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**The European Union as a Catalyst for Conflict Resolution:
Lessons from Cyprus on the Limits of Conditionality
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Abstract

The role of the European Union as a catalyst for conflict transformation and resolution has become a major area of interest for scholars in recent years. However, the catalytic effect, while accepted as a real phenomenon, is nevertheless rather nebulous and ill-defined. As a result, efforts are now being made to define the precise nature of the catalytic effect, examine its limitations and explore the ways in which it can be strengthened. One approach to enhance its effect is to try to incorporate some form of conditionality into the process. In order to explore this idea more fully, this article examines the case of Cyprus, which is a prominent recent example of the way in which the EU can help to create the conditions conflict resolution. But while Cyprus highlights that strength of the catalytic effect, it also provided a graphic illustration of the multitude of difficulties associated with trying to enhance the effect by formally incorporating an element of associated conditionality into the process.

Introduction

On 24 April 2004, the people of Cyprus voted on a peace plan drawn up by the United Nations Secretary General, Kofi Annan. If accepted, the agreement would have reunited the island after thirty years of division following the Turkish military invasion in 1974 and brought to a close forty years of conflict between Cyprus' Greek and Turkish communities, which had first arisen soon after the island's independence from Britain in 1960.¹ However, although the plan was endorsed by two thirds of the Turkish Cypriot community, who represent a fifth of the island's population, it was overwhelmingly rejected by three-quarters of the Greek Cypriot community, representing the remaining four-fifths.² As a result, just one week later, on 1 May 2004, the island joined the European Union still divided.

For the European Union it was a bittersweet moment. On the one hand the peace process that had been rejected marked the ultimate validation of the view that the island's EU accession process would act as a catalyst for a settlement. After almost two decades during which they had been widely held responsible for obstructing efforts to reach an agreement on reunification, the prospect of Cyprus joining the EU had persuaded Turkey and the Turkish Cypriots to engage in a meaningful peace process. However, balanced against this undoubted success, was the anger and frustration resulting from the fact that it was the Greek Cypriot leadership that had ensured that the island had joined the EU divided. This led to considerable anger across the institutions and member states of the European Union. For instance, Gunther Verheugen, the EU Commissioner for Enlargement at the time, who had been a staunch supporter of the island's accession, later commented before the European Parliament that he felt personally 'cheated' by the Greek Cypriots., who had, 'taken him for a ride'.³ Although never confirmed in writing, he made it clear that the tacit agreement that had been reached between the Greek Cypriots and the European Union over the course of the island accession process was that if the Union permitted the island to join, then the Greek Cypriots would accept a reasonable plan put on the table. As he explained, 'we accepted at the request of the

¹ The dates 1964 and 1974 have deep symbolic importance for the Turkish and Greek Cypriots communities respectively. Most Greek Cypriots place the emphasis on 1974, and point to the Turkish invasion of the island as the seminal event in the history of the conflict. In contrast, Turkish Cypriots stress the importance of 1963-64, when the two communities first clashed after independence in 1960. For example, in a previous piece on the Cyprus issue, the author noted the division of the island in 1974 without explicitly mentioning the events of 1964. In response, he received a letter from Rauf Denktaş, the Turkish Cypriot leader, noting the omission and the importance of that period. Rauf Denktaş, correspondence to the author, 5 July 2006.

² At the time of independence, in 1960, the Turkish Cypriots represented 18 per cent of the population and the Greek Cypriots 78 per cent. The remaining four per cent was made up of three small religious communities: the Maronites, Latins and Armenians. In order to participate in municipal, parliamentary and presidential elections, all of which were contested on ethnic grounds, all three religious communities opted to align with the Greek Cypriots.

³ 'Brussels Anger at Greek Cypriots', BBC News, 21 April 2004.

Greek Cypriots that the solution should not constitute a prerequisite for Cyprus' (EU) accession...but the Cypriot government had to do everything possible to find a solution to the conflict...We had a clear agreement on this point. Mr Papadopoulos must respect his part of the deal.'⁴ He was not alone in this view. In the eyes of many other EU officials, and among the leaders of many of the member states, there was a clear perception that that the Greek Cypriot leadership, and President Papadopoulos in particular, had reneged on the deal at the last moment.⁵ It was telling that George Iacovou, the Cypriot foreign minister, was subjected to heckling in a meeting of EU foreign ministers in the days following the referendum and just prior to accession.⁶

As a result of this, many questioned whether the Greek Cypriots should have been allowed to join the EU in the first place.⁷ However, this was not really the question that needed to be asked. The decision to accept Cyprus was taken against a backdrop of longstanding Turkish intransigence. As Verheugen noted, and was accepted by the member states, any attempt to have prevented Cyprus from even starting down the road to EU membership would have unfairly penalised the Greek Cypriots for the behaviour of the Turkish Government and the Turkish Cypriot leadership. Moreover, it was widely seen as a valid response to Turkey's attempt to impose a veto on the island's accession process by intimidation and threats of reprisals. Therefore, the question that should have been addressed is what safeguards could have been put in place to ensure that the tacit agreement of the Greek Cypriots to accept a peace agreement translated into an actual settlement when the opportunity arose. In retrospect, or so it seemed, it was the failure to build into the process some formal set of safeguards into the process in the event that the Greek Cypriots became the intransigent party that really needed to be considered. A set of counter conditions needed to be created for the Greek Cypriots to balance the effects that the process had undoubtedly had on Turkey. Thus far, this aspect of the catalytic effect has not been addressed in any detail. This article therefore outlines the various potential options that existed for introducing conditionality into the process and assesses how viable these ideas were. While it is now too late to have any effect on Cyprus – the dynamics of the conflict have changed considerably now that Cyprus is in the EU – the lessons learned from Cyprus may offer some important insights into the sorts of problems that the EU may encounter during its future enlargements in Balkans and, perhaps even further in the future, in the Caucasus.

⁴ 'Brussels Anger at Greek Cypriots', BBC News, 21 April 2004.

⁵ This view was expressed to the author, who was living in Cyprus throughout the peace process, by numerous diplomats and officials in the immediate aftermath of the referendum.

⁶ Reuters, 26 April 2004. It was claimed that the criticism was led by the foreign ministers of Britain, Germany, Luxembourg and the Netherlands.

⁷ 'Cyprus Sets Course for Wilderness', BBC News, 22 April 2004.

The European Union as a Catalyst for Conflict Resolution

As Diez and others have pointed out, ‘there has always been a close link between European integration and peace.’⁸ It is generally accepted that the European Union has a role to play in the transformation and resolution of conflict. Indeed, inasmuch as the EU is a product the attempt to promote peace and reconciliation between the nations of Europe, and particularly France and Germany, in the aftermath of the Second World War, it can be said that the European Union is intrinsically linked with conflict management; broadly defined to include the principles of conflict prevention, transformation and resolution. The success of the aim to foster peace in Europe over the past sixty years is still seen by many as the crowning achievement of the EU. As Hill has noted, ‘in its history the EC/EU itself has proved remarkably free of conflict’.⁹ The effects of this success are now felt far and wide, both in terms of the prosperity the EU has created and the models it has provided. Promoting economic interdependence between conflicting parties is now held up as a basic principle of post-conflict peace building, not only between states but among ethnic groups in intra-state conflict. The European model of integration is now held up as a model for the wider world.¹⁰ However, as the EU has become a more coherent unit in international affairs, it has started to take a more active role in peacemaking elsewhere. This has perhaps been seen most clearly in the Balkans, where the EU has taken an important step in promoting post-conflict peace building and reconstruction in Bosnia and Kosovo. Moreover, one can also highlight other examples of the way in which the European Union is becoming increasingly active in managing international peace and security. For example, one can point to the way in which the EU has taken an active role in negotiations over Iran’s nuclear programme. Meanwhile, in the case of the Middle East, the EU is a member of the quartet that has been working on resolving the conflict between Israel and the Palestinians.

However, perhaps the greatest potential effect of the EU’s capacity for conflict transformation remains felt closer to home. Most notably, one can highlight the way in which enlargement has reunited Europe after the decades of divisions during the Cold War. In this context, and has been noted that for the European Union, ‘the enlargement process, by definition, is a

⁸ Thomas Diez, Stephan Setter and Mathias Albert, ‘The European Union and the Transformation of Border Conflicts: Theorising the Impact of Integration and Association’, Working Papers Series in EU Border Conflicts Studies, Number 1, January 2004, p.2.

⁹ Christopher Hill, ‘The EU’s Capacity for Conflict Resolution’, *European Foreign Affairs Review*, Number 6, 2001, p.326.

¹⁰ Morten F. Greve, ‘ASEAN Down the ‘EU Way’?', *Cooperation and Conflict*, Volume 39, Number 2, 2004, p.207.

peace and conflict resolution project.¹¹ But despite the fact that the EU has now developed a more active role as an agent for conflict management on the world stage, within its boundaries, and in the context of enlargement, the role of the EU in conflict resolution has taken a far more subtle and less directly involved form. In conflicts that are closer to home, or even within the European Union, the approach has proven to be less activist. Instead, the conflict is resolved by the overall 'Europeanisation' of the environment within which the conflict is located. This is summarised by Pace and Stetter as follows: 'The EU is seen as political entity having the capability to provide the framework for an emerging collective European identity which in turn ensures that the 'costs' of non-compliance or a non-resolution to a border dispute are far too high for any conflict to continue.'¹² For example, in cases such as Northern Ireland, the EU has had very little 'compulsory influence' over the actors. Instead, it has been its overall enabling role that has been significant.¹³ Nor has it taken on the role of intermediary or mediator between the parties. Similarly, it would not take such a role in Cyprus.¹⁴ Taking this idea forward, it should also be noted that the EU, through its power of attraction, may therefore be seen to create a set of circumstances conducive to conflict resolution that may otherwise not have existed. Similarly, it can provide an impetus for an existing peace process to advance more rapidly than it might otherwise have done. In other words, it may become a catalyst for conflict resolution.¹⁵ The European Union is not in itself the initiator of the peace process in any direct sense. Instead, it serves as an added factor that encourages conflict resolution to take place more quickly than might have been expected.

Thus far the concept of the catalytic effect has been extremely ill-defined, both theoretically and in terms of practical implementation. As has been pointed out, the catalytic effect is less about a defined and definable policy of the European Union and more about the allure of the European Union to countries on its fringes. This has been referred to by Gabriel Munuera as the European Union's 'power of attraction'.¹⁶ Others have referred to the European Union's 'magnetic appeal',¹⁷ or the 'lure of membership'.¹⁸ Whatever term is used, the basic principle

¹¹ Doga Ulus Eralp and Nimet Beriker, 'Assessing the Conflict Resolution Potential of the EU: The Cyprus Conflict and Accession negotiations', *Security Dialogue*, Volume 36, Number 2, 2005, p.187.

¹² Michelle Pace and Stephen Stetter, 'State-of-the-Art Report: A Literature Review on the Study of Border Conflicts and Their Transformation in the Social Sciences', *The European Union and Border Conflicts project*, University of Birmingham, July 2003, p.11.

¹³ Katy Hayward, 'Defusing the conflict in Northern Ireland: Pathways of Influence for the European Union', *Working Papers Series in EU Border Conflicts Studies*, Number 2, January 2004, p.21.

¹⁴ Oliver P. Richmond, 'Shared Sovereignty and the Politics of Peace: Evaluating the EU's 'Catalytic' Framework in the Eastern Mediterranean', *International Affairs*, Volume 82, Number 1, 2005, p.154.

¹⁵ In chemistry, a catalyst is a material that promotes or accelerates an interaction between substances. The idea of the EU as a catalyst for conflict resolution is therefore apt.

¹⁶ Gabriel Munuera, 'Preventing Armed Conflict in Europe: Lessons from Recent Experience', *Institute for Security Studies, Chaillot Paper 15/16*, June 1994.

¹⁷ Ian Black, 'Inside Europe', *The Guardian*, 1 March 2004.

remains the same. The catalytic effect is reliant upon the reasonable prospect of accession and be willing to accept the costs of membership.¹⁹ Thus it can only be seen to work on conflicts where the parties concerned have a reasonable or realistic chance to join the European Union.²⁰ Under these criteria, neither the EU's involvement with Iran nor the conflict in the Middle East can be affected by the catalytic effect.²¹ However, the ongoing or latent conflicts in the Western Balkans, where all the countries are viewed as potential members,²² would be amenable to the catalytic effect as a function of the power of attraction. In this sense, the power of attraction therefore acts as the key factor driving the catalyst dynamic. Specifically, in the case of Cyprus, the prospect of being prevented from joining the EU served to drive both the Republic of Cyprus and Turkey towards a peace settlement.²³ However, the process also showed that there were inherent limits within this process insofar as once membership was formally assured and irreversible, the power of attraction ceased to have an effect and the catalytic effect appeared to break down. In fact, as will be shown, it appeared to have an entirely opposite effect. Instead of promoting a settlement, it actually served to ensure that a settlement did not come about. As a result, it has been suggested that the intangible power of attraction that drives the process needs to be supplemented by some form of defined and formalised set of conditions that will serve to ensure that once the process of accession has started the actual securing of membership will not serve to disrupt the peace process.

Conditionality and the European Union

The principle of conditionality is widely utilised in international affairs. As Brusis has pointed out, 'international and especially European organizations have increasingly used conditionality to induce states to change their policies'.²⁴ In essence, the term may best be understood as the specific commitment made, or actions taken, by a state in return for some form of specific response by another party or body. Most usually, this has tended to be

¹⁸ Robert Kagan, 'Embraceable E.U.', Washington Post, December 5, 2004.

¹⁹ For a more detailed overview of the power of attraction in the context of conflict resolution, and with particular reference to the Cyprus issue, see George Christou, 'The European Union and Cyprus: The Power of Attraction as a Solution to the Cyprus Issue', *Journal on Ethnopolitics and Minority Issues in Europe (JEMIE)*, Number 2, 2002.

²⁰ It is for this reason that it has been argued that the EU, if it wishes to retain the 'power of attraction' as a 'key foreign policy tool', should avoid defining the borders of the European Union. Heather Grabbe, 'Europe's Power of Attraction', *Wall Street Journal*, 23 April 2003.

²¹ Even though the Israeli Government has hinted that it may one day seek full membership, this seems unlikely to happen. Even if it were to occur, it seems unlikely that the other states of the region will ever join the EU. In this sense, the EU is unable to provide a catalytic effect under the terms laid out.

²² 'Communication from the European Commission to the Council and the European Parliament: The Western Balkans and European Integration', COM 2003 (285) Final, Brussels, 21 May 2003, p.2.

²³ George Vassiliou, 'EU Entry as a Cyprus Catalyst', *Global Dialogue*, Summer/Autumn, 2003; George Christou, 'The European Union and Cyprus: The Power of Attraction as a Solution to the Cyprus Issue', *Journal on Ethnopolitics and Minority Issues in Europe (JEMIE)*, Number 2, 2002.

²⁴ Martin Brusis, 'The Instrumental Use of EU Conditionality: Regionalization in the Czech Republic and Slovakia', *East European Politics and Societies*, Volume 19, Number 2, 2005, p.295.

understood in terms of requirements that a country is required to make in order to receive development assistance from a major international financial institution (IFI), such as the International Monetary Fund (IMF) or the World Bank, or even smaller lending institutions, such as the European Bank for Reconstruction and Development (EBRD). For instance, in the case of the IMF, conditionality is clarified as follows: ‘loans are generally conditional on the adoption of appropriate policies to resolve a country's balance of payments difficulties, and to enable the government to repay the Fund.’²⁵ Such activities may, for instance, include privatisation of certain parts of the economy or the introduction of austerity measures. But increasingly conditionality involves adhering to, or adopting, a number of associated political measures. As Smith has pointed out, ‘Political conditionality entails the linking, by a state or international organization, of perceived benefits to another state...to the fulfilment of conditions relating to the protection of human rights and the advancement of democratic principles.’²⁶ For instance, it may require a state to tackle corruption. This has been a major element of World Bank programmes in recent years, all the more so following the appointment of Paul Wolfowitz as the Bank’s Director, in 2005.²⁷

As noted by Brusis, conditionality is also intrinsic to the European Union.²⁸ Albeit in a different manner to the way it is understood by the IFIs. The accession process necessarily requires candidate countries to meet a number of conditions that have been put in place by the European Union in return for EU assistance, the upgrading of institutional relations and, ultimately, full membership. Equally, failure to adhere to the conditions can result in the withholding of these benefits.²⁹ In terms of the EU, the areas where conditionality can be applied may be defined in terms of three broad categories. In the first instance, there are the fundamental requirements for a country to have a fully functioning market economy. Secondly, an applicant state must ensure that democracy and human rights are fully respected. Thirdly, and more specifically, must be willing to implement the policies of the European Union and comply with the *acquis communautaire*, the EU’s body of laws. Collectively these conditions are known as the Copenhagen Criteria.³⁰ In all three cases conditionality is evident.

²⁵ IMF Conditionality, Factsheet, September 2005.

²⁶ Karen E. Smith, ‘Western Actors and the Promotion of Democracy’, in Jan Zielonka and Alex Pravda (editors) *Democratic Consolidation in Eastern Europe: International and Transnational Factors* (Oxford: Oxford University Press, 2001), p.37.

²⁷ ‘The World Bank and Corruption’, *The Economist*, 2 March 2006.

²⁸ Martin Brusis, ‘The Instrumental Use of EU Conditionality: Regionalization in the Czech Republic and Slovakia’, *East European Politics and Societies*, Volume 19, Number 2, 2005, p.296.

²⁹ Martin Brusis, ‘The Instrumental Use of EU Conditionality: Regionalization in the Czech Republic and Slovakia’, *East European Politics and Societies*, Volume 19, Number 2, 2005, p.296.

³⁰ Specifically, the European Union defines the Copenhagen Criteria as follows: “Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for the protection of minorities, the existence of a functioning market

If a state does not meet the basic economic and political criteria for membership it cannot join. However, as has been pointed out, the exact meaning of this is not defined. As a result, applicants often face a moving target.³¹ Similarly, membership is blocked if the *acquis communautaire*, as the EU's body of laws is collectively known, is not in force. This process of conditionality is essential to ensure harmonisation. If it is not carried out the essential capability of the prospective member state to participate fully in the Union is limited.

Of course, temporary, and very occasionally full, derogations may be granted on occasion, this is very much the exception rather than the rule. But there is the deepest reluctance to allow one member state to operate under conditions that are not applied to the other members. Indeed, as one observer has pointed out, the term 'derogation' is regarded as a 'dirty word' within the European Union.³² This point touches on another vital point: the equal application of the rights and responsibilities of membership is considered to be a foundation of EU membership. In any case, in order to ensure that all states are operating under the same rules, the principle of conditionality is a central requirement. Membership is conditioned by, and contingent upon, the ability of a member state to meet the terms of the Copenhagen Criteria and thereafter adopt and implement the body of legislation set out in *acquis*. But while it is clear that conditionality has an important part to play in the overall process of accession, the question that needs to be examined is whether the principle of conditionality can be extended out to encompass efforts to resolve or manage conflict. To be sure, there are those who believe that it can play an important role. For instance, Tocci has suggested that, 'EU policies of conditionality, by conditioning benefits either directly or indirectly to progress in peace efforts, can increase incentives towards conflict prevention or settlement.'³³ But, as will be seen, the case of Cyprus throws up some interesting observations on the limitations of conditionality as a strategy for the management of conflict.

The Cyprus Conflict and the Path to EU Membership, 1964-2004

In December 1963, a little over three years after the island of Cyprus had achieved independence, the complex constitutional structures put in place collapsed when fighting broke out between the majority Greek Cypriot community and the minority Turkish Cypriot

economy as well as the capacity to cope with competitive pressures and market forces within the Union', *Bulletin of the European Communities*, 26 (6), 1993, p.13.

³¹ Heather Grabbe, 'European Union Conditionality and the *Acquis Communautaire*', *International Political Science Review*, Volume 23, Number 3, 2002, p.251.

³² Phaedon Nicolaides, 'Negotiating Effectively for Accession to the European Union: Realistic Expectations, Feasible Targets, Credible Arguments.', *EIPASCOPE*, Number 1, 1998, p.8.

³³ Nathalie Tocci, 'EU Intervention in Ethno-political Conflicts: The Cases of Cyprus and Serbia-Montenegro', *European Foreign Affairs Review*, Volume 9, Number 4, Winter 2004, p.551.

community.³⁴ Three months later, in March 1964, the United Nations Security Council authorised the establishment of a peacekeeping force on the island and authorised the Secretary-General to appoint a mediator. In 1965, the Mediator, Galo Plaza Lasso, presented the two sides with a series of proposals. However, these were rejected by Turkey and the Turkish Cypriots. In 1966, a Mission of Good Offices was established under the auspices of the Secretary-General and two years later, in 1968, intercommunal negotiations began. These were interrupted in 1974 when, following a coup engineered by the military government in Greece, Turkey invaded the island. Within a month it had captured 36 per cent of the island, driving 160,000 Greek Cypriots from their homes. At this point the basic parameters of a settlement changed fundamentally. During the previous decade the main aim of talks had been to establish a degree of autonomy for the Turkish Cypriots. However, following the invasion, the talks shifted to discussions on the formation of a federation on the island. This was confirmed in 1977 and reconfirmed two years later, in 1979.

In 1983 the peace process suffered a blow when the Turkish Cypriots unilaterally declared independence and announced the formation of the Turkish Republic of Northern Cyprus. Although recognised by Turkey, the move was condemned by the Security Council.³⁵ Despite this apparent setback, new talks began the following year. These eventually led to a blueprint for a settlement, which was presented to the two parties in 1985. However, this time, the agreement was rejected by the Greek Cypriot leader, Spyros Kyprianou, much to the anger of the main political parties, which unsuccessfully demanded his resignation.³⁶ In the aftermath of this 'near miss', the position of the Turkish Cypriot leader, Rauf Denktaş, began to harden significantly and over the subsequent years he came to be seen as the main obstacle to reunification.³⁷ It was against this backdrop that Cyprus filed an application for membership of the European Union, in 1990. Although the application was vociferously opposed by Turkey, which feared the consequences of having Cyprus as a member for its own EU accession prospects, the prevailing view of member states was that the Turkish Government

³⁴ There is an extensive body of literature on the history of the Cyprus issue and efforts to resolve the dispute. For background information and analysis see Oliver P. Richmond, *Mediating in Cyprus: The Cypriot Communities and the United Nations* (London: Frank Cass, 1998); Joseph S. Joseph, *Cyprus: Ethnic Conflict and International Concern* (Basingstoke: Macmillan, 1997); Farid Mirbaheri, *Cyprus and International Peacemaking* (London: Hurst, 1998).

³⁵ UN Security Council Resolution 541, 18 November 1983.

³⁶ P.N. Vanezis, *Cyprus: Crime without Punishment*, 2nd Edition (Nicosia: PN Vanezis, 2000), p.165.

³⁷ The burden of blame for the failure to reach a settlement has been generally placed on the Turkish Cypriot side by most officials and observers. For instance, Lord Hannay, who served as the British Special Representative for Cyprus, made it clear that Rauf Denktaş was the biggest obstacle for peace in his book. David Hannay, *Cyprus: The Search for a Solution* (London: IB Tauris, 2005), pp.17-21. This view has also been supported by Richard Holbrooke, who briefly became involved with Cyprus in the late 1990s after having ended the Bosnian Civil War. Richard Holbrooke, 'The United States and Turkey: Mending Fences?', Presentation given to the Washington Institute for Near East Policy, November 3, 2003.

could not exercise a de facto veto over Cyprus. While the division of the island was potentially problematic, the Greek Cypriots could not be penalised and prevented from joining the EU by virtue of the intransigence of the Turkish Cypriot leader. Therefore, the European Commission, in 1993, produced an opinion supporting the Cypriot application, but noted that the situation would be reassessed at a later stage.³⁸ This opinion was endorsed by the Council soon afterwards and, at the Corfu European Council in 1994, it was announced that Cyprus, along with Malta, would be included in the next wave of enlargement.

In the aftermath of this decision to accept the Cypriot application for membership, debate grew as to whether the EU could act as a catalyst for a settlement or whether the Union's decision would herald the final and irreversible division of the island.³⁹ On the one hand there were those who believed that the decision to start talks with the Republic of Cyprus would force Turkey to act. While Denktash may have been opposed to European Union membership for the Turkish Cypriots, EU membership for Turkey was a policy supported by a large number of Turkish citizens and was also supported across the political spectrum. Cypriot EU membership would threaten this aspiration. For a start, without a settlement Ankara would be put in a very uncomfortable situation. It would be in the unenviable position of attempting to join the EU while occupying the territory of an EU member state. It would also face the possibility, if not the probability, that the Greek Cypriots would oppose Turkish membership. There would then be a second Greek veto. It was little wonder that many felt that Turkey would eventually have to ensure that Denktash reached a deal. The argument certainly appeared compelling. However, balanced against this, there was another school of thought that took a contrary view. The move to accept Cyprus into the EU would only serve to deepen the division between the two sides on the island. For a start, those who knew Turkey well argued that Ankara could not be forced into negotiations in such a manner. Indeed, it would be a matter of principle not to return to the talks under such onerous conditions, if not blackmail. At the same time, Turkey would never accept any direct linkage between Cyprus and its own membership aspirations. The Copenhagen Criteria for membership did not include any reference to Cyprus and, as Ankara saw things, any attempt to impose extra

³⁸ Commission Opinion on the Application by the Republic of Cyprus for Membership (AVIS), Bulletin of the European Communities, Supplement 5/93, May 1993.

³⁹ The concept of the European Union acting as a catalyst for the solution of the Cyprus issue was first noted by Marc-Andre Gaudissart, 'Cyprus and the European Union. The Long Road to Accession', *The Cyprus Review*, Volume 8, Number 1, Spring 1996, p.27. Since then, it has been explored by numerous others. See, for example, Oliver Richmond, 'A Perilous Catalyst: EU Accession and the Cyprus Problem', *Cyprus Review*, Volume 13, Number 2, Fall 2001; and Nathalie Tocci, *EU Accession Dynamics and Conflict Resolution: Catalysing Peace or Consolidating Partition in Cyprus?* (Aldershot: Ashgate, 2004).

conditions on Turkey would be unacceptable.⁴⁰ For both these reasons, the more the EU tried to create a link the more Ankara appeared determined to resist and the less likely it seemed that a Cyprus solution would be found.⁴¹ It was against this backdrop that tensions grew in the Eastern Mediterranean over the rest of the decade, thereby lending credibility to the arguments made by those who saw Cyprus's EU accession as an obstacle to peace.

In 1999, following the start of a process of rapprochement between Greece and Turkey, new Cyprus talks began. However, by the following year these had collapsed. Once again the blame lay with the Turkish Cypriot leader. In the months that followed Turkey hardened its rhetoric and by 2001 it was suggesting that if the island joined the European Union divided, the north would be annexed by Turkey.⁴² Despite the threats, it was becoming ever clearer that the European Union would not back down. This was in part spurred by Greece, which had repeatedly stressed its intention to block the entire process of enlargement, incorporating nine other countries, if Cyprus was prevented from joining. Therefore, in November 2001, Denktash called for a meeting with his Greek Cypriot counterpart, Glafcos Clerides. This led to a new peace process in January 2002.⁴³ Although the new round of talks was greeted with considerable optimism, within weeks it became clear that they were doomed to failure. Rather than a genuine effort to reach a settlement, the process had been initiated in an attempt to delay the island's accession.⁴⁴ The Turkish government believed that if headway was being made, the European Union would not wish to jeopardise discussions by allowing the island to join. However, once this strategy became obvious, the Union again stressed its intention to allow Cyprus to join, with or without a settlement. As Verheugen pointed out, in March 2002, it would have been 'impossible and unthinkable' to delay enlargement while a Cyprus solution was found.⁴⁵ Moreover, just in case there was any hint that the EU was wavering, the

⁴⁰ See, for example, 'Press Release on the "Turkish Accession Partnership" Prepared by EU Commission' (Unofficial Translation), No.211, Turkish Ministry of Foreign Affairs, 8 November 2000.

⁴¹ F. Stephen Larrabee, 'The EU Needs to Rethink its Cyprus Policy', *Survival*, Volume 40, Number 3, Autumn 1998, p.25.

⁴² 'Turkey Signals its Defiance over Cyprus', *Turkish Daily News*, 7 November 2001.

⁴³ The development of the peace process is covered in several sources. In addition to the book by David Hannay, see also James Ker-Lindsay, *EU Accession and UN Peacemaking in Cyprus* (Basingstoke: Palgrave Macmillan, 2005) and Claire Palley, *An International Relations Debacle: The UN Secretary-General's Mission of Good Offices in Cyprus 1999-2004* (Oxford: Hart Publishing, 2005).

⁴⁴ Discussions with a number of diplomats and officials involved with the process revealed that very few viewed Denktash's move to restart talks as a genuine attempt to reach a solution. However, it has also been argued that it was a genuine effort that was driven by changes in Turkish politics following the economic crisis that created internal and external pressures to solve the Cyprus issue. Clement Dodd, *Discord on Cyprus: The UN Plan and After* (Huntingdon: The Eothen Press, 2003), p.14. Yet another observer argues that Denktash's position 'oscillated' between the two courses over the course of 2002. Tocci, Nathalie. 'Towards Peace in Cyprus: Incentives and Disincentives', *Brown Journal of World Affairs*, Summer/Fall 2003, Volume X, Issue 1, p.203.

⁴⁵ 'Verheugen hopes Cyprus talks will end until June', *Turkish Daily News*, 9 March 2002.

Greek Government and Parliament continued to insist that if Cypriot accession was blocked it would respond by vetoing the membership of the other nine candidates.⁴⁶

In November 2002 the situation changed dramatically following the victory of Recep Tayyip Erdogan and the Justice and Development Party (AKP) in the Turkish general elections. A keen supporter of Turkey's accession to the EU, Erdogan made it known that one of his main priorities was to solve the Cyprus issue.⁴⁷ This opened the way for the Secretary-General, Kofi Annan, to present the two sides with a comprehensive blueprint for reunification, on 11 November 2002. The aim was to try to reach a final agreement at the Copenhagen European Council, which was held on 12-13 December 2002. But this was not possible as the talks were effectively boycotted by Denktash.⁴⁸ As a result, the European Union confirmed that Cyprus would join the EU on 1 May 2004 along with Malta and the eight candidate states of Central and Eastern Europe. Despite this apparent setback, reunification talks restarted just weeks later. Soon afterwards, Clerides was defeated in a presidential election by Tassos Papadopoulos, a known hard liner on the Cyprus issue.⁴⁹ Notwithstanding this apparent setback, Annan visited the island again in late February in the hope of securing a deal prior to the signing of the treaty formalising accession, which was due to be held in Athens in April. Unable to reach an agreement, the Secretary-General summoned the two sides to a further meeting in The Hague on 11 March. There he asked the two sides whether they would be prepared to put the plan to their respective communities. Although Papadopoulos reluctantly agreed to hold the referendum, Denktash refused to allow the vote. The UN process therefore 'reached the end of the road'.⁵⁰

When, on 16 April, Papadopoulos formally signed the Treaty of Accession most observers therefore believed that the last chance to reach a settlement prior to accession had been lost. However, Turkish Cypriot parliamentary elections, held eight months later, in December 2003, resulted in a victory for the Republican Turkish Party (CTP), which was strongly in favour of reunification. As a result of this, the Turkish Government, which was still keen to

⁴⁶ For instance, Apostolos Kaklamanis, the Speaker of the Greek Parliament stated that Greece would not allow enlargement to take place without Cyprus. Macedonian Press Agency, 18 April 2002.

⁴⁷ Macedonian Press Agency, 5 November 2002.

⁴⁸ At the time Denktash was recovering from major heart surgery. Instead he sent his 'foreign minister, Tahsin Ertugruloglu, one of the most hard-line Turkish Cypriot politicians, to Copenhagen.

⁴⁹ 'Tassos Papadopoulos', The Guardian, 17 February 2003. Although he did not stand on a rejectionist platform, most observers nevertheless saw Papadopoulos as the candidate most likely to take a tougher line in the negotiations. He was elected in the first round of the poll, with 51.5 per cent of the vote. In view of the victory of Papadopoulos, one observer has suggested that the EU may have made a 'monumental error' in confirming the island's eligibility for EU membership without a solution in Copenhagen. Tim Potier, 'Cyprus: Entering Another Stalemate?' Briefing Paper (EP BP 05/03), Chatham House, November 2003, p.2.

⁵⁰ United Nations Press Release, SG/SM/8630, 11 March 2003.

reach a settlement before 1 May 2004, requested that the UN Secretary-General restart peace talks. Following consultations with relevant parties, Annan called on Papadopoulos and Denktash to join him for discussion in New York, in February 2004. There it was agreed that a new process would start and would proceed according to a strict timetable with the aim of securing a final agreement and putting it to a vote prior to 1 May. Following a further month of discussions on the island between the two communities, a second round of talks was convened in late-March in the Swiss mountain resort of Burgenstock. There the two sides were joined by representatives of Britain, Greece and Turkey – the Guarantor Powers. When these discussion failed to produce a final set of proposals the UN Secretary General, as agreed at New York, filled in the sections of the plan that remained incomplete. On 31 March 2004, the fifth and final version of the Annan Plan was unveiled.⁵¹

The plan was welcomed by the international community. The United States,⁵² Britain, Germany, and various other EU member states voiced their support for the agreement. So too did the European Commission,⁵³ which had confirmed that it met the terms of the *acquis communautaire*.⁵⁴ In terms of the actors most closely involved, the Annan Plan was also supported by Greece, Turkey, and the Turkish Cypriots. In contrast, it was strongly opposed by Papadopoulos. In an emotional televised speech he called on Greek Cypriots to deliver a resounding no to the plan.⁵⁵ In the weeks that followed a bitter campaign was fought to defeat the plan. While the plan was supported by the main right-wing party, DISY, and was endorsed by two former presidents, George Vassiliou and Glafkos Clerides, the level of popular hostility to the agreement was enormous. At the same time, media coverage of the agreement was strongly biased against the agreement and allegations emerged that television stations had prevented Gunther Verheugen, the EU enlargement commissioner, and Alvaro de Soto, the chief architect of the agreement, from explaining their views on the agreement and why, in the case of Verheugen, it was compatible with the *acquis*.⁵⁶ Other examples of what

⁵¹ The main articles and annexes of the fifth version of plan, which was unveiled on 31 March 2004, can be found as an appendix in James Ker-Lindsay, *EU Accession and UN Peacemaking in Cyprus* (Basingstoke: Palgrave Macmillan, 2005).

⁵² Colin Powell, the US Secretary of State, urged the Greek Cypriots to see the positive elements of the plan. *Cyprus News Agency*, 17 April 2004.

⁵³ 'EU Lauds Turkey and Pleads with Tassos', *Cyprus Mail*, 2 April 2004.

⁵⁴ The European Commission had a team present throughout the negotiations in Cyprus and in Switzerland to advise the sides and the UN on the compatibility of the plan with the terms of the *acquis*. Despite this, in a letter written to the UN Secretary-General six weeks after the referendum, President Papadopoulos noted that he had 'serious doubts' as to whether the final plan met the terms of the *acquis*. 'Letter dated 7 June 2004 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General', UN Security Council Document, S/2004/464, 8 June 2004.

⁵⁵ 'Declaration by the President of the Republic Mr Tassos Papadopoulos regarding the referendum of 24th April 2004', Press Release, Press and Information Office, Republic of Cyprus, 7 April 2004.

⁵⁶ 'Government on the back foot over media meddling', *Cyprus Mail*, 20 April 2004.

appeared to be an undemocratic and unfair campaign soon emerged. For example, the government sent a letter to civil servants and police officers assuring them that it was trying to ensure that anyone working for the federal administration would have the pay and benefits preserved – the suggestion being that this might not be possible.⁵⁷ At the same time, the government did little to rebut or correct false or inaccurate assertions that were being put around. Nor did it do anything to prevent incidents of intimidation against those who supported the plan. In response, Nicos Anastasiades, the leader of DISY, decided to file a complaint to the European Parliament about the infringement of human rights and democratic principles during the course of the campaign. However, the complaint was later withdrawn following a campaign of intimidation, during which he was widely accused of being a traitor and had a grenade thrown at his house.⁵⁸ None of this could change what had by this stage become the obvious outcome of the vote. On 24 April, the Greek Cypriots voted overwhelmingly against the plan. However, this had no effect on the island's EU accession. Just one week later, on 1 May 2004, Cyprus joined the European Union.

The Limits of Conditionality: Lessons from Cyprus

While it might seem obvious to suggest that it was a mistake to accept a divided island into the European Union, and thereby lose the catalytic effect, this argument overlooks the very real effect that the decision to accept Cyprus had on the attempts to bring about a resolution to the island's division. It was not, as some have argued, a mistake to pursue membership negotiations with Cyprus. Nor was it a mistake to have put too much emphasis on the catalytic effect.⁵⁹ It should not, after all, be overlooked that the decision was taken at a time when Turkey was considered to be the main obstacle to a settlement. After years of having been seen as the intransigent party, Turkey and the Turkish Cypriots entered into meaningful negotiations that aimed to bring about the reunification of the island. In view of the fact that this was seen to be the main area where pressure was needed, the catalytic effect was in fact extremely successful. However, it is clear that when looked at from a different perspective, that of the Greek Cypriots rather than Turkey and the Turkish Cypriots, there were major flaws in the process. The mistake was that the European Union did not focus enough attention on the other side of the equation, the Greek Cypriots.⁶⁰

⁵⁷ 'Who spread the insecurity?', Cyprus Mail, 22 August 2004.

⁵⁸ 'Anastasiades backs down on complaint to Europe' Cyprus Mail, 16 May 2004.

⁵⁹ Doga Ulus Eralp and Nimet Beriker, 'Assessing the Conflict Resolution Potential of the EU: The Cyprus Conflict and Accession negotiations', Security Dialogue, Volume 36, Number 2, 2005, p.188.

⁶⁰ Oliver P. Richmond, 'Shared Sovereignty and the Politics of Peace: Evaluating the EU's 'Catalytic' Framework in the Eastern Mediterranean', International Affairs, Volume 82, Number 1, 2005, p.156.

Tocci has argued, 'EU actors (with the singular exception of Greece) did not pay enough attention to the reasons behind the strong commitment [of the Greek Cypriots] to join the Union. Political and security interests, specifically related to the conflict, led the Greek Cypriot side to engage in the accession process. These gains were not related to an expectation that the European Union would foster the emergence of a post nationalist Cyprus in which ethnic rivalries would be subsumed. The attraction was, on the contrary that of strengthening the Greek Cypriot national cause against its local enemies.'⁶¹ While this analysis is too cynical in terms of the Clerides Government, which most observers accept was willing to make compromises and approach a settlement from a 'European perspective',⁶² as has been seen it certainly appears to be a fitting description of the mindset adopted by the Papadopoulos administration. In any case, it was as a result of the failure to understand the motives of many Greek Cypriots, and anticipate a government that might reflect this alternative maximalist approach, that the EU did not even try to introduce some form of conditionality into the process that would have ensured that any gains made with regard to Turkey would not be negated by the actions of the Greek Cypriots, as eventually happened.

However, introducing conditions is far easier said than done. Upon closer examination, it soon becomes clear that any attempt to introduce conditionality is problematic both with regard to the underlying principles of the European Union as well as in terms of the institutional and procedural obstructions that would seem likely to arise. Taking the first of these points, one needs to note that any attempt to introduce conditionality may represent a fundamental affront to the core democratic principles of the European Union. In essence there is the possibility that any effort to try to give the impression that a prospective member state accept a particular peace agreement in return for EU accession would be an unfair and unacceptable limitation on the right of the citizens of the state in question to make a free and fair choice about the future. Joining the European Union is not the same as joining some minor international organisation. It is a major undertaking that represents a validation of a state's European credentials. While it has been argued that EU accession necessarily creates a dilemma between membership and protecting a culture and society,⁶³ forcing the political leaders and citizens of that state to accept a peace agreement in return for membership could

⁶¹ Nathalie Tocci, 'EU Intervention in Ethno-political Conflicts: The Cases of Cyprus and Serbia-Montenegro', *European Foreign Affairs Review*, Volume 9, Number 4, Winter 2004, p.570.

⁶² In discussions with the author in the aftermath of the referendum, many diplomats based on the island throughout the talks, or actively engaged in the negotiation process, stressed their belief that a settlement could have been achieved had Clerides remained in power.

⁶³ Michael Johns, "'Do As I Say, Not As I Do": The European Union, Eastern Europe and Minority Rights', *East European politics and Societies*, Volume 17, Number 4, 2003, p.696.

be regarded as an unacceptable form of coercion.⁶⁴ Counter to this, however, one must also accept the argument that the European Union is not obliged to accept a state for membership, and in this sense has the right to make demands of prospective members. Indeed, every prospective member state is forced to accept the rules of the 'club'. However, the difference is that, with regard to the specific requirements laid down the rules of the club apply equally to all. The imposition of a specific set of demands for one prospective state, in the form of a requirement to accept a particular peace plan that would introduce a specific form of governance, would therefore be discriminatory and, of greater concern, a significant break from principle that member states may choose the exact form of the system of government.⁶⁵

Regarding the broad principles of the Copenhagen Criteria, there is no exact definition of democracy in terms of specific institutional structures. Within the member states there is an enormous amount of variation in the forms of governance that exists. Monarchies and Republics operate side by side with one another, as do presidential and parliamentary forms of government. Similarly, while some member states are federations, others are unitary states. In this context, the EU does not define what constitutes a 'stable democracy'.⁶⁶ But while it has been pointed out that the European Union put pressure on a number of EU member states acceding in 2004 to create regional administrations,⁶⁷ it did not seek to define the 'constitutional status' of its member states as regards the structure of those regional governments.⁶⁸ Nor has there been any indication that the member states would want to see any extensions of the powers of the EU in this sphere, given that such a move would infringe upon the most delicate matters of national sovereignty. This would apply as much to questions of the structure of the central government as to the form of regional administration. Under these circumstances, it is quite clearly the case that a decision by the European Union to require the Cypriot people to accept the provision of the Annan Plan – both in terms of the

⁶⁴ Even under President Clerides, the Cypriot Government was prepared to reject membership if the terms of membership were too high regarding the Cyprus issue. For example, at the Copenhagen European Council, in December 2002, it was decided by the National Council – a body that draws together all the political leaders - that if the EU made it clear that only the southern two thirds of the island under the de facto control of the Cypriot government would be entitled to join, rather than the island as a whole, over which the Cypriot Government had de jure authority, the application for membership would be withdrawn, even at that late stage. This was recounted to the author by a senior Greek Cypriot politician present at the meeting.

⁶⁵ These statements should not be read to mean that the author regarded the Annan Plan as a bad agreement, or otherwise seen to offer a blanket justification of the rejection of the plan by the Greek Cypriots. It is simply to point out that the European Union cannot be empowered to rule on whether a specific paece agreement must be accepted by the people most directly affected by that agreement.

⁶⁶ Heather Grabbe, 'European Union Conditionality and the Acquis Communautaire', *International Political Science Review*, Volume 23, Number 3, 2002, p.250.

⁶⁷ Jiri Pehe, 'Consolidating Free Government in the New EU', *Journal of Democracy*, Volume 15, Number 1, 2004, p.40.

⁶⁸ Martin Brusis, 'The Instrumental Use of EU Conditionality: Regionalization in the Czech Republic and Slovakia', *East European Politics and Societies*, Volume 19, Number 2, 2005, p.292.

structure of the central administration as well as those of the component states – as a requirement for membership would have marked an unprecedented step by the EU.

Certainly, it could be argued that the Union does in fact make significant demands on its members regarding the structure of the governments. All prospective member states are required to undertake measures to reform their system of governance to conform to democratic principles. By way of example, one can point to requirement that Turkey introduce, ‘clear-cut constitutional separation of civil and military political and institutional roles, if it wishes to join the European Union.’⁶⁹ The difference is that in this case the broad principle that the military must come under political control, and not be an autonomous institution capable of exerting undue influence over the political system, is accepted by all EU member states as being a fundamental requirement of a democratic system. Moreover, it is not just Turkey that has faced such calls. A similar requirement was placed on the states of Central and Eastern Europe that acceded in 2004 and 2007.⁷⁰ However, at no point has the EU explicitly defined the specific system that needed to be introduced to ensure this end to military influence over politics. The Turkish Government and Parliament is free to decide on the system it wishes to adopt. Of course, the EU may decide that this does not go far enough, or is otherwise insufficient. However, in highlighting these shortcomings it will not produce a blueprint for the model that needs to be adopted.⁷¹ This is significant in the case of Cyprus for several reasons as it should be remembered that adopting the Annan Plan was not about replacing an essentially undemocratic political system with a new form of democratic governance that conformed to wider EU norms. The Republic of Cyprus was fully accepted as having a free and pluralistic democratic system by the other EU member states, as evidenced by the fact that it was able to meet the Copenhagen Criteria for membership⁷² - even if the fundamental legitimacy and the democratic system in place in the Republic of Cyprus is still strongly contested by the Turkish Cypriots.⁷³ In any case, for the various reasons elaborated above, it would appear to be the case that any form of conditionality structured around the attempt to demand that a member state accept a specific peace plan would be contrary to the very basic principles of the European Union.

⁶⁹ Report on Turkey’s Progress towards EU Accession (2006/2118(INI)), Committee of Foreign Affairs, European Parliament, 13 September 2006, pp.9/22-10/22.

⁷⁰ Aylin Gunay and Petek Karatekelioglu, ‘Turkey’s EU Candidacy and Civil-Military-Relations: Challenges and Prospects’, *Armed Forces and Society*, Volume 31, Number 3, Spring 2005, p.440.

⁷¹ For an example of such an evaluation of changes, see European Commission, ‘Turkey: 2005 Progress Report’, COM (2005) 561 Final, 9 November 2005, pp.12-15 and pp.138-139.

⁷² European Commission, ‘2002 Regular Report on Cyprus’s Progress Towards Accession’, COM (2002) 700 Final, 9 October 2002, p.23.

⁷³ The Turkish Cypriots argue that the Republic of Cyprus has ceased to be legitimate since December 1963 when, they argue, they were forced out from the Government.

In this regard, it could be argued that efforts to introduce some form of conditionality should instead have been focused on ensuring that the debate about a peace plan was open and free. As was seen in the case of Cyprus, in many ways this was a far more salient issue. It was not as though the Annan Plan was universally reviled and rejected by all Greek Cypriots. Indeed, it was actively endorsed by two former presidents of the Republic as well as one of the two main Greek Cypriot political parties. Instead, the problem focused more on the way in which the debate and referendum campaign was conducted and shaped by the Government. However, and yet again, the European Union had little power to introduce conditionality in this context for several reasons. For a start, any attempt to define a precise set of guidelines for the conduct of the referendum campaign would have been extremely difficult. To return to the broad principles argument, it would not have been possible to define a particular set of rules for Cyprus without extending the same requirements for the conduct of popular votes in other member states. Once again, this would have marked an unprecedented encroachment on the management of domestic politics of member states. However, there were also practical limitations. Most notably, Cyprus at that stage was in an anomalous situation. Although it had signed the Treaty of Accession it was not yet a member. Its full sovereignty remained intact. The Commission had no power whatsoever to investigate or take formal action against the Government of Cyprus for violating democratic standards until such time as the state was a full member.⁷⁴ Had the referendum happened after 1 May, then a different situation almost certainly would have existed. Indeed, it was even suggested that the EU may have been able to require a re-run of the vote.⁷⁵ But until Cyprus was a member the EU was unable to act. Papadopoulos knew this and was able to use this situation to his benefit, knowing that there would be few if any formal repercussions after accession.⁷⁶

The only alternative would have been for the member states to have taken some form of collective political action, for example by convening a special meeting to place membership on hold. However this was extremely unlikely as Greece would almost certainly have blocked such a move. Despite the fact that Athens supported the Annan Plan, albeit somewhat cautiously,⁷⁷ the Greek Government would almost certainly have rejected the idea of cancelling membership as a result of the referendum. As Prime Minister Karamanlis noted,

⁷⁴ Official from the European Commission, comments to the author, April 2004.

⁷⁵ Official from the European Commission, comments to the author, April 2004.

⁷⁶ Western diplomat, comments to the author, May 2004. However, it was recognised that there would be informal repercussions, such as opprobrium evidenced by the heckling Foreign Minister Iacovou.

⁷⁷ On 15 April 2004, just nine days prior to the referendum, the leaders of the four Greek political parties represented in the Greek Parliament met at the Presidential Palace to discuss the Annan Plan. Three of the parties, including the two main parties, New Democracy and the Pan-Hellenic Socialist Party (PASOK), supported the agreement. The only party to dissent was the Greek Communist Party (KKE). Speaking about the Plan afterwards, Prime Minister Karamanlis noted that the 'good outweighs the bad'. 'UN plan's good outweighs bad', *Kathimerini* (English Edition), 16 April 2004.

‘Of course, the final responsibility for their country's future lies with the Cypriot citizens. We will respect their decision fully’.⁷⁸ In terms of Greek domestic politics, any move to punish the Greek Cypriots for their vote would have met with an outcry. It would also have caused a major rift in relations between Greece and Cyprus. However, there is always the question of what could have happened if the referendum had taken place earlier in the process, prior to ratification of the Treaty of Accession in April 2003. In reality, it can be argued that it would not have made any difference in view of the ‘big bang’ approach to enlargement in 2004. The process of ratification was designed in such a way as to package all the countries together. No single prospective member could be singled out for rejection.⁷⁹ It was all or nothing. Given that Greece had repeatedly made it clear that it would not accept enlargement without the Republic of Cyprus, any attempt to have set specific conditions for Cyprus may well have led the Greek Parliament to block enlargement. Even if the process had been fragmented, it would almost certainly have resulted in a process whereby Greece would have delayed ratification until the all the other member states had completed the process.

Finally, one further idea to try to minimise the impact of a failed peace process is to limit the rights enjoyed by a divided state, or a state in conflict with candidate country, once it has joined the EU. In the case of Cyprus, this could have amounted to a clause within the Treaty of Accession stating that unless a settlement was found prior to accession, in which case the clause would become redundant, Cyprus would be deprived of its rights to vote on any issue relating to Turkish candidacy and membership of the European Union. In many ways, this may have been an appealing option for many member states and for the Turkish Government. Since Cyprus has joined the European Union there have been at least three major incidents where the Cypriot Government has threatened to disrupt membership negotiations with Turkey.⁸⁰ However, introducing such a clause is problematic. For a start, it would once again create the conditions whereby a member state is subject to limitations that do not apply equally to the other members. Cyprus would have been deprived on one of its key rights of membership. But, perhaps more significantly, any move to limit the power of the Republic of Cyprus to block Turkish membership would almost certainly have been counterproductive. Indeed, it could have been completely self-defeating. One of the key reasons why the accession of Cyprus proved to be a catalyst for accession was precisely because the Turkish Government was fearful of the Cypriot vote in the EU. If that threat of a veto was removed,

⁷⁸ ‘UN plan’s good outweighs bad’, *Kathimerini* (English Edition), 16 April 2004.

⁷⁹ EU official, comments to the author, April 2004.

⁸⁰ The first occasion came in December 2004, when the EU was due to decide on whether to offer Turkey a date for the formal start of talks. The second crisis came at the start of October 2005, when those formal talks were due to begin. The third crisis came in June 2006, when Cyprus threatened to block the opening and closing of the chapter on Science and Research, the first chapter of the *acquis communautaire* to be tackled by Turkey.

then there would have been little incentive for Turkey to act or to pressure the Turkish Cypriots to return to the table. In effect, this seemingly logical and obvious form of conditionality would have negated the catalytic effect altogether.

Conclusion

The ability of the European Union to act as a catalyst for conflict resolution is now generally accepted. The EU's much vaunted 'power of attraction' means that the EU can exert a tremendous influence over parties to resolve their differences. In the case of Cyprus, it is obvious that it was only the prospect of Cyprus joining the European Union – which would then allow it to block Turkey's own EU accession process – that eventually persuaded the Turkish Government and the Turkish Cypriot leadership to engage in meaningful discussions to find a solution. In this sense, the argument that the EU would prove to be a catalyst for the resolution of the Cyprus issue, rather than a factor leading to permanent division, can in many ways be regarded as correct – even though this is now disputed by some observers.⁸¹ Quite simply, had it not been for the prospect of Cypriot accession to the European Union and the consequences that this would raise for Turkey's own EU accession process then it is highly probable that the peace process that was initiated in 2002 would not have occurred. However, where the catalytic effect proved to be limited, if not a failure, was with regard to the Greek Cypriots. Given the history of Turkish intransigence, there was a general belief that the Greek Cypriots would not pose a problem. If presented with a fair and viable settlement, at least as judged by the international community, the prevailing view of external observers was that they would accept the agreement. It was this complacency that eventually proved to be the problem and, as a result, has led to suggestions for some form of conditionality to be introduced into the process of EU accession in the future.

However, as has been seen, this is easier said than done. While this might appear to be a relatively easy process to lay down some ground rules, when one examines the case of Cyprus it is clear that any attempt to introduce conditionality or a set of safeguards is fraught with problems. For a start, and perhaps most significantly, any attempt to condition accession on the acceptance of a particular peace plan would be a violation of long-standing principle that member states retain the right to choose their own form of government. The European Union can certainly voice its view that a peace plan conforms to the Copenhagen Criteria in general, and the *acquis communautaire*, as happened in Cyprus, however it cannot actively require a member state to adopt a specific governmental structure. The next option would be to introduce moves to try to ensure that any debate on a peace agreement was open, free and fair.

⁸¹ Oliver P. Richmond, 'Shared Sovereignty and the Politics of Peace: Evaluating the EU's 'Catalytic' Framework in the Eastern Mediterranean', *International Affairs*, Volume 82, Number 1, 2005, p.159.

Again, this is subject to problems. For a start, it would require the European Union to develop a set of criteria for the conduct of referendums, and perhaps even political campaigns. Again, such an effort would infringe the most basic principles of allowing individual member states to define their own political systems. The other problem is that this form of conditionality, applied so late in the day, would not be subject to punishment, either in political or legal terms. Politically, any move to stop Cypriot accession was all but impossible. Inextricably linked to the overall process of enlargement, involving another nine countries, any attempt to put the brakes on Cyprus would have meant halting the accession of all the others. Even if an attempt had been made to try to disentangle Cyprus, this would have been blocked by Greece. Of course, it seems unlikely that the EU will ever undergo such a large expansion again, but it nevertheless seems important to recognise the power of patrons, as Greece was to Cyprus, within the European Union, and the pitfalls of bundling up a large number of new members within a single enlargement. In legal terms, Cyprus could not be compelled to take a particular course of action until such time as it had joined the European Union. As it was, it existed in a state of limbo, where accession was guaranteed, but the writ of the EU had yet to apply to the island. A final option was to try to impose some conditionality on the type of membership Cyprus would enjoy. However, this was also deeply flawed inasmuch as any attempt to limit the rights enjoyed by Cyprus would have negated the very catalytic effect that the principle of conditionality would be designed to enhance.

In conclusion, while it is clear that the catalytic effect is powerful. It has produced results, not least of all the decision of Turkey to engage in meaningful peace talks over Cyprus. But it is also clear that it has flaws. While the catalytic effect may play a strong role in bringing the parties to the table, we must also recognise that after a certain point accession can act as a disincentive to reach a settlement on the part of the acceding member state. The trouble is that this inherent flaw is not easily addressed. While it would be valuable to draw some lessons from Cyprus, and try to use these to develop some practical measures to prevent similar instances in the future, once one begins to evaluate the options available it soon becomes clear that the opportunities for introducing safeguards are in fact extremely limited. Indeed, it is perhaps possible to argue that the process of codifying and structuring the catalytic effect around a formal set of policies and conditions would challenge some of the deepest held principles of the European Union. Indeed, this would in fact serve to weaken the catalytic effect altogether. In this sense, it would seem all but impossible to reconcile the catalytic effect with some form of conditionality. Looking ahead, this is a significant finding. As the European Union looks ahead to further expansion, especially in the Balkans, it is likely that it will face further instances where it could import a long standing conflict. One can see a range of cases where this might apply. While the catalytic effect may serve to improve the conditions for managing

these and other conflicts, it must also be recognised that it is in real terms a very blunt tool. Unfortunately, it would appear as though it is a tool that cannot be sharpened.