

## Cyprus presidency and Turkey's relations with the European Union

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Turkey's intention to boycott Cyprus presidency of the EU Council in the second half of 2012 is a logical consequence of Ankara's policy of not recognising the Republic of Cyprus. The boycott will have a negative but limited impact on Turkey-EU relations, and will not in practice significantly affect their intensity in the second half-year. The so-called positive agenda, a new co-operation mechanism between the EU and Turkey, offers a provisional way for the two sides to circumvent the formal obstacle for mutual contacts created by the Cyprus conflict. In itself, however, the launch of the positive agenda is not a breakthrough for Turkey's integration with the EU. Any such breakthrough is unlikely to occur until progress is made in regulating the Cyprus conflict, and some member states change their attitude towards Turkey's accession to the EU.

### The significance of Turkey's boycott of Cyprus presidency

From Turkey's point of view, its boycott of the Cyprus presidency of the EU Council is in line with Turkey's policy of not recognising the Republic of Cyprus. It is also a way for Ankara to lower the prestige of the Cyprus presidency and to promote its own view of the conflict (see Appendix 1). The boycott is also intended to pressure the Republic of Cyprus and the EU into showing more willingness to reach an agreement that will take Turkey's demands into account, and to unblock the accession negotiations process (see Appendix 2).

Given the limited role of the EU Council Presidency in relations with third countries, the significance of Turkey freezing its contacts with the Presidency will be mainly symbolic, and will not substantially affect the intensity of Ankara's relations with the EU in practice. The bulk of contacts between Brussels and Ankara take place via the European External Action Service (EEAS), the European Commission and the European Parliament, and there are few forums of mutual relations in which the Presidency chairs meetings. These include the intergovernmental conference whose role is to open and close the chapters of accession negotiations. The boycott therefore precludes the opening of any new chapters (and none can be closed because of the blockade imposed by the EU in response to Turkey's refusal to extend the EU-Turkey customs union to the Republic of Cyprus – see Appendix 2 for more details). However, as no chapters have been opened since 2010, and none have been closed since 2006, the fact that the intergovernmental conference will be suspended for six months in the second half of 2012 hardly constitutes a significant change. Turkey will also probably be absent from the informal meeting of foreign ministers traditionally organised every six

months by the EU Presidency (the so-called Gymnich formula), to which it has been invited by the member states in the past. However, the Gymnich meetings are of little importance in mutual relations.

### The positive agenda – a way to bypass the Cyprus conflict?

In May 2012, the UE and Turkey inaugurated a new mechanism of co-operation called the positive agenda. Its launch was a provisional attempt to revive Turkey/EU contacts, despite the facts that negotiations on Turkey's accession to the EU remain frozen, and Ankara has announced that it would boycott Cyprus presidency. Within the framework of the new mechanism, working groups made up of representatives from Turkey and the European Commission will work on deepening relations in those areas which are covered by the frozen negotiations chapters. The most important items on the positive agenda include energy, mobility, migrations, human rights, political and judicial reforms, trade relations, co-operation in combating terrorism, and foreign policy. Both sides have emphasised that co-operation in the positive agenda format is not an alternative to accession negotiations. In this sense, the positive agenda differs from the privileged partnership model promoted by those states which oppose Turkey's accession to the EU, as the privileged partnership envisages advanced co-operation between Turkey and the EU while excluding Turkey's future accession to the Union.

Turkey treats the positive agenda as a forum in which it can present to the European Commission and the EU as a whole the results of its implementation of *acquis communautaire*, which Turkey has continued in recent years despite the freezing of accession negotiations. Ankara's intention is to build up support within the EU for unblocking the negotiations. Ankara also hopes that negotiations within the positive agenda framework will help it accomplish an important objective with regard to the EU, namely the abolition of the visa obligation for Turkish nationals travelling to the EU. Moreover, considering the destabilisation of its southern neighbourhood, (Syria and Iraq), and growing tensions over Iran's nuclear programme, Ankara is seeking to establish more efficient communication channels with the EU. For Turkey, the main measures of the new formula's effectiveness will be the extent to which the positive agenda will contribute to unblocking the negotiations and achieving the abolition of Schengen visas for Turkish nationals. However, while the European Commission is in charge of the positive agenda, progress on these two points will ultimately depend on the positions of individual EU member states, including the Republic of Cyprus.

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accept Turkey's accession. The most sceptical members include the Republic of Cyprus (see Appendix 2), as well as France, which (especially under president Nicolas Sarkozy) has underlined the cultural differences between Turkey and the EU, and to a lesser extent Germany, Austria and the Netherlands. Concern has also been growing in the EU over the slowdown, or even regression, of democratic reforms in Turkey such as the declining media freedom or the independence of the judiciary. The new escalation of the conflict with Kurdish separatists is a serious obstacle, too. Moreover, in Turkey itself, enthusiasm for accession to the EU and confidence that it will ultimately materialise have also been wearing off in recent years, owing to disap-

cratic reforms in Turkey such as the declining media freedom or the independence of the judiciary. The new escalation of the conflict with Kurdish separatists is a serious obstacle, too. Moreover, in Turkey itself, enthusiasm for accession to the EU and confidence that it will ultimately materialise have also been wearing off in recent years, owing to disap-

pointment with the lack of progress in the accession negotiations on the one hand, and growing confidence in Turkey's own potential and its own political and economic model on the other.

## Forecasts

- Turkey's announced boycott of Cyprus presidency will have only a limited impact on the intensity of contacts between Ankara and Brussels in the second half of 2012. Contacts will continue to take place via traditional channels, with the EU represented by the European Commission and the External Action Service.
- We should expect the Republic of Cyprus and Turkey to engage in lobbying campaigns during the Presidency to promote their respective views of the conflict. They might also call on the other EU member states to take positions on issues related to the conflict. That would risk the conflict harming not only Turkey's relations with the EU as a whole, but also its relations with individual member states which so far have not been actively involved in the Cyprus issue.
- After Turkey's relations with the EU had stalled for several years, they were reinvigorated in the first half of 2012 as the two sides launched the positive agenda, a new format for Turkey/EU co-operation parallel to the accession negotiations. While the positive agenda does lend a new impulse to mutual relations, it does not in itself constitute a breakthrough in Turkey's aspirations to join the EU. Such a breakthrough is unlikely to happen without progress on the Cyprus issue and a change in some member states' attitude towards Turkey's accession.
- As long as there is no prospect of progress in regulating the Cyprus conflict (which should include Turkey's approval of extending the customs union to the Republic of Cyprus), negotiations concerning Turkey's accession to the EU are also unlikely to be unblocked. For this reason, in the coming two to three years Ankara will focus on obtaining the abolition of the visa obligation for Turkish nationals. From Ankara's point of view, the extent to which the positive agenda contributes to the liberalisation of the visa regime for Turkish citizens will be an important test of its usefulness.

## APPENDIX 1

**Background on the Cyprus conflict**

The Cyprus conflict dates back to 1974, when the Greek military junta decided to annex the island to Greece. In response, the Turkish army invaded the northern part of Cyprus, taking control of c. 37% of the island's territory. In doing this, Turkey invoked the 1960 Treaty of Guarantee under which Ankara was jointly responsible (together with the UK and Greece) for the security of Cyprus. The Greek population of the Turkish-controlled territory (c. 160,000–180,000 people) were resettled from the northern part, while c. 45,000 people of Turkish nationality moved to the areas under Turkey's control<sup>1</sup>. In 1983, the 'Turkish' part of the island proclaimed the establishment of the Turkish Republic of Northern Cyprus (TRNC). So far, this entity has only been recognised by Turkey, which has assumed the role of protector of Northern Cyprus's interests on the international scene. The international community recognises the Republic of Cyprus as the legitimate representative of the entire island, and considers the TRNC to be territory of the Republic of Cyprus under Turkish occupation. The population of the Republic of Cyprus is currently c. 860,000 people<sup>2</sup>, and the population of Northern Cyprus numbers around 90,000<sup>3</sup>. However, the latter figure does not include the Turks who have settled in the island since 1974, and who now number an estimated 160,000<sup>4</sup>. The Turkish army protects the inviolability of the border of the Turkish part of the island. It is estimated that around 30,000 to 40,000 Turkish soldiers are currently deployed on the island. The two parts of Cyprus are separated by a so-called 'green line' monitored by the UN.

During the nearly four decades since the Turkish invasion, the two communities of the island and external actors have repeatedly tried to reunify Cyprus. Attempts have been made at establishing a bi-zonal and bi-communal federation. The variant in which the secession of the TRNC would be recognised, although acceptable for Turkey, was out of the question for both the Cypriot Greeks and the international community. The main sticking points in reunification negotiations concerned the future status of the island, its future system of government, restoring the property rights of the resettled Greeks, security issues (including the question of Turkish troops deployed on the island), and the question of the citizenship of the Turks who have settled on the island since the Turkish invasion (whom the Greek side considers to be illegal immigrants).

The 2004 Annan Plan has been the most comprehensive proposal so far for reunifying Cyprus, and has won the backing of the international community, including the main parties concerned, namely Turkey and Greece. The Plan was supposed to be adopted in a referendum which would have enabled Cyprus as a whole to accede to the European Union. However, contrary to the expectations of most EU member states, the plan was adopted in a referendum in the Turkish part, but rejected by the Greek Cypriots. Consequently, only the Greek part of Cyprus joined the EU.

A new series of peace talks has been in progress since 2008 under the auspices of the UN Secretary General Ban Ki-Moon. Negotiations are being conducted on the "nothing is agreed until everything is agreed" basis. As a result, although the parties agree on a number of important issues, including the future status of the island and the future system of government, partial differences on other issues have rendered the conclusion of a comprehensive agreement impossible. It has been particularly difficult for the two sides to agree on the terms on which property rights to the estate left by the Greeks in the northern part of the island should be restored<sup>5</sup>. Other contentious points concern

<sup>1</sup> <http://www.prio-cyprus-displacement.net/default.asp?id=245>

<sup>2</sup> Statistical Service of the Republic of Cyprus <http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/C8E202ADA56BC0C2C2257A0900344F69?OpenDocument&sub=1&sel=1&e=&print>

<sup>3</sup> "Demographic report 2009", Statistical Service of the Republic of Cyprus.

<sup>4</sup> Figures of the Ministry of Foreign Affairs of the Republic of Cyprus; <http://www.mfa.gov.cy>

According to figures from the TRNC, nearly 300,000 people, including tourists, were on its territory in 2009. "2011 Genel Nüfus ve Konut sayımı Kesin Olmayan De-Facto Sonuçlarının" <http://www.devplan.org/Frame-tr.html>

<sup>5</sup> See 'Report by the Secretary-General on his mission of good offices', 12 March 2012, [http://www.uncyprustalks.org/nqcontent.cfm?a\\_id=2486&tt=graphic&lang=1](http://www.uncyprustalks.org/nqcontent.cfm?a_id=2486&tt=graphic&lang=1)

Before the invasion, Greeks accounted for 80% of the population of the areas now under Turkish control.

the future status of the Turks who have settled in the northern part of Cyprus since 1974, as well as Turkey's role in Cyprus's security. Divergences between the two sides' respective positions and their intransigence (despite the fact that over one hundred rounds of negotiations have already taken place over four years) mean there is little hope that the dispute will be resolved any time soon<sup>6</sup>.

A new point of contention between Turkey and Cyprus has recently emerged, concerning the right to prospect and extract energy resources from the sea bed around the island. In 2011, large deposits of gas were discovered in the exclusive economic zone of the Republic of Cyprus (estimated at 180–280 billion cubic metres). Turkey immediately objected to any exploration and extraction of resources in the Cypriot exclusive economic zone, claiming that the guidelines for and conditions of such extraction had yet to be agreed and that all the inhabitants of Cyprus, including the Cypriot Turks, had the right to benefit from the island's natural resources<sup>7</sup>. Ankara has been trying to put pressure on Cyprus over this issue, including by suggesting it might use its navy to stop exploitation of the resources from the seabed.

## APPENDIX 2

### The impact of the Cyprus conflict on Turkey's relations with the EU

Integration with the European Union has been a priority of Turkey's foreign policy for decades. Ankara views the EU as a source of important stimuli for modernisation in the social, economic and political dimensions. For the current government of the Justice and Development Party (AKP), which has been in power in Turkey since 2002, integration with the EU has also become an important source of internal and international legitimacy (especially amid initial suspicions of AKP's Islamist agenda), and has provided justification for many structural reforms, including reforms aimed at limiting the army's role in public life. Since 2005, the negotiations concerning Turkey's accession to the EU have been the main point on the EU-Turkey agenda. However, because of the Cyprus conflict and the lack of political will to accept Turkey in some EU member states (especially France), the negotiations stalled shortly after they were launched. The EU's decision to freeze the negotiations has adversely affected the entirety of relations between Ankara and Brussels and, over the last few years, has contributed to the decline in political and social support for integration with the EU in Turkey itself.

The immediate cause of the freezing of accession negotiations came from the blockade imposed by the EU in 2006 on eight negotiating chapters, and the Union's decision not to close any other chapters (in addition, Cyprus blocked six other chapters and France blocked five). The EU justified those decisions by pointing to Turkey's failure to deliver on a commitment in the protocol to the Turkey/EU customs union agreement, under which Turkey was required to extend the customs union to new member states of the EU (including Cyprus). However, Turkey refused to open its sea ports and airports to Cypriot vessels and aircraft, in violation of the commitments provided for in the protocol.

Ankara had declared that it was ready to open its ports on condition that the EU delivered on its political promise to lift the embargo on trade with Northern Cyprus in return for the adoption of the Annan Plan. However, after Cyprus acceded to the EU, Nicosia vetoed the lifting of the embargo, claiming that this would be tantamount to the EU's recognition of the TRNC, and would undermine the Turkish part's motivation to reach a compromise<sup>8</sup>. From Ankara's

<sup>6</sup> The fact that Ban Ki-Moon has announced his withdrawal from the mission to mediate between the Cypriot Turks and the Greeks may suggest that the likelihood of an agreement is low.

<sup>7</sup> Even though the president of the Republic of Cyprus has announced that in future, Cypriot Turks would benefit from the energy resources, the Turks remain unconvinced. Speech by the President of the Republic of Cyprus Mr. Demetris Christofias at the 66th session of the United Nations General Assembly in New York, 22 September 2011, [www.presidency.gov.cy](http://www.presidency.gov.cy), International Crisis Group, "Aphrodite's Gift: Can Cypriot Gas Power a new dialogue?", Europe Report No. 216, 2 April 2012, p. 4.

<sup>8</sup> On 11 December 2006, the EU Council decided to block the following eight chapters of the negotiations concerning Turkey's accession: free movement of goods, right of establishment and freedom to provide services, financial services, agriculture and rural development, fisheries, transport policy, customs union, external relations.

point of view, fulfilling an additional protocol without the prospect that the embargo on trade with the TRNC would be lifted would be a unilateral concession, and would not only run counter to the interests of Turkey and the TRNC, but would also be difficult to carry out politically<sup>9</sup>.

The Cyprus conflict has been adversely affecting both the accession negotiations and other areas of Turkish/EU co-operation. For example, Cyprus has blocked Turkey's involvement in some initiatives in the framework of the Common Security and Defence Policy, including its participation in the European Defence Agency (even though Norway, another former member of the Western European Union, is participating)<sup>10</sup>. The failure of the attempts made so far to reunify the island, and the uncompromising stance of the two sides of the conflict, offer little hope that the impasse in EU/Turkish relations will be overcome in the near future.

<sup>9</sup> The Turkish PM Recep Tayyip Erdoğan has publicly declared on many occasions that he rules out extending the customs union to Cyprus. It would be difficult for him to retract this.

<sup>10</sup> Cyprus has objected against Turkey's participation in the European Defence Agency in response to Ankara's veto against the involvement of Cyprus in the EU-NATO meetings. For more information, see: G. Chappell, M. Terlikowski, "Turcja w Sojuszu Północnoatlantyckim i jej stanowisko wobec polityki bezpieczeństwa i obrony Unii Europejskiej", *Sprawy Międzynarodowe*, 2011, No 4, p. 27.



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