

**The European Union's contribution to peace and stability in the  
Eastern Mediterranean  
(the so-called Athens-Nicosia-Ankara Triangle):  
a critique**

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**ABSTRACT**

A generally accepted view in the academic literature argues that the EU's enlargement policy provides for stabilization and democratization among applicant states, thus contributing to peace in the geographical regions concerned. Central and Eastern European countries are cited as recent examples of such a process following the historic events of 1989-1991. Previous examples include Greece and the Iberian countries in the 1970s. Now that Cyprus has joined the EU and that Turkey has begun its accession negotiations, there is a need for a fresh assessment of the role that the EU has played in the Eastern Mediterranean. Has the Union contributed to peace and stability in the region? The paper argues that in both cases (Cyprus and Turkey), the EU has not acted in such a positive way, or at least not in such a fundamentally positive way as in other cases because of at least two fundamental reasons: first, by giving unequivocal backing to the Annan Plan, the EU has contributed to its failure because such a position did not take into account many of its flaws, in particular those that favoured a legitimization of military invasion and occupation. In that respect, this paper questions the commonly accepted view that the responsibility for *not* achieving a solution to the Cyprus Problem in the spring of 2004 lies exclusively with the Greek-Cypriots' rejection of the Annan Plan. Second, by granting a date for the opening of accession negotiations to Turkey in December 2004 and then by actually proceeding with its launch on 3 October 2005, the Union continues to ignore fundamental international law and democratic principles about military invasions and occupations. Neither developments contribute to peace and stability in the region. In light of these developments, it is important to qualify substantially the claim that the Union's enlargement policy is necessarily promoting peace and stability.

**Key words: EU; Eastern Mediterranean; Turkey; Cyprus; Greece; enlargement; stability; peace; democratization.**

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## **INTRODUCTION**

During 2004, there were two very important developments in the European Union (EU)'s policy towards the Eastern Mediterranean: first, in May the Republic of Cyprus joined the Union in what has been its biggest expansion to date; second, in December, the European Council decided to begin accession negotiations with Turkey on 3 October 2005, negotiations which have now formally begun.

In light of these recent developments, it is important to assess the role the EU has played in that region over the years. The bulk of the academic literature argues that enlargement is the best foreign policy tool that the Union possesses for solving international conflict situations and therefore for expanding peace, stability, democracy and prosperity. Although some authors claim that such a result does not necessarily imply that this is a policy by design<sup>2</sup>, it remains clear that enlargement to the former Communist states in Central and Eastern Europe has been a major foreign policy success for the EU<sup>3</sup>. To use Gabriel Munuera<sup>4</sup> who claims that the EU's 'power of attraction' has worked with Slovakia<sup>5</sup>. In contrast to this positive assessment, one needs to consider why the EU has failed in its efforts to use the 'catalytic effect' of accession in order to facilitate a solution to the Cyprus Problem. Moreover, why is it that the Union has decided to begin accession negotiations with Turkey at a time when this country does not even recognize the Republic of Cyprus, let alone continue with its illegal occupation of nearly 40% of its territory? These two questions deserve particular attention not only from the enlargement policy perspective but also from the vast (and expanding) literature on the international role of the EU.

This paper forms part of a project which will be completed during the course of 2006. It remains to a certain extent 'work in progress'. The longer project will consist of two parts:

1. the EU as an international actor in the Eastern Mediterranean.
2. the role of the European Parliament in the region (parliamentary diplomacy perspective).

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<sup>2</sup> Vachudova (2005).

<sup>3</sup> Smith (1999).

<sup>4</sup> After his 1994 study (which was no longer available on the internet), see Gabriel Munuera, *Preventing armed conflict in Europe: lessons from recent experience*, Chaillot Paper Nos 15/16, Paris, June 1994, as quoted in Christou (2002).

<sup>5</sup> over its dispute with Hungary and also on its treatment of minorities, see Christou (2002).

In 2006, the final part will be completed. What follows in the current paper deals with the first Part. It is sub-divided in turn into three sections. Section 1 deals with the international role of the EU. Section 2 applies it to the Eastern Mediterranean case. Section 3 presents a critical assessment of the EU's role in the Eastern Mediterranean. The overall purpose of this study is to present a general introduction to the topic, together with a critique of past and current EU policy towards Cyprus and Turkey.

## **(1) THE EU AS AN INTERNATIONAL ACTOR**

The conceptualization of the EU as an international actor has always led to lengthy discussions. There appears to be no agreement over the best way to characterize the international relations of the Union. Equally, there is discrepancy over how to define its international relations. Does one concentrate on the external relations of the Union and on the international dimension of its common policies? Or, instead, is it better to focus on its CFSP? Or is it necessary to include the foreign policies of the member states? Finally, what about EU international cooperation and aid policies?<sup>6</sup> Recent developments, such as the 2004 enlargement, the Constitutionalization process (even if in 2005 it appears to be at a halt), and the militarization of the Union have complicated further the question of what kind of actor the EU is in the world<sup>7</sup>. There are many possible models. What follows is a brief review of the most prominent ones.

Without claiming to be exhaustive, and building on recent joint work by this author<sup>8</sup>, it is possible to sum up the debate in the following way: there is an approach that claims that the EU is *sui generis*, and so are its external relations<sup>9</sup>. There are those who concentrate on whether the EU is an international actor all over the world in geographic terms (a 'global actor'), or just such an international actor in a 'regional' dimension, mainly in Europe and its 'near abroad' (see its newly-launched European Neighbourhood Policy/ENP-see below). There are those who debate whether it is increasingly becoming a military power (especially since 1998 and its militarizing process) or whether it remains fundamentally a 'civilian power'<sup>10</sup>. There are variations on all those themes from 'civilizing power'<sup>11</sup> to

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<sup>6</sup> see Peterson and Sjursen (1998).

<sup>7</sup> I do not enter here in the debate over whether the Constitutional Treaty arrangements are 'good', especially in the field of foreign policy, see Duke (2003), Esteve and Pi (2005).

<sup>8</sup> For details see Fernández Sola and Stavridis (2006).

<sup>9</sup> For more see Wessels (1992).

<sup>10</sup> See Wallace (2005); Smith (2005); see also Stavridis (2001b); Burckhardt (2004).

constructivist notions of 'European identity', or to more detailed fundamentals - such as whether it is an *influence*, an *actor*, a mere *presence*, a *player*, a *bloc*, or a *power*, etc. What remains clear is that the EU does play a role in the international system. And as such it cannot be ignored. In terms of economics, it is, together with the USA and Japan, one of the key players in globalization<sup>12</sup>, although it is important to count now with other emerging economic giants such as China and India. In political terms, it is a model for other integration attempts throughout the world (from Latin America, to Asia, to Africa). In social terms, it is seen as a model that is distinct from that of the USA, albeit there are important differences among its member states<sup>13</sup>. In military terms, the EU's expanding EDSP project still remains dwarfed by national defence policies and of course by NATO. But there increasing numbers of (semi-)autonomous EU military actions in the world<sup>14</sup>, which make the Union more visible and more coherent thanks to an expanding panoply of instruments at its disposal. For instance, several new defence instruments (e.g. the Armaments Agency) are being implemented irrespective of the problems the Constitutional Treaty is currently encountering in its ratification phase. Thus, in late 2005 the EU can be described as:

- an *economic giant* within the worldwide globalization process;
- a *global actor*, because geographically speaking its external relations span worldwide (Iran, Korea, Africa) and are not only limited to the European continent and its immediate neighbourhood; although there is a clear priority to territorial proximity.
- normatively speaking, a *civilian power Europe*, as it tries to promote its own values and principles throughout the world.
- a *military actor in the making*, with expanding means at its disposal and with a political decision to expand them even further in the future.

As just noted, one of the main objectives of the EU's external policy being the promotion of democracy and human rights, both are seen as means to foster stability and peace in the world. There are plenty of EU declarations, documents, and other texts to that effect. All past EEC and now EU Treaties contain such references. The currently stalled Treaty establishing a Constitution for Europe is no exception. It declares that:

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<sup>11</sup> CIDEL (2004).

<sup>12</sup> See figures in Annex 1.

<sup>13</sup> the Scandinavian model, the British model, the Franco-German model, the Southern model.

<sup>14</sup> Giegerich and Wallace (2004).

“ PART I -TITLE I - DEFINITION AND OBJECTIVES OF THE UNION

Article I-2: The Union's values (...)

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Article I-3: The Union's objectives

1. The Union's aim is to promote peace, its values and the well-being of its peoples. (...).

4. In its relations with the wider world, the Union shall uphold and promote its values and interests. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter.”<sup>15</sup>

“TITLE V

THE UNION'S EXTERNAL ACTION

CHAPTER I

PROVISIONS HAVING GENERAL APPLICATION

Article III-292

1. The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.

The Union shall seek to develop relations and build partnerships with third countries, and international, regional or global organisations which share the principles referred to in the first subparagraph. It shall promote multilateral solutions to common problems, in particular in the framework of the United Nations.

2. The Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations, in order to:

- (a) safeguard its values, fundamental interests, security, independence and integrity;
- (b) consolidate and support democracy, the rule of law, human rights and the principles of international law;
- (c) preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter, with the principles of the Helsinki Final Act and with the aims of the Charter of Paris, including those relating to external borders;
- (d) foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty;
- (e) encourage the integration of all countries into the world economy, including through the progressive abolition of restrictions on international trade;

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<sup>15</sup> [http://europa.eu.int/constitution/en/1stoc1\\_en.htm](http://europa.eu.int/constitution/en/1stoc1_en.htm), (accessed 03.11.05).

- (f) help develop international measures to preserve and improve the quality of the environment and the sustainable management of global natural resources, in order to ensure sustainable development;
- (g) assist populations, countries and regions confronting natural or man-made disasters;
- (h) promote an international system based on stronger multilateral cooperation and good global governance.”<sup>16</sup>

In terms of what ‘international means’ the EU uses or intends to use, there are many documents on that matter, but the 2003 European Security Strategy (also known as the ‘Solana doctrine’) is particularly relevant. This text (approved by the European Council meeting of December 2003) represents the first comprehensive document on the subject. The ‘Solana doctrine’ specifically stresses the need for ‘[a]n international order based on effective multilateralism’. It continues:

‘In a world of global threats, global markets and global media, our security and prosperity increasingly depend on an effective multilateral system. The development of a stronger international society, well functioning international institutions and a rule-based international order is our objective. We are committed to upholding and developing International Law. The fundamental framework for international relations is the United Nations Charter. The United Nations Security Council has the primary responsibility for the maintenance of international peace and security. Strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, is a European priority.’<sup>17</sup>

As we have seen above, the Constitutional Treaty also reiterates the same principles with its emphasis on the need to ‘preserve peace, prevent conflicts and strengthen international security’, but within the respect, preservation and consolidation of International Law (United Nations Charter, Helsinki Final Act, Charter of Paris). In that particular respect it offers in principle a different perspective on International Affairs from that of the currently more unilateralist policy of the Bush administration. However, one should not fall into the now traditional trap of the ‘Venus vs. Mars’ argument. The EU states are actively engaged in peace-keeping operations and there are now more European troops deployed than ever before. The EU states were divided over Iraq in 2002-03 but are very much cooperating with the new interim Iraqi government. They also actively support US policies in other regions of the world, be it over Syria or in Afghanistan<sup>18</sup>. At the end of the day, practice will show how multilateral the EU will be as an actor in the international system (for

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<sup>16</sup> [http://europa.eu.int/constitution/en/1stoc1\\_en.htm](http://europa.eu.int/constitution/en/1stoc1_en.htm) (accessed 03.11.05).

<sup>17</sup> <http://ue.eu.int/uedocs/cmsUpload/78367.pdf> (accessed 03.11.05).

<sup>18</sup> on the possibility of using ‘preventive engagement’ as foreseen in the Solana doctrine despite the official rhetoric to the contrary, see Gómez Sanz and Morgades Gil (2005: 111). On EU divisions over foreign policy see Barbé (2005: 7); Fernández and Stavridis (2006).

instance several EU states appear not to respect the Tokyo commitments over global warming whilst strongly criticizing the USA for not adhering – and not respecting – it).

Both the evolution of foreign policy coordination over the years and the development of a defence dimension in the more recent past are seen as means for the protection, promotion and consolidation of those principles (democracy, stability and economic prosperity). In empirical cases, there is agreement that there is a commitment to those ends, at least rhetorically. In practice the situation is much more varied. To use Christopher Hill's now famous 'expectations-realities gap'<sup>19</sup>, there appears to be quite a big gap between the rhetoric and the reality of EU foreign policy. In fact there are many gaps, many expectations and many realities. The *debâcle* over Iraq in 2003<sup>20</sup> confirms this lack of EU coherence. The list on diverging views among EU states is very long indeed. This is what the next part does with an empirical analysis of EU policies towards the Eastern Mediterranean. We will see that there is plenty of discrepancy between verbal commitments and real actions.

## **(2) THE EU AND THE EASTERN MEDITERRANEAN**

In 2005, with both Greece and Cyprus as EU members and now that accession negotiations have begun with Turkey on 3 October 2005, there is little doubt that there is a clear 'European responsibility for peace in the Eastern Mediterranean'<sup>21</sup>. This is also the view taken by the President of Cyprus in September 2005:

'We have always held the view that a solution of the Cyprus problem will be under the umbrella, the aegis, of the United Nations, we don't change from that position. But of course the situation has changed because since the 1<sup>st</sup> of May, 2004 the Republic of Cyprus is a full member of the EU. Many of the issues which are involved in a possible solution of the Cyprus problem touch upon provisions of the *acquis communautaire*, which are the directives or rules of the EU. It is therefore inevitable that in any new round of talks the EU should have a more active role in the discussion. I think they could be most helpful in guiding the parties as to what would be compatible or in agreement with the *acquis communautaire*, which the Republic of Cyprus will have to apply after a solution. After a solution both communities in Cyprus, both sides, will have to comply with the regulations of the *acquis communautaire*'<sup>22</sup>.

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<sup>19</sup> Hill (1993); (1998).

<sup>20</sup> see Crowe (2003), Lindstrom and Schmitt (2004).

<sup>21</sup> Brewin (2004).

<sup>22</sup> *Press Conference by the President of the Republic Mr. Tassos Papadopoulos in New York, 19 September 2005* – in New York after his participation to the UN Annual Assembly; information provided by the Cypriot Embassy in Madrid.

Such a view is also supported in Turkey, albeit it goes without saying in a totally different perspective<sup>23</sup>. For this kind of conflicting expectations especially during Cyprus' pre-accession period, as I have noted elsewhere:

´en el caso de Chipre la perspectiva de adhesión actuó como un catalizador en direcciones contradictorias, y al final, sin éxito:

- para los greco-chipriotas quería cambiar la situación de hecho que los acontecimientos de 1974 habían producido.
- para los turco-chipriotas quería decir confirmar los acontecimientos de 1974.
- para Atenas quería decir facilitar al acercamiento con Turquía empezado desde 1999.
- para Ankara quería decir facilitar la posibilidad de llegar a una fecha para el principio de las negociaciones de adhesión para Turquía'.<sup>24</sup>

This section of the paper concentrates on the role that the European Union has played over the years in the Eastern Mediterranean<sup>25</sup>. The EU's role in that region has a long history, starting with association agreements with Greece and Turkey in the early 1960s and with Cyprus in the early 1970s. Greece's EU membership has been well documented. In particular, much work has been carried out over its Europeanisation process<sup>26</sup>. In the case of Cyprus, the bulk of academic attention has dealt with the Cyprus Problem on the one hand, and with EU-Cyprus relations on the other hand<sup>27</sup>. As for Turkey, the literature is vast and expanding fast. It deals mainly with EU-Turkey relations and prospects for, as well as problems of, membership<sup>28</sup>. It is important to add that all three countries have been seen as 'problematic' in many ways. Greece was seen as the 'enfant terrible' of European foreign policy in the 1980s, commonly labelled a 'footnote state' for years. Cyprus is usually described as an 'imbroglio', a 'flashpoint', or a 'hostage' to Greek-Turkish confrontation. Turkey is seen as a difficult accession case at best, or at worst as an 'Islamic Trojan Horse'<sup>29</sup>. Another common view is that Turkey will act as a Trojan Horse for US interests in a similar way, it is claimed, to the way Britain has done. It is a view traditionally

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<sup>23</sup> See for instance PM Erdogan's interview in *Le Monde* (13.10.05).

<sup>24</sup> Stavridis (2005: 5-52, footnote removed).

<sup>25</sup> there is also a huge literature on NATO and Mediterranean security (Lesser and Green and Larabee and Zanini 2000; Carr and Ifantis 1996), as well as on Cyprus security (see Nugent 2003: 9-13).

<sup>26</sup> for a review see Stavridis (2003a), see also Economides (2005); Tsardanidis and Stavridis (2005).

<sup>27</sup> Brewin (2000); Fouskas and Richter (2003); Theophanous (2004).

<sup>28</sup> See Müftüler-Bac and McLaren (2003); Oguzlu (2003); Kirisci (2004; 2005); Vaner (2004); Font (2005); Hughes (2004); Esen (2004); Tezcan (2004); see also Fisher (2005); Chislett (2004). As I am not an economist, I will not enter the debate about the benefits of customs union. For an analysis that argues that 'the Turkish-EU customs union has been a technical success overall and functioned on a sound basis', see Ülgen and Zahariadis (2004).

<sup>29</sup> respectively, for Greece: Soler (2004), Economides (2005); – for Cyprus: Dodd (1998), Ratliff (2000), Kadritzke (1998) – for Turkey: Del Valle (2004).

associated with an anti-Turkish approach in Greece,<sup>30</sup> but which does not limit itself to it. There are examples of other vehemently anti-Turkish views elsewhere<sup>31</sup>. Finally, there is increasingly, at least at the elites level, a more positive view of Turkey in Greece since the beginning of the bilateral 'earthquake diplomacy' between the two countries in 1999<sup>32</sup>.

In terms of policy, the EU possesses at the multilateral level a number of tools at its disposal: trade and association agreements, customs union, enlargement, as well as CFSP declarations, communiqués, joint actions, common strategies. More tools include the EMP (Euro-Mediterranean Partnership or the so-called 'Barcelona Process'<sup>33</sup>), and more recently the ENP (European Neighbourhood Policy<sup>34</sup>). Both the EMP and the ENP are seen as more relevant to other Southern Mediterranean states rather than Cyprus and Turkey (especially now that Cyprus is a full member and Turkey has begun accession negotiations). But we will see in the final research publication that in the past there has been an effort by Cyprus to use the EMP, and in particular its parliamentary dimension, to promote a solution to its division. To date such an approach has failed, but it remains an interesting case to find out why<sup>35</sup>. On the other hand, Turkey has been extremely reluctant to be involved in the EMP although it has been a member since its launch<sup>36</sup>. Finally, Turkey is not included in the newly-launched ENP. As the *December 2004 European Council Conclusions* confirm there are five Mediterranean partners included in the ENP:

'The European Council noted with satisfaction the progress made within the framework of the European Neighbourhood Policy (ENP). A first series of Action Plans jointly prepared with Jordan, Morocco, Tunisia, Moldova, Ukraine, Israel and the Palestinian Authority were successfully finalised'<sup>37</sup>.

In the existing literature, the 'Greek-Turkish-Cypriot Triangle'<sup>38</sup> has led to numerous studies, analyses, critiques and policy recommendations<sup>39</sup>. The term 'triangle' is shorthand for a 'problematic situation'. It appears on a regular basis. For instance, it appeared

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<sup>30</sup> see Papaconstantinou (2004).

<sup>31</sup> see Sanguinetti (1999). For a much more reasoned argument against Turkish membership, see Robert Badinter, 'Avec la Turquie, l'Europe renonce', *Le Monde*, 14.10.05. Badinter is a former French Justice Minister and currently a Socialist senator.

<sup>32</sup> see Tsoukalis (2004).

<sup>33</sup> See Youngs (2005); Amirah and Youngs (2005).

<sup>34</sup> See García Pérez (2004).

<sup>35</sup> see Stavridis (2006); see also his (2002); (2003b).

<sup>36</sup> LaGro (2003); Yilmaz (2003).

<sup>37</sup> Paragraph 46, *December 2004 European Council Conclusions*: [www.europa.eu.int](http://www.europa.eu.int) (accessed November 2005).

<sup>38</sup> From the literature review it appears that Couloumbis first used the term 'triangle' with reference to the USA, Greece and Turkey (Couloumbis 1983).

<sup>39</sup> see Joseph (2001); Couloumbis (2002); Couloumbis and Lyberopoulos (1998).

numerous times on a review of a (non-scientific) sample of 510 hits on a 'Google search' with the words 'Greece Turkey Cyprus European Union' keyed in. What is more interesting perhaps it that the total number of entries reached no less than 951,000 entries<sup>40</sup>. Even the most recent works keep on using that term<sup>41</sup>. I do not want to enter into a discourse analysis approach, nor in any constructivist exercise, but simply to mention it because it shows for how long the Cyprus Problem has featured within this 'Athens-Ankara-Nicosia Triangle'. It is now however more correct to add Brussels (as in EU Brussels)<sup>42</sup>. In terms of the Cyprus Problem -but also by extension the Turkish Problem- one should also of course add at least London and Washington<sup>43</sup>. Also in geopolitical terms<sup>44</sup>, one should include Israel, not only because of an existing security arrangement between Turkey and Israel since 1996<sup>45</sup>, but also because of Cyprus' good relations with both Israel and Arab countries, as well as Greece's long-standing links with the Arab world and more recent relations with Israel (since 1989)<sup>46</sup>.

EU enlargement policy since the end of the Cold War, and more especially after the 1995 enlargement, is widely regarded to be a means to 'widening the zone of stability, democracy and prosperity that the EU stands for'<sup>47</sup>. It is interesting to note that a young Turkish academic is now using the language of (a still relatively young) Greek politician when he used the same reference about Greece in the EU<sup>48</sup>. A 'Europeanisation through enlargement' (or prospects of enlargement) may be a good guide as to the 'power of attraction' that the EU represents for third countries<sup>49</sup>. The main criteria for membership application are known as the '1993 Copenhagen criteria'<sup>50</sup>:

- Membership criteria require that the candidate country must have achieved:
- stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
  - the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union;

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<sup>40</sup> as accessed 24.05.05.

<sup>41</sup> Savvides (2003).

<sup>42</sup> see Couloumbis and Lyberopoulos (1998); Wallace (2002); Emerson and Tocci (2004); Theophanous (2003).

<sup>43</sup> see Papacosma and Theophanous and Sperling (2004); Inbar and Sandler (2001).

<sup>44</sup> On the geopolitical, geoeconomic and geostrategic dimensions of Turkey, see also Sánchez-Gijón (2004), Emerson and Tocci (2004), Echeverría (2005), Williams (2001).

<sup>45</sup> 'Turquía compra armas a Israel por valor de casi 400 millones', *El País*, 02.05.05.

<sup>46</sup> I do not enter into this particular dimension of the Middle East and EU-Middle East relations.

<sup>47</sup> Nas (2005: 2).

<sup>48</sup> see Karamanlis (2000).

<sup>49</sup> see Christou (2002).

<sup>50</sup> On minority rights and the Copenhagen criteria see Sasse (2005).

- the ability to take on the obligations of membership including adherence to the aims of political, economic & monetary union<sup>51</sup>.

The dominant view in the academic literature (as well as in the media) can be summed up in the following way: 'enlargement-brings-peace-stability-and-prosperity'. Such an argument can be applied to all 3 states of our Triangle under study. Thus, Greece is no longer a poor, peripheral, isolated member state but rather an integrated, pro-federalist member of the Euro-zone<sup>52</sup>. From an obstacle to better European relations with Turkey, it has become its most fervent supporter for membership. As for Cyprus, the literature goes on, the island has finally joined the Union, but 'unfortunately', only 2/3 of its territory are under the full control of the sole legitimate, lawful, and internationally recognized government. Finally, Turkey has engaged in fundamental reforms mainly due to EU pressure. These reforms began in the late 1990s-early 2000s, but they have gained momentum ever since the coming to power of the Islamist Party in late 2002. The negotiations for Turkish membership have now begun, and in the near future (it is said anytime between 7 and 15 years) Turkey will join the Union as a clear sign of the latter's non-Christian, non-discriminatory, non-religious nature (best illustrated by José Luis Rodríguez Zapatero's *Alliance of Civilizations* proposal, a project that is co-sponsored by Ercip Erdogan himself).

### **(3) A CRITICAL ASSESSMENT OF THE EU'S ROLE IN THE EASTERN MEDITERRANEAN**

The above is the rosy picture that one finds in many a study, report, analysis. It amounts to a large extent to wishful thinking, as if by repeating something long enough it would necessarily materialize. It represents also part of the *pensée unique* that is spreading throughout the EU. What follows attempts to show that reality may be somewhat different. The world may not be as 'nice and friendly' as the dominant dogma of the day has it<sup>53</sup>. This alternative view is not meant to be pessimistic. It is just trying to show that a less optimistic analysis may be closer to reality. Thus, instead of simply sticking to rosy

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<sup>51</sup> <http://europa.eu.int/comm/enlargement/intro/criteria.htm>, as accessed 03.11.05.

<sup>52</sup> I do not cover the way such membership was achieved with the information that is now available because the responsibility for such a decision belonged not only to the then Greek authorities (whose role it was to make the case for membership, admittedly in an open and transparent manner) but also to the then EU leaders and institutions (whose role it was to vet the whole process).

<sup>53</sup> For an ironic look at rosy scenarios and "win-win" situations, see Claire Palley's sharp comments accompanying a picture of Álvaro de Soto and other negotiators during a meeting in Switzerland. Palley suggests that perhaps the Peruvian UN diplomat was commenting about how to 'set off an avalanche and create a "lose-lose" situation' (Palley 2005: p.6-7).

scenarios, a discussion of serious problems means in fact a better preparation for future solutions<sup>54</sup>. In particular, this section will dismiss the claim that the lack of a solution to the Cyprus Problem in April 2004 was *solely* due to the Greek Cypriot referendum result. Instead, it will present a critical assessment of how the EU has failed to contribute to a solution to the Problem *over the years*. Thus, showing that the 2004 failure represents just *yet another failure* of such a policy. More worryingly for the future, the paper will also try to show that since Cyprus' accession to the Union, the EU has continued to act in the same pattern by accepting to begin negotiations with Turkey without demanding an end to its illegal occupation and its non-recognition of the Republic of Cyprus. There were at least three opportunities to do so: first before granting a date for accession negotiations in December 2004<sup>55</sup>; second, in the leading-up to the extension of the EU-Turkey customs union agreement; and third before formally starting negotiations on 3 October 2005.

Thus, as will be shown below the past record of the EEC/EU, the assessment can but be negative. The EU took a backseat position over the Cyprus Problem at least until the late 1990s. Although its stance on not linking a solution to the island division with its eventual accession is commendable, it results more from Greece's threat of vetoing the whole enlargement process. The EU accession prospects played a role in the 2003-2004 UN attempts at finding a solution to the division of Cyprus. The fact that, in the words of David Nanopoulos<sup>56</sup>, the 'catalytic role' did not function does not mean in itself that the EU cannot or should not do more now or in the near future<sup>57</sup>. But let us consider in more detail why this paper argues that the 2004-2005 situation only represents – regrettably – more of the same lack of EU interest, or to use Jean Catsiapis' own words, *une 'passivité européenne'*<sup>58</sup> (see also below sub-section on Imia).

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<sup>54</sup> If a personal anecdote is allowed, in late 2001 during a research meeting on Cyprus held in Florence, I suggested that more attention should be given to the question of who would vote in the Northern side of the Island in the case of a referendum on a reunification deal (something still very much hypothetical at that time). A Turkish colleague immediately accused me of 'living in the past' and thereby ignoring the new opportunities that the EU framework was offering. Being one of the most open-minded colleagues in Turkey his reaction was rather perplexing, especially when all participants had agreed that the EU was offering a new context. Eventually a British colleague captured the meaning of my concern: what was needed was to concentrate on how to solve real problems both present and future. As both 2004 referenda results confirmed – by allowing the participation of the Turkish settlers in the vote and by the subsequent rejection of the Greek Cypriots – the question I had raised at that time was indeed a problem that needed to be addressed and not to be ignored simply because it did not fit in a rosy 'win-win' scenario.

<sup>55</sup> see the December 2004 Brussels European Council meeting conclusions: Annex 2.

<sup>56</sup> Nanopoulos (2004). Or to use William Wallace's own words, 'the window of opportunity' that the EU accession prospects had created (2002).

<sup>57</sup> See Güney (2004: 38); see also Diez (2000).

<sup>58</sup> (Catsiapis 1996: 156). His assessment was levelled at the EU stance over the Imia incident but it can be used more generally as well.

In order to show how many missed opportunities to find a solution to the Cyprus Problem there have been to date, there follows a chronological review of key events in Greece, Cyprus and Turkey, and the way the EU did -or did not- react to them. From that review it becomes clear that the EU (previously EEC) has not always acted in a manner that could have reduced instability and tension in this triangular situation (instability and tension here must be related to the values and principles that the EU purports to defend – see sections 1 and 2 above), and therefore promoted peace and stability in the Eastern Mediterranean. What follows is split into three sections: 1974 and the 1980s; the 1990s; the 2000s.

### FROM THE 1974 TURKISH INVASION UP TO THE LATE EIGHTIES

#### 1974

At the time of the Turkish invasion, the EU was still the EEC and the CFSP was only a coordinating mechanism called European Political Cooperation (EPC)<sup>59</sup>. Still, there is enough evidence to suggest that the Europeans did not offer more than verbal support to the invaded Republic of Cyprus. They refrained from taking any substantial action. All this in spite of their general condemnation of military interventions in third countries. EPC repeatedly claimed that 'there are no "justified" interventions or "good" occupations, regardless of the validity of the motives invoked'<sup>60</sup>.

But whenever rhetorical support could be mustered among EPC member states, it only amounted to words and no actions. Thus, on Cyprus the EPC states did not take up any concrete measures to back their verbal support for a political solution to the conflict despite the existence of an association agreement between the European Community and Cyprus<sup>61</sup>. Another example of their reluctance to take any concrete action was visible in their decision to abstain (in a separate vote on a specific paragraph) during a vote on a UN resolution on Cyprus in November 1978, on the grounds that

'this passage may be interpreted as referring to the adoption of sanctions, whereas the Nine (...) consider direct negotiations the best way of resolving

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<sup>59</sup> What follows draws from Stavridis (1991), Chapter 5, entitled 'EPC reactions to military interventions'.

<sup>60</sup> 'Statement by the Presidency on behalf of the Ten on Cambodia at the 36th session of the UN General Assembly, New York, 19 October 1981', in *EPC*, Press and Information Office of the Federal Government, Bonn, 1982, pp 284-6; quote from p.286.

<sup>61</sup> Explicitly referred to in a speech by the Presidency at the UN in 1978 ('Speech by the German Foreign minister at the 33rd General Assembly of the UN, New York, 26 September 1978', in *EPC*, 1982, p.136).

the problem on Cyprus<sup>62</sup>.

### 1980s

The EPC line over the years was constantly to call for the withdrawal of those troops<sup>63</sup>, and a return to an independent and united Cyprus. Thus, EPC condemned the Turkish-Cypriot Unilateral Declaration of Independence (UDI) in 1983 and the so-called 'presidential elections' in Northern Cyprus in 1985 because both were considered to be attempts made to establish an independent state within Cyprus<sup>64</sup>. The EPC states backed the many relevant UN resolutions and the role of UNFICYP<sup>65</sup>.

Such discrepancy between words and actions becomes all the more striking when it is taken together with the Association Agreements that exist(ed) between the European Community and Cyprus on the one hand, and the European Community and Turkey on the other (not to mention Turkey's earlier bid to join the European Community at that time). Means to put pressure on Turkey were available. Therefore, it is more a question of a *lack of will* than a question of a *lack of means*. In the June 1990 Dublin European Council meeting the European Community for the first time made a link between the two issues:

'In the final communiqué of the Dublin summit, the political leaders of the Twelve warned that "the Cyprus problem affects EC-Turkey relations" and called for the "prompt elimination" of obstacles to intercommunal talks<sup>66</sup>.

But at the end of the day, it must be stressed that the EPC's role on the Cyprus issue was limited 'to moral support for attempts of the United Nations Secretary General to mediate and bring the parties together in meaningful negotiations'. The fact of the matter was that on most UN resolutions on Cyprus there was not even a common EPC vote<sup>67</sup>.

The additional fact that the European Community was not willing to use all the other means it possessed at that time in order to put pressure on Turkey further reinforces the discrepancy between its rhetorical commitments and its lack of actions. If the rhetoric of

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<sup>62</sup> 'Answer (of 6 April 1979) to written parliamentary question No. 868/78 on the position of the Nine at the UN on Cyprus, Strasbourg, 7 December 1978', in *EPC*, 1982, pp 152-153.

<sup>63</sup> See 'Communiqué by the Nine Governments on the Situation in Cyprus (16 July 1974)', in *EPC*, 1982, p.71.

<sup>64</sup> respectively: 'Statement by the Ten on Cyprus (Athens, 16 November 1983)', in *EPC*, 1988, p.172; 'Declaration by the Ten on Cyprus (Rome, 10 June 1985)', *Ibid.*, p.198.

<sup>65</sup> For instance, see: 'Statement by the Foreign Ministers on the Situation in Cyprus (Dublin, 13 February 1975)', in *EPC*, 1982, p.75; 'Statement by the Dutch Ambassador on the situation in Cyprus at the 31st General Assembly of the UN (New York, 3 November 1976)', *Ibid.*, p.99.

<sup>66</sup> *Cyprus News*, No.13, 1-30 June 1990, p.1.

<sup>67</sup> The quote and information is from Tsardanidis (1984).

EPC was not consistent with itself, nor was it supported by actions, then the EEC/EPC's claim to defend democratic principles in the world was not really credible.

The situation continued even when *some action* did take place. As Aylin Güney argues:

'[t]he military rule during 1980-1983 in Turkey led to a suspension of EC-Turkey relations until the political situation and respect for human rights were improved. The resumption of the Association Agreement came only after the 1987 referendum that lifted political restrictions in the 1987 elections'<sup>68</sup>.

But it is revealing that EEC action was related to domestic developments in Turkey and not to the situation in Cyprus. As for lifting the suspension of the association agreement, all that was needed was a *semblance of democratization*. The use of the word 'semblance' results from the need to introduce so many 'democratization' deals in Turkey since the beginning of the 2000s. If democratization had been successful in 1987 why was there such a need for so much more fifteen years later? Moreover, in 1989 the European Commission had dismissed the Turkish application to join the then EEC (issued in 1987), because it did not fulfil any of the necessary membership criteria, including those on democracy. Therefore a legitimate question is why were the Association Agreement provisions restored then?

## THE NINETIES

### *June 1995: Turkish National Assembly and "casus belli" if extension of Greek territorial waters*

This is important because the Turkish parliament approved a resolution that considers any Greek extension of its territorial waters to 12 miles as a cause for war<sup>69</sup>. There are many problems with such a stance. First, Turkey has made use of the new Law of the Sea provisions for an extension from 6 to 12 miles of its northern territorial waters, therefore accepting the validity of the new rules. Second, by issuing a threat to use military force, Turkey is contravening the UN Charter and all the other principles of International Law about the unacceptability of the use of force (but also European jurisprudence on the same principle in Europe; e.g. in the OSCE and its predecessor the ECSC or Helsinki Charter). Third, the EU's deafening silence on the issue is astounding. Despite formulating a criticism of Turkey's general bilateral relations with Greece and asking -since 1999- that a peaceful solution be found (initially before 2004), this dimension was not included in the

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<sup>68</sup> Güney (2001: 203).

<sup>69</sup> see also Tsakonas and Tournikiotis (2003: 305).

decision to give a negotiations date to Turkey for 2005. Moreover the EU's call for the Greek-Turkish 'dispute' to be solved by the International Court of Justice has equally been ignored. In fact, these commitments are reiterated in each EU decision solely for practice to show that nothing happens when deadlines come and go. Moreover, the tense Turkish-Cypriot relations – the latter now a member state – which also fall under the heading of the need for friendly neighbourly relations are totally ignored. The reason being for the whole EU to hide behind the figleaf of the Greek-Cypriot referendum rejection (in daily parlance, shoot the messenger and ignore the message). Admittedly, some attention should be given to the reasons why neither Greece nor Cyprus vetoed the EU decision to grant a date for negotiations and then agreed to proceed with them. According to reports, Cypriot President Papadopoulos did not veto the accession negotiations date despite 60% of Greek-Cypriots in favour of such a use<sup>70</sup>. But one should not only go into the reasons why this is the case (to better Greek-Turkish relations overall; Cyprus as a small state and as a *demandeur* is not in a position to ask more than it has already achieved by joining the EU). One should also delve into the reasons why the other 23 states do not object to the situation. More worrying is the reiteration of the same threat by the Turkish Parliament about the continuation of a *casus belli* if there is an extension of Greek territorial waters. It occurred in October 2005, *after* the accession negotiations had formally been initiated (see below).

### Customs Union

The saga over the conclusion and ratification of the Customs Union is rather revealing. The member states had finally reached in 1995 an agreement whereby Greece lifted its veto in exchange of the acceptance by all the other reluctant EU states that Cyprus could begin accession negotiations irrespective of whether or not there was going to be a solution to the island's division before accession. This *quid pro quo* is problematic in itself for a number of reasons: first, it meant that the decision to begin accession negotiations with Cyprus could be seen as a 'favour' to Greece (and Cyprus) and not as a matter of principle. Second, the Turkish side came out strengthened in its position on Cyprus because it de-linked it from the question of Turkish customs union with, and eventually membership of, the EU. Third, it gave the EU the means to add pressure on the Greek Cypriots to accept a solution before the enlargement. That particular 'stick' remained in practice irrespective of the many declarations to the contrary (see in particular one relevant 1998 British Presidency

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<sup>70</sup> *El País*, 10.12.04. See also Papadopoulos (2004).

declaration to that effect<sup>71</sup>). Thus, during months the question of how the 2004 enlargement deal would be eventually ratified led to serious concerns in Cyprus especially when several EU states or their respective national parliaments showed signs of dissent from the EU official line of not linking membership to re-unification. In that respect, the Dutch Parliament became notorious in Cyprus and formed part of the 'ratification saga' because, only a few days after the 1999 Helsinki decisions, it had passed a resolution in which it was stated that it was undesirable to allow a state with UN troops on its soil to join the EU. Cyprus was specifically mentioned<sup>72</sup>. This motion (tabled by MPs de Hoop Scheffer and Weisglas) reflected in part a domestic division in The Netherlands between the Left (broadly supporting Cyprus entry) and the Right (mainly opposed to it). Then the Right was in Opposition. However, following the May 2002 elections in the Netherlands, the protagonists of the 1999 event returned to key positions in the (then) new government and majority (Maxime Verhagen, the MP who had initiated the 1999 resolution and had missed the relevant session due to illness as the new leader of the Christian Democratic party in the Dutch House, whereas de Hoop Scheffer became the new foreign minister and Weisglas the new President of the Dutch House. This example is mentioned here just to show that the formal de-linking of the accession prospects from the reunification question did not necessarily play as positively in favour of stability and tranquility as it has been argued (see more below).

Going back very briefly to the 1995 Customs Union deal, it is important to add that all that was done to offer a *smokescreen of decency* was that the European Parliament postponed its assent vote for a few months and finally gave its formal assent a few days before the December 1995 elections in Turkey. The argument was that, by backing the Customs deal, it would have prevented an Islamist victory (thus facilitating the election victory instead of a pro-Western, modern, secular Tansu Ciller - a woman too, thus also gratifying the feminist lobby). The fact that Ciller eventually joined the Islamists in a coalition government, with a first half of the tenure under her leadership, and the second under that of Necmettin Erbakan, or the fact that the latter was removed in a 'soft coup' in the summer of 1997, were not given any particular attention (so much for democracy in Turkey<sup>73</sup>). We will see in

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<sup>71</sup> UK PM Tony Blair, *Press Conference*, London, 8 January 1998.

<sup>72</sup> Parts of this Section draw from previous publications, see in particular Stavridis (2003b).

<sup>73</sup> See Rouleau (2000); see also, Turkey's PM Erdogan himself who has recently complained of the lack of democracy in his own country, according to one of his declarations to CNN on 07.06.05, *in-news*: [www.in.gr](http://www.in.gr).

the second part of this overall SIP study<sup>74</sup> that when faced with a similar argument in late 2004 (to grant or not a negotiations date<sup>75</sup>), and again in September-October 2005 (to begin or not negotiations), the European Parliament supported once more the Turkish request. Each time, its MEPs -or at least those who voted in favour- announced they were proud of their decisions.

### Imia 1996<sup>76</sup>

During the crisis itself there was a 'passivity' from EU institutions and governments<sup>77</sup>. The 29 January 1996 Foreign Ministers meeting did not even mention the crisis. As Jean Catsiapis has also graphically put, in his search for support from his EU partners, Greek PM Simitis got the

'désagréable surprise d'observer que ses interlocuteurs se refusent de dénoncer clairement la responsabilité de la Turquie dans le déclenchement de la crise d'Imia et pratiquent la politique de l'équidistance entre Athènes et Ankara'<sup>78</sup>.

Once some form of support had been finally granted at the Foreign Ministers Council level in June of that same year, it was rather vague and general, and, in return, Greece had to give up its veto on the MEDA funds (which include Turkey)<sup>79</sup>. So much for EU support to one of its members in the region. So much for the promotion of stability in the sense that *by not offering* firm support in a case of aggression it tends to weaken international law and principles<sup>80</sup>. The EU has consistently opposed such acts, admittedly at the rhetorical level, but also occasionally at the practical level (the 1990 Iraq invasion of Kuwait being the clearest such case)<sup>81</sup>. To a certain extent this is not new, nor is it restricted to Greece. As was the case in the 1982 Falklands War<sup>82</sup> or in the more recent 2002 Perejil incident between Spain and Morocco<sup>83</sup>. Both time there was little European solidarity. To promote principles in international relations requires a minimum of consistency. The EU does not

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<sup>74</sup> Stavridis (2006).

<sup>75</sup> See also Soler (2005).

<sup>76</sup> for a background see Ifantis (2001).

<sup>77</sup> Made famous by Richard Holbrooke's claim that Europe was asleep. See Holbrooke (1999).

<sup>78</sup> Catsiapis (1996: 156).

<sup>79</sup> Catsiapis (1996: 159-160).

<sup>80</sup> This has worldwide implications because it sets out precedents. Who votes in referenda is of vital importance as the Cyprus case has shown. See also the case of the Western Sahara and its ongoing 'saga'. It is interesting to note that the UN representative for the Cyprus Problem until the failed 2004 referenda spent a short period of time as UN envoy to the Western Sahara before being substituted.

<sup>81</sup> But also on the grounds of an attack on the fundamental democratic right to self-determination, for a review of the then EEC's EPC reactions to military interventions see Stavridis (1991: 162-229).

<sup>82</sup> For a detailed analysis see Stavridis and Hill (1996).

<sup>83</sup> See Feliu and Lorenzo and Salomón (2003).

appear to do so. A lack of consistency means less, no more, stability. Hence, the EU's contribution can but be considered to be negative during the Imia incident.

#### S300 missiles<sup>84</sup>

The objective of the missiles purchase by Cyprus was to strengthen both the credibility of the defence of the Island and the 'Common Greek-Cypriot defence doctrine' recently launched at that time by Athens and Nicosia. Very little was said about the fact that the Cypriots purchased a Russian system had to do with both US and French refusals to sell a similar defence system. Pressure on Cyprus came from the USA, and a number of EU countries (France, Germany), in particular the UK. The then British Defence Secretary George Robertson used vitriolic terms about the Cypriot decision to buy the S-300 missiles, arguing that some states simply do not have the right to decide for their own defence. Interestingly enough, only a few days later, he used a totally different discourse about the sales of British weapons to Turkey. Those particular sales were made in the name of 'self-defence', he said. He also assured that there was 'of course' no risk of those weapons being used for internal repression or external aggression<sup>85</sup>. What remains equally relevant to the current study is the absence of any support for the Republic of Cyprus. In particular, the lack of response to Cyprus' proposal for a complete de-militarization of the Island in exchange of the non-deployment of the missiles did not find any echo in the EU states and institutions. As security arrangements have bedevilled Cyprus for decades (and were one of the main reasons for the 'no' vote in the Greek-Cypriot referendum in 2004), it seems quite revealing that many Europeans do not make more of this dimension. As for the future, it remains to be seen how the emerging ESDP might affect this question in the future. Not surprisingly Cyprus is not a member of NATO.

#### ESDP, Ankara Document<sup>86</sup>

This 'saga' results from the existence of two institutions that are increasingly perceived to be performing similar roles: the EU (and until recently the WEU<sup>87</sup>) on the one hand, and

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<sup>84</sup> see also Güney (2004: 35-37).

<sup>85</sup> (Greek) *NET TV News* (16 September 1998) and (UK) *BBCI Nine o'clock News* (22 September 1998) respectively. To a Spanish reader, the November 2005 saga over arms sales to Venezuela in spite of US opposition would illustrate this point further. A recent article in *El País* was entitled 'Bono defiende la soberanía de España en la venta de material militar a Venezuela – El ministro de Defensa reitera que el contrato firmado ayer no incluye armas de carácter ofensivo', 29.11.05. There was consensus that the Russian system was *fundamentally* a defensive one.

<sup>86</sup> for a background to the ESDP, Greece, Turkey saga see Missiroli (2002). See also Ozuglu (2003: 297); Tsakonas and Tournikiotis (2003).

<sup>87</sup> Since 2000 what is left of the WEU are its article 5 and its parliamentary assembly.

NATO on the other. The EU is militarizing and the Atlantic Alliance is becoming more politicized. The existence of Europeanists and Atlanticists, as well as that of neutrals, within the EU means that any future EU military action in the world will need some form of agreement between the EU and NATO. A solution was finally found in late 2003 but not before the presentation of a joint UK-US-Turkish document (known as the December 2001 Ankara document) which had excluded the Eastern Mediterranean from the ESDP. That is to say that the ESDP could not be used if a NATO member was concerned (read Turkey). The solution found to this problem contains many signs of a solomonic dimension as it includes a reverse clause (i.e. if an EU member is concerned NATO assets cannot be used either – read Turkey). Again, support for Turkey was quite clear as one cannot seriously envisage a Cypriot attack on Turkey.

## THE PERIOD UP TO CYPRUS' ACCESSION TO THE EU

### *Enlargement negotiations and its ratification process*

One must begin with the additional fear in Cyprus that EU accession would freeze the existing division of the island and turn the northern part of Cyprus into a permanent occupation. Such a prospect should not be regarded as unrealistic at that time for at least two reasons: first, because, as many Greek-Cypriots themselves keep saying, the Turks usually announce what they plan to do and then they actually do it. It is rather difficult to disagree with such an assessment if one looks at the recent history on the Island where every Turkish move had been announced well in advance; second, because of the existence of a number of proposals for solutions that various individuals or institutes put forward, or because of a number of comments made by leading political actors in the EU. For instance in 2001-2002 one can review the following incidents:

- the so-called January 2001 'United States of Cyprus' paper with three separate geographical zones: a Greek-Cypriot area, a Turkish-Cypriot one, and a common zone<sup>88</sup>. Most Greek-Cypriots rejected it out of hands. This paper was produced by a number of academics and other experts in the USA<sup>89</sup>. Observers argued that perhaps this idea should not have been rejected so fast as a common geographical zone which included the capital would have been a serious obstacle to any future

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<sup>88</sup> for details see *TDN On line*, 06.01.02 and 27.01.02 ([www.turkishdailynews.com.tr](http://www.turkishdailynews.com.tr)).

<sup>89</sup> for details see [www.otenet.gr/news](http://www.otenet.gr/news) of 08.01.02.

secession. Others thought it would have complicated matters further and might have hindered a future solution to the Problem<sup>90</sup>.

- the (in?)famous Javier Solana interview in an Athens sunday paper on 21 April 2002 where 'Mr CFSP' stated quite categorically that 'if there is no agreement, then the Greek-Cypriot part will join [the EU]'. When pressed to clarify his position, he continued: 'The whole Island will not enter the Union unless there is an agreement. One part of Cyprus will enter and the other part will have to wait'<sup>91</sup>. Despite a number of subsequent clarifications by Solana himself, and by a number of Commission officials, the damage had been done<sup>92</sup>. It led to the 'institutionalisation' of a political term on the Island that had only been used by the Left in the past: 'Euro-partition', that is to say the accession of Cyprus to the EU accompanied with the permanent division of the Island. In other words, 'there is a danger that Greek Cypriots might face the dilemma: accession and solution or no-solution and no-accession and be forced to accept a "bad" solution in order to join the Union'<sup>93</sup>. The key point here is what was mentioned above about the unnecessary EU pressure on the Greek-Cypriots to find a solution before accession, and the question of how bad a solution could they possibly accept (see the Annan Plans, below).
- the 'Belgian model' saga: a Centre for European Policy Studies paper<sup>94</sup> by Emerson and Tocci argued that the Belgian model could be exported to Cyprus as it has worked in the past for the Belgian Federation. It is not the place here to debate whether the 1992 Federal Constitution of Belgium has prevented the collapse of a state rather than re-united one, or that without Brussels as the 'capital of Europe', the situation would have been much more difficult for Belgium. Suffice it to say that models travel with difficulty, assuming that they actually exist in the first place. This is paraphrasing a devastating attack on the utility of the Belgian model for Cyprus made by Kris Deschouwer (*VLB*, Brussels) at an *Intercollege* Conference on 6 April 2002. As for Denktash's use of the Belgian model, he simply picked and chose the most confederal elements in it, whereas the Cypriot Government simply repeated that it did not think the Belgian model represented any threat to the

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<sup>90</sup> Emerson and Tocci (2002: 20).

<sup>91</sup> *TO BHMA*, interview with Anny Podimata, a respected Greek journalist. My own translation.

<sup>92</sup> see *Kathimerini-English edition; Eleftherotypia; TO BHMA*; all on 23.04.02 [in Greek].

<sup>93</sup> Savvides (2002: 45).

<sup>94</sup> Emerson and Tocci (2002).

Greek-Cypriot position as it is a federal model, with a single international voice, and respect for fundamental rights<sup>95</sup>.

- The international community in general and the EU in particular have been a staunch supporter of a federal solution. No one wants ‘two Cypruses’ in the EU. But comments<sup>96</sup> made by Sir David Hannay (UK representative on Cyprus) on *CNN Turk* (or at least the way they have been interpreted in Turkey) led to a new concerns not only in Cyprus but among pro-Cyprus MEPs such as JPC (Joint Parliamentary Committee) member Theresa Villiers: the MEP described Hannay’s call for a new state as ‘a disturbing and radical departure from the position supported by the Conservative Party’<sup>97</sup>. The day after the Hannay declaration, a Press Attaché from the UK embassy in Turkey, Sangeeta Ahuja, wrote a letter to *TDN On Line* which stated that ‘Lord Hannay had not said that the KKTC [TRNC] will be[come] a sovereign state’. She stressed that Lord Hannay had said that ‘the two states will be a central state with two component states (...) with responsibilities for the two components *effectively for everything that is not explicitly given to the centre*’<sup>98</sup>.

All the above examples are briefly mentioned here to show how sensitive a subject the whole issue of Cyprus reunification and its entry to the EU were at that time. It provides a context to the debate over the Annan Plan(s) but it also confirms that there were many doubts about whether the EU would really go ahead with its membership commitment in case a solution to the island division was not found.

### *The 2004 Annan Plan*

Without entering into the *nitty gritty* details of the Plan<sup>99</sup>, it is important to concentrate on the reactions of EU institutions and states to it. For a good analysis of how bad the Plan was, see Melakopides (2004a)<sup>100</sup>. It is however important to note that under the Plan, the Turkish invasion, occupation and subsequent settlement of Anatolian Turks would have been legitimized. Neither was there a clear decision on whether the new Cyprus would have been a confederation or a federation. Nor would Cyprus have become fully

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<sup>95</sup> *PIK News*, Cypriot TV, 26.06.02.

<sup>96</sup> *TDN On Line*, 13.06.03; see also [www.in.gr/news](http://www.in.gr/news), 14.06.02 and *Kathimerini-English edition*, 18.06.02

<sup>97</sup> [www.pio.gov.cy/news](http://www.pio.gov.cy/news) (as accessed 06.07.02).

<sup>98</sup> *TDN On Line*, 14.06.02.

<sup>99</sup> There were five different versions in all. For the final 9000-page long draft see [www.cyprus-unplan.org](http://www.cyprus-unplan.org).

<sup>100</sup> for a devastating attack see Palley (2005).

independent as the existence of guarantor powers and the presence of foreign troops on its soil would have continued. As for reactions to the Plan, the new Turkish government that resulted from the late 2002 elections appeared to change Turkey's long-standing policy of obstruction to a bi-zonal, bi-federal solution, but solely in order to support what looked very much like a ... confederal solution. Other EU states and institutions<sup>101</sup> also gave their support to the Plan. The European Commission did so by confirming that it would amend the Cyprus Accession Treaty without any problem if a solution was to be found before 1 May 2004. Similarly in the name of Irish Presidency of the EU Council, Irish PM Bertie Ahern commended the Annan Plan and in particular the 'tireless efforts' of the UN Secretary General and his colleagues for seeking a Cyprus settlement<sup>102</sup>:

' I would like to commend the Secretary-General of the United Nations and his colleagues for their tireless efforts in seeking to bring about a settlement to the Cyprus problem. The European Union has all along expressed its strong preference that a united Cyprus enter the Union on 1 May and has indicated its readiness to accommodate the terms of a settlement in line with the principles on which the Union is founded. The decision on the Plan for a settlement that Mr. Annan presented yesterday to the parties now rests ultimately with the people of Cyprus, who are to vote in separate simultaneous referenda on 24 April'.

However, at the UN Security Council -where a resolution had been presented in support of the Plan- Russia vetoed it, officially on 'technical' grounds (not to influence referenda results), thus wounding mortally its hypothetical credibility. It is clear that good relations between the AKEL Communist party and Moscow did have an impact, but it remains equally clear that, for once, Russia rightly called for non-interference in the free choice of the Cypriot citizens<sup>103</sup>.

To recap, the referenda results were as follows:

Greek-Cypriot community: 89.18% turn-out, 24.17% in favour and 75.83% against.

Turkish-Cypriot community: 84.35% turn-out, 64.91% in favour and 35.09 against.

It means<sup>104</sup> that in the Greek-Cypriot vote out of 413680 valid votes (out of 480165 registered voters), there were:

Yes: 99976 votes (24.17%)

No: 313704 votes (75,83%).

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<sup>101</sup> for the EP see Soler (2005); Stavridis (2006).

<sup>102</sup> See *Ahern commends Annan and colleagues for "tireless efforts" in seeking Cyprus settlement*, Press Release, 1 April 2004, [www.eu2004.ie](http://www.eu2004.ie) (accessed November 2005).

<sup>103</sup> *Le Monde*, 22.04.04; [www.lemonde.fr](http://www.lemonde.fr).

It means that in the Turkish-Cypriot community, out of 119619 valid votes (out of 143638 registered voters), there were:

Yes : 77646 votes (64.91%)

No: 41973 votes (35,09%).

What is important is to note that Turkish settlers were allowed to vote, even if the Plan was supposed to legitimize, among other things, their presence *post facto*. It did in fact do so prior to ratification. Also across the two communities (accepting the Turkish-Cypriot result with all its fundamental deficiencies), just under 110,000 voted in favour of the Plan but 355,000 voted against. A ratio of 3:1. The reason for stressing these statistical facts is that they all are politically important. Not only the overwhelming rejection of the Plan overall, but also the strength of the popular opposition to it. These are facts that should not be ignored.

As for the reactions to the 2004 referenda results, two points must be stressed: first, the hostile reaction to the Greek-Cypriot vote. Second, contrast those negative reactions to the recent 2005 French and Dutch referenda results on the European Constitution in order to show the double standards used by many a politician and many an observer/commentator. A sovereign democratic decision in France and the Netherlands is fine, but not that of a sovereign Cyprus. Moreover, there are three fundamental differences between the 2004 Cypriot referenda and 2005 referenda in France and The Netherlands. Firstly, the former ones dealt with the constitution of a new state, whereas the latter ones referred to a 'supranational' structure. They were not about the constitutional structures of France or The Netherlands. Their importance was therefore minor to that of the Cypriot ones. Second, all parties to the EU constitutionalizing process are established democracies, but this is not the case in the occupied territories in northern Cyprus. Thirdly, the Annan Plan was to a large extent mediated by external powers and 'imposed' by the UN, whereas the EU Constitutional Treaty is the result of a deliberative democracy process *à vingt-cinq*. It is equally important not to fall in the easy elitist trap that claims that public opinion should not be consulted on crucial issues. Thus, it has been made explicit by a number of observers that such a procedure is 'una idea cínica y peligrosa'. This particular comment refers to the decision by a number of countries to hold a referendum on future EU (read

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<sup>104</sup> The total figures are important because who votes in Cyprus is as important as the result.

Turkey) enlargements<sup>105</sup>. It is implicit in many of the criticisms made about the Greek-Cypriot result which are reviewed below.

There follows a brief review of the reactions in European and international institutions, and in EU states (France, Britain, Spain and Greece):

- The reaction of then Commissioner for Enlargement Günter Verheugen, especially his personal attack on the Cypriot President Tasos Papadopoulos<sup>106</sup>. Verheugen used undiplomatic language such as claiming that the Greek-Cypriots had 'cheated' their way into the EU<sup>107</sup>. UN Secretary General Kofi Annan did not hide his profound disappointment either. He considered the Greek Cypriot President to be responsible for the result<sup>108</sup>.
- The reaction of Niels Kadritzke from *Le Monde Diplomatique* who described the Cypriot President 'an old school Greek nationalist', and he called the referendum result as 'saying no to the future'<sup>109</sup>. In the same vein, Arnaud Leparmentier argued that the Europeans had 'renege[d] their own principles when they accepted a divided Island within their midst'<sup>110</sup>.
- Oxford historian Timothy Garton Ash also called for a 'fría bienvenida que se merece' for President Papadopoulos to the June 2004 Dublin European Council<sup>111</sup>. Nicosia-based UK political analyst James Ker-Lindsay embellished with his threat that 'Cyprus could end up being the most disliked new member'<sup>112</sup>.
- In Spain, a similar reaction took place. UAB/Autonomous University of Barcelona Professor Francisco Veiga talked of 'la arrogancia de los greco-chipriotas'<sup>113</sup>. This was the dominant academic view<sup>114</sup> in a country that is well-known for its pro-Turkish stance, although it remains unclear what the real reason behind such a position actually

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<sup>105</sup> Torreblanca (2004, 4-5). He mentions the cases of France and Austria. The French Constitution has already been amended. Torreblanca conveniently forgets that such a device was already used in France over the 1973 enlargement.

<sup>106</sup> see *in-news*, 21.04.04, [www.in.gr](http://www.in.gr).

<sup>107</sup> *International Herald Tribune*, 26.04.04: [www.iht.com](http://www.iht.com).

<sup>108</sup> *in-news*, 31.05.04: [www.in.gr](http://www.in.gr). For details, see *Report of the UN Secretary-General on his mission of good offices in Cyprus* (02.06.04) and Cyprus Republic President reply (*Letter by the President of the Republic, Mr Tassos Papadopoulos, to the UN Secretary-General, Mr Kofi Annan, dated 7 June, which circulated as an official document of the UN Security Council*, 09.06.04), Press and Information Office, Republic of Cyprus: [www.moi.gov.cy](http://www.moi.gov.cy) (accessed 19.10.04).

<sup>109</sup> in the May 2004 issue: [www.mondediplo.com](http://www.mondediplo.com), accessed 15.10.04.

<sup>110</sup> *Le Monde*, 03.05.04.

<sup>111</sup> *El País*, 01.05.04.

<sup>112</sup> *The Star*, 26.04.04: [www.star.co.za](http://www.star.co.za), accessed 15.10.04.

<sup>113</sup> *El País*, 5.10.04.

<sup>114</sup> Soler (2004); Closa (2004).

is<sup>115</sup>. Thus, Eduard Soler argued that one of the reasons for the Greek-Cypriot rejection of the Plan had to do with the EU decision 'de no condicionar la entrada de la isla a la reunificación de la misma'. During the period leading up to the December 2004 European Council Brussels meeting when a date for the start of negotiations was finally granted to Turkey, similar attacks continued. Thus, a well-informed veteran Spanish journalist (*El País*' Carlos Yárnoz) could not help level more criticisms at Cyprus. He described the Cyprus Question as a 'complex problem' that had entered a 'surrealist phase' (sic). Yárnoz again complained that those who had voted in favour of the Annan Plan had not become members of the EU, whereas those who had rejected the Plan had joined in May 2004 (something quite incorrect as the Republic of Cyprus has joined the EU and not any particular of its constituent communities). Interestingly enough, there was no criticism of the need to pressure Turkey on its refusal to recognize the Republic of Cyprus. Such a lack of independent analytical assessment<sup>116</sup> does create a number of serious interrogations about the quality of the public debate in many a European state<sup>117</sup>. Similarly, it is interesting to contrast Spanish PM Zapatero's support of the Annan Plan to his recent claim in the *Cortes* debate over the proposed Catalonia status reforms. Zapatero insisted on the need to safeguard the *unidad del mercado* in Spain<sup>118</sup>:

El Estado actúa como gestor de la solidaridad interterritorial, al igual que garantiza la unidad de mercado, la realización y gestión de las grandes infraestructuras, el transporte de personas y mercancías entre Comunidades Autónomas, la existencia de una Seguridad Social común (...) Sin perjuicio de que un número elevado de impuestos del Estado puedan ser compartidos con las Comunidades Autónomas, el Estado ha de tener impuestos propios y exclusivos, particularmente aquellos que afecten a la unidad de mercado, con capacidad normativa y un sistema propio de recaudación'.<sup>119</sup>

- Finally, many observers (again to repeat, who did not like the Greek-Cypriot result but happily accepted the Turkish-Cypriot one without entering in any existential or political *angst* about how representative that particular result had been) tried to use a rather weak argument for the need to hold a new referendum solely in the Greek-Cypriot part. In

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<sup>115</sup> See 'los intereses de España: por descubrir', in Torreblana (2004: 5-7).

<sup>116</sup> simply put, the Plan was not viable, and most of those who voted in the occupied North were Turks, not Cypriots. By 'analytical' I mean not for political reasons. If political reasons mean that there is a change in the criteria for accession then such a change should be made clear.

<sup>117</sup> *El País*, 10.12.04.

<sup>118</sup> TV News and live debate during the evening and night of 02.11.05 (*TVE-La Dos*). On the negative economic and financial implications of the Plan, see Theophanous (2004).

<sup>119</sup> *Discurso de Zapatero en el debate sobre la propuesta de reforma del Estatuto catalán*, Madrid, 2 de noviembre de 2005, [www.psoe.es](http://www.psoe.es): as accessed 07.11.05.

particular, Kavakas has argued<sup>120</sup> that, as 65% of Turkish Cypriots had voted in favour of the Annan Plan, it would be unfair to ask them to vote again. Such an approach is unrealistic because it ignores the flaws of the Plan and the fact that any new Plan will be different from the 2004 blueprint. Thus, if Greek Cypriots are asked to vote again, their Turkish Cypriot counterparts should do the same. Kavakas also conveniently forgets that who votes in the north is a touchy political issue and not just a technical one. So it hoped that any new plan and any new referendum will take this important question of who votes in the North seriously *before* the actual voting takes place!

To this tide of critical comments, there were exceptions but only far and between. For a notable exception in Spain see Antonio Elorza<sup>121</sup>:

‘Conviene no olvidarlo cuando se juzga apresudaramente, y de forma simplificada, el rechazo de los greco-chipriotas a una reunificación que otorgara a Turquía el más mínimo resquicio para intervenir en la isla’.

His ‘lo’ in ‘olvidarlo’ refers to Turkey’s propensity to use force or to threaten the use of force in its foreign policy. For another notable exception see Valery Giscard d’Estaing’s comments in an interview to the Greek daily newspaper *Kathimerini*<sup>122</sup> where he argued that the Greek-Cypriots could not possibly accept the freezing of the *status quo* and the abandonment of a part of the island. Which represents quite a different reading of the Annan Plan to the one usually referred too by many a European observer or practitioner, including Greek ones.

#### *Non-recognition of Cyprus by Turkey since 1 May 2004.*

Since the Republic of Cyprus joined the Union in May 2004, there has been no *real* pressure by the EU for Turkey to formally recognize it. Again, many verbal statements but no action. As was illustrated above, such a lack of pressure is not new. There have been more recent examples. For instance the October 2004 incident when Turkey invited the ‘TRNC’ as an independent state and forced the EU states to withdraw from that particular session of the UE-OCI joint meeting<sup>123</sup>. It is strange that the whole EU bowed to Turkey’s intransigent position when one of its member state was concerned. The total boycott of the event was surely of little concern for Turkey. But not its impact on European solidarity and

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<sup>120</sup> Kavakas (2004: 459).

<sup>121</sup> Elorza (2004).

<sup>122</sup> 1.08.04 [in Greek].

<sup>123</sup> OCI/organización de la conferencia islámica, *El País*, 02.10.04, see also *Communiqué de Presse au sujet du Forum commun UE-OCI*: [www.eu2004.nl](http://www.eu2004.nl), accessed 01.10.04.

cohesion, two principles which are apparently highly valued by EU institutions (confirmed by the signing of the Constitutional Treaty at the end of the same month. The Treaty includes a solidarity and a defence clause) .

A related aspect is that of how to fund in Cyprus the North's development without recognizing it as an independent entity. As this is not only morally difficult but also legally impossible because of the numerous (Council of Europe) European Court of Human Rights decisions against Turkey<sup>124</sup> and because of the opinion of the European Commission's own Legal Service. Thus the initial enthusiasm by the Annan Plan supporters to give 259 million euros directly to the Turkish-Cypriots had to be dropped. Something that could be foreseen well in advance if a more distanced position on the matter had been followed. Cynics would argue that the threat to ignore the legal dimension was not unintentional. As for morality there is a strong tradition which argues that IR is a-moral.

There are more examples of a lack of a strong EU pressure on Turkey to recognize the Republic of Cyprus. Note that, interestingly enough, the removal of its occupation forces does not appear to be on the agenda any longer, if it ever was beyond the mere rhetorical condemnation. I will concentrate on three of them:

- first, during the summer of 2005 there were declarations and counter-declarations about the need for Turkey to sign an extension of its Customs Union with the EU to all new EU members<sup>125</sup>. The real issue was if this would mean a recognition of Cyprus or not. As for instance European Trade Commissioner Pascal Lamy put it<sup>126</sup>:

"The fact that Turkey has not yet implemented the belonging of Cyprus to this customs union is a problem. We understand that it is a tricky problem but a tricky problem remains a problem. At the end of the day it has to be resolved in a *clear-cut* mode. It has to be resolved with Cyprus being a member of the customs union' [emphasis added].

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<sup>124</sup> Turkey is already a member of the CoE. The most famous case is that of 'Loizidou' (5 July 1994 Judgment of the Court, Court of Justice of the European Communities, Luxembourg). For the first time after many years the Turkish government has agreed to pay for compensation.

<sup>125</sup> What follows draws from TV news reports, newspapers articles (mainly from *Le Monde*, *El País*, *International Herald Tribune*), as well as news website (in particular, [www.in.gr](http://www.in.gr) but see also the newsletters from *La Fondation Robert Schuman* in Paris, and the Joint University of Athens Politics Department and EKEM Newsletter in Athens; both available electronically, respectively at [www.robert-schuman.org](http://www.robert-schuman.org) and at [www.ekem.gr](http://www.ekem.gr)).

<sup>126</sup> *Kathimerini*, supplement in English to the *International Herald Tribune*, 23.07.04, p.2.

There was also the question of whether a *de facto* recognition would be acceptable if, as it was clear from the official Turkish declarations, that a *de jure* one would not be forthcoming soon. Again, interestingly there was no pressure to demand such a recognition. All that was said was that according to the EU it was understood that an extension of the Customs Union to the new members would represent *de facto* a recognition of the Republic of Cyprus. Immediately, the Turkish government announced that it would not accept such an interpretation. Therefore, the British Presidency had to step in and try to solve this 'problem'. It came up with a draft counter-declaration in case Turkey added a formal declaration when it would sign the extension agreement. The Cypriot authorities were not too happy with the British draft. Finally, a new draft was accepted. When Turkey finally extended its Customs Union agreement with the new EU member states on 29 July 2005, it attached a declaration denying any recognition of Cyprus. The EU issued its own counter-declaration. No further action was taken.

- secondly, in the run-up to the 'magic date' of 3 October 2005 when accession negotiations were scheduled to begin there was added pressure to make sure that Cyprus would not block (or at least try not to do so) the beginning of those negotiations. Again, there was no real EU pressure beyond a token opposition by Austria which had more to do with its own desire to see the start of negotiations with Croatia<sup>127</sup> begin rather than any real interest in postponing the negotiations with Turkey. Thus, it does not come as a surprise to the critical observer that the *Principles governing the negotiations*, as spelt out in the Negotiating Framework for Turkey<sup>128</sup>, do not even mention the military occupation of the northern part of Cyprus. Its Point 6 refers to the fact that among other criteria, progress will be measured against:

"Turkey's continued support for efforts to achieve a comprehensive settlement of the Cyprus problem within the UN framework and in line with the principles on which the Union is founded, including steps to contribute to a favourable climate for a comprehensive settlement, and progress in the normalisation of bilateral relations between Turkey and all EU member states, including the Republic of Cyprus'.

Again, to the critical observer, there is no mention of the fact that the UN Plan was not accepted in 2004, that is to say that the Plan in itself was a problem. Also, as long as any

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<sup>127</sup> Accession negotiations with Croatia had not started as scheduled in March 2005 because no cooperation with the International Tribunal on Yugoslavia in The Hague was visible. It seems that although Austria objected to the beginning of negotiations without the addition of the magic phrase 'privileged partnership' mainly due to public opposition at home (and the holding of local elections on the week end prior to Monday 3 October 2005), the main reason for its objection was its effort to get a *quid pro quo* for the beginning of the delayed accession negotiations with Croatia.

future plans on offer do not address the needs of the majority of the Cypriots, Turkey can claim it is supporting them knowing very well that they could not be possibly implemented. This is a fact that has bedevilled UN efforts, mainly due to the US and the UK position on the matter. Furthermore by using the phrase 'all EU member states, including the Republic of Cyprus', it remains clear that the occupation of the island is no longer particularly important nor different from other relations and problems that Turkey may have with other EU states, including Greece. All this in spite of the fact that Cyprus continues to be the *only* EU member state that Turkey refuses to even recognize. What such a framework pretends to do is to render banal the current situation in the Eastern Mediterranean. Not to offer peace and stability.

Moreover, as the Cypriot President has plainly explained the key issue is that Turkey can join the EU '*mais pas au rabais, ce qu'ont jusqu'à maintenant accepté les Européens*'. He points the blame to the UK overall and in particular to the way the British government wanted the Union to spend in the summer following Cyprus' accession 259 millions euros on the Turkish-Cypriots without any attention to European and International Law ('*Nous avons accepté et même proposé cette aide, à condition qu'elle soit déconnectée de ce que vous appelez le commerce direct. Les Britanniques ont refusé*')<sup>129</sup>. His reference to the UK is all the more revealing when one considers, again from a critical point, the many recent British declarations about how it is impossible for Turkey to continue not to recognize Cyprus. For instance, one can mention Britain's Minister for Europe Denis MacShane's recent declarations to that effect. It is revealing that MacShane declared that 'the sooner this happens the better, *but it is not a precondition*' [emphasis added]<sup>130</sup>. The real issue remains the continuing *de facto* support of the Turkish position by a vast number of EU governments, including those of the 'big states'<sup>131</sup>. Carlos Yárnoz was not duped when he used a revealing headline: 'Blair apoya que Turquía negocie con al UE sin reconocer a Chipre'.<sup>132</sup> But such a clarity was short-lived. Yárnoz quickly went back to his more biased reporting when he argued later that 'Turkey

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<sup>128</sup> [www.europa.eu.int](http://www.europa.eu.int).

<sup>129</sup> by direct trade what is meant is a *de facto* recognition of the 'TRNC'. See *Le Monde* interview, 03.11.05.

<sup>130</sup> 'Turkey must recognise Cyprus before joining the EU-UK's MacShane': [www.afxpress.com](http://www.afxpress.com), 22.10.05. See also *Le Monde*, 22.10.05.

<sup>131</sup> for instance Italy: see [www.in.gr](http://www.in.gr), 06.09.05, [in Greek] 'Italian "yes" to the beginning of accession negotiations with Turkey without a recognition of Cyprus'. The Italian position was reiterated by the Italian foreign minister Gianfranco Fini at a meeting in Athens with his Greek counterpart, Petros Moliviatis.

<sup>132</sup> W. Oppenheimer, C. Yárnoz, in *El País*, 28.05.05. It goes without saying that such an attitude would have been more correct if it had been applied to Spain, rather than using the British case as the only one in the EU.

had 'recognized' Cyprus<sup>133</sup>. A stance that is surprising because one must contrast it to his excellent coverage of other EU issues, especially his coverage of the Nice European Council meeting back on 7-9 December 2000.

- thirdly, the 9 October 2005 European Commission *Turkey Progress Report* offers interesting reading in that particular respect. As this working paper was completed before December 2005, it represents a preliminary assessment of the Commission's Report. It does not even deal with the mid-December European Council meeting for obvious reasons. This 'epilogue' is divided into two sub-sections, one showing positive signs, and the other negative ones. Only time will tell which one of the two will prevail, but the past record clearly tends towards a rather pessimistic prediction.

#### The 'pluses'

On the plus side, the democratization of Turkey is now firmly put under the EU's 'watchful eye'. The Commission Report now offers a very detailed and comprehensive analysis of the situation in Turkey. The overall principles governing the negotiations are robust with an assessment of the current situation in Turkey which confirms numerous specific criticisms<sup>134</sup>. As this working paper deals with political issues, it will concentrate on the political criteria mentioned in the Report. Two important conclusions can be drawn: first, there is time and time again reference to the discrepancy between the legislation adopted in the past 3 years and the reality on the ground. That is to say that there is still no convincing implementation of the policies introduced in the fields of democratization, respect for human rights, minorities and the like. Second, on the international front, there still no improvement in neighbourly relations with the notable exception of Greece. Similarly, Turkey's recognition of Cyprus is demanded once again. These can be seen as minimum demands that will have to be satisfied in the future.

#### The 'minuses'

On the negative side, it is possible that more rethoric without substance is being repeated. There is no timetable for the implementation of these or other demands made in the Report. Neither are mentioned Turkish violations of Greek air-space (a non-issue in the Western media except in Greece). The frequency of such violations

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<sup>133</sup> *El País*, 30.07.05: 'Turquía "reconoce" a Chipre al firmar un acuerdo de la UE'.

<sup>134</sup> See the 9 October 2005 European Commission *Turkey Progress Report*; see also *The Negotiating framework for Turkey*: [www.europa.eu.it](http://www.europa.eu.it).

has increased dramatically over recent years. Combined with the Turkish Parliament declaration (see above) that an extension of Greek territorial waters would amount to *casus belli* (reiterated in late October 2005), they make the whole issue potentially explosive. The Report does not even demand the withdrawal of Turkish occupation troops from Cyprus. This is now replaced by the 'user-friendly' phrase that:

'over the last year Turkey has continued to support efforts for a *comprehensive settlement of the Cyprus Problem* within the UN framework and in line with principles on which the Union is founded'.

Surely, the Turkish occupation of Northern Cyprus is consistently condemned by the UN and surely the EU does not accept military invasions and occupations as part of its principles. Similarly, although poor relations with others of Turkey's neighbours, especially Armenia, are mentioned as obstacles, its even worse relations with Cyprus appear not to be relevant.

Moreover, the Report begins with a *complete inaccuracy*. It says that one of the demands<sup>135</sup> to begin accession negotiations was for Turkey

'to sign the Adaptation Protocol extending its existing Association Agreement with the EU to all new Member States, including the Republic of Cyprus. Fulfilment of these requirements by Turkey resulted in the opening of accession negotiations on 3 October 2005 as planned'.

As was shown above, this is simply not the case. Turkey issued a declaration where it clearly stated that it did not recognize the Republic of Cyprus. All that the EU did was to say it did not accept such a declaration. In brief, there is no real pressure on Turkey once again over Cyprus.

#### CONCLUDING REMARKS: THE FALSE DICHOTOMY BETWEEN STABILITY AND DEMOCRATIZATION

It is still possible to argue that the EU has contributed to stability in the region because Turkey's official position has moved from a negative, obstructive stance on Cyprus to one that would accept a reunification of the island. The initial Turkish position that the Cyprus Problem was solved in 1974 is no longer valid. Thomas Diez reproduces the famous Ecevit statement: 'The Cyprus problem no longer exists, it has been solved'. Ecevit also characteristically claimed in 2001 that there was no difference between 'sacrificing the

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<sup>135</sup> The other was to bring in a number of pieces of legislation on human rights and on the judiciary.

TRNC or a part of Turkish territory'<sup>136</sup>. As late as in July 2002, on the 28<sup>th</sup> anniversary of the Turkish invasion, whilst on a visit to the occupied territories, the then foreign minister of Turkey, Sukru Sina Gurel, went as far as to 'joke' about whether Turkey would go ahead with its threat to annex the north of the island if a divided Cyprus joined the EU. His reported answer to a journalist's question was '[b]y annexation, do you mean the north or the whole of the island?'<sup>137</sup>. The idea of annexing the 'TRNC' has now also finally been dropped.

Thus, by sticking to its 1997 position that a solution to the island division was not a precondition for Cyprus accession, and then by sticking to it until May 2004 (despite the failure of the Annan Plan), the EU has favoured some stability by not giving in to Turkish demands. However, the question of whether or not this is a real contribution to peace and stability remains open. Indeed, what kind of peace and stability is it if, as Philip Gordon had noted as early as in 1998, the end product would mean a permanent division of the Island<sup>138</sup>? Such a dangerous drift into de-linking the occupation of Cyprus from the question of Turkish membership is highly problematic. No doubt, the concepts of peace and stability contain a strong dose of justice, fairness, and respect for International Law and other UN principles. All these elements continue to be flouted by the Turkish military occupation of the north of the island. It might be a small contribution to the *status quo* (stability) but it surely is not one to peace and stability in the long term. It is a position that is gaining ground all the same. See for instance the recent *EU-25 Watch* study of the *Institut für Europäische Politik* and nearly 30 other associated research institutes in Europe: there is only one reference to Cyprus under the heading 'Are there any special interests and concerns [in your specific country] with regard to the continuation of the enlargement process towards (...) Turkey'. With the exception of Cyprus, there is only one political party that expresses reservations over Turkey's accession roadmap for reasons which *include* the situation in Cyprus: *Sinn Fein* in Ireland<sup>139</sup>.

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<sup>136</sup> Respectively in Diez (2000:5), and in *Le Monde*, 4.12.01.

<sup>137</sup> *in-news*, 15.07.02 [www.in.gr](http://www.in.gr).

<sup>138</sup> 'A great irony [would be] that the European Union, having set out by offering Cyprus EU membership to provide incentives for the reunification of the island, would have succeeded in making permanent its division' (Gordon 1998: 44).

<sup>139</sup> *EU-25 Watch No.1*, Institut für Europäische Politik, Berlin, December 2004: [www.iep-berlin.de](http://www.iep-berlin.de), especially p.112.

It has been mentioned elsewhere that the USA's main objective has always been that of stability in Turkey rather than its democratization<sup>140</sup>. This is a significant difference between the Atlantic Alliance and the European Union. NATO has only recently taken into consideration the democratization dimension and has limited it to the Central and Eastern European states. Thus, if the EU follows US foreign policy on that particular matter of stabilizing rather than democratizing Turkey, the whole area will undoubtedly face more problems in the future.

Similarly, the EU has not acted as positively and as actively as it could have done, both prior and following Greece's accession to the Union. It is not true that the EU has favoured Cyprus because of Greek membership. Quite the contrary: how come that despite Greek and British (*sic*) memberships, and with such clear UN Charter principles as well as those of the Council of Europe legal system, and the EU's own declarations and documents, the EU has not played a more active role<sup>141</sup>? These are important questions that are not answered by those who claim the contrary<sup>142</sup>. The existence of many 'sticks and carrots', be they enlargement prospects or numerous ECHR legal decisions<sup>143</sup> make such a failure on the EU part all the more perplexing. It is interesting to see how in a comparative study Nathalie Tocci criticizes Israel from an International Law perspective but fails to do so vis-à-vis Turkey's illegal occupation of northern Cyprus. In fact, she does not even mention it<sup>144</sup>.

We are moving from a still unresolved Cyprus Problem to a Turkish Problem. A problem because of the characteristics of Turkey (economic, social, demographic, political, cultural) and its foreign policy practice (threat and actual use of force), but also because of the very strong public opinion opposition such a membership raises in several EU member states. Turkey continues to refuse the recognition of an EU member state. It also continues with its illegal occupation of northern Cyprus. This negative attitude in Ankara is not new. As Philippe Videlier notes, *'La Turquie officielle s'est défini de grandes Causes nationales qui demeurent foncièrement étrangères à toute rationalité démocratique: la négation du génocide arménien de 1915, la*

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<sup>140</sup> Oguzlu (2003: 295). This should not be confused with what is termed 'structural stability' or 'structured stability' in the literature. 'Structural' means in this particular case 'a web of institutionalized bilateral links' between the EU and other regions of the world as noted by Cristina Churrua (2005: 14).

<sup>141</sup> see above, see also Stavridis (2001a).

<sup>142</sup> Diez (2000:14), but also other equally sympathetic authors such as Brewin or Tocci.

<sup>143</sup> see Nanopoulos (2004: 3).

<sup>144</sup> Tocci (2005: 22).

*négalion de la question kurde, le refus de reconnaître Chypre*<sup>145</sup>. The EU's refusal to do something about it means that in the name of stability, the ground is being prepared for more instability in the future.

This Section has clearly shown that, despite showing some important successes in the Eastern Mediterranean (Greece's membership in 1981, and that of Cyprus in 2004), the continuing lack of a solution to the Cyprus Problem and the uncertain future of Turkey's membership are clear and important pieces of evidence to the contrary. Thus, instead of 'powerless to help'<sup>146</sup>, the best way to describe the EU's role in the Cyprus Problem is rather 'unwilling to act'. The key issue would then be *why is it the case?* This falls beyond the scope of this working paper but it is clearly implicit in these criticisms that, at best EU member states and institutions do not stick to their rethorical statements. At worst, they do not even want to produce a common, coherent, moral and convincing foreign policy. Therefore, it is not a question of a lack of means, institutions, or policies, but rather the existence of diverging national priorities within the EU. The fact that such a 'game' has not contributed to peace and stability remains quite obvious.

## **OVERALL CONCLUSIONS**

This paper has tried to show that far from blaming the Greek-Cypriots for the failure of the Annan Plan, the division of the Island was not solved because the quality of the Plan itself is found wanting. Moreover, the EU failure to press Turkey for a really federal solution to the Problem has complicated the problem further. All that the Union achieved was to accept the demands of the Turkish Cypriots and the Turks for a *de facto* confederal solution. The main criticism of this paper is that, in spite of the positive impact of enlargement prospects in Central and East European states, it is not possible to argue for a similar outcome in the case of Cyprus. It remains open if this will also be the case for Turkey in the future. Signs are not encouraging to date. The EU appears to apply double standards in its enlargement policy towards Turkey. On the one hand it claims that Turkey sufficiently fulfils the Copenhagen criteria and subsequently agrees to start accession negotiations. On the other hand, the division and occupation of Cyprus continues. The aim of this paper was to show that the EU has been inconsistent in its foreign policy towards

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<sup>145</sup> Philippe Videlier, 'Le génocide des Arméniens et l'honneur des intellectuels turcs', *Le Monde*, 23.04.05.

<sup>146</sup> Hutchence and Georgiades (1999).

Turkey by ignoring the very principles it claims to defend and to promote in the world. Cyprus has paid the price for such an inconsistent policy. This is particularly surprising because Turkey is a candidate country and therefore the EU possesses more 'carrots and sticks' than with other parts of the world. It was also shown that time and time again the EU has failed to react to Turkish policy decisions with grave consequences for peace and stability in the region because it is building up problems for the future and it weakens the credibility of the EU as an international actor. How credible an international actor the EU is overall will remain an open question for some time to come.

Although this study might appear to be rather pessimistic (but again a pessimist is an optimist with experience!), we should not forget that many an optimistic assessment have been contradicted by events. Most recently, Costas Melakopides was hoping for a reunification of the Island by the end of 2004<sup>147</sup>, only for events to prove him wrong. Similarly, many optimistic assessments about the 'benefits' of the Annan Plan, including mainly made by observers in Greece (who incidentally would not have had to live with them), were dashed by the Greek-Cypriot referendum result. Equally 'prophets of doom' about the impossibility of renegotiating the Annan Plan had to 'swallow their own words' when such a development began – admittedly in a timid way – to materialize during 2005<sup>148</sup>.

Further research is clearly needed and this paper ends up by signalling some possible 'Avenues', starting with the already-mentioned forthcoming second half of this SIP-sponsored study<sup>149</sup> which will deal with parliaments and especially the EP:

- The parliamentary dimension seems important not only because there have been some studies on the subject but also because the emergence of parliamentary diplomacy might offer some useful lessons for conflict situations. The EP appears to have been given preferential treatment but the role other parliaments should also be investigated<sup>150</sup>. In particular any possible linkages between Turkish minorities and

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<sup>147</sup> (2004b).

<sup>148</sup> Very similar to those who repeatedly claimed that any rejection of the EU Constitutional Treaty would lead to chaos. For Greek and Greek-Cypriot academic views about Cyprus see: [www.eliamep.gr](http://www.eliamep.gr) (*Opinions* throughout 2004, especially those on 12.03.04, 17.03.04, 03.04.04, 29.05.04).

<sup>149</sup> In the second paper, the same chronological division as the one followed in the current paper could be followed with the EP reactions to these events as a guide.

<sup>150</sup> Tsardanidis (1984); Nas (1998); Krauss (2000); Stavridis (2003b); (2006); Zenon (2005); Soler (2005).

‘sympathetic’ EU parliamentary bodies<sup>151</sup>, be they national or regional (as in sub-national). Particular attention could also be given to political parties be it at the national or transnational levels<sup>152</sup>.

- More research is needed on the role of public opinion(s) over the question of Turkey’s accession to the EU. Roughly speaking it seems that public opinions in favour of Turkey’s membership can be found in Ireland, UK, Spain and Portugal and those against in Greece, France, Finland, Denmark<sup>153</sup>.
- The role of the media and the press in particular might be an interesting study as they represent key opinion shapers about the pros and cons of Turkish accession, but also about how they have presented the Annan Plan referenda results in Cyprus and how they have presented the Cypriot position on Turkey since the accession of the Republic of Cyprus in May 2004<sup>154</sup>.
- Finally, more general topics exist. They are not developed here for reasons of space (but they could be added in a longer study). For instance, the EU stance on the Kurds in Turkey, or the Armenian genocide. It is strange that the EU has not become involved in a conflict when considering how many Kurds live in EU states. It is generally agreed that the EU has not gone beyond rethorical condemnation of human rights abuses against the Kurds of Turkey: ‘To use Nathalie Tocci’s own words, ‘vocal calls [that have fallen] on deaf ears’. Coming from someone rather pro-Turkish, it sounds even more damning<sup>155</sup>. As for the Armenian genocide question, it is particularly relevant because the EP and a number of EU member states parliaments have passed resolutions to that effect.

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<sup>151</sup> see *Le Monde* and Hughes (2004: table 7).

<sup>152</sup> See Soler (2005).

<sup>153</sup> See Hughes (2004: footnote 12); Dominique Moïsi, ‘Europe is not ready to swallow Turkey’, *International Herald Tribune*, 22.10.04: [www.ihf.com](http://www.ihf.com).

<sup>154</sup> See the interesting review of British, French, German, US, and Turkish newspapers available [in Greek] at the EKEM/Hellenic Centre for European Studies, Athens, September 2005: [www.ekem.gr](http://www.ekem.gr).

<sup>155</sup> Tocci (2005:13).

## **ANNEXES:**

### ■ **ANNEX 1: share of world trade**

Between 1990 and 2000, the EU's total trade with the rest of the world doubled in value.

The European Union is now:

-the world's leading exporter of goods: over euros 985 billion in 2001, almost a fifth of the world total;

-the world's leading exporter of services: euros 307 billion in 2001, nearly a quarter of the world total. Services include things like tourism, banking, insurance and transport.

The EU's share of the world's total trade in goods, 2001, compared with Japan and the United States:

EU15: 19.4%

USA: 20%

Japan: 7.7%

The EU's share of the world's total trade in services, 2001, compared with Japan and the United States:

EU15: 24.67%

USA: 20.56%

Japan: 7.7%

Source: *Eurostat*, as downloaded from [www.europa.eu.int](http://www.europa.eu.int), *The EU at a glance*, as accessed November 2005.

### ■ **ANNEX 2: Excerpts on Turkey, Council Presidency Conclusions, Brussels, 16-17 December 2004 (Doc 16238/04): [www.eu2004.nl](http://www.eu2004.nl), as accessed October 2005**

#### **Turkey**

17. The European Council recalled its previous conclusions regarding Turkey, in which, at Helsinki, it agreed that Turkey was a candidate state destined to join the Union on the basis of the same criteria as applied to the other candidate states and, subsequently, concluded that, if it were to decide at its December 2004 meeting, on the basis of a report and recommendation from the Commission, that Turkey fulfils the Copenhagen political criteria, the European Union will open accession negotiations with Turkey without delay.

18. The European Council welcomed the decisive progress made by Turkey in its far-reaching reform process and expressed its confidence that Turkey will sustain that process of reform. Furthermore, it expects Turkey to actively pursue its efforts to bring into force the six specific items of legislation identified by the Commission. To ensure the irreversibility of the political reform process and its full, effective and comprehensive implementation, notably with regard to fundamental freedoms and to full respect of human rights, that process will continue to be closely monitored by the Commission, which is invited to continue to report regularly on it to the Council, addressing all points of concern identified in the Commission's 2004 report and recommendation, including the implementation of the zero-tolerance policy relating to torture and ill-treatment. The European Union will continue to monitor closely progress of the political reforms on the basis of an Accession Partnership setting out priorities for the reform process.

19. The European Council welcomed Turkey's decision to sign the Protocol regarding the adaptation of the Ankara Agreement, taking account of the accession of the ten new Member States. In this light, it welcomed the declaration of Turkey that "the Turkish Government confirms that it is ready to sign the Protocol on the adaptation of the Ankara Agreement prior to the actual start of accession negotiations and after reaching agreement

on and finalising the adaptations which are necessary in view of the current membership of the European Union".

20. The European Council, while underlining the need for unequivocal commitment to good neighbourly relations welcomed the improvement in Turkey's relations with its neighbours and its readiness to continue to work with the concerned Member States towards resolution of outstanding border disputes in conformity with the principle of peaceful settlement of disputes in accordance with the United Nations Charter. In accordance with its previous conclusions, notably those of Helsinki on this matter, the European Council reviewed the situation relating to outstanding disputes and welcomed the exploratory contacts to this end. In this connection it reaffirmed its view that unresolved disputes having repercussions on the accession process, should if necessary be brought to the International Court of Justice for settlement. The European Council will be kept informed of progress achieved which it will review as appropriate.

21. The European Council noted the resolution adopted by the European Parliament on 15 December 2004.

22. The European Council welcomed the adoption of the six pieces of legislation identified by the Commission. It decided that, in the light of the above and of the Commission report and recommendation, Turkey sufficiently fulfils the Copenhagen political criteria to open accession negotiations provided that it brings into force these specific pieces of legislation. It invited the Commission to present to the Council a proposal for a framework for negotiations with Turkey, on the basis set out in paragraph

23. It requested the Council to agree on that framework with a view to opening negotiations on 3 October 2005.

### **Framework for negotiations**

23. The European Council agreed that accession negotiations with individual candidate states will be based on a framework for negotiations. Each framework, which will be established by the Council on a proposal by the Commission, taking account of the experience of the fifth enlargement process and of the evolving *acquis*, will address the following elements, according to own merits and specific situations and characteristics of each candidate state:

- As in previous negotiations, the substance of the negotiations, which will be conducted in an Intergovernmental Conference with the participation of all Member States on the one hand and the candidate State concerned on the other, where decisions require unanimity, will be broken down into a number of chapters, each covering a specific policy area. The Council, acting by unanimity on a proposal by the Commission, will lay down benchmarks for the provisional closure and, where appropriate, for the opening of each chapter; depending on the chapter concerned, these benchmarks will refer to legislative alignment and a satisfactory track record of implementation of the *acquis* as well as obligations deriving from contractual relations with the European Union.
- Long transition periods, derogations, specific arrangements or permanent safeguard clauses, i.e. clauses which are permanently available as a basis for safeguard measures, may be considered. The Commission will include these, as appropriate, in its proposals for each framework, for areas such as freedom of movement of persons, structural policies or agriculture. Furthermore, the decision-taking process regarding the eventual establishment of freedom of movement of persons should allow for a maximum role of individual Member States. Transitional arrangements or safeguards should be reviewed

regarding their impact on competition or the functioning of the internal market.

- The financial aspects of accession of a candidate state must be allowed for in the applicable Financial Framework. Hence, accession negotiations yet to be opened with candidates whose accession could have substantial financial consequences can only be concluded after the establishment of the Financial Framework for the period from 2014 together with possible consequential financial reforms.

- The shared objective of the negotiations is accession.

These negotiations are an open-ended process, the outcome of which cannot be guaranteed beforehand. While taking account of all Copenhagen criteria, if the Candidate State is not in a position to assume in full all the obligations of membership it must be ensured that the Candidate State concerned is fully anchored in the European structures through the strongest possible bond.

- In the case of a serious and persistent breach in a candidate state of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law on which the Union is founded, the Commission will, on its own initiative or on the request of one third of the Member States, recommend the suspension of negotiations and propose the conditions for eventual resumption. The Council will decide by qualified majority on such a recommendation, after having heard the candidate state, whether to suspend the negotiations and on the conditions for their resumption. The Member States will act in the IGC in accordance with the Council decision, without prejudice to the general requirement for unanimity in the IGC. The European Parliament will be informed.

- Parallel to accession negotiations, the Union will engage with every candidate state in an intensive political and cultural dialogue. With the aim of enhancing mutual understanding by bringing people together, this inclusive dialogue also will involve civil society.

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