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EROL KAYMAK

ZENONAS TZIARRAS

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REVISITING THE CYPRUS CONUNDRUM IN TURKEY-EU RELATIONS

Erol Kaymak*, Zenonas Tziarras**

The establishment of the Republic of Cyprus (RoC)[1] in 1960 led to a short-lived security arrangement among guarantor powers (i.e., Turkey, Greece, and the United Kingdom). Over the decades, the long-standing Cyprus problem remained contained, effectively as a Greco-Turkish backwater issue, at most a derivative consigned to the margins of NATO's southern flank. The accession of the divided island into the European Union (EU) in 2004 introduced a new regional and potentially disruptive geopolitical dynamic into the relations. While Turkey became officially an EU candidate member-state in 1999, diplomatic attempts to resolve the Cyprus problem in time for EU accession failed, and the internal and security dimensions of the Cyprus problem remain unresolved until today.

Current relations between the EU and Turkey are inextricably linked to the Cyprus problem. In a number of ways, an elusive comprehensive settlement (or failing this, piecemeal agreements that pave the way forward) is part and parcel of unlocking key issues in Turkey-EU relations.

While the resolution of the Cyprus issue remains a formal precondition for Turkey's EU accession, it also complicates politics in Brussels. For instance, in 2020, the RoC linked support for sanctions against Belarus to its own dispute with Turkey over oil and gas drilling in its declared Exclusive Economic Zone (EEZ) (Rettman, 2021).

While the EU risks embroilment in a regional conflict, it also has the potential to assist in the resolution of the problem, as it has participated in recent rounds of negotiations as an observer, and has vowed to accommodate a mutually agreed settlement, implying transitional derogations from the EU acquis. That said, a comprehensive settlement of all outstanding issues is unlikely, which may portend a deepening rift between the EU, including member state RoC, and Turkey.

Against this background, we aim to revisit this complex relationship and explore its different dynamics, particularly with regard to intra-communal perspectives vis-à-vis Turkey's EU accession candidacy and role in Cyprus. More specifically, we aim to look at Greek-Cypriot and Turkish-Cypriot political attitudes towards obstacles and opportunities, however conditional, in terms of the future of

* Prof Dr., Department of Political Science and International Relations, Eastern Mediterranean University.
** Dr., Peace Research Institute Oslo, Cyprus Centre.

[1] Republic of Cyprus (RoC) and Cyprus are used interchangeably in this paper.

Turkey-EU relations, to assess what could be the – negative or positive – impact of the Cyprus problem on the future of this relationship, and whether communal attitudes can be bridged. We start with a brief background on the Cyprus issue. We then proceed with a background on Turkey-EU relations and the intervening role of the Cyprus problem. Next, the paper focuses on Turkish-Cypriot attitudes and Greek-Cypriot attitudes vis-à-vis the Turkey-EU partnership, respectively.

It concludes with suggestions for addressing the positions and concerns of the involved parties to overcome the stalemate both in the Cyprus problem and the Turkey-EU partnership.

Turkey and Cyprus prior to EU Accession

While Turkey's EU accession process has constituted a chronic and long-debated issue since the early 1960s, the RoC's application for full membership on 4 July 1990 has affected Turkey-EU relations as well since the latter date. Whereas the RoC had an association agreement with the European Communities dating from 1972, it was not until the end of the Cold War that the EU's enlargement strategy impacted Cyprus, and hence Turkey-EU relations.

Turkey's role in Cyprus as a guarantor power stems from the London-Zurich framework agreement toward the end of British colonial rule in Cyprus, which paved the way for Cypriot independence via the transfer of sovereignty from the United Kingdom to the RoC. From its inception, the RoC was an exceptional, or *sui generis*, entity, to the extent that it was born not out of an act of self-determination, but rather came into being through international treaties. With respect to security, the relevant documents are the Treaty of Alliance and the Treaty of Guarantee. The former is a *bona fide* security alliance, but the latter is important insofar as it has been cited as the justification for the Turkish military intervention in 1974.

The Treaty of Alliance incorporated military contingents from Greece and Turkey in a 60:40 ratio and a Tripartite Headquarters with rotation between Greek, Turkish, and Cypriot commanders. The National Guard of Cyprus, or Greek Cypriot National Guard, would be constituted following the constitutional and security crisis of 1963-1964. Thereafter, the Turkish Cypriots withdrew or were excluded from participation in the RoC's representative institutions. The fateful UNSC Resolution 186 of 1964 consolidated Greek Cypriot control of the government, rendering the Turkish Cypriot administration rebellious (rendering the Turkish administration extraneous/useless/ineffective OR causing the Turkish Cypriot administration to rebel.

Despite negotiations on the island and the deployment of UN peacekeepers, agreement on a revised power-sharing arrangement between the two political communities proved elusive. Turkey intervened militarily and occupied the northern part of Cyprus in 1974. This was based on the pretext of an aborted coup by Greece and the (Greek) Cypriot National Guard to overthrow the President of the RoC, Makarios, in the name of the strategic goal of *enosis* (union with Greece), which was forbidden by way of the Treaty of Guarantee. The tragic events

of 1974 saw the internal displacement of many thousands of civilians, and led to the exchange of populations across the "Green Line" that has remained dividing Cyprus as a UN-patrolled ceasefire line ever since. Efforts to solve the Cyprus problem since 1974 have been on the basis of a 1977 High Level Agreement between the two community leaders, envisioning a bizonal, bicommunal federation. In 1983, the Turkish side declared independence in the shape of the Turkish Republic of Northern Cyprus (TRNC), which was internationally denounced, and was recognized only by Turkey. Cyprus has become a truly frozen conflict over the years. While the advocates of Cyprus' accession to the EU argued that the process would serve as a catalyst for new thinking and new dynamics, paving the way for a settlement to the decades-long dispute, in reality it brought new dimensions to the Cyprus problem.

Turkey-EU relations and the Cyprus Problem

After the Cold War, Turkish-European relations developed and improved both politically and economically. The new international environment that emerged with the collapse of the Soviet Union created the need for specific criteria that would determine the accession of new states to the European Economic Community, which by 1993 was transformed into the EU. These criteria were defined in 1993 at the Copenhagen Summit, making things more difficult for Turkey (EU 1997; Oğuzlu 2003: 287)[2] Despite the various challenges the country faced, Turkey and the EU reached a Customs Union Agreement in 1995, which came into effect the next year with positive implications for the Turkish economy and the country's EU prospects. Yet new problems arose with the 1996 Greek-Turkish crisis, and the rekindling of the Kurdish issue. As a result, Turkey's application to become a candidate for full membership was rejected at the Luxembourg European Council in 1997, causing much disappointment in Turkey and stirring a wave of anti-westernism. At the same time, the Council paved the way for the accession of Cyprus. Shortly thereafter, Turkey and the Turkish Cypriot side reiterated their opposition to the accession of Cyprus, prior to a settlement being agreed on the island and the simultaneous accession of Turkey. Moreover, Turkey and the Turkish Cypriots argued for a confederal settlement in Cyprus, instead of the bizonal-bicommunal federation that had been the basis of negotiations since 1977 (BBC, 1998).

The 1999 Helsinki Summit proved to be a breakthrough, whereby the Council agreed to grant Turkey the status of an EU candidate state. Greek diplomacy was instrumental in this result, which linked Turkey's new status with Cyprus' accession to the EU without the resolution of the Cyprus problem being a pre-requisite. The conclusions of the Summit were conditional, going beyond the standard political Copenhagen Criteria, entailing rapprochement with Greece over the Aegean, and made specific reference to support for the then ongoing UN facilitated efforts to resolve the Cyprus problem. At the same time, it mentioned that failure to resolve the Cyprus dispute would not constitute a precondition for Cyprus' accession (EU, 1999).

[2] The so-called Copenhagen Criteria included 1) Political Criteria: Stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; 2) Economic Criteria: A functioning market economy and the ability to cope with competitive pressure and market forces within the EU; and 3) Criteria of the Union's Acquis: Ability to take on the obligations of membership, including the capacity to effectively implement the rules, standards and policies that make up the body of EU law (the "acquis"), and adherence to the aims of political, economic and monetary union. It was accepted at the Copenhagen Summit that all the candidate countries must satisfy the first criterion for the EU accession negotiations to be launched.
See, https://eur-lex.europa.eu/summary/glossary/accession_criteria_copenhague.html?locale=en (Accessed 10 January 2021).

In December 2004, following a Progress Report by the Commission, Turkey received the date for the beginning of the negotiations for its accession to the EU as October 3, 2005 (EU, 2004). The developments that followed within the EU, in Cyprus and in Turkish foreign policy, as well as the *status quo* in Cyprus contributed to a heated debate regarding the future of Turkey's EU process. Furthermore, after the Helsinki Summit it became clear that Cyprus and the Cyprus problem would become important for Turkey's EU process and vice versa.

The Cyprus Problem

Whereas the RoC acceded to the EU as a unitary state, the Greek Cypriot-led administration does not exercise effective control across the Green Line that divides Cyprus. A 'derogation' to the Accession Treaty was accepted, stating that the European acquis only applies in territories under the effective control and jurisdiction of the Greek Cypriot-led RoC, as stipulated in Protocol 10 (EUR-Lex, 2003). The same protocol envisions a negotiated settlement whereby the acquis would extend to the whole territory of Cyprus. In the interim, the ongoing Cyprus dispute affected Turkey-EU relations and its resolution remains the bottom line for wider regional cooperation.

The EU Accession Treaty of 2003 effectively accommodated the territorial division of the island and the unresolved Cyprus problem. The upshot of the indefinite suspension of the acquis in the Turkish Cypriot administered northern part of Cyprus was a grand derogation encapsulating all dimensions of the decades-long political and territorial division. This included the security dimension that features as an integral chapter in settlement framework negotiations. Despite frantic last-minute diplomatic efforts to ratify a comprehensive settlement, a divided (and Greek Cypriot-led) Cyprus acceded to the EU in 2004. The UN mediators and the EU had hoped that this outcome could be averted. (United Nations Security Council, 2004). The international community exerted pressure on all sides to endorse a UN blueprint (dubbed the "Annan Plan"), a comprehensive deal that would have entailed a timetable for the withdrawal of Turkish troops from the island among other arrangements. It was also designed to entice Turkey, as the EU had committed to offering Turkey candidate status for accession in return for a Cyprus settlement.

The Greek Cypriot and Turkish Cypriot sides acquiesced to holding separate but simultaneous referenda in their respective (political) communities on the proposed settlement plan. The Greek Cypriot electorate, urged on by their president, Tassos Papadopoulos, ultimately rejected the Plan (Sachs, 2004), while the Turkish Cypriots endorsed it. The text of the referendum ensured that its rejection would render the settlement plan and the process that had produced it as "null and void". As a stop-gap measure, the EU adopted the "Green Line Regulation" to facilitate freedom of movement for EU citizens across the effective border separating the Turkish Cypriot north from the areas to the south where the RoC exercised effective control (Tocci, 2004). Thereafter, from the standpoint of the EU, the relationship between the divided Cyprus states would be legally interpreted via Protocol 10.

Protocol 10 was drafted without reference to or preconditions on security matters.

Thus, the security dimension of the Cyprus problem was subsumed within the parameters of an elusive comprehensive settlement package. As a result, the security framework from the 1960 London-Zurich agreements remained legally in force, given the principle of *pacta sunt servanda.* Any changes – or sunset clauses – envisioned in the UN blueprint were shelved. Different versions of the UN blueprint had either envisioned the phasing out of the treaties or modifying them (*mutatis mutandi*). By the time the security dimension was revisited at the (failed) Crans Montana Summit of 2017, more than a decade had elapsed. It was reported that Turkey had offered some concessions on security, but the whole process ended in acrimony and finger pointing (Miles, 2017). Turkey, thereafter, maintained that a federal settlement was no longer viable on account of alleged Greek Cypriot duplicity. The then Turkish Cypriot leader, Mustafa Akıncı, remained committed to a federal settlement framework, resulting in a schism with Turkey. Despite Akıncı's efforts, however, via UN mediation to reaffirm various negotiating principles with his Greek Cypriot counterpart, Nicos Anastasiades, no real progress was made.

Moreover, with the electoral defeat of Akıncı in 2020 to Ersin Tatar, there is scant hope of revisiting the negotiating table on the basis of federalism, since Tatar expressly eschews it in favor of a two-state or confederal model (Anadolu Agency, 2021). In April 2021, the UN Secretary General invited the Cypriot sides and the three guarantor powers to Geneva participate in 'informal' talks, dubbed '5 + the UN'. Not surprisingly, the UN chief determined after the meeting that there was insufficient common ground to resume formal negotiations (Reuters, 2021).

Turkish-Cypriot Perceptions and Turkey-EU Relations

As an internationally isolated community, Turkish Cypriots are not part of international or regional security alliances. The broader geopolitical agenda, including the politics associated with natural gas exploitation in the Eastern Mediterranean, is affected by the stance of Turkey and the Turkish Cypriots. Therefore, a look back into the history of the community is necessary to evaluate today's perceptions and attitudes.

The Turkish Cypriots' security is inextricably bound up with their relationship to the "motherland" Turkey. In the years prior to Cyprus' independence in 1960, Greek Cypriot militia, the EOKA (*Ethniki Organosis Kyprion Agoniston* - National Organization of Cypriot Fighters) had targeted British colonial administrative interests, including personnel. Pressure was mounting on the UK to concede to demands for union with Greece (*Enosis*). In turn and in response to the enosis agenda, the leaders of the Turkish Cypriots, a minority community in terms of population on the island, advocated the partitioning of the island (*Taksim*) and formed their own paramilitary organization, the TMT (*Türk Mukavemet Teşkilatı* - Turkish Resistance Organization), to further the political goal of *taksim*. Formed by Rauf Denktaş and Rıza Vuruşkan, a Turkish military officer, the organization would eventually morph and evolve into the current Turkish Cypriot armed forces. Whereas the organization was a Cypriot initiative, there was a need to garner mainland Turkey's consent.

In the late 1950s, the environment was conducive to reorienting Turkey's foreign policy in favor of Denktaş and Fazıl Küçük, leaders of the Turkish Cypriots. Following a meeting with the two in Ankara in 1958, Turkish foreign minister, Fatin Rüştü Zorlu, paved the way for clandestine arms transfers to the TMT in Cyprus, and the appointment of Daniş Karabelen as commander of the nascent TMT. While the TMT's ostensible nemesis was the EOKA, it also cracked down on dissident Turkish Cypriots who continued to participate in integrative pan-Cypriot social institutions, including labor unions, leading to increased segregation across the island.

Turkey's stance on Cyprus had been shifting since the election of the Menderes government in 1950. While initially hesitant, Greece's efforts at internationalizing the Cyprus issue through the UN General Assembly affected the calculus of London and Ankara, prompting Turkey to engage more directly in Cyprus. While Greece sought support for the application of the principle of self-determination in Cyprus, Britain countered this by approaching "interested parties", including Turkey, which was invited to participate in the London Tripartite Meeting of 1955, to discuss the future of Cyprus, excluding Cypriot representatives. While this particular diplomatic initiative failed, it "nationalized" the Cyprus issue in Turkey and among the Turkish Cypriots, who were by this time recruited by Britain into the Auxiliary Police Force on the island, to challenge the EOKA paramilitary threat, thus pitting the two communities against one another and sowing the seeds of intercommunal enmity. The upshot of the turmoil was the effective frustration of Greek Cypriot claims to self-determination, thus *enosis*. Ultimately, the unfolding events led to the Zurich-London framework agreement, which formed the basis for the foundation of the RoC.

The overall effect of the developments from the 1950s through the Turkish intervention of 1974 was the securitization of the Turkish Cypriot community (Ubay, 2013). Inter-communal strife has left an indelible mark on societal memories that are reinforced through the media and education. Memories of the "bloody Christmas" of 1963 are ritually commemorated (Keser, 2013). The events of December 1963 marked the end of Turkish Cypriot representation in the organs of the RoC and the intensification of ethnic conflict, leading to Turkish Cypriots withdrawing into segregated enclaves (Hazou, 2013). The command of the TMT was professionalized after 1974, and the integrated Turkish Cypriot Security Forces Command (*Güvenlik Kuvvetleri Komutanlığı*) were subsumed under the command of the Turkish military forces in Cyprus (*Kıbrıs Türk Barış Kuvetleri Komutanlığı*).

While Turkish Cypriots embarked on a state-building process after the events of 1974 (Isachenko, 2010), more recent generations, socialized under different conditions, tend to be more liberal in orientation. Existential security threats gave way to concerns regarding economic and social development. The prospects of joining the EU induced thinking regarding economic opportunities alongside reviving settlement talks with the Greek Cypriots. While this connection was discounted by nationalists, and crucially the then Turkish Cypriot leader Rauf Denktaş, shifting interests and generational orientations have since affected political dispositions. This allowed for the countenance of newer relations with the

Greek Cypriots within a European framework. Nevertheless, the "Annan Plan" that emerged prior to the EU accession was contentiously debated regarding its security provisions, as well as on other matters, including how it dealt with the issues of political equality, territoriality, and property. The eventual failure of the UN blueprint and its rejection by a majority of Greek Cypriots, however, quashed sentiments among Turkish Cypriots regarding the potential for a new relationship, rekindling an emphasis on safeguards (Ker Lindsay, 2007).

Thus, in the consciousness of many Turkish Cypriots, as evidenced by discourses and public opinion surveys, the Treaty of Guarantee is considered vital to communal security provisions (Interpeace, 2011). Against this, a significant percentage are ambivalent on the particular provisions and are open to alternative models. Political divisions on a future federal settlement notwithstanding, a majority of the Turkish Cypriots cling to the Treaty as a safeguard. This in turn has constrained Turkish Cypriot leaders, who espouse pro-settlement views, while insisting on robust security provisions vis-à-vis the Greek Cypriot majority in the context of reunification (Kathimerini News, 2018).

Security and the integrity of the Turkish Cypriot political community are often intertwined concepts. Thus, aside from security guarantees, the conventional stance of most Turkish Cypriot political parties puts an onus on bi-zonality, whereby Turkish Cypriots would enjoy a clear majority in population and property ownership in their own constituent state in a future federal set-up. Irrespective of political stripe, the Turkish Cypriot politicians are keen to remind their interlocutors that the settlement sought in Cyprus is to be bi-zonal with respect to the territorial dimension, and bi-communal with respect to the political sharing dimension (UNSC, 1991). Thus, the Treaty of Guarantee is seen *a priori* as essential to safeguarding the current bi-zonal character of the island, whereas the Treaty was originally drafted to safeguard the constitutional structure based on power sharing in a territorially unitary state. Right-wing Turkish Cypriot politicians, as well as most politicians from Turkey, consider that Turkey is entitled to a *de facto* guarantor role, implying a rejection of troop withdrawals or demilitarization, let alone the annulment of the treaty itself (Akar, 2015).

From a Turkish Cypriot vantage point, the overall outcome was disappointing, particularly given the political capital spent to deliver a "yes" vote in the 2004 Annan Plan referendum. Turkish Cypriots – or those that could demonstrate RoC citizenship through their birth certificates, to be more precise – have since become EU citizens, but the Turkish Cypriot Community at large remained politically disenfranchised (Yıldırımtürk, 2009). The promise of political equality within a federal Cyprus, as well as EU-level representation, had been denied. The Turkish Cypriot political isolation has extended into the economic and social realms. Efforts to lift this isolation in terms of favorable trade relations with the EU in the form of a European Commission proposed direct trade regulation, were frustrated through the principle of unanimity enshrined in Protocol 10, although it could have been interpreted as a matter of a qualified majority under the Lisbon Treaty provisions (Eralp, 2010). The European Commission has since been managing an Aid Regulation earmarked for the Turkish Cypriot community, but this often entails restrictions related to

property disputes and other criteria.

Efforts to revive talks continued after the failed referenda and post-accession. The Turkish Cypriot leadership had changed hands, when veteran Turkish Cypriot leader, Rauf Denktaş withdrew from politics, paving the way for a political leadership favoring a federal settlement based on the UN blueprint. However, there was no means of reviving the Annan Plan. The resulting stalemate in Cyprus – and by extension a stalemate over the conditions for opening chapters in Turkey's EU accession talks – ensured that the security dimension would be entrenched. UN efforts at demining in the buffer zone and related CBMs did see some progress, but an overall framework was not attainable for over a decade (United Nations Mine Action Service, 2021). Efforts to incorporate security in an overall deal reached their peak in 2017 when all relevant parties, including guarantor powers, participated in the Crans Montana summit that featured parallel and simultaneous negotiations on both domestic and international dimensions of the Cyprus problem. As mentioned above, the summit failed, and the fallout remained the dominant political outcome to this day.

Concomitant issues, including disputes over regional reserves of hydrocarbon in the Eastern Mediterranean basin threaten the status quo. The negotiation framework under the auspices of the UN good offices mission(s) does not entail formal discussion of the hydrocarbon issue as a chapter. The Greek Cypriot position is that any wealth redistribution generated from natural resources would be a competency of the future federal government. The breakdown of negotiations since the 2017 Crans Montana summit renders a comprehensive settlement and resultant federal arrangement less likely. Thus, subsuming hydrocarbons and other issues in Cyprus within the negotiation framework is increasingly untenable. Moreover, the current Turkish Cypriot leader, Ersin Tatar, overtly rejects federalism as the ultimate model for negotiations. His preferred starting point for negotiations is the acknowledgement of the Turkish Cypriot Community, if not the TRNC as a "sovereign equal" to the Greek Cypriot-controlled RoC. Given Protocol 10 of the Accession Treaty, this would be a non-starter for the EU. Still, these developments render derivative issues, including hydrocarbons, more urgent without a mutually agreed settlement framework.

Greek-Cypriot Perceptions and Turkish-EU Relations

For the Greek Cypriot-controlled RoC, the Turkey-EU relationship is a highly important but also complicated matter. One of the reasons for the RoC's accession to the Union in 2004 was the belief that becoming a member state would help its efforts to counter Turkey and find a solution to the Cyprus problem. As Demetriades puts it, the "EU membership was, and still is, considered by the majority of Greek Cypriots as essential for the long-term survival of the Republic of Cyprus. Indeed, the biggest hurdle Cyprus faced in its desire to join the EU wasn't the island's tightly controlled economy but 'the Cyprus problem'." (Demetriades, 2017: 12). In that sense, the RoC is not against Turkey's accession to the EU in principle, as one could say is the case for other member states (e.g., France and Germany).

It is rather adamant, however, on the pre-conditions that Turkey should meet in order to enter the Union. These conditions include Turkey's compliance with international law on the Cyprus problem and, ideally, the end of the occupation. Troop withdrawals have not constituted a precondition for formal negotiations regarding the Cyprus problem, as is *de facto* evident from the multiple rounds of negotiations that have so far taken place without such an *a priori* demand.

Moreover, the aforementioned Treaty of Guarantee and Treaty of Alliance that are part and parcel of the London-Zurich framework that established the RoC, remain valid. For its part, the RoC hoped that Turkey's economic and political ties to the EU would induce it to revisit its stance on Cyprus. Indicative was a statement in 2004 by the RoC spokesman, Kypros Chrysostomides, before Turkey's negotiations with the EU started: "We will not facilitate Turkey to avoid its explicit commitments to the European Union and Cyprus" (CNA, 2004). In an assessment of the situation a few years later, Chrysostomides wrote that Ankara "deliberately ignored" the consent given by the RoC for the commencement of the Turkey-EU accession negotiations, and added that "the clear decision of the Republic of Cyprus not to exercise its right of veto, despite the provocations on the part of Turkey as well as of a section of the Turkish Cypriot leadership, constitutes the most solid proof of the desire by our side to follow a course leading to the solution of the Cyprus Problem" (Chrysostomides, 2008: 25). Frustratingly for the RoC, the only way of proceeding with a revised security relationship is via the comprehensive settlement of the Cyprus issue. Aside from strategic considerations vis-à-vis Turkey, and misgivings regarding the specifics of any particular compromising settlement, Greek Cypriot negotiators are aware of the domestic audience costs associated with the relatively unpopular UN framework. Public opinion polls confirm that mistrust of Turkey remains a major impediment to the successful ratification of any blueprint (Score Index, 2016; Tziarras, 2018).

The RoC and Greece have, at least since the late 1990s, invested in Turkey's Europeanization process, namely its socialization into European principles and values, as well as the democratization of its institutions through its relationship with the EU and the conditions set by its accession process (Grigoriadis, 2009). The idea was that a different, more "Europeanized" Turkey would be easier to deal with and more prone to resolving geopolitical problems. But as Kyris (2013: 4) argues, although EU accession prospects can influence a party's position on a conflict (e.g., the Cyprus problem or the Greek-Turkish disputes), they do not always do it "towards compliance with EU conditionality and resolution of the dispute. Conformity with EU conditionality depends on the latter's credibility, which is decreased by the internalization of the conflict into the EU".

Despite the hopes during the 2000s that Turkey was making a more pro-EU turn and following the (Europeanized) path of democratization, developments in the 2010s saw Turkey reversing most of the positive changes and drifting towards authoritarianism (Öktem and Akkoyunlu, 2018; Başer and Öztürk, 2017; Berk and Gümürcü, 2016; Yılmaz and Turner, 2019). And yet for the RoC, domestic problems in Turkey could potentially be overlooked to some extent, in terms of its accession process, if the Cyprus problem was no

longer in the way. Evidently, Greek-Cypriot officials still see the conflict as central to the RoC's EU membership and Turkey's accession process. In the words of RoC Foreign Minister, Nicos Christodoulides,

> "The Cyprus Problem continues to be the foremost priority, at the heart of our foreign policy, utilizing all political and diplomatic tools at our disposal. Cyprus's accession to the EU in 2004, possibly the most pivotal moment in Cyprus's modern history and certainly one of its greatest diplomatic successes, has meant that the solution of the Cyprus Problem is inextricably linked to the EU and by extension to EU law, values and principles. Cyprus is and will remain a member state of the Union following reunification" (Christodoulides, 2020).

Christodoulides, as well as a plethora of other Greek Cypriot politicians and officials have over the years advocated for the idea that the Cyprus problem is also an EU problem and, therefore, the EU should be catalytic in its resolution. As a RoC statement notes, Turkey's EU candidacy "has provided the Union [and therefore the RoC] with new means for exercising its influence on Turkey with respect to the Cyprus problem" (RoC, 2016). In other words, the RoC views the EU as a foreign policy instrument through which it can leverage Turkey vis-à-vis its positions on Cyprus. For the RoC to have this capability is extremely important. As a small state with limited power, including foreign and security policy capacities, the EU functions as a power multiplier vis-à-vis Turkey, which is perceived as an existential threat (Tziarras, 2018). It is moreover important to remember that, unlike Greece and other EU member-states, the RoC does not maintain any relations with Turkey, diplomatic or otherwise. This allows Nicosia to be more outspoken regarding Ankara's policies, without considering potential repercussions in its relations with Turkey. Other member-states, despite the challenges they may encounter in their relations with Turkey, also have common interests in sectors like the economy and security which they would not like to jeopardize (Turhan, 2016). This is particularly true of Germany, which has strategic, economic and domestic interests affected by Turkey. The refugee crisis of 2015 demonstrated the strategic significance of Turkey for the EU, as manifested in the EU-Turkey statement of 2016. As a result, Germany has been reluctant to burn bridges with Ankara. That said, other member states are less sensitive. France, in particular, has been assertive regarding Turkey's stance in the Eastern Mediterranean, as well as with respect to the conflict in Libya, portending a potential rift among the EU members.

Against this background, Turkey-EU relations can indeed be affected by the Cyprus problem, even though this challenged relationship should not be reduced to the role of the RoC and the existence of the Cyprus problem alone. Many other, often more important, factors impact Turkey's EU process or role as an EU partner. To identify and assess the opportunities in Turkey-EU relations moving forward, one should take into account the full spectrum of the relationship and the challenges at different levels. Yet, as far as the RoC is concerned, opportunities for enhanced Turkey-EU cooperation can only be conditional, i.e., they are or should be hindered by Turkey's unwillingness to fulfil its obligations in Cyprus. In the words of the president of the RoC, Nicos

Anastasiades, "either they [Turkey] are compliant with the terms and conditions of any other candidate country, otherwise they could not be either a candidate or accepted...we are in favor of having Turkey as a member state of the European Union, we prefer to have a European neighbor rather than to have an aggressive state like Turkey is behaving" (Barigazzi, 2020).

In the midst of the crisis in the Eastern Mediterranean, both between Greece and Turkey, and between Cyprus and Turkey, especially during the latter half of the 2010s, the RoC tried to become more assertive against Turkey through its EU membership. It actively pursued the imposition of sanctions on Ankara for its actions against Cyprus. However, this policy stumbled on the reluctance of other member states to impose severe sanctions on Turkey (Parkinson, 2020). Thus, the RoC has not been successful in its efforts to use the EU as a foreign policy tool.

Another challenge comes from Turkey itself. Despite proclamations about Ankara's unchanging willingness to become a full EU member (Reuters, 2020), the political reality has radically changed. As the possibility of full membership fades away for Turkey, not only because of how some members react negatively to such a possibility but also because of how much Turkey has drifted away from the EU membership criteria, Turkey's willingness to make changes in its various policies, including regarding how it approaches Cyprus, also declines (Emmott, 2017).

Over the last few years, the EU-Turkey partnership has evolved into a mostly transactional relationship, not so much founded on the prospect of full Turkish membership but on the understanding that although Turkey cannot be a full member state, a somewhat special and mutually beneficial partnership could be developed.

In the October 2020 EU Summit Conclusions, it was thus stated that, "Provided constructive efforts to stop illegal activities vis-à-vis Greece and Cyprus are sustained, the European Council has agreed to launch a positive political EU-Turkey agenda with a specific emphasis on the modernization of the Customs Union and trade facilitation, people to people contacts, high level dialogues, and continued cooperation on migration issues" (EU, 2020). A few months later, in March 2021, the statement of the new European Council Summit read that "Provided that the current de-escalation is sustained, and that Turkey engages constructively, and subject to the established conditionalities set out in previous European Council conclusions," the EU would be ready to engage Turkey with further decisions on the Customs Union, High Level Dialogues, and people to people contact and mobility (EU, 2021: 6). This evolving arrangement may allow the two parties to collaborate effectively in various domains. However, it bypasses Turkey's obligation to meet certain standards and criteria for a more enhanced partnership. By extension, it disarms the RoC and reduces its ability to exercise pressure to a certain extent, specifically in terms of leveraging Turkey's full membership prospect. To be sure, the RoC, as any other member state, can still make requests and contribute to the negotiation process regarding the various sectors of the Turkey-EU collaboration, but a certain leverage gained through Turkey's membership process seems to have been lost. Looking from this perspective and considering that the EU's role and significance has changed for Turkey, it would be more beneficial for the RoC to work toward opportunities in Turkey-EU relations.

Reconfiguring the Turkey-EU-Cyprus Triangle

It is evident that Cyprus and the Cyprus problem can be an important and yet difficult element in the Turkey-EU partnership. For years, the EU has relied on a number of assumptions that have proved only partially valid. Prior to the accession of Cyprus, the EU operated under the assumption that the process would prove cataclysmic, leading to a settlement prior to accession. Since the RoC's accession, the EU has relied on the UN's good offices, and various Regulations, to foster normalization both between the RoC and Turkey, and simultaneously between the two communities in divided Cyprus. Yet the breakdown of negotiations between the two sides on the island since 2017 has left the normalization process in Cyprus proper (the so-called Cypriot-led settlement paradigm) in tatters. Meanwhile, tensions emanating from disagreements over maritime boundaries, related to the extraction of hydrocarbons from the Eastern Mediterranean basin, affect stability in the region as a whole and in Cyprus in particular.

The failed Crans Montana summit of 2017 was a major setback. Years of prior negotiations had led to tenuous convergences on various chapters of the Cyprus problem, but the Turkish and Greek Cypriots remained deadlocked on some key issues. Although the UN has assumed that an international summit, including the guarantor powers as well as the EU had the potential to produce give-and-take bridging proposals, particularly across the issues of power sharing within Cyprus and security, the summit broke down in acrimony and recriminations.

The growing gulf between Turkey and the EU since then, as well as between Turkey and its Western allies more generally, encompasses but also transcends the Cyprus problem. The failure to resolve the Cyprus issue has exacerbated disputes over maritime boundaries, while Turkey's increasingly assertive stance has drawn the EU into a diplomatic quagmire. The European Council conclusions of October 2020 thus reflected the EU's growing dilemma in how to respond to these challenging developments. As seen earlier, the same reluctance was displayed at the March 2021 European Council, although some progress was acknowledged. Accordingly, the EU conditionally offered a "positive political EU-Turkey agenda", with a promise for a revised Customs Union at its core. Constructive steps by all interested parties regarding the Cyprus issue, both in terms of its internal and external dimensions, would be necessary if the broader issues of the Eastern Mediterranean are to be diplomatically resolved. In this sense, Cyprus has evolved into a linchpin for EU-Turkey relations. This was further proven when efforts in April 2021 to restart the Cyprus talks at an informal five-party meeting in Geneva produced no substantial results.

Beyond the various other challenges that this partnership faces, dealing with each party's concerns and positions as fairly and pragmatically as possible, seems like the only way forward. Some of the basic facts to consider when looking for solutions are:

- Greek Cypriot (Republic of Cyprus) concerns include its frustration regarding Turkey's continued effective control of Northern Cyprus and its non-recognition of the (Greek Cypriot-

led) RoC as an EU member state;

- Turkish Cypriot concerns include the non-recognition of the Turkish Cypriot de facto state by the RoC and the rest of the international community apart from Turkey; the RoC's demand for Turkey to withdraw its troops from the island, abandon its guarantor rights, and reverse the outcomes of occupation; and the Turkish Cypriot resolve for Turkey to remain a guarantor power in Cyprus.

Moving forward pragmatically may require novel approaches to the Cyprus problem, going beyond a reiteration of support for a comprehensive settlement based on the UN framework. The newly elected Turkish Cypriot leader is in congruence with Turkey in rejecting federation as a basis for settlement talks. Both Turkey and the Turkish Cypriot side wish to discuss alternatives to federation, including two-state models. Whether this leads to a paradigm shift remains to be seen. The UN has allowed for some degree of constructive ambiguity regarding the interpretation of state succession, allowing both sides to keep their views on the situation prior to the entry of force into the equation, and therefore consistent with the UNSC 541 of 1983. Thus, the "virgin birth" approach employed in the Annan Plan did not imply an *ex-post* recognition of the TRNC, although it allowed for the listing of the specified TRNC treaties with Turkey. The UN remains committed to a framework within which sovereignty emanates "equally" from the communities, so there is a potential for incorporating references to sovereignty as well. Against this, UNSC 1251 restricts a political settlement to a state based on a single sovereignty and international personality, comprised of two politically equal communities. So, unless the communities in Cyprus agree otherwise, the UN will continue to adhere to the "common state" paradigm. The UN Secretary General has acknowledged the divergent views as to the way forward and remains engaged through his good offices mission, having invited the guarantor powers and the Cypriot sides to an exploratory summit in late April 2021.

Against this background, a different approach and thought process is needed to address both the Cyprus problem itself and also its role in the Turkey-EU relationship. To be sure, this does not mean that efforts for a comprehensive solution should be abandoned, but rather that innovative steps should be made to facilitate a comprehensive solution and also (security) relations between Turkey, Cyprus (and the Cypriot communities) and the EU, thus contributing to more stability and development. The year 2021, as opposed to 2020, bodes well for diplomatic initiatives, given the anticipated engagement of the Biden Administration in the US, which may provide impetus and a regional context conducive to mending the EU-Turkey relations.

Without a comprehensive settlement model, crucial aspects of partnership cannot be deferred indefinitely. It is clear that the increasingly transactional relationship between the EU and Turkey is problematic and not conducive to stability. In the context of Cyprus, this implies the efficacy of congruent steps in particular issue areas. The EU has already acknowledged the resumption of exploratory talks regarding the Aegean Sea between Greece and Turkey (EU, 2020; EU, 2021). Whereas the EU envisions a much broader regional and multilateral process for the Eastern Mediterranean (EU, 2020), the strategic differences

between Turkey, Israel, and Egypt could be better bridged if rapprochement efforts in Greco-Turkish relations proceed apace, with concurring improvements regarding Cyprus. In the context of bilateral Greece-Turkey talks, Turkey wishes to table a broader agenda aside from maritime jurisdiction over Exclusive Economic Zones (EEZs), which is likely to be resisted by Greece.

Any multilateral initiative regarding the Eastern Mediterranean that includes Turkish Cypriot representation would prove a novelty, especially considering the hitherto exclusion of the hydrocarbons issue from the formal negotiation framework in Cyprus. Commitments to joint energy resource management could pave the way for a broader framework on the extraction and export of hydrocarbons, entailing agreement on the demarcation of Cyprus' EEZ, or vice versa; an agreement on maritime zones could facilitate cooperation on natural resources. Given the precedent set by the UN in hosting multilateral summits, other international organizations can play a role in facilitating institutional relations. Whether through multilateral efforts – or failing this, through recourse to the International Court of Justice – the resolution of maritime boundary issues will be aided by a normalization process.

In a similar vein, the EU's "positive political agenda" with Turkey, including a revised Customs Union, will inevitably involve the RoC demands that Turkey open its ports to Cypriot vessels, thereby implementing the additional protocol that Turkey has resisted, given the implications for (indirect) recognition of the RoC. However, a revamped and revisited effort to open ports in Northern Cyprus would be timely and may potentially provide sufficient political context for the two communities to concur with such a reciprocal arrangement. In this way, Turkey may be induced to implement the additional protocol (or even recognize the RoC), itself an important step towards normalizing relations, whilst Greek Cypriots could allow for trade between Turkish Cypriots and the EU via ports outside of its control. The resulting trade (and normalization) from this give-and-take could have the potential of consolidating a more institutional and less transactional relationship within divided Cyprus and, by extension, between Turkey and the EU.

It goes without saying that the above are predicated upon concessions that all parties will need to make. Moreover, although these are pragmatic and theoretically doable suggestions, they certainly require political (good) will from the involved parties. Lastly, it should be noted that whatever *ad hoc* solutions are sought in the context of a potential incremental approach, they should not become a substitute for a comprehensive settlement. Rather, they should be tied to a medium or long-term plan for a comprehensive settlement. Otherwise, significant aspects of the conflict may remain unresolved, with negative implications for inter-communal relations and regional stability in the long run. New ideas and mechanisms, no matter their necessity and importance, cannot trump a value-based and principled approach to both the Cyprus issue and Turkey-EU relations. Such an approach will allow for more stable and fruitful Turkey-EU relations in the long run, able to escape transnationalism and move toward trust and common understanding.

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TURKEY AND EUROPE

CHALLENGING PARTNERS

TURKEY AS A PARTNER AND CHALLENGE FOR EUROPEAN SECURITY

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