

ABSTRACT

EU FOREIGN POLICY ON CYPRUS: EXPLORING THE MEDIATION POTENTIAL

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This thesis is both an exploratory and descriptive case study on the European Union's foreign policy involvement in the Cyprus conflict. A descriptive critique is conducted starting from the 90's until present on the EU's foreign policy involvement in Cyprus, articulated with terminology from negotiation and international mediation literature. In addition to the critique new policies and roles are offered for a more effective and flexible foreign policy in Cyprus from international mediation literature. This study reveals a discrepancy between the principles of the EU such as bringing peace, prosperity and security put forth as the promises of the enlargement project and EU policies resulting from the ineffective unanimity principle in the decision making system. This thesis argues that the use of international mediation tools enhances the effectiveness of the EU foreign policy not only in the case of Cyprus but also in other protracted ethnic conflicts, as an effective global political entity.

Keywords: Cyprus, disinterested neutral third party, interested secondary party, negotiation, international mediation, EU foreign policy, eastern enlargement project, CFSP, unanimity

ÖZ

KIBRIS'TAKİ AB DIŞ POLİTİKASI: ARABULUCULUK POTANSİYELİNİN KEŞFİ

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Bu tez Avrupa Birliği'nin Kıbrıs sorunu çerçevesindeki dış politikasına keşfeden ve tanımlayıcı bir yöntemle yaklaşmaktadır. AB'nin 90'ların başından beri Kıbrıs'ta sürdürdüğü dış politikanın uluslararası müzakere ve arabuluculuk literatüründen çıkarılmış tanımların aracılığıyla eleştirel bir analizi yapılmıştır. Bu eleştirinin üzerine de AB'ye daha etkin ve esnek bir dış politika izleyebilmesine olanak tanıyan yeni uluslararası arabuluculuk literatüründen politikalar ve roller önerilmektedir. Bu çalışma ayrıca AB'nin doğuya doğru genişleme projesiyle vaadedilmiş olan barış, güvenlik ve zenginlik gibi prensipleri ile Kıbrıs'ta uygulamakta olduğu politikanın çeliştiğini öne sürmektedir. Bunun temelinde de Avrupa Birliği'nin karar verme mekanizmasındaki oybirliğini esas alan sistemin olduğunu varsaymaktadır. Eğer AB uluslararası arabuluculuk yöntem ve tekniklerini kullanmaya başlarsa sadece Kıbrıs sorununda değil dünya üzerindeki diğer eski geçmişe sahip etnik anlaşmazlıklarda da etkin bir küresel güç olarak boy gösterebilir.

Anahtar Sözcükler: Kıbrıs, kayıtsız yansız üçüncül taraf, ilgili ikincil taraf, uluslararası arabuluculuk, müzakerecilik, AB dış politikası, AGSP, doğuya genişleme projesi, oybirliği

LIST OF FIGURES

3.1 The disinterested third party position of the EU	
20	
3.2 The interested secondary party position of the EU	23
3.3 EU as an interested secondary party uses the accession	
negotiations to manipulate the relations among the primary parties	27
3.4 How the unanimous decision making system of the EU limits	
the use of flexible policy tools	32
4.1 Perceiving the enlargement project as a framework	
35	

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TABLE OF CONTENTS

Abstract	iii
Öz	iv
List of Figures	v
Acknowledgements	vi
Table of Contents	vii
CHAPTER I:	1
INTRODUCTION	
1.1 The need for an analysis of the EU's FP in the Cyprus conflict	2
1.2 Scope and Objective	3
1.3 Outline of the Thesis	4
CHAPTER II:	6
LITERATURE REVIEW	
2.1 Literature Review on Negotiation	6
2.2 Literature Review on Mediation	8
CHAPTER III:	15
A SUMMARY OF THE EU INVOLVEMENT IN CYPRUS	
3.1 The EU's Accession Negotiations with RoC	15
3.1.1 The First Phase (July,1990- June,1994)	16
3.1.2 The Second Phase (June,1994-July,1997)	20
3.1.3 The Third Phase (July, 1997- December,1999)	24
3.1.4 The Fourth Phase (December, 1999-Present)	27
3.3 What awaits the European Union?	30
CHAPTER IV:	34
ENLARGEMENT PROJECT AS A FRAMEWORK	

4.1. Perceiving the enlargement as a framework instead of a foreign policy tool	34
4.2. How to transform the enlargement project into a more balanced framework for both parties	36
4.2.1 Redefinition of the EU role	36
4.2.2 Redefinition of the EU goals	37
4.2.3 Rebuilding the EU's relations with the primary parties	38
4.3 Conclusion	39
CHAPTER V:	40
MEDIATOR ROLES FOR THE EU IN CYPRUS	
5.1 Conclusion	44
CHAPTER VI:	46
CONCLUDING REMARKS	
6.1 Why Cyprus?	46
6.2 The Big Picture	47
6.3 Final Remarks	48
BIBLIOGRAPHY	49
CHAPTER 2	49
CHAPTER 3	54
CHAPTER 4	56
CHAPTER 5	57

CHAPTER I: INTRODUCTION

The following study brings a new perspective into the foreign policy thinking of the European Union (EU) within the particularity of its involvement on the island of Cyprus. In the process of becoming a political entity, the EU has to look for new approaches in its foreign policy making and standing in the world politics. The field of conflict resolution (CR) offers new policy tools for the EU in order to enhance the effectiveness of its foreign policy. The international mediation literature of the field brings alternative insights to the role and nature of a mediator in the protracted international conflicts. The Cyprus Conflict is a very old and popular case in the conflict resolution literature and the involvement of the EU puts the Union in the position of a mediator in the Cyprus Conflict. The standing of the European Union in the Cyprus conflict as a mediator and defining the reflections of its foreign policy involvement in Cyprus are the focii of this paper.

This study first provides an analytical overview of the current situation in the Cyprus conflict. Then, a further examination defines the characteristics of the European Union's involvement in the conflict with the use of negotiation and international mediation literature. Furthermore this research is not only a critical assessment of the EU foreign policy in Cyprus but also an alternative projection for the EU foreign policy making in the 21'st century. This study proposes the European Union make more use of the international mediation tools so as to attain a more flexible yet assertive involvement in protracted ethnic conflicts.

The main unit of analysis in this research is the nature and role of the European Union in the Cyprus conflict as a political entity. The research serves mainly a case study, which can be defined as both descriptive and explorative.

1.1 The Need for an Analysis of the European Union's Foreign Policy Involvement in the Cyprus Conflict

At the turn of this century, the European Union strives to become a global political entity. One of the main considerations of a global political entity is to build and follow a structured and effective foreign policy; however the European Union currently seems to lack the needed flexible foreign policy tools against a conflictual environment which is in itself in continuous change. It would not be wrong to claim that the collapse of the Soviet Union provided the European Community a very suitable climate to evolve into a more *Political Union* rather than a community largely built on the economic cooperation among its members. This fast evolution propels the Union to develop its own policymaking tools in this new international system. The 1990's gave birth to many conflicts within Europe and its periphery. The foreign policy of the European Union fell short to respond immediately, flexibly and assertively against the challenges of these new types of conflicts. The conflicts within the borders of the Yugoslavian Federation challenged the post-Maastricht European Union.

The major dilemma of the EU in the pursuit of an effective foreign policy during the nineties was its inability to implement the principles of the Union into its foreign policy making. The slow, mechanic attitude of the Union, which operated on the bureaucratic level of dossier exchange built on a unanimous decision-making system, did not answer the needs of the conflicting parties. This discrepancy led to the fast escalation of the conflicts before the European Union could take any definite and immediate action. It is not a surprise that a political union does not possess the advantages of a nation state in the making and the pursuit of foreign policy, but nevertheless there are alternative approaches to enhance the foreign policy making mechanisms of the political unions.

For the last 15 years, the EU has become an important political development in the international arena. As a result of rapid evolution, the EU now experiences an identity dilemma about whether it is a huge bureaucracy or a political entity. It is possible to observe this dilemma in its foreign policy. The inner bureaucratic decision making mechanism of the EU seems to hinder it to pursue assertive and flexible policies in the management of the regional conflicts. Therefore the exploration of the EU's potential and shortcomings in constructive conflict resolution becomes crucial.

The role of the EU within the Cyprus Conflict reveals this dilemma clearly. The EU acts as an interested secondary party to the conflict rather than a neutral third party. As an interested secondary party EU follows a procedural accession process with the Greek part, the stronger party within the conflict, in the name of the whole island. The EU seems to be confident about the catalytic effect of the enlargement process on the settlement of the conflict by forcing the Turkish Cypriots into a new partnership with the South. Unfortunately the current attitude of the Union makes the Turkish Cypriots, which is the weaker primary party question the role and the nature of the EU's involvement as a third party. The current mechanical accession strategy of the EU limits its flexibility in Cyprus and fails its foreign policy.

1.2 Scope and Objective

This study is conducted from a Eurasian perspective; that is both from a within and without a European conflict resolution perspective, so aimed as to explore the effective foreign policy tools from the international mediation literature that can be applied to the Union policy.

There is multiple scope in this thesis: The primary one is the European Union's involvement in the Cyprus conflict. That might be regarded as the main plane with sidelines drawn through the use of definitions derived from the international negotiation and international mediation literature. Therefore my two other scopes that rise vertically over this plane is the instrumentalist use of the international mediation and negotiation literature where possible. I preferred to keep the scope of my derivations for an alternative European

foreign policy as flexible as possible since any limitation could have undermined the clarity and the efficacy of the projections.

The objective of the thesis can be grouped in two main bodies:

- (1) To exploratively critique the European Union's involvement in the Cyprus Conflict through the use of the theoretical contributions of negotiation and international mediation literature. This objective makes it possible to implement the second objective of this research study which is;
- (2) To add to the critique a whole new body of foreign policy concepts which will ease and enable the flexibility of the European Union whenever it gets stuck into the common protracted ethnic conflicts within itself and its periphery. While not being modest, this objective is an optimistic projection for a more peaceful world and it is grounded on the postulate that the European Union can and should play a more effective role in the promotion of peace and cooperation in the region through the enlargement project. Such a role which according to this thesis would be possible only if the EU pays more attention to the conflict resolution techniques and looks for ways to implement them effectively.

1.3 Outline of The Thesis

This thesis consists of six chapters.

The first chapter is the introduction part of the study. After a brief introduction to the main problematic of the thesis, the general outline of the thesis is given with the main objectives and the scope of the research.

The second chapter includes a general review of negotiation literature and international mediation literature.

The critical assessment of the European Union's involvement in Cyprus is held in Chapter 3. In the first part of the chapter is a listing of the EU actions

in Cyprus within the nineties until today. And on the second part the involvement of the EU is evaluated with definitions derived from the negotiation literature. The nature of this chapter can best be named as being both explorative and descriptive.

On Chapter 4, the needed transformation of the enlargement project into a feasible framework to pursue conflict management efforts is assessed. The chapter discusses the possible ways to make this transformation in a swift fashion for the EU.

Chapter 5 satisfies the second objective of this research by providing new foreign policy tools and concepts from the international mediation literature which will enable the flexibility of the European Union whenever it gets stuck into the common protracted ethnic conflicts within itself and its periphery. This chapter is a follow-up of the critical assessment conducted in Chapter 3 and the enlargement framework built in Chapter 4.

Chapter 6 is the conclusion of the thesis. An overall idea of the research and the conceptual flow of the thesis are presented in this last chapter.

CHAPTER II: LITERATURE REVIEW

This chapter has two parts. In the first part there is a review of the past studies conducted on negotiation in a general perspective. And on the second part there is literature review on concepts and techniques of the international mediation.

2.1 Literature Review on Negotiation

According to Iklé whatever the context or the substantive issue, “two elements must normally be present for negotiation to take place: there must be both common interests and issues of conflict. Without common interests there is nothing to negotiate for; without conflict there is nothing to negotiate about” (1964:12). Negotiation occurs between the parties of the conflict; these parties can be grouped as primary and secondary. The primary parties are those who are directly related with the issues of dispute and the interested secondary parties include those who are not as closely effected by the conflict as the primary parties but are still directly been effected by the process of the conflict (Rubin 1989).

Gulliver defines the negotiation as a problem-solving process-one in which people attempt to reach a joint decision on matters of common concern in situations where they are in disagreement (1979:xiii). According to Rubin the gradual shift over the last years from a focus on resolution of the conflicts to a focus on settlement has increased the importance of negotiation-which he defines as a method of settling the conflict rather than resolving it (1989). The focus on negotiation is not attitude change per se, but an agreement to change behaviour in ways to make settlement possible. Rubin claims that what is required for effective conflict settlement is neither cooperation nor competition but an “enlightened self interest”. That refers to the

acknowledgment by each side that the other is also likely to be pursuing a path of self-interest by logrolling.

Analysts on international negotiation (Saunders 1985) have observed that some of the most important work takes place before the parties ever come to the table. According to Saunders it is during prenegotiation that the opposite parties to the conflict are identified and invited to participate, that a list of the issues is developed and prioritized as an agenda, and that the formula through which a general agreement is first outlined. But the follow-up and implementation of an agreement also hold a very important place for the success of a negotiation. In Raiffa's "postsettlement settlement" parties who have already concluded an agreement are given an opportunity-with the assistance of a third party- to improve upon their agreement (1985). The third party examines the facts and figures that each side has used in reaching a settlement; based on this information that is kept in strict confidence the third party proposes a settlement that improves upon the agreement reached. Either side can veto this postsettlement. However, if both sides endorse the proposed improvement on the existing contract, then each will benefit from this proposal- and the third party in return is guaranteed a percentage of the "added value" of the contract (1985:9-12).

Another useful negotiation technique offered by Rubin is to negotiate "from the outside in"(1989). This in other words means that the parties start by making extreme opening offers, then conceding step-by step until an agreement is reached. This method allows each negotiator to explore various possible agreements before settling, to obtain as much information as possible about the other negotiator, before closing off the discussion (Kelley 1966). But this traditional method ignores a very important and creative alternative: working "from the inside out". According to Fisher and Ury to work at the level of interests rather than positions is the key to this approach (1981). The parties start with an exchange of views about underlying needs and interests and build an agreement on what both parties find acceptable. Fisher offers the use of "one-text" negotiation procedure for convenience, whereby a mediator develops a single negotiating text that is criticised and

improved by each side until a final draft is developed for approval by the interested parties (1981).

The scholars of the field have examined the negotiation structure in different ways. The simplest model of negotiation is symmetry. There is a basic symmetry in any negotiator in that both parties have the veto power. This condition provides the situation of power equality as the most favourable condition for satisfactory negotiations (Rubin & Brown 1975). According to Zartman a stalemate born out of a double veto defines a situation that requires negotiation and negotiation is usually not possible until both sides recognise this stalemate (1982,1989). Some other scholars choose to define this power equality in a more dynamic translation as *reciprocity*, as a responsive taking of concessions for a convergent outcome (Bartos 1978; Larson, 1988; Khury 1968). Reciprocity is the result of two parties of equal power trying to get the most they can out of a negotiation. Parties who make the early concessions expect to be repaid at the end or else that would cause of a feeling of trickery and fall of a possible agreement (Jensen 1987; Hopmann 1978; Whelan 1988). According to 1986 study of Lax and Sebenius on the *Negotiator's Dilemma* they found out that the tougher a negotiator, the greater her chance of getting an agreement close to her position but the less her chance of getting an agreement at all; whereas the weaker the negotiator, the greater the chance of getting an agreement but the less his chance of getting an agreement close to his position.

Parties negotiate most productively when they feel equal, and they achieve the most satisfactory outcome when they view the process as fair. The structural equality allows parties to focus on creation of larger benefits for equalised outcomes (Axelrod 1970; Zartman 1982). Zartman defines the symmetry as both the goal and the assumption of a successful, creative negotiation.

The basic difference between the negotiation and mediation is that in a negotiation there are primary parties and interested secondary parties to the conflict. But in the context of mediation a third party is involved. A mediation

system comprises the parties of the conflict (primary and secondary), a mediator, a process of mediation and the context of mediation. The interaction among these elements determines the nature, quality and effectiveness of any form of mediation (Bercovitch 1992).

2.2 Literature Review on International Mediation

International mediation has a long history of practice. However the systemic study of the topic occurred in the past three decades beginning with Young (1967), Burton (1969), and Stenelo (1972). But the issue of international mediation became an important topic after the end of the cold war in the field of International Relations due to its refreshed visibility in that era (Kleiboer 1998). According to Bercovitch mediation occurs as a form of international conflict management when: “ (1) a conflict has gone on for some time, (2) the efforts of the individuals or actors have reached an impasse, (3) neither actor is prepared to countenance further costs or escalation of the dispute, and (4) both parties welcome some form of mediation and are ready to engage in direct or indirect dialogue” (1984). It is salient that Bercovitch uses similar meanings to those of Zartman when he defines the act of mediation. Mediation is introduced in the case of a *Hurting Stalemate* in William Zartman’s terms; that is when the conflicting parties are neither capable of managing the conflict through a clear victory on the field, or some kind of a negotiated solution, nor willing to accept any imposed solution by a third party decision-making (1985). Mediation thus can be defined as a political process with no advance commitment from the parties to accept the mediator’s ideas (Zartman & Touval 1996).

The scope of the international mediation is very large. Doob defines international mediation as “ the efforts of one or more persons to affect one or more other persons when the former, the latter or both perceive a problem requiring a resolution”(1993:1). Mitchell on the other side defines it as “an intermediary activity undertaken by a third party with the primary intention of achieving some compromise settlement of issues at stake between the parties, or at least ending disruptive behaviour” (1987:287). Folberg and Taylor characterise mediation as “the process which the participants, together

with the assistance of a neutral person or persons, systematically isolate disputed issues in order to develop options, consider alternatives, and reach a unanimous settlement that will accommodate their needs” (1984:7). The renowned scholars of the field of Conflict Resolution like Bercovitch (1981), Wall (1981) and Dryzek and Hunter (1987) see international mediation as “a reactive process of conflict management whereby parties seek the assistance of, or accept an offer of help from, an individual, group, or organisation to change their behaviour, settle their conflict, or resolve their problem without resorting to physical force or invoking the authority of the law” (Bercovitch 1996:13).

According to Webb the act of mediation is not a neutral act; it is a moral and political act undertaken by the mediator to achieve desired ends. The mediator may claim to be neutral with respect to the values and claims of the adversaries, but the act of mediation with regard to Webb is still a declaration of the values held by the mediator (1988). The perceived role of the mediator by the disputant is of severe importance for the success of the mediation. There are different perspectives about the mediator’s role in the Conflict Resolution literature. Kressel in 1972 defined a typology to categorize mediator behaviour ranging from passive to assertive in three strategies: (1) reflective behavior, (2) nondirective behaviour, and (3) directive behaviour. The reflective strategy is the most passive category. Mediator acting in this category aims to reduce the degree of complexity and uncertainty in the conflict, by providing knowledge and information about the conflicting issues and parties. According to Bercovitch the mediator strives to “ achieve some convergence of expectations by reducing distortion, ignorance, misperception, or unrealistic intentions” (1984:98). Nondirective behaviour is a more proactive involvement in which the conflicting parties will arrive at a mutually acceptable solution with a minimum help from the mediator. In this category mediator can control publicity of the conflict management environment (by providing a neutral place for the mediation) and the resources (the number and the identity of the parties) to affect the structure of the mediation. Ultimately in the directive behaviour the mediator takes an active role to encourage a specific solution or seeks to manipulate the parties

directly into ending the dispute. Mediator offers proposals or recommendations and exerts direct pressure.

Rubin introduced a comprehensive set of dichotomous mediator roles like formal vs. informal, impartial vs. partial, individual vs. collective, conflict managing vs. conflict escalating, content oriented vs. process oriented (1981). Zartman and Touval on the other hand clustered the mediator roles in three main definitions. The mediator can act either as a communicator, a formulator, or a manipulator. As a communicator mediator can be regarded as only a catalyst, without putting any part of its character in the process but only providing an open pipeline between the parties where none was possible before. As a formulator the mediator adds his own ideas and perceptions of a positive outcome when there is none. As a manipulator he adds not only his ideas but also his own power to move the parties toward an agreement and his own resources to make up an outcome with a sum positive to attract both parties' agreement (1985).

Zartman coming from the realist paradigm defines the roles of the mediator in terms of its nature like states, small or middle powers and international organizations (1996). And all of these mediator roles naturally have different motives. But perhaps the most comprehensive approach in the study of mediation is the *contingency model of mediation* used by Bercovitch for several times (1986,1991,1993). Bercovitch forms three clusters for the model: context, process and outcome variables. Each cluster refers to the characteristics of the party, the dispute, the mediator and the outcome (1996). He focuses on the reciprocal relationship between these elements, which I would also use to analyse the role and nature of the mediator in this study.

The main responsibility of the mediator is therefore to assist the disputants to find a solution, which they are not able to find by themselves. For the success of mediation all of the parties should cooperate fully with the mediator. Mediation aims to provide a positive-sum solution unlike the traditional competitive adversarial relations that end up with a zero-sum agreement (Bercovitch 1996). Mediation seems as a "reciprocal process of

social interaction in which the mediator is a major participant”(Bercovitch & Houston 1996).

One other important aspect in the success of mediation is the parties’ motivations in accepting a mediator. Zartman and Touval list four general motives which follows as; the expectation that the value of the mediation outcome will go beyond any gain from the conflict, the hope that mediation will bring a settlement otherwise impossible through direct negotiations, the expectation that the mediator will decrease the costs and risks of the concession making while showing it as a compromise and a belief of the parties that the involvement of the mediator guarantees a final agreement (1996).

An empirical analysis conducted by Bercovitch, Anagnoson and Wille on the relation between mediator strategies and mediation success concluded that: “(1) more active mediation strategies are more effective in international mediation, and (2) active mediation strategies can affect and be responsive to a wider variety of dispute situations than less active strategies” (1991:16). Kochan on the contrary claims that a premature use of active strategies is not without risks; it may ruin the mediator’s credibility and acceptability. According to him when the conditions are not ripe for settlement a mediator should withhold aggressive tactics; when conditions turnout to be ripe, on the other hand, a peaceful settlement would not be possible without such tactics (1981:26). Zartman also emphasises the role of timing and power in mediation. Power is defined as the ability to move a party in an intended direction or leverage. Zartman and Touval outlines five derivations of leverage; persuasion, extraction, termination, deprivation and gratification (1996). To use the right type of leverage in the right time is very consequential in conducting mediation. Right timing means the right moment and right mode of entry of a mediator into the conflict. Issue of ripeness or the ripe moment to act holds a key place among the scholars of the field. Zartman has developed the concepts of *hurting stalemate*, *imminent mutual catastrophe* and *entrapment* (1985) within the issue of ripeness while Chris Mitchell developed *enticing-opportunity* model suggesting that any change in

the environment of conflict may provide an escape tunnel, a more positive expectation from the future for the parties than the anticipated costs of continuing the conflict; hence creating a motivation to change aggressive behaviour (1995). So this again brings us back the issue that the effects of the mediation role is arbitrated by the context of the conflict.

The use of international mediation techniques has become a common foreign policy tool after the cold war. It provides an alternative flexible technique to the foreign policy making of the political entities in the 21'st century. In 1995 Boutros Boutros Gali, president of the UN at that time, defined the principal aim of the international mediation as the creation of structures for the creation of peace. The post cold war international system may contain incentives for subnational groups to press secessionist aims; recognition of the constituent parts of the former Yugoslavia is a demonstration of the partition of the existing states as a high possibility. Revision of existing norms and the development of new norms by international organisations is a critical aspect of appropriately structuring incentives to promote intergroup cooperation. Donald Horowitz puts the ethnic conflict as a major reason for the failure of democratisation in many countries of Asia, Africa, Europe and the Former Soviet Union (1993:18). Sisk sees intervention to promote power sharing as an act of mediation, involving helping parties to analyse the nature of their conflicts, introducing formulas and options, wielding sticks and offering carrots to induce parties to accept solutions believed to be appropriate (1997:94). For example after the NATO bombing of Bosnian Serbs has clearly influenced the process by which a confederal power-sharing arrangement was reached in the Bosnian War in the November 1995 Dayton Accords.

The use of power in the international mediation has always been a supplement to the use of flexible diplomatic tools designed to empower the mediator's capabilities. For example in October 1992 the UN representative Cyrus Vance and EU Representative Lord Owen came up with a plan to establish peace in Bosnia Hersegovina but since the mediators lacked the enough power leverage to implement, the plan did not work out for good and

failed. But the being a political union it was evident that the European Union lacked the flexibility and the power leverage to implement the peace plan. But on the other hand the USA had managed to implement a multi layer mediation technique with an effective and flexible diplomatic manoeuvres of Holbrooke empowered by the ongoing NATO bombardment of the Bosnian Serb armaments in the region. It was a fact that the European Union could not manage a conflict within its borders and needed the assistance of a state for efficacy.

The European Union and the world system have undergone some changes since the time of the Bosnian conflict. The eastern enlargement project is one of those changes. The promises of prosperity, stability and security poses the European Union as a point of attraction for the central and eastern European countries and the involvement of these countries as future members of the Union largely depends on the Union's decision on taking the Greek Cypriot administration into the Union. The unanimous decision-making structure of the EU is the key factor.

The foreign policy involvement of the European Union in the Cyprus conflict is being evaluated in the next chapter within the last decade. The evaluation of the involvement is structured upon how the candidacy of the Republic of Cyprus (Greek Cypriot administration) developed to be the main denominator on the EU policy towards the Cyprus conflict. The analysis aims to define the Union policy in the conflict through the use of a chronological division of the European Union position from the start of the nineties into certain periods of continuous growth of policy involvement coupled with a deepening reliance on the accession negotiations as the sole foreign policy instrument.

This work claims that the role of the EU in the Cyprus problem is that of a negotiator rather than that of a mediator. The position of the European Union in the Cyprus conflict has changed from a disinterested third party to an interested secondary party position. Therefore the European Union can only use the policy tools of a negotiator.

The next chapter examines this shift of the EU position in the Cyprus conflict within the last decade.

CHAPTER III: A SUMMARY OF THE EU INVOLVEMENT IN CYPRUS

This chapter evaluates the European Union's involvement in the Cyprus Conflict through the use of definitions derived from the negotiation literature. The involvement of the European Union in the Cyprus conflict is defined by the accession negotiations with the Greek Cypriots in the name of the whole island. The analysis covers the period between the beginning of the nineties and present. Then an explorative analysis of the contradictions in the EU foreign policy is given in the Cyprus conflict.

3.1. The EU's Accession Negotiations with the Republic of Cyprus (The Greek Cypriots)

It is possible to group the EC/EU negotiations with Cyprus in four phases. In each of these phases the EC/EU has followed different policies in its relations with Cyprus. The first phase is the period between 1990 and 1994; the timeline between the application of the Greek Cypriots to EC in July, 1990 and the EU summit at Corfu in July, 1994 when the EU has announced it would involve Cyprus in the next round of its enlargement. The second phase is the term between the end of 1994 and July 1997 summit that set the Agenda2000. The third phase is the period between July 1997 and December 1999 EU summit at Helsinki. The fourth phase covers the involvement of the EU between the Helsinki summit until the bi-communal talks in 2002.

During these phases of the stance of the European Union has gradually shifted from a disinterested third party position to that of an interested secondary party. As has previously been defined in Chapter 2, the EU, by adopting a secondary party status in the conflict is compelled to pursue limited conflict settlement policies of a negotiator. In the assessment parts of the phases the unanimous decision making system of the Union is presented as the determinant of these changes in EU policies. The rule of unanimity has been decisive in the EU's positional shift in the conflict. Without the consent of a member the union policies will not be realised. Therefore it can be inferred that the Greek policy of threatening by veto the eastern enlargement of the European Union without the RoC as a future

member has proved effective in shaping up the EU policy towards the Cyprus conflict.

3.1.1. The First Phase (July, 1990 - June, 1994)

On July 4, 1990 the application of the Greek Cypriots in the name of Republic of Cyprus to the European Communities (EC) was presented to the Foreign Minister of Italy, the then President of the Council. The Council accepted the application and sent it for consideration by the Commission on September 17, 1990. The Commission, in its Opinion on the application issued on June 30, 1993¹ and endorsed by the Council on October 17 of the same year, considered Cyprus eligible for membership and, in expectation of progress on the political problem, confirmed that the Community was ready to start the process with Cyprus that should lead to its eventual accession. The European Council Summits at Corfu in June 1994 and Essen in December 1994 confirmed that the next round of the European Union's enlargement would involve Cyprus and Malta.

The issue of the membership and a possible settlement of the Cyprus conflict were closely linked to each other as far as the parties were concerned. During the first phase of the 1990's, the EC/EU chose to distance itself from the settlement efforts, leaving those to be conducted under the aegis of the UN (Jakobsson-Hatay, 2001). However the Community had to make certain decisions. The first of these decisions was whether or not to accept the application made by the Greek part on behalf of the whole island. The legitimacy of the application was already questioned by the TRNC on the grounds that the de facto Greek government does not represent the Republic of Cyprus.²

¹ The concluding section of the European Commission's opinion paper about the Republic of Cyprus' application to EEC (June 30, 1993): " Cyprus' geographical position, deep lying bonds which, for 2000 years have located the island at the very found of European culture and civilization, the intensity of the European influence apparent in the values shared by people of Cyprus and in the conduct of the cultural, political, social and economic life of its citizens, wealth of its contacts of every kind with the Community, all these confer on Cyprus, beyond all doubt, its European identity and character and confirms vocation to belong to the Community."

² According to Turkish Cypriots, the Republic of Cyprus is dead since it did not operate on the terms settled in the partnership agreement in 1959 Zurich, which established the

The application of the Greek Cypriots to the European Union in 1990 is one of the strategic moves shifting the stance of the European Community at that time. The timing of the application came at a very critical time when the UN sponsored intercommunal talks have failed. RoC saw the failure of the negotiations as an opportunity to include the European platform in the agenda of the conflict. According to RoC the European Community offered an alternative dimension of pressure for the settlement of the conflict to be exerted on the Turkey and indirectly on the TRNC (Republic of Cyprus Press and Information Office, 1997)³. And three years later, on 30 June 1993, the European Commission has announced its Opinion on the Greek Cypriot application stating the eligibility of the Republic of Cyprus to EU membership. The Opinion suggested that:

“Cyprus’ integration with the Community implies a peaceful, balanced and a lasting settlement of the Cyprus conflict- a settlement that will make it possible for the two communities to be reconciled, for confidence to be re-established and for their respective leaders to work together.”⁴

In the Opinion on Cyprus the European Commission saw the settlement of the conflict as a precondition for the start of the accession negotiations.⁵

The Commission in its Opinion of June 1993, although admitting that the application of the Greek Cypriots was questioned by the ‘de-facto’ Turkish

Republic of Cyprus. In the 1960 Constitution the Turkish Cypriots had a right to veto in foreign policy issues “except the participation of the Republic of Cyprus in international organisations and pacts of alliance in which Greece and Turkey both participate” (Basic structure of the Republic of Cyprus, Article VIII). The constitution also prevented the Republic of Cyprus from joining any political or economic union with any other state (Treaty of Guarantee, Article I) or engage in any activity aimed at promoting either union with any other state or partition of the island (Treaty of Guarantee, Article II). The Turkish Republic of North Cyprus translates these articles as also preventing a possible membership of the Greek Cypriots in the EU, which according to the Turkish Cypriot perspective would indirectly mean union with the motherland Greece.

³ George Vassillou, the president of the Greek Cypriots at that time who is, now also the chief negotiator with the EU, chose to follow a policy of internationalisation of the Cyprus conflict. In refusing to meet with Denktaş, the president of the Turkish Cypriots Vassillou demanded to meet with Turgut Özal, the then Prime Minister of Turkey. However his request was demurred (Bölükbaşı 1995;Richmond 1998).

⁴ Opinion, para.47

⁵ Ibid., para.48

government in the northern part of the island, did not put any reservation on the legitimacy of the Greek Cypriots' application on behalf of the whole island. The European Commission considered the Greek part as eligible for membership. On the other hand, the Commission put some reservations with reference to the initiation of the accession negotiations; by saying the accession negotiations would start "as soon as the prospect of a settlement is surer" (Commission of the European Communities, 1993). This attitude of the European Community would soon have changed with the introduction of the European Union into the international arena and the new perspective on the enlargement of the European Union. At this point, the EC/EU, although appreciating the future membership of the island of Cyprus, still regarded the positions of the primary parties as an essential part of the EU process. The European Commission even set a date to reconsider the question of the accession of Cyprus in January 1995. This has set a sensible schedule for the Cypriot negotiations.

Nonetheless the European Council did not follow the Commission's Opinion on Cyprus⁶ and without any more talks taking place between the two communities, the Council welcomed the application of the Greek Cypriots in the Corfu Summit on June 1994, for accession into the European Union and wanted to speed up the negotiations envisioning that ' the next enlargement of the Union will involve Cyprus and Malta'.⁷

Assessment of the First Phase (July, 1990 - June, 1994)

In this phase disinterested neutral third party position the EC/EU was the result of a policy that considered the possible accession of the island of Cyprus into the EU closely related to the settlement of the conflict. The same period also witnessed the transition of the European Community into the European Union, and therefore the need for the creation of a common foreign and security policy (CFSP) for an increasingly political union. The main axis of the new foreign policy of the European Union after the Maastricht Treaty

⁶ European Commission is an advisory body, therefore the opinions of the Commission is not binding on the European Council decisions.

⁷ European Council at Corfu, 'Presidency Conclusions', June 24-25, 1994.

turned out to be the enlargement of the Union towards East and South. The inclusion of ex-communist countries of the Eastern and Central European countries became the primary preference of the EU. Greece as a member of the European Union foresaw this newly forming preference as an opportunity to push the Union into the Cyprus Conflict by putting the eastern enlargement project as a conflict settlement tool that would force the weaker primary party yield in favour of the stronger one.

In this period the EC/EU chose to follow a neutral policy of staying away. towards the settlement efforts of the Cyprus Conflict run by the United Nations. It supported the efforts of the UN and saw the possible settlement of the conflict as a positive effect for the enlargement project of the European Union. The proviso of looking forward to a solution respecting 'The sovereignty, independence, territorial integrity and unity of the country in accordance with the relevant UN and high-level agreements' was a prominent statement of the European Union during that period. The EU position can be named as a disinterested neutral third party with no interest of becoming a mediator for the settlement of the conflict.

The disinterested neutral third party position of the European Union was a follow up of the same policy since the Turkish intervention of 1974 (See Figure3.1). At that time the newly formed procedure of the European Political Cooperation (EPC) in foreign policy failed its first blue-print test on the issue since they chose to leave the matter to the United Nations Security Council or to choose to expect an agreement between the islanders in talks arranged by the representative of the UN Secretary General (Brewin, 1999).

The pursuit of such a disinterested, reluctant third party policy might be explained with reference to the existence of a bipolar international system at that time. With the beginning of the nineties and the dissolution of the bipolar system the European Community, the European Union was then pushed to be a more politically active union. The Common Foreign and Security Policy (CFSP) came into being with the Maastricht Treaty in 1993. One of the main objectives of the CFSP is 'to preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter, as

well as the principles of the Helsinki Final Act and the objectives of the Paris Charter, including those on external borders'.⁸ Such a politically ambitious projection presupposes more active foreign policy involvement from the EU. During the first phase, restructuring the EC into the EU could have led the Union to attain an interested third party position in the conflict that sought to implement mediation activities. As explained in assessment of the second phase, the Union gradually became interested in the Cyprus conflict not in the sense of a neutral third party but as a secondary party. Nevertheless at the beginning of the restructuring period the position of the community was still that of a disinterested third party. In the conclusion of the 1993 Opinion, the European Commission announced 'that the situation should be reassessed in view of the positions adopted by each party in the talks'. The position of the European Union at this point regarding the two parties appeared fair and neutral.

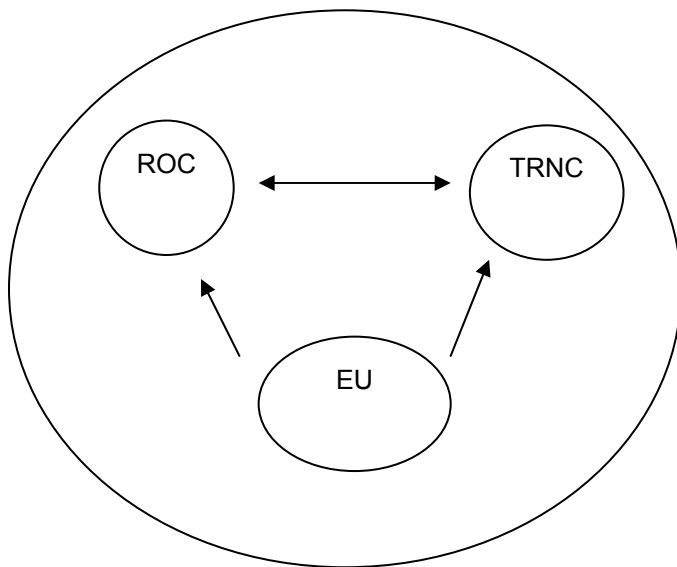


Figure3.1 The disinterested third party position of the EU with a neutral distance to the primary parties of the conflict

⁸ There are four other fundamental objectives of the Common Foreign and Security Policy (CFSP) of the European Union as outlined in the Maastricht Treaty of 1993. These objectives were then slightly modified by the Amsterdam Treaty in 1999. The other four objectives is as follows;

- To safeguard the common values, fundamental interests, independence and integrity of the Union in conformity with the principles of the United Nations Charter;
- To strengthen the security of the Union in all ways;
- To promote international cooperation;
- To develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.

3.1.2. The Second Phase (June, 1994 - July, 1997)

In the Corfu Summit, the European Council announced that Cyprus⁹ and Malta would be involved in the next phase of enlargement of the European Union. This was the first time that the necessity of a settlement of the conflict and the accession process were separated. Conclusions reached at the summit did not refer to the need for a settlement before the accession takes place (European Council, 1994). The position of the EU became more apparent as the ruling of the European Court of Justice in July 1994 against the import of Turkish Cypriot potatoes and citrus fruit without RoC health and transport certificates (Tocci 2001).¹⁰

On August 1994 the TRNC assembly revoked all past commitments to a federal solution that it has put forward during the negotiations. With the Essen Summit on December 1994 the European Council reiterated the Corfu decision in favour of the initiation of talks with the RoC.

On March 6, 1995, the General Affairs Council Conclusion confirmed the RoC's suitability for membership and established that the accession negotiations with RoC would start six months after the conclusion of the 1996 Intergovernmental Conference (IGC):

The Council of Ministers.... reaffirms the suitability of Cyprus for accession to the European Union and confirms the European Union's will to incorporate Cyprus in the next stage of its development.¹¹

On June 1995 the EC-Cyprus Association Council adopted a common resolution on the establishment of a structured dialogue between the EU and

⁹ In the EU documents the Republic of Cyprus is named as "Cyprus", a term open to speculations whether the union deliberately refrains from pronouncing an opinion on the relationship between today's RoC and a future unified state of Cyprus, which is an issue of conflict itself. According to Greek Cypriots a future unified Cyprus should be a successor of the Republic of Cyprus whereas the Turkish Cypriots claim a totally new partnership for the future, different from that of 1960 republic (Jakobsson-Hatay 2001).

¹⁰ With this ruling of the European Court of Justice the Turkish Cypriots became economically more isolated and began to seek a closer cooperation with Turkey.

¹¹ The decision of the Council was the result of a 'compromise' through which Greece was forced to lift its veto against the signing of the Custom's Union agreement with Turkey.

the RoC and on certain elements to establish the strategy to prepare for the accession. The Association Council added that RoC's membership in the Union was aimed to bring benefits to both communities on the island and contribute to peace and conciliation. As a reaction the TRNC leadership introduced preconditions to direct negotiations. Direct negotiations would only be resumed if conducted on a state-to-state basis. Following the March 1995 decision, Turkey and TRNC declared their intention of partial integration in December 1995.

The Joint Declaration was signed in January 1997¹². On July 1997, Agenda 2000 has set the guidelines for the future of the European Union in the new century. The Agenda 2000 decision considered the start of the accession negotiations with a divided Cyprus. As a response to the decision, president of TRNC, Rauf Denktaş blocked the ongoing talks in Glion and demanded an immediate halt to the accession negotiations between the RoC and the EU.

Assessment of the Second Phase (June, 1994 - July, 1997)

The membership of South Cyprus holds the key in the European Union's eastern enlargement project of the as the result of the unanimous decision-making system. The detached third party position of the European Community towards the Cyprus conflict had to be replaced with a one-sided perspective by the European Union in favour of the Greek part. The newly structuring EU did not want to see any obstacle against the realisation of the enlargement project. The expected change came at the June 1994 Summit of the European Council at Corfu.

The core building block of the EU foreign policy making is its eastern enlargement project which best can be described as aimed to bring stability and security onto the region under the umbrella of the European Union. With such growing political aims, the European Union was not expected to remain detached from the settlement efforts of the conflict. The position of the Union

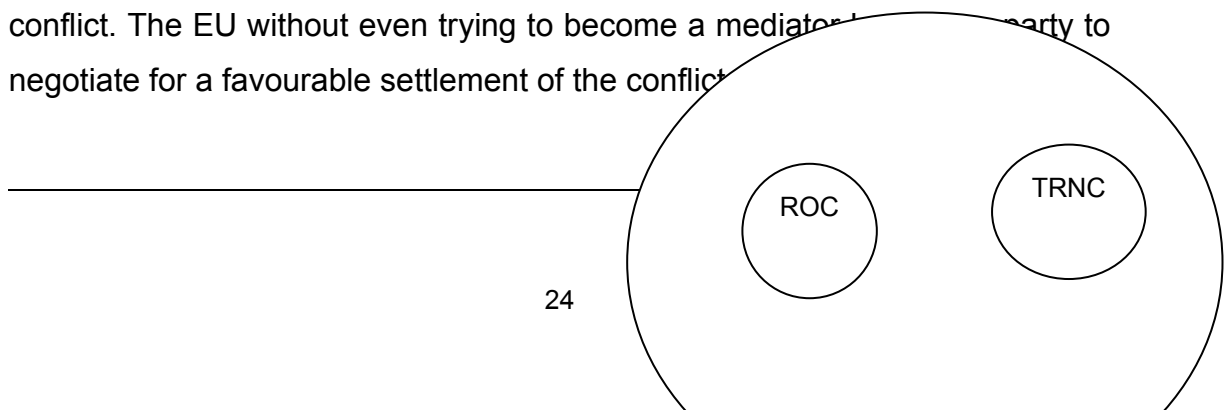
¹² The Joint Declaration signed between Turkey and TRNC in January 1997 included economic and financial integration and partial foreign, defence and security policy integration.

with the application of the Greek Cypriots was altered and the internal policy making structure became apparently decisive in the pursuit of its policies towards Cyprus. The principle of unanimity is the general rule in the European Union and the accession treaties of the candidate countries must be ratified unanimously by the parliaments of the member countries. Therefore, when evaluating the underlying logic of the EU policies towards Cyprus, this general principle should always be kept into consideration.

In June 1994 with the Corfu decision, the European Union has for the first time shown its determination to involve Cyprus in the next phase of enlargement without putting the settlement of the conflict as a precondition for the start of the accession negotiations. That has meant the removal of conditionality for the Republic of Cyprus, the Greek Cypriots. The European Union exchanged the stick with the carrot as a result of the Greek threat to the expansion of the Union to the CEE (Central and Eastern European) countries.

During this period the stance of the EU was getting clearer, the Union while preferring to keep a safe distance from the conflict chose to move closer to the Greek Cypriot Administration. The position of the Union shifted from a disinterested third party position to an interested secondary party position behind the Greek Cypriot stance (See Figure3.2).

The higher level goals of the Union like the enlargement and deepening urged the EU to keep the integrity among its members and pushed the Union to a more sided position in the Cyprus conflict. Greece as a member of the Union has played its part correctly by threatening the expansion to the CEE countries through the rule of unanimity in the decision-making of the EU. The European Union in the second phase lost its chance to do active mediation and became captive of its internal decision making system by indirectly presenting itself as an interested secondary party to the conflict. The EU without even trying to become a mediator party to negotiate for a favourable settlement of the conflict



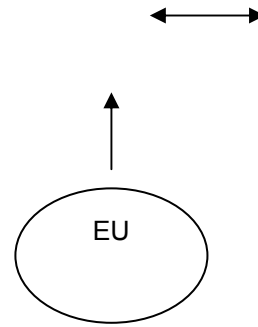


Figure 3.2 The interested secondary party position of the EU

In the third phase, the EU has started to use the accession negotiations with South Cyprus as a channel to conduct its foreign policy in the Cyprus conflict, but this newly forming policy had a limited place to make flexible moves as soon to be discovered. Continuous imposition of sticks on North in the form of trade embargo and non-recognition while offering a place to the Greek Cypriots in the European Union without putting the settlement of the conflict as a condition as carrots did not make any positive effect for the negotiations. The involvement of the European Union built on the accession negotiations with the Republic of Cyprus had limited space for manoeuvre.

3.1.3 The Third Phase (July, 1997- December, 1999)

1997 was an important year for the Cyprus Conflict in regard to the EU Accession process. In the summer of 1997, the UN sponsored peace talks crippled on the issue of the EU when the European Commission in its communication to the European Parliament and to the European Council on the future development of the Union, Agenda 2000; recommended the initiation of accession negotiations with Cyprus even in the absence of progress. The Agenda 2000 communicated that the prospect of accession could in itself provide an incentive for peace in the island. Agenda 2000 made it clear that if a settlement was not reached before the EU accession negotiations were due to begin, they should be opened with the Greek Cypriots, the so-called “Republic of Cyprus” , as the only internationally recognized authority in the island.

After the announcement of Agenda 2000, the Greek Cypriots refused to discuss the issues related to EU within the ongoing UN talks by claiming the issue as “governmental” (Pillai, 1999). The Turkish Cypriots responded by withdrawing from the UN negotiations and demanding the recognition of TRNC by the international community and suspension of the EU accession talks with the Greek Cypriots. The final blow to the peace process came with the December 1997 Luxembourg Council Summit at which a date was given to the Greek Cypriots to begin the accession negotiations with the EU whereas Turkey was turned down in its sought for the candidate status. Turkey decided to freeze its political dialogue with the EU capital, Brussels¹³ and began to take several steps towards building economic integration between Turkey and the TRNC as a response to the developing integration between RoC and the EU (Jakobsson-Hatay, 2001). When the accession negotiations were initiated in March 1998 between the Greek Cypriots and the EU, Turkey established a joint economic zone with the TRNC. On April 23, 1998 Turkey and TRNC jointly declared inter alia:

The EU has disregarded international law and the 1959-1960 Agreements on Cyprus by deciding to open negotiations with the Greek Cypriot administration of Southern Cyprus, and has dealt a blow to the efforts for a solution. Currently, any negotiation process aimed at finding a solution to the Cyprus question can have a chance of success only if it is conducted between two sovereign equals.¹⁴

Assessment of the Third Phase (July 1997- December 1999)

In this phase, the European Union has become conscious of its policies towards the Cyprus Conflict. Before this period, the EU approached the conflict through the enlargement project but did not seem to notice the effect of its policies on the settlement efforts of the conflict. The schedule until the Helsinki summit became the period in which the EU has come to realise the possible catalytic effect of the accession negotiations with the South

¹³ Although Turkey has frozen its political dialogue with Brussels, the relations on other areas of cooperation continued like in the example of the Customs Union (CU).

¹⁴ Anadolu Agency, April 24, 1998.

Cyprus on the conflict. In other words, as an interested secondary party, the EU has seen that it can use the accession negotiations with one of the primary parties of the conflict, the Greek Cypriots, to manipulate its relations with the other primary part, the Turkish Cypriots.

Agenda 2000 recommended the initiation of accession negotiations, even in the absence of any progress in the settlement efforts of the conflict though hoping that the EU factor would make a positive effect on the conflict. The two-sided tone of EU agenda showed the reflection of the Union's internal dilemma on decision-making in its foreign policy making in the Cyprus conflict. Although the Union has certain aims to be an influential actor in the international politics, the reality is that the EU also has to seek harmony within the Union to continue with its enlargement project.

As the Union's aim of enlargement materialized, the hidden dilemma in the foreign policy making of the Union in the Cyprus conflict became more apparent. The EU now deliberately announced that it gave primary importance to its enlargement process and was ready to handle the failure of the settlement efforts considering one of its most promising prospective members. The Greek blackmail of veto on the enlargement was not a small thing to risk; therefore, the foreign policy making in the Union level had to be fashioned in a way to satisfy the security needs of one of its member states.

One of the most interesting aspects of this period was that the European Union has used accession negotiations with Republic of Cyprus as a means to preserve the balance within the Union regarding the enlargement project by satisfying Greece. During that period, the EU developed its relations with the Greek Cypriots as an interested secondary party to the conflict. As a result of the necessity to keep the unanimity in the decision-making procedure for the continuation of the eastern enlargement project, the accession negotiations became the only conflict resolution tool of the Union. Starting from 1997 until present the EU as an interested secondary party to the conflict tried to manipulate the relations between the Turkish and Greek Cypriots by using the accession negotiations (See Figure3.3). The Union tried to act as an assertive third party but the unanimous decision-making structure

of the European Union did not leave too much of a space for the Union to attain an assertive yet neutral third party position in Cyprus.

Therefore, the European Council did not have too many choices when it announced a date for the initiation of the accession talks with the Republic of Cyprus in the Luxembourg summit in December 1997. Turkey was denied the status of a candidate country in the summit. It can be inferred that with the Luxembourg summit the European Union' Cyprus policy coincided with the enlargement project of the Union. The Republic of Cyprus would soon start the accession negotiation within three months without any precondition set for the settlement of the conflict before the EU negotiations begin. For the coming 1.5 years the EU went on with the accession negotiations with the Greek Cypriots as it was scheduled. The Turkish Cypriots first struck by an EU embargo on the export of citrus fruits and then by a financial crisis in mid-1997 went through economic destabilisation and relative economic deprivation along with a speeding integration with Turkey.

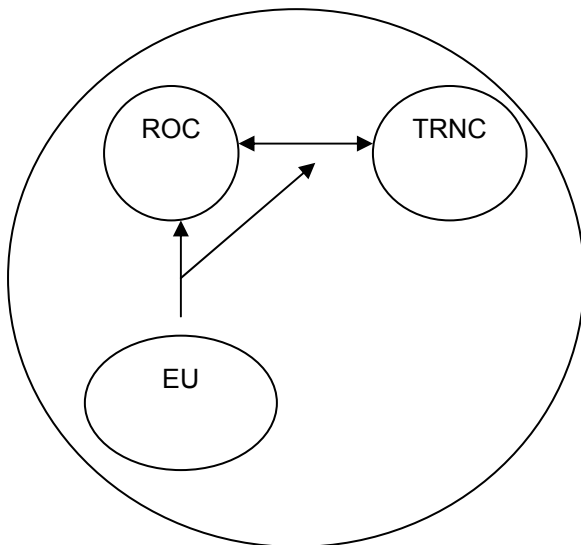


Figure3.3 EU as an interested secondary party uses the accession negotiations to manipulate the relations among the primary parties

3.1.4 The Fourth Phase (December, 1999-Present)

The Helsinki Summit in December 1999, was a turning point in the EU-Cyprus relations. The summit had an important connotation regarding the Cyprus Conflict. The clause saying that the Republic of Cyprus is a future member of the European Union confirmed the European Union policy of de-

linking membership and the requirements for a settlement of the conflict. With this clause, the European Union officially declared that it is not a neutral third party and has no intention of doing any mediation work in the Cyprus conflict. As an interested secondary party, the relational interest of the Union is with only one of the primary parties, the Greek Cypriots. Thus the accession negotiations are intended to be kept without the conflict process by the EU.

The conclusions stopped short but still they declared the willingness of the Union to accept the Southern Cyprus without a settlement in the conflict (Jakobsson-Hatay, 2001). The statement of the council regarding the issue was as follows:

If no settlement has been reached by the completion of the accession negotiations, the Council's decision on accession will be made without the above being a precondition. In this Council will take account of all the relevant factors (European Council Helsinki Declaration, 1999).

Following the Helsinki European Council decision, the European Union did not put the settlement of the Cyprus Conflict as an explicit condition for Turkey's entry into the EU. Nevertheless, the Accession Partnership Document drawn up by the Commission in November 2000 it is stated that Turkey should support strongly in the context of political dialogue the UN Secretary General's efforts to bring the process of finding a settlement for the Cyprus problem to a successful conclusion.

While the Republic of Cyprus had been making rapid progress in the accession negotiations, the conflict settlement efforts did not move forward. The proximity talks under the observation of the UN Secretary General Kofi Annan aimed to restart the negotiations between the two communities failed during 2000. Until the initiation of the talks between the two communities in December 2001, the conflict seemed to reach a no solution with the upcoming final decision whether to include the Greek Cypriots into EU or not.

Assessment of the Fourth Phase (December 1999- Present)

The decisions laid out in the Helsinki summit show that the European Council tried to create a new platform with Turkey and the Turkish Cypriots. Candidacy status given to Turkey as a gesture to restart the halted communication provided a new platform to operate on the EU-Turkey relations, whereas the statement regarding the Cyprus conflict and the accession of RoC into the Union have been presented as the vital subjects of this new platform. With the Helsinki summit, the European Union promised conditional membership¹⁵ to Turkey in an unforeseeable future and offered a space to communicate ways to enhance the relationship. New efforts on the settlement of the Cyprus conflict was shown as one of the most important channels to rebuild trust among Turkey and the EU.

The intention of the EU was to put pressure on Turkey to restart the peace negotiations with the South since Turkey is perceived as the other interested secondary party in the Cyprus conflict. The tone of the EU has observably gotten louder as the time to close the accession negotiations with the RoC grew near. The open-ended statement in the Helsinki Summit conclusions both showed the willingness and determination of the EU to see the RoC as its future member as well as the reluctance of accepting a divided, war torn country into the Union with an unresolved conflict for more than over a 30 years.

As noted above, the European Union is a secondary party to the conflict and preferring to follow competitive negotiation strategies with the other primary party (TRNC) and the secondary party (Turkey). Relations built between the EU and TRNC and Turkey are similar to those between parties in a multilateral negotiation context. The EU forms a covered coalition with the RoC as the preferred primary party, against the coalition of Turkey and TRNC. The negotiation tactics that the EU follow are those of a competitive negotiator. The European Union ignores the demands and requests of the Turkish Cypriots, such as the recognition by the international community or

¹⁵ Turkey has to fulfill the Copenhagen Criteria that still stand as the biggest obstacle to start accession negotiations with the EU.

the removal of the trade embargo on North Cyprus. The European Union, when asked to attain a more pro-active stance in the conflict process, demands discussion of its own agenda items, such as how to make the accession of the Republic of Cyprus into the EU more smoothly rather than innovating new options for the settlement of the conflict. The stance of the European Union with regard to any conflict settlement policy turns out as an insistence on the Turkish Cypriot side to make initial offers and demands on the items of conflict. The European Union promises to respond with very low offers such as in the offer of a very low annual financial aid in return of a settlement that is favourable to the European Union's enlargement project¹⁶. For a settlement acceptable for the EU the Turkish Cypriots needs to be forced to concede to the Greek Cypriot demands. The European Union as a competitive negotiator makes continuous demands of concessions from the TRNC and Turkey and backs up its demands with threats¹⁷. The European Union also magnifies the Helsinki decisions as a big concession made for the Turkish side and downplays Denktaş's move by re-initiating the bicomunal talks since in the Helsinki decisions the settlement of the conflict was officially removed as a precondition to the EU membership of the island.

As the time to close the accession negotiations with South Cyprus draws closer, the resumed talks between the leaders of two communities appears as the final chance to have a settlement before the end of 2002. The EU has shown its support for the success of the talks, but the rhetoric that the re-initiated bi-communal talks would have no effect on the accession procedure of the RoC into the EU irritates the Turkish Cypriot administration as the initiator of the talks after a two years' halt in a situation where the Greek Cypriots seem to stick to their positions until the EU presidency passes

¹⁶ According to Financial Times, the amount of financial aid to be given to North Cyprus would be determined according to the results of the bicomunal talks. North Cyprus, being under the EU's financial aid program for the first time; is planned to have 39 million Euros for 2004 and this amount can rise up to 100 million Euros in the following two years. (January 27,2002)

¹⁷ Verheugen in a speech in Athens threatened Turkey with abating the membership procedures of the country in the case of a Turkish threat on the membership of the RoC. (www.ntvmsnbc.com, March 22,2002).

to Greece¹⁸ at the end of 2002. It can be assessed that the closing deadline for the accession talks became one of the main motives for Denktaş to re-initiate the bilateral negotiations among the primary parties but the EU factor seems to be a negative reinforcer.

3.2 What awaits the European Union?

A discrepancy seems to be revealed within the EU on the issue of how to pursue policies in order to keep up with its high principles/promises of security and stability. The case of Cyprus is a challenge to the EU to reflect the convergence of its policies with its promises by adjusting its enlargement process with its evolving common foreign and security policy.

The Cyprus conflict reveals two major contradictions, one on the theoretical level and another one on the policy level. The enlargement process of the Union has come into a controversy with the high principles of the Union in Cyprus. One of the main building blocks of the European Union is its offer of stability and security to its future members. The European Union is an opportunity of cohesion and reconciliation based on a unanimous operating decision-making system. In order to preserve the inner cohesiveness and consensus, the Union does not have the luxury to let new member states bring in their protracted conflicts into the Union without a preliminary settlement of their disputes within or without-that includes any dispute with a neighbouring country. But the present interested secondary party position of the Union seems to be far from easing the tension alienating the Northern Cypriot government from the European Union, whereas the time schedule to close the accession negotiations with the Greek Cypriots creates an extra tension for a quick settlement to the 30-year-old conflict. The Union does not want to import any conflict into its system¹⁹. But its insistence to keep on with the accession negotiations and official willingness to accept South Cyprus as a member state regardless of a settlement in the conflict

¹⁸ Denktaş criticised the speeches of EU commissioner Verheugen and condemned him for ignoring the realities and the history of the Cyprus conflict. (www.ntvmsnbc.com, April 23, 2002)

reduces the chance of a fast settlement before the end of the accession negotiations. That means the European Union will have to import an unresolved conflict into its system so as to preserve its internal cohesiveness and unanimous order in the foothold of its enlargement project. That is the first major contradiction of the European Union that hinders it to attain a neutral and flexible third party-mediator role in the island.

The second major contradiction is on the policy level. The enlargement process and the common foreign and security policy of the European Union came at a point of controversy. This difference of acting can be observed in the public speeches of Gunter Verheugen, the High Commissioner for Enlargement and Javier Solana, the chief of the CFPS. They pose different views about the effect of settlement within the accession negotiations especially in the case of a failure in the resumed talks between Denktaş and Clerides. Javier Solana's remarks in April 2002 on the matter led to a big amount of repugnance both in the Greek Cypriot government and the media. Solana's remarks can be viewed as the announced hardship of a settlement before December 2002 and that the EU will be compelled to take only the southern part of the island as its future member²⁰. That means the ultimate partition of the island shall be recognised by the European Union by accepting only one part of Cyprus. Another fierce response to Solana's remarks came from Gunter Verheugen as the chief of enlargement for the EU by claiming that the EU is always for the integrity of the Republic of Cyprus²¹.

As foreign policy matters require pragmatism it can be assessed that the chief of CFSP acted realistically but still Verheugen had to speak for the high principles of the EU. Such a verbal clash between the two signals a bitter fact that the EU is on the verge of losing its reliability in the Cyprus conflict at its cost. However such minor verbal clashes signal bigger internal communication/decision-making problems with regard to the pursuit of policies that would stand in the EU's strife to become a more influential political entity on the management of international conflicts.

¹⁹ The chief of enlargement high commissioner Verheugen's remarks on the TV program "Newsnight" on BBC that the EU would not be importing any conflict in the case of RoC membership. (www.ntvmsnbc.com, January 17, 2002).

²⁰ To Vima, April 20, 2002

²¹ www.ntvmsnbc.com, April 21, 2002

2002 is a crucial year for Cyprus. If the European Union is keen on its principles it is now high time to act in a more positively pro-active manner. The Union should seek ways to remove the evidently diverging perceptions of the principles with its policies. The Cyprus conflict offers a great opportunity to the EU to show its willingness and ability to play as a more active global policy maker.

The pro-Greek Cypriot attitude of the EU can be articulated as a necessity to keep the consensus on the eastern enlargement project. This is a major irony that the EU sacrifices its major principle of security for the sake of continuing with its eastern enlargement project, which promises prosperity, stability and security. As a result of this irony the EU has only one tool to play for the settlement of the Cyprus conflict before the Southern part becomes a member of the Union. It is the same tool that forces the Union to solve a possible crisis; the accession negotiations with the Republic of Cyprus. Today the EU as an interested secondary party seems to have no other choice but to trust on the effect of this negative reinforcer on the TRNC, the so-called catalytic effect of the accession negotiations. In other words the sole conflict resolution instrument of the Union is the enlargement project of the Union (See Figure3.4).

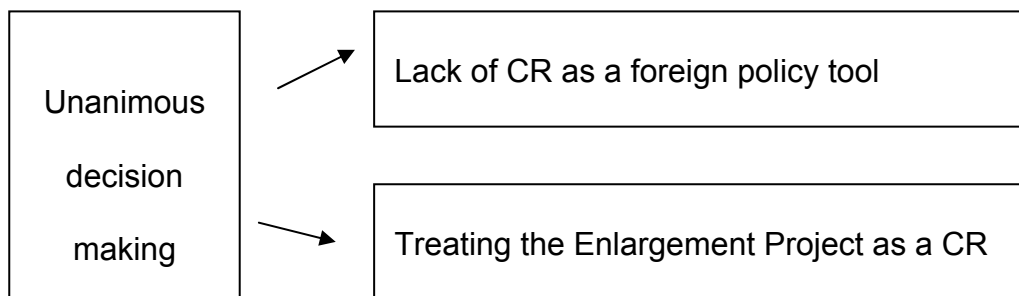


Figure3.4 How the unanimous decision making system of the EU limits the use of flexible policy tools

Unfortunately using a project as a catalyser is a very passive form of foreign policy involvement that might have different meanings to the primary parties of the conflict. Moreover emphasising the benefits of the process for one of the parties whereas using a continuously punitive and intimidating

rhetoric for the other party does not put the EU into a trustworthy and neutral position for the other primary party.

The biggest obstacle of the European Union in Cyprus is its inability to divorce the enlargement process from its foreign policy making. The conflict settlement efforts of the Union if any is being dominated by the necessity of preserving the internal consensus for the realisation of the eastern enlargement project. The ideal position of the Union within the Cyprus conflict would be that of a mediator that could follow a combination of conflict resolution policies for the benefit of the both conflicting parties. But for that the Union should stop treating the eastern enlargement project as a foreign policy tool in the island and set it as a framework for the EU's conflict resolution attempts.

In the next chapter the enlargement project of the European Union is presented as a feasible framework for conflict management activities.

CHAPTER IV: ENLARGEMENT PROJECT AS A FEASIBLE FRAMEWORK FOR CONFLICT MANAGEMENT EFFORTS IN CYPRUS

Today the European Union is the most feasible framework for the settlement of the Cyprus conflict. The EU should present the enlargement project as a common future for the two primary parties. Majority of the Turkish Cypriot community believes that the EU membership is an opportunity that must somehow be grasped²². With an acceptable settlement the EU membership would upgrade the TRNC economy and the GDP of the citizens would rise to the level of the European Union countries. But for the realisation of this dream the EU should first of all present the enlargement project as a balanced framework for both of the primary parties and then act as a neutral mediator working on that. In this chapter the enlargement project is discussed as a framework for the conflict management efforts of the EU as a neutral third party.

4.1 Perceiving the Enlargement as a Framework rather than as a Foreign Policy Tool

The major handicap of the European Union in the Cyprus conflict is the discrepancy between the enlargement project and the foreign policy of the Union. The foreign policy involvement of the Union in terms of conflict resolution efforts is limited with the on-going accession negotiations with the RoC. Nevertheless the enlargement project has acted as a catalyser in the reinitiation of the talks between Denktaş and Clerides in December 2001. However that does not mean the enlargement project can be used a foreign policy tool.

²² Opinion polls among Turkish Cypriots have consistently shown large majorities in favour of the EU. According to a poll conducted in December 1997 by the independent Cyprus Public Opinion and Market Research Company (COMAR) 89.6% of Turkish Cypriots declared themselves in favour of joining the EU in the expectation that this will confer tangible benefits in such areas as education, employment, health, and security. A sizeable majority (76.6%) also believed that EU accession would allow Turkish Cypriots to close the economic gap with Greek Cypriots.

The EU needs a multidimensional thinking to apply flexible and proactive policies for the settlement of the conflict. That would only be possible by changing the perception of the EU on the enlargement project. The EU as repeatedly told by the EU officials is a project of security, prosperity and peace. And the eastern enlargement project is a projection of these ideals for the whole continent. To restrict the eastern enlargement as a foreign policy tool is shortsightedness. The enlargement project of the EU should be put as a dynamic framework on which the Union can build its policies on (see Figure4.1). The Union should immediately stop insisting to use the enlargement as a foreign policy tool. The European Union must build its conflict resolution attempts in Cyprus on top of the enlargement framework.

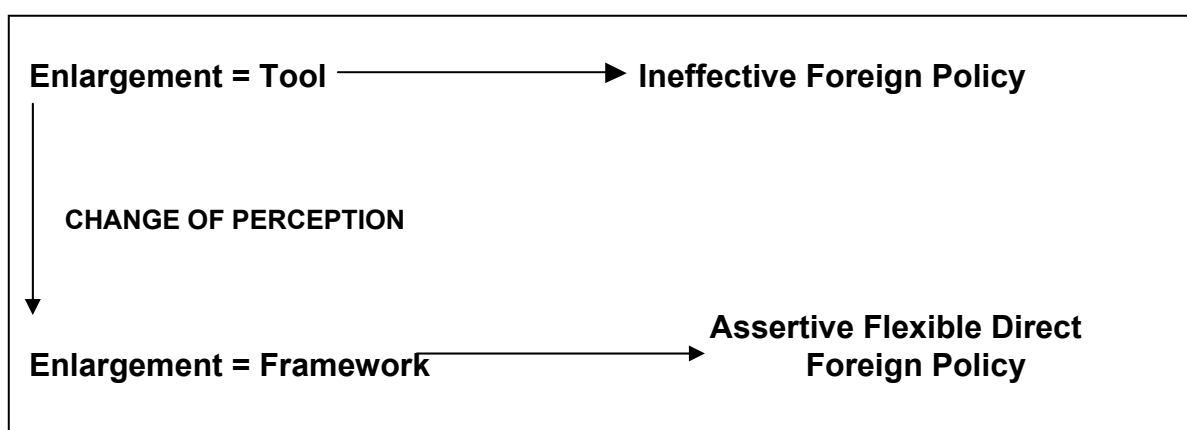


Figure4.1 Perceiving the enlargement project as a framework

European Union officials dealing with Cyprus have so far represented the enlargement willingly or unwillingly as a project that would work mainly for the benefit of the RoC. The EU has made no official contact with the TRNC and did not put any official offer. The EU did not dare such a move since the international community can perceive any official contact with the Turkish Cypriots as the recognition of the TRNC²³.

²³ The UN Security Council Resolution 541,1983. The Council declared the formation of TRNC as being ‘incompatible with the 1960 Treaty concerning the establishment of the RoC and the 1960 Treaty of Guarantee’. It was declared to be legally invalid (Dodd 1998:80).

When used as a foreign policy tool the enlargement project exerts a negative tension on the Turkish Cypriot administration and causes frustration and fury about the future of the TRNC administration and sovereignty. Although the Turkish Cypriot community perceives the large benefits the EU membership it causes a continuous threat of stability for the Turkish Cypriots. The way this big project of the European Union, which offers security and stability to the candidate countries, is presented unfortunately becomes the source of instability and ambiguity on the northern part of the island. The rise of existentialist concerns in the North causes the Turkish Cypriot leadership harden positions on the issues of political equality, sovereignty and security. As long as the enlargement project is being introduced as a means of threat to the Northern Cypriots the catalytic effect of the EU would only be working for the worsening of the situation in the conflict. If the EU is sincere in its principles of security, stability and prosperity attached to the enlargement project it should stop presenting it as a foreign policy tool in the island and look for ways to package and sell the project to the TRNC by taking into considerations the needs and concerns of its people.

4.2 How to Transform the Enlargement Project into a More Balanced Framework for Both Parties

For the transformation of the enlargement project into a balanced framework the European Union has to redefine its role, goals and relations in the conflict.

4.2.1 Redefinition of the EU role

The negotiator role of the European Union is not suitable to start the transformation of the enlargement project from being treated as a foreign policy tool into a balanced framework. The Union has to shift from a negotiation role to a mediation role. The mediation role needs a clarification at this point; the European Union literally has to act as a neutral mediator without any relational preferences with one of the conflicting parties.

One-sided perspective of the EU in the conflict does not add any credit to the catalytic effect of the Union. The EU officers in the past announced that

the EU is in favour of a settlement in Cyprus but chose to abstain from direct action. This choice might be explained by a fear that a neutral but active EU could harm the on-going accession negotiations with the RoC and therefore the consensus on the eastern enlargement could be damaged. Unfortunately with such thinking the EU fails to see the need for multidimensionality in the pursuit of global policies. Conducting accession negotiations with one of the primary parties of the conflict while not building any direct contact with the other party does not make the EU in the Cyprus conflict an active and multidimensional policy maker.

4.2.2 Redefinition of the EU Goals

Redefinition of the EU goals in the settlement of the Cyprus conflict would enhance the effectiveness of the EU framework. It is true that the approaching membership of the Greek Cypriots has been a catalyser in the restart of the direct bi-communal talks but what is more important is to evolve this catalytic effect into the EU mediation.

Until now the European Union has put the realisation of its enlargement project as its main goal in Cyprus. The need for a settlement before the accession was removed officially as a precondition at the 1999 Helsinki Summit. The main goal of the Union today is solely securing a successful end to the accession negotiations with the Greek Cypriot Administration and a smooth accession of the first wave of the candidate countries into the Union by 2004. Unfortunately the goal of the Union is shaped upon a proposed blackmail of Greek veto on the enlargement project if the RoC does not appear on the first wave of the accessed candidate countries.

But it can now be observed that the goal of the EU brings higher risks to the Union. The Turkish threat of vetoing the deploying the NATO troops and sources under the command of the rapid reaction force of the EU carries the danger of undermining the long-expected capability of fast intervention in ethnic conflicts to protect and promote the European Security. The settlement of the Cyprus conflict has become a package deal along with the rapid reaction force of the proposed ESDP. Therefore the reluctant stance of the

Union in Cyprus does not add any value to the foreign policy of the Union and the principles of the enlargement project, instead works to widen up the discrepancy between these two.

The Union policy within the conflict is stuck between the two threats of vetoes by the mainlands of the conflict. The new goal of the European Union should be designed as to remove the double-veto threat in front of the enlargement. The way to salvation is possible by attaining a more balanced stance in the conflict. If the European Union commissioners announce that the Union wants to see a feasible settlement of the conflict as the most important building block of a unified Cyprus as a future member of the Union, that would increase the credibility of the European Union in the Turkish Cypriot eyes and would thus enable the Union to exercise leverage equally on both communities to bring a joint settlement of the conflict

The EU has to redefine its preferences about the shape of a settlement in the Cyprus conflict. The membership of a united Cyprus is a necessity for the transformation of the enlargement project into a framework. The new framework should be promoting the membership of the new partnership into the EU. It has to guarantee the membership of the island into the Union. Therefore the goal of the Union has to be renovated towards a feasible settlement of the conflict. It is obvious that the Greek Cypriot membership will be problematic and be challenged legally and politically by Turkey and Turkish Cypriots. The costs are too high for the European Union in the case of a non-settlement.

4.2.3 Rebuilding the EU's relations with the Primary Parties

A change on the relational bonds of the Union would be the most decisive move towards transforming the enlargement project into a feasible framework. With its current relational bonds the EU as an interested secondary party, the Union lacks the capacity to realise the needed transformation. The EU should be at a neutral distance from the primary parties. The positional shift of the EU from an interested secondary party to a

neutral third party will have the following advantages in the practice mediation:

- (1) The new position of the Union would bring symmetry into the on-going negotiations between the two leaders of Cyprus. With the removal of the EU backing on Greek Cypriot propositions the Turkish Cypriot administration would feel more secure during the talks. The feeling of security would encourage more flexible moves from the Turkish Cypriots towards a joint settlement whereas the Greek Cypriot counterpart would have to focus more on easing their reservation points on the issues of divergence such as sovereignty and distribution of the territories. The most favourable condition for successful negotiations is the situation of power-equality defined as the reciprocity; a responsive taking of concessions for a convergent outcome (Bartos, 1978). The enlargement framework will provide the needed symmetry into the ongoing negotiations.
- (2) The neutral position would encourage the European Union work on the level of interests rather than at the level of positions. The Union would be relieved from the obstacles that prevent it to attain flexible policies.
- (3) The European Union will be able to add its own ideas and perceptions of a positive outcome when there is none and use its own power to move the parties toward an agreement and its own resources to come up with a sum positive to attract both parties' agreement.

4.3 Conclusion

In this chapter transformation of the enlargement project into a balanced framework is put as the needed base for the EU to apply conflict settlement/resolution policies. The enlargement framework would erase the discrepancy between the ideals and the policy of the Union in the Cyprus conflict. Enlargement project so far has been treated as a foreign policy tool and proved its inadequacy in terms of a conflict management method. It is assessed that if the European Union can redefine its role, its goals and its

relations with the primary parties of the conflict, it will be able to make the needed transformation of the enlargement project into a conflict resolution framework whereby the EU can act as a mediator.

In the next chapter the possible mediator roles of the EU is provided with definitions derived from the international mediation literature and discussed.

CHAPTER V: MEDIATOR ROLES FOR THE EU IN CYPRUS

The European Union has so far ceased to play the role of a third party mediator for the settlement of the Cyprus conflict. The ineffective policy of the EU can be explained with reference to a major discrepancy between the principles of its enlargement project and its implementation in the case of Cyprus. The unanimous decision-making system has compelled the Union to act against both the principles of the European Union and the promises of the enlargement project. But the conflict resolution field offers alternative foreign policy tools in the area of international mediation.

As it was mentioned in Chapter 2, international mediation is defined as a reactive process of conflict management whereby parties seek the assistance of, or accept an offer of help from, an individual, group, or organisation to change their behaviour, settle their conflict, or resolve their problem without resorting to physical force or invoking the authority of the law (Bercovitch 1996). First of all the Cyprus conflict has been going on for about forty years now; the efforts of individuals or actors have reached an impasse; none of the disputants is prepared to stand further costs or the escalation of the conflict. With the end of the accession negotiations with the South Cyprus approaching the 2002 is the most suitable time to act for the EU. With the enlargement project treated as a framework that offers security and stability EU has the potential to act as a mediator. As an international political entity the European Union possesses the enough potency to offer mediation to the primary parties of the Cyprus conflict. But for the acceptance of the offer by both of the primary parties the position of the EU should be neutral. That means if the EU gets inclined to use its mediation potential it should first change its position within the conflict from an interested secondary party to a neutral third party.

There are different perspectives about the mediator's role in the Conflict Resolution literature. Kressel in 1972 defined a typology to categorize mediator behaviour ranging from passive to assertive in three strategies: (1) reflective behavior, (2) nondirective behaviour, and (3) directive behaviour. But for a flexible foreign policy the EU should not withhold from using a combination of the strategies of these three different mediator behaviour models in the Cyprus conflict.

The reflective strategy is the most passive category. Mediator acting in this category aims to reduce the degree of complexity and uncertainty in the conflict, by providing knowledge and information about the conflicting issues and parties. According to Bercovitch the mediator strives to “ achieve some convergence of expectations by reducing distortion, ignorance, misperception, or unrealistic intentions” (1984:98). The EU should make clear to both of the primary parties that the EU favours open dialogue among the parties and is ready to set the issues of conflict for realistic sessions of negotiations among the two communities. As a neutral third party the EU can announce that both the TRNC and the RoC should avoid from giving messages that might distort the efficacy of the bi-communal talks.

Nondirective behaviour is a more proactive involvement in which the conflicting parties will arrive at a mutually acceptable solution with a minimum help from the mediator. In this category mediator can control publicity of the conflict management environment (by providing a neutral place for the mediation) and the resources (the number and the identity of the parties) to affect the structure of the mediation. As a neutral mediator the EU can call all of the parties of the conflict including the primary parties (TRNC, RoC) and interested secondary parties (Turkey, Greece) to gather at a neutral place- a non-EU country in Europe like Norway- in a peace summit. The EU's job as a mediator on such a Cyprus peace summit should be enabling a healthy communication among the negotiators and helping the parties work towards a compromise solution.

Ultimately in the directive behaviour the mediator takes an active role to encourage a specific solution or seeks to manipulate the parties directly into

ending the dispute. Mediator offers proposals or recommendations and exerts direct pressure. The EU can also formulate recommendations to overcome impasses between the primary parties or can encourage both communities and the mainlands seek a settlement to the conflict that would preserve the peace in the Eastern Mediterranean and enable the first phase of the eastern enlargement. But for the acceptance of the EU settlement proposals all of the parties should trust the Union as a neutral third party. Especially the trust of the Turkish Cypriots is of severe importance for the mediation of the EU.

Rubin introduced a comprehensive set of dichotomous mediator roles like formal vs. informal, impartial vs. partial, individual vs. collective, conflict managing vs. conflict escalating, content oriented vs. process oriented (1981). To start with the first diad, formal vs. informal the EU should be more of an informal mediator than a formal one. As an interested secondary party the EU in its foreign policy the EU chooses to use a very formal language, focusing on the words used in a statement. But a successful mediator uses an informal language to enable a healthier communication between the primary parties and the third party. In the classical mainland European diplomacy technique that is still followed by the EU formal statements and declarations defines the positions of the parties²⁴. But the EU mediation should possess informal approach, as a neutral mediator the EU should withhold from making formal and public declarations without the formalisation of any deal among the disputants.

With regard to the other diad impartial vs. partial, a successful mediation for the EU in the Cyprus conflict is possible by attaining impartiality towards both of the primary parties. This specific role character is key for an effective mediation. Conflicts are of a dynamic nature and have different stages of development through time. A conflict might be at a latent stage, escalating, at its climax or de-escalating. In each of these phases of conflicts different mediator roles might be needed. Therefore at a latent stage or de-

²⁴ EC Helsinki '99 declaration ambiguously defines the EU position about the Cyprus conflict: 'If no settlement has been reached by the completion of the accession negotiations, the Council's decision on accession will be made without the above being a precondition. In this Council will take account of all the relevant factors.'

escalating stage collective mediation might be an effective technique. But at the late phases of the escalating conflict or when a conflict reaches the climax, individual mediation might be the right procedure to follow. Now since the Cyprus conflict is at the early stages of its escalation the EU can do collective mediation; that is by gathering all of the parties around the table. The important point at collective mediation is that none of the conflicting parties should be in a position to be offended by the presence of its rival around the table. At this stage none of the communities feels offended by discussing the issues of the conflict. Therefore 2002 is the right time to do collective mediation for the EU in Cyprus.

Rubin's other pair is conflict managing vs. conflict escalating. Some of the mediators use conflict escalating strategies as contentious tactics to make the parties aware of each other's positions. That kind of a mediation tactic in Cyprus would be like crushing an oil tanker into a depot full of arsenal. Therefore EU should be a conflict managing mediator in the island. Conflict management in basic terms is the containment of a conflict before it escalates and turns into a physical war and cause loss of life. Although the situation in Cyprus is at a latent phase for the last 28 years, the very core of the conflict remains intact and not managed. So the EU mediation should focus and deal with the core issues of the conflict like security, sovereignty, equality, redistribution of territory, governance, continuation of the guarantorship system and the status of the immigrants. While doing that the EU should follow a mix of both content oriented and process oriented approaches. The main aim of the EU should be helping the parties continue with the peace process, the bi-communal talks for now- without being drowned in the issues that are highly controversial for the primary parties. The EU should encourage both TRNC and RoC negotiators focus on the issues in which they are on closer terms and then work on with the other issues. By that way a real peace process in the island can be obtained.

The main responsibility of the mediator is to assist the disputants to find a solution, which they are not able to find by themselves. For the success of mediation all of the parties should cooperate fully with the mediator.

Mediation aims to provide a positive-sum solution unlike the traditional competitive adversarial relations that end up with a zero-sum agreement (Bercovitch 1996). Mediation seems as a “reciprocal process of social interaction in which the mediator is a major participant”(Bercovitch & Houston 1996). According to Bercovitch all international mediators operate within a system of exchange and influence. The parameters of that system can be identified as the communication, experience and expectations of the disputing parties, and the resources and interests of the mediators. The interplay between these parameters determines the nature and effectiveness of mediation (1992). The mediator should be acting to make change within the parameters of the system.

The Union can work to change the parties’ expectations. Turkish and Greek Cypriots hold totally diverse opinions about an *ideal* settlement of the conflict. The European Union should act as an agent of reality and should lead both parties to a feasible and commonly beneficial settlement. But before pursuing such strategies the EU should make a clear assessment of both parties’ expectations and innovate common ground formulas between these expectations. These expectations are also closely related with the standing of the EU in the conflict.

The EU mediator should take the responsibility for the concessions made during the negotiations. The positions of the two sides do not allow them to make proportionate concessions. In a negotiation process a party does not make any substantial concession unless there is a reciprocal made by the other party. And if one of the primary parties is weaker than the other it is less willing to make any concessions. In Cyprus conflict what EU has to do is to provide guarantee of reciprocity for the Turkish Cypriots that the Greek Cypriots would also be led to make concessions from their positions.

One of the major aims of the EU as a mediator should be to change the static positional relationship between the parties into a more positive and dynamic relationship built on reciprocal give and takes with a European Union responsibility for the common benefit in making concessions. One other role mediator is to suggest concession parties can make. The European Union’s

leverage on the conflict settlement efforts comes from its potential to reward the concessions being made by the Cypriot communities. Although EU membership is put as the biggest reward the Union should put more concrete and detailed rewards. And these detailed and concrete rewards should be made visible and approachable for the Turkish Cypriots. These rewards might include a huge amount of financial aid, lift of the trade embargo and opening a liaison office in Lefkosa.

5.1 Conclusion

After setting the enlargement project as a feasible framework for both of the primary parties to the conflict. The EU has to become a mediator if it really aims to settle the Cyprus conflict. In this chapter possible mediator roles have been assessed for the EU. The European Union should use its capacity to follow mediation strategies as long as it aims to become a global political actor. The Cyprus conflict is a test for the Union.

In the next chapter concluding remarks of this study is presented.

CHAPTER VI: CONCLUDING REMARKS

This chapter includes the final remarks of this study. In the past chapters an evaluation of the European Union's involvement in the Cyprus conflict is presented. The analysis included the internal decision making mechanism of the Union and the policies of the Union in the Cyprus conflict.

6.1 Why Cyprus?

The Cyprus conflict is a remarkable example since it best represents the discrepancy between the principles and the policies of the Union as a result of the failure of the decision-making system. The approach of the European Union operates on a procedural level in the shape of dossier exchange. The unanimous order of the Union does not permit the Union to adopt flexible and innovative policies. The internal cohesiveness of the Union has to be preserved in the eastern expansion of the Union and the Union has chosen to act within the parameters of the accession negotiations in its contacts with the candidate countries.

The problem with Cyprus arises from the conflictual nature of the country. Being divided for about a 30 years now the name, the Republic of Cyprus does not represent the whole island as it's being used solely by the Greek Cypriot government whereas the Turkish Republic of Northern Cyprus remains as an unrecognised state for almost 20 years. The European Union did not take the conflictual nature of the island of Cyprus into account and preferred to follow a procedural policy with the accession negotiations with South Cyprus. With the continuation of this policy the EU hopes to maintain the internal consensus of the Union on the issue of eastern enlargement.

The accession negotiations proceed on the expected timeline and with the fulfilment of dossiers and do not leave any space for any innovative and flexible moves. The European Union made its policies captive of the deadline

for the need of the accession negotiations with the Greek Cypriot administration. It is evident that the enlargement project has acted as a catalyst for the re-initiation of the bi-communal talks. But the lack of any positive outcome so far can be regarded as the result of the interested secondary party position of the Union. In order to keep the consensus on the enlargement project the EU chose to support the Greek Cypriot approach. The Union removed the conditionality of a settlement prior to the accession whereas the Turkish Cypriot side was treated in a rather punitive approach with conditionality. The European Union policies are about to import a conflict-torn country into the Union. Such an accession signals a strategic mistake for the European Union since the European Union has now been stuck between the double-veto threat both from Turkey and Greece. The expansion and security build-up came at a controversy. The Greece threatens the eastern expansion of the Union whereas Turkey threatens main building block of the European Defence and Security Policy, rapid reaction force.

6.2 The Big Picture

The reluctance of the European Union in taking direct action is one of the biggest obstacles in the transatlantic alliance. In the past decade as a result of this reluctance the European Union did not manage to intervene successfully to the ethnic conflicts within and without the European mainland. The United States determines the timing and the shape of the intervention and the Europeans get involved into the framework later after the rough part of the intervention is being made. After the incident of September 11, the search for ways to enhance the communication between the USA and the EU has gained an impetus.

The fallacy of the European Union is that it depends too much on classical diplomatic tools such as bilateral negotiations and classical Kantian belief on the ultimate good of strengthening the economic relations within the framework of a planned outset. It is obvious that the European Union fails to see the inefficacy of these policies in the Cyprus conflict as it misses the need for multi-dimensional policies. The trust in the accession negotiations limits

the capacity of the Union to take the needed direct action in the conflict settlement efforts. The belief in the ultimate good of the economic gains achieved by the EU membership is perceived as being enough of a temptation for the easing of the tension in the island. The Union has framed the conflict within the procedural liens of the accession negotiations and insisted on going with the same policy until this time. Taking any direct and flexible action would mean distorting from the accession process. The fear about the failure of the enlargement project is an understandable issue for the EU but the dilemma of widening versus deepening has invaded any attempts to make the Union reach at a higher level of political entity.

The decision making structure of the Union is unanimous and to keep the consensus requires inner negotiations within the Union. Any member of the Union has the right of veto on the foreign policy of the Union. Always a common ground has to be searched in the policies of the Union to satisfy all of the members. Therefore any determined move carries the danger of destructing the consensus. The classical procedural European approach does not produce any positive outcome. Using high words, making references to the principles of the Union does not put the Union in a position to take direct action to achieve these liberal goals.

6.3 Final Remarks

The European Union has defined its aim as a political entity that implements global policies promoting the liberal principles of peace, stability and prosperity. But none of these principles is being successfully promoted with the current policy making system of the EU. The system compels the Union to follow one- dimensional procedural policies that are increasingly unable to meet the flexibility and multi-dimensionality required in the conflictual regions with and without Europe. The insistence on the pursuit of the one dimensional, procedural policy causes a discrepancy between the principles and the policies of the Union. But the European Union can remove this discrepancy by adopting conflict resolution policies. The analysis and offers of this study would help the Union in its evolution towards becoming a political entity.

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