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TURKISH-GREEK RELATIONS AND THE CYPRUS QUESTION: QUO VADIS?[1]

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Abstract:
It can be claimed that the most disruptive factor in the intransigent relations between Turkey and Greece is the absence of a platform for dialogue and negotiation where constructive relations might be developed. The efforts made towards dialogue and negotiation, initiated from time to time, were inadequate given the absence of trust and security between the two countries. The process of moderate dialogue and confidence building measures initiated after the crisis of the 1990s created the basis for the bilateral détente in 1999. During this period, once the EU conferred candidate status on Turkey, the questions between Turkey and Greece were moved from the traditional sphere to the European platform. In other words, relations and disputes were "Europeanized". In the post-1999 period, bilateral relations were developed under the axis of conditionality and Europeanization. Even though this situation created an appropriate basis for the development of dialogue and cooperation, it was not able to mark an improvement in solving the fundamental questions. In particular, the acceptance of the Greek Cypriots into the European Union despite their rejection of the Annan Plan altered the balance against Turkish Cypriots and Turkey, and thus Turkish criticism of the European Union increased. The détente process reinforced the opinion that it was possible to live with the over-securitized problems of the past and increase the level of tolerance in bilateral realtions. However, tense relations which the "European anchor" can prevent at present might take shape in the foreseeable future, if the European Union cannot provide full membership to Turkey.

Keywords: Turkish – Greek relations, Cyprus, Détente, Europeanization.

Resumen:
Se puede afirmar que el factor obstructivo en el curso general de las relaciones entre Turquía y Grecia, marcadas por la intransigencia, es la ausencia de una base para el diálogo y negociación donde se puedan establecer relaciones constructivas. Los esfuerzos de diálogo y negociación que se han ido iniciando de un tiempo a otro han sido improductivos por la falta de una base de confianza y seguridad entre ambos países. El proceso de diálogo moderado y medidas de confianza que se pusieron en marcha tras la crisis de los 90 lograron formar una base para la distensión bilateral de 1999. Al mismo tiempo, al conferirle la Unión Europea el estatus de candidato a Turquía, los contenciosos entre Turquía y Grecia pasaron de la esfera tradicional al ámbito europeo. En otras palabras, las relaciones bilaterales y sus disputas se "europeizaron". En la fase posterior a 1999, las relaciones bilaterales se vertebraron alrededor del eje de la condicionalidad y la europeización. Aunque tal situación creó una base apropiada para el desarrollo del diálogo y la cooperación, no fue posible lograr una verdadera mejora en lo que a la solución de los problemas fundamentales se refiere. En especial, con la aceptación de la parte griega de Chipre en la Unión Europea a pesar de su rechazo del Plan Annan, se ha alterado el equilibrio desfavorablemente para los turco-chipriotas y para la misma Turquía, aumentando por ello las críticas hacia la Unión Europea. El proceso de distensión está reforzando la opinión de que es posible estar a la altura de los problemas de supra-securitización del pasado. Sin embargo, nuevos problemas están poniendo a prueba el nivel de tolerancia de las relaciones. Las relaciones, que el "ancla europea" evita que degeneren, podrían entrar en tensión en caso de que la pertenencia a la Unión Europea no se materializase en el futuro.

Palabras clave: *Relaciones greco-turcas, Chipre, distensión, europeización.*

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1. Introduction

After the Cold War, the relations between Turkey and Greece reached a new dimension. They were perceived as a new source of risk in a new environment where regional crises endanger peace and stability by spilling over. The 1990s witnessed many crises between the two countries where the risk of war was present.

In the management of the above mentioned crises, the existence of right-minded decision-makers was influential, as was the intervention of the US administrations. It can be argued that in the post 1999 period bilateral relations started to be handled in a different way. In this process, bilateral relations and issues of dispute have moved away, both in Turkey and Greece, from the classical "security" sphere and now there is an understanding in the sense that the previously "securitized" disputes can be negotiated. Without a doubt, this change reflected the change of understanding in the decision-making mechanisms of both countries. However, at the same time it was the expression of a specific change of platform for discussion. The claim that the European Union is the platform in which bilateral relations could be handled, even though this claim is based on different rationales and priorities, was a correct perception of a seachange accepted by both Turkey and Greece. Greece provided support to Turkey in the 1999 Helsinki Summit when the EU decided on the Turkish candidacy, thus renouncing the policies of obstruction that had been maintained for many years.

So, while for years traditional Turkish-Greek disputes have been handled in a bilateral platform, in the new process, disputes started to be evaluated in the EU framework and the EU increasingly became one of the main actors which shaped relations[3]. In this article, the foreign policies of the two countries will be examined in terms of policies pursued at the bilateral level and of the Cyprus issue. The new policy, which started in 1999, will be evaluated, questioning whether it is a neutral, rational and acceptable ground for "problem solving", and the possible risks for the coming process will be identified. The general course of relations, based on moderate dialogue and détente, will be explained. The fundamental question is whether the parties achieved considerable progress in the solution of existing problems and whether a margin of optimism exists concerning the future.

In this context, our main argument is based on two assumptions: the first is that while confidence-building measures help and relieve tensions, the lack of dialogue between the two countries makes these measures inadequate in themselves for solving the bilateral problems. The other assumption is that the Europeanization of the disputes using the EU platform is insufficient for solving problems and may even contribute to making the problems more difficult to manage.

[3] It can be said that Turkey developed a relationship of conditionality with the organization in the process of EU membership. For an analysis of the impact of this relationship of conditionality on Turkish foreign policy and Turkish-Greek bilateral relations see, Aydın, Mustafa and Açıkmeşe, Sinem A.: "Europeanization through EU Conditionality: Understanding the New Era in Turkish Foreign Policy", *Journal of Southern Europe and the Balkans,* Vol. 9, No. 3 (2007), pp. 269 – 272.

When evaluated in this framework, moderate dialogue and détente, which probably will continue, taught the parties to face up to these questions. In this learning process, the fundamental problems are frozen and the parties try to develop cooperation in other "soft" areas. In this respect, partial success has been achieved. Together with this, both the changes in the internal environments of the parties and the changes at the regional and international level make the start or continuation of negotiations on the fundamental problems increasingly more difficult. Moreover, on the issues, which fundamentally affect national sovereignty, it is very difficult to conduct a negotiation. As a result, if in the following process a solid ground of reconciliation is not created between the parties then it can be argued that the détente and dialogue process might collapse.

In the post-Cold War period, relations with Turkey and Greece might be analyzed in three phases in the 1990-2010 process;

- 1990-1999 is the premise of détente,
- 1999-2005 is the period of détente,
- 2005-2010 might be regarded as the period where détente lost its momentum

2. From Tension to Détente

Within the framework of the general course of Turkish-Greek relations, the issue of minorities was the main area of dispute between the two countries until the 1950s.[4] After the 1950s, with the weakening of British sovereignty in Cyprus, a disagreement appeared about the status of Cyprus. Even though with the 1960 treaties a *status quo* was formed, which communities in Cyprus, Britain, Turkey and Greece agreed upon, this *status quo* was broken with intercommunal violence starting in 1963. The period between 1963 and 1974 witnessed unstable relations given the intercommunal clashes, and after the 1967 crisis the peaceful cohabitation of the communities became even more difficult. In this period, it was considered that the Turkish community was excluded from constitutional-bureaucratic mechanisms, which were established in the 1960 treaties, and thus they increasingly started to form their own administrative bureaucratic mechanisms.

Even though a relatively peaceful period was witnessed after the 1967 crisis, this did not last long and a new crisis originated at the beginning of the 1970s. With Turkey's military intervention in the island as a guarantor state after the *coup d'etat* against Makarios with the support of the Greek Junta in 1974, a new period in bilateral relations started. In the post 1974 period, Turkish-Greek relations witnessed other problems besides minorities and the Cyprus issues. In particular, the territorial waters, continental shelf, the violation of the de-militarized status of the islands, air space and the FIR problems in the Aegean Sea started to dominate the bilateral agenda. After Greece left the NATO military structure in 1975, the debates of NATO command-control in the South Eastern wing of NATO were added to these problems.

It can be said that a functional dialogue existed until the 1980s despite the issues in dispute helping to make relations tense. With the collapse of the Colonels' Junta in 1974 in Greece, and subsequently with the Karamanlis government, democracy was reestablished.

[4] For a detailed study of Turkish-Greek relations and the issues of disputes see, Aksu, Fuat (2001): *Türk Yunan İlişkileri,* Ankara, SAEMK Yayınları.

The Greek governments started to provide civilian order and democracy while trying to solve the disputes with Turkey. In this context, the process started with the Brussels Declaration of 1975, continued with the Bern Agreement of 1976[5], and bilateral negotiations were developed in Montreux in 1978. The Bern Agreement, which was signed in this process, is important in the sense that it contained the obligation for both countries to refrain from unilateral initiatives until a common aggreement was reached and thus established a kind of moratorium. On the other hand, Aegean air space was opened in February 1980 to civilian air traffic with the mutual abrogation of Turkish NOTAM 714 and Greek NOTAM 1157, which had been in force since 1974. However, with the military coup of 12 September 1980 in Turkey, and the PASOKs led by Andreas Papandreou coming to power in Greece, political relations were broken and a period of non-dialogue started which continued during the 1980s.

The impact of the military coup in Turkey on Turkish-Greek relations was disclosed when Greece returned to the NATO military structure. On 20 October 1980 Turkey lifted the veto on Greece's return to the NATO military structure within the Rogers Plan[6]. Despite this, Andreas Papandreou's perception of Turkey as the main source of threat[7] and his refraining from dialogue avoided progress in the negotiations, which had started before the 1980s.[8] Relations were strained because the pressures on the Western Thrace Turkish minority were increased[9], and tensions spilled over to the Aegean as there was an attempt to include Lemnos Island, previously militarized, in NATO defense plans. Bilateral relations were strained once Greece declared that the 1976 Bern Agreement was invalid and that Greece would drill for oil outside Greek territorial waters in the Northern Aegean. The consequence of this declaration was immediate and armed conflict was avoided when Papandreou proclaimed that the Bern Agreement was valid and the exploration would be done within Greek territorial waters[10]. After this crisis, a "Davos Spirit" immediately started between Özal and Papandreou. However, it was not possible to establish a functional dialogue process between the parties. Despite this, during the Özal Government, the visa requirements applied against citizens of Greece were abolished and the application of the Decree of 1964 was terminated. In addition, both countries witnessed reconciliation efforts made by intellectuals and some civil society organizations[11]. Nevertheless, it can be said that the ingrained lack of dialogue in Turkish-Greek relations continued between 1990 and 1999.

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[5] For Bern Agreement, at http://www.turkishgreek.org/bern.htm.

[6] For a detailed examination of this topic see, Güldemir, Ufuk (1985): *Kanat Operasyonu,* İstanbul, Tekin Yayınevi.
Güldemir, states that the decision regarding Greece's return to the military wing of NATO was taken directly by President of the State (General) Kenan Evren without informing either the Prime Minister, Minister of Foreign Affairs or Permanent Representative in NATO. Güldemir, *op.cit.,* pp.81-83.

[7] According to Andreas Papandreu the sole threat against Greece came not from the Warsaw Pact but from Turkey in the Aegean. For details see, Aksu, *op.cit.,* pp. 175-187.

[8] After the 1976 Bern Agreement, the Turkish-Greek dialogue process has been made functional and in the 1978 Montreux negotiations the parties started to deal with problems. See, Gürün, Kamuran, (1995): *Fırtınalı Yıllar,* İstanbul: Ad Yayıncılık.

[9] On this topic see, Oran, Baskın (1986): *Türk-Yunan İlişkilerinde Batı Trakya Sorunu,* Ankara, Mülkiyeliler Birliği Vakfı Yayınları; see also, Oran, Baskın (1999): *Yunanistan'ın Lozan İhlalleri,* Ankara, SAEMK Yayınları.

[10] For details see, Akman, Nazmi: "Türkiye – Yunanistan Arasında 1987 Mart Krizi ve Andreas Papandreou", in Fırat, Turhan (ed.) (2005): *Dış Politikamızın Perde Arkası: 23 Büyükelçinin Olaylara Bakışı,* Ankara, Ümit Yayınları, pp.59-71.

[11] The establishment of the Turkish-Greek Friendship Society, the forming of Abdi İpekçi Friendship and Peace Prize, the joint concerts by Turkish and Greek artists, mutual visits of journalists and writers can be listed in this respect.

The clashes of 1990-1999, which emerged especially after the the collapse of Yugoslavia in the Balkans, threatened the stability and security of the region, and this fact pushed Turkey and Greece to adopt opposite positions in terms of policy. Both the disagreements on traditional bilateral questions and their approaches to regional crises made the development of relationships based on confidence increasingly difficult. Greece intrepreted Turkey's policy of involvement in support of the rights and security of the Turkish-Muslim communities in the disintegrated Yugoslavia as a policy of "Neo-Ottomanism", as trying to create a sphere of influence in the Balkans.

The traditional problems and the relatively "rigid" attitudes of the parties continued in the first years of 1990s. Just after the UN Convention of the Law of the Sea entered into force in 1995, Greece's declaration that she could extend her territoral waters beyond the 6 mile limit[12], and the subsequent declaration of the Turkish Grand National Assembly which was concerned by such an announcement, might have lead to the adoption of all kinds of measures, including military ones, by the Turkish government. All this showed that tensions were continuing.[13] In this period, both countries perceived each other as high priority threats [14].

The second half of the 1990s witnessed the events of the Kardak/Imia Rocks crisis, the S-300 missile crisis[15] and the Öcalan crisis. During the latter crisis, the process was tense enough to become a serious conflict, and for the first time since 1974 the risk of serious conflict was quite high between the armed forces of the two countries. Greece's support of Öcalan after being expelled from Syria induced Turkey to define Greece as a "rogue state" and to state that she might use the right of legitimate self-defense against Greece.[16] During the crisis in question, Turkey was able to prevent *de facto* violations by recourse to the threat of using force[17]. In all the three crises, the third party actors, especially the US, assumed a facilitating role in overcoming the crises.

[12] http://www.mfa.gr/www.mfa.gr/GoToPrintable.aspx?UICulture=en-US&GUID={296840E0-EA2F-466C-B01F-CFA6A5952F27}

[13] The paragraph of the decision which was intrepreted as *casus belli* is as follows:
"Turkish Grand National Assembly, while hoping that Greece would not decide to extend her territorial waters beyond 6 miles as to abolish the balance established by the Lausanne Treaty, in such a case in order to protect and conserve the vital interests of our country has decided that all authority is conferred to the government of the Turkish Republic, including the militarily required ones, and decided that this situation is to be announced to Greek and world public with friendly feelings.", at http://www.tbmm.gov.tr/develop/owa/Tutanak_B_SD.birlesim_baslangic?P4=692&P5=T&PAGE1=1&PAGE2=95.

[14] In The National Security Strategy, the existing problems with Greece and the Cyprus issue are listed as "external threat" and this situation did not change after the updating of the document in question. For example, in the 2005 version it is stated that "Turkey aims at enchancing its relations with Greece in peace" then it is suggested that "bilateral problems should not be permitted by Greece to bring to the European grounds" and "such problems should not be permitted to be perceived as a Turkey-EU problems". Also, it is said that the Aegean Sea is of vital importance for Turkey's security and economy and "Greece's initiaves of extending their territoral waters which is 6 miles is unacceptable. We have to protect our deterrence concerning the *casus belli* declaration. Greece must not be permitted to create *fait accomplies* in the islets and rocks in the Agean.", see, Balbay, Mustafa: "İşte Siyaset Belgesi", *Cumhuriyet*, 14 Kasım 2005 at http://www.kenthaber.com/Haber/guncel/Normal/iste-siyaset-belgesi/ec09d524-c863-43ca-a0f8-e71ce4ff1fc0

[15] See, Ayman, Gülden (2000): *Tırmandırma Siyasetine Bir Örnek: S-300 Krizi.* Ankara, Ankara Çalışmaları/Asam Yayınları.

[16] For details see, Aksu, Fuat (2008): *Türk Dış Politikasında Zorlayıcı Diplomasi,* İstanbul, Bağlam Yayınları.

[17] All three crises are the ones which were solved by Turkey applying the strategy of coercive diplomacy. For details see, Aksu (2008), *ibid.,* pp. 194-287.

3. Détente Period

The crises between 1995 and 1999 reminded the parties that an escalation might not always be prevented during the sudden outbreak of a crisis and these crises can easily develop into armed conflict. For this reason, the need for dialogue and confidence building measures arised, to refrain the parties from practices that would prepare the ground for escalation. Even though the "hawkish party" in Greece did not lend support for the policy of confidence building measures, after the 1988 Athens and İstanbul Declarations common ground was reached about joint measures with the Madrid Declaration of 1997. According to this declaration, Greece pledged not to create unilateral *de facto* situations, *fait acomplies* and in return Turkey pledged not to have recourse to the threat of the use of force.[18] After the Madrid Declaration, the emphasis on confidence building measures increased and the US and NATO tried to provide durability to these measures. Despite this, in the 1998-1999 period and in the process of Öcalan's capture the policy pursued by Greece overshadowed the confidence building measures. Fortunately, after a short period of time it was possible to develop a more comprehensive dialogue process.

Just after the Öcalan crisis, with the purge of the "hawkish" party in Greece, the Simitis Government was able to pursue a more flexible policy and the policy of reconciliation was accelerated by the appointment of George Papandreou as Minister of Foreign Affairs.[19]

After the Öcalan crisis and especially after the exchange of letters between İsmail Cem and George Papandreou the "moderate dialogue" process was reestablished. The "moderate dialogue", which started with Cem and Papandreou correspondence[20], tried to achieve cooperation by putting aside fundamental disputes. Thus, it was presupposed that political decision-makers could more easily find common ground. Subsequently, the dialogue base has been strengthened with the signing of a series of cooperation treaties[21]. The subsequent earthquakes of 17 August 1999 in Turkey and in Greece on 7-8 September 1999 brought to the fore humanitarian feelings between peoples and created a kind of empathy.[22] This empathy is called the "earthquake diplomacy" and was reflected in the political sphere.[23]

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[18] Cem, İsmail (2004): *Türkiye Avrupa, Avrasya,* Birinci Cilt, İstanbul, İstanbul Bilgi Üniversitesi Yayınları, pp. 88-96.

[19] In 1999, after PKK leader Abdullah Ocalan was captured after hiding in the Greek embassy in Kenya, the Foreign Minister Theodoros Pangalos, Minister of the Interior, Alekos Papadopoulos and the Minister of Public Order Filippos Petsalnikos had to resign because of their responsibility for the crisis.

[20] For letters see, at http://www.turkishgreek.org/mektupla.htm.

[21] See, Rumelili, Bahar: "Civil Society and the Europeanization of Greek–Turkish Cooperation", *South European Society & Politics,* Vol. 10, No. 1 (April 2005), pp. 45–56.

[22] Indeed there are many instances of solidarity between Turkish and Greek people in times of need. For instance, during the 1939 Erzincan Earthquake the people in Greece had sent a sum of 2 million Drahmis of aid collected to the earthquake victims in Turkey. Similarly, it is known that Turkey had sent aid relief to the starving people in German occupied Greece during the Second World War by the ship named Kurtuluş. On this topic, see, Macar, Elçin (2009): *İşte Geliyor Kurtuluş - Türkiye'nin 2. Dünya Savaşı'nda Yunanistan'a Yardımları 1940- 1942,* İzmir, İZTO Yayınları.

[23] On this topic see, Kubicek, Paul: "The Earthquake, Europe, and Prospects for Political Change in Turkey", *Middle East Review of International Affairs,* Vol. 5, No. 2 (Summer 2001).
Kubicek, Paul: "The Earthquake, Civil Society, and Political Change in Turkey: Assessment and Comparison with Eastern Europe", *Political Studies,* Vol. 50, No. 4, pp. 761 – 778.

Within this "positive" atmosphere, when the EU conferred candidate status on Turkey in the 1999 Helsinki Summit, Greece did not oppose Turkey's candidacy.

The conferring of candidate status on Turkey at the Helsinki Summit was a preferable option for both Turkey and Greece, and for the EU. The interests and expectations of the concerned parties converged in the recognition of membership status. In this regard, the Cyprus issue was also included within European mechanisms.[24] At this point, the EU appeared as an influential actor in softening the disputes[25]. The EU with this new role tried to balance the expectations of the parties and to erode the points of disagreement. However, the process showed that the EU had no capability for fulfilling this role. Even though no serious crisis which might increase the risk of armed conflict between Turkey and Greece had been experienced since 1999, a dialogue process was on track under the name of "exploratory negotiations"[26]. The decision-makers of both countries took good care not to use the Turkish-Greek disagreements for spurious interests. The dialogue continued between the two countries with official visits and economic cooperation, in which they tried to increase joint investment.

In general I can say that, with the entry into force of the confidence building measures and détente, a new process started in which the parties learned to live with the disputes between them.[27] "Securitized" issues within the framework of previous threat perceptions were not taken directly to a level of sensationalism, and thus the poisoning of relations was prevented. Both parties in the détente process found it appropriate for their national interests not to escalate sensitivities by mentioning fundamental problems, because the time and the background permitted such an approach.

4. The Period of Evolving Détente

Decision-makers in Turkey accepted the inclusion of traditional Turkish-Greek disputes into the EU framework, starting from the recognition of Turkey's candidate status at the 1999 Helsinki Summit, and thus they started the technical negotiations for handling disputes between Turkey and Greece, primarily on the Cyprus issue. The parties negotiated the bilateral problems maintaining the official views of the parties in the so-called "exploratory meetings", even though they were not binding. What was most relevant, EU membership, Turkish-Greek disputes and the voluntary acceptance of the conditionality of the permanent solution to the Cyprus question, were presented to public opinion as issues that could now be solved. In the beginning, the belief that Turkish-Greek disputes might be solved, presenting as

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Keridis, Dimitris: "Earthquakes, Diplomacy, and New Thinking in Foreign Policy", *World Affairs,* Vol. 30, No. 1 (2006), pp. 207-214.
Ker-Lindsay, James: "Greek-Turkish Rapprochement: the Impact of 'Disaster Diplomacy?", *Cambridge Review of International Affairs,* Vol. 14, No. 1 (2000), pp. 215-232.

[24] For a critical approach on the evaluation of the post-1999 Greek policy within the axis of "Europeanization" see, Tsardanidis, Charalambos and Stavridis, Stelios: "The Europeanisation of Greek Foreign Policy: a Critical Appraisal", *European Integration,* Vol. 27, No. 2 (June 2005), pp. 217–239.

[25] For details, see, Aksu, Fuat: "Ege ve Kıbrıs Sorunlarının Çözümünde Avrupa Birliği'nin Tutumu", *Stratejik Araştırmalar Dergisi,* Vol. 2, No. 3 (Şubat 2004), pp. 103-132.

[26] In fact, small crises were witnessed in relations, however, these were able to be evaded with common sense. On 23 May 2006, during a "dog fight", Turkish and Greek planes had crashed, the Greek pilot lost his life and the Turkish pilot was wounded. For details see, Baykuş, Osman ve Savaş, Yüksel: "Ege'de Uçaklar Çarpıştı", *NTVMSNBC,* at http://arsiv.ntvmsnbc.com/news/374220.asp.

[27] For details see; at http://www.mfa.gov.tr/data/DISPOLITIKA/Bolgeler/Yunanistan_Guven_artirici_onlemler.pdf.

an example the historical antagonism between Germany and France, if Turkey was accepted into the EU, provided significant support in the negotiations. However, this support was increasingly diminished in the course of the following years.

If we examine the expressions contained in the Negotiating Framework, it appears that it was impossible for Turkey to accept a relationship based on conditionality in advance. Indeed, the "historical" process starting from the acceptance of the Full Membership Negotiation Document manifest how difficult the change was in many respects.[28] This process of limited change reflects at the same time the credibility dilemma of the parties concerned. The contradictions between the words and actions of the parties were so deep that it induced notable pessimism even in those who supported membership.

The dominant opinion was that if a just and lasting solution could be found between the Turkish Cypriot and Greek Cypriot communities within the framework of the Annan Plan, Turkey's EU membership could also be carried out in the positive atmosphere of this solution. However, the EU's declaration in 2003, stating that they would welcome the "Republic of Cyprus" to the EU even without a solution to the problem, and subsequently the collapse of the Annan Plan, caused new problems with both the Cyprus issue and in Turkey–EU relations. In that process, all the efforts of the Turkish party focused on breaking the image of Turkey as the "aggrieved party" and concrete policy changes were made in that respect.[29] In general terms, it can be said that these efforts were succesful. The Turkish government found the opportunity to present itself as the "aggrieved party" both in the international and national sphere punished by the fact that it desires reunification and agreement, with the Greek rejection of the Annan Plan and the failure of the UN Secretary General mediation efforts. After Turkey's proposals[30] concerning the lifting of the isolation measures and restrictions, which were mutually applied on 30 May 2005, an Action Plan in 24 January 2006[31] proposed the simultaneous lifting of all the restrictions in Cyprus and a call was made to the UN Secretary General.

It may be asked if the European Union really welcomed Turkey as a full member or if it supported Turkey as a means to facilitate Turkey's adaptation process. On the other hand, it is a fact that Turkey's fundamental policy concerning full membership had many deficiencies. On the other hand, Turkey seems to have been slack regarding the reforms which she "had" to carry out, stemming from the EU's fundamental values. The point should be made that it is not a question of the Turkish acceptance of every grievance and deficiency which the EU expresses in progress reports and in the solutions favoured by the EU. The non-negotiable topics concerning Turkey's fundamental sensitivities and priorities were excluded. On the other hand, many regulations to be made concerning economic, commercial, fiscal, legal, etc., areas were either never realized or stayed on paper. This situation brings both parties against each other in terms of credibility. While the EU starts to display a rigid attitude in the

[28] On this topic see, Aksu, Fuat: "Türkiye-Avrupa Birliği Tam Üyelik Müzakerelerinde Kıbrıs ve Ege Uyuşmazlıkları", in Erol, Mehmet Seyfettin ve Efegil, Ertan (eds.) (2007): *Türkiye-AB İlişkileri: Dış Politika ve İç Yapı Sorunsalları,* Ankara, Alp Yayınları, pp. 25-59.

[29] For instance she supported the opening of the border gates to passage in Cyprus and showed that she was in favor of a reconciliation by applying the ECHR decisions in the Loizidou and Arsenis cases, even though they was against Turkey. Similarly, changes were made in areas where the grievances of non-Muslim minorities were intensified within the framework of the adjustment laws and there was a strong attempt to abolish obstacles facing the community foundations in terms of acquiring property.

[30] For details see; at http://www.mfa.gov.tr/kibris_taki-kisitlamalarin-kaldirilmasi-onerisi-hakkinda-sayin-bakanimizin-aciklamasi_-30-mayis-2005.tr.mfa.

[31] For details of the "Action Plan on Lifting of Restrictiıons in Cyprus", at http://www.mfa.gov.tr/data/DISPOLITIKA/KIBRIS/S-2006-48-%C4%B0ngilizce.pdf .

negotiations by arguing that Turkey is not willing and determined in applying the necessary reforms, Turkey thinks that the EU is indeed unwilling to welcome Turkey by continously delaying her membership and by demanding impossible things. In other words, it seems that the normalization of Turkey-Greece relations and the solution of the disputes are not now high priority in the EU [32].

Although both parties are right about points in this debate, it is Turkey's "securitized" issues which endanger the process and question the EU's credibility. Expectations of change in Turkish decision-makers on topics concerning the unity and integrity of the state, its secular democratic structure and its sovereign rights produced a non-desired effect: these decision-makers stuck to defensive policies. In this case, they acted by doing a cost/benefit analysis of EU membership and taking into consideration its possible delegitimization before national public opinion. Some of the changes that were demanded by the EU from Turkey are issues securitized by Turkey, like the rights and status of minorities, border disputes and relations with neighbours.[33] Turkey does not wish for any link to be drawn between these issues and Turkey's EU membership and does not accept that they can be presented as a condition. The things demanded from Turkey in relations with the EU are very real and could produce a deep impact on the policies pursued by Turkey for many years. For instance, Turkey resists "solutions" which will alter the "Lausanne Balance" between Turkey and Greece in favour of Greece. She only suppports peaceful solutions and negotiations permitted by international law in order to relieve the existing disputes. However, it is hard to claim that this policy is accepted. Greece suggests going directly to the International Court of Justice rather than a negotiation of these litigations, and not on all of the questions but only on the issue of the continental shelf[34]. The EU, in the process of Turkey's accession to the EU as a member took sides and demanded that Turkey adopt changes on these crucial issues, thus indicating that it regards the settlement of these issues as a precondition.

Another instance in the credibility dilemma concerns the Cyprus question. After the EU accepted the Greek Cypriot Administration as a full member of the EU by a political decision, using the name of the "Cyprus Republic", Turkey had to face some challenges and impasses. The first was how Turkey's membership process would be influenced by these

[32] For an evaluation in this respect see, Tsakonas, Panayotis J.: "How Can the European Union Transform the Greek-Turkish Conflict?", in Arvanitopoulos, C. (ed.) (2009): *Turkey's Accession to the European Union*, Berlin, Springer, pp. 117-119.

[33] Turkey officially only recognizes non-Muslims as a "minority" within the framework of the Lausanne Peace Treaty. However, in the progress reports demands are made concerning the evaluation of Alewites, Kurds and Roma with this status. While Turkey resisted on these points, starting with the beginning of the 2000s steps are being taken in areas like community foundations, property rights, where the grievances of non-Muslims are concentrated.

[34] It is possible to follow the fixity of the Greek position from the declarations of both the Karamanlis period and the Papandreu period. For instance, against the January 2008 declaration of Karamanlis during his visit to Turkey about the continuation of their position of appealing to the International Court of Justice for the Aegean Sea continental shelf, Prime Minister Erdoğan stated that the aim is to reach a comprehensive and inclusive solution. Similarly, the answer given to Prime Minister Erdoğan's letter of 30 October 2009, sent to Prime Minister Papandreou, clearly emphasizes that the continental shelf issue should be brought to the International Court of Justice. For the news in this regard see; "Ege Denizi, Barış Denizi Olmalı", *CNN TÜRK,* at http://www.cnnturk.com/2008/turkiye/01/23/ege.denizi.baris.denizi.olmali/420308.0/index.html.
"Eski Talepleri Masaya Koydu", *Milliyet*, 24 Ocak 2008, at http://www.milliyet.com.tr/Siyaset/HaberDetay.aspx?aType=HaberDetayArsiv&KategoriID=4&ArticleID=235494.
Kırbaki, Yorgo: "Ankara-Atina Hattında Yeni Dönemin Şifreleri", *Hürriyet*, 27 Ocak 2010, at http://arama.hurriyet.com.tr/arsivnews.aspx?id=13597636.
"Papandreou Seeks Dialogue with Erdogan", *Ekathimerini*, January 26, 2010, at http://www.ekathimerini.com/4dcgi/_w_articles_politics_0_26/01/2010_114360.

developments, and the second was what the future of the Turkish Republic of Northern Cyprus would be. Because of the 24 April 2004 referendum, the Turkish Cypriot Community had accepted the solution proposed by the Annan Plan despite all its deficiencies, while the Greek Cypriot Community rejected the Plan. The Greek Cypriot Administration was accepted in the EU as a full member together with nine other candidates since the refusal of the "imposed" solution of the Annan Plan was not regarded as a pre-condition for accession to EU membership. This circumstance undermined the faith in, and the plans for, the realization of the Island's EU membership under a single political identity, and reinforced the perception that the EU had become a third party in the negotiation. The result was clear: a *de facto* bi-zonality of the Island was deepened with the rejection of the Annan Plan and the full member acceptance of the Greek Cypriot Administration to the EU. It apprears so in the EU documents: "the application of the acquis communitaire is suspended in the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control." However, the EU has tried to ease the feeling of exclusion in the Turkish Cypriot Community to an extent and has adopted, on 27 February 2006, the 389/2006 Council Regulation to encourage economic development and the improvement of relations with the EU. According to this regulation, "the granting of such assistance shall not imply recognition of any public authority in the areas other than the Government of the Republic of Cyprus." Indeed this expression directly reflects the EU's outlook on the Cyprus issue and the Turkish Cypriot Community and refers to an idea which disregards the political-legal equality of the Cyprus Turkish community.

4. 1. Turkish-Greek Relations and Cyprus within the Framework of EU Obligations

For the 10 new members, which joined the Union on 1 May 2004 to benefit from the rights provided by the Ankara Treaty, a new protocol had to be accepted between Turkey and the EU. However, the implications of this protocol in the Turkish recognition of the Greek Cypriot Administration as "The Republic of Cyprus" created a new debate. The emergence of this issue as a new obstacle in Turkey's membership process strained the agenda. Nonetheless, Turkey informed the Council that it was ready to extend the Ankara Treaty to include the new members, adding a protocol to be prepared. However it opposed the inclusion of an expression which would mean the recognition of the Greek Cypriot Administration.

On the other hand, the decision to start the process of negotiation, dated 3 October 2005, forms a landmark in terms of Turkey-EU relations. Within the framework of the bargainings for starting the negotiations Turkey had to extend her obligations concerning the Customs Union in order to include the countries of the fifth expansion.

In addition, the ordinary practice of publishing the name of the new member created problems. The problem was overcome technically, with the inclusion of a word that does not reflect the connection between the Greek Cypriot Administration and the Republic of Cyprus, which was established with the 1960 Treaties. In the decision published in the Official Gazette the term "Cyprus" is used in place of "Republic of Cyprus"[35]. But, in order to overcome the political-legal questions of EU-Turkey relations an extension in an additional protocol was required. The preparation of such an additional protocol caused some apprehension that Turkey would deem the Greek Cypriot Administration as the "only

[35] "Türkiye ile Avrupa Topluluğu Arasında Oluşturulan Gümrük Birliğinin Uygulanmasına İlişkin Esaslar Hakkında Kararda Değişiklik Yapılmasına Dair Karar", at http://rega.basbakanlik.gov.tr/Eskiler/2004/10/20041002.htm#2.

legitimate representative" and recognize it with this title. At the 16-17 December 2004 EU Brussels Summit, Turkey declared that it would sign the Adaptation Protocol which extends the 1963 Ankara Treaty to all EU members after the completion of the necessary negotiations and before the date of 3 October 2005. In the additional protocol the Greek Cypriot Administration was referred to as the "Republic of Cyprus", and Turkey added an explanatory declaration to the Additional Protocol as a remedy to relieve the apprehensions of a recognition. Indeed, Turkey ratified the protocol as a result of the negotiations she conducted with the British EU Presidency and in the ratification emphasized that "The Republic of Cyprus referred to in the protocol is not the original partnership State established in 1960" and thus declared that the ratification would not mean the recognition of the Greek Cypriot Adminstration. Also it was declared that even if Turkey is a party to the protocol, it "did not prejudice Turkey's rights and obligations emanating from the Treaty of Guarantee, the Treaty of Alliance, and the Treaty of Establishment of 1960…would not change the existing relations with the Turkish Republic of Northern Cyprus."[36]

As is understood from the declaration, Turkey's strategy for overcoming the obstacles which would interrupt the negotiation process was established on a *de facto* dimension of recognition. But the risk created by this declaration is a debatable issue. If it can be regarded by every party as implicitly agreed on as a *de facto* recognition, whether it would cause a *de jure* recognition can be debated both at national level and in EU circles. Turkey with a declaration expressed that she would only be forced to establish a relation with the Greek Cypriot Administration in the free movement of goods domain, within the framework of Customs Union, while she would not be forced to use air and seaports. However, this situation is also debatable. As is well known, the essence of the Customs Union is the free movement of goods among members. Together with this, at the Copenhagen Summit on 12-13 December 2002, the decision was taken on the "enhancing and developing" of the Customs Union. After Turkey's declaration added to the Additional Protocol, the EU also accepted a declaration on 21 September.[37] Subsequently, the European Parliament decided in September 2005 to delay the vote concerning the validity of the protocol. [38]

In the 2006 Turkey Progress Report, Turkey's declaration of support for the efforts to find a solution within the UN framework was considered positive. Meanwhile, it was mentioned that Turkey continued its policy of discrimination toward Cyprus while fulfilling the obligations stemming from the Additional Protocol. According to the report, "Turkey has continued to deny access to its ports to vessels flying the Republic of Cyprus flag or where the last port of call is in Cyprus. Such restrictions on shipping often preclude the most economical way of transport and therefore result in a barrier to free movement of goods and to trade. They infringe the Customs Union agreement. Similar restrictions continued to apply in the field of air transport." [39] In addition, it says that Turkey stated that she would not change her policy unless restrictions against the Turkish Cypriot community were lifted. European representatives continually reiterate that applying the Additional Protocol without discrimination is a must. Concerning relations with Greece, while the confidence building measures were welcomed during this period the obligations in the Negotiation Framework and Accession Partnership Document were also mentioned.

[36] For the Additional Protocol and Declaration see; http://www.mfa.gov.tr/ek-protokol-ve-deklarasyon-metni.tr.mfa.
[37] For the Additional Protocol and Declaration text see; http://www.mfa.gov.tr/ek-protokol-ve-deklarasyon-metni.tr.mfa.
[38] "Enlargement: Turkey - Declaration by the European Community and its Member States", at http://ue.eu.int/ueDocs/newsWord/en/er/86299.doc.
[39] Turkey 2005 Progress Report, at http://www.ikv.org.tr/pdfs/IlerlemeRaporu-2005-2.pdf.

In the 2006 Enlargement Strategy Document, it states that, "Reaching a comprehensive solution in Cyprus and the unification of the island constitutes an important test". Concerning Turkey the document states: "The Accession Partnership Document which is accepted in January 2006 continues to be a measure of developments provided by the reforms" and after this statement it mentions that "good neighbourliness" relations between Turkey and the EU are of key importance, confirming that "The Commision will intensify its watch on political criteria". [40]

In this document, the fact that the Additional Protocol is expected to be applied without discrimination, and that all the obstacles against the free circulation of goods including the vehicles of transportation are to be lifted, and that a lack of fulfillment would influence the general course of the negotiations, is emphasized. According to the 2007 Turkey Progress Report, if Turkey does not fulfill her obligations "The Commision will make suggestions related to the issue prior to the EU summit in December", when Turkey's attitude concerning the Cyprus problem will be evaluated once the Negotiating Framework was accepted. It stated that Turkey continued to have a rigid attitude, especially in the application of the Additional Protocol, and the Council added in December 2006 that, "Following Turkey's non-fulfilment of its obligation of full and non-discriminatory implementation of the Additional Protocol to the Association Agreement, in December 2006 the Council decided that accession negotiations will not be opened on eight chapters relevant to Turkey's restrictions regarding the Republic of Cyprus and that no chapter will be provisionally closed until the Commission confirms that Turkey has fulfilled its commitments". The Council "…also decided to review progress made on the issues covered by the declaration of 21 September 2005 and invited the Commission to report on this in its annual reports, in particular in 2007, 2008 and 2009."[41]

In the following period, Turkey did not record any progress in the application of the Additional Protocol and continued its obstruction of the Greek Cypriot Administration's participation in international organizations. In this context, Turkey continued to veto Cyprus to stop it becoming a party to the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual Use Goods and Technologies. In January, Turkey protested over the treaty agreed between the Cyprus Republic and Lebanon concerning the limitation of an exclusive economic zone for drilling oil and claimed that this treaty was not compatible with the clauses of the 1960 Treaty of Guarantee and with the principles of international law concerning maritime borders. Turkey thus questioned the right of the Cyprus Republic to agree such treaties. In addition, in March Turkey protested about the defense cooperation agreement between France and the Cyprus Republic because it was in violation of the 1960 Treaty of Guarantee.

In the Expansion Strategy Document prepared for 2007, the importance of developing Turkey-EU relations was emphasized and the uniqueness of Turkey's accession to the EU was underlined. Accordingly, "The common objective of the negotiations is accession as it is accepted by the October 2005 Summit by all Member States. The negotiations with Turkey is an open ended process whose result would not be guarenteed in advance" According to this document, the "good neighbourliness" relations continue to be a key to Turkey-EU relations and in the process of full membership. [42]

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[40] Turkey 2006 Progress Report, at http://www.mfa.gov.tr/data/AB/Ilerlemeraporu_en_8Kasim2006.pdf.
[41] *Ibid*.
[42] Turkey 2007 Progress Report, at http://www.mfa.gov.tr/data/AB/2007IlerlemeRaporu_ing.pdf.

In the 2008 progress report, similar expressions are included, and it states that since the time lapsed from the Council decison of 2006 Turkey has not recorded any progress concerning the application of the Additional Protocol.[43] Similarly, it mentions that exploratory negotiations have been continuing between Turkey and Greece concerning border disputes and the dialogue process is welcomed. However, after mentioning that while the *"casus belli"* decision of the Turkish Grand National Assembly of 1995 is still valid, it states that Turkey's commitment to the peaceful solution of disputes and good neighbourly relations harmonious with the UN Charter, and the jurisdiction of the International Court of Justice, is required. Refraining from actions or threats that would jeopardise the peaceful solution to disputes and good neighbourly relations is suggested.

5. Is it Possible to Move from Détente to Problem Solving?

During the détente period, 33 agreements were signed between the two countries and 24 Confidence Building Measures have been agreed on since 2000. This common consensus that facilitates relations based on trust may also ease the development of political and economic relations between two countries. Indeed, Prime Minister Erdoğan stated that they wished for cooperation between the two countries during his official visit to Greece on 6-8 May 2004. Prime Minister Erdoğan and Prime Minister Karamanlis displayed their determination on 18 November 2007 by meeting at a ceremony in İpsala, organized for the opening of the Turkey-Greece natural gas pipeline, whose foundation was laid on 3 July 2005. Later, on 23-26 January 2008, Prime Minister of Greece Karamanlis made an official visit to Turkey. Both prime ministers after these meetings have expressed their resolve in developing bilateral relations.[44] In addition, military cooperation and visits have continued. The third joint exercise between the military disaster response units was conducted in May in Athens, and the Greek Chief of General Staff paid an official visit to Turkey in May 2008.

After the elections of 2009, the PASOK party led by George Papandreou came to power. Once the government was established, Papandreou paid an official visit to Turkey, increasing hopes that bilateral relations would be improved even more. Indeed, in the letter sent by Prime Minister Erdoğan to Greece Prime Minister Papandreou this wish of cooperation was repeated, with the hope of finding a lasting solution to bilateral problems. [45]

On the other hand, the year 2010 has signs of becoming a turning point in relations, which are trying to be pursued. Activities are supported in the areas where cooperation might be developed, for instance between NGOs, businessmen, chambers of commerce, business associations, local administrations, media and universities; even though it does not express a sharp turn around or break-out. Despite this, the priorities of both sides are changing. It can be observed that the cadres of Turkey, Greece, Greek Cypriot and Turkish Cypriot sides, which are expected to solve existing questions with a just and lasting solution, are struggling with serious questions domestically. Naturally, this situation might hinder the efforts for a lasting solution to the disagreements. In Turkey this is a chaotic period in domestic politics, besides the contention of civil politicians the military-civilian contentions are harming confidence in

[43] See European Union Strategy Paper, at http://www.mfa.gov.tr/data/AB/2007StrategyPaper_EN.doc.
[44] Turkey 2008 Proggress Report, at http://www.mfa.gov.tr/data/AB/2008-ab-ilerleme-raporu.pdf.
[45] For news concerning the visits see, "2008-01-23 Yunanistan Başbakanı Karamanlis'in Türkiye Ziyareti – Derleme", at http://www.abgs.gov.tr/index.php?p=41279&l=1.
Prime Minister Karamanlis's visit is also important in the sense that it was the first official visit by a Prime Minister of Greece in 49 years.

the institutions. When the post 2002 elections period is evaluated as a whole, the AKP/JDP (Adalet ve Kalkınma Partisi / Justice and Development Party) governments have been losing support for many of the main problems, which constitute the foreign policy agenda. They have been unable to accomplish concrete successes either in domestic or foreign policy. The policies pursued in terms of relations with the US, the Kurdish Question, EU membership, relations with Armenia are left without any concrete success and they haven't been able to improve Turkey's image abroad. The policy of "zero problem with neighbours", even though gratifying as an expression, has not had an impact, let alone even partially changing the image of the "intransigent party" attributed to Turkey.[46] The initiatives for developing the zones of economic cooperation and regional energy traffic are on track for now despite the problems.

On the other hand, it is possible to hear declarations that the foreign policy pursued is not adequately recognized. For instance, Egemen Bağış, who is Minister of EU Affairs and the Chief Negotiator, said that "the EU process is an important process for Turkey but not as important as to sacrifice Cyprus" [47]and Prime Minister Erdoğan harshly criticised the European Parliament's decision about Cyprus in the meeting with the ambassadors of the EU countries. Erdoğan, mentioning the consequences of the Annan Plan, said "while 65% 'yes' vote is recorded in Northern Cyprus, 75% 'no' is recorded in Southern Cyprus. How come that Turkey and Turkish Cypriots are regarded as faulty? Is this European Parliament blind? […] This approach, which is away from all kinds of feelings of justice, has, with the slightest expression, led to great disappointment. The European Parliament's function should not be to act as a spokesperson for the Greek Cypriot side and meet all their groundless claims and demands." [48]

In Greece, first the Simitis Government and later the Karamanlis Government preferred to pursue a policy shaped by Turkey's moves in its relations with the EU in favour of an open policy which could make concrete progress in relations. Thus, both the Simitis and Karamanlis Governments are relieved of dealing directly with Turkey and tried to influence Turkey's policy within the axis of the relationship of conditionality. In this respect, both governments give priority to the Cyprus issue instead of to the Turkish-Greek disputes. When evaluated with respect to the terms of 1999-2004, the EU membership of the Greek Cypriots provided a similar approach. The Turkish Cypriots were left outside the EU umbrella in the axis of the negotiations conducted between Turkey and the EU. In the following period, the economic problems that the Papandreou Government had to address after assuming power put it in a difficult position and a more active foreign policy could not be pursued. In this process the Papandreou Government's economic and political agenda (both in the sense of Greece and the EU) prevent the possibility of solving the problems with Turkey in a lasting manner.

Similar problems also exist for the parties in Cyprus. In the Turkish Cypriot party, during the 2003-2004 process, the exclusion of President Rauf Denktaş from the negotiation and decision-making process, and subsequently the election of Mehmet Ali Talat as President, did not allow progress in those years. The Annan Plan was submitted to referendum in 2004 and the Turkish Cypriot community approved the Plan with 65% in favour while the Greek Cypriots refused the Plan with 75% against. This situation created disappointment in the AKP Government and in the leadership of the Turkish Cypriots who were in favour of accepting

[46] For the press declaration in this respect see; at http://www.basbakanlik.gov.tr/Forms/pDetay.aspx.
[47] For details see; "Egemen Bağış Kıbrıs ve AB'yi karşılaştırdı", *CNNTURK*, 8 Şubat 2010, at http://www.cnnturk.com/2010/dunya/02/08/egemen.bagis.kibris.ve.abyi.karsilastirdi/562891.0/index.html.
[48] For details see, "Erdoğan AB'ye seslendi: Gözleriniz kör mü?", *Cumhuriyet*, 11 Şubat 2010, at http://www.cumhuriyet.com.tr/?im=yhs&hn=114144. "Erdoğan lashes out at EU: Open your eyes on Cyprus", *Zaman*, 12 February, 2010, at http://www.todayszaman.com/tz-web/news-201317-erdogan-lashes-out-at-eu-open-your-eyes-on-cyprus.html.

the Plan despite its many deficiencies. The Turkish side, who hoped to find supporters in the EU and UN in return for supporting the Plan, and hoped that the restrictions would be lifted, was disappointed and moreover was unable to prevent the full membership of the Greek Cypriot Administration to the EU. It is legitimate to say that the Greek side was rewarded even as a party who, by rejecting the Annan Plan, blocked reconciliation.

In the following years, intense efforts to reach an agreement were made by President Talat and Greek Cypriot Presidents Tassos Papadapulos and Demetris Christofias. However, negotiations were not concluded during the course of 6 years. This situation has special importance since President Talat's tenure will end soon. The Prime Minister Derviş Eroğlu's declaration of the ruling UBP/NUP (Ulusal Birlik Partisi / National Unity Party) Government that he would be a candidate for Presidency made the fate of the current negotiations rather blurred. In the declarations made from the Greek Cypriot side they emphasized that they tried to help President Talat in the domestic realm, and that strengthens the opinion that no solution is possible in the short term. In addition, there are groups on the Greek Cypriot side who are rather disturbed by the negotiations conducted between Christofias and Talat. Even the coalition partner The Movement for Social Democracy-EDEK Party has withdrawn its support to the government on the grounds that Demetris Christofias "gave concessions to Turkish party in the unification negotiations"[49] In this context, it can be observed that the Greek Cypriot side has made declarations to endanger the negotiation process. The Greek Cypriot Parliament stated that the guarantees and rights of guarantor states were unacceptable in a "Cyprus Republic" who would be an EU member with a decision taken. [50] This decision has caused a Turkish reaction and it was stated that the ongoing negotiations would be endangered.[51] The Republican Parliament of the TRNC took a decision emphasizing the essentiality of the Guarantee and Alliance Treaties by evaluating the developments on the Greek Cypriot side.[52] Within the framework of the Turkish-Greek relations, it is not easy to find a solution to the existing problems. The détente process, which was initiated at the end of the 1990s was important in the sense that it showed that the two peoples can cohabitate side by side despite the problems. Foreign trade between the two countries is about 3 billion dollars on average in the last three years. [53] Even though a contraction in bilateral trade was observed in 2009 this could be deemed as normal taking into consideration the global crisis. The foreign trade figure of 2008 was 3.5 billion dollars. Comparing this figure with the figure of 700 million dollars in 1999, the economic progress in the last decade is obvious. On the other hand, while a Turkish bank (Finansbank) was sold to Greek businessmen in 2008 a Turkish bank (Ziraat Bankası) started to operate in Greece by opening branches in Athens and Komothini (Gümülcine). Nevertheless, the process is also difficult since new questions are being added to the existing ones. The emergence of the new questions besides the old ones creates a web of increasingly complicated problems. A Maritime jurisdiction dispute in the Eastern Mediterranean and the inclusion of the EUROCONTROL responsibility regions of

[49] For a different evaluation of this topic see, Hasgüler, Mehmet: "Nereye Kıbrıs Nereye? Kıbrıs Türk Halkı bu Oyuna Gelmez", *USAK Stratejik Gündem,* at http://www.usakgundem.com/yazar/1443/nereye-k%C4%B1br%C4%B1s-nereye-k%C4%B1br%C4%B1s-t%C3%BCrk-halk%C4%B1-bu-oyuna-gelmez.html.
[50] For details see, Bilge, Ömer: "Rum Meclisinden Garantörlüğe 'Hayır' Kararı", *CNN TÜRK,* at http://www.cnnturk.com/2010/dunya/02/19/rum.meclisinden.garantorluge.hayir.karari/564541.0/index.html. "House – No Guarantees", at http://www.cna.org.cy/website/english/announcedisplay2.asp?id=1.
[51] In the press statement of the National Security Council which met on 19 February 2010 the need for a just and lasting solution in the island is mentioned and "Turkey will continue to fulfill her responsibilities towards the Turkish Cypriots within the framework of Turkey's conventional rights and obligations concerning Cyprus" is emphasized. See, at http://mgk.gov.tr/Turkce/basinbildiri2010/19subat2010.html.
[52] "'Garantilerin Vazgeçilmezliği' KKTC'de Kabul Edildi", *Cumhuriyet*, 24 Şubat 2010, at http://cumhuriyet.com.tr/?hn=117370.
[53] http://www.tuik.gov.tr/VeriBilgi.do?tb_id=12&ust_id=4

the Mediterranean are among these and are prone to cause sovereignty disputes in relations with Greece and Cyprus.[54]

6. Conclusion

Security building measures, moderate dialogue, the détente and the anchor of the European Union are not by themselves adequate for the development of firm relations. Although these are positive efforts, for a permanent solution more advanced and determined steps to fundamental problems should be taken. Beyond creating a rapprochement/détente, the creation of "peaceful cohabitation" and an "integration culture" in Turkish-Greek relations, and providing its functionality, requires three fundamental phases. The first is creating the security building measures between the parties. The second phase is the implementation of confidence building measures, refraining the parties from any action which might cause an escalation that could endanger cooperation and mutual trust. The third phase is the direct negotiation phase in which the parties tackle the disputes in a compromise plan. The negotiation process, even though it is a phase where bilateral problems might be solved by the political will of the parties, creates other peaceful solution options for the parties. As frequently emphasized by Turkey, in the disputed areas where the parties could not reach a solution, the parties might appeal to judiciary methods like the International Court of Justice and arbitration courts if the parties agree about the existence of disputes. In the post-1999 process, even though progress has been recorded in the first two phases, the direct negotiations phase has still not been reached. For the time being, this phase is full of traps and the political decision-makers do not dare to take steps.

In solving the disputes it is possible to devise slightly different answers and proposals. In my opinion, the Lausanne Peace Treaty lies at the basis of the *status quo* and points of litigation. The Lausanne Peace Treaty is the fundamental legal document which establishes a balance and *status quo* concerning the rights and interests of the two countries. However, at present, some questions between the two countries are extant because the *status quo* established by the Treaty either hasn't been attained or has been directly violated.

To give an example, the ambiguities concerning the maritime borders of the Aegean Sea, which we experienced because of the Kardak/Imia Rocks, is such a question. Since Lausanne, the two countries have not mapped out the common maritime borders. Such a mapping-out (line of demarcation) was not carried out when 3 mile territorial waters were applied, and it was also not done in the regulations of 6 mile territorial waters applied by Greece in 1936 and by Turkey in 1964. In this process, both countries delineated the limits of their territorial waters on their own maps and in their own declarations. Thus appropriate grounds were created for the claims of disagreement and violations. Another parallel example might be the violations of rights and arguments regarding Turkish and Greek minorities. The articles of the Lausanne Treaty concerning minority issues are not fully observed and/or implemented. Instead, a 'confusion' policy was carried out, which led to an increase in the number of unfortunate incidents in both countries and such events were interpreted as violations of basic human rights. Another observation is that the Lausanne Peace Treaty does not contain any verdicts concerning the contemporary rights of sovereignty. For the time being, since new definitions of rights have emerged in international law, especially in

[54] These issues are dealt with in the 19 February 2010 statement of the NSC and their importance is underlined in terms of Turkey's rights and interests of sovereignty.See.; *ibid.*

maritime law, there is the necessity of concluding a new agreement between Turkey and Greece as the littoral states of the Aegean. The parties must reach an agreement on a new legal/political status concerning the continental shelf, exclusive economic zone, contiguous zone, etc.

A third observation is that the Aegean Sea is a unique example in terms of both geographical formations and the distribution of sovereignty. In this sea, the islands, which are situated more than three miles from the Anatolian coasts, are left to Greece. This fact does not automatically mean that all the islands, which are outside the realm of three miles, are left to Greece, because according to Turkey's opinion the islands transferred at Lausanne are listed by name. Those islands whose names are not listed belong to Turkey within the successor's principle. If expressed in a wide interpretation, according to the Lausanne Peace Treaty, the sovereignty of that kind of island would be decided later by negotiations among the parties. If we return to the original argument, the fact that the Aegean constitutes a unique case makes it difficult to reach an equitable solution in the distribution of jurisdiction and sovereignty in that sea. For instance, if the territorial waters were extended beyond 6 miles, Turkey would suffer irretrievable loss of rights.

A fourth observation is about the asymmetrical power balance between Turkey and Greece. The mentioned power balance is not the military balance of power per se, but the balance of power concerning economic and political capability and strategy forming. Although Turkish superiority could be stated in terms of military power, it can be said that Greece is, relatively, more favoured than Turkey in terms of economic capacity, flexibility in forming political alliances and talent in developing strategy. For instance, the active use of the Greek Diaspora and lobbying, economic pressure and the manipulation of interest groups, and other features like full membership in the EU, can be listed in this regard.

As a result, despite the disagreements that have continued for years, since the 2000s an environment of consensus has been developed in bilateral relations. However, both the features of the disagreements and the national and international environment make it difficult to bring negotiations to a problem-solving phase. Nevertheless, for now the greatest accomplishment is that both parties regard dialogue instead of escalation in crises as the main axis of relations.