

EURO-MEDITERRANEAN PEACEBUILDING: THE EXIT FROM THE CYPRIOT-GRECO-TURKISH LABYRINTH

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Introduction

Two events of momentous significance for Cyprus occurred within a week in April 2003. Beyond multifarious domestic and regional implications, they entail a rare opportunity for the EU to prove its own peacemaking and peacebuilding role in the world. First, the Republic of Cyprus signed the Union's Treaty of Accession on April 16.¹ On 23 April, Turkish Cypriot leader Rauf Denktash announced the (controlled and partial) lifting of restrictions to the free movement to and from the occupied territory of Cyprus. The latter event's developing potential for good or ill is indeterminate to date. Uninitiated non-Cypriots called it "opening of borders", revealing thereby confusion on the nature of the Cyprus puzzle. Many Greek Cypriots exploited the chance to visit for the first time their occupied homes and properties, abandoned since the 1974 Turkish invasion. As for the Turkish Cypriots, they rushed to contradict Denktash's perennial claim on the alleged inter-communal Cypriot hostility, while he was "demanding" anew the recognition of his secessionist regime ("TRNC"), although such recognition has been denied by the world since the November 1983 UDI.

The probable causes and reasons of Denktash's strategy and tactics can be surmised. But their socio-political, psychological, politico-cultural and diplomatic implications cannot be deciphered independently of the labyrinthine processes at work in, around, and about Cyprus. As I shall argue, Denktash's brilliant (if machiavellian) manoeuvre -which, *in spite of himself*,² could stand

¹ Until then, the Republic's accession had confronted a series of real and imagined obstacles, including the notorious Annan Plan (see below).

² *In spite of himself*, because his perennial aim has been to see the "solution" of the Cyprus problem in terms of "two states", "living side by side", etc.

only as a Confidence Building Measure- cannot substitute the fair and functional solution of the Cyprus problem. The international community - here headed by the EU and the UN - has long demanded a federated bi-communal and bi-zonal Republic to succeed the Republic of Cyprus (established in 1960). Such a federation - to be authentically democratic, fair and functional- must be founded on a solid normative framework that satisfies the fundamental human rights and the genuine human needs of every Cypriot. Especially since April 16, therefore, this framework can be sustained principally by the European Union. For this Union constitutes -simultaneously- the most reliable regional peacemaker and peacebuilder and Turkey's own fervently aspired vocation.

To this end, I will argue, first, that the crack to the Green Line is causally linked to the Nicosia-Athens policies and the EU decisions regarding the accession of the Republic of Cyprus to the Union. Second, Denktash's initiative falls under the heading of Turkey's diplomatic improvisations associated with its central foreign policy preoccupation, i.e., the start of its own EU accession negotiations. Third, the post-23 April Cypriot landscape has revealed an entirely novel socio-psychological and politico-cultural picture in occupied Cyprus, which cannot be ignored by the EU. And fourth, the Union now confronts a rare opportunity to act both as a historic conflict manager vis-à-vis Cyprus, Turkey and Greece and a Euro-Med peacebuilder. Beyond contributing decisively to trilateral détente and co-operation for the benefit of the peoples of Turkey, Greece and Cyprus, the EU would increase enormously its diplomatic prestige while establishing unquestionably that it constitutes "an alternative superpower with a moral difference".³

1. Denktash's Motives and Nicosia's Response

While Rauf Denktash's decision is causally related to the EU's historic expansion, the causal chain is far more convoluted. It includes, first, the vicissitudes associated with the latest Cypriot

³ For this conception of the EU, see Costas Melakopides, "On the Mediterranean 'Fuzzy Edge' of the EU: the Candidacies of Malta, Cyprus and Turkey", *Journal of European Integration*, Vol. 22, no. 3, autumn 2000, pp. 299-334.

inter-communal negotiations, conducted under the UN Secretary General's good offices mission. Responsibility for the negotiations' collapse in March 2003 was placed universally on the lap of Rauf Denktash.⁴ Second, it also sprang from the Republic's accession to the EU, the accession Denktash had long attempted to prevent. Finally, the Turkish Cypriots' anger and frustration towards his illegal and ostracised regime had to be confronted. These attitudes were demonstrated passionately and repeatedly in December 2002 and January 2003 in Nicosia's occupied sector. Around 75,000 people had demanded "Baris" (i.e. Peace), acceptance of the Annan Plan as an avenue to the European Union, the departure of the Turkish troops, and the resignation of Rauf Denktash himself.

In other words, Mr Denktash's impasse - caused by international isolation and galloping delegitimation - necessitated a dramatic reaction. With 23 April he attempted to regain in one stroke the political initiative while confusing, even momentarily, Nicosia's legitimate regime. Moreover, he must have counted that any friction between the Greeks and Turks of Cyprus would verify his perennial assertion that they "just cannot live together". Finally, the appearance of increased T/C freedom, together with the injection of substantial income from the "visiting" G/Cs, might have pacified his frustrated community and nullified their anger.

Nicosia responded with a series of social, economic and humanitarian measures to support the Turkish Cypriots. Moreover, it collaborated closely with the European Commission on the formal propriety of the aforementioned measures and on additional EU-supported measures on behalf of the T/Cs. Needless to say, the Government, while sensitive not to appear as resting on its recent diplomatic laurels, faced a genuine dilemma: to oppose movement across the dividing line might have caused the false impression it was rejecting a potent CBM. But the unqualified endorsement of such movement risked generating serious discontent among the G/Cs. This is primarily because Denktash has demanded from the start that the Greek Cypriots show their passports at the dividing

⁴ See the UNSG Statement to this effect, as read by Kofi Annan on 10 March in The Hague.

line; that is, show their passports within their own country to an unrecognised, hence illicit, regime.⁵ Therefore, Greek Cypriot frustration and anger could arise from the fear that Denktash might exploit politically and psychologically his latest antic.

Conscious that Denktash's demand is inconsequential from the viewpoint of International Law, but aware that such psychological warfare is too costly to the Greeks of Cyprus, Nicosia decided to leave the matter up to individual "conscience". As a result, opinion research in early June 2003 revealed the following: 39% of G/Cs had visited the occupied area. 61% had refused to do so, yet 19% of them contemplated a future visit to the "North". Those refusing to visit were in the main non-refugees. They stated the principal reasons for their refusal as follows: "(a) the presentation of their passport; (b) the non-recognition of the 'pseudostate'; and (c) the trouble they have to go through".⁶

Simultaneously, there was widespread satisfaction with the dramatic falsification of the Denktashian mythology on the alleged inherent hostility between Greek Cypriots and Turkish Cypriots. In fact, within weeks after 23 April, hundreds of thousands of persons from both communities began mingling in harmony and even friendship. As *Politis* also attested:

⁵ It bears repeating that, 29 years after Turkey's invasion and 20 years since the (November 1983) Unilateral Declaration of Independence, the world (except for Turkey) has refused to recognize the secessionist "Turkish Republic of Northern Cyprus" ("TRNC"). Hence the Greek Cypriots call it a "pseudostate", following the norms of International Law.

⁶ See *Politis* (Nicosia daily), 9 June 2003. Then, in a late September 2003 opinion poll, conducted by ACNIELSEN/AMER on behalf of *Politis*, the following figures emerged: 44% of G/Cs have visited the occupied lands for "sentimental reasons"; 63% of the visitors (equal to 24% of all Greek Cypriots) will not visit again; only 37% of visitors (or 13% of the entire G/C population) will continue doing so; of all those who never visited the "north" (56%), only 14% think they might do so in the future whereas 86% state that they will never do so. "They view the showing of their passport as offensive and also believe that to present [their passport] constitutes a form of recognition [of the illicit regime]." Dionysis Dionysiou, "Why the Greek Cypriots do not visit the Occupied Area", *Politis*, 23 September 2003.

Both Greek-Cypriots and Turkish-Cypriots received a rather friendly welcome during their visits. An 83% of Greek Cypriots state that they were treated in a friendly way and only 3% in an unfriendly way. On their part, 60% of Turkish-Cypriots state that they were treated in a friendly way, 6% unfriendly and 23% in a neutral way.⁷

Equally substantial, Nicosia keeps emphasizing its eagerness to restart the inter-communal negotiations. One qualification, however, was inevitable: given the Republic's EU accession, the UN Annan Plan must be subjected to the –logically, politically, and legally- required modifications. For, among other things, the plan had assumed the myth of inter-communal hostility, it digressed dramatically from the *acquis communautaire*, and had treated Cyprus' accession to the Union as a future prize to be gained.⁸ Therefore, a brief look at the Annan Plan is necessary.

2. A Schematic Look at the Annan Plan

Submitted in three rounds (November 2002 to February 2003), the plan was hailed in various quarters as the most comprehensive design ever produced to handle the Cypriot conundrum. The Turkish Cypriots were immediately among its warmest supporters. The Greek Cypriots have entertained deeply mixed feelings. At the February 16 presidential election, the majority denied re-election to Glafkos Clerides who seemed prepared to adopt the plan as it stood. This plan, however, can be accused of committing significant legal, political and functional sins.⁹

⁷ Ibid., 9 June 2003. Most of the incidents of "unfriendly" treatment seemed caused by the awkward encounters of Greek Cypriots with colonists from Turkey who now occupy their properties and homes.

⁸ Remarkably, before March 2003, the Plan's supporters -including UN and other mediating officials as well as various G/C politicians- had repeatedly threatened that a refusal by Nicosia to endorse the Plan would cause denial of accession by the EU!

⁹ While no major studies in support of the Annan Plan have been published in Greek, three serious *critical* books are already available: the first by a group of five young Cypriot scientists (Emilianides, Kentas, Kontos, Mavromatis and Fokaides), the second by Dr. Andreas Theophanous, and the third -*The Annan Plan: A 'Constructively Ambiguous' Constitutional 'Future' for Cyprus* - by

a. *Legal objections*

Serious legal objections derive from the plan's curtailed satisfaction of a host of human rights and freedoms, including the rights to move, to settle and to own property anywhere in the reconstituted quasi-confederal republic. This amounts to the violation of rights regarded as sacred and inviolable by the EU's legal culture. Moreover, the Annan Plan's three versions kept imposing a whirlwind of unconscionable deadlines, so as to ascertain agreement before 16 April, as a condition for bringing the "United Cyprus Republic" to the EU summit in Athens. This imposition was oblivious to the fact that most Cypriots entertained a very limited and foggy conception of what they were asked to endorse in two separate referenda. It also meant a blatant violation of the 1980 Vienna Convention on the Law of Treaties, which outlaws coercion to compel a state to sign an agreement or a treaty. Needless to say, this rush to impose the agreement raised further legal and diplomatic eyebrows given its contradicting the *acquis communautaire*. For if it entailed tangible conflicts with elementary norms of the EU's legal culture, why accept the plan as such, instead of awaiting the Republic's accession to the Union? After all, the legal norms and the legal-political culture of the European Union should suffice to liberate *all Cypriots* from the illegality and immorality of a 29-year-old occupation.

The above objections are not premised on the classic democratic values of *the rights of majorities* or "one person, one vote". These rights, too, were demonstrably violated by the Annan Plan, presumably on the (tacit) ground that the case of Cyprus is *sui generis*. However, this stance contains another unacceptable notion: that the established illegality of the 1974 invasion and the continued occupation must be entirely "forgiven" so as to facilitate a new start. But if such a violation of fundamental international

University of Cyprus lecturer, Dr. Savvas Pappasavvas. For an endorsement of the Plan by a Turkish Cypriot academic, see Ahmed Sozun, "A Model of Power Sharing in Cyprus: From the 1959 London-Zurich Agreements to the Annan Plan", delivered at the Central and Eastern European International Studies Association/ISA International Convention, Budepest, Hungary, June 26-28, 2003.

legal norms were to be so lightly “forgiven”, the respectability of International Law would suffer additional irreparable damage.

b. Political Objections

These indicative legal objections entail profound political reservations, including the following: first, any political association built on suspected unfairness is bound to generate mistrust. Mistrust, in turn, could easily cause the break-up of the constructed entity. The Annan Plan has ignored this serious probability.

Second, had a break-up ensued, the formerly condemned as illegal secessionist regime would have attained legal validity, as one of the envisaged "constituent states". Hence another violation of International Law would occur, this time of the time-honoured principle, *ex injuria jus non oritur* (injustice does not create rights). Once again, injustice would fuel deep frustration leading to mistrust, which would then raise serious questions about the functioning of the hurriedly presented new state.¹⁰

Third, at the juncture of the legal and the political stood yet another conflict with international norms. For if the importation of illegal colonists from Turkey constitutes a war crime, then the permission to incorporate even 45,000 of them in the United Cyprus Republic would represent another source of friction. These colonists have been encouraged by the Denktash regime to populate the occupied territory, to counterbalance the departure of dozens of thousands of frustrated Turkish Cypriots. The problems these colonists have created are not just legal, theoretical or metaphysical. They now form the majority of the population in occupied Cyprus, having reached about 115,000 versus about 88,000 native Turkish Cypriots.¹¹ Moreover, they have been a long-recognised cause of

¹⁰ It bears repeating that the rush to impose the plan on the Cypriots sprung from the aforementioned desire by the UN (and Washington) to have it approved in two referenda before the 16 April signing of the Accession Treaty.

¹¹ These numbers were provided, for instance, in the 1998 first *Regular Report from the Commission on Turkey's Progress towards Accession*.

frustration for the latter.¹² *A fortiori*, therefore, they are capable of causing deep frustration to the Greek Cypriots, whose houses and property they now occupy.

Fourth, the Annan Plan reintroduced "guarantees" contained in the 1959 Treaties establishing the Republic. One of them concerns the legally condemned abstraction that, should constitutional problems arise, the guarantors "would take action".¹³ The second one invited Greece and Turkey as military guarantors of Cypriot independence. Associating the stationing of 6,000 troops from each of these countries with the prohibition to the new state to possess its own armed forces amounts to the creation of a veritable protectorate at the dawn of the 21st century.

Fifth, the Plan contradicted the prolonged consensus by the international community that the new Republic would have to be federal. Its real, if slippery, new identity would have been a crypto-confederal quasi-federation. While the constituent states were given ample room for most state activities, the "common state" possessed limited sovereignty and no clear power to settle potential scores with the constituent parts. In fact, in all cases of legal-political conflict, the ball was dropped in another *sui generis* court, the new Supreme Court. With the possible exception of Bosnia-Herzegovina, such a court is unprecedented: for while some of its

¹² The discontent and even anger of the native Turkish Cypriots has long been registered. See, for instance, Robert MacDonald, *The Problem of Cyprus*, Adelphi Papers 234, Winter 1988/89; Costas Melakopides, *Making Peace in Cyprus: Time for a Comprehensive Initiative*, Martelo Paper 15 (Kingston, Ont.: Queen's Centre for International Relations, 1996); and Nils Kadritzke, "Turkish Cypriots Dream of Europe", *Le Monde Diplomatique*, August-September 1998.

¹³ This notion has been legally condemned for the following reasons. For if it were conceived as permitting the use of military force, it would demonstrably contradict Article 2 par.4 of the UN Charter. If it were asserted that, as a special provision, it superseded the aforementioned article, it would contradict directly Article 103 of the Charter. Moreover, Ankara has traditionally claimed that its "right to intervene" followed from Article 4 of the Treaty of Guarantee (attached to the Cypriot Constitution). It has failed to mention, however, that this Article recognizes a single legitimate ground for "taking action" in case of a constitutional anomaly: the return to the constitutional *status quo ante*. Turkey, however, has been occupying 37% of Cyprus since 1974.

members would be provided by the two communities in equal numbers, the remaining three judges would be foreigners! In other words, all cases of political deadlock and impasse were to be decided *au fond* by three non-Cypriot judges. To say, therefore, that the new statelet would end up as an undignified protectorate of traumatized statehood would hardly seem hyperbolic. And such a conclusion arises even before considering that the Plan, by its deafening silence, had fully endorsed the continued life on Cyprus of the two British sovereign bases that cover just under 3% of the Republic's territory.

c. *Functional Problems*

Such an entity, therefore, could hardly succeed in functioning as a modern state. Even assuming loads of good will by all, the sense of injustice generated could entail that Kofi Annan's creation might collapse within months. In addition, as the clearly more prosperous, the majority Greek Cypriots would ultimately carry the new financial burden. Therefore, they were essentially asked to support materially not only the common state but also the constituent T/C state. Given, however, the imposed presence of the colonists and their role all these years, it is hard to assume that the G/Cs would be eager to support them, that is, support those who have occupied their homes and properties since 1974, contributing substantially to the violation of their fundamental human rights.

3. **Where do we Stand?**

As against the Nicosia Government, Rauf Denktash rejected outright the Annan Plan, even as a framework for negotiations. Although the plan accorded most of the territory of the illegitimate "TRNC" the status of a state *in nascendo*, Denktash's maximalist "demands" remained unsatisfied. Therefore, the arguments from International Law and the norms of civilised global co-existence need to be strongly asserted time and again.¹⁴ These arguments'

¹⁴ For a summary of the relevant norms of International Law demonstrating the international community's condemnation of the invasion and the occupation, see, for instance, Costas Melakopides, "Causes, Form and Substance of Cyprus'

disregard by Denktash and Ankara, and the frequent misperceptions by amateurish “experts” on the Cyprus problem, have caused profound confusion to less-tutored observers and an unconscionable delay in its resolution. However, these arguments and associated norms constitute the only valid grounds for the fair, democratic and functional resolution of the Cyprus problem and, by implication, of both the Greek-Turkish dispute and a great part of Turkey’s own EU problems.

In other words, Denktash’s maximalist demands, supported by Ankara's intransigence, crystallised as follows. To restart the negotiations, the "TRNC" must be recognised: for this constitutes a "reality" in tandem with such other "realities" as the existence of "two states, two peoples and two democracies".¹⁵ Therefore, the Annan Plan is inadequate, since it does not adopt all the Denktashian "demands" but asks, instead, the Turkish Cypriots to "abandon their homes". Moreover, as regards accession to the EU, Denktash holds the untenable thesis that it presupposes endorsement of his "two-state" demand. Given, therefore, the clear rejection of this presupposition by the European Union, it follows that Denktash’s present regime rejects the EU project for the benefit of the Turkish Cypriots.

On the broader or "strategic" motives or intentions of Rauf Denktash and of his Ankara supporters,¹⁶ two urgent questions arise: (1) what is the precise nature of the dependence of Denktash on Ankara and vice versa? And (2) is it possible that Ankara's decision-makers are finally committed to the EU accession while

Human Rights Idiosyncrasies", in Peter G. Xuereb (ed.) *The Mediterranean's European Challenge*, Vol. II (European Documentation and Research Centre, University of Malta, 2000), pp. 42-64. For the most sophisticated arguments of International Law as they apply to the entire Cyprus Question, see Kypros Chrysostomides, *The Republic of Cyprus: A Study in International Law* (Martinus Nijhoff, 2000).

¹⁵ The latter constitutes a statement by Prime Minister Recep Tayyip Erdogan during a visit to occupied Cyprus on 9 June 2003.

¹⁶ By “his Ankara supporters” I mean “those in Ankara who support Rauf Denktash”. For it should be clear by now that “Ankara” is multi-faceted and multidimensional, given the various, and conflicting, decision-making power-centres.

also failing to recognise that Turkey cannot occupy 37% of a soon-to-be full EU member-state?

The relevant literature has grown to massive proportions. Answers to (1) above remain slippery and indeterminate, but most convincing seem to be those claiming (a) that the numbers of Denktash's supporters in Turkish elite circles are progressively dwindling and (b) that his relevant prestige is now waning (while collapsing among the native Turkish Cypriots). Therefore, Denktash's various initiatives could not be autonomous but are rather linked to Turkey's broader foreign policy agenda. As for the latter, the relevant issues are necessarily linked to (2).

Leaving aside the argument that the "real decision-makers" (i.e. the military leadership) are inimical to EU accession,¹⁷ two main schools of thought are here competing. The first argues that the "pashas" as part of the entrenched "deep state" are in palpable conflict with the newly-elected Erdogan Government. The latter, as Europhile, seems prepared for the "honourable compromise" in Cyprus. The second school holds that Turkey's policy-makers are united in an intransigent stance on Cyprus, presumably expecting (in spite of the odds) that the EU would ultimately accommodate their "demands".¹⁸

Now, I wish to offer the following alternative answers, premised on the construction of a twofold analytic framework.¹⁹ This framework consists, first, of observations on current Turkish political culture in association with the underlying political, economic and socio-psychological dynamics of present-day

¹⁷ The most powerful such case was made by Eric Rouleau in "Turkey's Dream of Democracy", *Foreign Affairs*, Vol. 79, no 6, November-December 2000, pp. 110-14.

¹⁸ They include the claim that in Cyprus live "two peoples, two states and two democracies", as well as Ankara's unmitigated insistence that the Cyprus problem is "unrelated" to its EU accession obligations.

¹⁹ Some of the following arguments can be found in Costas Melakopides, "Turkish Political Culture and the Future of the Greco-Turkish Rapprochement", *ELIAMEP Occasional Paper OP02.06*, Athens, September 2002, published Online at www.eliamep.gr

Turkish society. Second, it contains propositions concerning the Turkish elites' own geostrategic and geoeconomic conclusions concerning Turkey's broader interests, capabilities and limits, as well as its slippery place in the post-Cold War and post-Iraq war world.

Accordingly, I submit that after prolonged soul-searching and intellectual meandering, Turkey's elites have converged on the superior rationality of the "European vocation" for at least two reasons. First, because all strategic alternatives - such as Turkey's broad ambitions in Transcaucasia and Central Asia - have failed to materialize and because the EU contains the richer possible promises towards the satisfaction of Turkey's manifold domestic needs.²⁰ And second, a study of recent Turkish political culture reveals that, in tandem with the country's strong feelings of self-confidence and its serious hopes for a successful political and socio-economic future, there are simultaneous manifestations of insecurity, pessimism, and partial disorientation by some of Turkey's decisive elites. Consequently, Ankara's foreign policy could not avoid both serious errors and signs of confusion.

And yet, there is also a feature of Ankara's negotiating techniques that Mehmet Ali Birand - referring to Rauf Denktash- has named "*pazarlik*".²¹ *Pazarlik*, or oriental bargaining, may help explain some of Ankara's negotiating devices, such as the use of diplomatic blackmail, apparent self-contradictions, and calculated ambiguities. At bottom, however, the emerging consensus on the wisdom of joining the EU seems rather solid. Therefore, *pazarlik* concerns only Ankara's *modus operandi* or its attempts to maximize the

²⁰ Among them, all-important seem Turkey's needs for "identity" and a solid sense of "belonging". These needs could not be met by other strategic alternatives, such as strengthening the traditional US-Turkey "strategic partnership", even ignoring the serious bilateral crisis surrounding the 2003 Iraq war.

²¹ The distinguished Turkish journalist and author used this notion, referring to the restart of the inter-communal negotiations in December 2001-January 2002. Interview with Costas Yennaris, *Cyprus Broadcasting Corporation*, 6 December 2001.

envisaged benefits and to minimize the costs of Turkey's desired EU accession.

Therefore, Denktash's recent antics reflect his desperate state of "internal" opposition and international isolation. As such, they are probably doomed, given the depth of T/C anger and frustration, Ankara's EU orientation, the international community's rejection of his fundamental premises, and Nicosia's strong commitment to "the fair and workable solution", on behalf of Greek and Turkish Cypriots alike. In contrast to Denktash's devices, such a solution should rest on the solid legal principles, the entrenched international norms, and the political and legal culture of the European Union.

How about the opposition to Denktash? As the political formations in occupied Cyprus prepare for their December 2003 elections, two messages keep surfacing: first, anger at Denktash's stalling negotiation tactics; and second, a deep commitment to the EU. The broad new coalition of the T/C Left, created in the summer of 2003 under the leadership of left-winger, Mehmet Ali Talat, and social-democrat leader, Mustapha Akinci, might well form a post-election alliance. These political forces seem united on the following three-dimensional platform: Rauf Denktash must cease being the hostile interlocutor in the inter-communal negotiations; the EU can best address the occupied territory's maladies and problems; and the Annan Plan is a foundation for the desired solution.

How compatible is this platform with the needs of the Greek Cypriots? Very schematically, President Tassos Papadopoulos espouses the first two of the T/C theses. Together with numerous representatives of the international community -including, it would seem, Washington itself-²² he would not shed many tears were Denktash to go. Moreover, Nicosia and Greek Cypriot NGOs have been at pains to demonstrate authentic commitment to collaborate

²² Among other things, US diplomats have witnessed the massive anti-Denktash and pro-EU demonstrations by the Turkish Cypriots in December 2002 and January 2003. Moreover, reports in the Greek Cypriot press keep insisting that Denktash's disappointing practices have generated designs by international actors that he may soon follow Yasser Arafat's fate as an interlocutor.

with the like-minded political forces and the civil society of the T/Cs, in order to complete in tandem the EU accession even before 1 May 2004. Where the two sides seem to part company is, rather inevitably, the last Annan Plan.

Nicosia currently asserts its preparedness to re-open honest and sincere negotiations. Simultaneously, it stresses that Accession provides the opportunity/obligation to utilize fully the EU's norms and values, for the benefit of all Cypriots.²³ Hence, Nicosia is presently studying the relevant nuances, while expecting a new international initiative on Cyprus after the December 2002 developments in occupied Cyprus.

The Republic's recent stance may be explained as follows. The Cypriot labyrinth is once again fluid, especially regarding the Turkish Cypriot interlocutor(s). Similar fluidity marks Ankara itself. The perceived as entrenched decision-making elites have been in apparent friction with the moderate Islamist PM Erdogan, on both the EU and Cyprus. Therefore, until the domestic Turkish mosaic stabilizes, it seems unwise to take additional initiatives beyond this fact: that President Papadopoulos and House Speaker, Dimitris Christofias, stress incessantly the Republic's preparedness to restart negotiations immediately—"on the basis of the Annan Plan".²⁴

That this stance seems fully rational may be strengthened by additional considerations. First, the diplomatic ball is now in Turkey's court. And Turkey is a candidate for EU accession. For some months, Ankara has been actively smoothening the ground to

²³ For instance, this was emphasized in the interview of Cypriot Minister of Defence, Koulis Mavronikolas, with *To Vema tis Kyriakis* (Athens), 20 July 2003. See also note 24 below.

²⁴ On 3 October 2003, both the Cypriot President and the House Speaker expressed this commitment anew. In fact, Dimitris Christofias (who is also Secretary General of the left-wing AKEL party) clarified that the solution of the Cyprus problem should be premised "on the Security Council resolutions, the high-level Agreements [of 1977 and 1979], the principles of International Law and the *acquis communautaire*". Cyprus News Agency, *Phileleftheros On Line*, 3 October 2003.

attain a date for the start of accession negotiations. To be sure, there are conflicting signals regarding the EU's eventual stance: some member-states have already expressed doubts about the practical wisdom of admitting the vast country with its population of over 65 million and its social, economic, and political idiosyncrasies. Turkey, however, must behave as though the positive outcome is all but inevitable. Interestingly enough, the diplomacy of Athens, operating with what I have called "the Simitis Doctrine",²⁵ has long been working hard in support of Turkey's candidacy. Moreover, Greece seems prepared both to continue doing so and to influence various capitals accordingly.²⁶ And once the bilateral US-Turkey climate begins to improve, Washington should return to being Ankara's best EU-lobbying friend. In any event, by progressively adapting itself to the *acquis communautaire*, Turkey is essentially doing itself a favour. Simultaneously, the EU's values and norms entail Turkey's twin obligation: to remove its occupation troops from the territory of a Union member-state; and to demonstrate authentic commitment to solve the Cyprus problem, according to the norms of International Law and the EU's political culture. For this is the very Union that Turkey wants to join.

Second, the Turkish Cypriots surprised most people, including Rauf Denktash himself. Their slogans during the massive recent demonstrations manifested both their accumulated frustrations and

²⁵ Arguing that Prime Minister Costas Simitis has adopted a balanced synthesis of idealism and pragmatism in the post-1996 and, especially, post-1999 foreign policy of Greece, I have labelled this synthesis "the Simitis Doctrine". Central preoccupations of his foreign policy's content and style have been Greece's rapprochement with Turkey in tandem with the "europeanization" of Greek-Turkish relations and of the Cyprus Problem. For a sketch of this analysis, see Costas Melakopides, "Simitis' Doctrine, the EU's Helsinki and the Future of the Greco-Turkish Rapprochement", in George Cristian Major and Larry Watts (eds.) *Globalization of Civil-Military Relations: Democratization, Reform and Security* (Bucharest: Enciclopedica Publishing House, 2002), pp. 259-280.

²⁶ In mid-October 2003, however, a perceptible change of rhetoric occurred when Greek Minister of Defence, Yiannos Papantoniou, and the Greek Ambassador to Washington, George Savaides, both made Greece's support for Turkey's eventual membership conditional on Ankara's change of policy in Cyprus and the Aegean. *Macedonian Press Agency*, 14 October 2003.

their passion for peace, freedom, human rights, socio-economic and cultural development, and, above all, for the European Union. For this Union is uniquely placed to guarantee all these values, interests and needs. The T/C slogans have demanded the departure of both Rauf Denktash and the Turkish troops. The 80,000 or so demonstrators explicitly called for Denktash's resignation. And by crying, "This land is ours"²⁷, they were demanding the departure of the 35,000 Turkish troops of occupation. Moreover, while increasing their contacts with the Cypriot Greeks, most Turkish Cypriots established beyond doubt their considered decision to live together again: this time, wiser, kinder and gentler, precisely like the Greek Cypriots have decided.²⁸

It follows that Nicosia, with the EU's help, needs to fully persuade the Turkish Cypriots that it truly regards them as "compatriots". Simultaneously, the T/C community should keep asserting its commitment to the EU vision, at least by voting against Denktash in the forthcoming "elections".²⁹ To these parallel obligations we must return after reviewing a novel and crucial Cypriot development.

4. Towards a New Turkish Cypriot Identity?

The Turkish Cypriots' frustrated human needs and curtailed human rights have generated a drive for a new and multiple consciousness

²⁷ "This land is Ours" is also the umbrella for a number of Turkish Cypriot NGOs united by their opposition to the Denktash regime and Turkey's military occupation.

²⁸ On 14 October 2003, about 10,000 Turkish Cypriots repeated their massive protests in occupied Nicosia using the very same slogans, where "Peace" and "Denktash Resign!" predominated. The protest was accompanied by calls for a General Strike in occupied Cyprus.

²⁹ Indeed they are merely "elections", both because they are held in an unrecognised and illicit regime and because they are already rigged. First, the "electoral lists" include the illegal colonists from mainland Turkey. And second, by October 2003 thousands of persons were added to them, through extension of the (unrecognised) "TRNC "citizenship", for obvious vote-catching purposes. However, the December 2003 vote may help to reveal the depth of anti-Denktash and pro-EU sentiments of those living in occupied Cyprus.

or "identity". The overwhelming majority of the Turkish Cypriots proved to be (sick and) tired of the authoritarian regime, its servile dependence on Turkey, and its total failure. This regime could not fulfil their elementary social, political, psychological and economic needs, violating simultaneously the fundamental human rights enjoyed by all Europeans. Among these needs, pride of place is clearly occupied by a sense of dignified independence. In addition, the T/Cs (and even numerous colonists from Turkey) are now convinced that Ankara's and Denktash's Cyprus policy of intransigence, threats and blackmail have frustrated their paramount desire to enter the EU.

Moreover, the Turkish Cypriots' symbols and slogans -where the EU predominates- were quite revealing. As opposed to the "national" suffocation attained by the illicit regime, a triple identity is now dawning for them. Emerging consciously and (in some T/C writings) even explicitly, this identity seems ready to synthesise the *Turkish-Cypriot* component of a *Cypriot political consciousness* under the dream of *European citizenship*. In other words, this novel, multifaceted Turkish Cypriot identity seems ready to assert "Cypriotness" and simultaneous non-Turkishness -occasionally accompanied even by anti-Turkish feelings-³⁰ in parallel with, or even under, the deeply desired European self-identification.

That the T/Cs associate this multilayered identity with the Annan Plan is easy to explain. First, tangible benefits were promised by the plan, as opposed to the miserable conditions of the ostracized "TRNC" regime. And second, this plan treated the attainment of EU membership as a gift or bonus. Therefore, the plan could usher in what they have been dreaming for years. However, when familiarized with the G/Cs' rational objections, and especially after Rauf Denktash is (politically) gone, the Turkish Cypriots should reconsider a EU-inspired mode to total Cypriot liberation.

³⁰ Mehmet Ali Birand was shocked to discover the depth of opposition to the occupation by T/C students in occupied Cyprus in late 2001. This youth clearly expressed their readiness to abandon their birthplace unless a solution to the country's problem could lead them to "Europe". See *Turkish Daily News*, November 2001, esp. 16 November 2001.

5. What is to be Done?

The rational actor model can envisage that the T/Cs will ultimately favour *coupling the federal model with the EU acquis*. Anecdotal and journalistic evidence supports the notion that numerous, especially younger, T/Cs are motivated exclusively by “the EU dream” and are prepared to endorse new political experiments to this end.³¹ A sine qua non condition to strengthen this “coupling” is to convince them that Nicosia and the Greek Cypriots desire *reunified cohabitation in democratic conditions of functional fairness guaranteed by the EU*. Manifestly, the European Union itself should explain and encourage this new “marriage”. Moreover, analysis based on the rational actor model can anticipate that Ankara will have to adopt the new synthesis as wholly rational. For Turkey’s elites now exhibit a deep EU commitment, confronted by the country’s most historic opportunity since the 1923 creation of the Republic of Turkey.

Manifestly, all Cypriots now deserve the EU’s assistance, to expand their mutual understanding and co-operation. I submit, however, that most Turkish Cypriots seem unfamiliar with the Greek Cypriots’ anxieties and concerns. As distinct from the G/Cs, whose opportunities for self-criticism abounded,³² three decades of unmitigated propaganda by the Denktash regime has left its scars.

³¹ Greek Cypriots, visiting recently their homes and properties in the occupied territory, have reported their intuition that many T/Cs seemed prepared to reconsider building improvements in the 1960 Constitution. Opinion-makers, like (the T/C daily) *Africa* editor, Sener Levent, have even suggested in print the latter idea. And according to reports by my University of Cyprus students, young Turkish Cypriots are thinking along similar lines, calling “essentially racist” many provisions of the Annan Plan.

³² It is worth recording here that, as opposed to Rauf Denktash’s adamant refusal to recognize the illegality of the invasion and the violation of the human rights of all Cypriots, some Turkish Cypriot intellectuals have recently begun a moving soul-searching and a profound criticism both of Turkey’s actions and of Denktash himself. (See note 34 below.) Contrariwise, Greek Cypriot intellectuals have long been at pains to cultivate rapprochement with their Turkish Cypriot compatriots. In my opinion, they have often gone to self-critical excesses - especially those cultivating “post-modernist analyses” - thus falling prey to facile exploitation by Rauf Denktash.

This propaganda demonstrably failed to undermine their preparedness for reunification, cohabitation and collaboration with the G/Cs under the auspices of the EU. However, while monitoring the historic developments of recent months, and especially in my personal encounters with T/C intellectuals, I accumulated the following perceptions. First, most Turkish Cypriots seem to regard themselves as the exclusive victims of the status quo, tending to perceive the G/Cs as just rich and happy.³³ Second, they complain that the Greek Cypriots left them unassisted in their anti-Denktaş demonstrations, but without specifying the forms of such possible assistance. Third, around 60,000 T/Cs have already applied for Republic of Cyprus documents.³⁴ And while many thousands have rushed to utilize the social programmes and other measures Nicosia has extended to them, they hesitate to clarify simultaneously their stance vis-à-vis Denktaş's antics. Nicosia, therefore, could not take for granted that its pro-T/C measures will not be "pocketed" by those opposed to a federal reunification through EU membership for all.

Finally, disappointing was also my realisation that numerous Turkish Cypriot intellectuals appear deeply uncomfortable with the legal and ethical arguments condemning the invasion and the occupation. Despite the aforementioned acknowledgment by the G/Cs of the T/C's bitter memories and present insecurities, reciprocation has been minimal to date.³⁵ However, authentic mutual understanding can flourish only when the new Turkish Cypriot elites appreciate that the legal and ethical arguments employed by the Greek Cypriots to establish their own victimization are also advanced by independent analysts of the

³³ An explanation -but no justification- of this is provided by the pronounced differences of the two communities in terms of standards of living and per capita income: the latter for the Turkish Cypriots is calculated around one quarter that of the Greek Cypriots.

³⁴ See the report by Makarios Drousiotis, *Eleftherotypia* (Athens), 30 August 2003.

³⁵ A promising exception was the articles by three Turkish Cypriot public figures published in Athens, in July 2003. See "The Metamorphosis of the Turkish Cypriots", containing articles by Nigul Orhon, Hasan Kahfegioğlu and Sener Levent, in *Eleftherotypia*, 19 July 2003, pp.18 and 47.

Cyprus problem and, perhaps more important, by International Organizations and the International Courts. In fact, only this explains why the world keeps condemning the invasion, the occupation, and Denktash's secessionist regime.

It follows that the Cyprus Government and the EU organs must urgently pursue creative political, socio-economic and cultural initiatives until 1 May 2004. But because a fair and functional Cypriot reunification is unlikely to be locked by then, the alternative is December 2004.³⁶ Such initiatives might include the following.

Nicosia is required to handle its dilemma regarding a potential "two-door" strategy by supporters of Denktash: namely, the "pocketing" of generous socio-economic measures while undermining reunification. Of course, Denktash will probably be replaced either by the T/Cs themselves or by Ankara, or both. Moreover, whatever forces win in December 2003, they will confront immediately the inherited political impasse. For beyond the T/Cs' eagerness to join the EU, Ankara itself is now subject to close EU monitoring of its entire performance. This makes inconceivable Turkey's continued occupation of 37% of the territory of a new EU member-state. The Cyprus Government, therefore, may keep operating as if "the wheels of History" cannot move backwards. What happens, however, if either Turkey's EU accession meets serious obstacles or if the new T/C leadership performs obstreperously or irrationally? Well, Nicosia will then be forced to reconsider its rational stance until the Turkish Cypriot community recognises its real interests. That matters need not come to such a head, however, should also depend on the EU's own policy, to which I will return.

The legal Government of Cyprus should also keep proving that it achieved EU accession on behalf of all legitimate Cypriots. Therefore, it can strengthen progressively its socio-economic assistance to the Turkish Cypriots, but on the tacit condition that

³⁶ This, of course, is the date when the EU will be announcing its decision on granting Turkey a date for the start of its own accession negotiations.

this -logically, legally, and psychologically- implies reunification. For it would be the height of irrationality and injustice to support any persons who enjoy the republic's generous social programmes - such as medical, educational, or even retirement benefits- while not recognising the illegality of the occupation regime. Simultaneously, the G/C-T/C "knowledge gap" with respect to the Cyprus problem should urgently be bridged.

To this end, the following items may now be given wide publicity: first, the accumulated historical, political, moral and legal arguments of fair and independent *non-Cypriot* analysts; second, the Cyprus-related decisions of International Courts and Organizations;³⁷ third, the writings of moderate Greek-speaking observers on the nuances of the Cyprus problem and on the nature of the 29-year old Greek Cypriot victimization; finally, the Turkish Cypriots must be informed about the decisions, statements and other actions of the various EU organs regarding Denktash's regime as well as the "European" ways of handling Cyprus' recent vicissitudes.³⁸

We thus reach the EU's own opportunity to help resolve one of the world's longer, and *unnecessarily convoluted*, disputes.³⁹ Until December 2004, the EU can indeed assist in various ways. First, it could identify the contradictions between the Annan Plan and the *acquis communautaire*. It should also produce functional

³⁷ Pride of place should be allocated here to the European Court of Human Rights case, *Titina Loizidou versus Turkey*, and to Turkey's protracted (since 1998) refusal to pay the compensation due to Ms Loizidou for the fact that she has been prevented from enjoying the right to her property in occupied Cyprus.

³⁸ For instance, Commissioner Gunter Verheugen, during his 29 September 2003 meeting with Turkish Foreign Minister Abdullah Gul in Brussels, was reported by the *Macedonian News Agency* to have asked on behalf of the Commission, "that Turkey should contribute immediately to the solution of the Cyprus problem and *should not hope to make a last minute bargain* in order to extract a date for the start of accession negotiations". *Macedonian Press Agency*, Brussels, 30 September 2003 (emphasis added).

³⁹ It is "unnecessarily convoluted" because International Law has spoken clearly- and, through the EU and the European Court of Human Rights keeps pronouncing- on the illegality and immorality of the 1974 invasion and the ongoing violation of the Cypriots' human rights.

suggestions on the marriage of the latter with the federal model. Such an initiative could facilitate dramatically the practical resolution of the problem by, *inter alia*, dispelling any T/C fears that the Greek Cypriots wish to capitalize on the Republic's accession for narrow self-regarding reasons.

Second, the EU could softly reiterate the established illegality of Denktash's regime, putting to rest his elaborate and convoluted mythology. Of course, the EU has already either implied -with diplomatic language- or acknowledged even bluntly this illegality.⁴⁰ A renewed clarification will now fortify the initiatives required to establish the rational coupling of the federal model with the EU's legal norms and political values.

Third, the European Parliament, as the EU's "moral conscience", has repeatedly shown how Turkey's EU road crosses Nicosia's Green Line. It is high time that other EU organs make increasingly more clear the direct dependence of Turkey's EU prospects on the immediate end of the occupation and on its manifest obligation to resolve the problem.

Fourth, the Union may fortify the economic assistance promised to the Turkish Cypriot community, on the explicit condition that the democratic reunification of Cyprus is implied by such assistance, as legally and politically required. Such a "condition" will combine a symbolic, a substantive and a crucial pedagogic value.

Fifth, after 16 April 2003, the presence of the EU in Cyprus can be strengthened further. EU officials and various committed "Europeanists", could be mobilized to clarify to the Turkish Cypriots two points. First, that their future benefits go beyond mere economic and social advancement: for they give equal priority to full human rights and fundamental freedoms. And second, they can

⁴⁰ See, for instance, the first *Regular Report from the Commission on Turkey's Progress towards Accession* (Brussels, November 1998). See also the various Reports on Cyprus by the European Parliament, and especially the "Jacques Poos Report" of 2000: European Parliament, Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, Rapporteur, Jacques F. Poos, September 2000.

communicate the truth that, unless a fair and democratic reunification is attained, it is politically (if not logically) impossible for such benefits to accrue.

Sixth, in tandem with the United Nations, the EU can assist in Cyprus' peacemaking and peacebuilding. The EU could now send its own officials and representatives to work *in situ*. Once again, this proposal is premised on both symbolic and substantive reasons: to further familiarize the Turkish Cypriots with the emerging EU-sponsored status of Cyprus; and to assert the Union's status as a diplomatic, political, legal and moral protagonist in the most promising Cypriot denouement.

Conclusion

The optimism entailed by my reading of the Cypriot-Greco-Turkish labyrinth has been founded on a host of facts and reasons. We may especially recall, first, the Republic of Cyprus' accession to the Union; second, Turkey's indubitable desire to attain its own full EU membership; third, the unavoidable "concessions" on Cyprus that Ankara is bound to make so as to forge the elevated EU-Turkey relationship; fourth, the dramatic change in Turkey's recent political culture in clearly pro-EU directions; fifth, the profound transformation of Turkey's domestic political mosaic since the November 2002 national elections; sixth, the cataclysmic post-December 2002 changes in the Turkish Cypriots' perceptions and sentiments towards the EU, Ankara and Rauf Denktash; seventh, the deepening delegitimation of the Turkish Cypriot leader; eighth, the demonstrable benefits to the Turkish Cypriot community entailed by a "*europeanized*" Annan Plan; and ninth, the obvious gains for the European Union itself when it brings to an end the political and diplomatic headaches generated by Cyprus' problem and, especially, by the occupation of 37% of the territory of one of its member-states. It follows that the exit from this labyrinth will constitute a major political, legal, diplomatic and moral victory for the EU in the Mediterranean on an issue where countless others have failed miserably to date.

To be sure, it might be objected again that, whereas Turkey is now eager to accede to the EU, the latter may not ultimately hold reciprocal feelings. My answer here is simply that, even if this *full membership* were proven unattainable easily or soon, the EU-Turkey relationship is bound to remain real and to become at least “special”. Therefore, just as the EU cannot evade its own duties to Turkey as a long-awaiting candidate already linked to it with a Customs Union, Turkey cannot avoid its clear obligations towards the EU’s fundamental values, norms, and rules. Otherwise, Ankara risks revisiting the “stigma of unreliability” which is bound to undermine its ultimate accession prospects.⁴¹

Finally, lest it is supposed that my optimistic reading contains an implicit contradiction by employing *in tandem* the "rational actor model" and my "*pazarlik* hypothesis", let me suggest how these analytic devices cohabit harmoniously. What they claim is that the *hypothesis* refers to the mode or the means of Ankara's diplomatic (and other) actions, whereas the *model* addresses Turkey's expressed desires and authentic needs. Should it happen, however, that rationality fails to win the day in Ankara, such an outcome could not, I suppose, be entirely the fault of this analysis.

⁴¹ On this stigma, and how Turkey has tried to handle it after World War II, see Selim Deringil, “Turkish Foreign Policy Since Ataturk”, in Clement H. Dodd (ed.), *Turkish Foreign Policy: New Prospects* (The Eothen Press, 1992), pp. 1-8.