A PROBLEMATIC TRIANGLE: TURKEY, CYPRUS AND THE EUROPEAN UNION

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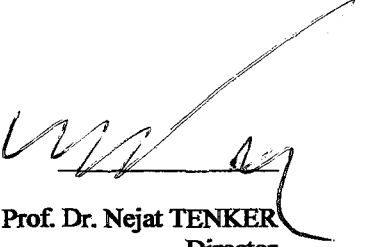THE GRADUATE SCHOOL OF SOCIAL SCIENCES

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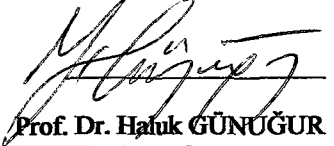# A PROBLEMATIC TRIANGLE: TURKEY, CYPRUS AND THE EUROPEAN UNION
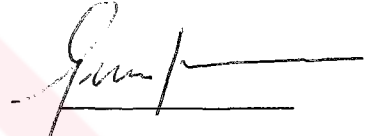
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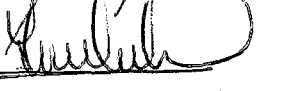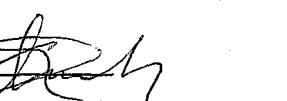
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ABSTRACT

A PROBLEMATIC TRIANGLE: TURKEY, CYPRUS
AND
THE EUROPEAN UNION

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This thesis analyzes Turkey-EU relations in the context of Cyprus Question. This study attempts to shed some light on important events and provide some insight into dynamics and complexities of relations among the components of a problematic triangle composed of Turkey, Cyprus and the EU. This subject needs to be analyzed in great detail, because the Cyprus issue is as important as the Copenhagen Criteria, sometimes becomes more important than the Copenhagen requirements, on Turkey's vocation to the EU.

In fact, Turkey has long pursued a policy of refusing Cyprus issue as being one of the preconditions to be fulfilled before joining the EU. However, on the other side, the EU has always brought the Cyprus issue on the table while discussing the issue of Turkish full membership. For example, in 1995, a Custom Union Agreement could have only been possible by assigning a date for Cyprus to have the accession process start. Things have always evolved in the same way. Whenever, the EU had given something to Turkey, in return, it demanded and got some concession from Turkey regarding the Cyprus Question. At Helsinki, the EU recognized Turkey as a candidate country but, on the other side, the EU secured that a solution to the Cyprus Problem shall not be considered as a prerequisite for accession of the Greek-Cypriot Administration. By looking at this example and to many others, we can clearly argue that the Cyprus issue has been the single most outstanding threat to converging relations between Turkey and the EU.

However, by taking positive attitudes towards the Annan Plan and during the referendum process, Turkey has succeeded in neutralizing a perennial obstacle to Turkish aspiration for EU membership. The Cyprus Question has not been totally eradicated though it should no longer be considered an obstacle to Turkey's EU accession. Owing to this, at the EU December Summit this year, Turkey will be evaluated only by looking at domestic improvements related to the Copenhagen Criteria.

Keywords: The Cyprus Question, Strategic Importance of Cyprus, Eastern Mediterranean, Turkish Full Membership, A Revised Turkish Policy on Cyprus, The Annan Plan

ÖZET

PROBLEMATİK BİR ÜÇGEN: TÜRKİYE, KIBRIS VE AVRUPA BİRLİĞİ

Buğra Ersoy

Avrupa Çalışmaları Yüksek Lisans, Uluslararası İlişkiler ve Avrupa Birliği Bölümü

Tez Yoneticisi: Doçent Dr. Çınar Özen

Haziran 2004, 183 sayfa

Bu çalışma, Türkiye-Avrupa Birliği ilişkilerini Kıbrıs sorunu çerçevesinde incelemektedir. Bu tez'in asıl amacı önemli olaylara ışık tutmak ve Türkiye, Kıbrıs ve Avrupa Birliği tarafından oluşturulan sorunlu bir üçgenin değişken ve karmaşık ilişkilerini detaylı bir biçimde incelemektir. Bu konu, detaylı bir inceleme istemektedir, çünkü Kıbrıs sorunu, Turkiye'nin Avrupa Birliği yolunda Kopenhag Kriterleri kadar önem arz etmektedir. Aslında , Türkiye uzun bir süre Kıbrıs sorunu'nun Türkiye'nin Avrupa Birliği üyeliğinde bir önkoşul olmadığını savunmuştur. Öbür tarafdan'da, Avrupa Birliği'de her zaman Kıbrıs sorunu'nu masaya taşımayı başarmıştır. Örneğin, 1995'de, Türkiye ile yapılan Gümrük Birliği anlaşması, Türkiye'nin Kıbrıs Rum tarafının katılım sürecine başlamasına ses çıkarmaması ile mümkün olmuştur. Olaylar her zaman böyle gelişmiştir. Türkiye, Avrupa Birliğin'den ne zaman bir talep'te bulunsa, Kıbrıs konusunda taviz vermeye zorlanmıştır. Örneğin, Helsinki'de, Türkiye 'Aday Ülke' olarak adlandırılmış, fakat, aynı zirvede Kıbrıs sorununa çözümün'ün Kıbrıs Rum Tarafının üyeliği için bir önkoşul olmayacağıda zirve tutanaklarına işlenmiştir. Bu ve bunun gibi bir çok örneğe bakarak, Kıbrıs sorunu'nu Türkiye-Avrupa Birliği İlişkileri'nin sıcaklaşmasını engelleyen en önemli unsur olarak tanımlaya biliriz.

Bütün bunlara rağmen, Türkiye'nin gerek Annan Planı'nın tartışılmasında, gerekse referandum sürecinde oynadığı olumlu ve yapıcı rol sayesinde Avrupa Birliği üyeliğin'deki en önemli sorunu bertraf ettiğini görmekteyiz. Sonuç olarak, Kıbrıs sorunu tam olarak çözüme ulaşmış değildir, fakat, artık Türkiye'nin önüne bir sorun veya önkoşul olarak getirilemeyeceğide bir gerçektir. Bu yüzden, bu sene Aralık 'ta yapılacak Zirve'de Türkiye sadece Kopenhag Kriterleri çerçevesinde değerlendirilmesi muhtemel bir yaklaşımdır.

Anahtar Kelimeler: Kıbrıs Sorunu, Kıbrıs'ın Stratejik Önemi, Doğu Akdeniz, Türkiye'nin Tam Üyeliği, Türkiye'nin Revise Edilmiş Kıbrıs Politikası, Annan Planı.

To My Mother

ACKNOWLEDGMENTS

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INTRODUCTION

At the end of the Second World War mainland Europe was devasted. The misery of the war years had induced in the people of Europe the idea that this carnage must never be allowed to happen again. The peoples of Europe were receptive to the idea that the nation-state was not best structure for the future and so the path of integration was the path to follow. Today, Europeans have achieved to create a supranational organization which is the unique example in history. Since 1963, with the Ankara Agreement, Turkey has been working hard to take part in this *sui generis* architecture. Same type of an agreement, First Generation Agreement, had been signed between the European Communities and the Greek-Cypriot Administration (GCA) in the name of whole Cyprus on 21 May 1973, and since that time, the Cyprus problem has been taking part in Turkey-EU relations. The GCA applied for European Community membership on 4 July 1990 and this time coincides with the appearance of a problematic triangle composed of Turkey, the EU and Cyprus.

Until the 1990s the EU, known as the EC at that time, was considered to be an economic giant. It exercised considerable influence in economics, particularly in commercial matters, but, its voice did not count for a great deal in political, defence and security matters. However, with the end of the Cold War and the collapse of the Soviet Block, the EU found itself in a transformed situation in power politics with a shift of the focus from the global East-West dimension to regional issues and conflicts. Therefore, it began to aspire to a leading role on the European continent. That aspiration, however, turned into a nightmare in 1991 following the break up of the Yugaslav federation. The Bosnian crisis showed the deficiencies of this fledgling

international actor's ability in conflict resolution. According to the Treaty of Maastricht, the EU was to assert its identity on the international arena, in particular through common froreign and security. The asssumption that the EU may become a capable international actor in conflict resòlution emanetes from the Maastricht Treaty.

The EU had long pursued a policy of non-involvement in the Cyprus question.The Community had never played an important role in the Cyprus dispute, because the crisis in Cyprus consitituted such a challenge that the Community could not respond to it.[1] Moreover, the Community was not accepted as a mediator by either of the parties to the dispute, on the grounds that Turkey was not a member of the EU whereas Greece was.

Neverthless, on July 1990, the Greek administration of South Cyprus, applied to the EC for membership, which was recieved positively and procedures were set in motion for the eventual membership of Cyprus. The EC was highly motivated by a belief that accellerating the membership process would help bring about a political solution of the Cyprus dispute. But as the negotiaitons between the Turkish and Greek Cypriots failed to achieve a positive result, the prospect for the Greek Cypriot application looked gloomy. However, in 1994 there was a drammatic shift in the EU's position. The key development was the success of Greece to establish a linkage between the EU-Turkey Custom Union Agreement and a commitment from the EU to begin accession negotiations with Cyprus.[2] This volte-face of the EU with regard

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[1] Sonyel, R., Salahi, "The European Union and the Cyprus Imbroglio", Perceptions: Journal of International Affairs, Vol.III – No. 2, June- August 1998, available at www.mfa.gov.tr/grupa/percept/III-3/sonyel.htm

to Cyprus was the result of the blackmailing tactics by Greece. At the Corfu Summit in 1994, Greece by threatening not to ratify the Union Treaties for enlargement involving Austria and the Scandinavian states persuaded the EU to include Cyprus in the following phase of the enlargement of the Union.

This indicates that the Greeks and Greek-Cypriots put all their hopes in the EU to solve the Cyprus problem. There is no doubt that membership of the EU constitutes their last opportunity to exert international pressure upon the Turks.

It is astonishing to note that the Greek-Cypriot application for EU membership created tensions and increased the pressure over the Cyprus issue. As a result, militarism began to escalate on the Island, particularly on the Greek side. This induced the EU and also the US to wage intensive diplomatic campaign to solve the Cyprus problem. But, following the publication of Agenda 2000 by the European Commission which included Cyprus among the the six countries that the EU would start accession negotiations in 1998 marred the talks. As a result, the positive atmosphere created by the negotiations between the two communities was frustrated by the EU. This clearly indicates that the EU is faced with the self imposed dilemma of having to negotiate the membership of the Greek-Cypriots without having its own policy to solve the Cyprus problem.[3]

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[2] Ibid idem

[3] Redmond, John, "From Association Towards the Application for Full Membership: Cyprus' Relation With the European Union", in Cyprus and the European Union-New Chances for Solving and Old Conflicts? (eds. Heinz-Jürgen Axt & Hans Jrörg Brey), Südoseuropa-Gesselschuft, Munich 1997, p.99

The recognition of Turkey as a candidate country at the Helsinki European Council opened a new page in Turkey-EU relations. However, on the other side, the EU confirmed that a solution to the Cyprus problem shall not be considered as a prerequisite for the accession of Greek-Cypriots. Gaining the candidacy status was a long-sought objective of Tukey and its people and when it was gained, the delighted atmosphere prevented careful evaluation of the Helsinki conclusions by the Turkish Government.

At the Copenhagen European Council which was held in December 2002, Turkey was given a conditional appointment date in December 2004. The summit documented the assurance that the Greek Cypriot Administration would be awarded membership if an agreement is not achieved until 28th February in the context of the Annan Plan. Some Member States had deep reservations concerning the accession of Cyprus as a divided Islans. However, as both Greek and the European Parliament made it clear that they would not ratify enlargement unless Cyprus was included in the first wawe of enlargement, they had to take a step back.

However, there is a genuine fact that the EU pretends not to see. When Turkey becomes a member of the EU, there will be no Cyprus question anymore. Because within the EU borders do not exist anymore. The citizens of Memeber States have right to move freely , have right to own property and have right to settle within the European fortress. Thus, the region will become a zone of peace and cooperation in the presence of the EU membership of Turkey, Greece and Cyprus.

The main aim of this study is to analyze Turkey-EU relations in the context of Cyprus Problem. In order to provide a comprehensive understanding of the problem and its implications on Turkey-EU relations, this paper is divided into four chapters. In the first chapter, the strategic importance of Cyprus for all interested parties will be discussed in detail. The main aim of this chapter is to find out expectations and interests of all parties to the dispute including the US. The second chapter deals with history of the Cyprus problem. In this chapter, it is also possible to find detailed information on Cyprus-EU relations. The third chapter attempts to shed some light on important events and provide some insight into the dynamics and complexities of relations among the components of a problematic triangle composed of Turkey, the EU and Cyprus. In this chapter, it will be observed how the Cyprus problem became a precondition for Turkey on its path to accession to the EU. Finally, the Annan Plan will be evaluated. The fianal chapter has two aims. The first, is to make comparison between the first and the last versions of the Annan Plan and to underline both the positive and negative aspects of the UN's blueprint. The second aim of this chapter is to find out possible consequences of the referendum and their implications on Turkey-EU relations.

CHAPTER 1 : THE STRATEGIC IMPORTANCE OF EASTERN MEDITERRANEAN AND CYPRUS

A) GENERAL LOOK AT THE REGION

Cyprus is located in the heart of the Eastern Mediterranean, a region which has always been strategically important. Located at the intersecting point of the land and sea routes linking Europe , Asia and Africa , Cyprus has historically been the arena of antagonisms of great powers on strategic, political, economic, ideological and, at times, religious issues. Throughout history, the region and Cyprus as well have been under the control or influence of the dominant global and/or regional powers such as the Egyptians, Assyrians, Persians, Romans, Byzantines, Franks, Venetians, Ottomans and the British. But it was the Greeks and the Turks who had a lasting demographic impact. Each community continued to maintain and develop its separate culture, language, religion and national features. Turkish-Cypriots see themselves as the heirs of the Turkish cultural heritage and regard Turkey as their motherland. Greek-Cypriots, on the other hand, regard themselves as the heirs of ancient Greek civilization and see Greece as their motherland. Given that Cyprus has always been seriously affected by external developments and antagonisms, it can be argued that the current de facto division in the island is to a great extent a legacy of the Cold War as well as of the old Greco-Turkish antagonism.

Cyprus has over time been one of the issues that seriously affected the relations between Greece and Turkey as well as the relations between these two countries with

the US and other powers , particularly the EU. During the first Clinton administration a major policy-shift took place in relation to the Cyprus question and the role of the EU. While in the past the US saw no reason to encourage an active European role, in the post 1993 period American policymakers came to the conclusion that the active involvement of the EU could lead to benefits for all the parties involved.[4]This scenario included the prospect of the Europeanization of Turkey , a prospect which in many ways addresses affectively major American strategic goals. From the US perspective the accommodation of Turkey by the EU is a vital goal. But, for this to happen a series of conditions must be fulfilled by Ankara, including the solution of the Cyprus problem. Ankara, however, seems to want to keep Cyprus until it gets a definite signal for its own accession negotiations.

Together with Turkey, Greece, Cyprus and Israel lie at the fringes of Europe on the borders of the Eastern Mediterranean and all of them face more or less similar strategic position. Although they are located near the west and consider themselves western in many ways , they are adjacent to an unstable region of great turmoil. So it renders difficult for them to enjoy the advantages of regional stability, as their fellow western states, being susceptible to threats, particularly to terrorist activities.[5] They are also not able to address their common problem and enhance strategic co-operation among themselves due to tense relationship between Greece and Turkey , araising primarily from the division of Cyprus and from the Aegean Dispute. In this context, E. Inbar and S. Sandler, believe the Quartet can best address their common

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[4] Theophanous, Andreas, and Avraamides, Lysandros, "Conflict and Promise in the Eastern Mediterranean: The Cyprus Problem and the Role of the EU" , paper presented at International Conference on Europe and Its Neighbours , 7th November 2003 , Valletta/Malta, available at www.eu.alert.com.mt/filebank/paper_Theophanous-Lysandros.doc.

[5] Inbar, Efraim, and Sandler, Shamuel, "The Importance Of Cyprus", The Middle East Quarterly, Volume III-Number 2 , Spring 2001, p.41

problem by enhancing strategic cooperation among themselves and perhaps even forging an Eastern Mediterranean alliance.[6]

NATO's southern periphery, the Mediterranean basin together with the Black Sea and its hinterlands, is attracting growing attention in transatlantic security debates, for tangible reasons. The most likely, and some of the most dangerous, security risks in post–Cold War Europe are to be found in the south rather than in the center of the continent. Crises in Algeria, the Balkans, the Levant, and potentially in Cyprus and the Aegean are emblematic of these concerns. At the same time, changes on the political and economic scene have transformed NATO's Southern Region[7], and have made southern Europe and Turkey more assertive actors in security affairs and more significant defense partners for the United States.[8]

Since the crumbiling of the Berlin wall and the collapse of the Soviet block in 1989, the West has in several ways enlarged its sphere of influence eastward. The EU opened its doors to several countries which were in the communist Soviet block. NATO accepted the Czech Republic , Poland and Hungary as members.The Bosnia and Kosova crises have given way NATO to expand its security area. All these events reveal us the boundaries of the West have moved eastward and southeasward. Similiarly, since the end of cold war, Western strategic perspective is to see the

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[6] Ibid idem

[7] NATO's Southern Region traditionally comprises Portugal, Spain, Italy, Greece, Turkey, and Hungary.

[8] Chipman, John, "Introduction", in NATO's Southern Allies : Internal and External Challanges, Chipman, John (ed.), Routledge , London 1988, p.1

Eastern Mediterranean as a new frontier.[9]The Eastern Mediterranean contains a variety of political entities, being perhaps the only area in the world where Western democracies live side by side with rogue states, authoritarian rich oil producers, and some of the poorest countries.[10]Such gaps in wealth, naturally, increase international tensions and nourish revisionist aspirations. The political instability and economic underdevelopment which are the common characteristics of almost all states in the region, provide challanges to international order and stability. It is a well known fact that states in the region which most of them support terrorism and radical Islamic movements will continue to threaten the West militarily and demographically. Their poverty , political instability and authoritarian character encourage emigration and export of terrorism. Among the countries of the Eastern Mediterranean , Greece , Turkey , Cyprus should be treated separately. They have successfully menaged to modernize their economies and societies and all are democracies. They have adopted a pro-Western foreign policy and are linked to European institutions such as the EU and NATO.

The West, in particular Europe, is not ready to meet the security challanges from accross the Mediterranean. The relaxed atmosphere of the post cold era , has induced in the people of Europe that the most military threats have been eliminated and such beliefs have been the reasons of serious cuts in military spending. Thus , the West's long-term strategic interest lies in strengthening Western-oriented states in the Eastern Mediterranean whose policies could have a potential to pacify some

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[9] Lesser, O., Ian, "The Changing Mediterranean Security Environment: A Translantic Perspective", in Perspectives on Development : The Euro-Mediterranean Partnership , Joffee, George (ed.) , Frank Cass , London 1999, p.214

[10] Chipman, John, "Introduction" ,in NATO's Southern Allies: Internal and External Challanges , Chipman , John (ed.) Routledge , London 1988 , p.3

countries within this zone of turmoil and help to bring their people into the West's fold.[11]

The Eastern Mediterranean region controls wide and crucial geographies ; namely three continents , Europe, Asia and Africa. On the other hand , Cyprus , for many strategists , controls the Eastern Mediterranean . These controls , in turn , provide important economic , political and security values which can be summerized as follows:

- The existence of fruitful raw-material resources and big market on the farther side of Caspian basin, burdens an important role to both Eastern Mediterranean and Cyprus in international trade which are considered to be transport and transition bridge at export and import, and , where sea trade at Blacksea , Suez and Gibraltar can be controlled.[12]

- Similarly , the Eastern Mediterranean region and Cyprus control the Middle East and Caspian region energy centrals and pipe lines. Since 1990 , it has been acknowledged that the actors who control afore-mentioned regions ensure important political advantages in international relations. In this frame , one should never forget the following phrase ; "the one who rules energy sources , also rules the world".[13]Thus , the geostratic positions of Eastern

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[11]Inbar, Efraim and Sandler, Shamuel, "The Importance of Cyprus" , The Middle East Quarterly , Volume VIII, Number 2, Spring 2001, p.44

[12] Öztürk, Metin, "Strategic Balances of East Mediterranean and Cyprus Island in the Context of Annan Document" , e-journal of strategy and analysis , February 2003 / Issue1 , www.stradigma.com/english/feb2003/articles1.html

[13] Öztürk, Metin, Stratejik Açıdan Doğu Akdeniz ve Kıbrıs (Cyprus and Eastern Mediterranean From Strategic Point of View), Altınküre Yayınları , Ankara 2003 , p.52

Mediterranean and Cyprus attract attention of Great Powers who seek to protect their current status and pioneer in international politics.

- ♦ Eastern Mediterranean and Cyprus are important geographies for regional and global peace and stability. The location of Cyprus is considered to be vital for keeping terrorist groups and rogue states under control which are placed on neighbouring geographies in the region. It is well known fact that one of the most significant trends in the region is the increase and spread of conventional weapons , on the one hand , and the proliferation of systems of unconventional weapons (nuclear , biological and chemical (NBC) weapons and ballistic missiles) on the other. So the control of terrorist groups and rogue states is / will be the main goal of western countries. In this respect , it can be argued that Cyprus has a special value in security at regional and international level.[14]

Whereas in the nineteenth and twentieth centuries, the control of the strategic Suez Canal was of paramount importance, with the Gulf War we have entered a new era, where the centre of gravity of the Middle East is shifting south-east in tune with the dictates of oil routes.[15] The rise of the Persian Gulf is significant in this respect. Controlling Middle Eastern oil will remain a high priority for both the United States and Europe. This means a continued super power presence in the Eastern Mediterranean. During the first half of the next century, a significant portion of

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[14]Öztürk, Metin, "Strategic Balances of East Mediterranean and Cyprus Island in the Context of Annan Document", e-journal of strategy and analysis, February 2003/Issue1

[15] Özveren, Eyüp, "Geo-Strategic Significance of Cyprus : Long-Term Trends and Prospects" , Perceptions:Journal of International Affairs , Volume VII-Number IV , December 2002-February 2003, available at www. mfa.gov.tr/grupa/percept/VII-4/yupozveren.htm

Central Asian oil is expected to find its way by pipelines to the Iskenderun Gulf. As such, a second Gulf is likely to emerge in the north-east of the Eastern Mediterranean where oil and water pipelines will intersect.[16] This new factor will help raise the importance of the Eastern Mediterranean in general and of Cyprus, in particular, as a means of controlling this strategic gulf. It would be absurd to think of the defence of the Iskenderun Gulf without reference to Cyprus. For Turkey to improve her standing in the Eastern Mediterranean as a local and regional power, a continued process of mutual containment between the Turkish and Greek sectors of the island of Cyprus is of vital importance. The direction international oil routes will take will also define the kind of economic activities that will concentrate in the Eastern Mediterranean outside of the domain and strict control of the future Europe.[17]

EU enlargement is a cornerstone of a post-Cold War era of peace, security and cooperation extending to Europe's eastern and southern flanks. A united Europe offers the promise of consolidating the values of democracy, individual rights, free markets and the rule of law in an ever-growing sphere. It also strengthens the transatlantic relationship characterized by cooperation rather than antagonism.[18] From the Western perspective, Cyprus is the gateway to the Middle East and the guardian of the southern and eastern flank of Europe, while, from the viewpoint of Middle Eastern countries, Cyprus can be a vital link to the West. For example ,

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[16] Ibid idem

[17] Ibid idem

[18] Iacovou, George, "Geography Is Destiny : Cyprus and the Fate of the Eastern Mediteranean" , In The National Interest , Vol.21-Issue25 , 25 June 2003 , available at www.inthenationalinterest.com/Articles/vol21issue25/vol21issue25Iacovou.html

Egypt and Syria see future EU member Cyprus as an energy hub to supply Europe with their natural gas cheaply.[19]

Cyprus can also advance important U.S. policy goals in the region. Given its strong relations with the Middle East, including Israel and North Africa, Cyprus is now poised to contribute to the political, social and economic development of the entire region. For the U.S., Cyprus will continue to be a reliable friend and partner in its efforts to promote stability and development in this part of the world.

B) STRATEGIC IMPORTANCE OF CYPRUS FOR TURKEY

The island of Cyprus is the third largest island in the Mediterranean after Sicily and Sardinia. The geo-strategic importance of the island is increasingly enhancing with each passing day not only for Turkey , but also for those big powers that have interests in the region. This most important island of the Eastern Mediterranean effectively controls the commercial and oil transport routes in the mediterranean and could be resembled to an unsinkable aircraft-carrier which has control over the south part of Turkey, The Suez Canal, and the Persian Gulf in which approximately 60% of world's petroleum reserves exist.

For reasons such as preserving the stability ensured by the Lausanne, London and Zurich Agreements in the Aegean and the Mediterranean and the increasing

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[19] "Egypt, Syria see Cyprus As Conduit for Selling Gas to EU" , 21 October 2001 , available at wwwsyrialive.net/financial/102101Egypt%20%20Syria%20see%20Cyprus%20as%conduit%for%20s elling%20gas%20to%20EU.htm.

importance of the southern coast and ports starting with the Gulf of Iskenderun, the island is even more important for Turkey.[20] The fact that the Iraqi oil pipeline is linked to the area as well the Gulf of Iskenderun coming to the fore as a result of many natural gas and petroleum projects plus the fact that the Southeast Anatolia Project (GAP) opens up into the Mediterranean all increase the island's strategic, geo-political and geo-economic importance for Turkey.[21]

At the same time, the energy issue has given Turkish interest in Central Asia and the Caucasus a sharper focus.The Caspian region is a major source of gas and oil that Turkey needs to meet its increasing domestic energy requirements. Turkey is facing a rising growth of its demand for energy by 8 percent per annum whereas the world average is 1.8 percent. Turkey's energy consumption in 1998 was 76 million tones of oil equivalent (mtoe) and is expected to reach 179 mtoe by 2010, and 319 mtoe by 2020.[22] Ankara is particularly interested in the construction of a pipeline to carry Caspian oil from Baku in Azerbaijan to the port of Ceyhan on Turkey's Mediterranean coast. This would not only help ensure Turkey's growing domestic energy needs but also increase its political influence in the region.[23] It may be a cliché to describe Turkey as the country where Europe ends and Asia begins, but this is particularly true in its strategic position as a bridge between energy supplies from

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[20] Bulunç, A., Zeki, "The Cyprus Issue and Developments" , Turkish Daily News , 2 February 2001 , available at www.turkishdailynews.com/old_editions/02_02_01/feature.htm

[21] Öztürk, Metin , Stratejik Açıdan Doğu Akdeniz ve Kıbrıs (Cyprus and Eastern Mediterranean From Strategic Point of View) , Altınküre Yayınları , Ankara 2003 , p.55

[22] Öğütçü, Mehmet, "Caspian Energy 'Poker Game' and Turkey : Prospects for a New Approach", Paper Presented at Conference on International Energy Security and Regional Instabilities-Strategic Perspectives of Globalization , Geopolitics and Regional Power Balance in the 21st Century , 6-7 November 2000 , Berlin/Germany , available at www.econturk.org/Turkisheconomy/ogutcu1.pdf.

[23] Larrabee, F., Stephen "Turkish Foreign and Security Policy : New Dimensions and New Challanges" , in Z.Khalilzad, Z., Lesser, O., Ian and Larrabee, F. (eds.), The Future of Turkish-Western Relations:Toward A Strategic Plan , Rand Publications 2000, p.6

the East and consuming markets in the West.[24] The country is a natural transition point for hydrocarbon supplies from Russia, Iran, Iraq and, more recently, the Caspian region.[25]To achieve this she needs Cyprus as it is considered to be transport and transition bridge in sea trade and which would help Turkey to control energy centers and pipe lines coming from the Caspian region.

Apart from the strategic, geo-economic and geo-political significance of Cyprus to Turkey, the obligation to keep the 200,000 Turks that live on the Island, in peace and security and to preserve their human rights shows only too clearly why Turkey can never abandon Cyprus.[26] The Turkish side continuously brings up Security as the main item of the agenda in the Cyprus negotiations. Every human being, every society and every state naturally wants to guarantee its security, because it is an issue of entity. The sad incidents experienced in the past, the lost of mutual trust between Turkish and Greek Cypriots, makes Security one of the basic problems.

It has long been acknowledged that the Cyprus Island is very important for Turkey's defense. The Turkish military presence is seen by both Turkey and the Turkish Cypriots as a guarantee of the security of the Turkish Cypriot community. Implicitly, Turkey increasingly sees this presence as integrally linked to its own security. For

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[24] Iskit, Temel, "Turkey: A New Actor in the Field of Energy?" , Perceptions: Journal of International Affairs , VolumeI-Number 1, March-May 1996, available at www.mfa.gov.tr/grupa/percept/I-1/iskit.htm

[25] Öğütçü, Mehmet, "Caspian Energy 'Poker Game' and Turkey : Prospects for a New Approach", Paper Presented at Conference on International Energy Security and Regional Instabilities-Strategic Perspectives of Globalization , Geopolitics and Regional Power Balance in the 21st Century , 6-7 November 2000 , Berlin/Germany , available at www.econturk.org/Turkisheconomy/ogutcu1.pdf.

[26] Bulunç, Zeki , "The Cyprus Issue and Developmnets" , Turkish Daily News , 2 February 2001 , available at www.turkishdailynews.com/old_editions/02_02_01/feature.htm

many scholars, it compensates for Turkey's weakness *vis-à-vis* Greece in the Aegean.

It is obvious fact that maintaining of and providing logistic support to Turkey's defence capabilities are heavily depending on free uses of Antalya and Iskenderun Gulfs.[27] Concerning the defence of Turkey , there is a fact that should not be ignored; The Aegean Sea is highly controlled by Greece. And if , Greece extends its territorial sea to 12 miles which is a possible scenario , Turkey will be certainly blocked in the Aegean Sea. In addtition to this , the loss of control of the Cyprus Island will also hard up Turkey in the Mediterranean sea, and as a consequence Turkey will be surrendered not only in the north but also in the south and will lose her access to the high seas. This anxiety has been recently announced puplicitly by Gen.Hilmi Özkök, Chief of the General Staff and in effect commander of the Turkish Armed Forces, in which he argues "by withdrawing its armed forces from the northern part of Cyprus, Turkey could no longer be effective there. Cyprus would become a place where we could not move with ease. We already have problems in the west. If we get problems in the south too, Turkey would become encircled."[28] On the other hand , steps taken to upset the strategic balance in the Eastern Mediterranean, such as the S-300 missiles, the inauguration of Paphos air base, the construction of a naval base in Southern Cyprus and excessive armament by the Greek Cypriots, constitute serious threats to Turkey.[29]The establishment of a joint Cypriot-Greek defense doctrine has had the effect of tying Cyprus firmly into the

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[27] Öztürk, Metin, Stratejik Açıdan Doğu Akdeniz ve Kıbrıs , Altınküre Yayınları , Ankara 2003 , p.84

[28] Borowiec, Andrew, "General Cast Doubt on Turkish Withdrawal", The Washington Times, 15 November 2003

[29] Çakar, Nezihi, "A Strategic Overview of Turkey , Perceptions: Journal of International Affairs , Volume III- Number2 , June-August 1998, available at www.mfa.gov.tr/grupa/percept/III-2/cakar.htm

broader bilateral competition. The Cyprus situation has become more heavily militarized. The large-scale Turkish Army presence remains. The Greek Cypriot National Guard has itself acquired more modern equipment. Greece also aims to envelop Turkey with a strategic belt from the island of Lemnos opposite the Dardanelles all the way to the Bay of Iskenderun, with the aim of controlling the maritime lines of trade in the Aegean and the Eastern Mediterranean.[30] Its attempts to establish a air bay in Paphos - Cyprus, and deployment of missiles on the Aegean islands, and press for the adoption of 12 miles territorial waters are steps taken in this direction. Thus, Turkey is required to maintain a deterrent force in the Aegean and continue its military presence in northern Cyprus. Elekdağ describes Turkish military presence on Cyprus "as an additional effective deterrent against Greece, because of its fears that Turkey would take theatre of operations into Cyprus if Greece initiated a crisis in the Aegean."[31]

In international platform , particulary in the European Union attitude , there is an effort to leave Turkey in a passive position. However , within the new global order and the new security building , Cyprus as a crucial strategic point of its region , acquires an indispensable significance regarding Turkey's future secuirty. In the framework of a unilateral EU directive, in the process of the GCA with the qualification of representing the whole of Cyprus to become an EU member, the GCA serving as means for Greece's national interest, is at the same time enlarging EU's security and geo-political influence area that will constitute a risk for Turkey's

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[30] Elekdağ, Şükrü, " 2 ½ War Strategy" , Perceptions : Journal of International Affairs , VolumeI-Number1 , 1996, available at www.mfa.gov.tr/grupa/percept/I-1/elekdag.htm

[31] Ibid idem

security.[32] Briefly, Cyprus is positioned as a close security point for Turkey in its south sector and also due to positioned external forces qualifies as an asymmetric threat point.[33] Whereas, the EU, with a model finalized with the Helsinki perspective, in the event that GCA enters the EU representing the whole of Cyprus, the danger continues with the probable conception that, the TRNC part is under invasion of Turkey. However , it is not envisaged that the EU would risk having a direct hot intervention. Instead creating instability in the TRNC and creating a possibility for an international intervention in order to obtain peace (indirectly to situate military force) could be perceived as a more realistic approach the EU would take.[34]

To make long story short , Cyprus , apart from being important for controlling routes to energy sources , is considerably vital for Turkey's security. Thanks to Cyprus the Turkish sea border remains safe in the south and a balance between Turkey and Greece is established.

The main factors shaping Turkey's Cyprus policy are the island's strategic importance and the existence of the Turkish Cypriots. Turkey has always based its Cyprus policies on these two basic factors.[35] In taking note of these factors, Turkey will never tolerate and never allow anything to cause:

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[32] Hanlı, Hakan, "The World's New Affairs, The Global and Regional Security Balance : USA-EU-Turkey; Indispensable Cyprus'" , e-journal of strategy and analysis , May 2003 , Issue4 , available at www.stradigma.com/english/may2003/articles03.htm.

[33] Ibid idem

[34] Ibid idem

[35] Bulunç, Zeki, "The Cyprus Issue and Developments" , Turkish Daily News , 2 February 2001 , available at www.turkishdailynews.com/old_editions/02_02_01/feature.htm

" -Cyprus to become a Greek territory; Ankara has aimed to prevent a hostile country such as Greece from annexing the island which is so close to Anatolian peninsula. This would menace the vital southern ports of Turkey , for example Iskenderun, which are part of a vital lifeline for the economy to the outside world.

-Any change to the existing balances in the Eastern Mediterranean that are not in its favor;

-The existence, peace and security of the 200,000 Turkish Cypriots to be secured"[36]

Ataturk himself, regarded Cyprus as being particularly important for Turkey by saying :

"Pay attention to Cyprus, this island is important to us." [37]

C) GREECE, THE EASTERN MEDITERRANEAN AND CYPRUS

Greece has always had in its long history a strong presence in the broader area of the Eastern Mediterranean. The colonies of Greek city states of the ancient times expanded around this area. The Byzantine Empire itself was a state that dominated the area of Eastern Mediterranean basin for about a thousand years. As a

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[36] Ibid idem

[37] Queted in "The Long term Turkish Policy on Cyprus" , www.hr.action.org/chr/Tpolicy.html, 5 January 2004

consequence , the Greek world had a strong influence upon and was strongly influenced by all neighbouring nations in the area.[38]

The Greek shipping tradition originating from its national peculiarity of being an essentially an island , was rapidly developed and played an important role in the development of cultural and economic relations with the neighbouring countries.[39] Consequently strong cultural and economic ties were established. As the western world started devoloping during the Middle Ages , Greece became the stepping stone towards the East.

The expansion and development of sea-trade with the pursuit of safer and faster routes to the 'Indies', deprived the Eastern Mediterranean basin and Greece of the critical role they had in the past as the only gate to the East. Despite this, the area remained important and definetly the major locus of international economic transaction.[40] Even during the Ottoman Empire , commercial Greek ships physically undertook a large part of the intra-Ottoman trade and they continued to execute a major part of the trade in the whole of the Mediterranean. In the later 18th and entire 19th century and trough to and into the beginning of the 20th century , the Greek-owned merchant marine executed most trade between the Eastern Mediterranean and the Black Sea on the one hand and the West on the other.[41]

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[38] Skayannis, Pantelis, "Greece as a Transport Node in the Eastern Mediterranean", Discussion Paper Series 9(27) , November 2003 , p.602

[39] *Ibid idem*

[40] Ibid , p.603

[41] Ibid idem

During the Cold War period , Greece was assigned by its major allies the role of shield against communism , being a NATO country adjacent to socialist regimes and relatively close to Soviet Union. This also meant that Greece had a limited transport linkage with all of its Northern neighbours. However , with the destabilisation of the Balkans an econimic strategy is being introduced in Greece which envisaged the improvement of transport infrastructure that would have effects on formerly less accessible isolated regions, at the same time increasing the possibilities for trade with geographically proximate markets.[42]

The Balkan region , the unstable zones of the Middle East , Turkey and the zone of authorative regimes of Northern Africa comprise the political borders of contemporary Greece. These , combined with broader international economic interest, 'oil' , obliges Greece to focus on the Eastern Mediterranean region.[43] Oil is considered to be of major importance for Greece mainly because of the geograpich proximety with the Middle East and since the impacts of wars related to oil affect Greece in many ways, importantly in oil transport.[44] The fact that Greek merchant marine has a large share of the international market , stresses the paramount importance of the politico-economic stability in oil production for Greece. Thus , securing and controlling oil and other energy resources transport from the Middle East to Europe through the Eastern Mediterranean forms economic interest of Greece in the region.

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[42] Ibid , p.604

[43] Ibid idem

[44] Ibid , p.605

Apart from being economically important, the Eastern Mediterranean is also significant for Greece's security. The region poses serious threats to Greece's security. The proliferation of weapons of mass destruction , illegal immigration , terrorism and national fundementalism, which are the main trends in the region, create new challanges and security threats and risks for Greece. Being the only member country of both the EU and NATO in the Eastern Mediterranean makes Greece an important actor in stabilizing the region.

Historically, the main strategic dilemma for Greek decision-makers was whether to ally themselves with the sea power dominant in the Eastern Mediterranean or the land power dominant on the Balkan Peninsula. In most cases, mindful of their responsibility for the defense of two thousand Greek islands stretching from the Eastern Aegean to the Adriatic Sea, they have chosen to ally themselves with the sea power.[45] At this point , Greece and Cyprus both constitute important factors in the creation of the regional security conditions. By validating its strategic position, Greece, within the next years, would become a basic stabilizing factor in the Balkans, the Black Sea and the Eastern Mediterranean and to a vital link of these regions with Europe.

Another Greek concern regarding security in the region is related to Turkey. The change of international system, in the aftermath of the Cold War, has perpetuated the anarchical nature of the international system and has led to the intensification of peripheral disputes. Such disputes, as the Greek-Turkish one, will be devoid of the most salient characteristics of bipolarity, like alliance cohesiveness and discipline,

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[45] Dokos, Thanos, "Greece's Startegic Position in the Balkans and Eastern Mediterranean" , 1998 , available at www.hri.org/MFA/thesis/summer98/security.html

which in the past had a restraining effect on the actions of regional rivals. This new environment presents the players with new dangers and opportunities. Reliance on alliances is diminishing and there is an increasing emphasis on regional balance of power systems, and self-reliance on defense, which in turn necessitate the development of autonomous and coherent defense strategies. In the aftermath of the Cold War and the War in the Gulf, Turkey has emerged as a regional power due to its geopolitical position at the center of a triangle of instability (Middle East--Central Asia--Balkans).[46] And since the end of Cold War, Turkey has been trying to alter the balance of power in the Eastern Mediterranean to its favor as demonstrated through three indicators of power: demography, technology, and armaments.[47] At this circumstances , Cyprus constitutes central pillar of Greece's security and defence aginst Turkey. At the same time, it would play an important role in re-establishing military balance in the Eastern Mediterranean which has been shifting in Turkey's favor , especially in the air. The Greek intention to deploy S-300 missiles should be analyzed in this context. The radar system associated with the S-300s would be capable of monitoring the air space over a large part of the Eastern Mediterranean could seriously degrade Turkey's long-standing air superiority in the region.[48]

Greece has entered the 21st century with an increasingly modern and prosperous society, a more moderate political scene, and a more complex and cooperative set of international relationships. In nearly every respect, the country is more deeply integrated in Europe and closer to the European mainstream. However, uncertainties

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[46] Arvanitopoulos, Costantine, "Greek Defense Policy and The Doctrine of Extended Deterrence" , Institute of International Relations , available at www.idis.gr/people/arvan3.html.

[47] Ibid idem

[48] Barletta, Micheal, "Countdown to Conflict? Missle Crisis over Cyprus" , Montery Institute of International Studies/ Center for Nonproliferation Studies , July 1998 , available at www.cns.miis.edu/research/cyprus/countdown.htm.

abound on the regional scene. One of the most remarkable and positive developments of the past few years has been the Greek ability to pursue a multilateral foreign policy in southeastern Europe and to maintain prosperity and stability in the face of conflict and destructive nationalism. At the same time, the stabilization and reconstruction of the region, including the development of new infrastructure projects and lines of communication, offer considerable opportunities for Greek diplomacy and business. Under the right circumstances, Athens could emerge as the leading Western actor in southeastern Europe. Events since the crisis in Bosnia have naturally focused attention on Greece in southeastern Europe. But Greece has always been confronted with challenges and opportunities emanating from a wider region, encompassing the Mediterranean, Eurasia, and the Middle East. New infrastructure proposals, especially oil and gas pipelines are the most tangible facet of this wider environment. The southeastern energy route to European markets is developing rapidly, with potentially important implications for regional geopolitics. Greece is also exposed to the negative aspects of an increasingly transregional environment, including refugee flows, cross-border crime, the growing reach of ballistic missiles deployed in the Middle East and around the Mediterranean, terrorism, etc. It is very likely that these transregional issues will occupy an increasing amount of Greek diplomatic energy over the next decade. Particularly , the proliferation of weapons of mass destruction and ballistic missile systems will have a profound effect on military balances in the Middle East, the Eastern Mediterranean, and also in Eurasia. Thus , located at the crossroads of three continents , Cyprus may be the main control station of Greece in shaping her policies towards the Middle East , Eurasia , Balkans and Mediterranean.

D) AMERICA'S GEO-STRATEGIC IMPERATIVES IN CYPRUS AND IN EASTERN MEDITERRANEAN

In contemporary world, states have engaged in serious competition in order to protect their current status and pioneer in international politics. This competition is becoming more ruthless and strict with each passing day , and, at the same time, it highly requires the use and possession of energy. First of all , it would be better see the Eastern Mediterranean and Cyprus in the respect. To lead international politics, enthusiastic actors , first , have to solve their energy problems, and, finally, control and manage energy sources. At this point, it would not be wrong to accept the Cyprus Island as an easy way to reach energy sources. Cyprus is considered to be aircraft-carrier which effectively controls the commercial and oil transport routes in the mediterranean. The Eastern Mediterranean region, on the other hand controls wide and crucial geographies ; Europe, Asia, Persian Gulf and Africa. This explains why both the US and the EU have turned their face to this region. The nearness of Cyprus to energy sources in Eurasia , Caspian basin and Middle East attracted the attention of leading powers in international arena and forced them to play active role toward the region.

At this frame , it wouldn't be wrong to discuss US strategy in the Middle East, by arguing that this strategy aims at the tranformation of the entire region, with the purpose of putting under US monetary ,the competition between the Dollar and the Euro,[49] and security control the new geopolitics and geo-economics of oil and gas

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[49] Gökay, Bülent in his article "Controlling the Euro is US War Aim" argues that one of the fundemental elements of American strategy in the Middle East is to prevent OPEC countires from converting their reserves from Dollars to Euros. And , at the same time , provide security of the

resources in the whole of Eurasia. In this context, it would better maintain that the enemies of the US are not mainly terrorist groups or networks of the sort of Al-Qaeda. Rather, the main threat for the US comes from state actors and regimes that do not comply with its hegemonic policies for global domination, and also come from core Eurasian allies or powers, such as Germany, France, Russia and China.[50]

The US current economic strategy obviously includes : privatisations, liberalisation of financial and security markets, labour flexibility and further subsumption of labour into capital, constant technological innovation in production and services, particularly in information industries and telecommunications. On the political-military front, post-Cold War NATO, under the hegemonic drive of the US, expanded eastwards twice, gradually transforming itself from a defence pact into a political organisation in order to support US state objectives in Europe, Central Asia and the Middle East.[51]

Surely, the EU could not have stayed out of the post-Cold War race. The EU boosted its economic integration and the Euro, the Dollar's main competitor in the global money markets, was launched in 1999. In addition, the EU's historic eastward enlargement was confirmed last December in Copenhagen. The EU is an economic giant, with a larger population and gross domestic product than the US, and is the principal provider of foreign direct investment, both as a host economy and as a

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transportation of oil and gas to Western Markets at stable prices dominated in Dollar. This article is available at www.tbns.net/keele/march31.html.

[50] Fauskas, K., Vassilis, "US Macht-Politik in Eurasia and the Re-Fashioning of the Greater Middle East", The Alternatives (Turkish Journal of International Relations), Volume2-Number2, Summer 2003. p. 38

[51] Ibid idem

source economy.[52] Admittedly, the EU has also started to challenge the US in energy matters. The EU launched its TACIS (Technical Assistance to the Commonwealth of Independent States), TRACECA (Transport Corridor Europe-Caucasus-Asia) and INOGATE (Inter-State Oil and Gas Transport to Europe) programmes with the explicit aim of assisting the construction of new pipeline networks, or the renovation of new ones, in the zone stretching from the Caspian and the Black Sea regions to Western Europe.[53]

The universal demand for energy is expected to double each decade to satisfy economic expansion. The largest single source of energy is derived from petroleum. The principal consumers for the foreseeable future will be the United States, Western Europe, and Japan. The United States with 6% of the world's population consumes approximately 30% of the annual output of the world's natural resources.[54] Its domestic production of petroleum continues to decline, while its demand for crude oil continues to rise. As the demand for petroleum increases, the two most promising sources for further production are both located in the same region of the world, the Persian Gulf and the Caspian Basin. Of these two, the Persian Gulf is the most important. It is estimated that within ten years the Persian Gulf States will supply one half of the total world oil requirement.[55] Since most of the increased production must undoubtedly come from the Persian Gulf region, the percentage of United States

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[52] Cameron, Fraser, The Foreign and Security Policy of the European Union , Sheffield Acedemic Press, Sheffield 1999 , p.84

[53] Activities of the European Union, Energy Charter, September 1997, http://www.europa.eu.int/scadplus/leg/en/lvb/127028.htm

[54] Kett, Irving, "Strategic Challanges Confronting the United States in the 21st Century Middle East" , 2 September 2001 , available at www.westerndefence.org/bulletins/sep2_01.html.

[55] Olcott, M., Brill, "War in Iraq and American Energy Security", In The National Interest , Vol.21-Issue16 , 23 April 2003 , www.inthenationalinterest.com/Articles/vol21issue16/vol21issue16olcott.html.

imports from the Middle East will also rise. In other words there is no visible alternative to greater dependency upon Persian Gulf oil in the foreseeable future.[56] Petroleum and natural gas there are plentiful and easily extracted at relatively low cost. This reality has a powerful impact on political decisions affecting the Middle East by all of the major democracies, including the United States.

Aside from strategic considerations, the United States has a huge economic investment in the Middle East petroleum industry. In 1960 the major oil producing countries, led by the Middle East producers, formed the Organization of the Petroleum Exporting Countries (OPEC) which wields tremendous economic and political power. Another Middle East factor that must be considered is the strident nationalism that pervades the region. This is characterized by extreme hostility to the United States as well as Western culture and presence in general. In the last few decades Islam has become a powerful and very aggressive expansionist force throughout much of the world.

The Mediterranean Sea has for centuries been among the most important waterways in the world, while the entrances and exits of the Eastern Mediterranean have been focal points of conflict.[57] In the 19th century, the European powers fought Turkey for control of three distinct but connected bodies of water - the Dardanelles, the Sea of Marmara and the Bosphorus. During World War II, the Mediterranean Sea was a fierce battleground greatly influencing the course of the conflict. During the Cold War years that followed, both the United States and the Soviet Union maintained

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[56] Kett, Irving, "Strategic Challanges Confronting the United States in the 21st Century Middle East", 2 September 2001 , available at www.westerndefence.org/bulletins/sep2_01.html.

[57] Ibid idem

large naval forces there. The US Sixth Fleet is still in the Eastern Mediterranean. The Persian Gulf and the Straits of Hormuz are strategically much more critical. The vast petroleum exports of the Middle East pass through these waterways.[58] For this reason, the US has kept a significant naval force on station in the Persian Gulf and will probably maintain its presence there for the foreseeable future. The Gulf has serious potential for conflict that could threaten oil supplies from Saudi Arabia and other states. For more than two decades, Iraq and Iran have posed a major military threat to each other and to the entire Gulf region. Both are very hostile to the United States.

The disputes and intraregional rivalries in the Middle East pose direct threats to vital US interests. In the 1990-91 Gulf War, the United States mobilized a force of half a million troops to protect the uninterrupted supply of the Gulf states' petroleum from Iraqi aggression. Now, the situation is further exacerbated by the imminent acquisition of nuclear, biological and chemical weapons by regional states, which would directly challenge US influence in the region. Consequently, the Middle East is a crucial factor when the US formulates its military and economic strategy.[59]

The strategic importance of the vast petroleum reserves in the Middle East and its vital sea lanes requires the United States to consider this region carefully when formulating its foreign policy and economic decisions. Ath this point , Cyprus becomes the main focus point of the US with regard to its policies towards the Middle East. The proximity of Cyprus to Middle East, Persian Gulf and the Caspian

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[58] Ibid idem

[59] Olcott, M., Brill, "War in Iraq and American Energy Security", In The National Interest , Vol.21-Issue16 , 23 April 2003 ,
www.inthenationalinterest.com/Articles/vol21issue16/vol21issue16olcott.html.

Basin would facilitate the US' penetration into these regions and consequently would help America to enhance its influence and formulate its policies towards these regions.

At the same time, most of the states around the Eastern Mediterranean region are characterized as underdeveloped and politically unstable and authoritarian. Their poverty , political instability and authoritarian character encourage emigration and export of terrorism. In addition to this , the main trend in these rogue states is the spread and proliferation of both conventional and unconventional weapons. The control of rogue states and terrorist groups will be the main goal of Western countries, especially of the US as the only hegemon power, in the near future. In addition to this , another aim of the US is to extend democracies and free market to the zones of turmoils. Extending democracies would be a crucial element preventing further conflicts between western countries and countries in the region, because in contemporary world, democracies do not fight each others. Most of the conflicts occur between democratic and authoritarian states or between authoriatarian states. Thus , for the US, Cyprus will continue to be a reliable friend and partner in its efforts to promote stability and development in this part of the world. Given its strong relations with the neighbouring countries around its region, Cyprus is now poised to contribute to the political, social and economic development of the entire region.[60]

Until the end of Cold War, the Eastern Mediterranean and its Middle Eastern littoral tended to be viewed by American military planners as compartmentalized regions

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[60] Iacovou , Geroge, "Geography Is Destiny : Cyprus and the Fate of the Eastern Mediteranean" , In The National Interest , Vol.21-Issue25 , 25 June 2003 , available at www.inthenationalinterest.com/Articles/vol21issue25/vol21issue25Iacovou.html

requiring separate strategies for the protection of American interests. But as this record of the deployment of forces by the United States in recent years suggests, countering terrorism and radicalism in the Middle East depends in significant part on American capabilities in the Eastern Mediterranean.[61] The same is increasingly true of the relationship between the balance of power in the Middle East and the defense of American interests in the Eastern Mediterranean, particularly the protection of NATO's southern flank. Soviet access in wartime to Syrian and Libyan ports and air bases, for example, would significantly increase the threat posed to the Sixth Fleet.[62] Conversely, American access to similar facilities in Morocco, Egypt and Israel would do much to counter such a threat. At this point , it can be argued that Cyprus would have special value for American security in the region. Cyprus as an unsinkable aircraft-carrier threathens Syria, Lebanon, Israel, Egypt, Iraq and Iran with aircrafts and missiles.

Stability in the Eastern Mediterranean is significant to America due to reasons discussed above. However, there is another source of conflict which can not be ignored by the US, the Greek-Turkish disputes over Aegean and Cyprus. Thus , the United States has been the key to preventing war between Greece and Turkey since NATO's inception in 1949.At a time of accelerating momentum toward European unity, the continuing division of Cyprus stands out as an exception. With key U.S. political, security, and economic interests at stake in the region, the benefits of a settlement would be considerable. A long-running source of regional tension would

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[61] Indyk, Martin, "Strategy and Defense in the Eastern Mediterranean : An American-Israeli Dialogue" , The Washington Institue for Near East Policy , 2002 , www.washingtoninstitute.org/pubs/intro/medintro.htm.

[62] Ibid idem

be removed, thus enhancing overall regional stability. A settlement might pave the way for a wider Greek-Turkish rapprochement

The U.S's interests and goals in the Eastern Mediterranean should be evaluated in the context of 21st century scenarios. That is the competition among the U.S , the EU , Japan, Russia and also China to control and manage energy sources in Caspian Basin and in the Middle East. The Eastern Mediterranean and Cyprus control important geographies including the Middle East and Caspian region energy centrals and pipe lines. Owing to this, geo-strategic positions of Eastern Mediterranean and Cyprus attract attention of Great Powers who seek to be leading powers in the coming years. In this frame, the U.S sees Cyprus as a stepping stone on the way to aferementioned regions and intends to use Cyprus as a headqurters in managing and controlling the transportation of oil and energy from East to West. During the Cold War Americans cited the value of Cyprus as a staging area for U.S. operations in the Middle East, North of the Suez Canal, it is at the entrance to vital shipping lanes and oil transit routes through the Middle East and Asia. And even today, U.S. reconnaissance planes take off from British bases in Cyprus to conduct intelligence operations over the Persian Gulf, Central Asia, and the former Soviet republics.[63]

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[63] Sitilides, John, "Geopolitics in Cyprus : A Washington Perspective", The Western Policy Center , 21 October 1999 , www.westernpolicy.org/Policy%Analyeses/oct21.asp.

E) THE EUROPEAN UNION AND CYPRUS FROM STRATEGIC POINT OF VIEW

Until the 1990s the EU , known as the EC at that times , was considered to be an economic giant. It was considerably influencial in economics, but, it voice did not count for a great deal in political , defence and security matters. However, with the end of the Cold War and the dissolution of the Soviet Block , the EU found itself in a transformed situation in international power relationship with a shift of focus from the global East-West dimension to regional issues and conflicts. Therefore, it began to play a leading role on the European continent. That aspiration , however , became a nightmare during the post 1991 break up of the Yugoslav federation. The Bosnian crisis denoted deficiencies of this fledgling international actor's capabilities in conflict resolution. The assumption that the EU may become a capable international actor in conflict resolution emanetes from the Maastricht. According to the Treaty of Maastricht , the EU will to assert its identity on the international arena , in particular trough a common foreign and security.[64]

The EU had long pursued a policy of non-involvement in the Cyprus question. Because , the Community was not accepted as a mediator by either of the parties to the dispute, particularly by the Turkish-Cypriots , on the grounds that Turkey was not a member of the EU whereas Greece was.[65] The division of Cyprus had become an intractable problem and it appeared highly unlikely that the EU would wish to

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[64] Cameron, Fraser, The Foreign and Security Policy of the European Union , Sheffield Acedemic Press, Sheffield 1999 , p.11

[65] Sonyel, R., Salahi, "The European Union and The Cyprus Imbroglio" , Perceptions: Journal of International Affairs , Volume III- Number 2 , June-August 1998, available at www.mfa.gov.tr/grupa/percept/III-2/sonyel.htm

internalise the intercommunal impasse on the Island. The situation was evenmore highly charged from the EU's perspective, because the two external parties to the Cyprus conflict were a full member (Greece) and an associate member (Turkey).[66]

Neverthless , on 4 july 1990 , the Greek administration of South Cyprus applied to the EC for membership which was recieved positevly and procedures were set in motion for the eventual membership of Cyprus. And, the signing of the Treaty of Accession on 16 April 2003 constitutes the last step towards full membership.

The accession of the Republic of Cyprus to the European Union changes the internal and external interrelationships and balances in the island and the region, thus creating the prospect of a breakthrough. Among other things, it signifies the erosion of the strategic control of Turkey over Cyprus. Taking into consideration Turkeys' own European objectives, Cyprus inevitably has become one of the issues of EU-Turkey relations. Moreover, the accession of the Republic of Cyprus to the EU and an expected European solution of the Cyprus problem could have repercussions beyond this island-state. It will be a litmus test of the EU's ability to act upon its own declarations and at last evolve into a global political power as well.[67]

Accession to the EU is a two-way relationship. Cyprus has a lot to gain from it, but it can also make a contribution in the creation of a united Europe that will enjoy prosperity and security. The geographic location of the island is of considerable

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[66] Ibid idem

[67] Theophanous, Andreas and Avraamides, Lysandros, "Conflict and Promise in the Eastern Mediterranean: The Cyprus Problem and the Role of the EU" , paper presented at International Conference on Europe and Its Neighbours , 7th November 2003 , Valletta/Malta, available at www.eu.alert.com.mt/filebank/paper_Theophanous-Lysandros.doc.

symbolic as well as substantive significance as it constitutes Europe's last outpost in the eastern Mediterranean.[68] Because of its strategic position, Cyprus can make a contribution in the creation of a European security system that will safeguard the defence and security interests of the EU in the region. It should also be pointed out that Cyprus has excellent relations with all the countries of the Middle East. In this regard, it can become an economic, political, and cultural link between the EU and that important geopolitical region. As a member of the EU, Cyprus could serve as a bridge for peaceful cooperation among the peoples of Europe, the Mediterranean basin, and the Middle East.

As noted before, throughout time the Eastern Mediterranean has been an important strategic area. In the post-Cold War environment the Eastern Mediterranean has become vital for European security and prosperity. The EU has been engaged, especially in the last few years, in an attempt to advance a Euro-Mediterranean partnership. European policymakers understand that the widening of the gap, political, economic, social and cultural, between the two sides of the Mediterranean, the north and the south, could lead to serious problems.[69] If we also consider the oil dependence of the EU as well as the overall European economic stakes and interests in the Middle East, it follows that it is imperative for the Union to have a decisive role in the region. And so the promotion of security, stability and cooperation in the Eastern Mediterranean has acquired a special place in EU policy objectives.[70]

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[68] Joseph, S., Joseph , "European Foreign and Security Policy : The Cyprus Connection" , Paper Prepared for Presentation at the 44th Annual Convention of the International Studies Association , Portland/Oregon , February 25 – March 1 ,2003 , available at www.isanet.org/portlandarchieve/joseph.html.

[69] Lesser, O., Ian, "The Renaissance of Mediterranean Security?" , American Foreign Service Association , October 2001 , www.afsa.org/fsi/oct01/lesseroct01.cfm.

By its extension into the Eastern Mediterranean through Cyprus, the EU will be better able to pursue its interests in the area, the Middle East and beyond. Besides being a focal point for existing and emerging energy routes as well as a hub of communications networks, the Eastern Mediterranean is at the apex of two important geostrategic triangles formed (a) in the north and the north-east with the Black Sea and the Caspian Sea, and (b) in the south and south-east with the Middle East and the Persian Gulf.[71] For important economic and political reasons the EU would also like to develop socio-economic and political relations with two important regions: (a) to the east with Russia and the other countries of the former Soviet Union and (b) to the south and south-east with the Arab and broader Islamic world.[72] The pursuit of these objectives by the EU will again be greatly facilitated by the Union's extension into the strategically important area of the Eastern Mediterranean. And, of course, it is not only a question of pursuing its own interests. The EU's presence and involvement in the region would allow it to make a positive contribution towards addressing the many and varied problems of the region: the Cyprus problem, the Palestinian question, economic problems, questions of ethnic confrontations and religious fanaticism.[73]

[70] Theophanous, Andreas and Avraamides, Lysandros, "Conflict and Promise in the Eastern Mediterranean: The Cyprus Problem and the Role of the EU" , paper presented at International Conference on Europe and Its Neighbours , 7th November 2003 , Valletta/Malta, available at www.eu.alert.com.mt/filebank/paper_Theophanous-Lysandros.doc.

[71] J., S., Joseph , "Cyprus at the Threshold of the European Union" , Mediterranean Quarterly , 7(2) , 1996 , p.117

[72] Ibid , p.118

[73] Theophanous, Andreas and Avraamides, Lysandros , "Conflict and Promise in the Eastern Mediterranean : The Cyprus Problem and the Role of the EU", 7 November 2003

The EU enlargement, the largest ever in the EU's history, is the realization of a broader European vision to extend the zone of peace, stability and prosperity in Europe to the easternmost reaches of the Mediterranean Sea. Both current and new EU member-states seek to broaden and deepen the principles of democratic governance, the rule of law and the functions of the free market economy. Cyprus now constitutes an important, cornerstone , southern dimension of that vision.[74]

Having good relations with neighboring countries in the Middle East and North Africa, Cyprus is now poised to contribute substantially to the political, social and economic development of the entire region that lies at the strategic crossroads of three continents, a region that continues to be challenged by instability and conflict.

Cyprus's EU membership is mutually beneficial: clearly, it will provide benefits for Cyprus; at the same time, it will serve to expand the global reach of the EU, while enhancing regional stability and integration.In addition to giving Europe a stronger foothold in the Eastern Mediterranean region, Cyprus brings to the Union a thriving economy, a significant international maritime reach, and a strong partner in the international campaign against terrorism.[75]

Following the September 11, 2001 terrorist attack against the US, the prevention of the nightmare of the clash of civilizations and the need to promote intercultural cooperation have put themselves on the agenda of international politics. The second

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[74]Marcullis, K., Erato, "EU Expansion , Cyprus and the Future of the Eastern Mediterranean" , In The National Interest , Vol.21-Issue 15 , 16 April 2003 , www.inthenationalinterest.com/Articles/vol21issue15/vol21issue15kozakoumarcullispfv.html.

[75] Iacovou, George, "Geography Is Destiny : Cyprus and the Fate of the Eastern Mediteranean" , In The National Interest , Vol.21-Issue25 , 25 June 2003 , available at www.inthenationalinterest.com/Articles/vol21issue25/vol21issue25Iacovou.html

Iraq war, the escalation of violence and terrorism in the broader area of the Middle East, and the growing multidimensional gap between the West and the Arab world make an upgraded EU presence in the Eastern Mediterranean more than necessary

CHAPTER 2 : HISTORICAL BACKGROUND

A) HISTORICAL OVERVIEW

i.Cyprus, Until the Establishment of the Republic of Cyprus

Cyprus has had a troubled history. The strategic location between East and West resulted in repeated invasions , changes of rulers and strife for the inhabitants.

Cypriot culture is among the oldest in the Mediterranean. By 3700 BC, the island was well-inhabited, a crossroads between East and West. The island fell successively under Assyrian, Egyptian, Persian, Greek, and Roman domination. For 800 years, beginning in AD 364, Cyprus was ruled by Byzantium. After brief possession by Richard the Lion-Hearted during the Crusades, the island came under Frankish control in the late 12th century.[76] It was ceded to the Venetian Republic in 1489 and conquered by the Ottoman Empire in 1571.

In 1571 the West lost Cyprus when it was captured by the Ottomans. The Ottomans administered the island under the *millet* system (a community distinguished by religion) , whereby the communities were institutionalized, enjoying specific rights and privileges , and electing their own judicial and administrative officials. The Ottomans abolished feudalism and serfdom and terminated the Latin persecution of

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[76] "Background Notes : Cyprus" , U.S Department of State, October 1998 , available at www.history.1900s.about.com/gi/dynamic/offsite.htm?site=http://www.state.gov/www/background% 5fnotes/cyprus%5fg/10%5 fbgn.html.

the Greek-speaking Christians. They officially recognized the Greek Orthodox Church as an autocephalous.[77] In other words the Latin Church was evicted , the Orthodox Church allowed to continue. Under the *millet* system, Greek Cypriots enjoyed self-government , mainly through the Church , which regulated their social , educational , and religious affairs. This system fortified the Churh and the cohesion of the ethnic Greek population.[78] In regard to ethnic composition, Cypriots had left to choose between Christianity and Islam. The majority chose Christianity, but, the result was that population began to take on the ethnic structure it still posseses today, namely Greek and Turkish. During some periods of Ottoman rule the number of Turks on the island , who had settled during the three centuries of Ottoman rule , was estimated to be about the same as that of Greeks.[79] (The Ottoman government, using the old method of *sürgün*, deportation and settlement, transferred groups of peasants and town dwellers from Anatolia and settled them on the island. The main purposes of this operation was to have the soil of the island, the population of which had deserted, properly tilled to ensure a livelihood to the surplus population of Anatolia and to make a newly conquered territory safe by settling a reliable Turkish population)[80].Most of the Turks remained when control of Cyprus was ceded to Great Britain in 1878. However , many Turks left for Turkey during the 1920s.

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[77] "Ottoman Conquest of the Island of Cyprus", www.cypnet.com/ncyprus/history/ottoman/, 16 November 2003

[78] Gazioğlu, C., Ahmet, "Turkish Rule and Tolerance in Cyprus (1571/1878)" , November 2001, available at www.kibris.gen.tr/english/articles/articles07.html

[79] Luke, Hary, Cyprus Under the Turks , Oxford 1921 , p.14-5.

[80] Inalcık, Halil, "A Note on the Population of Cyprus" , Perceptions: Journal of International Affairs , June-August 1997 , Volume II – Number 2, available at www.mfa.gov.tr/grupa/percept/II2/II2-3.html

The opening of the Suez Canal in 1869 brought Cyprus into British strategic interests because the island lay on the route to the British Crown Colony of India. The island of Cyprus was part of the Ottoman Empire from 1571 until 1878. In the latter year -- following the Russia -Turkish war in 1877/8-- faced with the Tsarist armies at the gates of Istanbul , Britain sought an alliance with the Ottomans, and, as a consequence joined Ottoman Empire in a defensive alliance through the Anglo-Turkish Convention of 1878. Under its terms , Ottoman Empire agreed to assign Cyprus to Britain to occupy and rule , though not legally to possess it. It was also agreed that Cyprus was to be returned to Ottomans and the Convention annulled , if Russia gave back to the Ottoman Empire the eastern provinces of Batum , Ardahan and Kars which she had occupied the previous years.

One of the reasons for occupying Cyprus was to protect the Ottoman Sultan against Russia , but its more obvious , if unmentioned role , was defence of the Suez Canal , in which Britain had acquired an interest. Once Britain was established in Egypt , naturally , Cyprus was destined to continue remain a backwater, stepping stone and at best a reserve place d'armes until acquiring a greater degree of strategic importance in more recent years.[81]

Because Britain and the Ottoman Empire were antagonist in the First World War , Britain annexed the island on 5 November 1914. However , Turkey did not recognize this until the Treaty of Lausanne in 1923. But the status of Cyprus remained undetermined until 1925 , when it was decleared a Crown Colony.

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[81] "British rule in Cyprus 1878-1960" , www.cypnet.com/.ncyprus/history/british/index.html, 11 November 2003

The British faced two major political problems on the island. The first was to contain the desire for union with Greece (*enosis*), after it became clear to the Greek-Cypriots that it was not going to be granted. The second was the consequential problem of keeping the two communities in harmony once the Turkish-Cypriots began to respond to *enosis* by calling for partition as a defence against their being hellenized, as they saw it.[82]

In the 1920s, British policy regarding the Turkish population was to reduce the number of Turks through new rules and regulations. According to Article 21 of the Lausanne Treaty, Turks had two years in which to choose either British or Turkish citizenship.[83] If a Turk decided in favour of Turkish citizenship, she or he had to leave the Island within a year from the time of choosing. A number of Turks left the Island and, consequently, the Turkish population decreased as time went by. Britain's aim was to increase its strength of rule in Cyprus.[84] Because of this policy, the Greek population increased proportionally while the Turkish decreased.

From the start of British rule , the Greek Orthodox Churh was demanding *enosis*, union with Greece. Greeks believed that Britain would sooner or later give Cyprus to Greece as it had given them the Ionian Islands and Crete before. Owing to these two experiences , Britian was considered to be an important ally for Greek nationalists at that time. Due to this belief, Greek- Cypriots held ceremonies to celebrate the decision of annexation and requested once more the island to be given and Britain to

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[82] "British Rule in Cyprus" , www.bornova.ege.edu.tr/-ncyprus/cyprus3.html, 18 November 2003

[83] Erdemir, Halil, "The Origin of the Cyprus Question : The British Policy on the Creation of Cyprus" , Perceptions: Journal of International Affairs , December 2001- February 2002 , Vol.VI / Num.4, available at www.mfa.gov.tr/grupa/percept/VI-4/halil.erdemir.htm

[84] Ibid idem

become guarantor of the Turkish community in the island. In this context, Venizelos, the Greek Prime Minister of that time , expressed his thoughts and said:

"Annexation of Cyprus may be taken as the final stage to integrate the Greek island with its motherland. As far as our government has been informed ,Cyprus will integrate with the motherland very soon".[85]

Until 1925 this hope remained open , when the British Government decleared that Cyprus was a colony and that the issue (*enosis*) was closed. This volte-face of the British Government with regard to Greek aim of *enosis* was the result of a spasm of Midlle Eastern Imperialism.[86] Various British politicians wanted Britain's imperial role to expand and the obvious area was the Middle East, where the collapse of Ottoman power had left vast territories in British hands , notably Egypt , Iraq and Persia.[87] Thus , the objective of a greater Greece had to wait or take second place.

This brought a change of style in Greek attitude. Those *enosis* partisans became more hostile. They started to make passionate speecehes calling for civil disobedience , boycotts of British goods and non-payments of taxes. However , the most decisive and harsh riot came in 1931. In 1931 Greek Cypriots, under the pretext of budgetary disagreements, resigned from the Legislative Council. With the leadership of the

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[85] Quated in "Annexation of Cyprus by Britain and World War I" , 17 November 2003 www.kibris.gen.tr/english/beginproblem/sover_annexation01.html

[86] Lapping, Brian, End of Empire , Granada Publishing , London 1985 , p.314

[87] Ibid idem

Greek Orthodox Church and other *Enosis* agitators surrounded the Government House, rioted, and burned it to the ground on 21 October 1931.[88]

The British Government retorted by suspending the constitution , banning political parties , removing all elected representatives from the Legislative Council and by introducing the Governor's absolute rule. The British authorities suddenly restored order and forced into exile leaders of this revolt. From 1931 to 1939 all appeared quiet.

However , with the outbreak of Second World War, *enosis* romours, once again, came on the agenda in Cyprus. Britain and Greece were allies , more than 14,000 Greek-Cypriots volunteered to serve in the British army and after the defeat of the Italian attack on Greece in 1940 , Cyprus was bedecked with Greek flags after nine years.[89] The Greek Prime Minister , speaking from London in November 1941 , mentioned Cyprus as among the daughters of Greece that would be reunited with the motherland after victory.[90] The Atlantic Charter , in which Franklin Roosvelt and Winston Churchill set out their war aims , promised self-determination to dependent territories , which to Greek-Cypriots meant *enosis*.[91]

During the war years , it is possible to note some changes in the political life of Cyprus. The British Government had taken steps forward to restore democratic institutions , particularly initiating local government elections. These were held in

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[88] http://cmpe.emu.edu.tr/cyprus/b_rule.html

[89] Lapping, Brian, End of Empire , Granada Publishing , London 1985 , p.315

[90] Ibid idem

[91] Ibid idem

1943 and the Communist party , AKEL (Anorthotikon Komma Ergazomenou Laou / the Progressive Party of the Working People), won control of some major towns in Cyprus, notably Limassol, Famagusta and Nicosia. Together with AKEL, trade unions also commenced to develop very fast. The AKEL-trade union group soon joined Church in demanding *enosis*.

In order to relax Greek-Cypriots, the British government in 1948 announced plans to liberalize the colonial administration of Cyprus and to invite Cypriots to form a Consultative Assembly for the purpose of discussing a new constitution. Instead of rejoicing, as expected by the British, the Greek Cypriot hierarchy reacted angrily, because there had been no mention of *enosis*.[92] In the political climate of the immediate post-World War II era, the proposals of the British did not come near fulfilling the expectations and aspirations of the Greek Cypriots. The idea of "*enosis* and only *enosis*" became even more attractive to the general population.[93]

Meanwhile, the Church of Cyprus solidified its control over the Greek Cypriot community, intensified its activities for *enosis* and, after the rise of AKEL, opposed communism. Prominent among its leaders was Bishop Makarios, spiritual and secular leader of the Greek Cypriots. Makarios first came to British attention when , as Bishop of Kition , he played a leading part in organizing the 'plebiscite' of January 1950 which an overhelming majority of Greeks voted in favour of *enosis* [94], that is the colonization of Cyprus by Greece and spiritual expansion.

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[92] "World War II and Postwar Nationalism" , Courtesy Office of the Turkish Republic of Northern Cyprus, Washington , January 1991. www.1upinfo.com/country-guide-study/cyprus/cyprus20 html.

[93] Ibid idem

The plebiscite results and a petition for *enosis* were taken to the Greek Chamber of Deputies, where Prime Minister Sophocles Venizelos urged the deputies to accept the petition and incorporate the plea for *enosis* into national policy.[95] The plebiscite data were also presented to the United Nations (UN) Secretariat in New York, with a request that the principle of self-determination be applied to Cyprus. Makarios himself appeared before the UN in February 1951 to denounce British policy, but Britain held that the Cyprus problem was an internal issue not subject to UN consideration.

In 1954 the Greek Government , again , took the issue of self-determination for Cyprus to the UN General Assembly. By taking the issue to the UN , Greece aimed to get a resolution supporting the right of self-determination of the people of Cyprus which in fact would have meant support for *enosis* and would have increased world pressure on Britain. However , Greece failed to secure support from the UN which triggered an armed struggle.

After the defeat of Greeks in the United Nations , the British authorities began to deal with Greek terrorism on the Island in 1955. The Greek-Cypriot terrorist organization EOKA (the National Organisation of Cypriot Struggle) led by Colonel Grivas launched a war of terror in Cyprus on April 1955. Faced with increased pressure the British Government called for a conference among Greece , Turkey and

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[94] The voting took the form of signing one's name under a petition in public. If a Greek-Cypriot was to vote on this issue at all , it was embarrassing and risky for him to vote against *enosis* as to decleare in public. Stavrinides, Zenon, The Cyprus Conflict : National Identity and Statehood , Nicosia 1975 , p.28

[95] "World War II and Postwar Nationalism" , Courtesy Office of the Turkish Republic of Northern Cyprus , Washington , January 1991. www.1uninfo.com/country-guide-study/cyprus/cyprus20.html

Britain. While the conference did not produce any solution , it confirmed the Turkish interest in the island asTurkey became an essential party to the Cyprus question.[96]

As the acts of terror mounted, Britain's Cyprus governor Marshall Harding tried to agree with Makarios and other Greek Cypriot leaders upon self-government. Greek Cypriot leaders did not agree to any negotiation except on *enosis* . Therefore, the British administration arrested Archbishop Makarios and other Greek leaders , and sent them into exile .[97] However, the Greek Cypriot terror intensified even more.

When the tension was very high, the British Prime Minister, Harold Macmillan, initiated a new move to solve the problem. McMillan suggested a form of administration for Cyprus that granted domestic independence. The Macmillan Plan provided for a division of sovereignty among Britain, Greece and Turkey. Turkey accepted the plan while Greece did not. However, Britain announced it would implement the plan in 1958, granting self-government to Cyprus because continuing EOKA terrorism made the continuation of British rule difficult and expensive.

Pressure was building upon all sides. Both Greece and Turkey were members of NATO and any kind of confrontation between them would have meant a threat to unity , success and continuity of NATO. Due to this peril the U.S had to engage into the Cyprus dispute, and , together with Britain initiated a new formula whose main elements were ;

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[96] Manisalı, Erol, Avrupa Kıskacında Kıbrıs (Cyprus in the Siege of Europe) , Derin Yayınları , 2003, p.28

[97] "Shifting of the Issue to the International Platform" , www.kibris.gen.tr/english/beginproblem/beginproblem-republic01.html , 25 December 2003

" -A balance between Turkey and Greece was to be established on the island

- Strategic interests of Britain were to be protected

-The control of the island was to be shared among Turkey , Greece and Britain

- Guarantees of both Turkish and Greek Cypriots were to be proven by both Turkey and Greece."[98]

The international atmosphere , the escalation of Cold War , forced the leaders of parties to conflict to reach a solution immediately as the control of the island was crucial for Western block. Consequently , in 1959 negotiations were held in Zurich between the Greek and Turkish Governments for the purpose of finding a just solution. After a course of negotiations and consultations with the leaders of both communities, an agreement was reached on 11 February 1959 at Zurich between the Greek and Turkish Governments for the establishment of an independent state , the Republic of Cyprus. Three documents were initialled in Zurich :

1) A draft on basic structure of the Republic of Cyprus,

2) A draft Treaty of Guarantee between the Republic of Cyprus on the one hand and the UK , Greece and Turkey on the other,

3) A draft Treaty of Alliance among Cyprus , Greece and Turkey.

ii. 1960 , The Birth of the Republic

The Zurich Agreement between Turkey and Greece produced a bi-communal constitutional framework for Cyprus which recognised the equality of the two communities in many important matters and a large degree of political and cultural

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[98] Manisalı, Erol, Dünden Bugüne Kıbrıs (Cyprus, From Past to Present), Gündoğan Yayınları, 2002, p.35

separateness. The political equality of the two parties was enshrined in the Constitution of the partnership Republic , where legitimacy ensued from the joint will of the two parties expressed through their separately elected representatives.[99]

According to 1960 Accords the following points are important for Turkish and Greek Cypriot parties:

- In the island, there were two communities, that is, the Turkish and Greek Cypriot communities to carry on their peculiar characteristics. The Council to represent the two communities would ensure joint action in all affairs. A Legislative Council would be established for the administration of the Republic. 70 % of its members would be Greek and 30 % Turks.[100]

- The Republic administration would be the 'Presidency' system. The president would be Greek and his deputy Turkish. The executive power would belong to the President and Deputy President and they would have a government with 7 Greek Cypriot and 3 Turkish members.[101]

- All the decisions at the Board of Ministers had to be made with absolute majority. The President and Deputy President had the right to veto. The ratio of 70 % - 30 % would apply to the administrations and municipalities.[102]

- The quarters constituted by almost 100 % Turkish or Greek Cypriot communities would be administered by the officials of that community. In

[99] Olgun, M., Ergün, "Confederation: The Last Chance For Establishing A New Partnership In Cyprus" , Perceptions : Journal of International Affairs , March-May 2001 , Voulume VI – Number 1, available at www.mfa.gov.tr/grupa/percept/VI-1/olgun.htm

[100] www.kibris.gen.tr/english/beginproblem/beginproblem_republic03.html , 17 November 2003

[101] Ibid idem

[102] Manisalı, Erol, Dünden Bugüne Kıbrıs (Cyprus, From Past to Present) , Gündoğan Yayınları , 2002, p.38

addition, five independent Turkish municipalities would be established in five major cities.[103]

- Turks and Greek cypriots would have separate courts. Besides, a Supreme Court of Justice constituted by two Cypriot-Greek and one Turkish members would be established over these courts. The president of this court would be an impartial man of law.[104]

- The ratio of Greek Cypriots to Turks in the Republican army, gendarmerie and police organizations would be 60 % to 40 %.

- The official languages of the Republic were Turkish and Greek. The national and local festivals of Turkey and Greece would be celebrated by the communities in the island.

The independence of the Cyprus Republic was not a simple act of decolonization whereby sovereignty was transferred by the colonial people to one people. It was a more complex arrangement which involved the transfer of sovereignty by Britain to the two communities of Cyprus acting conjointly in a powersharing arrangement of quasi-federation or , in effect , a functional federation.[105]

It was bi-communal in nature ; its overall objective was to set up a system in which neither side would be able to sugjugate the other.[106] The Republic of Cyprus was

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[103] http://workmall.com/wfb2001/cyprus/cyprus_history_the_republic_of_cyprus.html , 17 November 2003

[104] "Judiciary in the Future Federal Republic of Cyprus" , Contribution Seminar IKME , Brussels 29-30 October 1998, available at www.political.chrysostomides.com/ka93.html

[105] Alemdar, Şakir, " International Aspect of the Cyprus Problem" , in CM. Dodd (ed.) , The Political, Social and Economic Development of Northern Cyprus, Huntigdon, The Eothen Press, 1993, p.79

[106] Ibid idem

guaranteed by Greece , Turkey and the UK under the Treaty of Guarantee which under Article IV the guarantor states reserved the the right of joint , and when not possible , unilateral intervention if the constitutional order broke down.[107] An additional guarantee was provided by the Treaty of Alliance signed among the Republic of Cyprus , Turkey and Greece, which provided for the stationing of 950 Greek and 650 Turkish soldiers under the command of a tripartite headquarters in Cyprus.[108] To make long story short , 1960 International Agreements which gave birth the Cyprus Republic was firmly based on equality of the Turkish and Greek Cypriots. A bi-communal state machinery was created by the effecvtive participation of both sides in all organs of the joint state. The Treaty of Guarantee undertakes Cyprus not to participate in whole or in part , in any political or economic union with any state whatsoever.[109] 1960 agreements also avoid the possibility of either Greece or Turkey securing a more favorable position in Cyprus than the other. If we link this provision with the present situation , there can be no doubt that if Cyprus joins to the EU , this would result in Greece receiving more favorable treatment than Turkey which is not a member of the EU.

For the Turkish-Cypriots , a huge gain from the Zurich Agreements was the prohibition of *enosis*. However , there was certainly a good deal of Greek-Cypriot dissatisfaction with what they regarded as an imposed settlement. While they celebrated the creation of the Republic as the end of the British rule , they did not sincerly accept the conditions laid down by the constitution ; in Greek-Cypriot eyes a

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[107] Ibid , p.80

[108] Ibid idem

[109] Olgun, M., Ergün, "Cyprus: A New and Realistic Approach" , Perceptions: Journal of International Affairs , September-November 1999 , Volume IV – Number 3 available at www.mfa.gov.tr/grupa/percept/IV-3/olgun.htm

Turkish Minority had been raised to virtual political equality and grossly over-represented in the institutions of the state.

One consequence that should not be ignored was that the members of the two largest communities tend to see themselves as part of the race of their motherlands, who happen to live on an island rather than as parts of a Cypriot identity with only a past origin to divide them.[110] As Archbishop Makarios, the President when Cyprus achieved near-independence in 1960, said, *"We have created a state, but not a nation"*.[111]

The Greek Cypriot agitation for *enosis*, which had never dwindled after the bi-communal republic was established, became more obvious than before, this time, the primary target was the Turkish Cypriots, the co-partners of the 1960 Republic. With the so-called '13 point-proposals' of Makarios, which would alter the 1960 constitution, remove the Vice President's veto power, take away the rights of the Turkish Cypriot community, and speed up the annexation of Cyprus to Greece, brought the partnership to an end, and indeed, the Turkish Cypriots were denied their most basic rights, and forced to live under inhumane conditions in their own homeland.

1963-1974 was the worst decade in the history of the island, and hundreds of innocent Turkish Cypriots were massacred, taken away from their homes never to be

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[110] Lisaniler, G., Fatma, and Warner, Jonathan, "Cyprus-Bridge or Bunker / The Cyprus Problem and Prospects for Its Resolution", Perceptions: Journal of International Affairs , March-May 1998 , Volume III – Number 1, available at www.mfa.gov.tr/grupa/percept/III-1/cyprus.htm

[111] Ibid idem

seen again, buried in massgraves, and relentlessly and barbarically attacked by their co-partners, the Greek Cypriots and their sponsors, Greeks of mainland Greece.[112]

All of this was the result of the Akritas Plan , to dissolve the Republic of Cyprus and bring about the union of the island with Greece.

iii. 1963 , The Break Down of Constitution and Afterwards

By December 1963, the miracle of Zurich and London Agreements crumbled into a bloody mess on the Greek Cypriot pretext that the Constitution had proved to be unworkable.[113] Claiming to act upon this belief, Archbishop Makarios proposed to amend 13 points of the Constitution that in his view were the sources of this unworkability.

The Greek-Cypriots wanted to end the separate Turkish-Cypriot municipal councils permitted by the British in 1958, but made subject to review under the 1960 agreements. For many Greek-Cypriots these municipalities were the first stage on the way to the partition they feared. Moreover, they complained that a Turkish-Cypriot veto on the budget (in response to alleged failures to meet obligations to the Turkish-Cypriots) made government immensely difficult, indeed well-nigh impossible.[114]

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[112] Baysan, Okan, "The Cyprus Question" , Maintainer's Note , 23 July 1993, available at www.turkishforum.com/cyprus/the-cyprus-question.baysan.html

[113] Denktaş, Rauf, "The Crux of the Cyprus Problem" , Perceptions: Journal of International Affairs , September-November 1999 , Volume IV – Number 3, available at www.mfa.gov.tr/grupa/percept/IV-3/denktas.htm

[114] www.cypnet.com/ncyprus/history/republic/breakdown.html , 16 November 2003

The Turkish-Cypriots had also vetoed the amalgamation of Turkish-Cypriot and Greek-Cypriot troops into the same units. In the upshot in November 1963, the President Makarios proposed 13 amendments to the Constitution. The main features of these proposals were:

"(i) to have the Greek-Cypriot President and the Turkish-Cypriot Vice-President elected by the Greek-Cypriot dominated House of Representatives as a whole (not by the Greek-Cypriot and Turkish- Cypriot members separately);

(ii) to remove the veto powers of the Turkish-Cypriots;

(iii) to reduce the Turkish-Cypriot component in the civil and military arms of government;

(iv) to abolish the separate community voting on fiscal, electoral, and some other matters; and

(v) to unify the municipalities."[115]

While putting forward '13 Points' , Makarios knew that the Turkish-Cypriot side would not agree to this proposals , because the amendments would nullify the status of the Turkish-Cypriots as co-founder partner of a partnership Republic and would reduce them into the status of minority in a Greek Cyprus.[116]

There was no problem with the Constitution as the Greek Cypriots alleged. Makarios's aim was to convert the partnership Republic into a Greek Cypriot

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[115] Ibid idem

[116] Denktaş, Rauf, "The Crux of the Cyprus Problem" , Perceptions: Journal of International Affairs , September-November 1999 , Volume IV – Number 3, available at www.mfa.gov.tr/grupa/percept/IV-3/denktas.htm

Republic. The following is what the neutral President of the Supreme Constitutional Court, Prof. Forstoff said on the workability of the Constitution:

"From the moment I commenced my duties I noticed that there were allegations to the effect that the Constitution was not capable of being implemented; that revision was necessary and the like. I faced these allegations with the following thought. Every constitution can have its peculiar problems. There is no constitution in the world which has not got its particular difficulties and problems. This is primarily a question of goodwill. If there is goodwill a constitution can be implemented and this Constitution is capable of being implemented."[117]

Similarly, G. Clerides himself stated on 10 August 1974 that the 1960 Constitution was in existence even though it could be said that it had not been implemented fully or that it was partially implemented.[118]

Both Prof. Fortstoff's and Clerides's statements frankly acknowledge that Greek-Cypriot proposals for amendments of the 1960 Constitution had been put forward as a first stage to abrogate the treaties and clear the way to *enosis*. These moves are said to have formed part of the alleged 'Akritas Plan'. This was a plan designed to end the new Republic by quickly suppressing Turkish-Cypriot reactions by a combination of military and political action which was to be carried out progressively. The first stage was to convince the world that the 1960 Constitution was unworkable. The second , was to put forward proposals for amending it , but in reality to remove the constraints which prevented Greek-Cypriots to control both the government and the island in

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[117] Quated in Ibid idem

[118] Polyviou, P., G, Cyprus in Search of a Constitution , Nicosia 1976 , p.335

general. Later stages were to be the neutralization of the Turkish-Cypriots , the abrogation of treaties, and the exercise of self-determination , respectively.

Tensions rapidly built up as the proposed constitutional changes were rejected not just by the Turkish Cypriots, but also by Turkey. An incident between Greek Cypriots and Turkish-Cypriots on 21 December 1963 resulting in the deaths of a Turkish-Cypriot couple,[119] led to the launching of `a major attack on the Nicosian Turkish-Cypriots. The Greek-Cypriots aimed at the subjugation of the Nicosia Turks by a swift knockout blow, and, in consequence, the automatic surrender of the Turkish-Cypriot communities in the rest of the island.

Alarmed by the violence , Britian called a meeting of the guarantor powers in London to negotiate a lasting settlement. The Greek-Cypriot side insisted on the termination of the Zurich Agreement and unfettered independence , which would have turned the Turkish-Cypriot partner into a mere minority.[120] The Turkish-Cypriots argued for stronger security measures and separation of the two communities , which was made more urgent by the disclosures of a Greek-Cypriot massacre of Turkish-Cypriots in the village of Ay Vasil.[121]

After the failure of the London Conference , Britain requested a meeting of the Security Council on the issue. After a series of debate the Security Council passed

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[119] Two Greek-Cypriot policemen asked some Turkish-Cypriots to produce their identity cards. The Turks refused; an argument followed , and a crowd began to gather. The policemen , finding themselves surrended , drew their guns. Shots were fired. Two Turks were killed. Foley, Charles, Legacy of Strife : Cyprus From Rebellion to Civil War , Baltimore , 1964 , p.166

[120] Alemdar, Şakir, " International Aspect of the Cyprus Problem" , in CM. Dodd (ed.) , The Political, Social and Economic Development of Northern Cyprus, Huntigdon, The Eothen Press, 1993, p.80

[121] Ibid Idem

resolution 186 on March 1964 by which a United Nations Force in Cyprus (UNFICYP) had been established , and , by the end of March the Force was deployed in Cyprus. The UN Security Council Resolution 186 referred to the Greek-Cypriot administration as the legitimate government of Cyprus.

However , despite the presence of the UN Force in Cyprus , the situation for the Turkish-Cypriots worsened and Turkey began to prepare for an intervention. Anxious to prevent a conflict between two NATO allies , the President of the U.S , Johnson , informed the Turkish Prime Minister , Ismet İnönü, that the U.S would not tolerate Turkish intervention in Cyprus and dispatched 6th Fleet to take position between Turkey and Cyprus. President Johnson also invited both İnönü and Papandreou to Washington for talks. However , talks were held at Geneva in 1964 between Greece and Turkey under the aegis of the UN and with the participation of former American Secretary of State , Dean Ancheson. American initiatives resulted in proposing a new plan , the Ancheson Plan.[122] Acoording to plan ;

* A region that made up of 5 % of the island's surface area would be given to Turkey as a base. In return, Turkey would accept *enosis*.

* Cyprus would be divided into 6 local administrations, two of which would be controlled by Turks.

* The island of Kastellorizon would be given to Turkey in return for *enosis*.

* Turkish Cypriots would be given minority rights.

Makarios rejected the plan on the pretext that it did not envisage *enosis* exclusively. Thus, Acheson submitted the 2nd plan. Turkey did not accept the 2nd Acheson Plan

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[122] www.kibris.gen.tr/english/solution/peacetalks06.html , 16 November 2003

in principle. Makarios also rejected it since it did not envision an unconditional *enosis*.

Between 1964 and 1967 the situation on the ground improved somewhat, mainly because the Turkish-Cypriots had largely withdrawn and consolidated within their own areas, including Nicosia where they were ruled by the Provisional Government they established in 1967.[123] However, in April 1967 the situation deteriorated when a military junta seized power in Greece and determined to do something effective about the Cyprus situation. Unable to achieve an agreement with Turkey the junta prompted more decisive action in Cyprus for *enosis*, but increasingly ran into opposition of Makarios, who was becoming disenchanted with the Greek connection, especially of liaison with the Greek junta.[124]

The planned attack of Grivas forces on two Turkish-Cypriot villages in the south of the island, Kophinou and Ayios Theodoros, in 1967, fostered intense international diplomatic activity to overcome crisis. The Turkish Government, under the pressure of public opinion , demandad swift withdrawal of Greek forces from Cyprus. The U.S, again, fearing of armed confrontation between two NATO allies, undertook the role of mediation which resulted in success.

During the next seven years, events in Cyprus were shaped by the differences over *enosis* that arose between Makarios and the military government that was installed in Greece after a *coup d'état* in 1967. Convinced of Turkey's willingness to use its

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[123] www.cypnet.com/ncyprus/history/republic/breakdown.html , 16 November 2003

[124] Ibid idem

superior force to prevent *enosis*, Makarios began to seek support among Greek Cypriots--especially those in the communist party--who rejected *enosis*, at least for the near future, in favor of an independent, non-aligned Cyprus.[125] Because Makarios had decided *enosis* was no longer possible in the short term, more adamant pro-*enosis* Cypriot groups and anti-communist Greek officers, both of which infiltrated the National Guard during the late 1960s and early 1970s, would subvert his government increasingly after 1967 and finally overthrow him in 1974.

Makarios failed in his efforts to limit the autonomy of the National Guard, which, under the influence of right-wing Greek officers, remained attached to *enosis* and bitterly opposed to Makarios's political association with the communist party. Between 1969 and 1971, several groups embarked on a renewed terrorist campaign for *enosis*. Grivas returned clandestinely to Cyprus sometime in 1971 and set up a new guerilla organization, the National Organizaiton of Cypriot Fighters (EOKA B). Most members of the terrorist movement held regular jobs in the Greek Cypriot community; half were police officials and members of the National Guard.[126]

There was also considerable evidence of support of EOKA B activities by the Greek junta, whose hostility to Makarios became increasingly apparent during the early 1970s. Makarios and the junta never disagreed on the final objective of *enosis* but the Archbishop supported a cautious approach fearing that a military attempt would lead to Turkish intervention.[127] But the junta needed an immediate success such as *enosis*

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[125] "Conflict within the Greek-Cypriot Community"
www.reference.allrefer.com/country_guide_study/cyprus/cyprus149.html

[126] Ibid idem

to enhance its popularity at home. The junta was believed to be involved in several attempts on the life of President Makarios.

Matters became worse when a new junta came to power in 1973 , and , with the death of Grivas from a heart attack in January 1974, EOKA B came more directly under the control of the military junta in Athens. In a letter to the Greek president in early July, Makarios accused the junta of attempting to subvert the government of Cyprus through the Greek officers of the National Guard, who in turn supported the terrorist activities of EOKA B. Makarios demanded immediate removal of the Greek officers staffing the National Guard.[128]

The Greek junta responded by staging a coup on the island and by proclamaing Nicos Sampson , former EOKA gunman , as the President of Cyprus. Makarios fled from island, and, Turkey reacted forcibly to the coup by landing a large number of troops on the northern coast of Cyprus.

iv. 1974 Turkish Military Intervention and Consequantial Developments

Eleven years (1963-1974) of suffer and ethnic cleansing of the Turkish Cypriots, just because they constituted a barrier to Greek Cypriot desire of *enosis*, ironically came to an end thanks to Greek invasion of the island. So with Greece launching a coup on the island , Turkey in accordance with the Treaty of Guarantee , asked United Kingdom to act together and bring the order in Cyprus back to what it was in

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[127]Alemdar, Şakir, " International Aspect of the Cyprus Problem" , in CM. Dodd (ed.) , The Political, Social and Economic Development of Northern Cyprus, Huntigdon, The Eothen Press, 1993, p.88

[128] Ibid, p.89

1960. Britain declined to cooperate, thus Turkey was forced to act alone and intervene in order to protect the lives and rights of the Turkish Cypriots in Cyprus, as well as put an end to the Greek aggression in the island. Thus , the military intervention was inevitable for Turkey which she could not be remained aloof to the worsening situation in Cyprus. By looking at Greek-Cypriots' attitudes and policies since the break down of Constitution , Turkey espoused that Greek-Cypriots would never accept the 1960 Accords, and, as a consequence , Ankara was in favour of creating a new structure in the island , in order to protect Tutkish-Cypriots and to re-establish a balance between Turkish and Greek Cypriots as well as between Turkey and Greece. The main goals of this new structure were as follows ;

" -*Enosis* was to be prevented

 -Turkish- Cypriots were to be under direct protection of Turkey

 - In contrast to military accumulation of Greeks , a military balance was to be created on the island" [129]

In order to make just and fair interpretation of Turkish miltary intervention , it would be better understand its inevitable causes and see the gravity of situation. There should not be forgetten that Turkey landed in Northern Cyprus in order to prevent further bloodshed, and, to bring about order and to keep peace on the island. In any case, the Turkish intervention was perfectly legal, according to the Treaty of Guarantee of 1960. However , today there is a widespread assumption that the real problems in Cyprus started in 1974 . Assuming that the intervention of the Turkish army in 1974 led to the beginning of the problems on the island, creates a gross

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[129] Manisalı, Erol, Dünden Bügüne Kıbrıs (Cyprus , From Past to Present) , Gündoğan Yayınları , 2002 , p.61

misconception where victim and aggressor change places. Turkey's 1974 intervention was not the cause of the problems but rather a consequence of them.[130]

In the ensuing chaos, the junta in Athens collapsed and a civilian government came to power headed by Karamanlis. Similiarly , Sampson fell and Glafkos Cledires became the Acting President. In the meantime , after securing a more or less satisfactory bridgehead Turkish forces agreed to a cease-fire on 23 July 1974.[131] After the armistice was achieved, the 1st Geneva talks were held between 25-30 July. Turkey, Greece and Britain were represented at Foreign Ministry level. The USA, Soviet Union and UN sent observers.[132]

The Conference ran into difficulties. Turkey refused to consider any constitutional plan unless her forces remained in Cyprus. The Turkish Government believed that if their forces were withdrawn the situation would revert to that existing before the coup. Greece took the line that the Turkish forces must be withdrawn prior to any constitutional discussions. However , despite diffuculties a decleration was signed by the three Foreign Ministers. By that decleration , the three Foreign Ministers confirmed that in order to stabilize the island , the areas controlled by Turkish forces should not be extended and a security zone should be set up.[133] Furthermore , all Turkish-Cypriot enclaves occupied by Greek forces should be freed. The decleration

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[130] Atasoy, Seymen, "The Cyprus Question: The Concise Guide to the History Politics and Law of the Cyprus Problem" , Perceptions: Journal of International Affairs , March-May 2000 , Volume V – Number 1, available at www.mfa.gov.tr/grupa/percept/V-1/satasoy.htm

[131] "1974 Greek Coup d'eta and Turkish Intervention" , www.cypnet.com/ncyprus/history/republic/1974.html, , 11 November 2003

[132] "What are the Geneva Talks", www.kibris.gen.tr/english/solution/peacetalks02.html , 12 November 2003

[133] Ibid idem

also spoke of two autonomous administration , that of Greek-Cypriot community and that of the Turkish-Cypriot community.

The 2nd Geneva talks began on 8 August 1974. At the beginning, the Turkish party requested a definite date to be set for the implementation of the 1st Geneva agreement and the establishment of a new constitutional settlement. But, the Greek Cypriot party tried to gain time. The Greek side stated that they would not yield to pressures and would not accept any imposed solution. The Turkish side was suspicious of dilatory tactics which might keep a constitutional settlement in abeyance and give Greek side time for military preperations.

The Conference became a stage for mutual recrimination and resulted in failure on 14 August, thus triggering the second round of Turkish military operations. The Turkish forces extended their control to some 36 percent of the island. Turkey's international reputation suffered as a result of the precipitate move of the Turkish military to extend control to a third of the island.[134] Subsequently, Greece announced its decision to withdraw from the military command of NATO on the ground that the Alliance was not able to stop the conflict between the two allies.

When the Peace Operation was victoriously completed and the Turkish-Cypriots were freed from Greek barbarism during the preceeding decade, their political evolution started to accelerate. In 1975 the Turkish Federated State of Cyprus was established in the Turkish Cypriot controlled of northern Cyprus, and the first

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[134] "1974 The Greek Coup d'eta and Turkish Intervention " ,
www.cypnet.com/ncyprus/history/republic/1974.html, 11 NOvember 2003

Turkish Cypriot national assembly was formed.[135] In the meantime, various agreements were signed between Turkish Federated State of Cyprus and the Greek Cypriot administration in south Cyprus. Among these were the Population Transfer Agreements signed by the leaders of both communities in order to allow Greek Cypriots in the north to move to south, and Turkish Cypriots in the south to move to north for their own safety and security.[136] This resulted in the creation of two homogeneous communities each of which had a different religion, culture, language, ethnic background, and values.

The first post-1974 meeting of the two leaders, Denktaş and Makarios, was held in February 1977 in the presence of the UN Secretary-General.[137] The two leaders worked out an agreement on 'four guidelines', with the aim of establishing an independent, non-aligned, bi-communal, bi-zonal, federal republic.[138] Two years later, intensive negotiations between Denktaş and the new Greek Cypriot leader, Spyros Kyprianou, produced a longer document, filling in some of the detail of the state to be.[139] Further talks were held from August 1980 until February 1983, but when no agreement was reached, the Turkish Cypriot assembly declared its independence and established the Turkish Republic of Northern Cyprus (TRNC). The de- facto division of the island was complete, although the Turkish Cypriots

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[135] Baysan, Okan, "The Cyprus Question" , Maintainer's Note , 23 July 1993, available at www.turkishforum.com/cyprus/the-cyprus-question.baysan.html

[136] Ertekün, N., Münir, In Search of Negotiated Cyprus Settlement , Lefkoşa (Nicosia) ,1981 , p.264

[137] Necatigil, Zaim, M., "The Cyprus Question and The Role of International Organizations" , Journal for Cyprus Studies , January 1995, p.25

[138] Sönmezoğlu, Faruk, Türkiye-Yunanistan İlişkileri ve Büyük Güçler ; Kıbrıs , Ege ve Diğer Sorunlar (Turkey-Greece Relations and Big Powers : Cyprus , Aegean and Other Issues) , Der Yayınları , Istanbul 2000 , p106

[139] Lisaniler, F., Güven, and Warner, Jonathan, "Cyprus-Bridge or Bunker / The Cyprus Problem and Prospects for Its Resolution", Perceptions: Journal of International Affairs , March-May 1998 , Volume III – Number 1, available at www.mfa.gov.tr/grupa/percept/III-1/cyprus.htm

indicated a desired to continue working towards a new arrangement on the island.[140]The establishment of the TRNC was the assertion of the Turkish Cypriots' existence and their demands in the establishment of a future just and fair federal republic in Cyprus.

Soon after the creation of the Turkish Republic of Northern Cyprus , the Security Council met on 17 and 18 November and adopted resolution 541 which described the attempt to create TRNC as legally invalid , called for withdrawal of the Decleration of Independence , and asked all countries not to recognize the new republic.[141] The Turkish Cypriots argued that the Security Council was a political organization concerned with the peace and security and not a judicial organization competent to judge the legality or validity of states.[142]

Since 1983 , two states exist on the island, one internationally recognized, the other recognized only by Turkey. The Greek-Cypriot Administration has been using its recognition as a weapon against the Turkish-Cypriots to suppress them by means of embargo in all fields, for the purpose of isolating and weakening them.

The Greek Cypriot leadership demonstrated a continuous intransigence rejecting numerous UN proposals such as the 1985-86 Draft Framework Agreement, the UN-sponsored Set of Ideas of 1992 as well as the package of Confidence Building Measures of 1994 and many others.

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[140] Ibid idem

[141] Alemdar, Şakir, " International Aspect of the Cyprus Problem" , in CM. Dodd (ed.) , The Political, Social and Economic Development of Northern Cyprus, Huntigdon, The Eothen Press, 1993, p.91

[142] Ibid idem

With its unilateral and unlawful application for EU membership in 1990, the Greek - Cypriot side added a new and crucial dimension to the Cyprus problem. The EU decision to start accession talks with the Greek Cypriots under the name of Cyprus made a settlement unfeasible. Basic parameters such as political equality and bizonality were rendered meaningless given the EU membership perspective.[143]

B) CYPRUS – EU RELATIONS

The process of enlarging the European Union had been finalised as the Union welcame new states as members from 1 May 2004. Among these candidates Cyprus has been the most problematic and nuisant because of its divided structure. The relations between the two communties were severed in December 1963 following the suspension of the Constitution. As a result , over the past 40 years Greeks and Turks on the island have lived separetly and have regrouped in two ethnically homegenous areas. Because of this fact., it should not be ignored that membership of the Greek-Cypriots into the European Union without a solution would bring instability to the Eastern Mediterranean and may bedevil both Turkey-EU and Turkey-Greece relations.

The very begining of the Cyprus-EU relations , actually date back to early 1960s. In 1962 , when UK applied for the membership to the Europan Economic Community

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[143] Letter by the Minister of Foreign Affairs (İsmail Cem) of the Republic of Turkey, to the Ministers of Foreign Affairs of EU Member Countires Concerning the Greek Cypriot Application to the EU , 15 July 1997 , www.mfa.gov.tr/grupa/ad/add/letter2.htm

(EEC), Cyprus, in fear of losing the UK Market (the economy of the fledgling Republic of Cyprus was heavily depending on United Kingdom), applied for Community membership.

However , things did not evolve as expected. Following the French rejection of the British application in 1963 and the break down of Constitution of the Republic of Cyprus, and , consequential onslaught on the island , Cyprus's interest remained dormant until 1971 when it was reactivated almost simultaneously with the renewed efforts of Britain to join the EEC.[144]

i. EC-Cyprus Association Agreement

After the break down of Constitution and illegal exclusion of Turkish-Cypriots from government in 1963 , all relations between the European Community and Cyprus were carried out with Greek-Cypriot authorities in the name of whole Island. First major agreement between Cyprus and the Community was the Association Agreement which was signed on 19 December 1972 and came into force on 1 June 1973. Although EC signed this agreement only with the Greek-Cypriots authorities , it aimed at serving to all the citizens of the Island. Article 5 of the Association Agreement states that "the rules governing the trade between the contracting parties may not give rise to any discrimination between the Member States or nationals or companies of Cyprus"[145]

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[144] Joseph, S., Joseph , "European Integration and The Search for Stability in the Eastern Mediterranean: The Triangle of Cyprus, Greece and Turkey", paper presented for presentation at the 42nd annual convention of the International Studies Association , Chicago , 20-24 February 2001, also available at www.isanet.org/archieve/joseph.html.

The Agreement provided for two successive stages, the first of which was due to end on 30 June 1977 while the second was to last, in principle, for five years thereafter. The purpose of the Agreement was to consolidate and expand trade and economic relations between Cyprus and the European Economic Community.[146]In other terms, the Association Agreement provided for the gradual elimination of trade obstacles for industrial and agricultural products between Cyprus and the EEC. The elimination of customs and other restrictions on trade would lead to a customs union after a ten-year transitional period that was divided into two successive stages.[147]

The main provisions for the first stage of the Agreement consisted of a reduction by the EEC of the Common Customs Tariff by 70% on Cypriot industrial products, subject to the Community rules of origin, by 100% on carobs and by 40% on citrus fruit. Cyprus undertook to gradually reduce its import duties on EEC products by 35%, with some exceptions concerning sensitive products.[148]

Internal problems like the division of the island forced the Community to go to the extension of the first stage until 1987. After extensions of the first stage, a Protocol

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[145] Öztürk, I., Sertoğlu, K., and Kaptan, E., "Cyprus-EU Relations: Possible Scenarios for the Future", Pakistan Journal of Applied Sciences, Vol.2-No:2 , p.238 , available at www.econturk.org/Turkisheconomy/Cyprus.pdf, 16 December 2003

[146] "Explanatory Note on the Association Agreement Between the European Economic Union and the Republic of Cyprus" , available at www.mfa.goc.cy/mfa/mfa.nsf/CC62CA1C1D3BEBC8C2256B6B0030D65E/$FİLE/Association%20 Agreement.html. ,29 December 2003.

[147] Joseph S., Joseph , "European Integration and The Search for Stability in the Eastern Mediterranean: The Triangle of Cyprus, Greece and Turkey", paper presented for presentation at the 42nd annual convention of the International Studies Association , Chicago , 20-24 February 2001, also available at www.isanet.org/archieve/joseph.html.

[148] Explanatory Note on the Association Agreement Between the European Economic Union and the Republic of Cyprus

for the second stage of the Association Agreement was signed in Luxembourg on 19 October 1987, thus paving the way towards the progressive realization of a Customs Union between the two parties.[149] The Protocol came into force on 1 January 1988. It involved two phases in which in the end , a full customs union would be achieved between the Republic of Cyprus and the EU on all manufactured products and some agricultural products like citrus. First phase of the second stage lasted 10 years, 1988-1997, in which Cyprus reduced the tariffs on manufactured products and some agricultural products in a progressive way. The second phase of the second stage of the Association Agreement would last for five years covering the period 1998-2002. During this period of time the parties to the agreement are required to eliminate all tariffs and quantitative restrictions on all manufactured goods and on a number of agricultural products (mainly potatoes, citrus fruit, other fruit and vegetables and wine). In parallel Cyprus will adopt progressively the Common Customs Tariff (CCT) of the Union.[150] By the end of this phase, in 2002 or 2003 at the latest, the GCA and the EU would achieve full customs union.

The Association Agreement was followed by financial protocols, and, since 1977 , Cyprus and the European Economic Community have signed four protocols on financial and technical cooperation providing for a financial aid of a total amount of 210 million ECU[151], in order to increase the productive capacity of the economy.

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[149] "Cyprus-EU Relations" , www.pio.gov.cy/ir/cyprus_eu/recent_developments.htm , 16 December 2002.

[150] Ibid idem

[151] "Financial and Technical Cooperation" ,
www.mfa.gov.cy/mfa/mfa.nsf/EUFinancialTechnicalCooperation, 16 December 2003.

The First Financial Protocol of a total amount of 30 million ECU which covered the period 1979-1983 , aimed at promoting the essential infrastructure of the island such as the Sewerage Project of Nicosia, the Water Development and Supply Project of Vassilikos – Pentaskinos, the Dhekelia Power Project, the Southern Conveyor Project, and the Nicosia Master Plan – civil works and construction in Ledras/Onasagorou Streets in Nicosia and Kyrenia Avenue.[152]

The Second Financial Protocol of a total amount of 44 million ECU which covered the period 1984-1988,aimed at helping Cyprus's industrialisation, improvement of agriculture, improvement of business management and providing scholarship for training purposes.[153]

The Third Financial Protocol of a total amount of 62 million ECU, which covered the period 1989-1993, was used for the financing of projects in the productive sectors in order to facilitate their adjustment to the new competitive conditions arising from the Cyprus – EC Protocol for Customs Union.[154]

The Fourth Financial Protocol between the European Community and the Republic of Cyprus was signed in 1995 and initially covered the period until the end of 1998. It provided for financial aid of a total amount of 74 million ECU, in the form of loans

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[152] Ibid idem

[153] Öztürk, I., Sertoğlu, K., and Kaptan, E., "Cyprus-EU Relations: Possible Scenarios for the Future", Pakistan Journal of Applied Sciences, Vol.2-No:2 , p.239 , available at www.econturk.org/Turkisheconomy/Cyprus.pdf, 16 December 2003

[154] "Financial and Technical Cooperation" , www.mfa.gov.cy/mfa/mfa.nsf/EUFinancialTechnicalCooperation, 16 December 2003.

(50m ECU), grants (22m ECU) and risk capital (2m ECU).[155] The aim of this protocol is to provide for further integration of the Greek-Cypriot economy with EU and promote the settlement of the Cyprus problem.

On 10 March 1999, an Additional Protocol was signed, for the extension of the Fourth Financial Protocol until 31 December 1999. The extension aimed at providing the opportunity for the disbursement of the entire grant component of the Fourth Financial Protocol, to be disbursed for harmonization purposes, technical assistance, and towards supporting efforts to promote a general settlement of the Cyprus problem.[156] As this Protocol expired at the end of 1999, the financial co-operation continued with a specific financial Regulation for Cyprus and Malta. Under Council Regulation No 555/2000 of 13 March 2000 on the implementation of operations in the framework of the pre-accession strategy for the Republic of Cyprus and the Republic of Malta, the Union's pre-accession strategy for Cyprus shall be based in particular on: the establishment of an Accession Partnership; support for priority operations to prepare for accession as defined within the accession partnerships on the basis of analyses of its economic situation, taking account of the Copenhagen criteria; participation in certain Community programmes and agencies.[157] The financial reference amount for the implementation of the Regulation is EUR 95 million to be shared with Malta for the period expiring on 31 December 2004 (EUR 57 million will be allocated to Cyprus for the period 2000-2004).[158]

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[155] Ibid idem

[156] Ibid idem

[157] "Cyprus and the Enlargement of the EU" , www.europarl.eu.int/enlargement/brifing/1a3_en.htm , 29 December 2003.

[158] Ibid idem

Cyprus also benefits from regional and horizontal measures under the MEDA programme, which is an important aspect of the Euro-Mediterranean partnership inaugurated at the Barcelona Conference in November 1995. With the eleven other non-EU Mediterranean countries and the Member States, Cyprus took part in the dialogue on political and security questions, the projected Euro-Mediterranean free trade area and the social, cultural and human aspects of the partnership.

For many years , the EU has provided financial loans and grants to Cyprus. In fact , they were to be provided for the benefit of whole population of the island. But as it can be seen from the below table, most of the financial support had been used by the GCA.

Projects which are financed under the First Financial Protocol were mainly on the southern part of the island and mainly contributed to the economic development of the Greek-Cypriots. It can be obviously seen that the share of Turkish-Cypriots in the Second Financial Protocol was less than the share in the First Financial Protocol. Finally, it is important to note that from the remaining two protocols , the Third and Fourth , Turkish-Cypriots had benefited nothing.

Table 1: Distribution of Financial Protocols within the Two Communities.

Financial Protocols	Greek Cypriots		Turkish Cypriots		Total	
	m. ECU	%	m. ECU	%	m. ECU	%
First (1979-1983)	24.0	80	6.0	20	30.0	100
Second (1984-1988)	41.8	95	2.2	5	44.0	100
Third (1989-1993)	62.0	100	0.0	0	62.0	100
Fourth (1995-1999)	74.0	100	0.0	0	74.0	100
Total	201.8	96	8.2	4	210	100

Source: Gilles Annouil[159]

ii. Application of Greek-Cypriot Administration (GCA) for Full Membership and "Avis" of the Commission

European Union membership has been the target for the Cypriot people for many decades as close cultural, social, economic links has been established with the continent for many centuries. The Commission Opinion on Cyprus'application for full membership of the EU underlines Cyprus' eligibility for eventual membership and its capacity to be fully participating member. In its Opinion on Cyprus' application for full membership , the EU Commission concluded that :

"Cyprus' geopolitical position , the deep-lying bonds which , for two thousand years have located the island at the very fount of European culture and civilisation , the intensity of the European influence apparent in the values shared by the people of Cyprus and in the conduct of the cultural , political , economic and social life of its citizens , the wealth of its contacts of very kind with the Community , all these confer on Cyprus , beyond all doubt , its European identity and character and confirm its vocation to belong to the Communty."[160]

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[159] Annouil, Gilles, The European Union and Cyprus , European Commission-Cyprus Delegation , Imprinta Publications , Nicosia 1996, p.25

[160] " The Challange of Enlargement : Commission Opinion on the Application by the Republic of Cyprus for Membership" , Bulletin of the European Communities, Supplement 5/93 , Commission of the European Communities, Luxembourg , p.16.

As mentioned above , the special links between Cyprus and the EU are deeply rooted in the island's culture , traditions and history as well as in the political , economic and social conditions of today.[161]

Another factor motivating Greek-Cypriots for EU membership is economic expectations. The main trading partners for Cyprus are the EU countries. International trade is of considerable importance to the country's economy as the island's economy is overdependent on tourism and as on the production side there is lack of raw materials , energy resources and heavy industry for the production of goods ; and , on the demand side , due to the small size of the domestic market , exports are vital in supplementing aggregate demand for Cyprus agriculture, mineral and manufactured products.[162]

Above all , the main motivation of Cyprus to be a member of the EU is surely political one. Former leader of the Greek Cypriot Community, G. Clerides, in any occasion mentioned that by EU membership, the "Treaty of Guarantee" would be eliminated.[163]Greek-Cypriots are also highly motivated by a belief that Turkey's right to intervene to the island in a crisis, would be impossible in practice after Cyprus becomes an EU member.[164] Another driving force for GCA is that by EU

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[161] Papaneophytou, Neophytos, "Cyprus : The Way to Full European Union Membership" , Cyprus Review , 8 March 1995 , p.19

[162] Ibid idem

[163] Eminer, Çiler, "Rumlar Neden AB'ye Girmek İstiyor?", Egemenlik, AB ve Kıbrıs , Dışişleri ve Savunma Bakanlığı Tanıtma Dairesi , Lefkoşa/KKTC ,1998 , p.35

[164] Öztürk, I., Sertoğlu, K., and Kaptan, E., "Cyprus-EU Relations: Possible Scenarios for the Future", Pakistan Journal of Applied Sciences, Vol.2-No:2 , p.242 , available at www.econturk.org/Turkisheconomy/Cyprus.pdf, 16 December 2003

membership the form of a future agreement, such as bi-zonal would be changed. Because within the laws of EU there wouldn't be such conditions since there would be the "right of movement" and "right of settlement" which would apply within all EU countries for any EU citizen.[165] Finally , by EU membership , the securtiy of island will be provided and controlled by the EU , particularly by Greece which is another important factor for Greek-Cypriots. In this context , the chairman of the Greek Cypriot former ruling party, DISY, Nicos Anastassiades, declared during an event organised by the party's university student group in Athens, on 22 March 2001,

"By attaining the union of Cyprus with the EU we are, at the same time, attaining its union with Greece"[166]

Because of reasons mentioned above , on 4 July 1990 the government of the Republic of Cyprus submitted its application for membership of the European Communities. The Council of Ministers examined the application and asked the Commission to give its Opinion. The Commission issued its Opinion (*Avis*) on Cyprus' application on 30 June 1993 which confirmed Cyprus' European character and concluded it is eligible to be part of the Community. The Commission is convinced that the result of Cyprus' accession to the Community would increase security and prosperity and that it would help bring the two Communities on the island closer together.

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[165] Evran, Mustafa, "Türkiye-Avrupa İlişkileri Çerçevesinde Kıbrıs'ın AB'ye Üyeliği", Egemenlik , AB ve Kıbrıs, Dışişleri ve Savunma Bakanlığı Tanıtma Dairesi , Lefkoşa/KKTC, 1998 , p.45

[166] Sonyel, R., Salahi, "The European Union's Mediterranean Policy and The Cyprus Imbroglio" , Perceptions: Journal of International Affairs , December 2002 – February 2003 , Volume VII – Number IV, available at www.mfa.gov.tr/grupa/percept/VII-4/salahi.sonyel.htm

The Turkish Cypriots objected to this application by the Greek Cypriots and the decisions of the Council of Ministers and sent a detailed Memorandum Addressed to the Council of Ministers explaining why the application of the "Republic of Cyprus" was not valid, could not be accepted by the Turkish Cypriots and could not be binding for Turkish Cypriots.[167]

The Cyprus problem had often been presented as an additional difficulty , that the Union would not have liked to handle within its quarters , especially at a time when it was facing enough internal problems of its own.[168] For years the proposition was that Cyprus could accede to the EU provided that its political problem was solved.[169] However , after the Corfu Summit of June 1994 , the Union decided that the next phase of the enlargement of the EU will involve Cyprus and Malta. In 1995 , the General Affairs of the Council of the EU agreed on the general policy framework for

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[167] These points are as follows: 1. EC accepted the application for the whole of Cyprus and considered the GCA as the "Government of Cyprus". GCA did not represent the Turkish Cypriots and could not apply for membership for the whole island. 2. Any form of union, economic or political, of part or the whole of Cyprus to any organisation where both Greece and Turkey are not members, was prevented by the Constitution of Cyprus and the Treaty of Guarantees. Thus, the application to the EU was violating the International Laws. 3. The Commission in its report asked that the fundamental freedoms of the Rome Treaty i.e. freedom of movement and settlement, right of establishment etc. should be integrated into the solution of the Cyprus problem. This was against the Turkish Cypriot-Greek Cypriot high level agreements signed between Denktas and Makarios (1977) and Denktas and Kyprianu (1979) which favoured a bi-communal and bi-zonal federal solution. 4. The application of the GCA for membership to the EC was against the Ghali's Set of Ideas, which asked the application to the EU to be made after a solution to the Cyprus problem. 5. If the application of the Greek Cypriots succeeds, it would partition the island as Turkish North and Greek South. Such a membership would be a half *enosis* and definitely this could not be accepted by the Turkish Cypriots. Öztürk, I., Sertoğlu, K., and Kaptan, E., "Cyprus-EU Relations: Possible Scenarios for the Future", Pakistan Journal of Applied Sciences, Vol.2-No:2 , p.242 , available at www.econturk.org/Turkisheconomy/Cyprus.pdf, 16 December 2003, see also , Forsysinki, W., Bıçak, H., and Kotodziej, T., "EU Membership of Cyprus: Prospects for the First Group of Enlargement" , Second International Congress for Cyprus Studies , Volume 1B , Famagusta , TRNC , 1999.

[168] Papaneophytou, Neophytos, "Cyprus: The Way to Full European Union Membership" , The Cyprus Review, 8 March 1995, p.22

[169] Ibid idem

the development of relations with Cyprus.[170] In other term , EU promised to incorporate Cyprus in the next stage of its developmet. This volte-face of the EU with regard to Cyprus was the result of the blackmailing tactics by Greece. At the Corfu Summit, Greece by using its presidency persuaded the European Council to include Cyprus in the following phase of enlargement of the Union by threathening not to ratify the Union Treaties for enlargement involving Austria and the Scandinavian States.[171] However it is also important to note that this decision was taken during the discussions on the issue of Customs Union agreement between EU and Turkey. All of this was part of a package deal with Greece, in return for setting a date for accession negotiations with Cyprus, Athens agreed no longer to block the conclusion of the Customs Union with Turkey, which it had vetoed in 1994. According to the Commission, the Union's commitment to open accession negotiations should encourage the two Cypriot communities to intensify efforts for reaching a compromise on the islands' future status, while the conclusion of the customs union was described as an important gesture towards Turkey, something which the authorities in Ankara have been requesting for some time now, a gesture that should anchor this country to Europe.[172] But instead of bringing a settlement any closer, this decision further estranged Turkey and the Turkish Cypriots from the EU. Ankara reacted by threatening to integrate the Northern part of the island if the Union would proceed with its intention of starting accession talks with Cyprus.

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[170] www.ec.eu-delegation.com.cy/en/eu-and-cyprus/bilateral-relations.htm, 15 December 2002.

[171] Sonyel, R., Salahi, "The European Union and the Cyprus Imbroglio" , Perceptions: Journal of International Affairs , Vol.III – Number 2 , June – August 1998, available at www. mfa.gov.tr/grupa/percept/III-2/sonyel.htm

[172] Biscop, Sven, "Enlargement as a Tool for Conflict Resolution?Security Implications of the European Union's Mediterranean Enlargement", paper presented at Fifth Biennial Conference of the European Community Studies Association, Toronto/Canada , 30 May-1 June, 2002 , p.23

iii. Decision for Commencement of Accession Negotiations , Pre-Accession Strategy

A milestone in the development of relations between Cyprus and the EU was the decision included in the conclusions of the EU's General Affairs Council of 6 March 1995, which re-affirmed the suitability of the country for accession to the EU and stipulated that accession negotiations with Cyprus would start six months after the Intergovernmental Conference of 1996, taking into account its results.[173]

On the basis of this decision, and the prospect of accession negotiations between Cyprus and the EU, a pre-accession strategy was formulated in order to prepare Cyprus' accession to the EU , as for all candidate countries. Pre-accession strategy proposed the establishment of a structured dialogue between the two sides. This dialogue, which also included a political dialogue on all levels, was particularly useful in helping Cyprus to harmonize its legislation, policies and practices with the European *acquis* and prepare itself for a smooth transition for membership.[174]The pre-accession strategy also provided for the participation of Cyprus in certain Community Programmes and the possibility of funding Cyprus under the Euro-Mediterranean Partnership's regional component. Meanwhile, the political dialogue between Cyprus and the EU which had been initiated in 1989 and comprised of

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[173] "Cyprus-EU Relations" , www.pio.gov.cy/ir/cyprus_ eu/recent_developments.htm , 16 December 2003

[174] "Application for Full Membership and Pre-Accession Strategy" , 2002 , www.mfa.gov.cy/mfa/mfa.nsf/EUAppFor Membership.htm

ministerial meetings on issues of Foreign and Security policy, was reinforced and extended to include ministerial meetings between the 15 member states and Cyprus.

The Intergovernmental Conference of 1996 constituted a serious effort on behalf of the member states to deal with internal problems within the EU and to proceed with the process of "deepening", so that they could welcome new members in the Union. The outcome of this Conference was the Treaty of Amsterdam, which was signed on 2 October 1997. The Treaty did not provide solutions for all the problems of the EU, however it constituted a step further towards European integration and opened the way for the launching of the enlargement process.[175]

For the purpose of examining the possible effects of the further enlargement of the EU, the Commission issued its "Agenda 2000" on 15 July 1997, a document that is a study of the possible effects of enlargement on the EU and the applicant countries, and contains proposals on the future development of the policies of the Union. With regard to Cyprus, in Agenda 2000, the Commission re-affirmed its 1993 Opinion (*Avis*), and for the first time announced that an *a priori* resolution of the Cyprus problem would not constitute a precondition for membership of the island in the European Union.[176]

With the EU's Luxembourg Summit of December 1997, the European Council decided to convene bilateral intergovernmental conference in the spring of 1998 to

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[175] "Cyprus-EU Relations" , www.pio.gov.cy/ir/cyprus_eu/recent_developments.htm , 16 December 2003.

[176] Oğuzlu, H., Tarık, " The EU as an Actor in the Solution of the Cyprus Dispute : The Question of How?" , JEMIE , Issue 2/2002 , p.7 , available also at www.ecmi.de/jemie/download/focus2_2002_oguzlu.pdf.

begin negotiations with Cyprus. On 10 November 1998 Cyprus started substantive accession negotiations with the EU. During the whole period of the Accession Negotiations, the Cyprus Government attached the utmost priority to their timely completion and was fully aware that the accession process involved not only the harmonization with the *acquis* but also the strengthening of its administrative capacity, that will enable it to implement and monitor the enforcement of the harmonized legislation.[177] In this respect, it has continuously taken all the necessary steps for creating and strengthening these institutions and mechanisms. It was explicitly stated that Cyprus was one of only two candidate countries that fully satisfies all the Copenhagen political and economic criteria and it was congratulated because of its high level of harmonization with the *Acquis Communautaire*. The 1999 EU Helsinki Summit underlined that a political settlement will facilitate the accession of Cyprus to the European Union. However, it was now explicitly added that if no settlement has been reached by the completion of accession negotiations , The Council's decision on accession will be made without a political settlement being a precondition.[178] The Union also promised to take all relevant factors into account when the time came to decide on the accession of the island to the EU. More importantly , Turkey was formally accepted as a candidate for accession , thus restoring to it the prospect of membership , but this was conditional on its attitudes regarding its problems with Greece and the Cyprus Question. There was a wide shared view among scholars that at the Helsinki European Council the Union's strategy concerning accession was changed. The accession was now turned into

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[177] "Application for Full Membership and Pre-Accession Strategy" , www.mfa.gov.cy/mfa/mfa.nsf/EUAppForMembership , 16 December 2003.

[178] Helsinki European Council , 10-11 December 1999 , Presidency Conclusion , www.europa.eu.int/council/off/conclu/dec99.htm.

strong incentive for Turkey and for the Turkish-Cypriots to accept a compromise on Cyprus problem. At this point there should be asked whether the EU has given sufficient incentives to the Greek-Cypriots. It is obvious that in case of an agreement or not the Greek-side will be admitted to the EU. To reach a solution both parties are expected to make concessions and more importantly a settlement requires will of both parties. In December 2002 , the European Council met in Copenhagen. The overridding agenda item was enlargement. The EU decided to complete this process with the conclusion of accession negotiations with Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic, Slovenia . One of the thorny issue concerning enlargement was Cyprus issue. As the accession negotiaitons had been completed with Cyprus, it was decided to admit it as a new member State to the EU in May 2004. Neverthless, the European Council confirmed its strong preference for accession to the EU by a united Cyprus. In this context it appreciated the committement of the Greek-Cypriots and the Turkish-Cypriots to continue to negotiate with the objective of concluding a comprehensive settlement of the Cyprus problem by 28 February 2003 on the basis of UNSG's proposals (The Annan Plan). The European Council believes that these proposals offer a unique opportunity to reach a settlement and urges the leaders of both communities to seize this opportunity.[179]

The signing of the Treaty of Accession on 16 April 2003 constitutes the last step towards full membership. From this time on , Cyprus will participate in the work of EU Institutions , in the European Parliament , in the Council and in the various

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[179]Copenhagen European Council , 12-13 December 2002 , Presidency Conclusion , www.foreignpolicy.org.tr/eng/eu/copenhagen.pdf

Committies under the Commission , and , in May 2004 it will be admitted as a new member to the EU.

Since the division of the island after Turkish military intervention in 1974 , several types of possible solutions are being discussed for the purpose of finding a solution to the Cyprus Problem. Initially , the idea of EU membership was not so popular. When the first application was made in 1962 , the main concern was to obtain economic advantages in international trade. However , throughout years these concerns have been gradually turned into political ones. At present , the enlargement of the EU includes Cyprus even without a solution. Such a move by the EU would definetly divide the island and destroy the possibility of a unified Cyprus. There is a genuine fact that the EU pretends not to see. When Turkey becomes a member of the Union , there will be no Cyprus Question anymore. Because within the EU , borders do not exist. Every European citiziens have right to go to other member country , have right to property , have right of settlement within the European fortress. In short, the region will become a zone of peace and cooperation in the presence of the EU membership of Turkey , Greece and Cyprus. This fact indicates us that the Greeks and Greek-Cypriots have put all their hopes in the EU to solve the Cyprus problem in favour of them. Actually , membership of the EU constitutes their last opportunity to exert international pressure upon the Turkey and Turkish-Cypriots. Because, membersip would automatically enhance both the Greek presence and influence in all organs of the EU. And as there will be no counterbalancing Turkish influence, Greek interpretation of disputes will be unchallanged.

CHAPTER 3: A GROWING OBSTACLE FOR TURKISH FULL MEMBERSHIP TO THE EUROPEAN UNION: CYPRUS

A) CYPRUS AND TURKEY'S FULL MEMBERSHIP: FROM LUXEMBOURG TO HELSINKI

Valery Giscard d'Estaing, President of the European Convention, who is responsible for the European Union's future legal and administrative architecture, expressed his objection to Turkey's integration with Europe on 9 November 2002 by stating that "Turkey can not be admitted as a member to the EU , simply because it is Asian".[180] However, there is an important event in history that was ignored by d'Estaing while making such a statement. The Ottoman Empire was granted 'European status' by the 7th article of the Paris Treaty of 1856 signed after the Crimean War.[181]

Westernization and a European identity have always been principal goals for the Turkish Republic since its foundation in 1923 which aimed at establishing Turkey as an integral part of Europe and of the West as a whole. Since late 1940s, Turkey's foreign policy priority has been to gain membership of Western institutions. Consequently, Turkey joined the Organization of Economic Cooperation and Development in 1948, the North Atlantic Treaty Organization (NATO) and the Council of Europe in 1949 , became an associate member of the European Economic

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[180] "Pour ou contre l'adhésion de la Turquie à l'Union européenne", Le Monde, 9 Novembre 2002 , and see also "Turkey is not a European Country says Giscard" , www.EUobserver.com/index.phtml?aid=8315&sid=9

[181] Yurdusev, Nuri, "Avrupa'yı Kurmak, Turkiye'yi Idare Etmek", Turkiye'nin Diş Politika Gundemi, Çaliş, Şaban and Dağı, Ihsan (eds.), Ankara, Liberte 2001, p. 164.

Community in 1963 , applied for full membership of the European Community (now EU) , became West European Union (WEU) associate member in 1991 and in 1996 entered into a customs union with the EU.

Having thus constituted very close relationship with Western Europe in the political field, it was natural for Turkey to expand this relationship into the economic area. Thus, in 1959 Turkey made its first application to join the EEC which resulted in signing of the Ankara Agreement on 12 September 1963 with an aim of securing Turkey's full membership.

The Ankara Agreement was followed by the signing of Additional Protocol in 1973 according to which customs between Turkey and the EEC would be nullified in 22 years. However, deep economic and political instabilities in 1970s and reactions from European countries to military rule after the 1980 *coup,* brought tensions to the relations. Although, Turkey applied for full membership in 1987, EEC rejected this application claiming that Turkey was not ready and recommended Turkey to wait until the emergence of a more favourable environment.[182] However, with the end of Cold War situation became more difficult for Turkey mainly because of two factors. First, Western European Countries gave priority to enhance their relations with the Central and Eastern European Countries, and as a consequence they created membership criteria known as the Copenhagen Criteria to prepare those countries for full membership. Second, the Cyprus dispute entered into agenda of Turkey-EU relations.

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[182] "Relations Between Turkey and the European Union" ,
www.mfa.gov.tr/grupa/ad/adab/relations.htm

European Union membership has been the target for the Greek-Cypriot Administration (GCA) for many decades. First major agreement between GCA and the Community was the Association Agreement which was signed on 19 December 1972. After series of intercourses the GCA submitted its application for full membership of the European Communities on 4 July 1990, and this date coincides with the appearance of a problematic triangle composing Turkey, the European Union and Cyprus. Although the Turkish government and the Turkish Cypriots declared that this application did not apply to the northern part of the island, the Community not only decided to begin processing it, but at its 1990 Dublin summit the Community declared that future relations with Turkey would depend on Ankara adopting a more cooperative stance on the Cyprus issue.[183] When the European Commission announced its positive *avis* in July 1993 on the Greek-Cypriots' membership, it was highly convinced that the accession process would follow resolution of the dispute. At Corfu Summit, the Union decided to include Cyprus in the next phase of enlargement of the EU. This was confirmed by the European Council at its meetings at Essen (December 1994), Cannes (June 1995), Madrid (December 1995) and Florence (June 1996).[184] On 6 March 1995, on the sidelines of the signing of the Customs Union Treaty between the EU and Turkey, the EU's General Affairs Council added a new dimension to the EU's Cyprus policy by announcing that Cyprus would be among the countries with which the EU would start accession talks six-months after the intergovernmental talks end.[185] In one way,

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[183] Park, Bill, "Turkey's European Union Candidacy: From Luxembourg to Helsinki-To Ankara?",Paper Presented At The 41st International Studies Association's Annaual Convention , March 14-18 2000 , Los Angles, available at www.ciaonet.org/isa/pab01/

[184] Joseph S. Joseph, "Can The European Union Succeed Where the United Nations failed? The Contuining Search For A Settlement On Cyprus", Paper Presented At The International Studies Association's 41st Annual Convention, 14-18 March 2000 , Los Angles , available at www.ciaonet.org/isa/joj02/

the EU has then established a strong link between Turkey's relations with the EU and EU membership of Cyprus. The deal was that Greece would lift its veto over Turkey's Customs Union with the EU in return for the EU's agreement to start accession talks with the Greek Cypriots on behalf of the whole island six months after the end of the intergovernmental conference to be held in Amsterdam.[186] At this point, it wouldn't be wrong to argue that the GCA accession to the EU is surely occasioned by the Customs Union Agreement between Turkey and the EU. It should not be forgotten that the Protocol of Custom Union which is approved by the European Parliament was largely based on and effected by the European Commission's report which is disclosed on 9 November 1995. In this report, it is underlined that it would be easy to settle the Cyprus Problem with Turkey included in Custom Union.[187]

Before the Luxembourg Summit , the Commission excluded Turkey from the enlargement process in its report entitled "Agenda 2000"[188] which it is promulgated on 16 July 1997. The Commission reconfirmed Turkey's eligibilty for membership and prepared recommendations to deepen Turkey-EU relations , while claiming that the development of this relationship depended on a number of factors relating Greece, Cyprus and Human Rights. In Agenda 2000 the EU for the first time announced that an a priori resolution of the Cyprus problem would not constitute a

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[185] Oğuzlu, H., Tarık, "The EU As An Actor In The Solution Of The Cyprus Dispute: Question of 'How'?" , JEMIE , Issue 2, February 2002, p.56

[186] Grigoriadis, N., Ionnis, "The Changing Role of the EU Factor in Greek-Turkish Relations", Symposium Paper; London School of Economics and Political Science , Hellenic Observatory , 1st PHD Symposium on Modern Greece, 18-21 June 2003 available at www.lse.ac.uk/collections/hellenicObservatory/pdf/GrigoriadisIoannis-LSE%20Symposium21June03/The%20C...-192k-

[187] Manisalı, Erol, Türkiye-Avrupa İlişkileri (Turkey-EU Relations) , Çağdaş Yayınları , 2. Baskı, 1998 , p.119

[188] This text is at http://europa.eu.int/comm/enlargement/index.htm

precondition for membership of the island in the European Union.[189] Then came the Luxembourg Summit where the European Council decided to launch an accession process comprising the ten Central and East European applicant states and Cyprus while denying Turkey's candidateship status. With the EU's Luxembourg decisions in December 1997, the EU decided to include Cyprus within the first track countries with which accession negotiations would start in March 1998. While taking such a decision the European Council believed that the accession negotiations will contribute positevely to the search for a political solution to the Cyprus problem through the talks under the auspecies of the UN.[190]

The Turkish Government found the EU's approach discriminatory and underlined the contrast between the pre-accession strategy devised for other candidates and the European strategy for Turkey, and at the same time, declared that Turkey would not discuss remaining issue with the EU as long as it did not change its attitude. Consequently, Turkey suspended all political dialogue with the EU. Concerning the Cyprus issue, Turkish authorities pointed out that the European Union by the Luxembourg decisions ignored the existence of two politically equal sides in Cyprus which in return destroyes the very basis of bi-communality.[191] Turkey believes that the EU as a requisite of international law, has to respect the international agreements. It does not have the right to take unilateral decisions and create

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[189] Oğuzlu, H., Tarık, "Perennial Conflict or Everlasting Peace: The European Union's Involvement in Cyprus", Perceptions: Journal of International Affairs, June – August 2002, Volume VII – Number III, available at www.mfa.gov.tr/grupa/percept/VII-3/tarıkoguzlu.htm

[190] Luxembourg European Council , 13-14 December 1997 , Presidency Conclusion , www.europa.eu.int/council/off/conclu/dec97.htm

[191] Letter by the Minister of Foreign Affairs (İsmail Cem) of the Republic of Turkey, to the Ministers of Foreign Affairs of EU Member Countires Concerning the Greek Cypriot Application to the EU , 15 July 1997 , www.mfa.gov.tr/grupa/ad/add/letter2.htm

international obligations regarding the future of the Island in violation of the 1960 Agreements.[192] It was obvious that by the decisions taken at the Luxembourg Summit upon the unilateral application of the Greek Cypriot administration the EU eliminated the chance of finding a solution on a communal basis. Thus, as a reaction to Luxembourg decleration, Turkey reiterated its intentions to move ahead to integrate the northern part of the Island , if southern part becomes a full member of the EU and decided to freeze its relations with the EU. On the other hand, Greece had threatened to use its veto power over EU enlargement unless the Republic of Cyprus was included in the first wave of enlargement. Cyprus' EU membership, initially conceived by European and other diplomats as a catalyst for a solution, but , now emerged as a serious headache for the EU. By pursuing succesful policy, at Luxembourg, the Greek authorities made the Cyprus Problem together with Aegean disputes one of the thorny issues between Turkey and the EU.[193]

On 12 March 1998, the Greek-Cypriot Administration attended the first meeting of the European Conference in London. On that occasion, President Clerides presented to the European Council Presidency a formal proposal inviting the Turkish-Cypriots to appoint representatives as full members of the team negotiating the accession of Cyprus to the EU.[194] This call made on behalf of the Government of Cyprus and in his capacity as the President of Cyprus; a fact that according to the Turkish-Cypriot

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[192] Statement by the Turkish Ministry of Foreign Affairs on 14 December 1997 , Concerning the Presidency Conclusions of the European Council held on 12-13 Decmber 1997 in Luxembourg , Perceptions , Journal of International Affairs , December 1997-February 1998 , Volume II , Number 4, available at www.mfa.gov.tr/grupa/ad/add/statement.htm

[193] Özdağ, Ümit, Türkiye-Avrupa Birliği İlişkileri : Jeopolitik İnceleme (Turkey-EU Relations: A Geo-politic Observation) , ASAM Yayınları , 3. Baskı , Ankara 2003 , p.73

[194] Stivachtis, A., Yannis, "The Enlargement of the European Union: The Case of Cyprus", Paper Presented at the 41st Annual Convention , International Studies Association, Los Angles , March 14-18 2000, available at www.ciaonet.org/isa/sty01/

side demonstrates the will of the Greek-Cypriots to impose their political will on the Turkish-Cypriots through EU membership and become the supreme administrator of the island.[195] In other words this would have ment first recognising the validity of the application made by the Greek side and its validity as the interlocutor[196] of the EU for matters concerning the whole Island. For this reason the Turkish-Cypriot side did not accept the proposal for participation. Nevertheless, this proposal has remained on the table as an invitation for the Turkish-Cypriot side to participate. The Cyprus-EU accession negotiations were launched on 31 March 1998. In his opening remarks, the President of the Council of Ministers, British Foreign Minister Robin Cook welcomed the commencement of accession negotiations with Cyprus, and expressed the hope that these will make swift progress.[197]

When the Turkish prime minister didn't show up for the first European Conference in London in March 1998 but instead visited some Central Asian republics, the Europeans began to consider that they should present something concrete to Turkey so as not to lose their influence or leverage there.[198] The answer was to give Turkey a candidate status without a timetable for accession. Thus, at the Helsinki European Council in December 1999, the EU agreed to accept Turkey as a candidate for EU membership while making the solution of Turkey's disputes with Greece one of the preconditions for the start of the accession talks with Turkey. However, on the other

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[195] Ibid idem

[196] Mango, Andrew, "Cyprus and the European Union: *The Relevant Factors*", Paper Presented at the Conference on New Horizons of Turkish Foreign Policy in the Year 2000 and Beyond, Organized by Turkish Foreign Policy Institute, 24-25 March 2000. www.mfa.gov.tr/grupa/ad/add/amango.htm

[197] Stivachtis, A., Yannis, "The Enlargement of the European Union: The Case of Cyprus", March 14-18 2000

[198] Erdoğdu, Erkan, "Turkey and Europe: Undivided But Not United", Middle East Review of International Affairs (MERIA), Volume 6 – No: 2, June 2002, p.34

side, the 1999 EU Helsinki Summit decisions formally confirmed that the resolution of the Cyprus problem would not be considered a precondition for EU membership of the Greek-Cypriot Administration.[199] The Union also promised to take all relevant factors into account when the time came to decide on the accession of the island to the EU. The Greek-Cypriot Administration interpreted this as meaning that the road to EU membership will remain clear so long as the Greek Cypriot side continues to demonstrate a constructive role.[200] Andrew Mango identifies these factors which can be summerized as follows:

" -The most important relevant factor is surely the de facto situation on the island. There are de facto two separate states in Cyprus in which they have ruled themselves in a stable and democratic manner since 1974.

-The second relevant factor is that there are no examples of the reconstitution of multiethnic societies, after these have broken up into separate ethnic components. True, the international community is currently trying hard to reconstruct multiethnic societies in Bosnia and Kosovo. But results have been meagre.

-The third relevant factor is that a federation - the system of government, which the international community has in mind for Cyprus - requires the support of the inhabitants of its constituent parts. Where this is lacking, the federation breaks up. This has happened in the Soviet Union, Yugoslavia, Czechoslovakia and elsewhere. At present this consent is lacking in Cyprus. The Turks want a confederation of two sovereign states in Cyprus.

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[199] Helsinki European Council , 10-11 December 1999, Presidency Conclusion , www.europa.int/council/off/conclu/dec99.htm

[200] Marcoullis, K., Erato, "Cyprus's Bid For EU Membership", CSIS, Volume 3—Number 2 , 28 February 2001, p.7

-The fourth relevant factor is that a confederation of two initially sovereign Cyprus states does not preclude an eventual closer union. If a confederation functions well, it could lead to a federation.

-The fifth relevant factor is that the absence of bloodshed in Cyprus, achieved since 1974. There has been no bloodshed because the island's inhabitants are secure in their lives, homes and property, and because there has been no inter-communal contact. Any settlement, which jeopardizes this security, born of separation, is likely to lead to a renewal of violence.

-The sixth relevant factor is that there is no Cyprus nation. There are Greeks and there are Turks, and their two motherlands, Greece and Turkey: two peoples with different languages, cultures and aspirations."[201]

Despite the enduring deadlock over Cyprus, Turkey's relationship with the European Union including Greece has improved significantly since the Luxembourg Summit debacle. Whereas the mid- to late-1990s were plagued by a series of dangerous clashes and crises concerning ownership of the Imia/Kardak islets in the Aegean, the Luxembourg Summit, Turkey's threat to respond militarily to Cyprus' proposed purchase of a Russian S-300 air defense system, and Greece's support for Kurdish leader Abdullah Öcalan. The period since 1999 has been marked by an encouraging rapprochement both between Turkey and the EU and between Turkey and Greece. The Istanbul and Athens earthquakes of August and September 1999 further brought the two countries closer, as the populace in each country mobilized to provide assistance to the other, ushering in a period of what some observers called 'seismic

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[201] Mango, Andrew, " Cyprus and the European Union: The Relevant Factors" , A Quarterly of the Foreign Policy Institute, Vol.XXV – Nos. 3-4 , 2000, p.78-82

diplomacy'.[202] Under moderate government of Costas Simitis, Greece adopted a new strategy of cooperation with Turkey. This new approach, driven primarily by Foreign Minister George Papandreou, has led to a long list of concrete agreements in the areas of economic cooperation and trade, tourism, the environment and people-to-people exchanges, that demonstrate the potential to transform relations among these historical rivals and move Turkey closer to its aspiration of acceptance in Europe.[203]

All of this progress, however, could be halted and perhaps reversed by Cyprus' accession to the EU in the absence of a prior political settlement. Turkey has remained deeply hostile to the accession of a divided island, and on the other hand, Greek leaders and members of parliament have made it clear that Greece would block the accession of any other prospective EU members unless Cyprus is allowed to join at the same time.[204]

In this respect, the Helsinki outcome was meant to serve multiple purposes. The promise that the division of Cyprus would not be an obstacle to EU membership was made mainly to appease Greece and enable the bloc to nominate more candidates for membership, thus making sure that enlargement would indeed happen.[205] The decision to offer candidacy to Turkey primarily aimed to reinforce Turkey's European orientation and provide a strong incentive for Ankara to pursue economic, political and human rights reform. Helsinki also intended to eliminate much of the

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[202] Barkley, J. Henri and Gordon, H., Philip, "Cyprus: The Predictable Crisis", The National Interests, Winter 2001-2002 available at www.brookinginstitution.org/views/articles/gordon/2002cyprus.pdf

[203] Ibid idem

[204] Ibid idem

[205] Yiangou, S., George, "The Accession of Cyprus to the EU: Challanges and Opportunities for the New European Regional Order", JEMIE, Issue 2, February 2002, p.43

deep resentment that many Turks felt toward the EU following the December 1997 Luxembourg summit's rejection of Turkey's candidacy, and bolster Greek-Turkish relations.[206] Parallel to its recognition of Turkey as a candidate for membership, the EU explicitly confirmed that the solution of the Cyprus problem was no longer a prerequisite for the admission of Cyprus. Basking in its long-sought recognition as a candidate for EU membership, the coalition government in Ankara ignored this important issue.[207] The Turkish Foreign Minister of that time, Ismail Cem, however, courageously confessed that the paragraph on Cyprus was the one aspect of the Helsinki conclusions that really rankled in Ankara even after the deal was accepted.[208] Before all, the Greek-Cypriots took another incremental step towards membership.

B) CYPRUS AND TURKEY'S CANDIDACY PROCEDURE: ACCESSION PARTNERSHIP AND THE NATIONAL PROGRAM

At the Helsinki Summit in December 1999, which included Turkey in the new list of candidates for membership in the EU, Paragraphs 4 and 9 of the Presidency Conclusions made clear that Turkey's accession would be conditional upon its efforts to settle border disputes with Greece and back a settlement in Cyprus. In other words, obstruction by the Greek Cypriots could not preclude Turkey's accession ,

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[206] Gordon, H., Philip, "Post-Helsinki: Turkey, Greece and The European Union", Western Policy Centre, February 2000, available at www.brook.edu/views/articles/gordon/2000231.htm

[207]Doğan, Mert, "Turkey, Cyprus and European Defense: Perfect Storm Approaching?", CSIS, Volume 2- Number 3, Fall 2001, available at www.csis.org/pubs/prospectus/01fall-dogan.htm

[208]Park, Bill, "Turkey's European Union Candidacy: From Luxembourg to Helsinki-To Ankara?",Paper Presented At The 41st International Studies Association's Annaual Convention , March 14-18 2000 , Los Angles, available at www.ciaonet.org/isa/pab01/

but if Turkey were judged to be responsible for Turkish Cypriot intransigence, Turkey could not become a member of the EU until a settlement had been achieved.[209] In contrast, the accession of Greek-Cypriot Administration is not conditional on a political settlement. Because of this double standart, in December 1999, Mr Bülent Ecevit did not accept the Helsinki summit offer of candidacy status until a letter from the EU Presidency had been received in Ankara. This letter is not in the public domain, but it can be inferred that the Presidency promised that the Cyprus issue would only be discussed behind closed doors in the first stage of the Accession Partnership.[210]

However, this promise lasted only two months. In 10 February 2000, the European Parliament took a decision on Cyprus which states; "*37% of the Republic of Cyprus is under the illegal invasion of Turkey. Membership should compose the whole island and for the purpose of finding a peaceful solution to the dispute the membership process should be accelerated.*"[211] Another European Parliament decision came out in 5 October 2000 which obviously indicated that the membership of Turkey to the EU heavily depends on the peaceful settlement of the Cyprus problem and reiterated it previous decisions that introduce Turkish army as an invader.[212] It would be just to interpret these two decisions as an open threat to Turkey. Because these decisions obviously mean; the EU will accede this island to the Union, and, owing to this, Turkey will not invade Cyprus but a territory of the EU.

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[209] Uğur, Mehmet, " Avrupa Birliği ve Kıbrıs: Anlaşmazlık Çözümü ve Uluslararası Kamu Yararı", in Kıbrıs : Dün ve Bugün, (ed. Masis Kürkçügil), İthaki Yayınları-2003, p.164

[210] Brewin, Christopher, "Turkish and European Union Interests in a Cyprus Settlement", JEMIE , Issue 2/2002, available at www.ecmi.de/jemie/download/Focus2_2002_Brewin.pdf

[211] Aydoğan, Metin, Avrupa Birliğinin Neresindeyiz , Kum Saati Yayınları , Istanbul 2002 , p.262

[212] Ibid idem

The Accession Partnership Document which was made public in 8 October 2000 by the European Commission, was highly influenced by these two decisions of the European Parliament. The Document defines a strategy outlining what Turkey is required to fulfill as medium and short term priorities. The addition of the Cyprus problem in the short-term priorities was seen as a suprise by Turkish politicians because in Helsinki it was agreed not to include the Cyprus Question in the Accession Partnership Document. The first reaction to the Accession Partnership came from the Turkish Prime Minister of that time, Bülent Ecevit who severly criticized the EU attitude. B.Ecevit evaluated the Accession Partnership as a deep disappoinment and he said 'we have no intensions to make any concessions concerning Cyprus and the Aegean dispute which are vital issues for Turkey'.[213] Similiarly, Ismail Cem, Turkish Foreign Minister of that time found the EU attitude incomprehensible and evaluated the article on Cyprus as a null and void.[214]

To return to the Turkish perception of European bad faith over Cyprus during the French Presidency, the institutions of Council, Commission and Parliament all have grounds for claiming that they met their obligations by overcoming internal dissent to produce the Accession Partnership envisaged at the Helsinki summit.[215] Internal dissent over Turkey's place in Europe was most obvious in the Parliament. The

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[213] Somuncuoğlu, Sadi, Avrupa Birliği: Bitmeyen Yol , Ötüken Yayınları , İstanbul 2002 , p.74

[214] Ayav, Tuğba, "Katılma(!) Ortaklığı Belgesi" , YÜRÜMEK—A.D.D Karşıyaka Şubesi Gençlik Komisyonu Yayını Sayı:4 , 2000 , p.6

[215] Brewin, Chiristopher, " 'At the Table or on the Menu'-The European Union and Turkey's Accession Process", The TESEV Foundation , 2001 , available at www.keele.ac.uk/depts/spire/working%20papers/Chris%20Brewin%20_%20working%20paper/TESEVfinal.pdf

Morillon Report[216] tabled on 19 October 2000 is a composite of tepid praise and fierce criticism. It pre-empts two of Turkey's stronger cards by claiming that geopolitical and strategic considerations must not be decisive in negotiations. It draws attention to democratization, human rights and the situation of minorities. The text lists two dozen demands, including support for the Armenian minority and the withdrawal of occupation forces from Cyprus. The explanatory statement includes the claim that put forward at least three conditions for accession which Turkey must meet; on the rights and obligations of minorities, Cyprus and reducing the influence of the Turkish army in the drawing up of political decisions.[217]

It is a genuine fact that Turkey-EU relations have always evolved around the Cyprus issue. In all negotiotions, in all Summits , in all conferences etc., the Cyprus problem has been the central discussion subject. However, Turkish governments always refused to link the settlement of the Cyprus problem to Turkish membership of the EU. For example, in April 1987 Mesut Yilmaz as foreign minister refused to attend the meeting of the Turkey-EEC Association Council immediately following the Turkish application for membership.[218] His problem was that, at Greek instigation, the introductory remarks of the German EC Presidency referred to the Cyprus problem as affecting European relations with Turkey. Having made the point that Cyprus should not be a topic on the formal agenda, Mr Yilmaz then discussed the

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[216]"The Morillon Report" , 19 October 2000 available at www.europarl.eu.int/omk/OM Europarl?PROG=REPORT&L=EN&PUBBREF=-//EP//NONSGML+REPORT+AS-2000-0297+0DOC+PDF+VO//EN&LEVEL=3

[217] Ibid idem

[218] Brewin, Chiristopher, "Turkish and European Union Interests in a Cyprus Settlement", JEMIE , Issue 2/2002, available at www.ecmi.de/jemie/download/Focus2_2002_Brewin.pdf

problem at dinner.[219] In March 1995, the EU foreign ministers at a General Affairs Council overcame the Greek veto on the final stages of the Customs Union with Turkey. At the dinner following the simultaneous but separate meeting of the EU-Turkey Association Council, the Turkish foreign minister, Murat Karayalçin, refused publicly to accept that a package deal had been made.[220] Instead he sought to counter Turkish Cypriot and Turkish charges that he was betraying Turkish interests by finalising a Customs Union with the EU, knowing that Greece had obtained from its fellow-members a date for opening the EU accession process with Cyprus.[221] Turkey's official policy of refusing to discuss Cyprus with the EU was also a factor in its own accession process. In December 1999, Mr Bülent Ecevit did not accept the Helsinki summit offer of candidacy status until a letter from the EU Presidency had been received in Ankara. Same happened also in Accession Partnership. When the EU inserted progress in Cyprus among the short-term aims for the Accession Partnership with Turkey, the Turkish government led by Ecevit announced that it might have to reasses its relations by withdrawing from the accession process.[222]

Turkish sensitivity on Cyprus can be comprehended better by the fact that in November 2001, the National Assembly held its tenth secret session devoted to Cyprus. All the political parties agreed a national pact on Cyprus categorizing it as a national issue involving Turkey's vital national and strategic interests. In 2001, both the EU and Turkey have apparently hardened their positions over Cyprus. The Commission President, Mr Prodi, went to Nicosia to announce that the Republic of

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[219] Ibid idem

[220] Ibid idem

[221] Ibid idem

[222] Somuncuoğlu, Sadi, Avrupa Birliği: Bitmeyen Yol , Ötüken Yayınları, Istanbul 2002 , p.74

Cyprus will be first in line for accession.[223] Ismail Cem threatened that the Turkish response will be radical. In other word, Cem's move can be interpreted as follow; 'we take Cyprus and instead we give the EU'.[224]

After the approval of the Accession Partnership by the EU, the Turkish Government announced its own National Program for the Adoption of the EU *acquis* on March 19th, 2001. The Turkish government by National Program launched a special programme in order to translate its short and mid-term priorities into a national scheme for the adoption of the *acquis*. As discussed above , Turkish authorities have always handled the Cyprus Question separetly from their accession process. Thus, it was natural for Turkey not to include Cyprus issue in the National Program. Actually, the Cyprus issue was merely mentioned in the introduction part. In the program, it was stated that the efforts will be made to solve the problems through dialogue. The following was written concerning the problem of Aegean and Cyprus: *"Turkey is a country that contributes to the enhancement and reinforcement of peace, security, stability and prosperity in international relations, and will continue to develop her relations with neighbouring countries on the basis of a peace-seeking foreign policy; in this context, Turkey will continue to undertake initiatives and efforts towards the settlement of bilateral problems through dialogue with Greece. Turkey will continue to support the efforts of the UN Secretary General in the context of his good-offices mission aiming at a mutually acceptable settlement with a*

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[223] Güven, Erdal, Helsinki'den Kopenhag'a Kıbrıs , OM Yayınları , Istanbul 2003, p.92

[224] Quated in Belge, Murat, Yaklaştıkça Uzaklaşıyor mu? Avrupa Birliği ve Türkiye , Birikim Yayınları , 2003 , p.278

view to establishing a new partnership in Cyprus based on the sovereign equality of the two parties and the realities on the island."[225]

In line with the assessments made in Nice concerning the EU's future institutional framework, the Göteborg European Council of June 2001 put forward a clear aim; completion of the enlargement negotiations with those countries that were ready for membership by 2004 including Cyprus. In the Laeken European Council which was held in December 2001, to provide a platform for the debate on its future, the EU decided to convene a Convention in which all candidate countries, including Turkey, were to take part. Moreover, in Laeken, the EU divided candidate countries into two groups. The first group consists of ten candidate countries (Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic, the Czech Republic and Slovenia) with which the EU wanted to bring the accession negotiations to a successful conclusion by the end of 2002. As for the remaining two countries (Romania and Bulgaria) the EU aimed at opening negotiations with them in 2002. However, a country was missing in this '10+2' formula: Turkey. In the Presidency Conclusions, the EU talked about the prospect of the opening of accession negotiations with Turkey but the questions of "when" and "how" were again left unanswered.[226]

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[225] The Turkish National Program for the Adption of the *Acquis*, 19 March 2001 , p.19 available at www.europarl.eu.int/comm/enlargement/turkey/pdf/npaa_full.pdf

[226] Erdoğdu, Erkan, "Turkey and Europe: Undivided But Not United" , Middle East Review of International Affairs (MERIA), Volume 6 – No: 2, June 2002, p.38

C) THE COPENHAGEN SUMMIT AND A NEED FOR A REVISED TURKISH POLICY ON CYPRUS

2002 was a critical year for Turkey. Its importance stemed not only from the necessity to overcome the country's severe economic crisis, but also from the fact that this was the decisive year in Turkey's long journey towards European Union membership. The challenge for Turkey was to make clear its own position as a candidate for fullmembership to the EU. This year was also a landmark year in the history of the EU since it was to have to start managing its fifth enlargement. The introduction of the Copenhagen Criteria in 1993 set the political conditions that all states interested in joining the European Union should fulfil and provided Turkey with a reform guideline. When Turkey succeeded in signing a customs union treaty with the European Union in 1995 and expressed its intention to comply with the political and economic criteria to achieve its full membership, the prospect of full memebership seemed more realistic. When the EU Council in Helsinki decided in 1999 to nominate Turkey as a candidate state for EU membership, Turkey's prospective membership in the European Union was firmly put into the EU agenda. In the 2001 Regular Report, it was observed that Turkey gained greater understanding of the acquis. The European Commission's regular report on Turkey, was considered to be a positive step as it emphasized the importance of the constitutional amendments adopted by the Turkish parliament in November 2001. Thereby the European Council identified the main item on Turkey's EU agenda for 2002; the decision by the EU to decide on the date for launching accession negotiations. According to the Summit conclusions, the possibility of opening

accession negotiations with Turkey had been explicitly mentioned at the highest levels of the EU.

However, before going on dicussing the results of the Copenhagen Summit it would better look at and understand the atmospheres in both Turkey and the EU. At the beginning of the 21st century, Turkey found itself at a critical juncture. As a country whose economy was experiencing a severe crisis and whose state-centric politics was facing a strong legitimacy crisis, and whose social and cultural life was generating a number of identity-based conflicts, Turkey had to make a crucial decision about its future.[227] This crucial decision came on the evening of 3 November 2002. The three parties that had formed the coalition government after the 1999 elections, as well as two opposition parties, failed to pass the 10 per cent national threshold and found themselves left outside the parliament. The winner of the election, the Justice and Development Party (AKP) received 34.2 percent of the popular vote, gained 66 percent of the parliamentary seats and formed a single-party majority government. The Republican People's Party (CHP), with 19.4 percent of the popular vote and 34 percent of the parliamentary seats, became the main and single opposition party. The AKP, with its Islamist roots but allegedly moderate credentials, appeared to be more committed to the task of EU membership, not as a vague principle but as a commitment to satisfy the associated conditions, than any of its predecessors.[228] Another important development in November 2002 was the introduction of the UN Plan, the so called 'Annan Plan' for the resolution of the Cyprus dispute. Considering

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[227] Öniş, Ziya and Yılmaz, Şuhnaz, "Turkey-EU-US Triangle in Perspective: Transformation or Contunuity?", October 2003, available at www.home.ku.edu.tr/zonis/ONİS-YILMAZ-TURKEY-EU-US%20TRİANGLE.pdf

[228] Çarkaoğlu, Ali, "Turkey's November 2002 Elections: A New Beginning?", Middle East Review of International Affairs (MERIA), Vol.6 – No.4, December 2002 , available at www.meria.idc.ac.il/journal/2002/issue4/jvol6no4in.html

that the Cyprus issue represented a major hurdle on the path of Turkey's full-membership, the Annan Plan, for the first time, raised a serious possibility concerning a mutually acceptable resolution of this long-standing conflict.[229]

After the elections, the first challenge to the AKP government was the Copenhagen Summit of December 2002, where the boundaries of the New Europe were to be determined and in which Turkey aimed to obtain a definite date for the start of accession negotiations.[230] Similarly and interconnectedly, the most urgent problem awaiting the new government after the elections was the Cyprus problem. Though there was no legal or conventional linkage between Turkey's accession to the EU and an agreement in Cyprus, the two issues were interwound politically. The EU was actually trying to make ample usage of this linkage by making Turkey's opening of negotiations with Brussels conditional on progress in Cyprus.[231]

Although Turkey's enthustiastic and effective compliance with the EU admission criteria, the debate on Turkey's full membership had been rised explicitly just before the Copenhagen Summit. Views on Turkey's EU membership led to the formation of supporter and opponents groups. Very few doubted that radical political reform was necessary for Turkey to fulfil the EU admission criteria; others argued, however, that even if Turkey fulfilled all the EU admission criteria, it should never become eligible

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[229] Öniş, Ziya and Yılmaz, Şuhnaz, "Turkey-EU-US Triangle in Perspective: Transformation or Contunuity?", October 2003, available at www.home.ku.edu.tr/zonis/ONİS-YILMAZ-TURKEY-EU-US%20TRİANGLE.pdf

[230] Keyman, E., Fuat and Öniş, Ziya, "Helsinki,Copenhagen and Beyond: Challanges to the New Europe and the Turkish State", Summer 2003, available at www.home.ku.edu.tr/zons/summer2003/kopen.pdf

[231] Cem, Ismail, "Turkey, EU and Cyprus", Benador Associates, 11 December 2002, available at www.benadorassociates.com/article/159

for full membership in the European Union.[232] In order to persuade the opponent group before the Copenhagen Summit, Recep Tayyip Erdoğan, leader of the triumphant Justice and Development Party (AKP), had visited capitals of 15 EU countries in which he demonstrated the new government's unshakeable determination to gain EU membership. After embarking on a marathon tour of 15 European Union capitals, Erdoğan declared that Europe's position on Turkish entry might change towards a positive direction.[233]

Under these circumstances the Copenhagen European Council was held in 12-13 December 2002. The overriding agenda item was enlargement. The Copenhagen summit marked an unprecedendent and historic milestone in completing the process of enlargement with the conclusion of accession negotiations with Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic, Slovenia. The outcome of the European Council's Copenhagen meeting was initially met with disappointment by Turkey's leading politicians. A general opinion prevailed that the country got too little by only achieving a December 2004 deadline by which the EU would evaluate Turkey's further progress in meeting the political criteria for the start of accession negotiations.[234] If Turkey then passed the test, negotiations would begin without delay. The Turkish political elite as well as the British and Greek governments, supported by the Bush administration, were of the opinion that Turkey had done enough to get a much earlier date for the direct start of accession

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[232] Grigoriadis, Ioannis, "Turkey's EU Membership Debate and the Copenhagen Summit", European Studies Centre/University of Oxford, December 2002, www.sant.ox.ac.uk/areastudies/lectures/Grigoriadis.doc

[233] Noureddine, Mohammed, "Why This is Turkey's Week', The Daily Star, 11 December 2002, available at www.lebanonwire.com/0212-0212/16DS.asp

[234] Kramer, Heinz, "Did Germany Spoil Turkey's Hope in Copenhagen", American Institute for Contemporary German Studies, 2002, available at www.aicgs.org/at-issue/ai-kramer.shmtl

negotiations.[235] In the run-up to the Copenhagen meeting, the Turkish government and the U.S. administration undertook a heavy lobbying effort of the EU governments to be as forthcoming as possible towards Turkey's wish. Especially Germany and France saw themselves under great pressure to be more generous after Chancellor Schröder and President Chirac had agreed on a formula to decide in late 2004 if negotiations with Turkey should be opened in summer 2005.[236]

One of the thorny issue concerning enlargement was the Cyprus issue. The European Council confirmed its strong preference for accession to the EU by a united Cyprus. Cyprus related decisions taken at the summit were briefly as follows: "EU had clearly stated in the final document that it intended to involve an integrated Cyprus. However, it made it possible for the Greek Cypriot Administration to acquire membership to EU alone even in case of no compromise by February 28, 2003. In this context it welcomed the committement of the Greek-Cypriots and the Turkish-Cypriots to continue to negotiate with the objective of concluding a comprehensive settlement of the Cyprus problem by 28 February 2003 on the basis of UNSG's proposals"[237] The United Nation's Plan for Cyprus - the so called Annan Plan – was announced during November 2002 and raised hopes concerning the possibility that the long-standing dispute over Cyprus could be resolved in a peaceful manner. Moreover, there was a widespread belief that the resolution of the Cyprus

[235] Rhein, Eberhard, "Turkey and the EU: A Realistic Framework for Accession", The European Policy Centre , 22 May 2003 , available at www.theepc.net/documents/SEC=documents&SUBSEC=communication&SUBSUBSEC=&SUBSU BSUBSEC&REFID=808

[236] Şener, H., Engin, "Copenhagen Chess: The EU, The USA and Turkey", The Sprout, Edition 0005, 6 January 2003, available at www.thesprout.net/005/graft/graft10.htm

[237] Copenhagen European Council , 12-13 December 2002 , Presidency Conclusion , available at www.foreignpolicy.org.tr/eng/eu/copenhagen.pdf

problem would have removed another major obstacle on the path to Turkey's EU membership. Although it was not officially announced , the EU made it clear that if Turkey wants to have a date ,it must cooperate better in Cyprus for a solution. In this context , the president of the European Parliament , Pat Cox few days before the Summit stated that Turkey's chances of joining the EU will improve if the two sides in Cyprus accept UN plan.[238] Instead of abiding by legal and moral obligations and providing a date for the opening of negotiations for membership with Turkey, Brussels seemed to prefer a tactical approach: Giving a date for a date depending on its implementation of passed reform bills, as the German chancellor had suggested.[239] However, it was widely accepted that this, in reality, conditioned on Turkey's attitude in Cyprus negotiations. According to Ismail Cem, Turkey's former minister of foreign affairs, the rational approach would have been to do the opposite: If a date for the opening of negotiations with Turkey would have been decleared by the EU, the ensuing positive political atmosphere might certainly have had a beneficial impact on Cyprus.[240] Similiarly, the head of the fledgling government in Turkey, A.Gül charged that by failing to voice a strong commitment to Turkey's EU future at the Copenhagen Summit, the EU had missed a chance to help settle the Cyprus question.[241]

Relations among the components of a problematic triangle composed of Turkey, the EU and Cyprus had sometimes complicated developments of some EU policies such

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[238] "EU:Turkey's Memebrship Depends on Cyprus" , The Guardian, 9 December 2002

[239] Cem, Ismail, "Turkey, EU and Cyprus", National Review, 11 December 2002 , available at www.nationalreview.com/comment/comment_cem121102.asp

[240] Ibid idem

[241] "Cyprus Conflict Threatens Turkey's Future in Europe", www.cyprusrealestateindex.com/real2/page32b.htm, 12 March 2004

as the ESDP. The Cyprus problem along with the Aegean dispute which has also deteriorating effect on relations between Turkey and Greece had complicated the prospect of a compromise on ESDP. Having been denied full participation in ESDP and fearing the possible involvement of the European forces in Cyprus and in the Aegean dispute, Turkey had long tried to block EU access to NATO assets and capabilities. However , by the Copenhagen European Council an agreement had been reached between EU and NATO to draw on NATO military assets thanks to Turkey. This was an important by-product of the new Government in Turkey.

The most important consequence of the Copenhagen Summit might be the fact that the Cyprus issue was no longer a bargain matter for Turkey but Europe's trump card.[242] The summit documented the assurance that the Greek Cypriot Administration would be awarded membership even in case of no agreement. Thus, EU tended to misuse this situation as a means of threat.[243]

In many occasions Turkish politicians have kept repeating that Turkey – EU relations are separate and independent of Cyprus issue and Cyprus – EU relations. They have always insisted that Turkey – EU relations should be evaluated on its own. But on the contrary it appears that Turkey – EU and Cyprus – EU relations are positively correlated. The milestones are as follows:

* In 1995 a Customs Union Agreement with Turkey could have only been possible by assigning a date for Cyprus (6 months after the end of intergovernmental conference) to have the accession process start. Turkey

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[242] Bozkurt, Enver, and Demirel, Havva, "The Events Encountered in Cyprus After the Copenhagen Summit and Their Impact on Turkey-EU Relations", Stradigma, Issue 3, Ampril 2003, available at www.stradigma.com/english/april2003/articles_08.htm

[243] Ibid idem

approved this decision of the Council of Ministers indirectly simply by accepting and signing the CU Agreement with the EU.

* Luxembourg Council decision of 1997, assigning a date for the accession process of Cyprus to the EU and keeping Turkey totally outside the EU, stretched the relations of both Turkey and North Cyprus with the EU. The negotiations between the two communities came to an end with no hope to start again until something important happens.

* Helsinki Summit decision in 1999 relaxed the relations among all the parties by giving a candidate member status to Turkey, and allowing membership of Cyprus to the EU without a solution to the Cyprus problem. As a result the deadlock in the negotiations was resolved and proximity talks with the leaders of the two communities started in the same month, December 1999. Nevertheless, Turkish Cypriots were not very optimistic with the new proximity talks, as the decision of the European Council to accept Cyprus without a solution would make the Greek Cypriots difficult to compromise.

* Finally, the Copenhagen European Council in December 2002 made it clear that if Turkey wants to have a date it must cooperate better in Cyprus for a settlement.

As could be seen from the above developments, the Cyprus problem is closely related to the relations of Cyprus and Turkey with the EU. If one would like to have a progress in solution of the Cyprus problem, the relations of Cyprus and Turkey with the EU should proceed in the right direction simultaneously.

By the year 2002, both in Turkey and in northern Cyprus there was a growing realization that the accession of Cyprus, to the EU in the near future was inevitable. The intensification of statements by European leaders supporting Cyprus' accession irrespective of a political settlement, Greek determination not to ratify the eastern enlargement without the island's inclusion, and the general European impatience with Turkey's Cyprus policy was slowly yet unwillingly being appreciated in Ankara and Lefkosa. Both Turkey and the Turkish Cypriots understood that a policy shift was necessary.[244] As soon as coming to power, the AKP government favoured to an early settlement, and also appeared willing to acknowledge the link between Turkey's accession process and a Cyprus settlement, the link which had been fiercely denied by the previous governments. It is also possible to note that, from this time on, the issue had stopped being a national cause.[245] The concept of national cause necessitates the presence of a national consensus. On the issue of Cyprus, there was such a national consensus from 1955 until the AKP coming to power. This consensus was shared by the state institutions responsible for foreign affairs, all important political parties and movements in Turkey and the Turkish Republic of Northern Cyprus (KKTC), the media, all private enterprises, academics and most of the people. This national consensus was broken, when Recep Tayyip Erdogan, before he became the prime minister said Turkey was responsible for the lack of a solution on the 40-year-old Cyprus issue.[246] In other words, national consensus was obstructionism and only when this was broken would we find a solution. Moreover, the Turkish Industrialists' and Businessmen's Association (TUSIAD) and most of the

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[244] Tocci, Nathalie, "Towards Peace in Cyprus: Incentives and Disincentives", The Brown Journal of World Affairs, Volume X – Issue 1, Summer/Fall 2003, p.200

[245] Aktan, Gündüz, "Is Cyprus a National Cause", Turkish Daily News, 20 April 2004

[246] Ibid idem

media had argued all through 2002 that KKTC President Rauf Denktas was an obstacle to a solution.[247]

The Copenhagen offer was insufficient to entice Turkey and the Turkish Cypriots to sign a deal on the 13 December 2002. Whether a deal would have been reached if Turkey had received an earlier and firmer date or if the EU had formulated a coherent policy towards Turkey before 12 December will remain unknown. But what was clear was the Turkish logic behind its demands in Copenhagen. These were not only driven by bargaining tactics with the member states, but were fundamentally linked to Turkey's mistrust of Europe.[248] A more resolute European decision or an earlier and firmer date was considered by the Turkish government as the minimum assurance to hedge against this prevailing mistrust.[249] After the Copenhagen Summit, the AKP Government pushed for an early settlement based on the UN Plan, as they appreciated the difficulty of reaching a settlement following Cyprus' EU membership, understanding that in the future the international burden would be placed predominantly on Turkey's shoulders.[250]

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[247] Ibid idem

[248] Birand, A., Mehmet, " A Major Rendez-Vous with the EU Today", Turkish Daily News, 12 April 2002

[249] Tocci, Nathalie, "Towards Peace in Cyprus: Incentives and Disincentives", The Brown Journal of World Affairs, Volume X – Issue 1, Summer/Fall 2003, p.203

[250] Ibid, p.204

CHAPTER 4: THE ANNAN PLAN AND ITS IMPLICATIONS ON TURKEY

A) THE BIRTH OF ANNAN PLAN AND ITS AFTERMATH

The conflict in Cyprus has been a source of concern to the international community over forty years now. The United Nations (UN) as an international organisation for promoting peace and security has released several reports in order to promote peace talks between the two parties. However, the problem still lies on the table and there has been no solution found yet. It is argued by many scholars that the main element for a solution to the problem is the political will for a successful outcome.[251] Throughout the years, there have been several proposals for a solution to the Cyprus problem by Secretary-Generals of the UN, starting with Waldheim, followed by Perez De Cuellar, Boutros Boutros-Ghali, and most recently Kofi Annan. In November 2002, Annan proposed a plan for the two communities to discuss upon before the December 2002 Copenhagen Council, which would invite the whole island to join the EU. Kofi Annan's proposal has been the most detailed and elaborate proposal by the UN.[252] Despite its reference to the Swiss and Belgian models, it merely payed lip service to those models on vital issues such as the

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[251] .Richmond, O., and Lindsay, J. Ker, The Work of the UN in Cyprus: Promoting Peace and Development, Palgrave Publication, London 2001, p.36

[252] Vasiliou, G., "Cypriot Accession to the EU and the Solution to the Cyprus Problem", The Brown Journal of World Affairs, Vol.10, Issue 1, 2003, p. 218

sovereignty of cantons in Switzerland and the basic provisions of the Belgian model as regards foreign policy and linguistic separation had been completely ignored.[253]

If we look at Switzerland we see that it took that country hundreds of years to evolve its present system. First, the thirteen German-speaking cantons formed a single organ or Congress to combine their efforts in security, welfare and health for a better life. Later in the nineteenth century, the French-speaking and finally the Italian-speaking areas of Switzerland joined the confederation on the basis of equality.[254] The sovereignty of the federal government has been achieved by delegating some sovereignty from the cantons to the centre, by agreement and without giving up their own sovereignty, which they retain.[255] The centre cannot simply assume power, because its powers are delegated, described and limited.[256] The Swiss constitution provides full equality for all cantons. It is not only sovereignty but also the principle of the linguistic equality of each canton that contributed to the formation of the Swiss model.[257] There are restrictions on the Three Freedoms (freedom of movement, settlement and land ownership). The cantons have full jurisdiction over these freedoms (Article 39 of the Swiss Constitution).[258] Those coming in and wanting to

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[253] Gazioğlu, C., Ahmet, "European Models for a New Partnership in Cyprus", Perceptions: Journal of International Affairs, December 2002 – February 2003, Vol.VII – Num. IV, available at www.mfa.gov.tr/grupa/percept/VII-4/Ahmet.Gazioglu.htm

[254] Kobach, W., Kris, "The History of Direct Democracy in Switzerland", 1993, available at www.athene.antenna.nl/MEDIATHEEK/KOBACH-1.html

[255] Liebich, Andre, " Federalism Swiss Style", Graduate Institute of International Studies, Geneva, available at htpp:// ww2.megill.ca/alumni/news/s96/2.htm

[256] Kaelin, Walter, " Decentralized Government in Switzerland", Institute of Public Law, University of Bern, March 2000, available at www.bhutan-switzerland.org/pdf/Kaelin_Switzerland.pdf

[257] Gazioğlu, C., Ahmet, "European Models for a New Partnership in Cyprus", Perceptions: Journal of International Affairs, December 2002 – February 2003, Vol.VII – Num. IV

[258] Ibid idem, see also Federal Consitution of the Swiss Model at www.swissemb.org/legal/const.pdf

settle in one canton have to learn the language of that canton and send their children to school in the language of the canton. The same applies in Belgium, but with further restrictions. Such measures are taken to guarantee that each canton will not be drastically altered either demographically or linguistically.[259] However, the first versions of Annan Plan had completely ignored this vital aspect. So, in brief, the distinct features of Switzerland which handle the problems of heterogeneity are the principles of territoriality, sovereignty and linguistic equality.

In Belgium, the federal system has been formed over the last 30 years and two distinct linguistic communities, French speaking Walloons and Dutch speaking Flemings, have their own separate territories and states. One is in the north of the country and the other in the south, and together with the Brussels capital region, the country is divided into three parts territorially and communally.[260] Out of Belgium's population of 10 million, approximately 60 percent speak Dutch, 40 percent French and under one percent German; even this one percent have similar community rights. The present system in Belgium has been reached through constitutional reforms, which transformed the unitary state into a federal one. While the confederal establishment in Switzerland transformed into a federal system by way of delegation of power to the centre, in Belgium, the centre devolved its power to the communities and regions.[261] The three communities deal more with socio-economic matters than the capital, Brussels. They control the economy and economic decision-making, the mining and steel industries, and almost all matters concerning the present and future

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[259] Ibid idem

[260] Ibid idem, see also Capron, H., Cincera, M., and Dumont, M., "The National Innovation System of Belgium: The Institutional Profile", CESIT Discussion Paper No: 2000-01, February 2000, available at htpp://143.129.203.3/cesit/pdf/CESIT00_01.pdf

[261] Ibid idem

economy of Belgium.[262] In addition, all linguistic, educational, cultural, welfare and health matters are dealt with by the communities. The centre is entitled to set the overall norms and standards for economic and legal matters.[263] This makes the centre weak and both the regions and communities strong. One striking feature of the Belgian system is related to its dealings with the EU. According to the process created by this system, Belgium's views on certain EU issues can only be finalised when both regions, Flanders and Wallonia, reach a consensus after discussing the matter between themselves.Otherwise, Belgium remains neutral on that issue.[264] If a topic to be discussed at the EU concerns and is in the interest of one particular region, someone from that region represents Belgium. In the same way, as regards deciding Belgian foreign policy on certain issues, both regions have to reach a consensus, otherwise the specially formulated Department P11 acts as co-ordinator between the two sides until consensus on a common foreign policy is achieved.[265]

If both sides in Cyprus seriously want to establish a new partnership state that will validate their main concerns (such as security, sovereign equality, the integrity of the new partnership republic and the integrity of their two separate states) as is the case in Belgium, and if they genuinely have common cause in prospering together and making Cyprus an EU member in compliance with the provisions of the Treaty of Guarantee and the 1960 Agreements, then the first principle to acknowledge should be that at the root of a viable lasting solution there must be two equal partners.[266] The

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[262] Ibid idem

[263] Ibid idem

[264] Ibid idem

[265] Ibid idem

partners are the source of power and, as such, their power is not delegated to them; it is the partners that delegate parts of their power to the centre. These are the basic principles without which no solution could be final, just and viable.[267]

For many years, negotiations between the leaders of the two communities in Cyprus focused mainly on 4 core issues:

1.Governance (Sovereignty and Self-determination rights) : Establishing a new political structure out of the Republic of Cyprus (RoC) and the Turkish Republic of Northern Cyprus (TRNC) appears to be the most important and difficult one among the core issues. Very closely related with establishing a new political structure is how the authorities will be assigned between the component states and the partnership state, and this brings in the discussions on the sovereignty. Greek-Cypriots argue that RoC should be transformed from a unified state to a federal one and not to create a new state.[268] In this proposal they favor two provinces in a federal state where legislation would be made by majority in a legislature elected by a federation wide electorate, in which there would inevitably be Greek Cypriot majority. Thus the emphasis is on equitable and not equal participation.[269] Greek Cypriots, because they constitute majority of the population on the island, believe that they should be more than equal. They would like to have one state based on two communities and they do

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[266] Ibid idem

[267] Ibid idem

[268] Efegil, Ertan, " Kıbrıs'ta Bitmeyen Son Tango" , KÖK Sosyal ve Stratejik Araştırmalar Dergisi, Cilt IV – Sayı 2, Güz 2002, p.201

[269] Bıçak, H., Ali, and Altınay, Mehmet, "Compromises in Cyprus EU Membership: Turkey and Others", KÖK Sosyal ve Stratejik Araştırmalar Dergisi, Cilt IV – Sayı 2, Güz 2002, p.253

not accept a settlement based on the two peoples or states.[270] Greek Cypriots would like to have a devolution of power (sovereignty) from the RoC rather than sovereignty being given to the central government (new Partnership State) from the co-founder states.[271] This would imply recognizing the legitimacy of the RoC by the Turkish Cypriots. Furthermore, in the event that the new Partnership State do not work, all the power (legitimacy and recognition) will shift to the RoC and the Turkish Cypriots would get back to their non-existing situations.[272] As a founder partner, such approaches are unacceptable by the Turkish Cypriot authorities. The goal of the Turkish Cypriot side in the negotiations is not the establishment of two separate sovereign states, as conveniently presented by many Greek Cypriot political leaders, but the mere transformation of the two existing polities (RoC and TRNC) on the island into co-founder states in favor of the new "Partnership State of Cyprus" to be created by constituent or component states.[273] The new Partnership State of Cyprus should have a single international personality and should recognize the equal status of its Co-founders. The two sides on Cyprus must make sure that in bringing into being the new "Partnership State of Cyprus" the equal status and legitimacy of its co-founding parties is explicitly recognized and respected, and that under it, neither side is allowed, directly or implicitly, to extend its will, legitimacy or sovereignty over the other.[274] Thus, the new Partnership State can not be a continuity or an extension of either state that currently exist on the island.

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[270] Dodd, Clement "Constitutional Conundrums", www.mfa.gov.tr/grupa/ad/add/cyprus.ceris.3.htm

[271] Bıçak, H., Ali, and Altınay, Mehmet, "Compromises in Cyprus EU Membership: Turkey and Others", p.254

[272] Ibid idem

[273] Kanlı, Yusuf, "The Cyprus File : What is a Comprehensive Settlement?", DiplomaticObserver, available at www.diplomaticobserver.com/news_read.asp?id=483

2. Property rights : The second important core issue is the property rights question, namely the right of the refugees ,both Turkish and Greek Cypriots, to return to their former properties. As a logical consequence of the Population Exchange Agreement of 1975 and the 1977 High Level Agreement specifying bi-zonality as a basic element of a solution, Turkish Cypriots offered to the Greek Cypriot side to settle the property issue on the basis of a global exchange of properties and/or compensation.[275] For many years Greek Cypriots refused this offer and tried to politicize the matter. Turkish Cypriots on the other hand passed the Equivalent Property Law in 1977 and exchanged the properties of the Turkish Cypriots left in the South with the Greek Cypriot properties in the North.[276] Property is a great concern because following the Turkish mililtary intervention of the island in 1974, many thousands of Greek Cypriots fled their homes in the northern part of the island, which became de facto Turkish Cypriot territory. Likewise, thousands of Turkish Cypriots also fled their homes in the southern, Greek Cypriot dominated part of the island. Property has been a very difficult issue to solve, Greek Cypriot land was sometimes given to settlers from Turkey, who then sold it on to others. What happens to the people now on that land remains unclear.

3.Territorial adjustment : It is expected that Turkish Cypriots would give some of their territory under their control to the Greek Cypriots in a give and take process.

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[274] **Ibid idem**

[275] Bıçak, H., Ali, and Altınay, Mehmet, "Compromises in Cyprus EU Membership: Turkey and Others", KÖK Sosyal ve Stratejik Araştırmalar Dergisi, Cilt IV – Sayı 2, Güz 2002, p.255, see also Blumenwitz, Dieter "Cyprus:Political and Legal Realities", Perceptions:Journal of International Affairs, September-November 1999, Volume IV – Number 3, available at www.mfa.gov.tr/grupa/percept/IV-3/Blumenwitz.htm

[276] Ibid idem

Greek Cypriots to keep their bargaining edge high are asking to leave 24% of the island to the Turkish Cypriots. Turkish Cypriots, on the other hand, are not prepared to go under 30% and they insist that the amount of land to be left with them should be based on some criteria.[277] Some of the objective criteria that should be considered in determining how much land to be retained in the Turkish Cypriot Co-founder States (some of which were established at the 1977 High-Level Agreement) are :

" -Economic viability and productivity

-Land ownership

-Non-disturbance of established patterns of economic and social interaction

-Preservation of water resources

-Amount of coastal area

-Depth of the land (for security reasons)."[278]

As the Greek Cypriots are talking about "provinces" they appear to be against any physical border between the two Co-founder States, and, Turkish Cypriots on the other hand propose borders between the two Co-founder States and the movement of people would take place through the designated entry points.[279]

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[277] Ibid, p.256

[278] Kanlı, Yusuf, "The Cyprus File : What is a Comprehensive Settlement?", DiplomaticObserver, available at www.diplomaticobserver.com/news_read.asp?id=483

[279] Bıçak, H., Ali, and Altınay, Mehmet, "Compromises in Cyprus EU Membership: Turkey and Others", KÖK Sosyal ve Stratejik Araştırmalar Dergisi, Cilt IV – Sayı 2, Güz 2002, p.257

4.Security and guarantee : There are two aspects to the security dimension of the Cyprus problem: the physical and the psychological.[280] Regarding the physical dimension of the issue, although the subject of security and guarantee is one of the most important issues which must be tackled within a comprehensive settlement, it is also one of the least difficult to deal with because it is mostly regulated by international treaties as all concerned sides accept the validity of the Treaties of Guarantee and of Alliance.[281] In a comprehensive settlement Turkish Cypriot sides' view could be summarized as below :

"-The three Guarantor Powers, Turkey, Greece and the United Kingdom will guarantee the independence, territorial integrity and security of the new Partnership State.

-The Guarantor Powers will also guarantee the territorial integrity, constitutional order and security of the Co-founder States.

-An agreed equal number of Turkish and Greek forces to be stationed in the respective Co-founder States.

-Turkish and Greek military forces will be dissolved, arms will be moved away from the island.

-Partnership State will be demilitarized.

-UNFICYP will be assigned a new mandate to monitor the compliance with the provisions of the settlement.

-Neither the Partnership State nor the Co-founder States could become part of any international military arrangement.

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[280] Kanlı, Yusuf, "The Cyprus File : What is a Comprehensive Settlement?", DiplomaticObserver, available at www.diplomaticobserver.com/news_read.asp?id=483

[281] Ibid idem

-A Monitoring Committee containing members from all concerned parties could be established to monitor compliance in security matters"[282]

In formulating a security and guarantee agreement between the two sides, it appears that the mandate of the UNFICYP could be the determinant factor. The Greek Cypriots is perceived to be asking for a mandate that would limit the actions of the Guarantor powers by requiring a prior consultation and even an approval of the UNFICYP before they do anything.[283] Creating a new body above the Guarantor Powers is unacceptable by the Turkish Cypriot authorities.

Regarding the psychological dimension of the security and guarantee aspect of the Cyprus problem, however, a settlement largely depends on the progress in Turkey's European Union accession. For an ordinary Turkish Cypriot, there cannot be a sense of security on Cyprus, even if the Greek Cypriot side accepts each and every demand of the Turkish Cypriot leadership and the most perfect accord firmly safeguarding the rights and liberties of each and every Turkish Cypriot and their state is signed, if the island is going to be a member of the EU.[284] One could argue that the EU is a web of democracies, a heaven of rights and freedoms, and Turkish Cypriot worries were all unfounded. Yet, unless Turkey also becomes a member of the EU, there can be no real security for Turkish Cypriots economically, politically and/or militarily.[285]

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[282] Ibid idem, and also Bıçak, H., Ali, and Altınay, Mehmet, p.258-259

[283] Bıçak, H., Ali, and Altınay, Mehmet, p.259

[284] Kanlı, Yusuf, "The Cyprus File : What is a Comprehensive Settlement?", DiplomaticObserver, available at www.diplomaticobserver.com/news_read.asp?id=483

[285] Ibid idem

After this background, it would better now look at issues discussed above on the basis of UN blueprint.The UN Secretary-General Kofi Annan submitted a comprehensive settlement proposal on 11 November 2002, a first revision was made on 10 December 2002 and a second on 26 February 2003. The plan, entitled "Basis for a Comprehensive Settlement of the Cyprus Problem", required a referendum in advance on 16 April 2003 to approve it and reunify Cyprus. However, in The Hague, on 10 March 2003, it was acknowledged that the negotiating parties failed to achieve in an agreement and submit the UN plan to separate referendum for approval.[286]

The Plan provided for the creation of a federal state. Both the Greek and Turkish Cypriots would have had their own "component states" that would be sovereign in a wide range of functions. In addition there was to be a "common state" responsible for external and EU relations, monetary policy and immigration along the lines of Switzerland and its cantons.[287] The Plan drawed heavily from the Swiss model of a two-canton 'indissoluble' partnership with a single international personality and sovereignty.[288] The plan also outlined a six-member presidential council, proportional to the population of the two states, with a 10-month rotating presidency and vice-presidency.[289] There was no effective provision for vetoes by each

[286] Press Release SG/SM/8630, "Secretary-General says 'end of road' reached concerning current Cyprus talks, but plan on the table", The United Nations, 11 March 2003, available at www.un.org/News/docs/2003/sgsm8630.doc.html

[287] Beard, Mathew, "UN Unveils 'Common State' Plan for Cyprus", Finalcial Times, 12 November 2002

[288] Kambas, Michele, "UN Peace Plan on Cyprus Is Race Against Time", November 2002, available at www.cypriot.org.uk/Haber/UN_peace_plan.thm

[289] Arieff, Irwin, "New UN Plan for Cyprus Sees Swiss-Like Structure", available at www.cypriot.org.uk/Haber/UN_peace_plan.thm

community's representatives.[290] Thus, the central institutions might have been

dominated by the Greek Cypriots. This denies the perpetual Turkish Cypriot demand

for an "equal partnership state", enjoyed under the 1960 constitution.[291] Although the

document had cited the Turkish side as a politically equal body, it diluted the right to

veto legislation, an inseparable element of political equality. The 1960 system

offered the veto right to the Turkish Vice-President and the Turkish side did exercise

its veto on crucially important occasions. The document proposed a parliament with

two wings; a house of representatives to be elected through direct vote where the

Greeks would have secured an absolute and overwhelming majority and a kind of

senate where the Turks and the Greeks were to have equal representation, with 24

senators each.[292] This arrangement, at first sight, seems to offer a clear right to veto.

However, it creates such a powerful central state mostly under control of the Greeks

that the Turkish constituent state could not survive as a politically equal and

sovereign entity.[293] According to the plan, there was to be created a Supreme Court,

which would uphold the Constitution. The Court was to comprise of an equal number

of judges from each constituent state and three non-Cypriot judges. The Supreme

Court would have to resolve disputes between the constituent states or between the

states and the federal government.[294] The plan called for a single Cypriot citizenship

[290] Dodd, Clement, "Shoutgun Deal for Cyprus Could Backfire" Financial Times, 5 December 2002

[291] Ibid idem

[292] Güven, Erdal, Helsinki'den Kopenhag'a Kıbrıs, OM Yayınları, Istanbul 2003, p.164-165

[293] Ünal, Hasan, "The Cyprus Question and the EU: The Annan Document and Latest Developments", Stradigma, Issue 3, April 2003 available at www.stradigma.com/english/april2003/articles_06.htm

[294] UN Secretary General, Basis For An Agreement On A Comprhensive Settlement of the Cyprus Problem, Apendix A/ Article 6- The Supreme Court, 26 November 2002

as well as internal constituent state citizenships, which would not replace the Cypriot one.[295]

As far as territory is concerned, it was proposed a reduction of the northern zone to approximately 28.2 per cent of the land to the Turkish Cypriot federated state and the remaining 71.8 per cent to the Greek Cypriot state.[296] It was also included the transfer of approximately half of the territory of the British sovereign bases to the Greek Cypriot state.[297] In addition, it was also proposed that there would be a return of around 90,000 Greek Cypriot refugees to their properties under Greek Cypriot administration; another 50,000 would be able to go back into the Turkish Cypriot federated state over a period of 15 years.[298] While freedom of residence and property would have to be restricted, freedom of movement was to be fully liberalised. Moreover, under this plan, around 50,000 to 60,000 Turkish settlers were required to leave Cyprus while the other half would have either to obtain citizenship or be permitted to get permanent residence on the island.[299]

As for security, there were to be a federal police force and forces into the two component states. The Treaty of Alliance required that Greek and Turkish

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[295] Hoyos, Carola, " UN Sets Out Detailed Peace Plan For Cyprus", 11 November 2002, available at www.cypriot.org.uk/Haber/UN_peace_plan.thm

[296] Tocci, Nathalie, "Towards Peace in Cyprus: Incentives and Disincentives", The Brown Journal of World Affairs, Volume X – Issue 1, Summer/Fall 2003, p.209

[297] Ibid idem

[298] Vassilou, George, "Cypriot Accession to the EU and the Solution to the Cyprus Problem", The Brown Journal of World Affairs, Volume X, Issue 1, Summer/Fall 2003, p. 214

[299] Ibid , p.215

contingents were to be reduced to 6,000, a number that was to be checked again in 2010 and would have to be reduced to a complete demilitarisation of the island as soon as Turkey became a full member of the EU. Empowered by a new mandate, the UN peacekeeping operation was to remain in the island with an aim of monitoring the implementation of the agreement. However, considering security dimension of the Annan Plan, there was a clear fact that needed to be considered carefully by Turkish leaders. Turkey would not have been able to use its guarantor country rights any longer, once Greek-Cypriots entered the EU. In this respect there were some who said Turkey's guarantee rights will remain but there were some who thought in a different way. The Annan plan also said that the status of guarantor powers will be regulated according to the new conditions, in other words, "mutatis mutandis"(in accordance to current conditions).[300] This indicates that the real aspect of the issue was not as some people presented and the 1960 guarantee scheme was not to remain in force or intact.

The Plan postulated that, in the economic sphere, Cyprus would have to apply the rules of the EU-Turkey customs union. The plan also attempted to retain a balance in the spheres of property acquisition, residence and movement of persons. However, There were no serious restrictions on the likely Greek Cypriot domination of the Turkish Cypriot economy. There is no doubt that under EU norms it would be difficult to prevent Greek Cypriots investing in the north.[301]

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[300] Altan, Mehmet, Kıbrıs Diye Bir Ada, Gündem Yayınları, Nisan 2003, p.127

[301] Dodd, Clement, "Shoutgun Deal for Cyprus Could Backfire" Financial Times, 5 December 2002

B) TURKEY'S REACTION TO THE ANNAN PLAN AND OTHER INTERNATIONAL ACTORS INVOLVED INTO THE DISPUTE

It was widely accepted that one of the main differences illustrated between the 1960 Constitution and the Annan plan was the EU factor. The accession of Cyprus to the EU changed the role of the negotiations and complicated the TRNC-Turkey relations. There were many arguments that dealt with this issue and showed how this plan could be more feasible for Cyprus to enter the EU as a united republic. Therefore, it is better to examine how each external actor played its role separately in the enforcement for a settlement in Cyprus. The main aim of this part is to address and examine the different players in the dispute and how they influenced the situation.

i. Turkey and TRNC

Originally, the general position of Turkish Republic of the Nothern Cyprus (TRNC) can be summarised as following. Firstly, they have been stating that the 1960 Constitution confirms Turkish Cypriot's natural right of self-determination, where the Turkish Cypriots do now want to settle for less.[302] They have always wanted to be assured of physical security and be preserved of a separate national identity, which will work towards an eventually international recognition. Turkey's security guarantees should not be eroded, and reasonable territorial compromises to the Greek side can take place. There are also the opposition parties in the TRNC (now in Government) that have different views. They want to join the EU with the Greeks

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[302] Atasoy, Seymen, "Cyprus, Turkey and the EU: The Need for a Gradual Approach" , The Brown Journal of World Affairs, vol.X, issue 1, 2003, p.262.

and that will end their isolation and solve their economic problems. They believe that the Annan plan provides them with sufficient autonomy and safeguards them with prosperity under the EU umbrella. Lastly, they acknowledge the sacrifices that Turkey has made for the Turkish Cypriots; however, they want some degree of independence in order to reach Europe.[303] For them, the return of the settlers back to Turkey is acceptable and they accept it as it is mentioned in the Annan plan.[304] These elements can be seen as well by the demonstrations that took place in the island in December 2002 and showed the public support for an EU accession together with the Greek Cypriot side. However, the economic difficulties in the TRNC are making it more difficult for the official/national alliance but strengthening the opposition/ultra Europeanist coalition.[305]

According to the President of TRNC, Rauf Denktaş, the Annan Plan was prepared by the contributions of British, American and Greek Cypriots officials, and that there was no part of it to defend, adding that the philosophy and vision of the plan were wrong.[306]Rauf Denktaş was/is thus unwilling to enter negotiations with the Greek side based on the Annan Plan. Denktaş would first like to renegotiate the plan itself. Enjoying support (though declining) from the *status quo* group in Ankara, in The Hague in March 2003, he refused to put the Annan Plan to a referendum.[307] Denktaş stressed that Annan plan, contrary to the comments made, didn't foresee a new

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[303] Ibid , p.263

[304] Ibid idem

[305] Ibid, p.264

[306] "Denktaş: Both Sides Should Accept Annan Plan First To Bring Plan To Table Again and This Is Impossible", 26 April 2003 , available at www.turkishpress.com/turkishpress/news.asp?ID=10469

[307] Baran, Zeyno, "Prospects for a Solution in Cyprus", In The National Interest, Vol.21/Issue30, 30 July 2003, avaialble at www.inthenationalinterest.com/Articles/vol21issue30/vol21issue30.BaranPFU.html

partnership. He pointed out that the expression of 'virgin birth' used in the plan about the issue was such an uncertain expression which could not be referred to a new partnership republic.[308] Underlining that the authorities given to 'founder states' by the plan were very limited in real life, Denktaş said that the founder states which would be bound by central constitution and EU norms, could use the authorities given to them only in a limited way.[309] Some circles in Turkey and northern Cyprus complained that the plan made only implicit reference to sovereignty of the 'component states', it was vague and indeed diluted the meaning of the concept by stating that the component states shall sovereignly administer themselves because there is a difference between "being sovereign" and "acting sovereignly."[310]

As far as the issue of guarantee is concerned, Denktaş argued that mentioned guaranties were not real and effective. Denktaş pointed out that 6,000 soldiers who had to take permission 72 hours before leaving their barracks could not form an effective guaranty.[311] An other rejection of Turkish-Cypriots was about territorial adjustments. Territorial adjustments foreseen in the document and its accompanying maps were totally unacceptable and were in violation of all the agreed principles between the two sides on the island to be adhered to in dealing with the territory problem.[312] The territories which were included in the Annan

[308] "Denktaş: We Want A Lasting Agreement in Cyprus", 8 April 2003, available at www.turkishpress.com/turkishpress/news.asp?ID=12251

[309] Ibid idem

[310] Kanlı, Yusuf, "Annan's Cyprus Plan : Glass is Half Full", available at www.diplomaticobserver.com/news_read.asp?id=103

[311] Ibid idem

Plan and taken from the TRNC had vital importance with regard to agriculture, animal breeding and water sources. Thus people who were expected to leave those territories, would have to face unemployment even when houses were to be allocated for them in the North.[313] As a consequence , changing places would have had serious pychological and economic effects. Concerninig this issue, former TRNC Prime Minister, Derviş Eroğlu, said "seeds of enmity will be planted again"[314] as it would be impossible for people to have positive feelings toward those who settle on the territories on which they lived. Lowering Turkish-Cypriots' territories from 36 percent to around 28,5 percent was another concern of the Turkish side.

Following the reaction of Denktaş towards the revised Annan plan and the end of the negotiations, the international community considered the Turkish-Cypriots as an uncompromising side. However, following December 2003 elections in TRNC there was some optimism from the opposition side, which they promised to change the scene for a possible settlement in the island. With the publication of the UN plan, demonstrations occurred in the northern part of Cyprus, the first one on 1 December 2002 under the NGO umbrella group "Common Vision" with 10,000 Turkish Cypriots demonstrated in favour of the plan. On 26 December 2002 the number increased to 30,000 and the final demonstration took place on 14 January 2003 when 45,000-70,000 Turkish Cypriots demonstrated in the capital, Nicosia, in favour of a

[312] Ibid idem

[313] "Denktaş:Clerides Was Not Encouraging About Change of Plan In The First Two Meetings", 14 March 2003, available at www.turkishpress.com/turkishpress/news.asp?ID=8617

[314] Quated in Ibid idem

solution and Denktaş's resignation.[315] These numbers showed the public support of the Turkish Cypriots for accession of a united Cyprus to the EU. The vast majority of Turkish Cypriots, not least the younger population, saw the reunification as a way out of worsening poverty.[316] The Turkish Cypriot public's concern has been not simply the fear of poverty but as well the allure of EU prosperity.

Similiarly, the new AKP government in Turkey, which came into power on 3 November 2002 elections, had the intention to put pressure for the Cyprus agenda to go forward. Its main goal has been the European Union accession process. However, the EU accession process was offering Turkey the conditions on democracy in order to set the Copenhagen criteria. The EU accession was not depending only on the democratisation of Turkey but also on the solution to the Cyprus problem. Even though Turkish Prime Minister, Erdoğan, was not tied to Denktaş vision of Cyprus, he had intention to make a compromise over Cyprus.[317] Ever since coming to office, Prime Minister Recep Tayyip Erdoğan's policy on Cyprus has been full of swings. Erdoğan's early remarks had been much more assuring to the outside world that he would be pushing for a settlement in Cyprus one way or another. In his early days in office, he stated that the AKP was neither supporting a view in line with the hardliners who have been defending a "no settlement is a settlement" policy, nor pursuing a defeatist "sellout" policy.[318] He reiterated the strong will of his party to bring about an end to the almost four-decade-old problem in the island. Erdoğan also

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[315] Tocci, Nathalie, "Towards Peace in Cyprus: Incentives and Disincentives", The Brown Journal of World Affairs, Volume X – Issue 1, Summer/Fall 2003, p.201

[316] "Single Minded Approach", The Guardian, 18 March 2003

[317] Barkey, H., "Cyprus: Between Ankara and a Hard Place", The Brown Journal of World Affairs, Volume X – Issue 1, 2003, p.234

[318] Gürkan, Aslı, "Elections in Northern Cyprus: A Referandum for Settlement?", Turkey in Focus, Issue1, December 2003, available at www.tusiad.us/content/uploaded/ISSUE%201_CYPRUS.PDF

praised the revised UN plan during negotiations as a well thought out and balanced initiative.[319] He faced, though, many protests and had to confront the military and civil forces in Turkey, who were in favour of Denktaş policy over Cyprus. Facing an internal pressure from the military and civilian hardliners, he backed away from a possible confrontation with Ankara, adopting more or less the traditional stance and rhetoric.[320] The Premier, in March 2003, criticized the U.N. document stating that it amounted to Turkey "giving up Cyprus".[321] Similarly, during his November 15 visit to the island on the occasion of TRNC's 20th anniversary, Erdoğan ruled out a settlement at any price and reiterated strong support for Denktaş and a two state solution.[322] In the Hague talks, Erdoğan denounced the UN General Secretary as having deceived him on the Cyprus question and therefore he closed the chapter on the negotiations.[323] By not allowing the US forces to be based in Turkey, the government lost the US, one of its allies and showed its inability to turn the matter to the parliament. Thus, Turkey had to push harder on Denktaş to compromise because the more isolated Turkey becomes, the less likely it will become to join the EU and to find a solution on the island, as most of the observers has been blaming the Turkish side for its intransigence.[324]

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[319] Ibid idem

[320] Ibid idem

[321] Ibid idem

[322] Ibid idem

[323] Barkey, H., "Cyprus: Between Ankara and a Hard Place", The Brown Journal of World Affairs, Volume X – Issue 1, 2003, p.235

[324] Ibid, p.236

On the other hand, the main points that Turkey's opposition party in parliament and the majority of the people desired were as following. Firstly, Turkey should continue to defend and support Northern Cyprus, otherwise it looks like it abandons Turkey's historical and legal rights and national interests. Secondly, Cyprus is strategically important for the national security of Tukey and it is important for its access to energy transport lines and water resources. Thirdly, if Cyprus comes under control of a rival force, Turkey would be encircled in Anatolia. Turkey finds it irrelevant Cyprus and Turkey's accession to the EU even though it finds the latter doubtful to happen. Turkish people believe that the TRNC should become internationally recognised as an independent state. Finally, it accepts only reasonable territorial concessions to the Greek side.

ii. Greece and The Greek-Cypriot Administration

The presidential elections of February 2003 in south of Cyprus revealed a new Greek Cypriot agenda. The new elected president Tassos Papadopoulos had different ideas from Clerides who has been a politician since 1945 in the island and knows the Cyprus issue very well. The proposition that Denktaş is the only obstacle before reaching a settlement based on the Annan Plan is misleading. Although the Greek Cypriot leader Papadopoulos agreed to consider the plan as a basis for negotiations, unlike Denktaş, he frequently raised objections to certain items in the plan. To some extent, Papadopoulos was elected, replacing veteran Greek Cypriot leader Glafcos Clerides, because of his anti-settlement rhetoric.[325] He was backed by

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[325] Gürkan, Aslı, "Elections in Northern Cyprus: A Referandum for Settlement?", Turkey in Focus, Issue1, December 2003, available at www.tusiad.us/content/uploaded/ISSUE%201_CYPRUS.PDF

voters, who say the Annan plan grants too many concessions to Turkish Cypriots. Papadopoulos frequently asked for a revised plan, which would more clearly define the powers of the central government, called for an agreement on security issues, and insisted on the return of all Greek Cypriots to their pre-1974 properties.[326] He also called for radical changes to the Plan including the elimination of derogations and restrictions to the full implementation of the three freedoms.[327] Papadopoulos' policy was more focused on the internal affairs of the island; however the UN and international actors were pushing hard for negotiations. Throughout 2002 and until the November elections in 2003 in Turkey, many scholars believed that the negotiations would be finished if the Copenhagen Council had accepted a divided island. However, the negotiations continued and the Annan plan was again on the table. The Greek Cypriots seemed to gain in territorial aspects through the plan and in the aspect of refugee return. Concerning security, the Greek Cypriots seemed to gain with the Guarantee Treaty because the Turkish troops would be reduced in the north and would bring a peace settlement with Turkey and the Turkish Cypriots. However, sharing sovereignty with Turks was a crucial problem for them.

The Simitis government in Greece brought European inclusion and not exclusion to the Cyprus issue through different factors. Firstly, the Foreign Minister George Papandreou brought the Greek- Turkish ties together and brought peace and security to the region. Throughout the years, there was a international fear of the breaking out of a Greek-Turkish war and one of the reasons would be the Cyprus issue. However,

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[326] Ertuğruloğlu, Tahsin, "Recent Developments in the Cyprus Issue : A Realistic Appraisal", The Brown Journal of World Affairs, Volume X – Issue 1, 2003, 225

[327] Hadjipapas, Andreas, "Greek-Cypriots Call for Radical Changes to Annan Plan on Rights and Freedoms", Cyprus Weekly, 11 February 2003, p.11

after the earthquakes that took place in 1997 in Turkey and followed in Athens, the two neighbouring countries came closer and their relations became stronger. Greece was in favour of the UN plan as soon as it was published. Moreover, the Greek Presidency of January to June 2003 played a crucial role in the continuation of the negotiations and to a closer settlement over Cyprus. Simitis's European policy helped the two sides of the island to come back to the negotiating table and speak about the problems that arose in the Annan plan. However, there was not strong political will for a successful negotiation and the Greek Presidency finished without a remarkable outcome. In the signing of the Accession Treaty for the candidate countries of 2004 that took place in Athens in 17 April 2003, the Greek Prime Minister, Kostas Simitis made a statement 'the border line in Cyprus separates Turkey from the EU'.[328]

iii. The EU and The U.S

For many scholars the U.N. blueprint was the first-ever comprehensive proposal by the world body since an ill-fated 1992 "set of ideas" presented by then Secretary-General Boutros-Boutros Ghali. The plan, which saw a partnership between two equal states under a common state government, was seen as a last effort to ward off a looming crisis between Brussels and Turkey.[329] As the Greek-Cypriot Administration (GCA) was preparing to become a full member of the EU with or without a settlement, in 2004, the U.N. and the international community, the EU and the U.S, made it clear that they would like to see an initial agreement signed by December 12,

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[328] Quated in Kanlı, Yusuf, "Annan's Cyprus Plan: Glass Is Half Full", available at www.diplomaticobserver.com/news_read.asp?id=103

[329] Ibid idem

before the EU summit in Copenhagen, when the GCA was expected to be invited to join the bloc. In addition, the international community desired to see signatures on a full agreement by February 28 and referenda on both sides by March 30 to break the impasse. The EU, which has repeatedly expressed its concern over the lack of a settlement, is now in a unique position to play a role in bringing about permanent peace and stability on the Mediterranean island.[330] The EU has always been a staunch supporter of UN efforts and initiatives on Cyprus. It has also taken the clear and firm position that the present status quo is unacceptable. This position was clearly stated on numerous occasions including statements issued by the European Political Cooperation and resolutions adopted by the European Council, the European Parliament and other organs of the Union.[331]

EU officials publicly expressed their distaste for Denktaş and placed their hopes on the opposition parties. For example, European Commissioner for Enlargement Guenther Verheugen and European Parliament President Pat Cox received the United Forces on November 18, 2003 and commented there was a window of opportunity for peace talks right after Turkish Cypriot parliamentary elections of 14 December 2003.[332]

After the breakdown of United Nations-led talks on reunification at the Hague, the EU made it clear that Turkey's chances of starting EU accession talks had been

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[330] Joseph S. Joseph, "European Foreign and Security Policy: The Cyprus Connection", Paper Prepared for Presentation at the 44th Annual Convention of the International Studies Association, Portland/Oregon, February 25 – March 1, 2003, available at www.isanet.org/portlander/joseph.html

[331] Ibid idem

[332] Gürkan, Aslı, "Elections in Northern Cyprus: A Referandum for Settlement?", Turkey in Focus, Issue1, December 2003, available at www.tusiad.us/content/uploaded/ISSUE%201_CYPRUS.PDF

jeopardised by its refusal to sign up to the UN plan.[333] In this respect, Jean-Christophe Filori, Commission spokesman, said "It appears to us very difficult that accession negotiations can start with Turkey in this situation."[334]

On the other hand, Washington always wanted to see Turkey entering the EU but as long as Cyprus became an obstacle to the path, Washington has remained occupied with the problem.[335] Since World War II, US interests in the region have been premised on the expectations that Turkey is going to stay politically strong and pro-Western.[336] Most diplomats in Washington believe that if Turkey will not succeed to enter the EU, it is going to be driven towards radical ethnocentrism and fundamentalism.[337] As it is written by Richard Holbrooke, the Assistant Secretary of State for European Affairs in the Washington Post, on 29 November 2002, "the most consequential part of this historic European moment (the Copenhagen Summit) is Turkey's application to join the European Union. If Turkey were spurned then Europe ran the risk of eventually creating a radical or fundamental regime at the very gates of the European Union".[338] Thus, the U.S has always supported Turkey in its way towards EU membership. In order to settle the Cyprus question which has been one of the major problem for Turkey on its vocation to Europe, the U.S has always

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[333] Dempsey, Judy, "EU to Admit Only Greek Cyprus as UN Talks Fail", Financial Times, 12 March 2003

[334] Quated in Christou, Jean, "Collapse of Talks Dashes Turkey's EU Hopes", Cyprus Mail, 12 March 2003

[335] The Guardian, "Single Minded Approach", 18 March 2003

[336] Holbrooke, Richard, "A Three-Pronged American Strategy", Washington Post, 22 November 2002

[337] Evriviades, M., "Europe in Cyprus: The Broader Security Implications", The Brown Journal of World Affairs, Volume X – Issue 1, 2003 , p.243

[338] Holbrooke, R., "A Three-Pronged Strategy American Strategy",

cooperated with and supported the UN's initiatives seeking a settlement on Cyprus. Thus, the plan was found balanced and fair among the U.S diplomats. For them, The plan contained well thought-out trade-offs that address the key concerns and legitimate interests of both sides, as well as Greece and Turkey.[339]Owing to this relaties, the U.S urged all interested parties to sieze this opportunity.

C) THE LAST VERSION OF THE ANNAN PLAN AND THE REFERENDUM PROCESS

UN Secretary General Kofi Annan put the final touches to the latest draft of his plan for the reunification of Cyprus, in Switzerland for vital talks on Cyprus's future, where he was expected to present his revised version to the Greek and Turkish prime ministers. Annan believed that it had addressed the key concerns of both the Greek and Turkish communities.[340] He sought to find a middle position between the many conflicting demands of the two communities on Cyprus. He revealed his latest and likely final plan for the reunification of Cyprus, promising the sides a "win-win" deal that would "break the ice" in stalled talks to unite the island after 30 years of division.[341] Annan was trying to find a deal satisfying both sides before Cyprus' full membership to the European Union. The talks held under United Nations auspices and took place in the mountain of Buergenstock. The four parties (Turkey, Greece,

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[339] Weston, G., Thomas, "The Annan Plan: Myths and Realities", Paper Presented at the TUSIAD Conference on The Annan Plan and U.S Policy Toward Cyprus, Istanbul , 17 July 2003, available at www.americanembassy.org.cy/Weston-TUSIAD.htm

[340] "Cyprus Peace Plan Set for Vote", BBC, 1 April 2004 available at wwwibbc.co.uk/2/hi/europe/3584797.stm

[341] "Annan Offers New Plan for a Unified Cyprus, International Herald Tribune, 30 March 2004, available at www.iht.com/articles/512439.html

and Greek and Turkish Cypriots) had been asked to reach agreement by 31 March. Failing to do so, Annan was to fill in the gaps, and the proposals was to be put to referendums in the Greek and Turkish parts of the Mediterranean island on 24 April. Veteran Turkish Cypriot leader Rauf Denktaş unexpectedly declined to attend the talks.

The last blueprint envisaged a power-sharing arrangement giving the Greek and Turkish communities large degrees of autonomy over domestic affairs.[342] Before releasing the details of the changes to the plan, Annan informed the Greek side that the new text addressed concerns over the viability of the plan, the workings of the new federal government, and the arrangements for Greek Cypriots who lost their properties in the north following the 1974 Turkish military intervention.[343] To the Turkish Cypriots, he said he had made changes to accommodate their demands for preserving the security and identity of the Turkish Cypriot state within the reunited island by amending his plan on the right of Greek Cypriot refugees to return to the north, own property and vote. He also promised that protections for Turkish Cypriots would be legally secure, without elaborating.[344] For the Greeks, he made assurances on how many Turkish soldiers would be allowed to stay in the Turkish area, while for the Turkish side he addressed demands that a small number of troops should be able to stay even after Turkey joins the European Union.[345]

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[342] "Annan Finalises Cyprus Plan" ,BBC, 28 March 2004, available at
www.bbc.co.uk/2/hi/europe/3586405.stm

[343] "Annan Offers New Plan for a Unified Cyprus, International Herald Tribune 30 March 2004

[344] Ibid idem

[345] Ibid idem

One of the biggest problems to be solved centered on the right of around 180,000 Greek Cypriots to return to homes in the north from which they had left in 1974.[346] The Turkish Cypriot community had been seeking and appeared to have found stronger reassurances on the number of Greeks who would be allowed to settle in their northern part of the island. As it is well known, Turkish nationalists always appeal to fears of Turkish Cypriots being swamped and eventually driven from the island.[347] Thus, The Turkish side advocated that returns should be limited, while the Greek side argued all Greek Cypriots should have the right to go back. In order to overcome this deadlock, Annan proposed a compromise that put forward a reduction in the number of Greek Cypriot refugees allowed to return to northern Cyprus from 21% to 18% of the Turkish Cypriot population which approximately corresponds to 120,000 Greek Cypriots.[348] Some of the important revisions to the original plan were as following: "A reduction in the size of Turkish Cypriot territory by 7% to 29% of Cyprus; Restrictions on property rights for Greek Cypriots in the north until the region approaches the living standards of the south; Twenty-four seats for Turkish Cypriots in the 48-seat Senate, with the possibility of Greek Cypriots representing northern Cyprus removed; No insistence on the withdrawal of all Turkish troops before Turkey joins the EU".[349]

The final version of the Annan Plan envisaged the existence of a new state of affairs with the United Republic of Cyprus, which was to be an independent state, member

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[346] Ibid idem

[347] Elci, Zerin , and Kambas, Michele, "Annan Announces Cyprus Peace Plan for Referandums", Reuters,31March,2004,www.boston.com/news/world/europe/articles/2004/03/31/annan_announces_c yprus_peace_plan_for_referandums?mode=PF

[348] "Cyprus Peace Plan Set for Vote",The Guardian , 1 April 2004

[349] Ibid idem

of the United Nations with a single international legal personality and sovereignty. It was to be bi-zonal and authority in its domain was to be applied by a federal government and two equal constituent states with determined territorial boundaries. The relationship between the United Republic of Cyprus and the constituent states was to be binding and would have to determine the level of autonomy of the constituent states. The constitution of the United Republic of Cyprus, which was to be adopted with the agreement of Greek and Turkish Cypriots though separate referenda, was to be the supreme law. It was to bind the authorities of the federal government and the constituent states and could only be changed with the approval of the federal parliament and the electorate of both constituent states through separate referenda. The constituent states were to have their own constitution, which were to be compatible with the constitution of the United Republic of Cyprus. Full respect of the constitution by all parties in the federation was to be ensured by the Supreme Court. At a symbolic level, the binding relationship between the constituent states and the United Republic of Cyprus was determined by the provisions of the constitution concerning the raising of flags in federal buildings and government and public buildings in the constituent states. Only the flag of the United Republic of Cyprus was allowed to be raised in federal buildings, together with the European Union flag. The flag of the United Republic of Cyprus was to be raised in the constituent states' government and public buildings, along with the flag of the respective constituent state. No other flag, apart from the EU flag, could be hoisted on these buildings.[350]

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[350] Taki, Yiouli, "The New State of Affairs", 2 March 2004, available at www.cyprus.typepad.com/changing_trains/articles_and_publications/index.html

According to the final shape of the Plan, the representation and the decision-making process in the Senate, the Chamber of Deputies and the Presidential Council was outlined as such:

Senate: Representation in the Senate was to be based on the political equality of the two sides; each constituent state was to have 24 seats. There were to be two decision-making procedures according to the matter on the agenda. Standard decisions were be taken by simple majority, however, certain issues shall need a special majority of at least two-fifths (10) of the Senators from each constituent state. Such issues were to include the approval of the federal budget and the election of the Presidential Council, as well as a series of issues concerning the vital interests of the two constituent states.[351]

Chamber of Deputies: 36 from the Greek Cypriot constituent state and 12 from the Turkish Cypriot constituent state. All decisions were to be taken by simple majority. Decisions of Parliament were to require the approval of both chambers.

Presidential Council: Four from the Greek Cypriot constituent state and two from the Turkish Cypriot constituent state. It was to strive to reach decisions by consensus. When this was not possible, it was to take decisions by simple majority of members voting, with at least one member from each constituent state.

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[351] Taki, Yiouli, "Representaion in Federal Institutions-The Legislature", 25 March 2004, available at www.cyprus.typepad.com/changing_trains/articles_and_publications/index.legislature.html

In this way, the Constitution defined the parity of the two constituent states. The balancing of the parity of the two constituent states, on the one hand, and, of the two communities, on the other were attained through two provisions. The first had stated that a constituent state did not have an obligation to grant internal citizenship to permanent residents who have the internal citizenship of the other constituent state. In other words, the Turkish Cypriot state did not have right to grant internal citizenship to Greek Cypriot citizenship holders who chose to settle there. The second provision regarded the way in which political rights were to be exercised on a federal level. For federal elections, Cypriots shall exercise their voting rights on the basis of their internal citizenship, irrespective of their place of residence. Greek Cypriot citizens living in the Turkish state were therefore to elect representatives of the Greek Cypriot state to the federal parliament. In this way, the constituent states might have ensured that they were not represented at federal level by members of the other community. Taking into account the fact that the number of Greek Cypriots who were to settle in areas under Turkish Cypriot control increased to 21% of the population of the Turkish Cypriot state, it could be expected that the constitution of the Turkish Cypriot state would bar the granting of internal citizenship to those Greek Cypriots who chose to live in territories under its control.

The plan had envisaged that when the Foundation Agreement came into force, each side was to submit to the Secretary-general a list of 45,000 people drawn up according to specific criteria, to be added to the existing population list. On top of that, anyone married to a Turkish Cypriot, or their children, was to receive Cypriot citizenship. At the same time, the number of Greek and Turkish permanent residents was restricted to no more than 10 per cent of the internal citizenship holders of each

constituent state. Under this provision, a further 20,000 people would have been able to stay in the Turkish Cypriot state, though not as Cypriot citizens. Until the 19th year or Turkey 's accession to the European Union, whichever is earlier, there were to be limitations, in accordance with permissible levels specified in the Foundation Agreement, on the freedom to establish permanent residence within the territory of a constituent state by persons who hold the internal citizenship status of the other constituent state.[352]

Claims by property owners dispossessed by events prior to entry into force of this agreement were to be resolved in a comprehensive manner in accordance with international law, respect for the individual rights of dispossessed owners and current users, and the principle of bizonality. Plan envisaged the establishment of Property Board for the purpose of dealing with claims according to criteria laid down in the Foundation Agreement. It was to be composed of seven members: two members from each constituent state, and three non-Cypriot members (not from the guarantor powers). There were to be no need for direct dealings between individuals, although individuals were allowed to settle matters directly among them if they were in agreement and if the Property Board had determined that they have the right to do so.[353] The form through which property rights were to be exercised were to differ according to where the affected property was located:[354] a) If the affected property was located in the area that was to be subject to territorial adjustment property rights was to be generally exercised by way of reinstatement. b) If the affected property was located within the area of the other constituent state, property rights were to be

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[352] http:// 217.158.96.20/cyprus_decides/English/citizenship/citizenship_1.htm , 5 May 2004

[353] htpp://217.158.96.20/cyprus_decides/English/property_2/property_1.htm , 5 May 2004

[354] Ibid idem

exercised by way of reinstatement or by way of effective compensation or by selling, leasing or exchanging. In such a case the Property Board was to make its decision regarding the form through which property rights were to be exercised according to criteria which include the circumstances of current users and the degree of investment in the affected property. If after a consideration of these criteria an affected property was declared as eligible to be reinstated, it was to be reinstated provided the agreed levels of reinstatement had not been reached. If the agreed levels of reinstatement were reached then the dispossessed owner was to receive compensation. Reinstatement of an affected property back to its dispossessed owner does not not necessarily mean that the dispossessed owner will be able to take permanent residence in the other constituent state where the affected property is located. Residency rights in the territory of the other constituent state were subject to limitations.[355] Some Greek Cypriots were to return to their own homes under Turkish Cypriot rule. Others were to be able to settle in the Turkish Cypriot state, but not in their own properties, if these did not fulfil the criteria for reinstatement. A larger proportion was to return to the territories earmarked for territorial readjustment. In short, The Annan Plan provided for some territorial concessions to the Greek Cypriots. A majority of the displaced and disposed persons, according to plan, were to be able to return to their homes under Greek Cypriot administration. The rest was to have their property rights fully honoured by reinstatement and/or compensation.

As far as security and guarantee issues are concerned, the Annan Plan provided that; a United Nations peacekeeping operation was to monitor the implementation of the agreement. It was to exert every possible effort to promote compliance with the

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[355] Ibid idem

Agreement and was to contribute to preserving a secure environment The force was to remain on the island for as long as the federal government decided with the agreement of the two constituent states. At the same time, a Monitoring Committee headed by the UN and composed of representatives of the guarantor powers, the federal government and the constituent states, was to monitor the implementation of the Agreement. Forces in the buffer zone were to be redeployed at a distance of one kilometre from either side in the first 90 days from the coming into force of the Foundation Agreement. Two weeks before the transfer of administration of the areas under territorial adjustment, these forces were to be redeployed one kilometre away from the relevant areas. Minefields were to be cleared before the date of redeployment. All Greek and Turkish Cypriot forces, including the reserves units, were to be disbanded and their arms withdrawn from the island. Forces were to start disbanding five months after the Agreement and the procedure was to be completed within two years. There were to be no paramilitary or reserve units or paramilitary training of citizens. All weapons, apart from the licensed sporting guns, were to be banned. Arms supply was to be prohibited in a manner legally binding on importers and exporters. Cyprus was not to be used for international military operations without the consent of both constituent states. Until Turkey's EU membership, the consent of Turkey and Greece were also to be needed. Similiarly, until Turkey's EU membership, the Treaty of Alliance shall permit a Greek and a Turkish contingent, each not exceeding 6,000 (in 2011 it was to decrease to 3,000 and after 2018 to 650) all ranks to be stationed in the Greek Cypriot and Turkish Cypriot states respectively. Deployment of these troops was to start five months after the agreement and was to be completed within two years. After consultations with the federal government and the respective constituent state, Greece and Turkey were to indicate six military

installations where the troops and equipment were to be stationed. They were also to designate three training fields. Greece and Turkey were to inform the United Republic of Cyprus and the UN about these locations and the number of troops deployed in each installation. They were also to inform in advance of any changes related to the troop deployment. The contigents were allowed to move only within the constituent state they had been deployed, were to use the most direct route between the relevant points, were not allowed to approach the boundaries of the constituent states, were not allowed to enter areas, which were formerly located in the buffer zone or that were under territorial adjustment. In the interest of transparency and mutual confidence, the contingents were to inform each other and the United Nations in writing at least 48 hours in advance of the timing, location and purpose of any significant ground, air or maritime movement of troops, including for field training.

The four-way talks between Greece, Turkey, and the Greek and Turkish Cypriots in Bürgenstock, Switzerland, with the direct participation of UN Secretary General Kofi Annan, ended in complete failure. As previously agreed, UN Secretary General K.Annan filled in the missing parts over which there was no tacit agreement. The Annan Plan for Cyprus went to the two ethnic communities in Cyprus for approval in a referendum of April 24. The Turks appeared visibly happy with the outcome. The Greek Cypriots seemed to be burning at both ends.[356] The vast majority of them were inclined to reject the plan, and unless there was a radical turn of events they stood to vote against it. That did mean that the plan would be null and void. But it also implied that the self-proclaimed Turkish Republic of Northern Cyprus (TRNC)

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[356] Pace, Roderick, "Greek Cypriots Burning at Both Ends", 13 April 2004, available at www.typepad.com/changing_trains/2004/04/greek_cypriot_.htm

would have the opportunity, finally, to win international recognition. However, President Tassos Papadopoulos urged Greek-Cypriots to dismiss the blackmail about the possibility of recognition of the north in the event of a 'yes' vote in the north and a 'no' vote in the south. He believed the Treaty of Accession which had been signed between the Republic of Cyprus and the EU member states, prohibits such recognition by European countries.[357] On the other hand, however, US authorities made supportive statements regarding the Annan Plan and Turkey. News reports which had been released during the referandum process clearly indicated that the abandonment of the embargo on TRNC was a strong possibility, in case of rejectionist response from the Greek side. Turkish Foreign Secretary, A.Gül also made a similiar statement clearifying Turkey's intention to push for the abandonment of the embargo and the recognition of TRNC in the international arena, if 'no' outcome appears on the southern part. US Special Envoy for Cyprus, Thomas Weston, concerning this issue, stated that a possible "No" from the Greek side would lead to discussions on the Greek side preferring the recognition of the border with the Turkish side to a resolution on the dispute.[358] Additionally, former Greek Cypriot leader Glafkos Klerides stated that with a 'No' outcome the Greek Cypriots would present that they are preferring the existence of a country in the north of Cyprus.[359] While, Thomas Weston was stating that recognition of TRNC was not in the agenda, he underlined that, other measures could be taken such as including TRNC in international sports competitions and civil aviation network and, the

[357] "Blackmail Without Any Substance", Cyprus Mail, 18 April 2004

[358] Özgür Ünal, "Supportive Statements from US Authorities" , IS Investment – Research Department, 12 April 2004, available at
www.isteyatirim.com.tr/periodic_reports/market/20020412_weakahead.pdf

[359] Ibid idem

abandonment of the embargo. In result, Weston statements indicated that U.S. would not try to prevent the recognition of TRNC by other countries.[360]

During the negotiations, Rauf Denktaş used the talks so far as a stage to launch his campaign in favour of a 'no' vote in the referenda which was to be held on April 24. Papadopoulos also followed the same way. It is striking to note how those who disagree with the philosophy of the Annan plan, on both sides, were using exactly the same methods. Denktaş was warning the Turkish Cypriots that the plan would mean the dissolution of the TRNC, that the Greek Cypriots would come and force them out of their homes, that they would destroy their economy, that half of all businesses would be closed down because of harmonisation, and that when the Turkish army leaves the Turkish Cypriots would suffer the same fate as in 1963.[361] Denktaş always emphasized the same point: "If we don't take the necessary precautions against Greek Cypriot freedom of movement, including freedom to purchase or sell property, on the entire island, there will be no Turks left in Cyprus within 10-15 years".[362] On the other side, the dire warnings addressed to the Greek Cypriots were that the economy would collapse, that they would have to feed not only the Turkish Cypriots but the settlers, that the Turkish occupation will be legalised and that they will lose their national identity.[363]

One of the major concern of Turkish side that rankled even after negotiotions was the issue of "derogations". This was the point that worried Greece and the Greek

[360] Ibid idem

[361] Droushiotis, Makarios, "The Psychological War Is In Full Swing", Cyprus Mail, 18 March 2004

[362] Quated in Birand, Ali, Mehmet, "The Fear is to Let in a Last Minute Goal" Turkish Daily News, 31 March 2004

[363] Ibid idem

Cypriots the most. Derogations, permanent or temporary, are the norm when the EU wishes to shield regions and communities from the detrimental effects of EU laws that are unworkable in their respect.[364] As Cyprus was due to join the European Union on 1 May this year, it was to be subject to EU law, including the right to move freely within EU territory and to own property. However, under the Annan Plan, the number of Greek Cypriots who would be allowed to move back to areas under Turkish Cypriot control has been limited. This contradiction between EU law and the agreement opens the agreement to legal challenges at some future date. So, this was a major problem for Turkey during the negotiations. Owing to this reality Turkish side demanded some assurances from the EU that the agreement could not be changed later.[365] These assurances were: '(1)The derogations from the *acquis communaitare* should be permanent in nature; (2) The Agreement should be part of EU primary law, otherwise, the agreement will be vulnarable to lawsuits in European Courts'.[366] Regarding the first point, the Greek-Cypriots' position, and Europe's position, was that there should be no permanent derogations on basic principles, but only temporary derogations where absolutely necessary, meaning that one day the acquis communautaire shall fully apply in Cyprus.[367] Regarding the second point, Primary law in Europe, the superior law that triumphs all other laws, consists of Treaties between sovereign states. Below the Treaties, the next layer of the EU legal system consists of Community law created by decisions of the ECJ and ECHR. Constitutions of individual member states such as the constitution contained in the Annan Plan

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[364] Pace, Roderick, "Greek Cypriots Burning at Both Ends", 13 April 2004 available at www.typepad.com/changing_trains/2004/04/greek_cypriot_.html

[365] Lordos, George, "Bargaining Over What Turkey Needs", Cyprus Mail, 28 March 2004

[366] Ibid idem

[367] Ibid idem

occupy the third layer, below the first two. Turkey asked that any agreement reached should be part of EU primary law, so there would be no risk that provisions of the agreement can be overturned in European Courts through private lawsuits.[368] To make long story short, these provisions that aimed to protect the Turkish Cypriots were the limits imposed on the number of Greek Cypriot's migrating to the north and the property they purchased and were to form the basis of the bi-zonality on the island. However, the European Union did not provide a satisfactory response to queries over the issue of derogations, the enshrining in EU law of clauses protecting the status of Turkish Cypriots in the event of a reunification of the two states on the island, but instead promised to provide harmony through 'Act of Adoptation'. The text of the 'Act of Adaptation' which was to make the solution based on the Annan plan into EU primary law was attached to the end of the document, for some scholars, was considered as awful. Because, its language was not binding, and, they forgot to include the three derogations.[369] Nothing was being said about the lifting of the 18 percent limit on the Greek Cypriot population in the north after Turkey's membership to the EU and the Greek Cypriot population in the north not rising too much over two- thirds of the Turkish population.[370] The return or compensation of one-third of all Greek Cypriot properties in the north or the limitations imposed on senators being Turkish or Greek were not noted either.[371] In other words, they did not have the power to prevent the provisions of exceptional nature that aim to protect the Turks included in the Foundation Agreement from being eroded at the Luxemburg

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[368] Ibid idem

[369] Aktan, Gündüz, "Turks Pleased, Greeks- Cypriots Disappointed", Turkish Daily News, 3 April 2004

[370] Ibid idem

[371] Ibid idem

European Union Court of Justice.[372] The Greek attitude toward this issue has always been clear. Around three months ago, as the Greek Parliament was voting on the admission treaties of the ten EU candidate countries, including Cyprus, former Prime Minister Costas Simitis said the Cyprus problem would be solved through the EU acquis.[373] When Greek leader Tassos Papadopoulos was going to New York on the U.N. Secretary-General Kofi Annan's invitation, he said any solution on Cyprus would have to conform to the EU acquis and called on the EU representative to attend the negotiations as a party.[374] When the EU Commissioner for Enlargement Gunter Verheugen, in Ankara at the beginning of March for the Troika meeting, said the agreement could not be ratified in the parliaments of the member countries and added that such vast provisions to be applied for an indefinite period of time was in violation of EU practices.[375] It was decided that lawyers on both sides would examine the matter. At the meeting in Ankara on March 15 between the lawyers, EU representatives claimed the ratification by member parliaments would take a long time; the member countries would not accept such a procedure and etc. EU lawyers said Protocol No. 10 approved in the Thessaloniki Summit would be enough in this respect.[376] Term President Ireland's ambassador, as he was leaving the Foreign Ministry, separated the political and legal solution on the island and said that a legal solution could only be achieved in the long-term.[377] In the 5th paragraph of the protocol it is said, "The EU is ready to accommodate the terms of such a settlement

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[372] Aktan, Gündüz, "What's the Rush?", Turkish Daily News, 1 April 2004

[373] Aktan, Gündüz, "Derogations", Turkish Daily News, 24 March 2004

[374] Ibid idem

[375] Ibid idem

[376] Ibid idem

[377] Ibid idem

in line with the principles on which the EU is founded."[378] However, derogations themselves are in violation of the principles on which the EU was founded. This expression is almost the proof that the derogations shall not become primary law. The same expression is also included in the December 12, 2003 Brussels Summit President's Statement and the Annan plan's second attachment.[379] As outlined in Protocol 10, a unanimous decision taken by the EU Council would not make the derogations in the Foundation Agreement primary law, because council decisions are secondary laws.[380]

The Turkish side also unsatisfied with the proposal not to make Turkish as one of the official languages on the date of accession but five years later.[381] Turkish Cypriots, who number only around a fifth of the island's population, were concerned that the areas of the island earmarked under the plan to contain Turkish Cypriot majorities was gradually to come back under Greek Cypriot control if they were all allowed to move back.[382] However, Turkish-Cypriots described the last version of Annan Plan as a balanced plan. In this respect, the leader of the Peace and Democracy Movement (BDH), Mustafa Akıncı made a comment arguing that the plan did not forsee a perfect scenario for one side and a terrific scenario for the other.[383] Preliminary evaluations on the revised UN Secretary General K. Annan's

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[378] Ibid idem

[379] Ibid idem

[380] Aktan, Gündüz, " Sincerity", Turkish Daily News, 29 March 2004

[381] "Annan Planın da Kaygı Yaratan Noktalar Var", Vatan, 31 March 2004

[382] Ibid idem

[383] "Talat:We Expect A Document Which Will Remove Our Concern", Anadolu Agency, 29 March 2004, at www.turkishpress.com/turkishpress/news.asp?ID=18739

plan by diplomatic sources showed that demands of the Turkish Republic of Northern Cyprus for security and political equality had been met. Diplomatic sources noted that the plan foresaw equal distribution of seats at the senate of the United Cyprus Republic, which was expected to be comprised of 48 seats and stated that it would be a permanent equal distribution of seats.[384] It is also pointed out that one side could not dominate or rule the other side under the revised Annan plan. Noting that the number of Greek Cypriots who would return to their homes left in the north of the island was reduced, the sources said that however, that number was not clearly expressed in the plan.[385] Greek Cypriots allowed to move to the north was decreased from 21 to 18 percent of the Turkish population. However, the elderly, over 65, Greek Cypriots, who were to move to Karpaz, under the last version, were left out of this figure. In other words, the number of Greek Cypriots who allowed to migrate to north was around 70,000.[386]

Political circles in the southern Cyprus mentioned that the process of the talks in Burgenstock/ Switzerland, was leading Greeks to a negative reply, instead of paving the way for a Cyprus solution. Greek-Cypriots pointed out that far from any improvement on the third Annan Plan, which they had not accepted, the last version became worse. Social Democrats Movement EDEK Deputy President and Minister of Defence Kyriakos Mavronikolas stated to Simerini that " apparently, the Americans and the United Nations wanted us to give a negative reply. This is the only way to interpret the fact that, far from improving, the Plan became worse at our

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[384] "Annan Presents Revised Cyprus Plan", Anadolu Agency, 29 March 2004, available at www.turkishpress.com/turkishpress/news.asp?ID=18747

[385] Ibid idem

[386] Aktan, Gündüz, "What's the Rush?", Turkish Daily News, 1 April 2004

expense.".[387] The Minister of Agriculture, Environment and Natural Resources Timis Efthymiou also made a relevant statement. He pointed out and concluded that "Rejecting a solution doesn't mean not wanting a solution, it only means rejecting this particular solution".[388]

The 'no' camp against a solution among Greeks focused on two main arguments. First related to the presence of Turkish troops.[389] As it is well known, the first version of the plan provided for the complete withdrawal of all the Turkish troops when Turkey joined to the EU. However, the last version clearly envisaged the existence of a small number of Turkish and even Greek troops on the Island. The other issue was that of the guarantees and the right of intervention.[390] Under the plan, Treaty of Guarantee of 1960 would be maintained and, therefore, Turkey will have the right of intervention. Of course, Greek-Cypriots would all like to see the Treaty of Guarantee to be abolished. It should not be forgetten that, one of the reasons behind Greek-Cypriots' application to the EU for full membership was to nullify the Treaty of Guarantee.

Another Greek concern raised over the issue of *acquis communautaire*. For them, the Annan Plan did not ensure the *acquis communautaire*, thus violating their human rights.[391] They were also aware of the fact that during the transitional period according to plan, the Republic of Cyprus was not to exist and they were not to have

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[387] "Greek Cypriot Parties React to Version Five", Simerini, 4 April 2004

[388] Ibid idem

[389] Charalambous,Loucas, "Lies, Damned Lies and Hypocrites", Simerini, 4 April 2004

[390] Ibid idem

[391] Konstandinides, Stefanos, "A Critical Audit of the Annan Plan", Politis,16 March 2004

any international status and legitimacy, in case of a crisis. There were to be only two sovereign states. In other words, they had fear of losing the sole advantage they had all these years. Prof. S. Konstandinides confirms this fear by stating "we are being downgraded to the same level as the pseudostate".[392]

In March 25,2004, more than a thousand Greek Cypriots holding flags of Cyprus, Greece and the European Union, shouted slogans against the Annan plan.[393] Their aim was to underline that they wanted the solution of the Cyprus issue, but not the dissolution of the state.[394] Greek Cypriot leader Tasos Papadopulos clearly presented his strong opposition to the Annan Plan. However, as Papadopulos's party's share was about 7% of the total votes, the decisions of left-wing AKEL and the right-wing DISY were keenly awaited. Both parties were expected to back the Annan Plan. However, surprisingly, AKEL's politburo called for a postponement of the referenda and decided that if some portions of the agreement were not renegotiated, they were to vote 'no'. This development certainly weakened the possibility of the Greek side accepting the plan.

The reason why the Greek-Cypriots were ready to say 'no' in the referenda despite international pressure upon them was very simple, EU membership. They were sure that if the EU wants to change their state structure in the future, together with Greece they will have power to veto it. Similiarly, they were sure about their right to veto the EU recognizing the Turkish Republic of Nothern Cyprus. For them, the number of

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[392] Ibid idem

[393] "Anti Annan Plan Rally in the South", Cyprus Mail, 26 March 2004

[394] Ibid idem

refugees allowed to return to north was very small. Thus, they had a belief that rejecting the Annan plan will not cost them dearly, because they were sure about their right to be compensated fully for the lost properties through the European Court of Human Rights decision on the Loizidu case.[395] They were sure that as long as Turkish military remains on the island, the international pressure exerted on Turkey will continue. Especially, those countries that oppose Turkey's EU membership may cite the continued presence of the Turkish soldiers on the island as a reason to maintain their objections.[396] They were sure about thair veto power to be used during the Turkey-EU membership negotiations. Thus they had intention to use this trump to change Turkey's stance in the future in accordance with the developments.[397]

The Annan plan divided both the Turkish and Turkish Cypriot politics and paved the way for rival leaders Rauf Denktas and Tassos Papadopoulos finding common ground in opposing the plan. In Turkey, the ruling Justice and Development Party (AKP) found itself the sole campaigner for the plan, with all its opponents uniting in the "no" bloc behind Turkish Cypriot President Rauf Denktaş. In the last week before the referendum, leaders of Turkish parties went to the island to support Denktaş in his opposition against the plan. In Turkish Cyprus, Prime Minister Mehmet Ali Talat's Republican Turkish Party found allies among opposition parties, while Talat's coalition partner Serdar Denktaş, son of Rauf Denktaş, declined to take side and let his electorate to vote freely. Talat's plea found support among most of the Turkish Cypriots, according to whom the prospect of joining the EU on May 1 and reaping the economic and social benefits of membership were the main reason why they

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[395] Birand, A., Mehmet, "Why Do the Greek Cypriots Say No", Turkish Daily News, 16 April 2004.

[396] Ibid idem

[397] Ibid idem

supported the Annan plan. For majority of Greek Cypriots, the plan meant the loss of privileges that they have enjoyed for three decades as the internationally-recognized government of Cyprus.

Under these circumstances, as forseen by the Annan Plan's Foundation Agreement, separate simultaneous referenda in the two communities were held on 24th April 2004. Both Greek and Turkish Cypriots voted on the following question: "Do you approve the Foundation Agreement with all its annexes, as well as the constitution of the Greek Cypriot/Turkish Cypriot constituent state and the provisions as to its laws to be in force, to ring into being a new state of affairs in which Cyprus joins the European Union united ?". Sixty-five percent of Turkish Cypriots voted 'yes' to the Annan plan while 35.09 percent voted against the plan in the simultaneous referenda. A total of 75.83 percent of the Greek Cypriots said 'no' to the plan while 24.17 of them voted 'yes'. The rate of participation in the referendum was 84.35 in TRNC and 96.53 percent in the Greek Cypriot side.[398]

D) IMPLICATIONS OF REFERENDUM ON TURKEY-EU RELATIONS

Cyprus issue had been laid on a new ground after separate simultaneous referenda in the island. It seems that this ground has provided a great advantage for Turkey and TRNC. From now on, Greek Cypriots cannot complain about the Turkish

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[398] "Denktaş: A New Page Has Been Opened in Cyprus", Diplomatic Observer, www.diplomatikgözlem.com/haber_oku.asp?id=1333

occupation, the settlers or human rights.[399] Even if they do so, their arguments will not be credible. Most notably, referenda in the island had proved that the uncompromising side was the Greek Cypriot side. The main outcome of the whole Cyprus peace process is that no one will be able to say it was Turkey that blocked a settlement. This means the Cyprus issue, which has arguably been the single most outstanding threat to converging relations between the EU and Turkey, may be neutralized. Moreover, it will be difficult for the EU to retain its wide-ranging embargo on the North of the island. And certainly, high rate of 'no' votes in the Greek Cypriot side in the simultaneous referenda totally removed the possibility of finding a solution to Cyprus issue on the basis of Annan plan. Turkey and TRNC have showed their good will for peace by actively taking part in the settlement process. The reality that emerged in this new page is the reality which the world has refused to accept for 40 years, as Denktaş has recently commented by following remarks; "That is, the Greek Cypriots don't have the right to say a word on behalf of Turkish Cypriots. That is, they are not the government of Turkish Cypriots and will never be so. That is, two equal sovereign nations exist in Cyprus and these two equal nations have the right to determine their own future with their own will".[400] This was the meaning of the simultaneous referenda in the island.

The Greek Cypriots overcame the referendum without unexpected incidences, and with the EU support they have been granted the full EU membership. They calculated what they could obtain from Turkey in the future by using the advantages

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[399] Birand, A., Mehmet, "Turkey Should Thank Papadapulos", Turkish Daily News, 26 April 2004

[400] Denktaş: A New Page Has Been Opened in Cyprus", Diplomatic Observer, www.diplomatikgözlem.com/haber_oku.asp?id=1333

of EU membership, and decided they were better than what the Annan plan offered. By saying 'no' they saved the state and still ensured their countries membership to the EU. They postponed the solution by saying, "From now on, this is the EU's problem".[401]

The Eastern Mediterranean island of Cyprus has ushered in a new era with the unilateral European Union accession of the island's Greek Cypriot government, with the unjust and prejudiced assumption of the international community that it was the legitimate government of the whole of Cyprus. It was the first time in the history of the EU that 'the faulty (one)' was rewarded with membership.[402]

On the other side, the matter of Turkey's membership has become one of the most important issues on the EU agenda. If the constitution issue is resolved at the EU summit in June, it will top the agenda.[403] Historically, Turkey-EU relations have always been revolved around two problems; Cyprus and the domestic developments in relation to the Copenhagen Criteria. However, by taking positive attitudes towards the Plan and during the referendum process, it seems that Turkey has succeeded in neutralizing a perennial obstacle to Turkey's aspirations for European Union membership. The Cyprus question has not been totaly eradicated though it should no longer be considered an obstacle to Turkey's EU accession following the outcome of the referendum in the Island. The EU attitude towards this direction will be morally the correct one. However, it is highly expected that Greek- Cypriots will

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[401] Quated in Birand, A., Mehmet, "Turkey Should Thank Papadapulos", Turkish Daily News, 26 April 2004

[402] Kanlı, Yusuf, "A Cheekly Toddler in EU: Greek Cypriot State", Turkish Daily News, 2 May 2004

[403] Aktan, Gündüz, "Difficult Six Months", Turkish Daily News, 13 May 2004

bring the Cyprus issue on the table when the time comes to decide whether to offer a date to Turkey. It wouldn't be absurd to imagine that Greek-Cypriots while rejecting the plan they knew they could obtain more from Turkey in the future by taking advantage of EU membership. They draw a game plan according to which they will support Turkey receiving a date to start membership negotiations and in return they will demand more concessions from Turkey.[404] In other words, they will utilize the veto card to get all that they can.

There is also a second scenario regarding the EU December Summit which postulates that Turkey will be evaluated only by looking at domestic improvements related to the Copenhagen Criteria. This means that the Cyprus issue will not block Turkey's EU bid, owing to the reality of outcome appeared after the referandum. The EU attitude towards this direction, apart from being morally the correct one , will help Turkey to grasp the EU sincerity. If Europeans do the opposite in the forthcoming Summit, the anti-European discourse in Turkey will be strengthened by laying their claims on the ground that the EU will never admit Turkey. On the other side, contrary forces in Europe would like to to bring the process to a screeching halt and the long-fostering Cyprus problem threathens them to do just that. However, from this time on, it will be difficult for them to acquire support and voice their desires and preferences concerning the issue of Turkey's full membership within the EU.

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[404] Birand, A.Mehmet, "Turkey Should Thank Papadapulos", Turkish Daily News, 26 April 2004

CONCLUSION

General literature on the Cyprus conflict agrees that the roots of the Cyprus problem can be traced back to the 1950s when Greek Cypriot and Greek aspirations to achieve *enosis* -unification with Greece- took the form of a violent campaign against the British colonial rule as well as the Turkish Cypriots. The culmination of the diplomatic efforts in order to stop violent clashes in the late 1950s on the island resulted in signing of two distinct but interlinked Treaties, which formed the basis of 'state of affairs' in Cyprus, the Treaty of Establishment and the Treaty of Guarantee and of Alliance. Uneasy years, however, followed the establishment of the Republic. On December 3, 1963, Archbishop Makarios, President of Cyprus and leader of the Greek Cypriot community on the island, announced a proposal to revise the Cyprus Constitution, which was based on the above-mentioned treaties so as to effectively eliminate provisions designed to give special protections to the island's Turkish people.[405] Following the Makarios's announcement, fighting broke out between two communities on the Island which brought the Partnership to an end. 1963-1974 was the worst decade in the history of the island. Eleven years of suffer and ethnic cleansing of the Turkish Cypriots, forced Turkey to launch a military operation in order to protect Turkish-Cypriots and to re-establish a balance between Turkish and Greek Cypriots as well as between Turkey and Greece.

In the meantime, the close relationship between Cyprus and the EC had been established with the signing of the 1972 Association Agreement, coupled with other

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[405] Özkeçeci, Binnur, "1974 Cyprus Conflict in Perspective: Theory and Practice",A Quarterly of the Foreign Policy Institute, Vol.XXVIII – Nos.1-2, 2002, p.28-29

developments in Europe and the EC, encouraged the Greek-Cypriot Administration (GCA) to apply for full membership in the Community in 1990. Three years later, on 30 June 1993, the European Commission issued its Opinion on Cyprus's application, confirming the island's European character and vocation and concluding that it was eligible to be part of the Community. EU interests in the settlement of the Cyprus conflict increased after the application for membership by the Greek Cypriot Administration. Since the Greek Administration wanted to gain access to EU, Cyprus had become a significant island for EU. Its significance within the new world order is still very high. The island is opposite from three continents and is located on the Western entrance of the Middle East, hence Asian market. It is a strategic point for Eurasia. Therefore, Cyprus can be EU's business and military outpost and bridgehead and energy route in the Eastern Mediterranean.[406] In light of these facts, EU is closely interested in Cyprus.

In June 1994, the European Council at Corfu, where Cyprus-EU relations were examined, concluded that an essential stage in Cyprus's preparations for accession could be regarded as completed and that the next phase of enlargement of the EU would include Cyprus. This was confirmed by the European Council at its meetings at Essen, Cannes, Madrid and Florence respectively. At Cannes (June 1995), it was also reaffirmed that negotiations on the accession of Malta and Cyprus to the Union will begin on the basis of Commission proposals, six months after the conclusion of the 1996 Intergovernmental Conference. In the meantime, at the meeting of the Council of General Affairs on 6 March 1995, and at the 19th meeting of the Cyprus-EU Association Council on 12 June 1995, it was decided that a pre-accession

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[406] Manisalı, Erol, Dünden Bugüne Kıbrıs, Gündoğan Yayınları , 2002, p.84

structured dialogue at various levels would be established between Cyprus and the EU. All of this was part of a package deal with Greece, in return for setting a date for accession negotiations with Cyprus, Athens agreed no longer to block the conclusion of the customs union with Turkey, which it had vetoed in the past.

It is also worth mentioning that, in Agenda 2000, the Commission Communication which was issued on 15 July 1997, it was reconfirmed that accession negotiations with Cyprus would start six months after the conclusion of the Intergovernmental Conference. Agenda 2000 also stated that the timetable agreed for accession negotiations to start with Cyprus means that they could also start before a political settlement is reached. Then came the Luxembourg Summit where the European Council decided to launch an accession process comprosing the ten Central and East European applicant states and Cyprus while denying Turkey's candidateship status. With the EU's Luxembourg decisions in December 1997, the EU decided to include Cyprus within the first track countries with which accession negotiations would start in March 1998. Indeed, following the decision of the European Council in Luxembourg in December 1997, accession negotiations began on 30 March 1998, without the participation of the Turkish Cypriots.

At its December 10-11, 1999 Council meeting in Helsinki, the European Union adopted a framework for the next round of EU enlargement. In accepting Turkey as a candidate for accession, the EU established three pre-conditions to be fulfilled by Turkey before accession negotiations can begin. These pre-condition were codified in the Accession Partnership Accord for Turkey issued by the EU on November 8, 2000 and the overall framework was reconfirmed at the December 13-14, 2000 EU summit in Nice. Turkey accepted these pre-conditions. They are:

1) Resolution of "outstanding border disputes" or, failing this, referral "within a reasonable time" to the International Court of Justice (ICJ).

2) EU accession negotiations with Cyprus will continue and a settlement of the Cyprus problem will not be a precondition of Cyprus' accession; and,

3) Turkey's candidacy for accession will be subject to the full political and economic criteria established by the 1993 Copenhagen Council for all candidate states. The "Copenhagen Criteria" cover such issues as democratic governance, the rule of law, human rights, protection of minority rights and a functioning market economy able to cope with EU market forces.

Turkey turned over a new leaf by the Copenhagen Summit on December 12, 2002 with respect to its European Union experience. The presidents of EU member states and governments determined to give Turkey a conditional appointment date in December 2004. According to the decision, whether Turkey has fulfilled its commitments in terms of the Copenhagen Criteria will be evaluated in December 2004, and membership negotiations will be initiated in early 2005 if Turkey is found to have done the necessary. The most important consequence of the Copenhagen Summit might be the fact that the Cyprus issue is no longer a bargain matter for Turkey but Europe's trump card. The summit documented the assurance that the Greek Cypriot Administration would be awarded membership if an agreement is not achieved until 28th February. Thus, EU has tended to misuse this situation as a means of threat.

At the same time, the UN Secretary General's distribution of a comprehensive settlement plan in November 2002 injected new life into the process. The plan

represented the most comprehensive attempt to reach a settlement, certainly in the last decade, and probably since the 1974 division of the island. The objective was to reach an agreement between the parties by or at the Copenhagen Council on 12-13 December 2002. A first revision was made on 10 December 2002 and a second on 26 February 2003. The plan, entitled "Basis for a Comprehensive Settlement of the Cyprus Problem", required a referendum in advance on 16 April 2003 to approve it and reunify Cyprus. However, in The Hague, on 10 March 2003, it was acknowledged that the negotiating parties failed to achieve in an agreement and submit the UN plan to separate referendum for approval.

The Annan document presented to the parties on the 11th of November not only proposed a solution to the Cyprus question within the context of the EU membership but also it offered a solution in line with the Greek thesis. Although the document cited the Turkish side as a politically equal body, it diluted the right to veto legislation, an inseparable element of political equality. It created such a powerful central state mostly under control of the Greeks that the Turkish constituent state could not have survived as a politically equal and sovereign entity. The territorial concession that Turkish side had been asked to make was too large and too costly. The Turks would have to give up about one quarter of the territory they presently control. This quarter contained about seventy per cent of the arable land under Turkish control, and it was to cause the loss of all the property for about sixty thousand people out a total of two hundred thousands.[407] The loss of these lands would have also ment the loss of eighty per cent of the water resources. The

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[407] Ünal, Hasan, "The Cyprus Question and the EU: The Annan Document and Latest Developments", Stradigma, Issue 3, April 2003, available at www.stradigma.com/english/april2003/articles_06.htm

document did not contain any measure to compensate and rehabilitate those people into economic life again who were to lose all their properties.[408] The security and guarantee parts of the document were far from being satisfactory for the Turks. Most importantly, the 1960 guarantee scheme was not to remain in force or intact. There were also no serious restrictions on the likely Greek Cypriot domination of the Turkish Cypriot economy. There is no doubt that under EU norms it would be difficult to prevent Greek Cypriots investing in the north.

As the revised Annan plan was discussed at The Hague held on March 10, the TRNC officials, thinking the plan would bring immense problems rather than peace to the island, decided to oppose it. Actually, although both the Turkish and the Greek sides had notified at the summit that they would not accept the plan with its current condition, only the Turkish side was shown as the opposing party by the international community. However, following December 2003 elections in TRNC there was some optimism from the opposition side, which they promised to change the scene for a possible settlement in the island. In the light of this development, UN Secretary General Kofi Annan put the final touches to the latest draft of his plan for the reunification of Cyprus, in Switzerland for vital talks on Cyprus's future, where he was expected to present his revised version to the Greek and Turkish prime ministers. The talks held under United Nations auspices and took place in the mountain of Buergenstock. The four parties (Turkey, Greece, and Greek and Turkish Cypriots) had been asked to reach agreement by 31 March. Failing to do so, Annan was to fill in the gaps, and the proposals was to be put to referendums in the Greek and Turkish parts of the Mediterranean island on 24 April.

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[408] Ibid idem

One of the biggest problems to be solved centered on the right of around 180,000 Greek Cypriots to return to homes in the north from which they had left in 1974. The Turkish side advocated that returns should be limited, while the Greek side argued all Greek Cypriots should have the right to go back. In order to overcome this deadlock, Annan proposed a compromise that put forward a reduction in the number of Greek Cypriot refugees allowed to return to northern Cyprus from 21% to 18% of the Turkish Cypriot population which approximately corresponds to 120,000 Greek Cypriots. Some of the important revisions to the original plan were:

- A reduction in the size of Turkish Cypriot territory by 7% to 29% of Cyprus;

- Restrictions on property rights for Greek Cypriots in the north until the region approaches the living standards of the south;

- Twenty-four seats for Turkish Cypriots in the 48-seat Senate, with the possibility of Greek Cypriots representing northern Cyprus removed;

- No insistence on the withdrawal of all Turkish troops before Turkey joins the EU.

One of the major concern of Turkish side that rankled even after negotiotions was the issue of derogations. Owing to contradiction between EU law and the plan, the Turkish side demanded some assurances from the EU that the agreement could not be changed later. These assurances were: '(1)The derogations from the *acquis communaitare* should be permanent in nature; (2) The Agreement should be part of EU primary law'. These provisions that aimed to protect the Turkish Cypriots were the limits imposed on the number of Greek Cypriot's migrating to the north and the property they purchased and were to form the basis of the bi-zonality on the island.

The EU instead of providing a satisfactory response, it only promised to provide harmony through 'Act of Adoptation'. For some scholars, the Act was considered to be awful because it was not a binding document. Similiarly, the Greek side raised their main concern over the issue of *acquis communautaire*. For them, the Annan Plan did not ensure the *acquis communautaire*, thus violating their human rights.

The Annan plan divided both the Turkish and Turkish Cypriot politics and paved the way for rival leaders Rauf Denktas and Tassos Papadopoulos finding common ground in opposing the plan. In Turkey, the ruling Justice and Development Party (AKP) found itself the sole campaigner for the plan, with all its opponents uniting in the "no" bloc behind Turkish Cypriot President Rauf Denktaş. In TRNC, Prime Minister Mehmet Ali Talat's Republican Turkish Party found allies among opposition parties, while Talat's coalition partner Serdar Denktaş, son of Rauf Denktaş, declined to take side and let his electorate to vote freely. For majority of Greek Cypriots, the plan meant the loss of privileges that they have enjoyed for three decades as the internationally-recognized government of Cyprus.

As forseen by the Annan Plan's Foundation Agreement, separate simultaneous referenda in the two communities were held on 24th April 2004. Sixty-five percent of Turkish Cypriots voted 'yes' to the Annan plan while 35.09 percent voted against the plan in the simultaneous referenda. A total of 75.83 percent of the Greek Cypriots said 'no' to the plan while 24.17 of them voted 'yes'.

Cyprus issue had been laid on a new ground after separate simultaneous referenda in the island. The reality that emerged in this new page is the reality which the world has refused to accept for 40 years. The possible consequences of referandum can be summerized as following:

- The possibility of finding a solution to Cyprus issue on the basis of Annan plan has been totaly removed following the high rate on 'no'votes in the Greek-Cypriot side.

- From now on, Greek Cypriots cannot complain about the Turkish occupation, the settlers or human rights.

- Referenda in the island had proved that the uncompromising side was the Greek Cypriot side. No one will be able to say it was Turkey that blocked a settlement.

- It will be difficult for international community to retain its wide-ranging embargo on the North of the island.

- The Cyprus issue which has arguably been the single most outstanding threat to converging relations between the EU and Turkey, may be neutralized.

One of the striking outcome of the referandum is related to Turkey-EU relations. After the refarandum the Cyprus issue can not be considered an obstacle any more for Turkey on its path to EU membership. As it is well known, Turkey has long pursued a policy of refusing Cyprus Issue as being one of the pre-condition to be fulfilled before joining the Union. Turkey has always insisted that Turkey – EU relations should be evaluated on its own. However, on the other hand, the EU has always brought the issue on the table while discussing Turkey's full membership. For example, in 1995 a Customs Union Agreement with Turkey could have only been

possible by assigning a date for Cyprus to have the accession process start. Things always evolved in the same way. Whenever the EU had given something to Turkey, in back , it demanded and got some concessions from Turkey regarding the Cyprus question. For example, at Helsinki , the EU recognized Turkey as a candidate country,but, on the other hand the EU secured that a solution to the Cyprus problem shall not be considered as a prerequisite for the accession of Cyprus. And, finally, the Copenhagen European Council in December 2002 made it clear that if Turkey wants to have a date it must cooperate better in Cyprus for a settlement. However, by taking positive attitudes towards the Plan and during the referandum process, it seems that Turkey has succeeded in neutralizing a perennial obstacle to Turkey's aspirations for European Union membership. Thus, it is highly expected that, at the EU December Summit this year, Turkey will be evaluated only by looking at domestic improvements related to the Copenhagen Criteria. The EU attitude toward this direction, apart from being morally the correct one, will help Turkey to grasp the EU's sincerity and faith on Turkey. It is also expected that Greek- Cypriots will bring the Cyprus issue on the table when the time comes to decide whether to offer a date to Turkey. In other words, they will try to utilize the veto card to get all that they can. Such an approach, probably, will have negative effects on Turkey-EU relations. First of all, anti-European discourse in Turkey will be strengthened, because Turkish people may loss their beliefs and confidence in EU and they will be convinced to find alternatives to EU membership . In other words, the power of pro-European forces will be considerably reduced, because of the fact that Turkey's objective of EU membership will be miracle due to existence of two Greek states in the EU which they will probably request even more concessions in Cyprus and also in Aegean that Turkey cannot pay for their support. Possibly, Turkey may stop political dialogue

with EU on political and security issues as it did after Luxembourg. Turkey in its regional policies may eventually pay lesser attention to European interests and seek greater cooperation with US, in particular , in Central Asia where EU has an interest of securing energy supplies. Turkey is not only a big market for EU, but also an important partner which can have easy access to resources in Eastern Mediterranean , Balkans, Black Sea and Central Asia. At this point , Erol Manisalı argues that since the end of Cold War, the EU, the USA, Russia and also Japan have engaged in competition in Central Asia, and in this frame, alienation of Turkey from EU will be a great mistake for Europeans which they will probably fall in disatvantegeous position in this competition.[409] Thus, the EU December Summit is not very important only for Turkey, but also for the EU. If EU fails to offer a date to Turkey because of Cyprus, such a step will cost Europeans dearly.

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[409] Manisalı, Erol, Tütkiye AB İlişkilerinde Sessiz Darbe (Silent Coup in Turkey-EU Relations) Derin Yayınları, Istanbul 2002, p.32.

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