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The European Union and the Cyprus problem: a story of limited impetus

George KYRIS*

Abstract

This article discusses the role of the European Union (EU) in the Cyprus problem before and after accession in 2004. It is argued that, before 2004, Brussels provided limited incentives to the Greek Cypriots to contribute to resolution but, on the other hand, triggered a pro-solution/ EU trend amongst the Turkish Cypriots. On the contrary, in the post-accession era, the EU's aptitude to contribute to a solution has further decreased: Greek Cypriots remain with inadequate EU-induced motivation to pursue resolution, while the pro-solution/ EU feelings of the Turkish Cypriots have receded, also due to Brussels' failure to fulfill their expectations. While most of the literature on Cyprus has focused on the pre-accession period, the article offers a much needed insight into the EU's role before and after Cyprus' EU entry. The article draws on a variety of data, including a series of elite interviews conducted in Belgium and Cyprus.

Keywords: Cyprus problem, Greece, Turkey, European Union, enlargement, accession, Annan Plan

JEL classification: F50

1. Introduction

Cyprus acceded to the EU in May 2004. Despite the hopes and efforts of the international community, the EU accession process did not manage to provide strong incentives to both communities of the island, the Greek Cypriots and Turkish Cypriots, to reach an agreement in their dispute over the administration of the country and reunify it before the EU entry. In this context, Cyprus was welcomed into the EU as a divided island, representing perhaps the most complex enlargement case to date. In the post-accession era of Cyprus, the

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EU's leverage to contribute to a resolution of the inter-communal dispute is even more weakened. Along these lines, this article sheds light on the role of the EU in the Cyprus problem, before and after accession in 2004. Although much has been written for the pre-2004 period, the role of the EU in the post-accession era of the island has not been thoroughly investigated until now. This article aims at addressing this gap in the literature by providing a comprehensive analysis of the Brussels' impact on the Cyprus problem before *and* after EU accession.

The first part of the paper discusses the role of the EU in the Cyprus problem until EU accession in 2004. Attention is paid to Brussels' failure to play a decisive role in the settlement of the Cyprus problem and the renewed momentum for resolution that was provided by the change in Ankara's policy towards Cyprus in the late nineties and the United Nations (UN) efforts for resolution, based on the 'Annan Plan'. The second part of the article assesses the post-accession period in the island and the EU's continuous failure to promote the resolution of the Cyprus problem. Here, the focus is on how the EU membership status has affected the Greek Cypriot side and how the relations between Turkish Cypriots and the EU have impacted the conflict's trajectory. The paper draws on qualitative analysis of a variety of data, including official documents, news reports and a wide range of elite interviews that the author conducted in Brussels, Belgium and Nicosia, Cyprus.

2. The pre-accession era: a window of opportunity?

The relations of the EU to Cyprus date back in the 1970s, when the Greek Cypriot-controlled Republic of Cyprus¹ (RoC) signed a custom union agreement between the island and the then European Economic Community (EEC) (Tsartsanidis, 1984). However, the importance of the EU for Cyprus increased with the application of RoC for EU membership, on 4 July 1990. Initially, the application raised the confidence of the international community for a new 'window of opportunity' for the resolution of the Cyprus problem. This enthusiasm was based on the assumption that the EU could offer significant incentives to both Greek Cypriots and Turkish Cypriots to pursue meaningful reunification talks before EU accession (Barkey and Gordon, 2001) and guaranteed the political and legal structures for the establishment and efficient operation of a new bi-communal Cypriot state (Diez, 2002). However, from the

¹ The Republic of Cyprus was founded in 1960 as a Greek Cypriot and Turkish Cypriot bi-communal state. After inter-communal dispute and the 1974 war, the island was administratively and territorially divided into two zones: the Greek-Cypriot-controlled Republic of Cyprus in the south and the Turkish Cypriots in the north, self-declared as an independent state (Turkish Republic of Northern Cyprus-TRNC) in 1983, which remains isolated and unrecognised by the international community (only Turkey maintains strong links with the Turkish Cypriots).

very beginning, the prospects of EU integration played a counter-productive role in inter-communal reconciliation. The Turkish Cypriot side, frustrated with the decision of the Greek Cypriot-controlled government of RoC to unilaterally apply for EU membership, imputed the application and hardened their position on to the inter-communal dispute: 'the Republic of Cyprus [...] was founded on the existence of two separate and politically equal communities [...] Even if the Greek-Cypriot community has [...] succeeded in assuming the mantle of "the Republic of Cyprus", that is not a consideration that can now entitle it to represent the whole of Cyprus[...] Membership of the European Communities is unworkable in a divided island' (North Cyprus, 2010).

Despite that, the opinion of the European Commission (2011) recognised the 'European-ness' of Cyprus and its eligibility for membership. Although, initially, an important link between a solution to the Cyprus problem and EU accession was established, the European Council in Corfu (1994) clarified that Cyprus would be included in the next Enlargement round, regardless of an achievement of a solution. Practically, this meant that the Greek Cypriot-led RoC would accede to the EU, while the inclusion of the Turkish Cypriot part would rely on the establishment of a new bi-communal state, which would replace the RoC in the EU integration process. The inclusion of Cyprus in the next enlargement round was also a result of a) the diplomatic success of the Greek government (Brewin 1999, 151), b) the impressive progress of the RoC in meeting accession conditionality (Nugent 1997, 72)² and c) the continuous intransigence of the then Turkish Cypriot leadership with regard to the Cyprus problem which could hold the Greek Cypriots hostage in the accession process. The Turkish Cypriot side reacted to this change of the EU stance by committing to further integration with Turkey (Republic of Turkey, 2008).

The deteriorating inter-communal relations were also negatively impacted by the relations within the EU-Greece-Turkey³ triangle and the two Cypriot communities. During that period, Greco-Turkish relations were under one of their most turbulent spells⁴. Besides, Turkey-Turkish Cypriot integration efforts (see above) were countered by an agreement of defence cooperation between Greece and the Greek Cypriots (Stivachtis, 2002), while the latter also increased their separate military capacity, a move which further strained relations with the

² For a detailed analysis of the preparations of the RoC for EU membership, see Stefanou (2005).

³ Greece and Turkey have diachronically maintained strong economic, political, social and cultural links with the Greek Cypriots and Turkish Cypriots respectively and they have thus played an important role in the domestic politics of the island and the evolution of the Cyprus problem.

⁴ Incidents that escalated tension between the two sides include: the *Iµua/ Kardak* crisis in 1996 (Athanasopoulou 1997); the Abdullah Öcalan affair in 1998 (Onys 2001, 10) and the Cyprus EU accession itself, as supported by consequent Greek governments.

Turkish Cypriots (Richmond 2002, 126). Last but not least, the decision of the European Court of Justice (Case C-432/92) to impose an embargo on Turkish Cypriot exports⁵ to EU member states wounded both the Turkish Cypriot economy (Erçin interviewed 10 September 2009) and inter-communal relations and further increased euro-scepticism in northern Cyprus.

Thus, by late 1990s, the situation in the island looked distinctively gloomy. In this first phase of EU integration, Brussels did not manage to become a catalyst for reconciliation. First of all, by lifting resolution as a condition to accession, the EU provided no strategic incentives to the Greek Cypriot side to pursue reunification. At the same time, the EU did not manage to instigate a pro-resolution attitude in the Turkish Cypriot side either. Along these lines, many have argued (e.g. Laraabee, 1998, Christou, 2004, Tank, 2002, Tocci, 2004), that the EU overestimated the economic 'carrots' provided to the Turkish Cypriots and downplayed their security-related concerns related to their position in a potential bi-communal state (Ertekun, 1999, 108). Besides, the EU membership of Greece and the respective absence of Turkey from the EU increased the Turkish Cypriot insecurity about their potential participation in the EU (Christou 2004, 114). Lastly, the deteriorating relations between the two 'motherlands' also negatively affected inter-communal reconciliation in Cyprus. All these are not to suggest that the EU did not play a role in the inter-communal dispute. On the contrary, the EU accession process had a counter-productive effect in the Cyprus problem, by triggering rather inflexible attitudes in both communities (see above). However, the official opening of negotiations for the EU accession of Cyprus in 1998 and, most importantly, the emergence of a more flexible policy of Turkey towards the Cyprus problem gave refreshed momentum to the resolution of the inter-communal dispute.

The Cyprus problem has traditionally held increased importance within Turkish foreign policy. For years, Ankara had been rather rigid towards the form of solution to the Cyprus problem (Kazan 2002). Nonetheless, the victory of the Justice and Development Party (*Adalet ve Kalkınma Partisi* –AKP) of Recep Tayyip Erdoğan, in the Parliamentary elections of December 2002, changed the attitude of the Turkish government towards Cyprus and favoured a flexible stance to the Cyprus problem (*The Independent*, 3 January 2003)⁶. This change of Turkish policy was significant because of the influence that Ankara enjoyed

⁵ The decision justified the RoC claims that the Turkish Cypriot products had been cultivated in lands owned by Greek Cypriot refugees and they, thus, needed the approval of the RoC before they were exported in third countries.

⁶ Other reasons behind Turkey's change of policy include: the advantage that Turkey will obtain should Turkish Cypriots enter EU as part of a united Cyprus (Suvarierol, 2003, 66), the extensive Turkish support for EU integration and any policy that would contribute to that goal (Celenk, 2007, 350, Heracleides, 2006, 303), the rapprochement between Greece and Turkey in late nineties (Ker-Lindsay, 2007).

over the reconciliation process, both directly as an actor of the dispute and also indirectly, through the ample aptitude to affect the Turkish Cypriot stance. This new impetus resulted in another initiative on resolving the Cyprus conflict by Kofi Annan, the then Secretary General of the UN. In November 2002, The Secretary General presented the so-called 'Annan Plan' to the two sides of the dispute, in what was widely regarded as the biggest opportunity for resolution thus far. The basic provisions called for the creation of a loose confederation, the United Cyprus Republic, with two constituent and equal states.

The Annan Plan was very differently received in the two sides of the dispute⁷. Despite the initial Turkish Cypriot euro-scepticism, the community grew to appreciate the benefits of EU integration and to support the UN-proposed plan. A series of events displayed a new Turkish Cypriot trend for reconciliation, including several rallies that were organised by the local civil society (Çıraklı, interviewed 4 May 2009) and expressed support for the EU and solution and opposed the Turkish Cypriot leader Rauf Denктаş, who continued to be intransigent with regard to reunification efforts (*BBC News*, 26 December 2002; *Turkish Press Review*, 28 November 2002). Besides, this trend was also reinforced by the new more flexible policy of the government of Turkey (see above). The peak of this Turkish Cypriot reconciliation movement was the elections of December 2003 during which, for the first time in the community's history, the pro-solution parties claimed victory. This elections outcome was a clear indication that the Turkish Cypriots were determined to pursue a settlement and an EU future (Çıraklı, interviewed 4 May 2009). Indeed, some months later, the Turkish Cypriots approved the Annan Plan, the reunification of the island and the EU accession of a united Cyprus.

On the other hand, the Greek and Greek Cypriot side, initially, welcomed the first draft of the plan. Nevertheless, the February 2003 elections in the RoC handed the leadership of Greek Cypriots to Tassos Papadopoulos, widely known for his inflexible positions on the Cyprus issue. The months leading to the referenda on the Annan Plan, Papadopoulos, with the help of many Greek Cypriot political and social elites created the conditions for a rejection of the UN resolution plan (Anastasiou, 2007, 201). A few days before the referenda, in an emotional televised message, Papadopoulos directly called Greek Cypriots to vote against the proposal: '...should our people reject the plan by their vote, [...] the Republic of Cyprus will become a full and equal member of the European Union [...] Greek-Cypriot people, the consequences of 'yes' are much more severe; I call you to reject the Annan Plan' (Cyprus.net, 2009, author's translation).

⁷ For an overview of the positions adopted by the Greek Cypriot (and Turkish Cypriot) political elites with regard to the Annan Plan, see Christophorou (2005).

Indeed, some days later, the Greek Cypriots rejected the reunification plan with an overwhelming 76% of the vote and Cyprus entered the EU as a divided country.

As a result, EU accession failed to become a catalyst for the resolution of the Cyprus issue. To begin with the Greek Cypriot side, the EU did not succeed in instigating a contributing attitude towards resolution, quite the opposite. As obvious from the prevailing elites' rhetoric reflected in the message of Papadopoulos, the EU membership was seen as a means to fortify the diplomatic position of the Greek Cypriots *vis à vis* both Turkish Cypriots and Turkey, which was now a candidate for EU membership. On the other hand, the EU triggered some historical changes in the Turkish Cypriot community. In spite of their initial scepticism, Turkish Cypriots soon realised the benefits of reunification and consequent EU accession and favoured the Annan Plan and the domestic political elites that supported it. However, the rejection of the resolution plan by the Greek Cypriots sealed the EU accession of Cyprus as a divided country and testified for the overall failure of the EU to contribute to a solution to the long-standing dispute.

3. The post-accession era: the need for new incentives

After accession in 2004, the EU's relevance to Cyprus has importantly changed. Nevertheless, Brussels, although a continuous parameter of the conflict, remains rather far from a contributing actor to the resolution of the Cyprus problem. Greek Cypriots, guarded behind the newly-acquired EU membership status, remain with limited EU-originated incentives to pursue a compromise in the inter-communal dispute. What is more, despite the EU's increasing significance also to the northern part of the island, the pro-European attitudes of the Turkish Cypriots have receded, leaving Brussels with restricted aptitude to facilitate a settlement of the Cyprus problem.

In the Greek Cypriot side, the accession into the EU does not seem to have inflicted an important shift in the public stance towards resolution of the inter-communal dispute. Although in 2008 the Greek Cypriots elected a more moderate leadership, in the face of Dimitris Christofias, that led to renewed inter-communal negotiations on the future of the island, this does not seem to have been an EU-induced change. If anything, the status of EU membership appears to have boosted the confidence of the Greek Cypriots as independent actors and has, therefore, reduced motivation for cooperation towards the achievement of a settlement. For example, the Greek Cypriot-controlled government of RoC have used their veto power to stop the EU from developing trade links with the Turkish Cypriots (see also below) or gain concessions from the EU membership candidate Turkey. Indeed, the RoC has played an obviously important role in the staggering accession process of Turkey, of which slow pace is largely down to Ankara's refusal to implement the 'Additional Protocol' and

open its ports to the RoC. More recently, the RoC further deployed their leverage over Turkish accession to yield Ankara's flexible stance on the Greek Cypriot efforts for gas exploitation in the sea waters around Cyprus (*Reuters*, 14 September 2011). At the same time, the Greek Cypriot-led EU member state have also used their power in blocking Turkey-EU relations in a variety of contexts, including an effort to veto Turkish participation in EU-Syrian talks over the crisis of the middle-east country (*Today's Zaman*, 30 November 2011). All these developments denote a rather fragile situation between Turkey/ Turkish Cypriots and Greek Cypriots, which is actually reinforced by the EU membership status of the latter.

Once again, changes at the Turkish Cypriot front have been all the more interesting. In the aftermath of the EU accession of Cyprus, Brussels declared determination to help Turkish Cypriots and address their long-standing international isolation, as a reward for their positive vote in the Annan plan, which indicated the will of people for reunification and an EU future:

The Turkish Cypriot community have expressed their clear desire for a future within the European Union. The Council is determined to put an end to the isolation of the Turkish Cypriot community and to facilitate the reunification of Cyprus by encouraging the economic development of the Turkish Cypriot community' (European Commission 2004).

In this context, the EU has developed an array of activities in northern Cyprus, which, overall, aim at the development of the Turkish Cypriots and their preparation for implementation of the EU law (that remains suspended in the Turkish Cypriot-controlled territories, according to protocol 10 of the Accession Treaty⁸). These EU activities have been structured around two Regulations: the 'Financial Aid Regulation' (European Council 2006), which aims at social, economic and political development and preparation for implementation of EU law, and the 'Green Line Regulation' (European Council 2005), which aims at facilitating trade between Turkish Cypriots and Greek Cypriots, with the economic development of the former being a primal target. The 'Direct Trade Regulation' (European Commission 2004b), a European Commission proposal for a trade agreement between Turkish Cypriots and EU member states that would have served the EU's goal of addressing the community's international isolation, is still pending, due to the veto of the RoC. The overarching rationale of those EU programmes has been the contribution to the resolution of the Cyprus issue, through the integration of the two Cypriot communities and the

⁸ Although the entire island is thought to have entered the EU, the Turkish Cypriot-control territories are exempted from application of the EU law, because they are considered an area under which the government of the RoC can not exercise effective control.

successful implementation of the EU law throughout the entire island, when a solution will bring an end to the suspension of the EU law in northern Cyprus.

Along these lines, the EU's relevance to the Turkish Cypriots has considerably increased. The EU constitutes the first major international actor to bilaterally engage with the Turkish Cypriot community. In this regard, the EU constitutes a 'bridge' between the isolated community and the international world. At the same time, Brussels' financial and technical assistance has helped the community and has been the driving force behind essential development and domestic changes. The suspension of the EU law in northern Cyprus means that, so far, efforts concentrate on 'capacity building' and preparation of Turkish Cypriots to implement EU *acquis*. This 'training' has been based on the EU missions on the ground or Turkish Cypriot visits to EU member states for the exchange of best practises (TAIEX 2004, 12; TAIEX 2005, 10) and has resulted in the production of a Programme for Future Application of *Acquis* (PFFA) that relates to thirteen prioritised policy areas. Until now, particular progress has been recorded in the areas of environment, agriculture, statistics (TAIEX 2007, 10), financial activities and competition law (TAIEX 2008, 20). This assistance has been framed by EU officials as the most important endeavour of the EU in the region (EU official a', interviewed 30 April 2009; EU official b' interviewed 15 September 2009).

Despite that, Turkish Cypriots still remain largely outside the EU environment and a series of its benefits and, for that reason, joining the EU (via a solution to the Cyprus problem), continues to be a motive for people of the community to pursue a compromising solution. First of all, the EU law is not applied in northern Cyprus, Turkish Cypriots do not participate in the EU organs and the proposed trade agreement is not yet implemented. In addition, the complex political situation in the island, including the non-recognition of the Turkish Cypriot administration by Brussels, has, admittedly (TAIEX 2009, 18) posed considerable challenges to the EU's mission on the ground and mediated the ability of the EU to assist the Turkish Cypriots (Erel, interviewed 9 September 2009). In this context, it is not surprising that the continuous international isolation makes the prospects of EU integration appealing (Akinci interviewed 11 September 2009) and domestic political actors also aspire to greater access to EU environment (Çakıcı interviewed 11 September 2009).

Nevertheless, Turkish Cypriot pro-European sentiments, although still present, are far weaker in comparison to before. Although in 2005, 71% of the Turkish Cypriots considered the EU membership a good thing (European Commission 2005), in 2011 the percentage of people having a positive image about the EU had dramatically dropped to 48% (European Commission 2011). A series of interviewed local elites have associated this decrease in EU popularity with the inability of Brussels to address the Turkish Cypriot aspirations. Many draw attention to the unfulfilled promises of the EU to end international isolation

through, for example, direct trade (Akinci, interviewed 11 September 2009) and the generally restricted aid that EU provides to the Turkish Cypriots (Erçin interviewed 10 September 2009), especially when this is compared to Turkey's assistance (Denktaş interviewed 8 September 2009). Besides, the perceived complex bureaucracy that the process of claiming EU assistance entails (KTTO Representative, interviewed 8 September 2009), the lack of a clear future within the EU and Brussels' reluctance to play a stronger role in the resolution of the dispute (Çakıcı 11 September 2009) further decreased EU's popularity. This loss of interest in the EU has been coupled with a decrease of incentives to contribute to the resolution of the Cyprus problem, which could facilitate EU integration. Perhaps the most notable manifestation of this declining pro-solution trend is the electoral victory (elections 2009, 2010) of the political elites that hold hard-line positions with regard to the Cyprus issue.

As a result, the post-accession era has seen even less EU-generated impetus for the resolution of the Cyprus issue. According to some of its objectives, the EU has indeed helped the development of the Turkish Cypriot community and the preparations for implementation of the EU law, which will be very helpful in the event of a settlement. However, this has not been enough to ease the frustration of Turkish Cypriots with the EU, a result of the accession of the Greek Cypriot-controlled RoC and Brussels' failure to address the Turkish Cypriot aspirations for quick benefits and ending of their international isolation. On the other hand, Greek Cypriots still remain with no EU-triggered motivation to contribute to resolution, especially now that they are 'armed' behind the EU membership status. Under those conditions, although the EU contributes to a more successful application of a compromising agreement (by assisting the Turkish Cypriot development and integration of the two communities), it remains far from providing the two sides of the 'Green line' with incentives to pursue a settlement in the foreseeable future. Therefore, the EU *does* seem to play a role in the Cyprus problem but not one that facilitates the achievement of a compromising solution: interestingly enough, the EU, due to the variety of reasons mentioned above, has added to the inflexibility of both Cypriot communities.

4. Conclusions

The accession of Cyprus in 2004 signalled the completion of a long EU integration process and the beginning of a new, European era for the Mediterranean island. Despite this increased EU relevance, Brussels have not managed to contribute to the resolution of the Cyprus problem, the inter-communal dispute which defines the country and its politics. This, nevertheless, it is not to suggest that the EU has not affected the conflict and its parameters *per se*. On the contrary, the potential for EU membership as well as the accession of Cyprus in itself has importantly affected the dispute. For Greek

Cypriots, EU integration has been an opportunity to strengthen their negotiating position, both before and after accession in 2004. As far as Turkish Cypriots are concerned, the years leading up to accession saw an EU-informed pro-resolution trend, which however, has lost ground, due to an increasing public alienation from Brussels. In this context, the EU remains ‘hostage’ of the complex EU integration process of Cyprus and, although now constituting an important aspect of the Cyprus problem, the impetus that has provided for an actual resolution of the dispute remains importantly limited.

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*** Author's Interview with Elcil, S. - Cyprus Turkish Teachers' Union (KTOS), Secretary General (2009), Nicosia, 8 September

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*** Author's Interview with EU official a' (2009), Brussels, 30 April.

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