THE FALLACIOUS IMPERIAL GEOPOLITICS OF EU ENLARGEMENT: THE CASE OF CYPRUS

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INTRODUCTION

On 1 May 2004, the island of Cyprus joined the European Union, along with the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia. *De facto* however, only the Greek-Cypriot Republic of Cyprus was admitted to the European Union. In the case of Cyprus, the EU enlargement process had failed in finding a political solution to the divided status of the island that has existed for more than thirty years now. This paper reports on this failed geopolitics of the EU. We argue that it is notably the imperialistic rationality and logics that was laid down by the EU on the divided island that led to its failure.

THE CHRONICLE OF A FAILED ENLARGEMENT

Let us begin this chronicle by looking at the complex recent history of the island of Cyprus. Its strategic location at the crossroads of Euro-Asia has rarely left it free from the colonial interferences of outsiders. In 1960 Cyprus became independent for the first time in its history. The 1960 constitution was the outcome of negotiations between the Greek-Cypriot and Turkish-Cypriot communities and Great Britain, Greece and Turkey as 'guarantor powers'. The Republic of Cyprus that was established was a single, ethnically-mixed bi-communal state, with equal representation between the minority Turkish-speaking Muslim community, approximately 20 per cent of the population, and the Greek-speaking Orthodox Christian community, approximately 80 per cent of the population (Broome 2002). By the end of 1963 however, the constitution of the Republic of Cyprus proved to be totally unworkable. The bi-communal construction of the Republic started to collapse after inter-ethnic violence erupted in December 1963. Following the eruption of violence the Turkish-Cypriots withdrew from the government and moved into self-administrated enclaves setting up their own political structures. As a result, the Republic of Cyprus came under Greek-Cypriot rule, *de jure* representing the Turkish-Cypriot population, however, not in practice. It was in 1964 that the United Nations Security Council intervened, because of ongoing inter-ethnic violations. This led to the deployment of the United Nations peace keeping force in Cyprus (UNFICYP). The presence of UN personnel could however not prevent a coup by the Greek Regime. In July 1974 the Greek Junta overthrew the President of the Republic of Cyprus. Given a rationale to invade Cyprus under its responsibility as one of the 'guarantor powers' of the 1960 arrangements, Turkish troops came on the morning of 20 July 1974. By mid-August 1974, after several mediation efforts by the United

Nations, Great Britain and United States had failed, the northern part of the island came under Turkish control. Since, the island has been divided *de facto* into two political entities, of which the northern part is only recognised as a state by Turkey (Farr 2000). Since the Turkish invasion, there has been hardly any mutual contact between the two sides.

It was only in the early 1990s, when the candidate status of Cyprus of EU membership had been accepted, that an increased impact of the European Union on the political life of Cyprus became noticeable. In the run up to the accession negotiations with the island of Cyprus, the Luxembourg European Council meeting of December, 1997 did not treat Cyprus any differently than the Czech Republic, Estonia, Hungary, Poland or Slovenia, despite its undoubtedly unique status as a divided and conflictual Mediterranean territory (Friis 2002). This explains why, when the Greek-Cypriot led Republic of Cyprus applied for EU membership on July 4, 1990, the European Commission permitted it to apply on behalf of the entire island, despite the fact that the Turkish Republic of Northern Cyprus (TRNC) considered accession a security threat, as well as a 'backdoor to enosis', while denying membership options to Turkey (Nugent 2000; Friis 2002).

Perhaps prompted by TRNC's concerns that accession would not be considered until the 'Cypriot question' was first settled (Redmond 1995), the Commission, in its avis on Cyprus of June 1993 opted cautiously for a 'first solution, then membership' strategy, in which 'as soon as the prospect of a settlement is surer, the Community is ready to start the process with Cyprus that should eventually lead to its accession' (European Commission 1993, p. 103). As early as 1994, however, a solution to the Cyprus problem was no longer considered a precondition for opening accession talks. At the Corfu European Council meeting of June 1994, the EU announced that the subsequent phase of enlargement would include Cyprus and Malta, without specifying what would happen if the Cypriot problem had not been resolved by the time negotiations had concluded (Friis 2002). Admittedly, this tactic responded to Greek insistence on linking the Cyprus case to the implementation of a customs union with Turkey, while other member states hoped a promise to open accession talks would act as a catalyst pushing the TRNC to the negotiating table (Diez 2002). Despite this shift in strategy, the European Union nevertheless continued to adhere to a classical conception of membership (i.e. 'either full member or you remain outside'), thus leaving the divided status of the island unresolved and festering. With no political momentum visible on the horizon of post-Corfu Cyprus, clashes between Greek- and Turkish-Cypriots occurred throughout the summer of 1996 along the Green Line that separated the two factions.

Despite the mounting political crisis on the island, in its Agenda 2000 report the Commission lent its full support to the Corfu strategy: 'yes to accession talks, wait-and-see to their actual conclusion' (Friis 2002, p. 26). But without a settlement between the two communities, the Commission in effect was only to open accession negotiations with the Republic of Cyprus, the only authority recognised by international law. In retaliation, the TRNC entered an association agreement allowing for 'partial integration' with Turkey (Friis 2002, p. 27). By the European Council of Luxembourg meeting, December 1997, the European Union gave up any pretence that accession negotiations would produce a 'catalytic effect' resolving the Cyprus dispute. The European Union now argued that the actual conduct of negotiations would 'contribute positively to the search for a political solution to the Cypriot problem' (European Commission 1997). Making an already bad situation worse, EU-sponsored discussions over whether or not to include the Turkish-Cypriot community in negotiation talks infuriated the TRNC leadership, which declared intercommunal talks defunct (Denktas cited in Friis 2002, p. 27).

When full accession negotiations with Cyprus and five Central and Eastern European countries began in earnest in March 1998, the climate of uncertainty produced by the European Union's inability to deal with the political reality of the island as a whole was such that the future participation of the Turkish-Cypriot community was side-stepped, while discussion of the status of the future Schengen border on Cyprus was avoided entirely (European Commission 2000). In this context one can hear an almost palpable sigh of relief in the communications of the subsequent Vienna Council (December 1998), Helsinki Council (December 1999) and Nice Council (December 2000), as the United Nations assumed increasing

authority in brokering a peaceful resolution to the island's division. The best face the 1999 Helsinki Council could muster was to reiterate in characteristically opaque fashion that:

> a political settlement will facilitate the accession of Cyprus to the European Union. If no settlement has been reached by the completion of accession negotiations, the Council's decision on accession will be made without the above being a precondition. In this the Council will take account of all relevant factors. (<http://europa.eu.int/comm/enlargement/cyprus/> 2005)

As if suddenly jolted into realising the patent inadequacy of its 'wait-and-see' Corfu strategy, Commission President Prodi, in a speech in Nicosia on 25 October 2001, affirmed that reaching a political settlement before the end of accession negotiations would give Turkish Cypriots a chance to participate in negotiations. Underscoring the urgency of the matter, Commissioner Verheugen flew to Cyprus in March 2002, and conveyed to the leaders of the two communities the importance attached by the European Union to the achievement of a settlement in good time, and opened an EU information centre on the premises of the Turkish Cypriot Chamber of Commerce, so as to better inform Turkish Cypriots on the institutional requirements of the *acquis*. Not fortuitously, the Commission notes dryly that the 'functioning of the information centre has encountered difficulties', as lectures on Community policies 'were interrupted . . . due to newly imposed entry restrictions for Commission officials' (European Commission 2002, pp. 26–27). Despite the harsh lessons produced as a consequence of these belated manoeuvres, the subsequent Seville Council (December 2002) nevertheless warned with barely concealed paternalism that the EU:

> would accommodate the terms of such a comprehensive settlement in the Treaty of Accession in line with the principles on which the European Union is founded: as a Member State, Cyprus will have to speak with a single voice and ensure proper application of European Union law. (<http://europa.eu.int/comm/enlargement/cyprus/> 2005)

Accession negotiations with Cyprus were concluded on 13 December 2002 and the Treaty of Accession was signed on 16 April 2003. Soon after this, the unthinkable happened, the Green Line, the UN buffer-zone that had been closed for 30 years partly opened on several occasions, allowing people to cross the border for the first time. However, this major breakthrough did not prevent the extensive United Nations peace plan, later known as the Annan Plan, which aimed for unification, to fail in the negotiations and to be voted off in a referendum in 2003. As if to quietly continue in the line of this failure, and to prepare for an abdication of any role in furthering a political solution to the island's divided status, the Commission's final comprehensive monitoring report on Cyprus's preparation for membership (November 2003) affirmed that in the instance a comprehensive settlement had not been reached by the date of accession on 1 May 2004, Protocol 10 of the Accession Treaty would lead to 'the suspension of the *acquis* in the areas of the country which are not under the effective control of the Government of Cyprus' (European Commission 2003, p. 4). In the wake of the defeat of the UN-sponsored Annan Plan in 2003, and having forfeited any effective influence in achieving a comprehensive settlement, the Brussels European Council (March 2003) could only regret that the 'efforts of The United Nations Secretary General . . . have failed' (<http://europa.eu.int/comm/enlargement/cyprus/> 2005). The consequence of this failed political intervention is that the political situation on Cyprus remains unclear and fuzzy. The island of Cyprus remains a divided island, that is an island consisting of a Turkish-Cypriot part that is not recognised internationally, a Greek-Cypriot part and a no man's land guarded by the UN in-between (see Figure 1).

The no man's land that has divided the island of Cyprus for more than thirty years now, is now *de jure* part of the European Union. But the EU-*acquis* with all its complexity is not applicable to Northern Cyprus. There will be special rules regarding facilitating flows of goods and persons, but the situation remains highly unclear.

THE NEAR FUTURE OF THE EU-CYPRUS RELATIONSHIP

After the failure of 2004, the EU now attempts to improve the fuzzy situation on the island.

Photo taken by Henk van Houtum

Figure 1. *No man's land, Cyprus.*

Most notably, the complex issue of the divided island of Cyprus is now stationed as part of the New Neighbourhood Policy of the EU. This new programme aims to promote stability by partly incorporating – by means of policy programmes – the regions bordering the European Union, or by containing its periphery as some like to describe it (Tunander 1997). Cyprus is part of the Neighbourhood Programme 'Archimed'. The Commission proposed a comprehensive package of aid and trade, which intends to end the isolation of the Turkish-Cypriot community. Reunification is hence still striven for by the European Commission and the Council. The EU is hoping that economic interaction, most notably, will provide a domino-effect in opening the Green Line. The Green-Line is not a *de jure* external border of the European Union. The contours of Cyprus seem to provide for the legal outer borders of the European Union; Cyprus is regarded by the European Union to be one state:

> Since this line does not constitute an external border of the EU, special rules concerning the crossing of goods, services and persons need to be established. The regulation is intended to facilitate trade and other links between the areas in which the Government of the Republic of Cyprus exercises effective control and the areas in which it does not, whilst ensuring that appropriate standards are maintained. (Source: Brussels, 29 April 2004, EU Council press release)

To this end, the EU provided a €259 Million injection for the island in the period 2004–2006 (Press release EC, 7 July 2004). The goals of current European Union policies and practices towards Cyprus and the fostering of bi-communal interaction for, which this large subsidy is supposed to be a vehicle, are:

- To fully integrate Cyprus into the European Union's internal stable functioning market economy which will benefit all the people of Cyprus.
- To co-operate with Cyprus in the maintenance of stability and security in Europe and the wider world, and in finding effective responses to common challenges facing the continent.
- To end the isolation of the Turkish-Cypriot community and to facilitate the reunification of Cyprus by encouraging the economic development of the Turkish-Cypriot community of Northern Cyprus.

Goods arriving from the areas not under the control of the Government of the Republic of Cyprus to areas under their control shall be accompanied by a document issued by the Turkish Cypriot Chamber of Commerce, therefore the Turkish Cypriot Chamber of Commerce should be authorised and recognised by the European Union. The Government of the Republic of Cyprus gave its agreement to this authorisation (Draft Commission decision, July 2004). On 15 February 2005, the European Council of Ministers confirmed a new regulation on the crossing of goods and persons over the Green Line. The new regulation softened the conditions for crossing the Green Line for persons and made trade of certain agricultural products easier, although cross-border traffic

of live animals is still forbidden (European Council of Ministers, Regulation 6236/05). This replaced Regulation 866/2004 (The 'Green Line Regulation') of the Council in which special rules were determined for the crossing of goods, services and persons over the Green Line between parts of the Republic of Cyprus that are controlled by the Republic of Cyprus and parts that are not controlled by the Republic. From now on, goods do not have to be declared at the Green Line anymore.

In sum, the post-failure European policies are focused on softening the Green Line for the movement of persons, goods and the levelling of socio-economic discrepancies on both sides of the border. The current state of affairs however is that in many policy areas hardly any form of bi-communal and/or cross-border interaction in Cyprus exists. This is particularly the case with regard to state-like issues of foreign policy, military and police forces, monetary policy, labour and housing. Neither has there been a resolution of the conflict or rapprochement with regard to issues of mutual security guarantees, citizenship rights and the refugee issue. Hence, it remains ambiguous whether this money injection will be sufficient in diminishing the strong geopolitical sensitivities and nationalism on either side of the Green Line.

CONCLUSION

With respect to the foregoing, we suggest the EU-Cypriot accession negotiation process is the chronicle of a disaster foretold, rooted in an inability on the part of the European Union to imagine a legal or territorial status for the island other than that accorded its pre-existing member states and Central European candidate countries. For its part, the United Nations, because it embodies an unresolved tension between principles of human security and state-centric notions of sovereignty, failed to offer an adequate normative framework recognising both sides in the conflict, while variously complementing and undermining the goals of EU integration. As a consequence, the EU- and UN-led intervention produced an institutional incapacity to treat Cyprus along a trajectory that would diverge from that of classical Western nationalism. Specifically, the European Union's intervention on the issue of Cyprus's divided political status

relied on a imperialistic 'carrot and stick' policy whose governmentalising logic attempted at first to resolve the physical and statutory division of the island according to the state-centric principles on which its earliest member states were founded. Echoing earlier modes of colonial rule, the EU thus took for granted that for the Turkish-Cypriot community the *acquis communautaire* represented a self-legitimating regime of truth clarifying universally beneficent principles of 'good governance', while the Commission and Council of Europe maintained the fiction of being objective, detached and neutral actors operating at some Archimedean point above the Cypriot conflict.

Acknowledgements

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