationaliste populiste), ce qui s'est produit lors des dernières élections.

Ainsi, la Turquie est confrontée à de nombreuses questions internes et externes avec un bloc islamiste et nationaliste qui domine sa vie politique. Entreprendre des réformes qui touchent des domaines aussi cruciaux avec les forces politiques que l'on vient de citer est le grand handicap de la Turquie actuelle car les forces politiques dominantes et les militaires au final convergent dans leur accord à ne pas aller plus loin, aucune force politique n'étant prête à s'affronter. Par exemple, si les islamistes ont tout intérêt à renvoyer une fois pour toutes les militaires dans leur caserne afin de ne plus avoir cette épée de Damoclès au-dessus de leur tête, ils convergent par ailleurs avec eux sur la question kurde, sur une non-reconnaissance des droits politiques et culturels des minorités ethniques et culturelles car finalement les revendications des islamistes à la libéralisation du système politique turc se limitent à ce que les militaires et les systèmes institutionnels laissent un espace politique dans lequel les islamistes puissent exister et puissent gouverner. Du fait de l'éclatante victoire des islamistes lors des élections législatives de 2002, les militaires ne sont plus prêts à un affrontement avec eux. A partir du moment où les islamistes ne remettent pas en cause le pouvoir politique et ne touchent pas au principe fondateur de l'Etat nation turc, ceux-ci peuvent gouverner en parfaite cohabitation. D'ailleurs, la montée de l'islamisme en Turquie qui semble surprendre certains observateurs a pourtant connu un développement singulier. Si durant les années 50 et 60, les gouvernements ont ouvert la voie à l'islamisation de la vie publique et politique, les partis traditionnels des années 70 ont légitimé le parti islamiste en tant que force politique en l'incluant dans diverses coalitions gouvernementales. Paradoxalement, le coup d'Etat militaire de 1980 a véritablement consacré une nouvelle étape dans l'islamisation du pays. Les militaires ont en effet considéré l'Islam comme la base idéologique sur laquelle " l'unité nationale " devait être refondée : ce sera la synthèse " turco-islamique ". Par la suite, les gouvernements successifs ont institutionnalisé le référent religieux comme idéologie officielle et ont ainsi permis la diffusion de l'idéologie islamiste qui a été prise en charge par un vaste réseau institutionnel public et privé. L'évolution du parti islamiste a été directement impulsée par ce cadre institutionnel. L'interdiction des partis politiques de gauche a permis aux islamistes de s'imposer comme seule alternative aux partis gouvernementaux.

La victoire éclatante des islamistes turcs aux élections législatives de novembre 2002 a brusquement ramené au premier plan la question turque et on peut observer à quel point cette question de l'intégration de la Turquie provoque des tensions internes non seulement en Turquie mais aussi en Europe. La victoire des islamistes a ramené au premier plan une question qui n'a toujours pas trouvé de réponse : quelle est l'identité européenne, quelle est la nature de cette construction ? Il n'y a jusqu'ici pas de réponse claire à cette question. Si elle se pose aujourd'hui, ce n'est pas à cause des islamistes turcs, mais parce que la construction européenne est arrivée à un point où elle ne peut pas éviter de s'interroger sur son avenir et sur son identité.

Jusqu'ici, l'Europe s'est construite autour d'une préoccupation d'intégration économique. Cet objectif d'intégration économique, avec la réalisation de l'union économique monétaire, est arrivé à son terme et l'Europe bute maintenant sur les réponses à apporter à de nouvelles questions. Les débats autour et pour une constitution qu'on a pu observer lors des discussions de la Convention européenne montrent bien à quel point les forces politiques européennes sont loin de trouver une réponse, avec un consensus naturellement, sur ce qu'est l'identité européenne. De nombreux membres de la Convention - qui représentent d'ailleurs les différents courants politiques - ont insisté sur l'héritage religieux et culturel de l'Europe, en profitant du vaste espace offert par l'absence d'un consensus sur l'identité européenne ; le Vatican a d'ailleurs investi cet espace sans pour autant être membre de l'Union.

Confrontée à de nouveaux défis sur son identité et sur son avenir, voilà que l'Europe doit trouver une réponse à l'adhésion d'un pays où les forces islamistes gouvernent. La déclaration de Valéry Giscard d'Estaing, une semaine après la victoire des islamistes en Turquie, montre à quel point l'élément culturel et religieux va peser sur les relations turco-européennes dans les années à venir. Ce n'est pas parce que la Turquie est un pays majoritairement musulman, c'est vrai, mais en même temps, les tendances religieuses ont joué un rôle dans l'histoire européenne et dans l'invention de l'Europe. Ainsi la réponse que donne Valéry Giscard d'Estaing reflète la tendance la plus réactionnaire de l'histoire européenne ; elle ramène à l'époque où les Turcs étaient aux portes de Vienne, où le poète Battisto de Mantoue écrivait : " *face aux Turcs, nous sommes tous une nation unique, celle du Christ* "[3].

Si pour le moment, cet aspect culturel religieux n'est pas l'origine des tensions visibles immédiates tout simplement, dans leur ensemble les courants politiques sont tranquilles parce que la Turquie est loin de se conformer à des principes communs, d'ailleurs imposés aux autres candidats qui sont devenus membres. Imaginons un instant que, par une révolution magique, la Turquie se conforme à ces principes, qui peut dire que cela serait sans conséquences en Europe et que l'Union pourrait digérer facilement cette adhésion ?

D'ailleurs au-delà de ce problème culturel, à l'évidence, une adhésion hypothétique modifierait l'ensemble des équilibres politiques et institutionnels en Europe. Avec 70 millions d'habitants dans l'horizon, la Turquie deviendrait le plus grand Etat membre de l'Union européenne et disposerait du groupe parlementaire le plus nombreux au Parlement européen ; en même temps, du fait de son plus grand nombre d'habitants, selon les schémas élaborés pour une majorité qualifiée dans le Traité de Nice, La Turquie deviendrait en même temps la clé de toute décision en majorité qualifiée. Ainsi pour des raisons diverses il n'existe pas en Europe de consensus sur l'adhésion de la Turquie. Le seul consensus apparent, qui d'ailleurs sauve tout le monde, c'est que la Turquie n'est toujours pas un Etat démocratique, un Etat de droit. L'absence d'une véritable volonté à laquelle adhérent toutes les forces politiques européennes conduit à un immobilisme dans l'attente passive que la Turquie se démocratise. Mais à l'évidence, sans une implication active de l'Union et des pays de l'Union européenne, les forces démocratiques turques pourront relever ce défi mais dans combien de temps ? Paradoxalement, les forces politiques qui s'opposent à cette adhésion, que ce soit en Turquie ou en Europe, convergent sur l'impossibilité d'une intégration et proposent une solution de rechange comme le renforcement des relations autour d'une " relation privilégiée ", un " partenariat stratégique ", etc. Mais la population turque kurde, dans sa grande majorité, veut cette adhésion. Sans un signal fort, la Turquie restera prisonnière de l'alternance des militaires et des nationalistes d'une part, et des islamistes d'autre part.

NOTES

1. Parlement européen, *Rapport sur la négociation et la conclusion d'un accord sur l'Union douanière avec la Turquie*, de Carlos Carnero Gonzales,

Commission des Affaires étrangères, de la Sécurité et de la politique de Défense, secret (95) 0541, PE 214..823, 16 octobre 1995.

2. Le Président de la Cour de Cassation turque, M. Sami Selçuk, en plaidant à la fin du mois d'août 1999 pour la refonte de la République sur des bases démocratiques, pluralistes et laïques, soumet à l'examen critique les principaux mythes fondateurs de l'Etat turc : " Un Etat qui ouvre et finance des écoles d'une religion et d'une confession (NdT. Sunnite), favorise cette religion et cette confession, les adopte d'une façon voilée. Or, un Etat laïc doit se tenir à égale distance vis-à-vis des religions, n'en exclure aucune et n'en favoriser aucune. "... " Des considérations populistes et étatistes conduisent l'Etat à balancer entre laïcité et théocratie. L'Etat, officiellement laïc, finance à travers une administration (NdT. Direction des affaires religieuses), tout personnel religieux des mosquées et des écoles d'une confession (NdT. Sunnite). De ce fait, certains considèrent la République turque comme un Etat théocratique mâtiné de laïcité, d'autres comme un Etat laïc mâtiné de théocratie. Le constat est clair : La République de Turquie, du point de vue de la souveraineté, est laïque et du point de vue de l'organisation de l'Etat, elle est théocratique ".

3. Voir J.B. Duroselle, *L'idée de l'Europe dans l'histoire*, Paris, Denoël, 1965, p. 78-79.

So Near and yet so Far: Elusive Settlement in Cyprus[1]

Susanne M. Baier-Allen *

RÉSUMÉ

Les espoirs de réunifier Chypre avant son adhésion à l'Union européenne en mai 2004 se sont évaporés après l'échec des négociations sous les auspices de l'ONU le 11 mars 2003. Cet article examine les raisons pour lesquelles une solution de la question chypriote n'a pas été atteinte dans le contexte de l'adhésion. Il avance la thèse que malgré le contexte positif créé par l'élargissement de l'UE la résolution du conflit chypriote dépendra du progrès du processus de l'adhésion européenne de la Turquie et de l'amélioration des relations récentes entre les deux communautés chypriotes.

ABSTRACT

Hopes to reunify Cyprus before its accession to the EU in May 2004 have faded after the breakdown of UN negotiations on March 11, 2003. This article explores why a settlement in Cyprus remained elusive in the context of accession. The author argues that although the EU context has made a number of positive contributions to the conflict resolution process, the resolution of the conflict will ultimately hinge on Turkey's progress towards EU membership and whether negotiators can capitalize on a recent thaw in relations between the two Cypriot communities.

Introduction

After forty years of a UN-peacemaking engagement, the Cyprus conflict continues to evade resolution. Aside from the two agreements of the late 1970s,[2] in which the two Cypriot communities agreed to a bi-communal federation as the future political set-up in Cyprus, no UN-sponsored talks since then have managed to yield any tangible results. The settlement initiatives of the 1980s were undermined by, on the one hand, the Greek Cypriots' policy of internationalizing the conflict via Greece that was aimed at securing the withdrawal of Turkish troops and thus bypassing the Turkish Cypriots[3] and, on the other hand, the Turkish Cypriots' creation of new facts on the ground by proclaiming statehood in 1983.[4]

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The Cypriot EU membership bid of July 1990 gave rise to new hope that the *de facto* partition of the island could be overcome within the context of Cyprus' EU accession. Although initially there was little enthusiasm for the Greek-Cypriot move to join the EU, the international community gradually came to see that the EU could provide a conducive framework for an overall settlement.[5] This article focuses on the reasons for which the hoped for breakthrough in the twelve-and-a-half years between the submission of Cyprus' membership application and the December 2002 Copenhagen European Council has not materialized. The section that follows explores the potential of the EU to catalyze the conflict resolution process in Cyprus in the context of Cyprus' accession. Then, the effects of 'the EU factor' on the conflict and the conflict parties are examined. A final section identifies the factors that are likely to contribute to a settlement post-Copenhagen.

Catalytic Potential of the EU

Structurally, the EU provided a number of resources that had the potential of making a settlement within the context of accession attractive to both Cypriot communities. These resources took the form of a more prominent international standing, influence at the table in Brussels that comes with "a microphone and a name-plate",[6] participation in a 'security community' (a feature, which is commonly ascribed to the EU),[7] opportunities for foreign direct investment, unqualified access to a wider market, and entitlement to Community funds and subsidies. However, these resources proved to hold too little value for the two Cypriot communities to be able to unfold the desired catalytic effect. For the Greek Cypriots, participation in a 'security community' carried the most value as EU membership was equated with more security from Turkey, while all the other resources did not give them much extra benefit to what they already had. However, as the Greek Cypriots could assume that they could join the EU with or without a solution based on their status as the internationally recognized representative of Cyprus, the EU's resources were effectively devalued as incentives. Although for the Turkish Cypriots, the EU's resources looked very beneficial in the light of their pariah status in the international arena, the value of these resources decreased significantly as the Turkish Cypriots had to work on the basis that they could only receive them after a solution.

As an actor, there were three groups of strategies the EU had available within the constraints of the accession process to further its catalytic potential. The first group could have been used to enhance the perceived value of the resources. For example, in the area of stability of institutions, the EU could have insisted on a very strict implementation of the rule of law to help allay the security fears of the Turkish Cypriots, whereas in areas that appeared costly to both Cypriot communities, within the context of a settlement, the EU could have focused on the relaxation of compliance. Another strategy the EU could have adopted to enhance the perceived value of the resources was to make accession conditional on a settlement. A second group of strategies that was available to the EU were confidence-building measures. For example, the EU could have organized meetings of businessmen, journalists and political influentials in Brussels to discuss EU-related issues. Finally, the EU could have utilized the mechanisms of the accession process in support of the UN-mediated conflict resolution process by making the timing of the stages and milestones of the accession process sensitive, or at least complementary, to settlement talks.

When discussing the catalytic potential of the EU, it is important to consider the constraints EU membership imposes on a settlement. EU membership comes with certain obligations and any precedents set, or concessions made, need to be seen in the context of the existing member states and the continuing functionality of the EU after the accession of new members. The following analysis of the implications of EU membership for the four core issues of a settlement of the Cyprus conflict shows that these constraints are not particularly onerous:

Constitutional-political set-up: EU member states need to speak with a single voice within the EU Council of Ministers. Article 203 of the EC Treaty (TEC) stipulates in this regard that "[t]he Council shall consist of a representative of each Member State at ministerial level, authorised to commit the government of that Member State".[8]

The 'one voice' requirement has major implications on the type of political system adopted by a future Cyprus. In effect, it excludes outright the possibility of a two-state solution. It also excludes a confederation, as in a confederation sovereignty is vested in the constituent units and only few powers or functions are transferred to the central authority while the constituent units retain their separate international legal personality and

thus a right to unilaterally dissolve the confederation.[9] Thus federal, or unitary, constitutional-political set-ups are the only solutions for a future Cyprus that meet the requirements of EU membership. It is important to note here that the question of how the powers between the national level and sub-national levels are distributed in a member state is one in which the EU has no competence to interfere. However, it is important to keep in mind the decision of the European Court of Justice according to which "[n]o EC Member State may successfully invoke internal difficulties or provisions of its internal law, even if these have constitutional status, to justify non-compliance with or delayed implementation of provisions of EC law".[10]

Territory: The question of how the territory of the island shall be distributed between the Greek and Turkish Cypriots in a united Cyprus is outside the purview of the EU.

Security: The mechanisms proposed by each Cypriot community to alleviate its security concerns are compatible with the obligations of EU membership. For example, the Treaties of Guarantee and Alliance could remain in force and the demilitarization of the island would be compatible with the Common Foreign and Security Policy insofar as Cyprus could provide non-combatant and logistical assistance.

Three Freedoms: EU membership has implications on the three freedoms pertinent to a settlement of the Cyprus conflict only insofar as they affect the proper functioning of the common market and/or the guarantee of some basic principles, especially that of non-discrimination.

(1) Freedom of movement – In EU law, freedom of movement pertains to all nationals of the member states as laid down in Article 18 (1) TEC. However, this does not prohibit discrimination in a so-called "wholly internal situation".[11] In the Cyprus case, this means that restrictions on the freedom of movement within a unified Cyprus are possible as long as they only affect Cypriot nationals.

(2) Freedom of settlement – EU law prohibits restrictions on the freedom of establishment of nationals of a member state in the territory of another member state. This prohibition of restrictions not only pertains to the setting-up of businesses, but also to the acquisition and use of land and buildings and the entry of key personnel.[12] Concerning Cyprus, freedom of

establishment as granted by Community law has a number of important consequences: First, a solution of the freedom of settlement issue would not be able to put a blanket restriction on Greek Cypriots moving their residence to the North as the Turkish Cypriots demand. First, a solution would not be able to prohibit (i) companies registered in an EU member state from setting up a branch in the North and employ Greek Cypriots; and (ii) Greek-Cypriot companies from registering outside Cyprus, say in London, and then setting up a branch in the North and bringing in their own key personnel. However, given that this only applies to managerial and supervisory personnel, this would not result in large shifts of Greek Cypriots. Second, Greek Cypriots with dual nationality, whereby the second nationality has been conferred by another EU member state, could not be restricted from taking up their residence in the North on grounds of their ethnicity as this would violate Article 13 TEC. This is particularly pertinent to the Greek-Cypriot diaspora, sizable numbers of which settled in Great Britain and acquired British citizenship before independence and in the wake of the events of 1974. Third, any restriction on the freedom of settlement within Cyprus would need to apply equally to all EU citizens. For example, a restriction could require that in order to preserve local identity a percentage of residents must originate in the area concerned. However, such a restriction would be difficult to implement in the Cyprus case as a large percentage of the Greek-Cypriot population would have a justifiable claim of having originated in the North of the island.

(3) Freedom to acquire property – According to EU law, the freedom to acquire property is closely connected with the one of establishment. As Article 44 (e) TEC stipulates, a national of a member state should be enabled to acquire real estate – this could be both a private residence or a production facility – in the territory of another member state for the purpose of taking up an economic activity in that member state. Within Community law, the only restrictions that have been allowed on the acquisition of property concern second homes.[13] However, in all cases the restriction was only granted for a transitional period after which the rights of property acquisition had to apply equally to both nationals and foreigners.

The implications of Community law on the freedom to acquire property in Cyprus are broadly similar to those on the freedom of settlement. The rights of establishment prohibit blanket restrictions on the right to acquire

property anywhere on the island for economic activities, which includes a worker buying a house as a primary home. Furthermore, the freedom of movement of capital allows other investments, for example, into second homes. In the former case, the rights of establishment must be granted on accession, whereas in the latter case the Community has set precedents for transitional periods. Community law does not cover the dispute between the Greek and Turkish Cypriots as to whether those persons displaced in the wake of the events of 1974 should be compensated for the loss of their property or whether their property should be returned as this is a matter entirely internal to a member state.

Effects of 'the EU factor'

In the twelve-and-a-half years between the submission of the Cypriot membership application and its decision at the Copenhagen European Council to admit Cyprus into the Union, the EU sought to assume a catalytic role by pursuing four different types of strategies: (i) conditionality; (ii) using Turkey's EU membership bid; (iii) selling Cyprus' accession to the Turkish Cypriots; and (iv) confidence-building.

Conditionality has been tried in two instances: First, the Commission's Opinion of 1993 attached the conditionality that there must be surer prospects of a settlement before moving forward with Cyprus' membership bid.[14] The argument behind conditionality from the EU's perspective was that the accession of a divided Cyprus would be disruptive to the workings of the EU.[15] Therefore, the EU could justify making accession conditional on a settlement. However, this approach was unsustainable as accession could be indirectly vetoed by the Turkish Cypriots by simply holding out against a settlement, which in turn, took away the incentive for the Greek Cypriots to cooperate. This form of conditionality was dropped when the date for the start of accession negotiations with Cyprus was set in 1995, without any more reference to a settlement, or the prospect thereof, being a requirement.[16] Second, after a four-year interlude, the EU reintroduced conditionality with its Helsinki *Presidency Conclusions* of 1999. Here it stated that "all relevant factors" would be taken into account when deciding on Cyprus' entry, effectively making accession conditional on attitudes of the conflict parties within the settlement talks.[17]

The strategy of using Turkey's EU membership bid has also been employed on two occasions: First, with the conclusion of the Customs Union with Turkey in 1995, the EU hoped to induce Turkey to put pressure on the Turkish Cypriots to be more amenable during the settlement talks.[18] With Turkey's exclusion from the list of countries included in the accession process at the Luxembourg European Council in 1997, this hope became a distant possibility. At the Helsinki European Council in 1999, the EU undertook to use Turkey's membership bid for a second time when Turkey was afforded candidate status and strong Turkish support to the search for a settlement in Cyprus was explicitly laid down as one of Turkey's obligations on its path to accession.[19] With the EU's decision at the Copenhagen European Council in 2002, where Turkey was given December 2004 as the date for assessing its fulfillment of the membership criteria along with the prospect of opening accession negotiations soon thereafter, no more explicit reference to Cyprus was made.[20] Thus, the EU relaxed the obligation for Turkey to comply with the conditions attached to its accession that were laid down in Helsinki.

The strategy of selling Cyprus' accession to the Turkish Cypriots and, by extension, attempting to get the Turkish Cypriots to join the Greek-Cypriot negotiating team, was adopted more intermittently by the EU. On various occasions before and after the opening of accession negotiations with the Greek-Cypriot administration in March 1998, Commission representatives held contacts with representatives of the Turkish-Cypriot community in order to spell out the advantages that EU membership would bring to their community, but also to allay their concerns about the effects of membership.[21] Furthermore, in an eleventh-hour attempt before the conclusion of accession negotiations with Cyprus, the EU tried to lure the Turkish Cypriots with the specific offer of substantial financial contributions in case of a settlement, intended to allow the northern third of the island to catch up with the more prosperous southern part.[22]

The EU's approach at confidence-building focused on promoting a diversity of bi-communal activities, ranging from the sponsorship of meetings of the Pan-Cypriot Trade Union Forum to the financing of restoration projects on both sides of the divide in Nicosia.[23] When assessing the impact of the 'EU factor' it is useful to consider the dynamics of the Cyprus conflict at three levels: (i) the level of the conflict parties themselves; (ii) the level between the conflict parties; and (iii) the level between the conflict parties and their environment.[24]

While at the level of the conflict parties themselves, EU accession did not change the view that the conflict parties have of the conflict issues, it was, however, responsible for new conflict behavior on both sides. In this sense, EU accession can be said to have had a negative impact. On the Greek-Cypriot side, it provided an extra avenue of internationalization and a potential mechanism for forcing the Turkish troops from the island. This behavior was aimed at decisively weakening the Turkish Cypriots and so reducing the incentive for the Greek Cypriots to make concessions during the settlement talks. On the part of the Turkish Cypriots, EU accession resulted in the dangerous conflict behavior of taking steps towards parallel integration with Turkey, which threatened the permanent division of the island. For example, in October 1990, after the General Affairs Council had approved Cyprus' membership application, the Turkish Cypriots and Turkey issued a joint declaration in which they announced the abolition of passport controls.[25] Following the publication of *Agenda 2000* on July 15, 1997, in which the Commission recommended the start of accession negotiations with Cyprus but not with Turkey, the "TRNC" and Turkey decided to establish an Association Council to "determine the measures to be taken with the aim of achieving integration between the two countries in the economic and financial fields and achieving partial integration in matters of security, defence and foreign affairs".[26] With the emergence of these behaviours, there was a very real chance of EU accession undermining the conflict resolution process it was supposed to be catalyzing.

At the level between the conflict parties, the biggest effect of EU accession was on the conflict parties' willingness to negotiate. Although the EU never left any doubt concerning Cyprus' membership credentials, there was a real debate on letting a divided Cyprus join. The EU's documents (e.g. the Commission's *Opinion* and the Helsinki *Presidency Conclusions*) were often worded in a way that implied that the approach of the Greek Cypriots towards the settlement process would be taken into account when the EU made its decision on Cyprus' membership. As a result, the Greek Cypriots were forced to return to the negotiating table whenever a new settlement initiative was launched in order not to endanger their membership bid. This was borne out by the fact that, on a number of occasions, the Greek Cypriots claimed that they would not continue with, or return to, the talks, only to back down for fear of being blamed the intransigent party. [27] On the part of the Turkish Cypriots, steps towards Cyprus' EU accession had a negative

impact, though this was tempered whenever the EU at the same time took positive steps towards Turkey's accession. While the 1994 Corfu decision to include Cyprus in the next enlargement and the publication of *Agenda 2000* seriously undermined the ongoing settlement talks,[28] the 1999 Helsinki decision, though heavily criticized by the Turkish Cypriots, did not derail the nascent proximity talks due to Turkey's receipt of candidate status. Likewise, the sealing of Cyprus' entry in Copenhagen did not cause the Turkish Cypriots to abandon the discussions on Kofi Annan's comprehensive settlement plan, even though the EU's decision was strongly denounced, likely because Turkey was given at least a date for a review of its preparedness for accession negotiations. It should also be noted here that the Turkish-Cypriot return to the negotiating table in 1997 and 1999 was closely correlated to pending decisions on Turkey's EU membership bid. It was not until the Turkish-Cypriot November 2001 settlement initiative, that Cyprus' EU membership prospect came more positively into play, in that the looming deadline of Cyprus' accession helped at least indirectly to re-start the talks. However, it is arguable whether this should be seen as Cyprus' EU accession having a catalytic effect, given that along with their initiative, there was no indication of a change of stance on the part of the Turkish Cypriots.[29]

Aside from affecting the conflict parties' willingness to negotiate, EU accession also had an effect on the negotiating behavior of the Greek and Turkish Cypriots. In order to not harm their membership bid, the Greek Cypriots had to appear accommodating to the proposals of the UN, which were not always in line with their demands as was made evident by the acceptance of Boutros Boutros-Ghali's 'set of ideas' and Kofi Annan's settlement plan in spite of intensive internal debates. For their part, the Turkish Cypriots tried to use this to their advantage by pushing their position harder.

At the level between the conflict parties and their environment, EU accession impacted in three ways: First, the EU imposed limits on the form of the future constitutional-political set-up in Cyprus in that EU membership excludes a confederation or a two-state solution. The impact of this on the settlement process depends on one's perspective. While on the one hand this has limited the options for a settlement, it had the positive effect of removing doubt about a federal solution. Second, Cyprus' EU accession provided a graduated deadline for finding a settlement. This had

the effect of galvanizing the international community, giving new impetus to the search for a solution. Third, EU accession allowed the UN to be more inclusive of Turkish-Cypriot positions, as the Greek-Cypriot's hands were tied because of their EU aspirations. Thus, the UN Secretary-General's special adviser, Alvaro de Soto, could listen more extensively to Denktash's confederation proposal during the proximity talks in July 2000.[30] It is also notable that Annan's settlement plan made reference to the Belgian model, endorsed by the Turkish Cypriots, when discussing Cyprus' external and EU relations and included the requirement for political equality and the maintenance of the Treaties of Guarantee and of Alliance as demanded by Denktash.[31]

In sum, it can be said that overall the 'EU factor' had a catalytic effect in that it visibly empowered the UN-mediated conflict resolution process without, however, achieving the hoped for breakthrough. In short, what factors are likely to contribute to a settlement post-Copenhagen?

Outlook

With its decision to let Cyprus join on 1 May 2004, the EU lost much of its leverage over the Greek Cypriots as the strategy of making accession conditional on a settlement has ceased to be applicable. Therefore the most useful role the EU can now play is to nurture Turkey's EU membership aspirations. However, this would require that the debates within the EU on whether Turkey could ever join the EU at all as a full member stopped and that the EU made once and for all clear what the conditions for Turkey's EU membership are. In other words, Turkey would need to have reassurance that concessions in Cyprus really enhance its membership prospects.

A second contributing factor to a settlement would be to revive the momentum that was built up in the final stage of Cyprus' accession process. Even though the talks based on the Annan plan broke down in March 2003, the UN should still initiate a new round of negotiations, capitalizing on the new developments on the ground, namely the opening of the 'green line' and the Republic of Cyprus' package of measures to improve the livelihood, and end the international isolation, of the Turkish Cypriots.

NOTES

1. This paper draws extensively on the author's Ph.D. dissertation.

2. Namely the 1977 high-level agreement between Archbishop President Makarios and Denktash, and the 1979 ten-point agreement between President Kyprianou and Denktash. For the full texts of these agreements, see Oliver P. Richmond, *Mediating in Cyprus: The Cypriot Communities and the United Nations* (London and Portland: Frank Cass, 1998), pp. 258-59.

3. See Peter Zervakis, "The Accession of Cyprus to the EU: The Greek Viewpoint," in Heinz-Jürgen Axt and Hansjörg Brey, eds., *Cyprus and the European Union: New Chances for Solving an Old Conflict?* (Munich: Südosteuropa-Gesellschaft, 1997), pp. 141-42.

4. For more details on the background of the Turkish-Cypriot declaration of independence, see Zaim M. Necatigil, *The Cyprus Question and the Turkish Position in International Law* (Oxford: Oxford University Press, 1993), pp. 184-204.

5. See UN Security Council, Resolution 1062 (1996), 28 June 1996, para. 13; UN Security Council, Resolution 1092 (1996), 23 December 1996, para. 17; and UN Security Council, Resolution 1117 (1997), 27 June 1997, para. 14.

6. Graham Avery and Fraser Cameron, *The Enlargement of the European Union* (Sheffield: Sheffield Academic Press, 1998), p. 33.

7. See Ole Wæver, "Insecurity, security, and asecurity in the West European non-war community," in Emanuel Adler and Michael Barnett, eds., *Security Communities* (Cambridge: Cambridge University Press, 1998), pp. 69-118.

8. Article 203, Treaty Establishing the European Community, consolidated version (in force since May 1999), OJ C340, 10 November 1997.

9. On defining elements of confederations, see Daniel J. Elazar, *Exploring Federalism* (Tuscaloosa and London: The University of Alabama Press, 1991 [1987]), pp. 7 and 105.

10. Quoted in LOGON Report 2000, New Challenges for the Local Level: Experiences made by Associations of Local and Regional Authorities in Austria, Finland and Sweden on Issues related to EU Accession, pp. 34-35.

11. See Case 175/78, *La Reine v Vera Ann Saunders* [1979], ECR, p. 1129 and Case C-64/96 and C-65/96, *Land Nordrhein-Westfalen v Kari Uecker* and *Vera Jacquet v Land Nordrhein Westfalen* [1997], ECR, p. I-3171.

12. See Articles 43 and 44 TEC.

13. For example, Austria, Finland, and Sweden were allowed to maintain their "existing legislation regarding secondary residences for five years from the date of accession". Treaty between the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Portuguese Republic, the United Kingdom of Great Britain and Northern Ireland (Member States of the European Union) and the Kingdom of Norway, the Republic of Austria, the Republic of Finland, the Kingdom of Sweden, concerning the accession of Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union, OJ C241, 29 August 1994, pp. 35, 38 and 41.

14. See European Commission, The challenge of enlargement – Commission opinion on the application by the Republic of Cyprus for membership, Bulletin of the European Communities, Supplement 5, 1993, pp. 16-17.

15. See *ibidem*, pp. 8 and 13.

16. See General Affairs Council conclusions, 6 March 1995 (http://europa.eu.int/comm/ enlargement/cyprus).

17. See Helsinki European Council, Presidency Conclusions, 10-11 December 1999, para. 9b.

18. See Heinz Kramer, "The EU-Turkey Customs Union: Economic Integration amidst Political Turmoil," in *Mediterranean Politics*, 1 (1996) 1, p. 72.

19. See Helsinki European Council, Presidency Conclusions, 10-11 December 1999, para. 12; and Council Decision 2001/235/EC, 8 March 2001, on the principles, priorities, intermediate objectives and conditions contained in the Accession Partnership with the Republic of Turkey, OJ L85, 24 March 2001, p. 16.

20. Copenhagen European Council, Presidency Conclusions, 12-13 December 2002, paras. 18-19.

21. See Neill Nugent, "Cyprus and the European Union: A Particularly Difficult Membership Application," in *Mediterranean Politics*, 2 (1997) 3, p. 68.

22. See Seville European Council, Presidency Conclusions, 21-22 June 2002, para. 24; and Brussels European Council, Presidency Conclusions, 24-25 October 2002, Annex I para. 8.

23. See European Commission, Regular Report on Cyprus' Progress towards Accession, 13 November 2001, p. 9.

24. For this useful distinction, see Christopher R. Mitchell, *The Structure of International Conflict* (Basingstoke: The Macmillan Press, 1981), pp. 47-48.

25. See "Important messages issued during Akbulut's visit," in *Briefing*, Issue 807, 8 October 1990, p. 11.

26. Agreement between the Government of the Republic of Turkey and the Government of the Turkish Republic of Northern Cyprus on the establishment of an Association Council, 6 August 1997, Lefkosia, Article II.

27. See, for example, "Clerides and Denktash agree on date but little else," in *Briefing*, Issue 933, 5 April 1993, p. 11; and "Clerides fury at UNFICYP mandate resolution," in *Cyprus Mail*, 9 December 1999.

28. See "EU entry prospect sparks fresh debates," in *Briefing*, Issue 1001, 8 August 1994, p. 5; and Report of the Secretary-General on his Mission of Good Offices in Cyprus, S/1997/973, 12 December 1997, para. 6.

29. See "Denktas wants Greek Cypriots to accept his conditions as Cyprus realities," in *Kıbrıs*, 27 November 2001.

30. See "Denktas: We are better off than pre-Geneva," in *Turkish Daily News*, 7 August 2000.

31. See Basis for Agreement on a Comprehensive Settlement of the Cyprus Problem, 11 November 2002.

Promoting Security Dialogue in the Mediterranean: The Hellenic Presidency and Beyond

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RÉSUMÉ

Les problèmes de securité en Méditerrannée sont examinés dans le cadre des intérêts de l'Union européenne. L'approfondissement et l'élargissement de l'UE sont supposés affecter ses politiques étrangères de securité et de défense aussi bien que l'orientation normative et institutionnelle de sa politique méditerranéenne. Pour le développement de la dimension méditerrannéenne de la politique européenne de défense et de sécurité il fait état des mécanismes afin d'alléger la complexité régionale, absorber les vibrations de la construction de l'ordre européen et promouvoir un sens d'appartenance commun des peuples de la région. Cet article examine le rôle joué par la dernière présidence hellénique de l'Union Européenne en clarifiant et en mettant en évidence la dimension Européenne des visions stratégiques de l'UE.

ABSTRACT

Issues of Mediterranean security are examined in the context of broader EU concerns and intentions. The deepening and widening of the European Union is bound to affect its foreign, security and defence policies as well as the normative and institutional orientation of *Euromediterranean* policy. For the development of the Mediterranean dimension of the European Defence and Security Policy mechanisms are needed to alleviate regional complexity, absorb order-building vibrations and promote a common sense of belonging among the peoples of the region. This article examines the role played by the last EU Hellenic presidency in clarifying and promoting the Mediterranean dimension of EU strategic intentions.

Introduction

The terrorist attacks against the United States on September 11, 2001, ushered in a new era in international politics. Among the areas affected by

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the epoch-marking events are the priorities of international relations, the nature of regional politics, the shape of political alliances, the driving purpose of US foreign policy, the nature of international cleavages, the evolving role of military forces and the risks of weapons of mass destruction.[1] The latter have also altered the Western strategic threshold but have not really challenged the American position in the world, although the impact on American strategy debate is profound. Likewise, the overall international security paradigm remained reasonably clearcut, with the US dominating the post-Cold War international system, especially those aspects of the system dealing with security issues.

Given a turbulent and unpredictable international environment of which clear manifestations are the wars in Afghanistan and Iraq, analysts were quick to point out that the Mediterranean region is particularly vulnerable within the emerging global security setting. After all, it has traditionally been a zone of strategic and socio-economic instability, migration flows, violent religious and cultural conflicts, varying forms of political institutions, differing security perceptions and, above all, divergent worldviews. Today, three major issues dominate Euro-Mediterranean affairs: the widening socio-economic gap between the 'booming' but still underdeveloped South and the 'growing old' but wealthy North; the redefinition of Euro-Arab relations; and the 'power deficit' between the European Union (EU) and its southern Mediterranean partners. The latter has been escalating steadily since the signing of the Schengen Treaty, which many perceive as the forerunner of a fortress Europe.

Issues of Mediterranean stability are old themes in the study of international relations, let alone of European diplomacy. Yet, they still rest on considerable variation. The extent to which the Mediterranean can be seen as a distinct region complicates further the discussion about the appropriate scope and level of a common European policy towards this part of the world. Partly as a result of the Community's Mediterranean enlargements in the 1980s, and partly due to the changing conditions post-1989, Mediterranean affairs have come to occupy a significant amount of EUROPE'S external relations. But important questions are raised as to whether the *Euro-Mediterranean Partnership* (EMP) will be crowned with success; whether the EU can further political and economic liberalisation in the partner-states; which norms are likely to emerge in the security-building

aspects of the EMP; whether a more equitable regime of economic exchange will be established in the region; and what the prospects of regional institutionalisation are, given the levels of complexity, heterogeneity and fragmentation that for centuries now shape the physiognomy of this 'unique body of water'. Added to the above are questions of good governance, civil society, multiculturalism and inter-faith dialogue.

But Euro-Mediterranean relations are also affected by a new regional strategic variable: the EU's nascent *European Security and Defence Policy* (ESDP). This crisis-management tool directs attention to a set of developments that enhance the EU's role in international security affairs. Arguably though, ESDP is but one aspect of a broader and far more ambitious goal linked with the future of Europe, and particularly the elaboration of a common European defence policy, leading eventually to a common defence (composed of a mutual assistance clause and assorted solidarity provisions). Such developments reflect the desire of EU members to advance the pace of the regional arrangements in the fields of security and defence. Ultimately, the aim is to 'communitarize' the EU's second pillar - the *Common Foreign and Security Policy* (CFSP) - so as to bestow the larger polity with the necessary decision-making structure for effective responses to actual crises. The consolidation of the CFSP is a platform from which the EU can make its voice heard in international affairs, adding to its - already acknowledged - economic might. The perceived added value from this process of deepening European integration, points at the formation of an independent political entity able to face the new global and regional challenges and to promote the fundamental norms of good governance. Such aims are to be supported by a nascent ESDP in dealing with crisis management operations, humanitarian and emergency rescue missions, as well as with peacekeeping and peacemaking tasks, including peace-enforcement; what in recent strategic parlance amounts to the so-called 'Petersberg tasks'. It is necessary to make clear that the ESDP, apart from being an incipient step towards the making of an EU military force 'proper',[2] it is also a point of strategic convergence among different national aspirations, as well as a medium between the strategic preferences of the transatlantic partners themselves.

The EU may well be firmly enough established as a collective polity, albeit with a considerable degree of 'inventiveness' and institutional sophistication,

but has no historical precedent. This exacerbates the prospect of contextualising our expectations in relation to its global 'actorness' with enhanced military capabilities. Even though the EU's transformation into a collective defence system remains a rather distant possibility, it is clear that, today, extraordinary opportunities arise for a substantive redefinition of its future international role, given that it already represents a global symbol of political stability and economic prosperity. To give an example, the EU has been actively involved in the process of democratising Central and Eastern Europe, as well as in the promotion of change in North Africa. But the vision of an EU that contributes to global security management entails more than the consolidation of a regional role, especially one based on economic power. It requires the emergence of a commonality of interests among its members and, hence, a single voice in world affairs, which in turn implies that EU members will have to sacrifice some of the gains stemming from the formulation of their foreign policies on the altar of a defence-based CFSP.

Doubtless, the deeper integration of EU foreign, security and defence policies is bound to affect Mediterranean governance, and with it the normative and institutional orientation of the EMP. For one thing, an autonomous European defence capability should not lead to a 'fortress' Europe, but rather, precisely because the ESDP is better equipped to dealing with crisis-management operations, it can complement the EMP by endowing Mediterranean security with a more pluralist and transparent vision. Here, it is important for both settings to arrive at common definitions of their respective security anxieties, especially those related to asymmetrical threats, as well as to pertaining asymmetries in issues of justice, tolerance, information-flow and trust-building. Thus, all strategic perceptions in the Mediterranean should be reconsidered and clarified so that the EMP bears practical political achievements.

Euro-Mediterranean Formations

The Mediterranean is a composite of different civilizations, each reflecting a distinctive sense of being and belonging. However, the extent to which old images are replaced by new in the region's cultural tapestry remains unclear. Mythical constructs aside, in the light of current constellations, the Mediterranean reveals a pluricausal dynamism towards a new social, cultural

and political mapping. Elements of convergence and divergence are reformulated through a dialectic of old stereotypes, novel ways of thinking, modified security perceptions, and an ascending pluralism in its emerging governance structures. Against this background, the EU agenda has been reshaped to accommodate regional transformations in its periphery.

Since the launching of the EMP, the EU's Mediterranean policy has gained both in strategic importance and, as compared with previous policy regimes, internal cohesion. By putting an institutional face to a more balanced and comprehensive approach, the EMP became key to Mediterranean order-building through a principled policy orientation. Arguably, developments in the region have always been part of the EU's agenda. Europe's external relations with southern Mediterranean countries have become politicized as a result of the geographical proximity, the level of interdependence, and the role previous EU Mediterranean policies have come to play. Signs of enhanced European interest were first recorded as early as 1975, at the beginning of the Euro-Arab Dialogue, then in the early and mid-1980s with the accession of Greece and the Iberian nations to the then Community, and again after the end of the Cold War and the first Gulf crisis of 1990/91. Since the mid-1990s, however, the EU's Mediterranean policy has become multilateral in nature. The EMP, by forging new co-operative policies in the region has become a focal point of attention. Hence a new phase of openness, dialogue and work in common from policy-design to implementation.

Before 1989, Mediterranean security became increasingly indivisible, often regardless of diverse sub-regional features. More recently, some analysts have tried to project, both before and after September 11, 2001, a historical Mediterranean fragmentation, by perceiving the dominant conflict in the region as one between 'occidental' and 'oriental' values. This narrowly framed hypothesis, favours security's cultural dimension, prophesising an inevitable clash of civilizations. Yet, others focus on so-called new security threats and risks, including international terrorism, emergent forms of transnational criminalities, nuclear smuggling, drug-trafficking, uncontrolled refugee movements, illegal migration, socio-economic asymmetries, environmental risks, and the like. Since the post-bipolar world has lent both greater fluidity and instability to the Mediterranean, what is most needed is a structured political dialogue on the root-causes of conflict,

the *prolepsis* of immediate crises through a long-term strategy within multilateral institutions, a renewed focus on institutional response adaptation, and the development of a 'common strategic language' to redefine security issues.

In this sense, the comparative advantage of the EU in developing an ESDP Mediterranean dimension is that the EMP was not intended to serve as a conflict-manager, peacekeeper, or an instrument of conflict resolution. For all its ambition to bring about an 'area of peace and stability', the Barcelona Declaration emerged as a loose framework for conflict prevention. The ESDP's is better equipped to act as an institution able to carry out crisis-management missions, offering complementary security framework for the elaboration of guidelines towards a 'common Mediterranean security space'. In that sense, an ESDP-led security dialogue in the region will bear positive cumulative effects in the EMP, opening up new possibilities for critical security issues to be discussed such as interoperability and 'constructive duplication', doctrinal convergence on conflict prevention, intelligence-sharing and information exchange practices, export control regimes, civilian emergency planning and, moreover, a redefinition of defence mechanisms with a view to embracing civilian capabilities and achieving operational cohesion. Such an extended political dialogue could thus enhance security's 'human' dimension, including civilian engagement in crisis-management missions, compatibility of prescribed actions with human rights norms, civil society input, and so on.

Yet we could say that the EMP is epitomized by the emphasis it places on respect for democracy and human rights, political dialogue, economic liberalisation, as well as financial and technical assistance for the southern Mediterranean partners. The Barcelona Declaration includes numerous norms on rule-governed interstate relations and global disarmament, as well as provisions for combating terrorism, drug-trafficking, and illegal immigration. It also provides for increased arms control - renunciation of nuclear, chemical and biological weapons. Accordingly, one could argue that the EMP, for all its shortfalls, has infused a greater political (security) bias to Euro-Mediterranean relations, while encompassing an ambitious economic plan for an (industrially inspired) Euro-Mediterranean Free Trade Area by the year 2010, and a 'human dimension' similar to the one introduced by the Helsinki Process in 1975.[3]

The EMP may prove instrumental in fostering a new co-operative culture, even a new ethos, among the partner-states. For instance, interest-convergence around economic tasks could contribute to a relaxation of tensions in areas where controversy is more likely to arise, such as military security and human rights. It is on that premise that a more easily discernible Euro-Mediterranean regime may come into being.[4] The composite nature of the EMP offers a range of opportunities for the actors' functionalist expectations to reach decisions that are beneficial to systemic stability. In its eight years of existence, however, the EMP has not fulfilled its high ambitions, but has experienced significant constrains. First, it has not helped in the resolution of any major security problem in the region - all three 'baskets' of co-operation have suffered from the proliferation of conventional weapons and weapons of mass destruction, low-level investment, illegal immigration, violation of human rights, and the regional 'ticking bomb' called demography. Second, all the optimism that the Oslo Process produced in the early 1990s turned into a devastating violent cycle of suicidal terrorist attacks and excessive use of military force. It is lamentable that since the second *Intifada* in 2000, the EMP has failed continuously to free itself from the failures of the Middle East Peace Process.

It is fair to say that the EU exhibits difficulties in dealing with Middle East security, in contrast to dealing with other transformative regions. Equally true is that it faces significant challenges as a result of the presence of the US and the latter's continuing reluctance to share its 'co-operative hegemony' in the region. Post-September 11, the US-sponsored counter-terrorism campaign and the recent war over Iraq highlighted the profound divisions not only between transatlantic partners, but also within the EMP. Also, the latter's status has been seriously affected by the inadequacy of the EU's intervention in the 2002 Middle East crisis, not only in terms of security co-operation but also in relation to the Partnership's multilateral nature. It is no secret that the EU has to make considerable efforts to keep Israel in the Peace Process, whilst continuing to co-operate with the Arab countries. The EU has to contribute something concretely positive to regional peace in accordance with the reasonable demands of its Arab partners, whilst dealing with Israel's hostile attitude toward any EU-led intervention.

Of importance in the years to come will be the institutional format chosen to transcend the peculiarities of a rapidly evolving Euro-Mediterranean

space. However, institutionalizing the EMP alone will not be sufficient to manage an increasingly complex and expanding security agenda. Can the EMP meet its prescribed ends without transforming itself from a loose association of states into a system of patterned behaviour with a particular notion of rules of the game? Put differently, can the co-operative ethos embedded in the Barcelona Declaration of November 1995 go beyond the level of contractual interstate obligations and closer to a meaningful partnership?[5] A plausible answer is that new rules and norms on how to handle change will have to be created, given that behaviour, not just proclamations, will determine the outcome of Mediterranean order-building. EU strategic choices will thus be of great importance, along with the promotion of norms of good governance, given the tensions arising from different conceptions of democracy and political liberalisation. Equally crucial are the socio-cultural barriers in promoting an open inter-civilisational dialogue, keeping in mind the recent re-embrace of religious radicalism in parts of the Arab world. Whatever the legitimising ethos of the prevailing worldviews, a structured political dialogue based on the principles of transparency and symbiotic association is central to the cross-fertilisation of distinct politically organized and culturally defined units, as well as to alleviate historically rooted prejudices, whilst endowing the EMP with a new sense of process and purpose.

The Hellenic Presidency of the ESDP

Greece, a country located at the eastern hub of a strategic theatre lying at the crossroads of three continents, is well anchored to the European zone of peace and stability. Being at the centre of a volatile regional triangle comprising Southeastern Europe, the Middle East and the Caucasus, the Mediterranean plays a pivotal role in the country's history, politics and society. Greece is also an integral part of the Balkan state system, whilst the Aegean passage constitutes an important shipping route for the transportation of energy products to Europe. In general, Greece's position enhances its strategic significance for the EU, as the Mediterranean constitutes a crucial fault-line between the rich Christian North and the poor Islamic South. In brief, the challenges facing contemporary Greece is to safeguard its territorial integrity, whilst projecting its civilian values in its oft-troubled peripheries, especially in the Balkans. With Greek politics being

formulated in relation to an ever globalising, if not already globalized, world, the time is ripe for the country to redefine its identity in the new multicultural settings.

Greece exhibits a firm European orientation, maintaining at the same time particular Mediterranean concerns that relate to both internal and external security. Its 'principled' Mediterranean policy is guided by respect of internationally recognized borders, stability, peace, and security. Despite the many complex problems faced by the littoral countries, Greek foreign policy aims to develop multilevel and multilateral links with these countries based on historical and cultural ties and affinities, as well as on common economic and commercial experience. Greece has intensified its efforts to foster links with its southern EMP partners, by acting as a factor of stability throughout their transitional phase of economic and political liberalisation. Building further on an ESDP Mediterranean dimension, the new regional space becomes a rediscovered land of opportunity and belonging for Greek policy-makers.

With this in mind, let us recall that the successive crises in the Balkans during the 1990s increased the need for developing reliable ESDP machinery to support European foreign policy objectives. ESDP was formally launched at the June 1999 Cologne European Council. Since then, it developed itself through a series of political decisions taken at Helsinki (December 1999), Feira (June 2000), Nice (December 2000), Geteborg (June 2001), Laeken (December 2001), Seville (June 2002), Brussels (October 2002), Copenhagen (December 2002), Athens (April 2003) and, more recently, the expanded General Affairs Council (with the participation of the member states' Defence Ministers) in Brussels in May 2003, where the European Rapid Reaction Force (ERRF) was declared fully operational. Each of these decisions gave substance to the EU's desire to enhance its capacity for autonomous action.

After the Saint-Malo Agreement and the Cologne European Council, it was decided that the EU should achieve an autonomous capability for the deployment of humanitarian and peacekeeping operations in accordance with the UN Charter. The decisions taken at Helsinki reformed the policy frame and made the ESDP a reality, at least as far as the implementation process of the Headline Goal is concerned. The Helsinki text underlined that the proposed action plan had to take into consideration that 'the most

demanding part of the missions will take place in and around the Mediterranean', without, however, separating the latter from the Balkans. The political and military institutions for EU crisis management were established at the December 2000 Nice European Council. Later on, at Laeken, the European Capabilities Action Plan (ECAP) was adopted, providing general guidelines for the shortfalls regarding the specifications of the ERRF. The so-called 'Brussels text', adopted by the homonymous European Council, was key in developing a real ESDP 'operational capability', by ensuring EU autonomy beyond NATO's means. Recognizing NATO's fundamental role in European security, and given that it remains the sole agent for collective European defence, the development of EU crisis-management tools was discussed at the Washington Summit in April 1999,[6] where it became imperative for both partners to reach a co-operation agreement.[7]

Finally, following the efforts of the Hellenic Presidency during the Informal Conference of EU Defence Ministers at Rethymnon on 4-5 October 2002, the ESDP has been set on a more stable basis. The basic priority set out by the Presidency was the completion of all outstanding issues that would allow for the utilisation of the EU's operational capability in crisis management operations within 2003, through the advancement of civil-military networks. Greece has held the Presidency of the ESDP since July 1st, 2002 (due to Denmark's opt-out from defence issues). In its twelve-month Presidency, too many issues have arisen in the international agenda such as the intensification of the global war against terrorism, the escalation of the Arab-Israeli conflict, the increasing emphasis on illegal immigration, and the US-led war in Iraq. Reasonable claims point to the danger of setting aside EU expectations to strengthen south-south co-operation within the EMP *vis-à-vis* the new security priorities.

Most analysts, in the light of the negative experience with Eurofor and Euromarfor, have underlined the need of complementary measures to support the ESDP. Given the low level of information about the ESDP in the Arab world, the EU decided to pay greater attention to the misperceptions and fears of its Mediterranean partners regarding the strengthening of its military capabilities. Thus the ESDP acquired its own Mediterranean dimension, courtesy of the initiative taken by the Spanish Presidency during the first half of 2002.[8] The Hellenic Presidency that

followed, played a decisive role to that end. Its proposals on transparency, trust-building and the institutionalisation of security dialogue will allow EMP partners to gain better access in the making of a co-operative regional space and to reduce the existing levels of regional asymmetry. Thus the Hellenic Presidency's seminars on the Mediterranean Dimension of the ESDP, held in Rhodes on 1-2 November 2002 and in Corfu on 9-10 May 2003, were meant to act as platforms for an open exchange of views to clarify EU strategic intentions and to alleviate any possible misperceptions, thus promoting mutual understanding.

Rethinking Threat Perceptions

Euro-Mediterranean politics are full of misunderstandings about distorted perceptions and images of Islam, as they are about the threat of terrorism used by transnational extremist groups, especially post-September 11th. Other misperceptions stem from the appropriation of Islam for political ends and the tensions arising from questions of universal values and norms of human rights. Such misunderstandings emanate as much from mutual ignorance, as they do from intended confusion. One should also guard against the simplification often suggested in the media that 'Islamic fundamentalism' is a violent and merciless force orchestrated by radical regimes in the Middle East. The creation of a meaningful (security) partnership in the Mediterranean is no easy task, given the tendency to exploit or fuel traditional prejudices that would perpetuate the EMP's stance between order and disorder, making the development of co-operative politics an 'essentially contested project'. Thus there is urgent need to (re)define terms that reduce inter-civilisation dialogue to a series of parallel monologues. The aim is for a reciprocal exchange that does away with any subjectivist view that wants the 'West' to act as a universal civilising force based on an almost metaphysical obligation to humanity. It is, then, of great value that any meaningful debate about Islam should dispel the clouds of deliberate myth-making and revengeful rhetoric that are detrimental to a security dialogue.

Any security dialogue in the Mediterranean implies a realistic assessment of security risks and threats, at both northern and southern fronts. It is true that the Arab partners do not present Europe with any major military threat,

as the growing militarisation in the South is mainly intended for use on a south-south scale or for 'internal interventions'.[9] Nor do southern Mediterranean states perceive any direct threat from the North, for they associate 'security' mainly with domestic concerns and internal policing. Still though, even talking about the (neo-colonial) international management of domestic crises the West has exhibited post-1989 exacerbates general anti-Western feelings. A neutral assessment of the risks undermining regional stability would not perceive Europe as a threat to the South, as well as Europe's perception over the Islamic danger as an exaggeration. However, it is the threat itself, as much as the dominant perceptions of such threat that guide national policy-makers.

It is commonplace that state behaviour is largely influenced, even determined, by perceptions. Perceptual influence and mental constructs in political interaction becomes visible when actors decide to extend their co-operation into new areas of collective action. Although terrorist activity is endemic in the Mediterranean, most would agree that the new US-sponsored doctrine focusing on asymmetrical threats and preventive wars has impacted on EMP affairs; namely, the re-enforcement of policing in national security affairs, an increase in restrictions regarding the free movement of people, and the alienation between Mediterranean publics. It has also affected the course of Euro-Mediterranean politics, by increasing 'internal pressures' in some southern Mediterranean societies, and by redirecting attention to issues of military security at the cost of investing in economic growth and stabilisation projects. In particular, there is a dominant perception in the Arab world that the US-sponsored antiterrorist campaign in Afghanistan, Iraq and possibly in other parts of the Middle East is the beginning of Huntington's 'clashing' era. This perception stems from a chain of events that have fuelled the Arab world with a deep sense of insecurity. The first Gulf War, the international isolation imposed on Iraq and Libya, the overwhelming US preoccupation with Israeli security, and the 'neo-hegemonic' stance of the US before and after the recent war in Iraq have convinced the Arabs that the West will not hesitate to strike out against them should its interests, geopolitical or other, require so. The development of ESDP military capabilities has also led many Arabs to the erroneous conclusion that the EU shares NATO's strategic plan for the Mediterranean, focusing primarily on how to combat the new asymmetrical threats. All the above endanger the empowerment of radical religious segments that perceive

Europe as a potential enemy. Hence the need for including southern EMP partners into ESDP processes.

Besides the growing feeling that in the Arab world there is a negative predisposition towards the ESDP, questions about the properties of a Mediterranean security system further complicate discussion about the objectives and the level of the EU's strategic involvement in the region. The EU's official documents such as the Common Strategy for the Mediterranean are general descriptions lacking prioritisation over the EU's strategic intentions.[10] But in the process of consolidating a common European defence identity with operational capabilities, the conceptions, intentions, planning, political goals, individual national interests of EU states and their attempt to maintain a relative diplomatic freedom in the region remain vague. 'In the absence of a clear range of goals, deriving from a joint strategic plan for the Mediterranean', the EuroMeSCo's report argues that 'a certain level of vagueness is inevitable'.[11] The development of EU military capabilities is a reaction to previous European interventions in the successive Yugoslav crises. But the fact that the main geographical target of the ESDP is to maintain peace and stability within the European continent, does not exclude the possibility of the EU to undertake humanitarian and crisis-management operations in the Mediterranean.

The essential point is that the ESDP represents a new regional strategic variable, not a threat. Thus the EU's Mediterranean partners should not perceive it in hostile terms. Immigration is not on the ESDP agenda, and the EU's military force is certainly not intended to act as a police force for the Mediterranean peoples. Accordingly, the southern partners should not view the deeper motives of the ESDP as the creation of a Schengen-type force to guard the Mediterranean, or as some sort of EU military imposition or even as an orchestrated western control over them. A solid EU position towards the Middle East could act as a confidence-building measure in Euro-Mediterranean relations, and the ESDP can be taken by the Mediterranean partners as a new opportunity to strengthen strategic co-operation.

Conclusion

Current global transformations are sharing and reshaping the terms of political and economic governance, reactivating basic questions of

multilateral co-operation. Deep-seated changes in the conditions of institutionalized rule pose new challenges to the search for viable political orders based on stable patterns of authority not only within but also between states and societies. Such challenges offer the broader context within which the integration of domestic and international politics takes place. At the same time, the struggle for social and political equality, the ever widening chasm between rich and poor, and the displacement of bipolarity by deep divisions of cultural values point in the belief that defining elements of separateness proceeds hand in hand with the need to identify degrees of common understanding among actors that increasingly operate under conditions of complex interdependence.

Against this swiftly changing international scene, whose intellectual outcome has been the ascendance of 'identity politics' and non-territorial, even post-national, forms of governance, the Mediterranean refers to a heterarchical regional space, which continues to spark the interest of international scholarship. Such composite mosaic of self-images, belief-systems and identities results, as noted earlier, in a composite system of partial regimes, each reflecting a particular sense of being and belonging. The relationship between complexity and reality in the region can be understood as having developed from a uniquely Mediterranean context. The above views are testimony to the enduring influence of cultural distinctiveness in the politics of regional order-building, with the Mediterranean remaining a divided (social) construct. But this renewed interest in Euro-Mediterranean politics post-1995 may not necessarily result in a substantive agreement on many good governance issues, including transparent policy-making, economic security-building, respect for human rights, co-operative conflict management and intra-regional reconciliation. Partnership-building and a shared, but credible, commitment to mutually rewarding outcomes can feed into this process, constituting a crucial adjunct to the emergence of a sense of security at the grassroots. Central to the above is the institutionalisation of the EMP through the setting up of co-operative practices, norms and rules. All the more so, given the need for an open political dialogue to do away with the subjectivist approach that wants the West to act as a universal civilising force based on fixed notions of democracy and a predominantly liberal understanding of political order.

The Mediterranean has been a crossroads of civilisations as well as a hotbed of tension. Today, against the background of unprecedented global

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changes, both its shores are groping for change. At macro-level, although the EMP cannot but go ahead through trial and error, it should keep a fundamental direction: designing efficient systems of institutionalized rule requires maximum 'capacity for governance'. The EMP is presently lacking such a capacity, not only due to various institutional weaknesses, but also due to the absence of credible commitments by the partners to make effective use of existing arrangements.[12] Notwithstanding the Middle East crisis, steps in the right direction include the infusion of greater transparency in its structures and a clear focus on strategic co-operation. Most of the EU's southern partners do not oppose the strengthening of regional defence co-operation and their involvement in joint military exercises, as well as strategic and training activities. Their participation in future ESDP exercises is a valuable confidence-building measure that needs to be encouraged by the EU. The reinforcement of scientific as well as military co-operation in emergency rescue missions and the handling of natural disasters are good cases in point.

New mechanisms for bilateral security and defence co-operation should not be excluded from the agenda, initially at the level information exchange or even intelligence sharing at sub-regional level, where security is a clear issue. Such forms of co-operation could then be extended at EMP level for the promotion of regional contacts over ESDP matters. Even though southern EMP partners seem to appreciate security and defence co-operation at a selective bilateral level, the holding of frequent meetings at Defence Ministerial level is desirable by all partners. This was made clear at both seminars organized by the Hellenic Presidency of the ESDP that helped to revive the interest over the initiation and regularisation of a Mediterranean security dialogue. The Greek proposals for the regularisation of such dialogue could lead to the institutionalisation of the Mediterranean dimension of the ESDP.

Limited as it may be at present, the potential for organising Mediterranean security awaits utilisation. Because crises in the region are endemic, they know no borders: they have a tendency to ignore passport procedures and spill over very rapidly, opening a wide range of possibilities for crucial strategic issues to be brought to the fore. The search for a new legitimacy in EMP security structures depends heavily on the partners' capacity to resist the forces of polarisation and segmentation, as well as on the credibility of

their commitment to a mutually reinforcing dialogue. The flexibility of the EMP and the means through which its constitutive norms can facilitate agreement on security and defence issues will no doubt affect its potential to adjust itself to a highly interdependent region. What is urgently needed is a set of system-transforming mechanisms to alleviate regional complexity, absorb order-building vibrations and preserve the same sense of being and belonging that for centuries now binds the peoples of the region in an almost mystical, all-Mediterranean fashion.

However, to break down Mediterranean complexity, one has to grasp the importance of diversity as an essentialistic principle as the system itself is constituted in the clash of different sub-systems. A heterarchical order minimizes homogeneity as the principal referent for sub-systemic co-operation. This form of enhanced particularity through a reflexive appropriation of difference becomes the basic normative unit of the system itself. This resonates with a broader aspiration of partnership that transcends any mono-dimensional configuration of power, stressing the complex nature of a common vocation. This is where a heterarchical regime like the EMP is better equipped to manage the existing levels of regional complexity. The plausibility of this claim to the importance of reflexivity, as opposed to co-ordinated hierarchy, rests on a systemic perspective, whereby the various segments form 'instances of a totality'. Although some hierarchy of norms may prove necessary, this should also reflect the necessity for respect for the 'other'. The aim is for 'others' to be brought into the EMP framework, and for regional diversity to transform itself from a self-referential property of distinct units into an identifiable pluralist order composed of intertwined states and societies.

NOTES

1. D. N. Chryssochoou, M. J. Tsinisizelis, S. Stavridis and K. Ifantis, *Theory and reform in the European Union*, second revised edition, Manchester and New York: Manchester University Press, 2003.

2. In the military aspects of ESDP, the EU has committed itself to setting up a force of 60.000 men, deployable within two months and sustained on the ground for 12 months. But this embryonic military structure is not meant

to be a standing force. Hence, the term 'Euro-Army', which has been in inflationary use for some time now, does not describe accurately, at least for the time being, the nature of the EU's crisis-management apparatus.

3. D. K. Xenakis, 'The Barcelona Process in the Light of the Helsinki Paradigm: Patterns of Complexity and Order-Building', Themata: Policy and Defence, No. 18, Defence Analysis Institute, Athens, 2003.

4. D. K. Xenakis, 'From Policy to Regime: Trends in Euro-Mediterranean Governance', *Cambridge Review of International Affairs*, Vol. 13, No. 1, Autumn/Winter1999, pp. 254-70.

5. See further on this in D. K. Xenakis and D. N. Chryssochoou, *The emerging Euro-Mediterranean system*, Manchester and New York, Manchester University Press, 2001.

6. During this Summit, the guidelines of the ESDP-NATO co-operation in the field of strategic management were defined so that EU operations be conducted either through NATO means and capabilities or independently.

7. The means for an effective and workable ESDP-NATO relationship are not in the focus of this article. Yet, such issues include, among others, the harmonisation of national defence policies and strategies, as well as of different group memberships; the presently limited ESDP financial resources; and the problem of defining the weight of different groups of countries in the decision-making process.

8. Spain plays a leading role in the EU's Mediterranean policy. Naturally, the promotion of the Barcelona Process and the Mediterranean Dimension of the ESDP were high priorities for the Spanish Presidency.

9. T. Dokos, 'Proliferation of Weapons of Mass Destruction in the Mediterranean', *Mediterranean Politics*, Vol. 5, No. 3, Autumn 2000.

10. The *Common Strategy for the Mediterranean* was adopted by the Feira European Council and constitutes a means for accommodating Mediterranean issues to European foreign policy aspirations, as well as a mechanism for implementing CFSP objectives according to the provisions of the Amsterdam Treaty.

11. First Year Report of the Euro-Mediterranean Study Commission (EuroMeSCo) Working Group, 'European Defence: Perceptions vs. Realities', *EuroMeSCo Papers*, No 16, 2002, p. 14.

12. D. N. Chryssochoou and D. K. Xenakis, 'Prospects for Euro-Mediterranean Governance', *The Review of International Affairs*, Vol. 2, No. 4, 2003, pp. 47-70.

Exchange Theory and Conflict Regulation: Cyprus through the British-Irish (Northern Ireland) Prism

Brendan O'Duffy *

RÉSUMÉ

En s'inspirant des modèles de la regulation comparative des conflits et plus particulièrement de l'approche intergouvernmentale anglo-irlandaise sur l'Irlande du Nord, cet article suggère des modes de régulation des demandes opposées d' auto-détermination nationale à Chypre. Après avoir discuté de la place centrale occupée par les "mères-patries", la Grèce et la Turquie, le rôle de l'UE et des Nations-Unies dans la régulation du conflit chypriote, l'article analyse le plan du secrétaire général de l'ONU Kofi Annan, comme base de solution de celui-ci. L'article suggère que les relations mutuelles et reciproques d'échange des parties chypriotes entre les "mères-patries" peuvent contribuer à compenser les ambitions maximalistes des ethno-nationalistes des deux côtés.

ABSTRACT

Considering insights from comparative conflict regulation—specifically from the British-Irish intergovernmental approach to Northern Ireland—this article suggests ways to regulate opposing claims to national self-determination in Cyprus. After a discussion of the centrality of the Greek and Turkish 'matron-states', and the roles of the EU and UN in conflict regulation, the author analyses the Annan Plan as a basis for a settlement. The article suggests that mutual and reciprocal exchange relations between 'matron-states' can contribute to necessary trade-offs at subsidiary levels of dispute by offering side-payments to compensate extreme ethno-nationalists for the denial of their maximal ambitions.

Conflict Regulation and Exchange Theory[1]

Analytical and prescriptive approaches to regulating or resolving ethno-national conflicts can be distinguished most broadly according to the degree of consent required for settlement negotiation and governance. At one extreme are approaches which assert the primacy and durability of ethnicity and propose remedial strategies based on providing relatively homogeneous territorial homelands for ethno-nations.[2] 'Consociationalists', most notably Arend Lijphart, propose less anarchic reconfigurations of government within existing states, prescribing formal and informal power-sharing between or

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among the leaders of ethnic blocs.[3] Critics to the right of this consent-control spectrum (*see below*) reject the cleavage-freeing or cleavage-freezing proposals and instead propose to design democratic institutions to encourage inter-ethnic vote-pooling, along with other protections of minority rights.[4] Still further away from the consent principle are analyses which emphasize the durability, 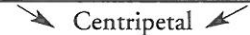if not morality, of 'control' regimes[5] and/or the dangers of early democratisation (including unregulated media) on the creation and manipulation of populist nationalism by self-serving coalitions of oligarchs.[6]

In addition, we can distinguish conflict regulation approaches according to two other (usually related) criteria: first, the extent of regulation of the vertical dimension of authority (as it affects the inter-state, state, government or societal levels) and second, the extent of regulation of the horizontal (or territorial) dimension (distinguishing between unitary, devolved, federal and confederal forms). Table 1 (below) presents some examples of a range of different conflict regulation strategies, with the shaded areas representing the dominant focus of each broad strategy.

	Cleavage-freeing	Cleavage-freezing	Cleavage-dissolving	Cleavage-control
State-level	Maximal right of national self-determination	Confederalism / inter-governmental treaty relationship between one or more states	No change to external, constitutive sovereignty	No change to external constitutive sovereignty
Govt.-level	Majoritarian, centralized and unitary	Consociation with internal federal features. Elite-led party and electoral system	Centripetal power-sharing based on vote-pooling to achieve civic majoritarian result; centralised federalism or devolved unitary state	Majoritarian, centralized and unitary.
Societal-level	Minimal: dual nationality and individual rights protections	Elitist/ethnicist party system; Substantive group and individual rights protections	Demotic/non-ethnic party system; Procedural, individual rights protections	Elitist/non-ethnic or mono-ethnic party system; minimal individual rights protections; maximal repressive capacity
Examples:	**Aspired to**: Tamil Eelam movement in Sri Lanka; Kashmir from India; Basque (ETA) from Spain etc. **Realized**: Irish Free State/ Republic from UK (1921,1937); Croatian, Slovenian, Bosnian secessions from Yugoslavia (1992/3); Czech and Slovak divorce from Czechoslovakia; post-soviet successor states; Pakistan and Bangladesh from India	**Aspired to**: Quebec 'sovereignty association' movement vis. Canada; Turkish Cypriot movement vis. Republic of Cyprus; Basque and Catalan constitutional nationalists; **Realized**: Northern Ireland (hybrid cleavage-dissolving) vis. UK and Irish Republic; Ethiopia	**Aspired to**: Rest of Canada (not Quebec); Spain vis. Historic nations; **Realized**: South Africa (1994-hybrid consociational); France ; US; Australia; Pakistan; India.	**Aspired to**: Sharon-faction of Likud (Israel) **Realized**: Israel (1977-87); Northern Ireland (1921-72) South Africa (1950-1992).
	Ethno-consensual			Ethno-coercive

↘ Centrifugal ↙   ↘ Centripetal ↙

Analysing conflicts and the conceptions of elites and masses according to the consent-control equilibrium can enhance an understanding of conflict regulation because consent is the defining feature of the mutualist exchange relationships central to both internal redistributive political systems and external inter-governmental relations.[7] Coercion reflects assertions of power which, as we see below, degrade bi- or multi-part relationships by asserting power rather than seeking consent. Coercive relationships reflect what Max Weber defined as an 'ethic of conviction' on the part of the super-ordinate group, as opposed to an 'ethic of responsibility' inherent in a co-operative, reciprocal relationship between or among groups in society.

Yet at the other extreme, asserting the primacy of a right of ethno-national groups to achieve self-determination usually entails the coercion of other ethno-national groups with different ambitions.[8] The absolute right of self-determination therefore also represents a mirror-image ethic of conviction to that of the statist and should be dismissed for violating liberal conceptions of national justice. In the latter section on exchange theory, evidence is presented for the limited durability and degrading effect of control regimes in ethnically and nationally divided societies. This evidence lends empirical support to the liberal nationalist view by showing that coercive repression or suppression of territorially concentrated ethno-nations is counter-productive as well as unjust. The choices that lie between the maximally consensual and coercive strategies thus represent the most viable mechanisms for balancing ethno-national status-seeking with civic-national democratic consolidation. As argued below, the key to negotiating processes and institutional design in divided societies is to assess empirically the relative importance, for masses and elites, of ethno-national versus civic-national goals, including the possibility of territorial adjustment, and then to design institutions which maximise consent by compensating groups for limiting their maximal territorial and statal ambitions.

This article attempts first to assess some empirical evidence for conflict regulation strategies based on 'cleavage-dissolving', or centripetalism. The cleavage-freezing and cleavage-freeing approaches are then assessed with a brief analysis of the centrality of constitutional mechanisms for national self-determination in three contemporary conflicts: Northern Ireland, Israel/Palestine and South Africa. A deductive application of these findings to the case of Cyprus (and the Greek-Turkish relationship) is then presented,

concluding with some prescriptive policy options for constitutional design relevant to the current negotiating process.

The Limits of Control Strategies

The oft-compared cases of the Stormont government in Northern Ireland (1921-1972), Israeli control of the West Bank and Gaza, South African apartheid all exemplified control strategies in which one super-ordinate group dominated others to an extent which made challenges unthinkable or unworkable for at least one generation.[9] Each succumbed, eventually, to demands for consensual democratic processes centred on constitutional renewals that recognise and protect collective and individual rights and maintain, and establish the principle of ethno-national status parity. Moreover, in all of these cases mutual recognition of the 'other's' national status was required to open the possibility of negotiated compromises.

As the examples of Sri Lanka, Northern Ireland, South Africa, Israel/Palestine eloquently attest, control régimes tend to be medium-term 'solutions' to ethnic conflict. Their record of conflict management tends to be reactive and piece-meal, in patterns reminiscent of what social exchange theorists call 'nattering': unsystematic responses expressing displeasure and irritation, but without following through with any real costs and without risking more serious confrontation.[10]

For exchange theorists, 'nattering' is alleged to be the result of a lack of reward power by the stronger actor in the exchange relationship. The stronger actor relies on coercion rather than seeking consent for authority. According to one exchange theorist, Linda Molm, nattering is not just ineffective but also regressive over time: 'nattering decreases the partner's rewarding [and] … the low level coercion actually extends the experience for both parties, of an unsatisfactory exchange relation'.[11] The confused or nattering response is primarily a result of the absence of reward power. If a super-ordinate power is unwilling or unable to offer side-payments the tendency is to respond in piecemeal fashion with sporadic flails of annoyance rather than systematic and mutualist exchanges.

Interestingly, this patterned behaviour is also reminiscent of the repression-reaction nexus observed by students of the dynamics of

comparative political violence. A number of studies have shown that low-levels of repression by the state (consistent with 'consensual' approaches) are associated with low levels of violence by dissidents. High-levels of repression (consistent with 'control' approaches) are also associated with low levels of violence as massive force *temporarily* diminishes capacity and willingness to confront the government. Medium-levels of repression are associated with the highest levels of violence as challengers are alleged to be provoked without being stifled.[12]

For exchange theorists like Willer et al. the influence exerted by super-ordinates in laboratory experiments is mediated by emotion after previous negative interactions with a super-ordinate.[13] Negative affect resulting from perceptions of unjust status hierarchy offsets both power (control) and influence (consent).[14] In exchange experiments, influence, which is akin to consensual basis of authority, is largely a product of status. Enhanced and mutually perceived status in turn has a positive effect on acceptance of power differentials.

In the case of bi-national islands like Cyprus, Northern Ireland, Israel/Palestine Sri Lanka, or bi-national cleavages like Israel/Palestine, each with territorially concentrated, potentially secessionist national movements, the need to address status-disputes is apparent in the variability of success in negotiating and designing constitutional settlements. The underlying principles of federation and confederation, governmental power-sharing and segmental autonomy are consistent with consociational practices and ideas. In terms of exchange relations, consociational practices attempt to maximise reward power to compensate minorities by raising their status as partners in government and as guardians of the state.

Because state- and nation-building is centrally concerned with the success of reward power rather than naked coercion, or wealth, it follows that approaches to constitutionalism which treat sovereignty as tradable elements in a process of contractual exchange can distribute rewards sufficient to satisfy core needs and interests of component ethno-nations. 'In divided societies' as Tim Sisk notes, 'a central concern is that institutional choice outcomes must be perceived by actors to produce the equitable, efficient distribution of public goods'.[15] Indeed, for most modernist scholars of nationalism, individual and collective perceptions of upward mobility are the key variables in the consolidation of national state authority and

stability.[16] Though crucially, the pantheon of modernist scholars leave room for the effects and power of piqued ethnic and racial status, quite apart from materialist and class determinants of ethnic and national allegiance.[17] As a result, conflict regulation strategies should address both modernist (i.e., institutional and material factors) as well as non-modernist or essentialist aspects of identity.

Cleavage-dissolving through Centripetal Power-sharing

A more voluntarist and liberal approach to managing conflict in divided societies is based on the principle of encouraging non-ethnic federalism and cross-ethnic vote-pooling to dissolve cleavages. Interpreted as exchange relations, the goal of centripetal strategies is to increase reward potential by creating more levels of government and simultaneously diffuse conflict by managing exchanges (i.e. of votes) through institutional rules requiring distributed rather than (ethnically) concentrated support. But the empirical record of purposeful cleavage-dissolving through centripetal electoral engineering is limited, especially in societies where the territorial sovereignty of the state is in question. For example, Horowitz has shown that electoral vote-pooling in the case Sri Lanka[18] and the combination of electoral rules and territorial federation in Nigeria, have not succeeded in dissolving or de-politicising ethno-national cleavages.[19] The central cause of these failures is the centrality of the conflict over the state itself, with both cases experiencing extremely violent attempts at secession by territorially concentrated ethno-nations (Igbo secession in Nigeria during the Biafran war and the Tamil Eelam (independence) movement since the early 1980s.

Even where territorial integrity of the state is not questioned (or is secondary to contests over the form of government) the record of cleavage-dissolving is ambiguous at best. Post-apartheid South Africa holds out some evidence of the success of vote-pooling as the ANC has attracted votes from beyond its core constituency. But the South African case cannot be viewed as an adequate test of Horowitz' vote-pooling model for several reasons. First, the cabinet government and party-list form of proportional-representation electoral system are inherently centrifugal rather than centripetal institutions. There is no rule requiring a distribution of party support across territorial regions or states (as in Nigeria) and the President is

elected indirectly (from the party with the most support in Parliament) rather than directly and therefore does not require, by rule or by fact, distributed support from across main ethno-national cleavages.

In addition, the independent effects of centripetal power-sharing cannot be tested accurately because the South African constitution incorporates a centrifugal right of self-determination which might offset the influence of the internal form of power-sharing. In other words, territorially concentrated ethno-nations might accept minimal consociational practices because of the possibility of constitutional secession in the event of marginalization at the centre. Article 235 of the constitution states: 'The right of the South African people as a whole to self-determination, as manifested in this Constitution, does not preclude, within the framework of this right, recognition of the notion of the right to self-determination of any community sharing a common cultural and language heritage, within a territorial entity in the Republic or in any other way, determined by national legislation.' The existing legislation is restrictive but potentially realizable for Kwazulu Natal and part or parts of the Orange Free State. More importantly, the consociational mechanisms that have been developed to dissuade potential secessionists lend further evidence to the argument that the South African constitution is more centrifugal than centripetal. Informal power-sharing at the cabinet level has made Zulu chief Buthelezi the Home Secretary in the current ANC-led government, while the transitional constitution offered the Deputy Presidency to the leader of the second largest party, then the National Party led by De Klerk. Moreover, the consociational features of ethnically-based group rights protections for language, schooling, and significant devolution to regional and less so, tribal levels all tip the balance towards a centrifugal settlement with centripetal aspects.

Reilly's comparative analyses of (centripetal) vote-pooling electoral systems led him to conclude that these systems have potential to moderate ethnic conflict in two kinds of societies: those which have either a high number of ethnic groups (e.g. Tanzania) or 'a low number of ethnic groups, but a high degree of ethnic group dispersion and geographical inter-mixing (e.g. Fiji, Malaysia and Guyana, Sri Lanka to some degree given large number of Tamils in Colombo).[20] By extension in societies with a small number of ethnic groups with little inter-mixing (such as Northern Ireland

and Cyprus) centrifugal (or consociational) options appear more appropriate. The implications for power-sharing as proposed in the Annan Plan for Cyprus will be elaborated below.[21]

National Self-determination and Inter-governmentalism

The key limiting factor for cleavage dissolving is that the approach assumes previous agreement on the status of population and territorial boundaries.[22] There is considerable evidence to show that unresolved or unregulated processes of national self-determination pre-empt agreement on subsidiary power-sharing institutions. The pre-eminence of constitutive sovereignty (territorial integrity and inter-state recognition as an independent body with residual sovereignty) over government or societal level aspects, supports the view that prior agreement on the regulation of constitutive sovereignty, including mechanisms of national self-determination.

A controlled comparison of this factor (agreement on the core regulative aspect of state sovereignty: national self-determination) is telling. Consider the treatment of national self-determination in the Oslo Process in Israel/Palestine and the recent negotiations over the Anan Peace Plan for Cyprus compared to the British-Irish (Good Friday) Agreement of 1998. The Declaration of Principles (DOP)[23] signed in 1993 did not include agreement on a mechanism for national self-determination but instead left this big item until last, as part of 'permanent status negotiations [including]: Jerusalem, settlements, military locations, and Israelis [settlers]'.[24] Moreover, the agreed criteria for final status was based on the intentionally vague wording of UN Security Resolution 242, which called for Israeli withdrawal 'from territories seized in 1967'. The absence of the qualifier 'the' has allowed for diametrically opposed interpretations in which Israeli's interpret their commitment to withdrawal from some territories, while Palestinians have interpreted the resolution as requiring complete withdrawal from *all* territories seized in 1967. The implications of these opposing interpretations has been a critical barrier to implementation of the DOP because the Israeli interpretation is used to justify continued settlement-building in the West Bank, which has in turn provoked Palestinian opposition and undermined faith in the Oslo process.[25] Instead of mutual and reciprocal exchanges

leading to confidence-building and progressive implementation, the Oslo process has been characterised by unilateral assertions of power and force.

In Cyprus, the question of national self-determination was the central blocking issue in the failed attempt to reach agreement before Cypriot accession to the European Union. In Anan's view, the 'Gordian knot' of the negotiations centred on the opposing Greek-Cypriot and Turkish Cypriot conceptions of national self-determination:

> *The dispute was clear - would a solution be one pre-existing state which would continue in existence and federalise itself under a new Constitution, or two pre-existing states which would found a new confederal or partnership structure?*[26]

Anan also concluded that' [p]erhaps the most contentious conceptual issue was sovereignty. The Turkish Cypriot side repeatedly raised this issue and often blocked discussion of others—particularly territory—pending satisfaction on it.[27]

While not suggesting that agreement on the core constitutive issues could somehow unlock Anan's Gordian knot, I suggest below a mechanism that could help regulate this matter, based on the integration of the Cyprus issue with the wider Greek-Turkish relationship. For now, I would like simply to contrast the way questions of national self-determination in Cyprus and Israel/Palestine have been obfuscated in comparison with the regulation of the territorial sovereignty dispute over Northern Ireland between the British and Irish states.

The landmark treaties which preceded the British-Irish (or Good Friday) Agreement addressed, but did not conclusively resolve, the mechanism for self-determination.[28] The Sunningdale Agreement (1973) committed the Irish government (of the day) to recognise that Northern Ireland's status would be determined by a majority of its citizens in a referendum. The Anglo-Irish (Hillsborough) Agreement of 1985 re-iterated this 'consent' principle, but intentionally avoided specifying Irish recognition of Northern Ireland's place as a part of the United Kingdom, to avoid the conflicting sovereignty claim in the Irish constitution. The Downing St. Declaration of 1993 was a breakthrough in committing the Irish government to a process leading to Irish recognition of Northern Ireland's place as part of the United

Kingdom and, simultaneously, in exchange for the UK's re-iteration of its commitment to abide by the same consent principle (granting a united Ireland if that becomes the majority wish), granted the people of the Irish Republic a veto over any change to the current status of Northern Ireland.

The inter-governmental relationship which drove this process was able to sequentially affect process, then shape the structure of the settlement and to date, ensure its relatively successful implementation. The constitutional changes required to affect this process were both the centre-piece of the British-Irish Agreement and central to shaping the preference of the main antagonists in Northern Ireland.[29] The Ulster Unionist party leader David Trimble could sell the agreement to (a bare majority of) his community as providing recognition of a separate right of self-determination for Northern Ireland while the nationalist community (both moderate and extreme) were assured that a constitutional mechanism existed to enable Irish re-unification or to prevent any unilateral Northern Irish declaration of independence. In turn, all of the ancillary institutions were shaped by the bi-national criteria of mutual consent: the power-sharing government for Northern Ireland (devolved within the United Kingdom) operates primarily according to double-majority consent rules requiring majorities of both nationalist and unionist representatives. The North-South Ministerial Council is a confederal body operating by unanimity and comprised of representatives from the Northern Ireland executive and the Irish government, with executive power providing functional co-operation in 'low politics' such as trade, business development, inland waterways; aquaculture and marine matters, special EU programmes; food safety, language (Gaelic and Ulster Scots), agriculture, tourism, transport, education, environment and health.

Unlike the Israeli-Palestinian or Cypriot processes, the British-Irish agreement on a mechanism for national self-determination has reflected and reinforced a mutualist exchange relationship which has been instrumental in co-managing the implementation process. The British-Irish Agreement represents a novel approach to conflict regulation because of its hybrid nature - between centrifugal and centripetal governing institutions —and holistic nature—institutionalising protections for individual and group rights at the societal, governmental, state and inter-state levels.

Whether and to what extent the bi-national, inter-governmental-led process is applicable to similarly divided and contested societies will be

examined below in the analysis of Greek-Turkish relations and the Cyprus conflict. I will focus on two main themes stemming from the discussion above: first, that pluralising internal and external conceptions of sovereignty creates reward power which can diffuse maximalist ethno-nation-state ambitions for self-determination or majoritarian domination (or worse); secondly, that inter-governmental foundations should reflect and respond to the societal, governmental and statist preferences, particularly as they coalesce in preferences for national self-determination. The implicit argument is that only when a mechanism for national self-determination is agreed can subsidiary aspects of conflict regulation (power-sharing government, including bi-national legislative, judicial processes, bi-communal administration etc.) be negotiated. In the case of Cyprus, this necessitates Greek, Turkish and British agreement on a re-negotiation of the Treaty of Guarantee.

Background to the Cyprus Conflict: the Primacy of Greek and Turkish Ethno-nationalisms

Cyprus has been a source of rivalry between Greek and Turkish nation- and state-building projects since the end of the First World War. The island in the eastern was conquered by the Ottoman Empire in 1571, leased to Britain in 1878 and annexed by Britain in 1914, the status of the island and its 850,000 inhabitants (of which roughly 24% are Turkish Cypriots and 75% Greek Cypriots),[30] reflects its strategic importance as a steppingstone to the Middle East, Persian Gulf, and its role as an important source of Greek-Turkish rivalry for regional influence. Despite (or because) of its attracting the interests of the great powers (UK and US) and supra-national bodies (UN and EC/EU), the conflict between the two communities on the island and their respective matrons (Turkey and Greece) has defied resolution since the imposition of a UN peace-keeping force (UNFICYP) in 1964. UN intervention followed the breakdown of the consociational arrangements established by the UK, Greece and Turkey in 1960, under the Treaties of Guarantee and Alliance. The treaties recognised Turkey, Greece and the UK as responsible for the maintenance of the constitutional order of the new Republic, established a constitution based on an elaborate bi-communal power-sharing system that gave Turkish Cypriots a disproportionate amount of political power relative to their population.[31] Some Greek-Cypriots

interpreted the disproportionality as a reflection of the negotiating advantage of Turkey over Greece, given Turkey's proximity to Cyprus, military strength and strategic importance for Nato's eastern Mediterranean. Turkish-Cypriots tended to view the disproportionality as a necessary means of off-setting their physical vulnerability as a minority on the island.[32]

As an exercise in conflict regulation or more specifically as an exercise of national self-determination, the treaties were non-consensual. Neither Greek-Cypriot nor Turkish-Cypriot leaders participated in the negotiations, leading Joseph S. Joseph to argue that 'the problem was, in effect, settled on a bilateral basis between Greece and Turkey under British directorship'.[33] The constitution establishing the bi-communal, bi-national power-sharing system was never submitted to the people (or peoples) in a referendum. At least partly as a result of the external imposition of the agreement and the absence of a mechanism for its alteration, the implementation of the agreement was characterised by re-negotiation from below. Joseph has demonstrated how central, unresolved issues became nested, zero-sum contests. For example, Turkish Cypriots used their minority veto provision in parliament to block the government's income tax bill and justified it by citing the failure of the government to implement the 70:30 ratios (Greek-Cypriot to Turkish-Cypriot) in the public service and the failure to establish separate municipalities, as per the agreement. Greek-Cypriots on the other hand, cited the inconsistencies and perceived unfairness of disproportionate ratios as the basis for power-sharing and public policy outcomes.[34] The absence of consent to the agreement precluded any popular political mandate to restrain the respective leaderships from maximalist, counter-poised positions on the core articles of the constitution.

Above all, the prospects for consociationalism in the early 1960s was undermined by the unresolved issue of national self-determination. For example, Joseph has argued that

> *the most destructive element in biethnic relations was the fact that the two communities failed to abandon their old conflicting ethnopolitical goals of enosis and partition [taksim]... In effect, the creation of an independent state was viewed by the two sides as an interim phase for materialisation of enosis or partition.*[35]

The lack of agreement on a mechanism for subsequent national self-determination allowed maximalist positions on *taksim* and *enosis* to dominate the discourses of leaders from both ethno-nations.

When this unstable system collapsed in 1963 the tri-lateral protectorate failed to uphold the power-sharing system or intervene to re-negotiate the constitutional settlement. Violence escalated, severe ethnic cleansing took place on both sides and the UK established a buffer-zone in the capital Nicosia, between the increasingly homogeneous northern and southern parts. The matron-states became more directly involved in 1974 when the (mainland) Greek military junta toppled the Greek-Cypriot government of Makarios and attempted to achieve *enosis* or unification between Greece and Cyprus. The Turkish government responded by intervening militarily and eventually seizing 37% of the northern part of the island. This part was recognized by Turkey in 1983 as the "Turkish Republic of Northern Cyprus'" ("TRNC") though it is not recognised by the international community.

Supranational Conflict Regulation and Centripetal Bias

Three supra-national bodies have played important roles in conflict regulation since the early 1970s: The United Nations (UN), North Atlantic Treaty Organisation (NATO) and the European Community/European Union (EC/EU). None has been successful in coaxing a settlement, though all have been instrumental in establishing and maintaining broad parameters for a settlement.[36] The UN peace-keeping force UNFICYP has maintained a militarised buffer-zone between north and south and has prevented serious escalations of violence since 1974. Creative and balanced proposals were put forward by UN Secretary General Boutros-Ghali in 1992 as the basis for talks, but were rejected by Turkish-Cypriot leader Rauf Denktash who has then and since stuck to his maximalist position of a two-state solution, with prior recognition of "TRNC" sovereignty.[37] On this basis, Denktash subsequently pulled out of talks in 1997 (New York and Glion, Switzerland), rejected UN Security Council Resolution for a resumption of talks in 1998 and participated in proximity talks in New York (Dec. 1999) and Geneva until November 2000. Substantive, direct talks between the Greek-Cypriot leader Glafcos Clerides and Rauf Denktash began in January 2002 chaired by UN Special Adviser Alvaro de Soto. Progress was made between the

leaders on the federal architecture, power-sharing rules, broad distribution of competencies and some aspects of security and citizenship and residency rights. The UN proposals for property retribution and territorial adjustment are creative and consistent with the promotion of bi-national exchange relationships at the individual and collective level. However, despite significant progress, core constitutive sovereignty issues blocked agreement and delayed the work of technical committees working on the legal and technical foundations of the constitution and institutions of government. While the UN process has maintained broad parameters based on the principle of a singular, independent, bi-zonal and bi-communal federation, it has not been able to exert sufficient leverage to overcome the core dispute between the Turkish-Cypriot insistence on prior constitutive recognition (confederalist) versus the Greek-Cypriot insistence on a singular (federalist) form of sovereignty.

A second level of mediation has developed between Greece and Turkey as regional partners within NATO. NATO membership has moderated tensions between Greece and Turkey over the Aegean disputes in 1987 and 1996 and has contributed to symmetrical Greek-Turkish relations whereby the US alliance with Turkey has to some extent off-set the Greek-influenced posture of the EC/EU. More prosaically, the NATO regional command structure has also been instrumental in developing inter-governmental bodies within regional subcommands at Izmir in Turkey and Larissa in Greece since 1999. Each of these subcommands has a local commander, and American deputy. The Greek command has a Turkish chief of staff and the Turkish command has a Greek chief of staff. Nevertheless, NATO membership has not prevented a serious arms race between Greece and Turkey for superiority in the Aegean. This arms race extended to Cyprus in 1999 when GC leader Clerides threatened to install medium-range ballistic missiles capable of hitting targets in southern Turkey. Only strong pressure from Greek President Simitis (and US pressure) prevented the conflict escalating.

In addition to NATO and UN involvement, the EC and EU have been directly involved because of Greek membership since 1979 and Turkish and now Cypriot (Republic) aspirations to accede to full membership. Michael Keating has demonstrated how the European Union (Commonwealth, in his view) has gradually constituted a stable meta-constitutional framework

based on broadly shared values and norms as applied to ethno-nationally divided societies. European constitutionalism based on pluralist conceptions of sovereignty (what Keating calls 'plurinationalism') and multi-level governance has in turn facilitated the management of deep-seated ethno-nationalist conflict in Belgium, Spain and the UK, including Northern Ireland.[38] Similar forms of confederalism have been instrumental in managing ethno-national conflict in Canada vis. Quebec and indigenous 'first' nations.[39]

To what extent can the EU facilitate conflict regulation in Cyprus? At the broadest level, the generally pro-European opinions of the Turkish and Greek-Cypriots about joining the EU is likely to encourage moderation and reconciliation. Opinion surveys show that Greek Cypriots and Turkish people share similarly pro-European attitudes about accession and that these shared attitudes are near or above (for Turkey) the average among the current accession candidates.[40] The current government led by Prime Minister Recep Erdogan's Justice and Development Party[41] appears to be committed to promoting the European accession project and has explicitly recognized the potential linkage between a resolution on Cyprus and EU membership.

While little data exist for Turkish-Cypriot opinion, the prospects for EU accession are likely to have an ameliorative affect by reducing economic dependence on Turkey (through structural funds and other regional aid), offering avenues for political representation currently denied to the "TRNC" and providing a legal framework for the protection of human rights.

Diplomatically, the EC/EU role has generally sought to encourage agreement on Cyprus as a condition for Turkish accession. However, the effects of this approach have been, on balance, a form of mediation that has led to asymmetrical incentives following Greek accession in 1979, based on the acceptance of the Greek and Greek Cypriot interpretation of the primacy of the bi-zonal, bi-communal, federal model, with significant minority rights protections. While the EU position is consistent with the international legal position as pronounced through UN Security Council Resolutions[42] and may also reflect the demographic supremacy of the Greek Cypriot community, it does not recognise sufficiently the Turkish political interest as the mandated protectorate of the Turkish-Cypriot community (derived from the 1960 Treaty of Guarantee). The EU decision taken at Helsinki in 1999 to consider accession of the Republic of Cyprus,

irrespective of a settlement of the conflict, has been interpreted by Turkey and the "TRNC" as a violation of the Treaty of Guarantee which stipulated that Cyprus' status could not be altered without agreement of both Turkey and Greece. Nor does it take sufficient account of the pro-Turkish-Cypriot/anti-European alignment in Turkish politics, which has been strengthened in response to the confrontational stance promoted by Greece within the EC/EU.

As a result, when the Cypriot Republic began accession negotiations with the EU in 1997, against the wishes of both Turkey and Turkish-Cypriots, the latter immediately declared that accession of the Cypriot Republic would be matched by Turkish-"TRNC" integration. According to McDonald, '[a]cceptance of the application of the government of the [Cyprus] republic thus had the opposite effect of that which had been sought'.[43] When Turkey was excluded from the European Commission's *Agenda 2000* programme for accession in July 1997, TC leader Denktash walked out of talks with his GC counterpart (at Glion) and Turkey and TC announced the formation of a 'partnership council' intended to harmonise legal and regulatory frameworks. Greece adjusted its position in 1999 but only subtly, announcing that it would remove its threat of veto of Turkish accession, but on the condition that the EU apply pressure against Turkey to achieve internal political and economic reforms and to unilaterally shift its position on the recognition of "TRNC" as a separate state. Following the breakdown of the UN sponsored talks, the Secretary General made it clear that a significant obstacle to a settlement was the Turkish-Cypriot perception that the Greek-Cypriot side had no incentive to be flexible following the accession agreement with the European Union.[44]

The Greek threat of veto over accession was countered by Turkey's use of Cyprus as a leverage for EU integration. Following the breakdown of talks in March 2003, Anan asserted that '[f]or its part, Turkey had come to the summit with a policy which sought to link a settlement of the Cyprus issue with Turkey's European Union perspective.'

In sum, despite the undoubted facilitation of conflict regulation provided by the EU, the asymmetrical status of Greece as an EU member with Turkey as a candidate member has not created the basis for a mutual exchange relationship and has arguably polarised the relationship as Greece and Turkey have both used the EU to exert power rather than seek consent for a

settlement of the conflict.[45] In the next section I argue that developing a mutual exchange relationship requires an appreciation of the bi-national nature of the conflict and the development of commensurate Greek-Turkish inter-governmental relations to achieve leverage over the Turkish-Cypriot and Greek-Cypriot communities.

The Bi-national Nature of the Cyprus Conflict

The historical experiences of both populations have reinforced feelings of antagonism and insecurity. For Turkish Cypriots, the experience of coercive domination by both the colonial (British) and post-colonial Greek-Cypriot state has re-enforced their view of Turkey as protectorate. These attachments were strengthened by the coercive denial of citizenship following the British annexation (recognised in the Treaty of Lausanne in 1923) which forced Turkish Cypriots to give up their Turkish citizenship. More recently, coercive undermining of the consociational system established with the Treaties of London and Zurich, followed by the denial of human rights during the breakdown of power-sharing from 1963 to 1974 has reinforced Turkish-Cypriot distrust of the Greek-Cypriot majority. As a result, the Turkish military presence, as well as political and economic support is strongly supported by the Turkish-Cypriot population, up to half of which according to some estimates, are immigrants (primarily from Anatolia) who have arrived since 1974 and are naturally more prone to preserve links with the mainland.[46] Elections in 1998 in the "TRNC" demonstrate the dominance of pro-Turkish sentiment as (Turkish) nationalist and right-wing parties secured a plurality of the popular vote (44%) and a clear majority of seats in the "TRNC" assembly. The centre-left parties which are more critical of Turkish involvement and more amenable to a Cypriotist and federal settlement secured only 26.6% of the popular vote and 13 seats.[47]

Secondly, 'mainland' Turkish public and elite opinion strongly supports the rights of Turkish-Cypriots to self-government, primarily through international recognition of a separate state (supported by 49% of Turks in a recent poll) or in the form of a bi-communal (or bi-national) federation (supported by 29%). While only 8% supported Turkish annexation of the "TRNC", 62% supported the view that the protection of Turkish interests in Cyprus should be maintained, even at the expense of Turkey's prospects for accession to the EU.[48]

On balance then, there is a dominant, largely reciprocal alignment between Turkish-Cypriots and the Turkish population which should inform approaches to conflict regulation. Public opinion in Turkey appears to be supportive of the rights of Turkish-Cypriots to self-government, but flexible as to the form such a government would take. This faithful but pluralistic regard for Turkish Cypriots should enhance the prospects for a Greek-Turkish inter-governmental relationship if, as Turkish-Cypriot leader Rauf Denktash suggests, '...a Turco-Greek balance is set up and the realities on the island are acknowledged'.[49]

The dominance of Greek-Cypriot nationalism vis-à-vis Cypriot identity among Greek-speaking Cypriots mirrors the dominance of Turkish-Cypriot nationalism in the "TRNC". Indeed, the two are symbiotically linked as mobilisations for *enosis* (union) with Greece have spurred counter-mobilisations for *taksim* (division) and attachment to Turkey. Like Northern Ireland, the island of Cyprus has been dominated by a bi-national cleavage structure with each of the main communal blocs seeking to achieve or preserve significant connections with their 'external' matron. Historically, Greek-Cypriot nationalists have emphasised the organic links to the wider Hellenic civilisation based on common language, myths of descent, and religious orthodoxy.[50] Widely supported movements for *enosis* (union) with the Greek state have been cyclical features of Greek-Cypriot politics since at least 1878 when Cyprus was leased by the Ottoman Empire to the UK.[51] Most proximately to the current phase of conflict, the mobilisation of EOKA (National Organisation of Cypriot Fighters) fought against British colonial rule from 1955 to 1959 to achieve unification with Greece. Archbishop Makarios, as Cypriot President from 1960 to 1974 promoted enosis and only reverted to a Cypriot independence position to avoid succumbing to Greek military rule under the junta. Following the catastrophe of the junta's forceful attempt at enosis it is true that a Cypriotist movement emerged, promoted by the leftist AKEL (Reform Party of the Working People) and including many intellectuals (as organised in the New Cyprus Association) to challenge the domination of Greek-Cypriot nationalism, but this has been unsuccessful in achieving the type of cross-class, populist basis of the still dominant Greek-Cypriot nationalism.[52] Essentially, Cypriotist communal identity is an anti-nationalist, specifically anti-Greek chauvinist identity rather than a separate identity which could form the basis of a shared nationalism with Cypriotist Turks on the island.

On the Greek side, a greater degree of 'benevolent detachment' is apparent compared to the more strategically-based interests of Turkey. Greece's non-intervention in 1974 to protect Greek-Cypriots during the Turkish 'invasion' reflected the ambivalence among Greek masses and counter-veiling calculations of Turkish military power among Greek elites. The PASOK years of socialist government were characterised by rhetorical commitments which belied ambivalent commitment to uphold the rights of Greek Cypriots. The post-1974 'Karamanlis doctrine' combined a commitment in principle to support Greek-Cypriot interests, countered by the realist consideration that Cyprus was too far from Greece to guarantee defensive protection.[53] Nevertheless, support for the Greek-Cypriot position remains strong among elites and masses in Greece, both as a counter-weight to Turkish regional dominance and for non-rational nationalist reasons. The most tangible sign of this support is the development of the joint defence doctrine (JDD)[54] which emerged in the 1990s echoing the ideal of Greek 'Megali Idea' based on a Hellenistic revivalism.[55]

In sum, the attempts to deny the dominance of opposing Turkish and Greek nationalisms represents the type of wishful thinking consistent with the liberal, civic-nationalist discourses of advocates of centripetalist institutional architecture. Quite simply, they assume the primacy of the Cypriot dimensions over the Greek-Turkish dimensions. Even though the dominant strand of this discourse has evolved towards acceptance of a bi-communal, bi-zonal form of federation, they tend to dismiss the potential for hybrid solutions which can complement the centripetal forms more closely reflecting the bi-national nature of the conflict (proposed below).

The comparative evidence from the British-Irish inter-governmental relationship, combined with the limited success in/over Cyprus of supra-nationalist mediation and the evidence for the existence of a similar bi-national conflict in Cyprus, all suggest that a Greek-Turkish inter-governmental relationship could be necessary, if not sufficient, to structure incentives for a stable, bi-national settlement. The next section assesses the prospects for such a relationship to develop in light of the recently stalled Anan Plan and concludes with an outline of a Greek-Turkish-led settlement process.

A History of Greek-Turkish Elite Accommodation? Prospects for Inter-governmentalism

So far, the discussion of the Cyprus conflict has focused on the island and the nationalist ties with the matron states. But the prospects for Greek-Turkish inter-governmentalism are complicated by the fact that Cyprus represents one component of several territorial and political contests between Greece and Turkey, a nested game based on remnants of territorial and political exchanges negotiated following the break-up of the Ottoman Empire after World War I. The contemporary nest of conflict can be summarised along four dimensions: Aegean Sea (territorial disputes over small islands and land and sea frontiers); minority rights (of Greeks in Turkey and Turks in Greece), European enlargement and Cyprus. These complex issues cannot be treated here, beyond noting several implications for development of Greek-Turkish inter-governmentalism. While most scholars agree that the disputes over the Aegean are primarily legal disputes which are justiceable through the International Court of Justice, they also recognise that the Aegean and Cyprus issues are related and further, that settlement of the Cyprus issue can unlock the other issues. Asmus et al., for example, argue that progress on the Cyprus issue 'is a key to a broader settlement of Greek-Turkish differences over the Aegean. The two problems are, in fact, closely linked: without progress on Cyprus there is likely to be little movement on the Aegean. At the same time, movement on Cyprus could create a better psychological climate for the resolution of outstanding bilateral differences over the Aegean'.[56]

Creating such a climate will necessitate overcoming significant political and emotional obstacles to mutual recognition as partners in conflict regulation. There remain significant margins of resistance against loosening entrenched positions. For example, the perpetuation of the Greek 'Megali Idea' reflects aspirations for an expansionist re-conquest of a quasi-mythical *Hellas*. While clearly a marginal opinion among Greek masses or elites, the typically exaggerated fear of the potential growth of such views among Turkish elites is clear. Moreover, these views represent the extreme manifestation of a more generally pervasive sense of distrust. A Turkish official, Aslan Gündüz quotes Ilter Turan, a distinguished professor of international relations:

> *[m]y observation of Greek political behaviour leads me to think that the word "binding" has different meanings for Greece and Turkey...When Greece was negotiating to enter the European Community there came a moment when Greece said "yes" to everything the Community representative asked for. But as soon as they acceded they reneged on every concession made. We might also turn to their behaviour in Cyprus; there was a Constitution in 1960 and in two years it was the Greek party which started reneging on the commitments they have [undertaken] ...I am under a constant fear that what we feel a binding situation is in fact perceived to be rather fluid by our rivals or if you so wish our allies.*[57]

Turkish distrust of Greek bona fides is compounded by Greece's poor record of implementation of European legislation.[58]

Conversely, Greek suspicions of Turkey's strategic interest in maintaining its military presence in the "TRNC" (and US, via NATO, acquiescence to Turkish strategic interests) are significant sources of distrust. The Turkish nationalist right is both anti-European and irredentist towards at least the "TRNC". These views are expressed, for example, by Mehmet Soysel, former Foreign Minister in the Ciller government and currently an advisor to the "TRNC" leader Denktash. Yet while these pro-Turkish sovereignty views are nested in opposition to diminution of either external sovereignty with the EU or 'internal' with regard to strategic control of northern Cyprus, they are not currently dominant in Turkey, at least among mainland Turks. As the European polling evidence suggests, the Turkish public is broadly pro-European and in favour of recognising Cypriot independence (at least as a confederal or federal state). Moreover, the important sections of the Turkish military appear committed to EU integration to entrench the secular nationalism of the Kemalist era against Islamic revival.

These ambivalent views of faith in the other as a negotiating partner are similar to the characterisation of Irish and British elites' mutual distrust from the 1920s to the late 1970s. But that relationship evolved to become more reciprocal and mutually beneficial, shaped by common interests in stemming violent conflict in Northern Ireland and facilitated by the ethos and practice of inter-governmentalism within the EC/EU.[59] There are signs that the Greek-Turkish relationship is lately developing in a similarly

progressive way, especially following the 1999 earthquakes in each country which led to mutual aid and popular sympathy for each nation's plight. Additional contingencies such as the common experience of Greek and Turkish foreign ministers' positive interactions during the Kosovo crisis and the mutually moderating effects of the Oçalan affair[60] have ultimately contributed to warmer bi-lateral relations. Reciprocal visits by current Turkish and Greek leaders have broken new ground and formal inter-governmental committees were established over six 'regulative sovereignty' areas: economic co-operation; multi-lateral co-operation in the Balkans, Black Sea and Mediterranean; home affairs, or 'citizens' security (including crime, immigration, terrorism); the environment; culture; and tourism.[61]

Yet crucially, no such institutionalised inter-governmental foundation has been established over the Cyprus issue. Instead, during the negotiations over the Anan Plan, the Greek and Turkish governments failed to make progress on the security aspects of a re-negotiated Treaty of Guarantee.[62] While the lack of such inter-governmentalism might be explained by the absence of formal sovereignty claims over the island (in contrast to the opposing British and Irish claims leading up to the Good Friday Agreement), and Turkey's opportunistic EU accession strategy, nevertheless, the establishment of a form of regulative sovereignty over the island for each state (and the UK) in the Treaty of Guarantee, the longer-term political and strategic interests of both Greece and Turkey and the causal primacy of the Cyprus question to the other sources of Greek-Turkish conflict all point to the necessity and appropriateness of such a relationship.

Annan Plan: 'Virgin Birth' or 'Virgin Brides'?

The following discussion of the negotiation and design of the Anan Plan, assesses it in terms of the symmetry of status at the level of state and nation and according to the balance between centripetal and consociational forms of power-sharing.

Constitutive sovereignty. The Anan Plan envisages the continuation of Greece, Turkey and Great Britain as external guarantor powers, based on a revision of the Treaty of Guarantee (1960) to apply '*mutatis mutandis* to the new state of affairs established in the Foundation Agreement and the

Constitution of the United Cyprus Republic, it would cover, in addition to the independence, territorial integrity, security and constitutional order of the United Cyprus Republic, the territorial integrity, security and constitutional order of its constituent states.[63] Additionally, the Anan Plan proposes that the UN maintain a peacekeeping operation with a mandate to monitor the implementation of the agreement and provide physical security 'as long as the federal government, with the concurrence of both constituent states, did not decide otherwise.'[64]

These proposals reflect the residual nature of the sovereignty of the Greek and Turkish motherlands, compared for example, to the more direct, integral conceptions of British and Irish states vis-à-vis Northern Ireland. As such, it is understandable that the Anan Plan proposes a primary role for the UN in implementation and provision of security. Nevertheless, the continuation of the Treaty of Alliance ensures that both Greece and Turkey will have the right and obligation to station an agreed number of troops in Cyprus (approximately 6,000 in the Anan Plan). In light of their guarantor status and especially in light of the inter-governmental relationship developing over the constellation of mutual interests mentioned above, it follows that a formal inter-governmental conference (perhaps modelled on the British-Irish Intergovernmental Conference) could be established to bring together the Greek and Turkish governments to co-operate on issues specified in the revised Treaty of Guarantee. Following the British-Irish model, and building on the existing Greek-Turkish inter-governmental links, this conference could be served by a standing secretariat composed of Greek and Turkish officials, servicing regular meetings between appropriate ministers, including the Greek and Turkish Prime Ministers.

If this level of inter-governmental co-operation is unrealistic at present, it remains a vital goal to achieve a mutual Greek-Turkish agreement on the sovereignty and territorial integrity of Cyprus because of the cascading effect to subsidiary levels and aspects of sovereignty. Therefore, a revised Treaty of Guarantee could assert, mutually, that national self-determination for Cyprus should be determined by the people of Cyprus alone, voting separately in the two constituent units and that neither Greece nor Turkey will annex Cyprus or any part thereof.

Core regulative sovereignty. The Annan Plan attempts to bisect the Greek-Cypriot insistence on a singular conception of sovereignty with the Turkish-

Cypriot insistence on a compact between two sovereign states.[65] Anan proposes a Foundation Agreement in which each constituent unit simultaneously agrees to 'renew' the partnership formed originally with the Treaties of London and Zurich. The analogy of the 'virgin birth' has been invoked to describe the birth of a new entity (the bi-communal, bi-zonal federation) without antecedent sovereign 'parents'. This approach is designed to allay Greek Cypriots fear that if the Foundation Agreement is derived from agreement between two sovereign entities (i.e. a confederation) that any rupture of the constitutional agreement would lead to external sovereign recognition of the Turkish Cypriot founding entity. To eliminate Greek Cypriot fears of such secession, Anan proposed that partition or secession would be prohibited in an agreed Cyprus.

An alternative proposal would allow for future changes to the constitutive basis of the state but only on the condition of bi-national consent. In my view, Anan's plan attempts to solve the opposed sovereignty goals by eliminating them altogether. Anan noted that he originally envisaged a settlement which avoided 'mentioning sovereignty at all'.[66] He (through de Soto) soon realised the centrality of this core aspect of sovereignty to the political and security issues for the respective leaders.[67] It follows that eliminating the possibility of any future change in the status of the island or its constituent parts, while more explicit, does not resolve the issue. If, we accept that these opposing rights of self-determination are a. sincerely held b. mutually and diametrically opposed, then surely it is better to design mechanisms which allow for change while creating mutualist mechanisms that encourage modifications of maximal statist goals.

A mechanism for national self-determination could be agreed requiring simultaneous majority consent in referenda in the two constituent parts of Cyprus for any change in the status of the island, or any constituent units of the federation. This means that any future change in the territorial status of the island would have to have agreement in separate referenda in the two constituent states. Theoretically, this mechanism allows for the possibility of secession for either constituent unit, which could extend to either taksim or enosis. But practically, the requirement of mutual consent to any change is a purposefully high hurdle, meant to stabilise commitment to federal institutions.

In the present configuration of state-seeking, the bi-communal consent mechanism could be interpreted as Greek Cypriot recognition of Turkish Cyprus sovereignty in exchange for Turkish Cypriot acceptance of a Greek Cypriot veto on subsequent self-determination. Rather than the immaculate conception of the virgin birth, my alternative proposal could be thought of (however non-misogynist my intentions) as that of virgin marriage: the two partner states vow to base their union on a bond which can only be broken by both. With the additional safety net provided by the 'mothers-in-law' (described above) these pre-nuptials could assist a secure and happy, marriage.

Would the hurdle to secession take away the incentive to accommodate Turkish Cypriots in terms of power-sharing and rights protections? Given the alleged effects of EU accession on Greek-Cypriot negotiating stance we might expect that a similar disincentive would occur if Greek Cypriots wielded a veto over any attempt at Turkish Cypriot self-determination. However, the evidence to date suggests that there is stable bi-partisan commitment to the power-sharing model proposed in the Anan Report. Anan noted, for example, that the principle of a collective executive on the Swiss model was among the least contentious issues, even though it represented a considerable consociational concession from the Greek Cypriot perspective. Moreover, the new Greek President Tassos Papadopoulos gave Anan conditional agreement to accept the plan as the basis of future negotiations,[68] although with a revealing qualification: Papadopoulos insisted on agreement among the guarantor powers (Greece, Turkey, UK) on recognition of the constitutive elements of sovereignty before it would be submitted to simultaneous referenda. This approach, which may have been made on the tactical grounds that Turkey will not give such a guarantee in the absence of commitments to EU accession, is nevertheless consistent with my view of the hierarchy of sovereignties which necessitates prior agreement at the level of constitutive sovereignty.

Regulative sovereignty (non-core). The Anan Plan proposes a bi-communal, bi-zonal federation, with significant devolved authority for each constituent state. The proposed executive is based on a Swiss-style collective Presidential Council of six equal members, with a rotating Presidency to ensure a Greek Cypriot President two-thirds of the time and a Turkish-Cypriot President one-third of the time. Here again, the Anan proposals represent a hybrid

between consociational and centripetal ethos. On one hand the collective executive is clearly consociational in that executive authority is divided proportionately between the two main communities and decisions require the support of at least one member of each constituent state. On the other hand, the election process has centripetal features in that the candidates are to be selected according to a single list of candidates. While the exact electoral system is not specified, on my reading Anan's proposal gives voters the right to express support for candidates across the communal divide. This centripetal feature allows and encourages candidates to appeal on non-nationalistic grounds for electoral support. This centripetal feature is then balanced by the consociational device of Senate approval for members of the Presidential Council, requiring support of at least two-fifths of Senators from each constituent state.

A hybrid between confederal/consociational and federal/centripetal ideas also describes Anan's proposed bicameral federal parliament and the territorial distribution of competencies. The bicameral federal parliament would consist of a Senate (upper house) with an equal number of senators from each constituent state. The Chamber of Deputies (lower house) would reflect the population balance on the island as a whole, with a slight weighting to ensure at least 25% of seats for the Turkish Cypriot constituency. Cross-community voting rules provide consociational safeguards to offset the possibility of majority-domination at the federal level. Moreover, the maximal allocation of ordinary powers to the constituent-state level reflects a confederal balance to the federal structure. Finally, the provision of a supreme court with an equal number of Greek Cypriot and Turkish Cypriot members, plus three foreign judges approved by the constituent states, provides ultimate legal authority to break dead-locks at the federal and constituent-state levels.

Space limits prevent a discussion of important subsidiary aspects of agreement, including controversial issues such as residency rights, territorial adjustments and property rights. Without wishing to downplay the significance of these issues, my impression after extensive interviews with people, politicians and officials from both communities, is that none of these issues in themselves represent obstacles to a settlement based on the Anan Plan. On balance, I believe that the bi-communal and bi-zonal proposals represent an adequate balance between centripetal and consociational

features. With the addition of greater clarity and stability provided by the proposed Greek-Turkish intergovernmentalism and a more explicit pre-nuptial agreement on subsequent national self-determination, the Anan Plan therefore represents the foundations of the type of mutualist exchange relations required for bi-national conflicts.

These proposals can be interpreted as satisfying all but the maximalist Turkish-Cypriot interests by:

- Strengthening the links with Turkey through a Greek-Turkish intergovernmental conference.

- Achieving a mechanism for self-determination which prevents a: either non-consensual enosis with Greece or Turkey; a unitary state and offers the possibility for subsequent secession or even union with Turkey, conditional upon the consent of the Greek Cypriot side.

- Gaining self-government within the European Union does not satisfy the maximalist goal of independence but is still an enhancement of the active non-recognition afforded the TRNC. The participation of Turkish-Cypriot ministers in the European Council of Ministers would be a considerable enhancement of their current levels of status and authority. Additionally, the development of the regionalist 'para-diplomacy' within the EU, and the possible evolution of some participation in Council of Ministers (as afforded, for example, to German *länder* and other devolved representatives) as well as the increase in regionalism as a proportion of the EU budget, all represent tempting side-payments for the Turkish-Cypriots compared to their current dependent position vis-à-vis Turkey.

Greek-Cypriot incentives for a bi-national federation nested in Greek-Turkish inter-governmental structures include the following:

- The enhanced guarantor (or protectorate) role for Greece would be a vital counter-weight to existing Turkish influence. With less reliance on the unwieldy, variable influence of the EU, Greek-Cypriots could view Greece's role as a more effective restraint on Turkish power.

- The bi-national federation does not reward or entrench partition and creates a unified state, albeit more of a union than unity. The bi-national

mechanism for self-determination would give southern Cyprus an effective veto over unilateral action by the north, either to achieve independence or unity with Turkey.

Of course, it could be said that these types of institutional balance and protection were offered, based on the London/Zurich agreements etc. and ended in ethnic cleansing. But in fact, the previous power-sharing attempt in Cyprus did not create a bi-national federation comparable to the one proposed in the Anan Plan. It did not offer sufficient segmental autonomy (either territorial or functional) and did not address the opposing aspirations for self-determination. As noted above, the absence of the consent of the representatives of either Greek Cypriot or Turkish Cypriot communities made the Treaty non-consensual. In comparative terms, the evolution of the power-sharing system in Northern Ireland (from 1973 to 1982 to 1998) supports the idea that the failure of power-sharing does not preclude subsequent acceptance as the principle of government in a divided society. In fact, the British-Irish (Good Friday) Agreement is arguably a re-negotiation and enhancement of the Anglo-Irish Treaty of 1921. The primary difference between earlier failures and subsequent success was the creation of a more symmetrical exchange relationship between the British and Irish governments which was able to address the difficult question of national self-determination in a creative and balanced way. In my view, the facilitative conditions for British-Irish co-operation brought by EU integration are emerging in the Greek-Turkish relationship, albeit with significant doubts about the timing or eventuality of Turkish accession.

Finally, the combination of federal and confederal forms of multi-level governance provide greater reward power for aspiring elites, while reciprocal rights protections protect ethno-national minorities.

Conclusion

To the extent that comparable ethno-national cleavages exist in Cyprus and implicate both Greece and Turkey, the British-Irish lessons derived from their Northern Ireland experience have direct relevance to contemporary attempts at conflict regulation in/over Cyprus. More generally, this article attempts to contribute to a liberal nationalist theory of conflict regulation by

examining the empirical evidence for different configurations of authority and power in ethno-nationally divided societies. Considering evidence derived from social exchange experiments and the British-Irish approach to Northern Ireland, several ways were suggested which can regulate opposing claims to national self-determination. In a dyadic conflict like Northern Ireland and Cyprus, where each ethno-nation aspires to either join or seek protection from a national 'matron', the best way to regulate conflict is through bi-national inter-governmentalism involving the two matron-states. This type of exchange relationship reflects and promotes mutual recognition of national legitimacy and increases confidence in reciprocal exchanges, enabling trade-offs to be made concerning ancillary levels of conflict. Additionally, multi-level governance through internal forms of federalism and external supra-national association increase the availability of rewards which can be offered as side-payments to compensate extreme ethno-nationalists for the denial of their maximalist ambitions. In the case of Cyprus, the development of mutualist exchange relations will be analysed in light of the negotiations based on the UN Security Council's 'Anan Plan'.

NOTES

1. Research for this article was supported by a Study Abroad Fellowship from the Leverhulme Trust and a grant from the British Academy.

2. Chaim Kaufmann, 'Possible and Impossible Solutions to Ethnic Wars,' in Michael Brown *et al.* (eds.) *Nationalism and Ethnic Conflict* (MIT, 1996/97); 'When all else fails', *International Security* vol. 23 (1998). See also John J. Mearsheimer and Stephen Van Evera, 'When Peace Means War' in *New Republic* (December 1995). For an empirical test and critique of 'partition theory' (including secession), see Nicholas Sambanis, 'Partition as a Solution to Ethnic War: An Empirical Critique of the Theoretical Literature' in *World Politics* 52 (2000): 437-83.

3. The classic statement is Arend Lijphart *Democracy in Plural Societies: A Comparative Exploration* (New Haven, CT: Yale University Press, 1977). For a critique and overview of the development of consociational theory see Ian S. Lustick 'Lijphart, Lakatos, and Consociationalism' in *World Politics* 50 (1997): 88-117.

4. Most notably, Donald Horowitz *Ethnic Groups in Conflict* (Berkeley, CA: University of California Press, 1985).

5. Ian S. Lustick 'Stability in Deeply Divided Societies: Consociationalism Versus Control' in *World Politics*, 31 (1979): 325-44.

6. See, for example, Jack Snyder *From Voting to Violence: Democratisation and Nationalist Conflict* (London: Norton, 2000). For an overview of the Consociational versus Institutional cleavage dissolving and an application to South Africa, see Timothy Sisk, *Democratisation in South Africa* (Princeton, 1995); see also Rupert Taylor 'The New South Africa: Consociational or Consensual Power-Sharing' *ASEN Bulletin* no 8 (1994): 14-18.

7. David Miller, *On Nationality* (Oxford: Oxford University Press, 1995); see also Margaret Moore 'Normative justifications for liberal nationalism,' *Nations and Nationalism* 7:1 (2001), pp. 1-20.

8. See, for example, A. Buchanan 'Democracy and secession' in Margaret Moore (ed.), *National Self-determination and Secession* (Oxford: Oxford University Press, 1998).

9. On control strategies as conflict regulation, see John McGarry and Brendan O'Leary, 'Introduction: the macro-political regulation of ethnic conflict' in McGarry and O'Leary (eds.), *The Politics of Ethnic Conflict Regulation* (London: Routledge, 1993), pp. 24-26; see also Ian Lustick 'Stability in deeply divided societies: consociationalism versus control', *World Politics*, 31 (1979): 325-44.

10. See Linda Molm *Coercive Power in Social Exchange* (Cambridge: Cambridge University Press, 1997) p. 268. cf. Gerald R. Patterson, *Coercive Family Process* (Eugene, OR: Castalia). For applications of exchange theory to political processes see, for example, Edward J. Lawler, 'Power Processes in Bargain,' *Sociological Quarterly* 33: 17-34. Edward J. Lawler and Jeongkoo Yoon . 1993 'Power and the Emergence of Commitment Behavior in Negotiated Exchange.' *Sociological Theory* 11: 268-290; Lawler and Yoon. 1996 'Commitment in Exchange Relations: Test of a Theory of Relational Cohesion.' *American Sociological Review.* 61:89-108.

11. Linda Molm, *Coercive Power in Social Exchange* p. 269.

12. A series of studies on different aspects of repression-reaction patterns have supported the existence of an "inverted U" relationship (i.e., 'normally' distributed) between repression and political violence. See Gupta *et al.* 'Government coercion of dissidents: deterrence or provocation?' *Journal of Conflict Resolution* 37 (1993): 301-39; Dudley and Miller 'Group Rebellion in the 1980s,' *Journal of Conflict Resolution*, 42, 1 (1998): 77-96; Edward N. Muller and Karl-Dieter Opp 'Rational Choice and Rebellious Collective Action' *American Political Science Review* 80 (1986): 471-87.

13. David Willer, Michael J. Lovaglia and Barry Markovsky 'Power and Influence: A Theoretical bridge' Ch. 9 in Willer, David (ed.) *Network Exchange Theory* (Westport, CT: Praeger, 1999), p. 239.

14. *Ibid.* pp. 239-40.

15. Timothy Sisk *Democratization in South Africa* (Princeton, NJ: Princeton University Press, 1995), p. 48.

16. Ernest Gellner *Nations and Nationalism* (Oxford: Blackwell, 1983); Benedict Anderson *Imagined Communities* (London: Verso, 1983) ch. 4; John Breuilly *Nationalism and the State*, 2nd edition, (Manchester: Manchester University Press, 1993.

17. For an application to post-Soviet Moldovan-Russian relations which emphasises the interaction between emotive mass and elite nationalism see Stuart Kaufman 'Spiralling to Ethnic War: Elites, Masses, and Moscow in Moldova's Civil War' in Michael Brown et al (eds.) *Nationalism and Ethnic Conflict: An International Security Reader* (Cambridge, MA: MIT Press, 1997), pp. 169-99.

18. Donald Horowitz *Ethnic Groups in Conflict* (Berkeley, CA: University of California Press, 1984), pp. 379-86.

19. Ibid. pp. 602-13. For a recent assessment of the trajectory from power-sharing to secession see E. Osaghae 'From Accommodation to Self-Determination: Minority Nationalism and the Restructuring of the Nigerian State.' *Nationalism & Ethnic Politics* 7, no. 1 (2001): 1-20.

20. B. Reilly *Democracy in Divided Societies: Electoral Engineering for Conflict Management* (Cambridge: Cambridge University Press, 2001), p. 188.

21. The 'Annan Plan' is the draft agreement, designed primarily by Anan's Special Adviser to Cyprus, Alvaro de Soto, which was the basis of substantive negotiations between the Turkish Cypriot and Greek Cypriot leaders from January 2002 until 11 March 2003. The Secretary General then published a 'Report of the Secretary-General on his mission of good offices in Cyprus' S/2003/398, hereafter referred to as the 'Anan Report'.

22. See Margaret Moore's criticisms in 'Normative justifications for liberal nationalism: justice, democracy and national identity', *Nations and Nationalism,* 7,1 (2001) 1-20.

23. *Declaration of Principles on Interim Self-Government Arrangements* Sept. 13, 1993, Washington, D.C.

24. Ibid. 'Agreed minutes to the declaration of principles on Interim Self-government Arrangements', Article IV.

25. See Joseph Alpher 'The Oslo Process: Failures, Lessons, Alternatives,' *Pugwash Newsletter,* vol. 38, 2 (2000); Deborah Sontag 'Quest for Mideast Peace: How and Why it Failed', *New York Times* 26 July, 2001.

26. Anan Report, p. 5.

27. Ibid. p. 16. Anan also emphasized that 'neither side would accept the starting point of the other regarding how a new state of affairs would come into being. P. 15.

28. The internationally recognised, constitutive status of Northern Ireland as a part of the United Kingdom was contested by the Irish state's claim, in articles 2 and 3 of its constitution to sovereignty over the entire island and its territorial seas.

29. B. O'Duffy 'British and Irish conflict regulation from Sunningdale to Belfast Part II: Playing for a draw 1985-1999', *Nations and Nationalism* 6,3 (2000) 399-437.

30. There are also small Armenian, Maronite Christian and Catholic communities.

31. Turkish Cypriots were given 30% of cabinet seats despite their being (then) 18% of the population. See McDonald, 'Greek-Turkish Relations

and the Cyprus Conflict' in Keridis and Triantaphyllou *Greek-Turkish Relations in the Era of Globalization*, 117-18.

32. Joseph S. Joseph *Cyprus: Ethnic Conflict and International Politics: From Independence to the Threshold of the European Union* (London: Macmillan, 1997) p. 25-28.

33. Ibid. p. 20.

34. Ibid. pp. 25-28.

35. Ibid. p. 30.

36. Oliver Richmond 'Ethnonationalist Debates and International Peacemaking: The Case of Cyprus.' *Nationalism & Ethnic Politics*, 5, no. 2 (1999): 36-61.

37. For example see H. Hendawi ' Tough Talk in Cyprus' 18-24 March 1999 Al-Ahram (Cairo), no. 421.

38. M. Keating *Plurinational Democracy: Stateless Nations in a Post-Sovereignty Era* (Oxford: Oxford University Press, 2001); see also Charles A. Kupchan, 'Conclusion' in his edited *Nationalism and Nationalities in the New Europe* (Ithaca: Cornell University Press and the Council on Foreign Relations, 1995.

39. Ibid., 103-112, 123-24; see also J. Tully *Strange Multiplicity: Constitutionalism in an age of diversity* (Cambridge: Cambridge University Press, 1995). For a critique of the statist 'Westphalian' discourse on secession and self-determination and an application to Serb-Kosovan relations see Andrew March and Rudra Sil 'The Republic of Kosova' (1989-98) and the Resolution of Ethno-Separatist Conflict: Rethinking "Sovereignty" in the Post-Cold War Era' Working Paper no. 99-01, Christopher H. Browne Center for International Politics, University of Pennsylvania, 1999.

40. In a Eurobarometer survey from October 2001, 62% of Cypriots (Republic) declared support for joining the EU, compared to 68% of Turks (mainland). Turkish-Cypriots were not included in these surveys. See 'Applicant Countries Eurobarometer', 1 Oct. 2001.

41. In Turkish, Adalet ve Kalkinma Partisi.

42. In June 1998 the UN Security Council passed a resolution reaffirming that a settlement must be based on a bi-communal, bi-zonal state comprised of 'two politically equal communities' ... based on a single sovereignty and international personality with a single citizenship, with its independence and territorial integrity safeguarded' quoted in R. McDonald 'Greek-Turkish Relations and the Cyprus Conflict' in Keridis and Triantaphyllou *Greek-Turkish Relations*, 126.

43. Ibid. 130.

44. The Annan Report p. 30. This view was supported by Greek-Cypriot academics and officials of the EU delegation in Cyprus. Interviews conducted Nicosia, Cyprus 16 July, 2003.

45. Annan Report, p. 11.

46. T. Bahcheli 'Turkey's Cyprus Challenge: Preserving the Gains of 1974' in D. Kerides and D. Triantaphyllou (eds.) *Greek Turkish Relations in the Era of Globalization*, 212-15.

47. *Ibid.*, 215

48. ANAR public opinion poll (reported in Balkans Weekly 2001-12-03). Furthermore, Bahcheli, in 'Turkey's Cyprus Challenge' cites a 1998 poll which showed an (unspecified) plurality of Turkish citizens supporting *Taksim* or "TRNC" integration with Turkey as the preferred solution to the conflict.

49. Agence France-Presse, 11 January 2000, quoted in T. Bahcheli 'Turkey's Cyprus Challenge', 209.

50. P. Kitromilides 'Imagined Communities and the origins of the national question in the Balkans', European *History Quarterly*, 19,2 (1989): 178; cf. C.V. Mavratsas 'Greek Cypriot Identity and Conflicting Interpretations of the Cyprus Problem' in D. Kerides and D. Triantaphyllou (eds.) *Greek Turkish Relations in the Era of Globalization*, 166.; Joseph S. Joseph *Cyprus: Ethnic Conflict and International Politics: From Independence to the Threshold of the European Union* (London: Macmillan, 1997) ch. 3.

51. C.V. Mavratsas 'Greek Cypriot Identity and Conflicting Interpretations of the Cyprus Problem', 151-2.

52. C.V. Mavratsas, 'The ideological contest between Greek Cypriot nationalism and Cypriotism 1974-1995' *Ethnic and Racial Studies*, 20,4 (1997): 717-37.

53. A. Theophanous 'The Cyprus Problem and its Implications for Stability and Security in the Eastern Mediterranean' in D. Kerides and D. Triantaphyllou (eds.) *Greek Turkish Relations in the Era of Globalization*,

54. Under the joint defence doctrine Cyprus was incorporated into the Greek sphere of defensive interests. Joint exercises have been conducted and Greek naval and air forces are committed to supporting the Cyprus national guard. See Robert McDonald 'Greek-Turkish Relations and the Cyprus Conflict' in D. Kerides and D. Triantaphyllou (eds.) *Greek Turkish Relations in the Era of Globalization*, 139-40.

55. E.g. N. Mouzelis 'Modernity, Late Development and Civil Society' in J. Hall (ed.) *Civil Society: Theory, History, Comparison* (Cambridge: Polity, 1995).

56. R. D. Asmus, F. S. Larrabee and I.O. Lesser 'Mediterranean Security: New Challenges, New Tasks', *NATO Review*, no. 3 (May, 1996): 30, quoted in A. Theophanous 'The Cyprus Problem and its Implications for Stability and Security in the Eastern Mediterranean' in Keridis and Triantaphyllou (eds.) *Greek-Turkish Relations in the Era of Globalization*, 185.

57. Aslan Gündüz 'Greek-Turkish Disputes: How to Resolve Them', in D. Keridis and D. Triantaphyllou (eds.) *Greek-Turkish Relations in the Era of Globalization* (Dulles, VA: Brassey's, 2001) 85-86.

58. N. Nugent *The Government and Politics of the European Union*, 4th edition (Houndmills, Basingstoke, Hampshire and London: Macmillan, 1999), table 13.2, pp. 378-79.

59. For a comparison of recent developments in the role of the matron-states see Sean Byrne's article 'Power Politics as Usual in Cyprus and Northern Ireland: Divided Islands and the Roles of External Ethno-Guarantors." *Nationalism & Ethnic Politics* 6, no. 1 (2000): 1-23.

60. The Greek embassy in Nairobi gave sanctuary to the Kurdish separatist leader Abdullah Öçalan in early 1999. Turkey protested vehemently and special forces subsequently seized Öçalan, returning him to Turkey. The fallout produced mutually moderating effects in that the hard-line Greek Foreign Minister Theodore Pangalos was forced to resign, replaced by the more moderate George Papandreou (son of former President and PASOK founder) while Turkey was inclined by considerations of the prospects for EU accession to stay the death sentence imposed against Öçalan.

61. R. McDonald 'Greek-Turkish Relations and the Cyprus Conflict' in D. Kerides and D. Triantaphyllou (eds.) *Greek Turkish Relations in the Era of Globalization*, 141-43.

62. *Annan Report*, p. 27.

63. *Ibid.* p. 26.

64. *Ibid.* p. 27

65. As noted by Anan, the Turkish-Cypriot negotiators invoked article 3 of the Constitution of Switzerland, 'which stipulates that the Cantons are sovereign insofar as their sovereignty is not limited by the Federal Constitution.' Anan Report, p. 16.

66. *Annan Report*, p. 17.

67. The centrality of the opposing constitutive sovereignty claims was also apparent in my interviews with Greek Cypriot government representatives and officials as well as in discussions with Greek Cypriot and Turkish Cypriot academics from Cyprus and the self-proclaimed "TRNC". Interviews conducted in Nicosia and Famagusta, 6-17 July, 2003.

68. *Annan Report* pp. 30-31. Off the record interview with a current Greek Cypriot government official who participated in all the major negotiations between 1999 and 2003, Nicosia, Cyprus, 18 July, 2003. This interview reinforced the view that bi-partisan agreement exists within the Greek-Cypriot political establishment on the broad parameters of the Anan Plan as the basis for a settlement. One significant area of disagreement between Clerides government and his successor, Papadopoulos, concerns the issue of citizenship rights and the remit of the proposed alien board to grant permanent residency to Turkish citizens migrating to a future Cypriot state.

Chronologie - Grèce

1er mai –30 septembre 2003

5 mai : Georges Papandréou et Abdullah Gül, ministres des affaires étrangères de Grèce et de Turquie annoncent que leurs pays vont déposer simultanément à l'ONU l'instrument de ratification de la Convention d'Ottawa sur l'interdiction des mines anti-personnel. Ce dépôt est intervenu le 25 septembre.

14 mai : Le ministre grec de la défense nationale Yannos Papantoniou dénonce l'augmentation des violations de l'espace aérien hellénique en mer Egée par l'aviation militaire turque et s'interroge sur la volonté de la Turquie d'adhérer à l'UE.

19 –20 juin : Conseil européen de Thessalonique présidé par le Premier ministre grec, Costas Simitis.

3 juillet : Le comité central du Pasok a élu par 118 voix sur 177 son nouveau secrétaire Michel Chryssochoïdis en remplacement de Costas Laliotis.

4 juillet : Remaniement ministériel : Georges Floridis devient ministre de l'Ordre public en remplacement de Michel Chryssochoïdis.

21 juillet : Les services de la statistique annoncent une croissance économique au second trimestre 2003 de 4,4%.

30 juillet : Le ministre grec de l'Economie et des Finances Nicos Christodoulakis a mis en garde contre la remise en cause ou la suspension du pacte de stabilité et de croissance, suggérée par différents Etats dont la France.

14 août : Séisme d'une amplitude de 6,4 sur l'île de Leucade, qui a provoqué plusieurs dizaines de blessés et d'importants dégâts matériels.

17 septembre : Rencontre à Washington de Georges Papandréou avec différents responsables américains, dont son homologue Colin Powell, qui se déclare confiant pour la sécurité des JO d'Athènes de 2004.

20 septembre : 3 sondages donnent une avance de 7,1 à 7,7% à la Nouvelle Démocratie sur le Pasok mais selon une enquête d'opinion 40,8% des Grecs préfèrent Costas Simitis comme Premier ministre, à Constantin Caramanlis, qui ne recueille que 39,2% d'avis favorables.

30 septembre : Le gouvernement promet une hausse de salaire pour 2004 allant de 5 à 10% selon les catégories, largement au dessus du niveau de l'inflation prévue pour 2003 de l'ordre de 3,7%. Costas Simitis s'est engagé à adopter une série de mesures dites " Charte de convergence ", qui vise à permettre à la Grèce de rattraper la moyenne des salaires de l'UE : l'objectif est d'atteindre en 2008 90% des salaires moyens européens, contre 80% actuellement.

Chronologie - Chypre

1er mai - 30 septembre 2003

20 mai : Rauf Denktash, le chef de la communauté chypriote turque, répète que la reconnaissance à Chypre de deux Etats constitue la condition préalable à la solution de la question chypriote .

19-20 juin : Conseil européen à Thessalonique. Dans ses conclusions la présidence grecque déclare : " Le récent assouplissement des restrictions imposées aux contacts et aux communications entre les Chypriotes grecs et turcs a été bénéfique et a prouvé que les deux communautés pouvaient vivre ensemble sur une île réunifiée au sein de l'Union. Notre Union ne considère toutefois pas que cela remplace un règlement global de la question. En conséquence, le Conseil européen engage toutes les parties concernées, et en particulier la Turquie et les dirigeants chypriotes turcs, à soutenir pleinement les efforts du Secrétaire général des Nations Unies et, à cet égard, appelle à une reprise rapide des pourparlers sur la base des propositions de ce dernier. Dans ce but l'UE doit continuer de contribuer à la recherche d'un règlement juste, viable et fonctionnel du problème chypriote, qui soit conforme aux résolutions pertinentes du Conseil de sécurité des Nations Unies. A cet égard le Conseil européen se félicite que la Commission soit disposée à offrir son aide en vue de trouver rapidement une solution dans le cadre de l'acquis ".

20 juin : La Commission européenne propose aux Chypriotes turcs une aide spéciale de 12 millions d'euros et la possibilité pour les entreprises du nord de Chypre d'exporter leurs produits industriels vers l'UE aux tarifs préférentiels de l'accord d'association UE/Chypre. R. Denktash déclare accepter l'aide financière spéciale mais pas les facilités commerciales.

14 juillet : A l'unanimité, la Chambre des représentants a ratifié l'accord d'adhésion de Chypre à l'UE.

17 juillet : R.Denktash déclare que le plan de Kofi Annan sur la réunification de Chypre est " mort ".

23 juillet : Le parti DISY (Rassemblement démocratique) réclame la démission de la ministre de la santé, Dina Akkelidou après la découverte dans les poubelles de son ministère de documents couverts par le secret étatique.

1er août : La Cour européenne des droits de l'homme a condamné la Turquie à verser des indemnités à deux requêtes introduites par des Chypriotes grecs : 2875 euros à Ioannis Dimadis et une somme de 5 500 livres- à compléter ultérieurement - à Evgénia Michaelidou Developments Ltd et Michaïl Timviou.

6 août : Le gouvernement chypriote dénonce à l' UE la signature par la Turquie d'un accord d'union douanière avec le régime de Denktash. L'Union des chefs d'entreprise chypriotes turcs estime de son côté que cet accord va placer la Turquie en position difficile et n'aura pas de retombées positives sur l'économie chypriote turque.

20 août : Le secrétaire général de l'ONU, Kofi Annan affirme ne pas envisager de nouvelle initiative pour résoudre la question chypriote ni de rencontrer R. Denktash, tant que celui-ci ne sera pas prêt à dire quelque chose de différent de son discours habituel.

1ᵉʳ septembre : R. Denktash affirme que les Etats-Unis et la Grande Bretagne veulent le mettre à l'écart, comme cela a été le cas de Yasser Arafat.

4 septembre : Trois partis chypriotes turcs, opposés à R. Denktash affirment leur volonté de collaborer avec les Chypriotes grecs aussi bien avant qu'après les élections en zone occupée, prévues en décembre 2003, pour permettre la création d'une République de Chypre , fondée sur le plan de Kofi Annan, et qui, adhérerait en mai 2004 à l'UE.

12 septembre : Le Président du Comité des ministres du Conseil de l'Europe indique en réponse à une question écrite à propos de l'obstination de la Turquie à ne pas se conformer à l'arrêt Loïzidou, situation sans précédent dans l'histoire du Conseil de l'Europe, que les autorités turques ont déclaré sans ambiguïté, le 19 juin, que les mesures nécessaires seront prises afin de permettre au Comité de constater, lors de la réunion Droits de l'homme des 7-8 octobre 2003 le paiement de la satisfaction équitable octroyée par la décision de la Cour du 28 juillet 1998

16 septembre : Rencontre à Athènes du président de la République de Chypre, Tassos Papadopoulos avec le Premier ministre grec Costas Simitis. Tous deux estiment que la solution de la question chypriote constitue une condition prioritaire à l'adhésion de la Turquie à l'Europe.

Chronologie Turquie

1er mai- 30 septembre 2003

20 mai : Une bombe dans un café d'Ankara a provoqué la mort d'une femme, auteur de l'attentat et membre de l'organisation marxiste interdite DHKP-C.

22 mai : Les Chypriotes grecs ont la possibilité de se rendre en Turquie désormais sans visa.

6 juin : Le Parlement européen adopte par 216 voix contre 75 et 38 abstentions le rapport du démocrate-chrétien Oostlander sur la demande d'adhésion de la Turquie à l'UE. Ce rapport constate que les critères politiques de Copenhague ne sont pas toujours remplis mais " se déclare convaincu que les conditions pour admettre la Turquie aux négociations d'adhésion seront réunies si le gouvernement turc poursuit avec constance et détermination les indispensables réformes en cours ".

20 juin : Adoption par le Parlement turc d'une série de mesures visant à aligner la Turquie sur les normes de l'UE, dont l'une en particulier a aboli l'article 8 d'une loi réprimant la " propagande séparatiste ".

14 juillet : Publication d'une étude selon laquelle 42,9% des fonctionnaires turcs avec un revenu mensuel de 260 à 357 dollars par mois ont franchi le seuil de pauvreté.

20 juillet : Le Premier ministre turc, Recep Tayyip Erdogan se rend en visite dans la zone occupée de Chypre à l'occasion du 29ème anniversaire de l'intervention de l'armée turque et tient des propos favorables aux positions de R. Denktash sur la question chypriote.

31 août : Le ministre de l'Education nationale, Hussein Tselik indique que ses services ont l'obligation de faciliter, pour ceux qui le demandent, le fonctionnement d'une école théologique de leur religion, laissant ainsi entendre que la faculté théologique orthodoxe de Halki, fermée depuis une trentaine d'années pourrait à nouveau fonctionner prochainement.

2 septembre : Le chancelier Schröder, à l'occasion de la visite du Premier ministre turc à Berlin soutient l'adhésion de la Turquie à l'UE, que rejette catégoriquement son rival chrétien-démocrate Edmund Stoiber.

3 septembre : Thomas Weston, coordonnateur spécial des Etats-Unis pour Chypre déclare que " la Turquie devrait faire plus sur la question chypriote " et estime très difficile que les négociations avec l'UE puissent commencer " sans qu'il y ait une solution à la question chypriote " puisque l'on serait dans une situation où la Turquie " ne reconnaîtrait pas un des Etats-membres ".

16 septembre : Le ministre des affaires étrangères A. Gül évoque la possibilité d'élections anticipées si son parti l'AKP devait perdre la majorité absolue au Parlement dans l'hypothèse où la justice turque devait prochainement annuler certains résultats des élections de novembre 2002.

Activités académiques / Academic activities

Conference on Hellenic Diaspora

The Director of the Centre for Hellenic Studies and Research Canada-KEEK Dr. Stephanos Constantinides and Dr. Panayiotis Chimbos, membre of the Board of Directors of KEEK represented the Centre at the Conference on Greek diaspora organized in Rethymnon by the Centre for Migratory and Intercultural Studies (EDIAMME) of the Department of Education of the University of Crete (July 7-8, 2003). The purpose of the conference was to discuss different aspects of the Greek diaspora and to take stock of its development. Academics from Greece, Cyprus and across the world participated in this very successful conference.

Rencontre sur l'éducation hellénique de la diaspora

Le directeur du KEEK, Dr. Stephanos Constantinides a participé à la rencontre annuelle dans le cadre du programme Paideia Omogenon (7-8 juillet 2003) à l'Université de Crète-Rethymnon. La rencontre a été organisée par le Centre d'études migratoires et interculturelles (EDIAMME) et on a discuté du progrès du programme Paideia Omogenon dans les différents pays où il s'applique.

Meeting on Hellenic Education of Greeks Abroad

The director of KEEK Dr. Stephanos Constantinides participated in the meeting of the Program Paideia Omogenon organized in Rethymnon (Crete) by the Centre for Migratory and Inter-Cultural Studies-EDIAMME of the Department of Education of the University of Crete (July 7-8 2003). The purpose of this meeting was to discuss the progress of the program in the different countries in which it applies.

Conference on Poverty, Religion and Justice

Dr. Paris Arnopoulos, president of the Board of Directors of the Centre for Hellenic Studies and Research Canada-KEEK participated in a conference in Olympia (may 21-25, 2003) on Poverty, Religion and Justice organized by ISUD (International Society for Universal Dialogue). He presented a paper entitled "Sociophysics and Theopolitics".

ANNEX

Cyprus - EU Accession Treaty

Protocol on Cyprus

The Protocol on Cyprus, attached to the Treaty of Accession signed on 16 April 2003 by the Republic of Cyprus, provides for the suspension of the application of the Acquis Communautaire in those areas of the Republic of Cyprus, where the Government of the Republic does not exercise effective control. The Protocol states that in the event of a political settlement, the European Council, acting unanimously on the basis of a proposal from the Commission, shall decide on the adaptations to the terms concerning the accession of Cyprus to the European Union with regard to the Turkish Cypriot community. It notes that nothing in the Protocol shall preclude measures with a view to promoting the economic development of the areas the Government does not exercise effective control of and that such measures shall not affect the application of the Acquis under the conditions set out in the Accession Treaty in any other part of the Republic of Cyprus. The protocol underlines that the EU is ready to accommodate the terms of a settlement in line with the principles on which the EU is founded and expresses the Union's desire that the accession of Cyprus should benefit all Cypriot citizens. The contracting parties reaffirm, in the protocol, their commitment to a comprehensive settlement of the Cyprus problem, consistent with relevant UN Security Council resolutions and their strong support for the efforts of the UN Secretary General to that end.

The full text of the Protocol reads as follows:

The High Contracting Parties,

Reaffirming their commitment to a comprehensive settlement of the Cyprus problem, consistent with relevant United Nations Security Resolutions, and their strong support for the efforts of the United Nations Secretary General to that end,

Considering that such a comprehensive settlement to the Cyprus problem has not yet been reached,

Considering that it is, therefore, necessary to provide for the suspension of the application of the acquis in those areas of the Republic of Cyprus in which the government of the Republic of Cyprus does not exercise effective control,

Considering that, in the event of a solution to the Cyprus problem this suspension shall be lifted,

Considering that the European Union is ready to accommodate the terms of such a settlement in line with the principles on which the EU is founded,

Considering that it is necessary to provide for the terms under which the relevant provisions of EU law will apply to the line between the above-mentioned areas and both those areas in which the government of the Republic of Cyprus exercises effective control and the Eastern Sovereign Base Area of the United Kingdom of Great Britain and Northern Ireland,

Desiring that the accession of Cyprus to the European Union shall benefit all Cypriot citizens and promote civil peace and reconciliation,

Considering, therefore, that nothing in this Protocol shall preclude measures with this end in view,

Considering that such measures shall not affect the application of the acquis under the conditions set out in the Accession Treaty in any other part of the Republic of Cyprus,

Have agreed upon the following provisions:

Article 1

1. The application of the acquis shall be suspended in those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

2. The Council, acting unanimously on the basis of a proposal from the Commission, shall decide on the withdrawal of the suspension referred to in paragraph 1.

Article 2

1. The Council, acting unanimously on the basis of a proposal from the Commission, shall define the terms under which the provisions of EU law shall apply to the line between those areas referred to in Article 1 and the areas in which the Government of the Republic of Cyprus exercises effective control.

2. The boundary between the Eastern Sovereign Base Area and those areas referred to in Article 1 shall be treated as part of the external borders of the Sovereign Base Areas for the purpose of Part IV of the Annex to the Protocol on the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus for the duration of the suspension of the application of the acquis according to Article 1.

Article 3

1. Nothing in the Protocol shall preclude measures with a view to promoting the economic development of the areas referred to in Article 1.

2. Such measures shall not affect the application of the acquis under the conditions set out in the Accession Treaty in any other part of the Republic of Cyprus.

Article 4

In the event of a settlement, the Council, acting unanimously on the basis of a proposal from the Commission, shall decide on the adaptations to the terms concerning the accession of Cyprus to the European Union with regard to the Turkish Cypriot Community.

Protocol No 3 on the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus

The Accession Treaty which the Republic of Cyprus signed with the European Union shall not apply to the British Sovereign Bases in Cyprus, except to the extent necessary to ensure the implementation of agreed arrangements. These arrangements relate to the conditions of accession of the Republic of Cyprus and another nine countries, who signed the Accession Treaty with the EU.

The Protocol on the British Bases in Cyprus stipulates that the arrangements provided for in this Protocol shall have the sole purpose of regulating the particular situation of the Sovereign Base Areas of the United Kingdom in Cyprus and shall not apply to any other territory of the Community, nor serve as a precedent, whole or in part, for any other special arrangements which either already exist or which might be set up in another European territory provided for in Article 299 of the Treaty.

According to the Protocol persons resident or employed in the territory of the Sovereign Base Areas, who are subject to the social security legislation of the Republic of Cyprus, shall be treated as if they were resident or employed in the territory of the Republic of Cyprus.

The Protocol notes that the Republic of Cyprus shall not be required to carry out checks on persons crossing their land and sea boundaries with the Sovereign Base Areas and any Community restrictions on the crossing of

external borders shall not apply in relation to such persons and the United Kingdom shall exercise controls on persons crossing the external borders of the Sovereign Base Areas.

The full text of the Protocol reads as follows:

The High Contracting Parties,

Recalling that the Joint Declaration on the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus annexed to the Final Act of the Treaty concerning the Accession of the United Kingdom to the European Communities provided that the arrangements applicable to relations between the European Economic Community and the Sovereign Base Areas will be defined within the context of any agreement between the Community and the Republic of Cyprus,

Taking account of the provisions concerning the Sovereign Base Areas set out in the Treaty concerning the Establishment of the Republic of Cyprus (hereafter referred to as the 'Treaty of Establishment') and the associated Exchanges of Notes dated 16 August 1960,

Noting the Exchange of Notes between the Government of the United Kingdom and the Government of the Republic of Cyprus concerning the administration of the Sovereign Base Areas, dated 16 August 1960, and the attached Declaration by the United Kingdom Government that one of the main objects to be achieved is the protection of the interests of those resident or working in the Sovereign Base Areas, and considering in this context that the said persons should have, to the extent possible, the same treatment as those resident or working in the Republic of Cyprus,

Noting further the provisions of the Treaty of Establishment regarding customs arrangements between the Sovereign Base Areas of the Republic of Cyprus and in particular those of Annex F to the said Treaty,

Noting also the commitment of the United Kingdom not to create customs posts or at her frontier barriers between the Sovereign Base Areas and the Republic of Cyprus and the arrangements made pursuant to the Treaty of Establishment whereby the authorities of the Republic of Cyprus administer a wider range of public services in the Sovereign Base Areas, including in the fields of agriculture, customs and taxation, Confirming that the accession of the Republic of Cyprus to the European Union should not affect the rights and obligations of the parties to the Treaty of Establishment,

Recognising therefore the need to apply certain provisions of the Treaty Establishing the European Community and related EC law to the Sovereign Base Areas and to make special arrangements regarding the implementation of these provisions in the Sovereign Base Areas,

Have agreed upon the following provisions:

Article 1

Article 299 (6) (b) of the Treaty establishing the European Community shall be replaced by the following: "(b) This Treaty shall not apply to the United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in Cyprus except to the extent necessary to ensure the implementation of the arrangements set out in the Protocol on the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus annexed to the Act concerning the conditions of accession of the Czhech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union and in accordance with the terms of that Protocol."

Article 2

1. The Sovereign Base Areas shall be included within the customs territory of the Community and, for this purpose, the customs and common commercial policy acts listed in Part One of the Annex to this Protocol shall apply to the Sovereign Base Areas with the amendments set out in the Annex.

2. The acts on turnover taxes, excise duties and other forms of indirect taxation listed in Part Two of the Annex to this Protocol shall apply to the Sovereign Base Areas with the amendments set out in the Annex as well as the relevant provisions applying to Cyprus as set out in the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union.

3. The acts listed in Part Three of the Annex to this Protocol shall be amended as set out in the Annex to enable the United Kingdom to maintain the reliefs and exemptions from duties and taxes on supplies to its forces and associated personnel which are granted by the Treaty of Establishment.

Article 3

The following Treaty and related provisions shall apply to the Sovereign Base Areas:

(a) Title II of Part Three of the EC Treaty, on agriculture, and provisions adopted on the basis;

(b) Measures adopted under Article 152 (4)(b) of the EC Treaty.

Article 4

Persons resident or employed in the territory of the Sovereign Base Areas who, under arrangements made pursuant to the Treaty of Establishment and the associated Exchange of Notes dated 16 August 1960, are subject to the social security legislation of the Republic of Cyprus shall be treated for the purposes of the Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community as if they were resident or employed in the territory of the Republic of Cyprus.

Article 5

1. The Republic of Cyprus shall not be required to carry out checks on persons crossing their land and sea boundaries with the Sovereign Base Areas and any Community restrictions on the crossing of external borders shall not apply in relation to such persons.

2. The United Kingdom shall exercise controls on persons crossing the external borders of the Sovereign Base Areas in accordance with the undertakings set out in Part Four of the Annex to this Protocol.

Article 6

The Council, acting unanimously on a proposal from the Commission, may, in order to ensure effective implementation of the objectives of this Protocol, amend Articles 2 to 5 above, including the Annex, or apply other provisions of the EC Treaty and related Community legislation to the Sovereign Base Areas on such terms and subject to such conditions as it may specify. The Commission shall consult the United Kingdom and the Republic of Cyprus before bringing forward a proposal.

Article 7

1. Subject to paragraph 2, the United Kingdom shall be responsible for the implementation of the Protocol in Sovereign Base Areas. In particular:

(a) the United Kingdom shall be responsible for the application of the Community measures specified in this Protocol in the fields of customs, indirect taxation and the common commercial policy in relation to goods entering or leaving the island of Cyprus through a port or airport within the Sovereign Base Areas;

(b) customs controls on goods imported into or exported from the island of Cyprus by the forces of the United Kingdom through a port or airport in the Republic of Cyprus may be carried out within the Sovereign Base Areas;

(c) the United Kingdom shall be responsible for issuing any licences, authorizations or certificates which may be required under any applicable Community measure in respect of goods imported into or exported from the island of Cyprus by the forces of the United Kingdom.

2. The Republic of Cyprus shall be responsible for the administration and payment of any Community funds to which persons in the Sovereign Base Areas may be entitled pursuant to the application of the common agricultural policy in the Sovereign Base Areas under Article 3 of this Protocol and the Republic of Cyprus shall be accountable to the Commission for such expenditure.

3. Without prejudice to paragraphs 1 and 2, the United Kingdom may delegate to the competent authorities of the Republic of Cyprus, in accordance with arrangements made pursuant to the Treaty of Establishment, the performance of any functions imposed on a Member State by or under any provision referred to in Articles 2 to 5 above.

4. The United Kingdom and the Republic of Cyprus shall cooperate to ensure the effective implementation of this Protocol in the Sovereign Base Areas, and where appropriate, shall conclude further arrangements concerning the delegation of the implementation of any of the provisions referred to in Articles 2 to 5 and above. A copy of any such arrangements shall be submitted to the Commission.

Article 8

 The arrangements provided for in this Protocol shall have the sole purpose of regulating the particular situation of the Sovereign Base Areas of the United Kingdom in Cyprus and shall not apply to any other territory of the Community, nor serve as a precedent, in whole or in part, for any other special arrangements which either already exist or which might be set up in another European territory provided for in Article 299 of the Treaty.

Article 9

The Commission shall report to the European Parliament and the Council every five years on the implementation of the provisions of this Protocol.

ANNEX

References to this Protocol to Directives and Regulations shall be interpreted as references to those Directives and Regulations as amended or substituted from time to time and their implementing acts.

PART I

1. Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code of which Article 3 (2) shall be replaced by the following: " 2. The following territories situated outside the territories situated outside the territory of the Member States shall, taking the conventions and treaties applicable to them into account, be considered to be part of the customs territory of the Community:

(a) FRANCE

The territory of the principality of Monaco as defined in the Customs Convention signed in Paris on 18 May 1963 (Official Journal of the French Republic of 27 September 1963, p. 8679);

(b) CYPRUS

The territory of the United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia as defined in the Treaty concerning the Establishment of the Republic of Cyprus, signed in Nicosia, on 16 August 1960 (United Kingdom Treaty Series No 4 (1961) Cmnd. 1252)";

2. Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tarrif;

3. Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty;

4. Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code;

5. Council Regulation (EEC) No 3677/90 of 13 December 1990 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances;

6. Council Directive 92/109/EEC of 14 December 1992 on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances;

7. Council Regulation (EEC) No 3911/92 of 9 December 1992 on the export of cultural goods;

8. Council Regulation (EC) No 3295/94 of 22 December 1994 laying down measures concerning the entry into the Community and the export and re-export from the Community of goods infringing certain intellectual property rights;

9. Commission Regulation (EC) No 1367/95 of 16 June 1995 laying down provisions for the implementation of Council Regulation (EC) No 3295/94 laying down measures concerning the entry into the Community and the export and re-export from the Community of goods infringing certain intellectual property rights;

10. Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology.

PART II

1. Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment of which:

a) Article 3(4), first subparagraph, shall be replaced by the following: "By way of derogation from paragraph 1, in view of - the conventions and treaties which the Principality of Monaco and the Isle of Man have concluded respectively with the French Republic and the United Kingdom of Great Britain and Northern Ireland, - the Treaty concerning the Establishment of the Republic of Cyprus, the Principality of Monaco, the

Isle of Man and the United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia shall not be treated for the purpose of the application of this Directive as third territories."

b) Article 3(4), second subparagraph, shall be amended by the addition of a third indent as follows: "- the United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia are treated as transactions originating in or intended for the Republic of Cyprus."

2. Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products: Article 2(4) shall be amended by the addition of a fifth indent as follows: "- the United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia are treated as transactions originating in or intended for the Republic of Cyprus."

PART III

1. Article 135 of Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty shall be amended by the addition of a new point (d), as follows: "(d) by the United Kingdom of the reliefs on importations of goods for the use of its forces or the civilian staff accompanying them or for supplying their messes or canteens resulting from the Treaty of Establishment concerning the Republic of Cyprus, dated 16 August 1960".

2. Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment, shall be amended:

(a) by the insertion of a fourth indent in Article 14(1) point (g), as follows: " - The exemptions set out in the third indent, shall extend to imports by and supplies of goods and services to the forces of the United Kingdom stationed in the island of Cyprus pursuant to the Treaty of Establishment concerning the Republic of Cyprus, dated 16 August 1960, which are for the use of the forces or the civilian staff accompanying them of for supplying their messesor canteens."

(b) by the replacement of point (b) of Article 17(3) with the following: "(b) transactions which are exempt under Article 14(1)(g)(i) and under Articles 15, and 16(1)(B) and (C), and paragraph 2".

3. Article 23(1), first subparagraph, of Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products shall be amended by the addition of a new indent, as follows: "- for the armed forces of the United Kingdom stationed in the island of Cyprus pursuant to the Treaty of Establishment concerning the Republic of Cyprus dated 16 August 1960, for the use of those forces, for the civilian staff accompanying them or for supplying their messes or canteens".

PART IV

1. In this Protocol :

(a) "external borders of the Sovereigns Base Areas" means their sea boundaries and their airports and seaports, but not their land or sea boundaries with the Republic of Cyprus;

(b) 'crossing points' shall mean any crossing point authorised by the competent authorities of the United Kingdom for the crossing of external borders.

2. The United Kingdom shall only allow the external borders of the Sovereign Base Areas to be crossed at crossing points.

3. (a) Nationals of third countries shall only be permitted to cross the external borders of the Sovereign Base Areas if

(i) they possess a valid travel document;

(ii) they are in possession of a valid visa for the Republic of Cyprus, if required;

(iii) they are engaged in defence-related activity or are the family member of a person who is engaged in such activity; and

(iv) they are not a threat to national security

(b) The United Kingdom may only derogate from these conditions on humanitarian grounds, on grounds of national interest or in order to comply with its international obligations.

(c) For the purpose of the undertaking in letter (a)(ii) members of a force, civilian component and dependants, as defined in annex C to the Treaty of Establishment, shall be treated as not requiring a visa for the Republic of Cyprus.

4. The United Kingdom shall carry out checks on persons crossing the external borders of the Sovereign Base Areas. These checks shall include the verification of travel documents. All persons shall undergo at least one such check in order to establish their identity.

5. The competent authorities of the United Kingdom shall use mobile units to carry out external border surveillance between border crossing points and at crossing points outside of normal opening hours. This surveillance shall be carried out in such a way as to discourage people from circumventing the checks at crossing points. The competent authorities of the United Kingdom shall deploy enough suitably qualified officers to carry out checks and surveillance along the external borders of the Sovereign Base Areas.

6. The United Kingdom authorities shall maintain constant close co-operation with the authorities of the Republic of Cyprus with a view to the effective implementation of checks and surveillance.

7. (a) An applicant for asylum who first entered the island of Cyprus from outside the European Community by one of the Sovereign Base Areas shall be taken back or readmitted to the Sovereign Base Areas at the request of the Member State of the European Community in whose territory the applicant is present.

(b) The Republic of Cyprus, bearing in mind humanitarian considerations, shall work with the United Kingdom with a view to devising practical ways and means of respecting the rights and satisfying the needs of asylum seekers and illegal migrants in the Sovereign Base Areas, in accordance with the relevant Sovereign Base Area Administration legislation.

Declaration by the European Commission

The European Commission confirms its understanding that the provisions of Community law applicable to the Sovereign Base Areas pursuant to Article

3(a) of this Protocol include:

(a) Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products;

(b) Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds, to the extent required by Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agriculture Guidance and Guarantee Fund (EAGGF) for the purpose of financing rural development measures in the Sovereign Base Areas under the EAGGF Guarantee Section.

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