

THE G8 INITIATIVE AND THE STATUS OF NORTHERN CYPRUS IN EUROPE*

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"La diplomatie, sous des conventions de forme, ne connaît que les réalités"

General de Gaulle¹

Abstract

The novel use of the G8 forum to initiate inter-communal talks in Cyprus is on balance aimed at persuading doubters in the EU that Greek Cypriot membership cannot be delayed by any prospect of a settlement with the Turkish Cypriot side. The significance of the G8 emphasis on UN resolutions and the absence of any promise of international financing of a settlement is discussed. The logic of the Turkish Cypriot demand for statehood in a confederation is set out, noting the absence of detail on the normal purposes of a confederation - common economic or military or diplomatic policies. An alternative route to recognition of Turkish Cypriot self-rule in the context of Turkey-in-Europe is proposed, a degree of recognition which would end the embargo and undermine the basis of LOIZIDOU claims.

CYPRUS: THE SUPREMACY OF LAW, POLITICAL REALITIES AND THE NEED TO ADAPT TO CHANGE

Introduction

At the conference on June 3, 1999, this paper speculated about the possible content of an initiative on Cyprus by the 25th annual G8 Economic Summit on Cyprus. The paper has now been revised to take account of the conclusions which emerged from the June 10 preparatory meeting of the G8

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foreign ministers, and also the communique agreed by 'the heads of state and government of eight major democracies and the President of the European Commission' in Cologne on June 20th, 1999.

The second principal section of this paper takes a different view to the overwhelming consensus of opinion expressed at this conference. At the meeting at Glion in Switzerland in August 1997, Mr Denktas argued that no progress could be made in the talks between Greek Cypriots and Turkish Cypriots until the Greek Cypriots publicly recognised that they have no claim to rule Turkish Cypriots, and that proposals for joint rule on the island must be on the basis of equality of status for the two main communities from the beginning of negotiations, and not as a possible outcome. The logic of this stand is that while the Secretary-general of the United Nations is authorised to treat the leaders of the two communities as equal in the talks, the Greek Cypriot side are recognised by all states except Turkey as sovereign over the whole island. Hence the inequality of numbers between the two communities is reinforced by this inequality of international status. For it is not to be expected that Mr Clerides will give up during the talks the status which he enjoys whether the talks succeed or break down.

Mr Denktas' stance has been publicly supported by the Turkish Cypriot government, and reinforced by last autumn's elections in Northern Cyprus. Turkish support for this claim of equal status for the TRNC has hardened from the initial reaction to the 'historic mistake' of the Luxembourg Council Conclusions of the EU on Turkish membership to the reiteration in the programme of the recently elected Ecevit government that in Cyprus there are two states. Since August 18, 1998 the Turkish Cypriot position has also hardened by proposing confederation for Cyprus.

The argument of this paper is that the self-determination of Turkish Cypriots in North Cyprus is so secure with the backing of Turkey that they can better overcome the impediments presently consequent on lack of legal recognition by seizing every opportunity for participation in UN and European fora.

The G8 Economic Summit

The G8 consists of the seven leading market economies (G7) with the addition since 1996 of the Russian Federation². The G7 are the leading countries of the OECD, the organisation which succeeded the OEEC through which American Marshall Plan aid was distributed by agreement among the European countries. It was a G7 summit which in 1990 proposed that the OECD (G24) set up the European Bank for Reconstruction and Development in Europe which was intended to channel resources to Central and Eastern Europe after the fall of Communism. In 1992 it was the G7 which channelled resources to improve the safety of nuclear reactors in the Russian Federation and in Eastern Europe. Since the establishment of the European Monetary System in 1978, these economic summit meetings have been attended by the President of the European Commission. In the context of this conference, it is worth remarking that Roy Jenkins won this status despite the absence of EC statehood by participating first as an observer and then at his second meeting producing working papers, assuming that the participation of the European Communities had become essential to effective decision-making on trade and cooperation issues. Germany, this year's host country, Britain, France and Italy are member states of the EU as well as of the G7.

The G8 as a Forum for a Cyprus Initiative

One can only make guesses as to why the leading countries of the world decided this year for the first time to include an appeal for a resumption of talks on the Cyprus problem. It may be that this forum is thought more acceptable to Turkey and to Turkish Cypriots than the European Union which at its own summit in Cologne the previous month made no appeal to restart face to face talks under UN auspices. Turkey has refused to recognise the EU as a locutor on the Cyprus issue since the row following the Luxembourg Council Conclusions in December 1997. Also the G8 forum may be more acceptable to Greece than the United Nations which is often criticised in that country for failing to implement the resolutions of the Security Council. It may be that a forum which includes the Russian Federation is intended to reassure Russia of its continuing leading role. Russia's influence on Turkey, and its acceptability to Greece and the Greek Cypriots, could usefully promote acceptance of an initiative which will be largely funded by the USA and the bigger EU member states. Alternatively, the use of this forum may be a matter of timing. Now that the Turkish elections are over, none of the

parties concerned are expected to become preoccupied with electoral campaigns in the immediate future. The summit of the G7 in the week before the UN Security Council provides the opportunity for that body to respond to a new high-level initiative to promote a renewal of talks between the Greek Cypriot and Turkish Cypriot leaders in the USA under the aegis of the Secretary-General.

This high-level initiative will also have a part to play in overcoming the serious remaining doubters in the European Union about going ahead with the accession of Cyprus. In Germany, in France, in the Commission, and in smaller countries like Spain, Sweden and Finland there are doubts about the wisdom of taking in a divided Cyprus without a solution. Ten years after the fall of the Berlin wall, there is no enthusiasm for having a member state divided by a militarised and disputed frontier. A frontier between the EU and Islam does not accord with modern Europe's self-conception as a multicultural union, and would not increase the attraction of foreign direct investment in either Northern or Southern Cyprus. Again, there is justified concern at the prospect of having two Greek votes in EU decisions on relations with Turkey, given that rightly or wrongly Greek public opinion regards the Turkish army as the occupier of a largely Hellenic island. If Northern Cyprus integrates *de facto* or *de jure* with Turkey, international lawyers will have a strong case for EU sanctions against Turkey for unilaterally altering frontiers without consent. In any case, accession negotiated by a wholly Greek Cypriot government will embitter the present bad relations with Turkey, arguably the second European country in terms of population and with an economy and a military/diplomatic capacity which are important to the rest of Europe. It is worth remembering that the March 5, 1995 decision of the Council of Ministers to contemplate Cypriot accession without a prior settlement of the problem was a direct consequence of the need to remove the Greek veto of December 1994 on the Customs Union with Turkey also signed on March 5, 1995, a determined attempt to put Turkey's relationship with Europe within the best available framework short of membership.

The Turkish Cypriot refusal to accept the G8 initiative unless TRNC statehood is first recognised will be used to overcome the doubters in the EU Council and Commission. The conclusion that the present doubters in the European Union will draw is not that at last they have a common foreign and security policy in that they have united Turkey and Turkish Cyprus against

the EU! It is that the Greek Cypriots were prepared to negotiate a settlement on the island and that Turkish Cyprus, with Turkish support, rejected this serious initiative by the international community to restart intercommunal talks with a view to compensating individuals and drawing a demarcation line based on consent.

The Content of the G8 Initiative

The section on Cyprus in the June 10 Conclusions of the preliminary meeting of G8 foreign ministers is shorter and more banal than expected. Its wording shows how far the leading countries remain from recognising what this conference sees as the realities on the island. It shows once again the diplomatic advantage the Greek Cypriot government derives from its recognised status, and from Greek membership of the EU.

We reiterate our support for UN efforts to reach a comprehensive settlement on the Cyprus problem on the basis of the relevant Resolutions of the UN Security Council. We recommend that the G8 Summit leaders urge the UN Secretary-General to invite the leaders of both parties to enter into comprehensive negotiations without pre-conditions. We urge all those concerned to avoid any measures that could increase tensions on the island and complicate efforts to promote a just and lasting peace.

Making the UNSC resolutions the basis of talks on a settlement is to impose preconditions. The relevant UN resolutions include Security Council Resolution 541 (1983) deploring "the purported secession of part of the Republic of Cyprus...as legally invalid... [and] calls upon all States not to recognise any Cypriot state other than the Republic of Cyprus." As Graf zu Rantzau, the German envoy to Cyprus representing the EU Presidency, said at Larnaca airport earlier this year, no talks involving the Turkish Cypriots can realistically be anticipated on the basis that the UN Resolutions are merely parameters within which there can be comprehensive talks without preconditions. Moreover, given the number of EU foreign ministers present in Cologne, the last sentence cannot be read as an indictment of the EU for increasing tension by upsetting the balance between Greece and Turkey through negotiating the accession of the Republic of Cyprus to the EU. It is reiterating UNSC 1217 of December 1998, and seems directed against the building of more military facilities on both sides. It may be read as a veiled warning to Turkey not to further integrate Northern Cyprus in

retaliation for the accession of the wholly Greek Cypriot Republic of Cyprus to the EU.

What is surprising is that the foreign ministers preparing this economic summit make no reference to the financial contribution which the rich states were expected to offer, and which is discussed below. It may be that governments are already sufficiently alarmed by the budgetary implications of aid to the Balkans, Russia and the Ukraine and debt relief to the least developed nations. It may be that the lack of interest in the compensation issue shown by the Greek Cypriot government on the one hand, and the Turks and Turkish Cypriots on the other, persuaded them that this was unnecessary.

Ten days later, on June 20th, the Cologne summit also addressed the Cyprus issue, while ascribing to it the least importance among the issues addressed. Appended to the 49 conclusions there is a G8 statement on regional issues, among which in 7th or last place are the following three paragraphs:

The Cyprus problem has gone unresolved for too long. Resolution of this problem would not only benefit all the people of Cyprus, but it would also have a positive impact on peace and stability in the region.

Both parties to the dispute have legitimate concerns that can and must be addressed. The members of the G8 are convinced that only comprehensive negotiations covering all relevant issues can do this.

The members of the G8, therefore, urge the Secretary-General in accordance with relevant UN Security Council resolutions to invite the leaders of the two parties to negotiations in the fall of 1999. They call upon the two leaders to give their full support to such a comprehensive negotiation, under the auspices of the UN Secretary-General.

In accepting this invitation, the two parties/leaders should commit themselves to the following principles:

- No pre-conditions
- All issues on the table

- Commitment in good faith to continue to negotiate until a settlement is reached;
- Full consideration of relevant UN resolutions and treaties.

The members of the G8 undertake to give their full and sustained backing to the negotiating process and hope that it will prove possible for its outcome to be reported to the meeting of Heads of State and Government at the OSCE Summit [in Istanbul] this November.

From a diplomatic perspective, this is a longer, better written, somewhat less formulaic appeal. The new British High Commissioner in Cyprus, Edward Clay, drew attention to the flurry of activity between the two declarations while drawing a veil over the significance of the various drafts when he said on June 21 in Nicosia, "what happens between various stages of negotiating a declaration is known only to the negotiators"³. The Anadolu News agency reported throughout the week on Turkey's support for Mr Denktas' denunciation of G8 interference. Jean Christou reported in the Cyprus Sunday Mail of June 20th that one draft which did not appear referred to the UN resolutions only as 'reference point' and that in Cologne Greek Cypriot diplomats were seeking "to secure as far as possible a reference to Cyprus which is in line with its position". The UN resolutions are no longer posited as the basis of talks. Instead, the international lawyers of both sides can interpret the ambiguous reference to giving full consideration to resolutions and treaties in differing ways. Similarly 'full and sustained backing' to negotiations might mean a diplomatic commitment to high-level and combined pressure on Turkey and Greece. It might, remotely, mean that the rich countries might still back talks with the funds for settling financial claims on both sides as discussed in the 1992 Set of Ideas, and canvassed before the G8 Summit.

What is missing from both drafts are three ideas which were probably opposed by Greek Cypriot diplomats. However, they might well have been included if the Turkish Cypriots and Turkey had shown any interest in them. The strong Turkish Cypriot consensus behind demanding prior recognition of the TRNC, and making confederation the only alternative to an independent TRNC closely linked with Motherland Turkey, precluded serious consideration of what some officials hoped would be included in the content of the G8 appeal.

The first point of interest might have been a proposal that the agenda before Mr Denktas and Mr Clerides include a draft Constitution for the whole island on the model of Swiss cantons or Quebec autonomy. This would go some considerable way to meet the Turkish claim that the principle of self-determination entitles them to be accepted by the international community as the sole effective rulers to the North of the internationally recognised demarcation line in Cyprus⁴. To put the same point differently, a willingness on the part of the Greek Cypriots to recognise the legitimacy of Turkish rule in a partitioned island would forgo what since 1974 has been their principal effective instrument in attacking the Turkish Cypriot right to rule here. The reality is that precluding international recognition of Turkish Cypriot self-determination has been as important to them as the presence of the Turkish army has been to Turkish Cypriots in securing peace in the North.

A second point might have been the offer of substantial cash from mainly European but also American sources to settle property claims by payment of compensation to those willing to take the money. The 1992 set of ideas foresaw an agency on each side to deal fairly with claims; the Turkish Cypriots have subsequently suggested that a joint claims Commission be set up. The issue has become more salient since the decision on 18 December 1998 of the European Court of Human Rights in the LOIZIDOU case requiring Turkey to pay compensation, including compensation for psychological harm, to the claimant. The offer of internationally funded compensation would cause some difficulty to the Greek Cypriot side. This is because it implies recognition by the international community of the present reality on the ground. In the first place it acknowledges that properties have been occupied on both sides of the border for so long that their former owners cannot expect to recover them in anything like their condition in 1974, or 1964. In the second place it acknowledges that the enmity between the two communities is such that the Turkish Cypriots do not want to live for the foreseeable future in their previous homes in the South, and that most Greek Cypriots are unlikely to feel sure of their personal security if they returned to the North. More important, this offer may contribute to denting the consensus on the Greek Cypriot side that 'a just and lasting' settlement must allow individuals to recover their land through judicial process administered by some future 'federal' court system. Admittedly, there is a parallel consensus on the Turkish Cypriot side that, as today's property values are so much higher in the South, the properties abandoned by Turks in the South amount roughly to the total value in the North of properties

abandoned by Greeks, Armenians and Maronites, and that the points system used in allocating properties constituted a rough justice for individuals. However, this pragmatic consensus does not have the same constitutional implications as the hard-line Greek Cypriot refusal of compensation. Finally, the Turkish government might look favourably on a compensation scheme which must be taken into account by any future action in the Strasbourg Court of Human rights, a court whose judgements are not bound by precedent.

The third point that the G8 might have included in their initiative is that this offer of compensation be linked to a territorial settlement to be negotiated by the leaders of the two communities. This is certain to include the return of Varosha to the Greek Cypriot side together with compensation to the European airlines and property developers who typically were partners with the Greek owners of these deserted hotels. More controversially, Nur Batur in HURRIYET of 25 May 1999 anticipated that the G8 would propose that Famagusta also be returned. I saw no journalistic speculation whether territorial proposals might follow the 1992 'Set of Ideas' by including Morphou explicitly or implicitly in the package. If the Greek Cypriot side were to accept that negotiations might include compensation for the loss of Morphou, this would indicate that they were serious about negotiating a settlement prior to their accession to the European Union, a settlement whose negotiation would have the effect of delaying their entry.

IMPLICATIONS FOR THE STATUS OF NORTHERN CYPRUS IN EUROPE

Introduction

As leader of the Free French, de Gaulle saw himself as responsible for leading his country back towards a full recognition of French sovereignty. He accused the British and Americans of preferring "que la souveraineté de la France demeure quelque peu nébuleuse" ⁵ (a little cloudy) . He defended his reputation for inflexibility, for being difficult and demanding where France's status was concerned, as being a consequence of the lack of recognition for the rank due to a restored France.

A similar defence could be mounted in defence of Turkish Cypriot 'inflexibility'. The rejection of the appeal from the G8 leading countries, and

subsequently from the UN Secretary - General personally, to participate in intercommunal talks might be justified on the grounds that prior recognition of the statehood of the Turkish Republic of Northern Cyprus is required before talks can begin on an acceptable relationship between the Greek Cypriots and Turkish Cypriots. This rejection is in line with the similar rejection of appeals to participate in talks with the European Union over an accession process which did not have any authority derived from the Turkish Cypriot side, and whose outcome they cannot control.

Moral, Legal and Power Political Aspects of the Turkish Cypriot Case

This demand for prior recognition of the equal status of two governments in Cyprus has built on a case ably set out by President Denktas in his speech to this conference, and amplified by other contributions.

Morally, the consensus among Turkish Cypriots that they have a right of self-determination in running their own affairs can be justified in terms of their history and present realities. Historically their experience of being treated as second-class or even non-citizens in the Republic of Cyprus before 1974, and of the wrongs they did in turn to the Greek Cypriots who were persuaded to flee the North, are sufficient to make them chary of a constitutional settlement with Greek Cypriots. Although unlike the French, they cannot claim to be restoring a previous state, they can point to the bicommunality intended by Mr Zorlu and M. Averoff in the 1960 Constitution. They can also point to the unusual character of the commitment to non-discrimination among the nationals of Cyprus in Article 5 of the 1972 Association with the EEC as evidence of a requirement of even-handedness in European dealings with separate communities. As for the present, sufficient evidence of two mutually hostile national agendas can be adduced from the mutual point-scoring on both sides of the divide claiming innocence and listing grievances in equal measure. Both sides are unwilling to respect and trust each other's leaders, or to accord flexibility in making a settlement to their own leaders.

Most of the arguments at the conference have been in terms of the legal validity of the TRNC as a legitimate successor to the Turkish Cypriot community recognised in the defunct 1960 Constitution, and not therefore invoking a right of secession. Since 1984, the TRNC Constitution has made possible elections and the rule of law.

Although the rule of law necessarily takes no immediate account of the rights of Greek Cypriots, the remedy proposed lies in the confederation proposal of August 18th, 1998. Again, the insistence that confederation is the only possible form of coexistence between the two communities has to be understood as a demand for equal recognition for both communities.

At present the proposal lacks both elements of a traditional confederation: there is no intention of joining with the Greek Cypriots for military purposes against a third party, and there is no attempt to set out how economic cooperation could be jointly managed. The perceived anomalous nature of the entity in the South of Cyprus was indicated by using inverted commas around the 'Republic of Cyprus' and by referring to its ministers as constituting a Greek Cypriot Administration. Insofar as the Greek Cypriot government exists, it could not legally apply to the EU because this infringes paragraphs 2 and 12 of Article 1 of the Treaty of Guarantee, precluding union or the promotion of union with any other state. This application was also held to infringe Article 50, 1a of the 1960 Constitution, which requires the assent within a short time period of the Turkish Cypriot vice-president for applications to international organisations which do not count both Turkey and Greece among their members.

Finally, the conference speakers were unanimous that the recognition of the TRNC by Turkey should be followed by recognition from the rest of the world community. Turkish Cypriots had ruled themselves North of the internationally recognised demarcation line since 1974, and in the enclaves since 1964, and effectiveness was all that is required by the 'constitutive' theory of statehood. Unlike that of Communist China, this rule was in accordance with democratic norms. Recognition by other states and the UN, the criterion required by the 'recognition' theory, was a political act which could be expected in time as the Turkish Cypriots made their case in international fora. Recognition would end the unjust embargoes on trade and links by air and sea with countries other than Turkey. However, while recognition would increase the security and the prosperity of Turkish Cypriots, the principal guarantee of both security and prosperity lies with Turkey.

In power political terms, Turkish Cypriots see their future as relatively secure because of the geographical proximity, the military presence and the substantial subsidies of Turkey. Turkey has recognised a 'national interest'

in Cyprus. The kinship links implicit in what has elsewhere in Europe been the anachronistic doctrine of the Motherland has developed in Turkey to the point where 'two states and one nation' has become the practical basis of policy. The implications of this for other Turkic states like Azerbaijan are interesting, as is the absence of ideological resistance by Kemalist ideologues to this reversal of Atatürk's doctrines on Turkish citizenship within borders. This silence is explicable by mutual interests. For the Turkish Cypriots, independence from Greek Cyprus has the corollary of dependence on Turkey. For the Turkish army, the base in Northern Cyprus precludes the presence of a hostile Greek army on the route to Ceyhan, and provides a military facility which could be offered on terms for use by the USA.

On the other hand, the risk of war on the island has been increased by the continuing rise in military expenditures by Greece and Turkey at a time when all other states in Europe have reduced their armaments.

Non-recognition

The Turkish Republic of Northern Cyprus has not been recognised internationally. The G8 did not conclude that the whole international community has been wrong since December, 1963 in recognising the legitimacy of the Greek Cypriot government only. It may be that the growing influence of Turkey has been demonstrated in the changed phrasing on UN resolutions between the Foreign Ministers' communique of June 10th and the Summit Conclusions of June 20th, but plainly a big political shift will be needed before the USA and the EU lead the world in recognising the TRNC as a state. For one thing, recognition would require some determination of what kind of entity exists in the south of the island, a determination which Turkey itself could not make in 1984. This determination would involve substantial difficulty for the EU from Greece as a member-state, and for the USA from its active Greek lobby. As a precondition for talks this fall between the two Cypriot communities, there are other difficulties.

Morally, there is sympathy in Western Europe for the Turkish Cypriot case -positively for self-determination and negatively for not submitting to a settlement from which Greek Cypriots derive the greater share of the right to rule. However, if the United Kingdom failed in its duty as a Guarantor between 1963 and 1974, Turkey is widely thought to have gone beyond the

terms of the Treaty of Guarantee which entitled it to restore the constitutional state of affairs. To put it mildly, its rights as a Guarantor did not obviously entitle its army to take possession of the most prosperous third of the island to an extent that was disproportionate to the then numbers of Turkish Cypriots. While it can be acknowledged that few states have wholly virtuous origins, even if the TRNC were acknowledged, some agreed revision of the boundary would be appropriate. Moreover, recognition of the sovereign independence of a state that is economically and militarily so dependent is close to a contradiction in terms, even if independence might reduce the present dependency.

Legally, the claim that the TRNC is a rightful successor of the Republic of Cyprus is contestable before the imaginary Court of opinion to which Mr Denktas referred in his opening remarks, and would certainly pose some difficulties for the governments involved.

Secondly, the claims that the still extant Treaty of Guarantee precludes any application to the EU, claims which are accepted as incontestable in Turkey and Turkish Cyprus, are not accepted elsewhere in Europe. If these claims were incontestable, one would expect the legal advisers to those governments which would like to defer Cypriot membership to offer these arguments as requiring at least deferment of the application. Instead the objection is dismissed as misconceived. In 1959/60 the ban on union with any other state was loosely drawn in order to preclude, for example, a personal union through the Greek monarchy. However Cyprus will not become part of any union with Greece after accession to the EU. The Irish Government would be very surprised to be told that it became part of the United Kingdom when it applied to join the EEC. The EU is not a sovereign state because its powers are limited to those conferred on it by the treaties; it lacks the originality of a sovereign state. Indeed, to be technical, unlike the EEC the EU as such lacks international personality. Those who invoke this objection based on the treaty of Guarantee should at least have the consistency to point out that it precludes policies promoting the de facto integration of the TRNC with the Turkish state. Similarly, reliance on Article 50,1a of the Constitution has the difficulty that all sides are in agreement, for different reasons, that the 1960 Constitution no longer has legal validity.

In terms of power politics, non-recognition is as important to the Greek Cypriot view of realities as the Turkish army is to the Turkish Cypriots. Mr

Denktas has implicitly recognised the strength the Greek side derives from international support by trying to limit the parties involved to four, the two communities and the two Motherlands, thereby excluding the British, the Americans, the EU, and the UN Security Council and General Assembly. This attempt to exclude the 'internationals' has not made them more favourable to the Turkish Cypriot arguments. On the contrary, the lack of diplomatic preparation in advance of the confederal proposal of 1998, perhaps itself a corollary of isolation, has not helped the Turkish Cypriot case. The same applied even more to the sudden declaration of the TRNC in 1984, when Turkey's influence was negligible in the aftermath of military rule, provoking the sharp reaction encapsulated resolutions 541 and 550 of the Security Council.

On the other hand, if the USA and the EU did recognise the right of Turkish Cypriots to rule themselves, then the Islamic countries would lead the way in a tidal wave of recognition. The question then is how pragmatically to secure this result. The key lies in the choice of endgame.

At the moment it looks as though the endgame will shortly be the accession of the internationally recognised Republic of Cyprus to the EU without any delay consequent on discussions about a prior settlement this fall. This will be accompanied by some kind of Gaullist riposte jointly formulated by Turkey and the TRNC. The Greek Cypriot accession will enable the EU to proceed with enlargement to the first five applicants from Central and Eastern Europe. Unfortunately all the political leaders involved will be able to maintain the domestic consensus on which they severally depend by accepting this endgame.

An alternative endgame would focus on Turkey. President Demirel gave a very interesting reply to a question about cutting links with the EU on 27 May 1999.

We cannot get anywhere by remaining in an emotional state about Europe. We should maintain our reason and remain calm as Turkey's interests demand this.. A Europe without Turkey cannot be thought of in the new political geography of the world. Yet we will not beg anybody for this.

The new German Chancellor at the EU summit in Cologne, after correspondence with Mr Ecevit⁶, proposed three paragraphs on Turkey. He suggested that a firm timetable (calendrier) for its EU accession which would help the Turkish government's plans for political and economic reforms in Turkey. These paragraphs were supported by all the big states of the EU and by Belgium. They were vetoed by Greece, with the support of some smaller member states, but it was agreed that the matter would come up again at the next summit in Helsinki.

Aydin Sahinbas of the Turkish Foreign Ministry was invited to a meeting of the EU Political Directors on 26 May to discuss medium and long-term proposals for a STABILITY PACT in five countries of SE Balkans. The significance of this invitation is that the presence of political directors from non-member countries has only hitherto been accorded in anticipation of membership. The Political Directors of Sweden, Finland and Austria were invited before their countries' accession to the EU. The Americans have never been invited to these meetings, although it is true that they are informed of the agenda in advance so that they can influence member states. The Turkish Minister of Education has similarly been invited to attend a meeting of European Education ministers in Budapest in June.

The Customs Union may be insufficient framework politically and juridically, but it has been a success in that there has been a doubling of EU trade with Turkey, a trade which accounts for half of Turkish exports⁷. This success contrasts with the difficulties experienced by Turkish traders last year in other important markets, with the exception of trade with Israel. A TUSIAD delegation obtained the commitment of the German industrialists' organisation, the BDI, to support Turkish membership in the medium to long term.

Those who see themselves as responsible for the long-term interests of the Turkish state are unlikely to wholeheartedly embrace either the nationalist or the fundamentalist agenda. While they may prefer NATO and the Americans as balancing factors, the ending of American military and economic assistance to Turkey in this financial year carries with it the implication that future economic assistance is more likely to be forthcoming from the EU.

Admittedly, EU assistance to Turkey has been small in quantity and illegally withheld because Greece as a member state takes the view that

Turkey is in occupation of one third of a largely Hellenic island. It is, however, worth noting that the Greek government has been constrained by its membership of NATO and the EU to take a very different line on the Kosovo affair than that demanded by its public opinion. Similarly, the Greek Cypriot government, which became Yugoslavia's representative in London, has felt constrained to refuse to receive a Yugoslav minister attempting to visit Nicosia. These examples of successful constraints on Greek populism make a return to the Davos framework of cooperation among elites a future possibility.

In this endgame of better relations with Turkey, the endgame for Turkish Cypriots could be one of several options by which the EU and USA recognise the reality that the Turkish Cypriots rule themselves in the North, with the protection of the Turkish army. For example, accession to the EU of the Republic of Cyprus could be made conditional on acceptance of a Constitution in which Turkish Cypriots ruled themselves in the North with their own courts, police and troops, and the euro as a common currency. Since most important social and economic legislation in the EU is common to all states, and now being adopted through the Customs Union by Turkey, the question of sovereignty has become less salient than it was in 1960. By mutual agreement the EU system is adaptable to local residency laws as in the Aaland islands and Denmark, and regional self-government is becoming the norm instead of the exception. The Single Market is best interpreted as a continuation of Monnet's method developed in 1920 in the Upper Silesian coalfield of recognising frontiers between potentially warring nations and then enabling economic transactions to take place as though the frontiers did not exist.

The means for getting recognition in this sense are different. Instead of a Gaullist demand for prior recognition of statehood as a pre-requisite for talks, Turkish Cypriots confident of their right to rule in Northern Cyprus would be willing to explain in every possible forum, including the UN and EU, why it is sensible for all concerned to treat them as self-determining. The political effect of reiterating one's own view of international law, given the absence of actual cases, is that one is preaching to the converted, boosting the domestic consensus on each side in isolation. Lawyers might instead emulate the approach of the lawyers in Per Norberg's EFTA Secretariat, shifting from an abstract emphasis on sovereignty to a detailed and highly respected mission of engagement with EU legislation and procedures to produce practical

benefits for the EFTA states.⁸

In conclusion, the argument of this paper is that the legitimate demand for self-government on behalf of Turkish Cypriots is unlikely to be recognised by protesting at injustice from the outside.

Endnotes

- 1 De Gaulle, C (1956), *Memoires de Guerre- l'Unité*, Livres de poche, Ch 6, p.229.
- 2 Mr Gorbachev attended the last day of the London summit in 1991, and the Russian Federation became full members five years later. See Hodges, M.R. et al, (ed.s) (1999), *The G8's Role in the New Millennium*, Abingdon: Ashgate.
- 3 www.cyna.org.cy , 06/21/99
- 4 Respect for international lines of demarcation was the subject of the UN General Assembly's Friendly Relations Declaration, 25 October 1970, 2625 (XXV).
- 5 De Gaulle, C. op. cit., p 231.
- 6 Anadolu Ajansı News, 5 June 1999.
- 7 Makovsky A. (1999), "The new activism in Turkish Foreign Policy" in *Strategic and International Studies Review*, 19:1, pp. 92-113.
- 8 Brewin, C. (1997), "The external impact" in D. Mayes, ed *The Evolution of the European Single Market*, Edward Elgar.