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REPORT

on Cyprus's application for membership of the European Union and the state
of the negotiations
(COM(1999) 502 – C5-0025/2000 – 1997/2171(COS))

Committee on Foreign Affairs, Human Rights, Common Security and
Defence Policy

Rapporteur: Jacques F. Poos

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PROCEDURAL PAGE

By letter of 20 October 1999, the Commission forwarded to Parliament its regular report on Cyprus' progress towards accession (COM(1999) 502 – 1997/2171(COS)).

At the sitting of 21 January 2000 the President of Parliament announced that she had referred the regular report to the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy as the committee responsible (C5-0025/2000).

The Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy had appointed Jacques F. Poos rapporteur at its meeting of 23 September 1999.

The committee considered the Commission regular report and the draft report at its meetings of 10 July and 13/14 September 2000.

At the latter meeting it adopted the motion for a resolution unanimously.

The following were present for the vote: Elmar Brok, chairman; Baroness Nicholson of Winterbourne, William Francis Newton Dunn and Catherine Lalumière, vice-chairmen; Jacques F. Poos, rapporteur; Bastiaan Belder, Andre Brie, Gunilla Carlsson, Maria Carrilho (for Rosa M. Díez González), Michael Cashman (for Linda McAvan), Daniel Marc Cohn-Bendit, Paul Couteaux (for Cristiana Muscardini), John Walls Cushnahan, Andrew Nicholas Duff (for Bertel Haarder), Monica Frassoni (for Per Gahrton), Michael Gahler, Cristina García-Orcoyen Tormo (for Gerardo Galeote Quecedo), Jas Gawronski, Alfred Gomolka, Jan Joost Lagendijk, Alain Lamassoure, Cecilia Malmström (for Francesco Rutelli), Emilio Menéndez del Valle, Philippe Morillon, Raimon Obiols i Germa, Arie M. Oostlander, Luís Queiró, Mechtild Rothe (for Ioannis Souladakis), Lennart Sacrédeus (for Lord Bethell), Jannis Sakellariou, José Ignacio Salafranca Sánchez-Neyra, Jürgen Schröder, Elisabeth Schroedter, Ursula Stenzel, Ilkka Suominen (for Jacques Santer), Hannes Swoboda, Freddy Thielemans, Johan Van Hecke, Geoffrey Van Orden, Paavo Väyrynen, Demetrio Volcic (for Gary Titley), Jan Marinus Wiersma, Matti Wuori, Christos Zacharakis, Elisabeth Jeggle (for Silvio Berlusconi pursuant to Rule 153(2)), Minerva Melpomeni Malliori (for Alexandros Baltas pursuant to Rule 153(2)) and Joke Swiebel (for Pasqualina Napoletano pursuant to Rule 153(2)).

The report was tabled on 19 September 2000.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

MOTION FOR A RESOLUTION

European Parliament resolution on Cyprus's application for membership of the European Union and the state of the negotiations (COM(1999) 502 – C5-0025/2000 – 1997/2171(COS))

The European Parliament,

- having regard to Cyprus's application for membership of the European Union, submitted on 3 July 1990 pursuant to Article 49 of the Treaty on European Union,
 - having regard to the opinion of the Commission on this application (COM(1993) 313 - C4-0583/1997),
 - having regard to the Council of Ministers decision of 6 March 1995, confirmed by the European Council in Helsinki,
 - having regard to the first regular report from the Commission, issued on 17 December 1998, on Cyprus's progress towards accession (COM(1998) 710 – C4-0108/1999) and Parliament's resolution of 15 April 1999 on the same subject,¹
 - having regard to the second regular report from the Commission, issued on 13 October 1999, on Cyprus's progress towards accession (COM(1999) 502 – C5-0025/2000),
 - having regard to the decisions of the Copenhagen (21-22 June 1993), Florence (21-22 June 1996), Luxembourg (12-13 December 1997), and Helsinki (10-11 December 1999) European Councils,
 - having regard to the accession negotiations with the Republic of Cyprus, which opened on 31 March 1998,
 - having regard to Council Regulation (EC) No 555/2000 of 13 March 2000 on the implementation of operations in the framework of the pre-accession strategy for the Republic of Cyprus and the Republic of Malta² and to the Accession Partnership with the Republic of Cyprus, endorsed by the Council on 20 March 2000,³
 - having regard to Rule 47(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (A5-0249/2000),
- A. whereas the Republic of Cyprus, hereinafter referred to as 'Cyprus', the only State entitled to represent the island as a whole, has made considerable economic and political advances even though the richest part of its territory has been occupied for 26 years by

¹ OJ C 219, 30.7.1999, p. 448.

² OJ L 68, 16.3.2000, p. 3.

³ OJ L 78, 29.3.2000, p. 10.

Turkey, a country associated with the Union to which, notwithstanding the above, applicant country status has just been accorded,

- B. whereas Cyprus fully satisfies the Copenhagen political and economic criteria, as can be seen from the rapid progress of the accession negotiations,
- C. whereas Cyprus can consequently expect to join the Union at an early stage and whereas any objection to its accession on account of the particular circumstances obtaining on the island would be both politically and morally untenable,
- D. expressing the hope that the outcome of the UN-sponsored negotiations will be such as to ensure that the Greek and Turkish Cypriot populations can together reap the benefits of accession,
- E. whereas the Union should become more actively involved to help bring about a negotiated settlement to end the partition of the island in accordance with the relevant UN Security Council resolutions,
- F. whereas Cyprus will have a significant contribution to make to the CFSP,
 - 1. Welcomes the progress made by Cyprus towards accession and urges the legal authorities of Cyprus to continue their efforts fully to incorporate the *acquis communautaire* so as to conclude accession negotiations as swiftly as possible;
 - 2. Notes that, to date, 16 out of the 31 chapters have been completely dealt with and hopes that the accession negotiations will continue at the same intensive pace so as to enable Cyprus to join the Union once the outcome of the IGC now under way has been endorsed by the Union Member States;
 - 3. Welcomes the decisions taken by the European Council at Helsinki not to make a solution to the Cyprus question a precondition for accession; urges the Turkish Cypriots to join the delegation of the legal Government of Cyprus, unconditionally, in negotiating the accession of the island to the European Union, since the Turkish Cypriot community will be able to enjoy the benefits of membership once the political question of Cyprus is resolved;
 - 4. Deplores the lack of goodwill on the part of the Turkish Cypriot side and Turkey to make progress with the negotiations on the question of Cyprus towards a settlement on the basis of the relevant UN Security Council resolutions, and with the future constitutional arrangements;
 - 5. Deplores the action of the Turkish troops in Cyprus who, on the eve of a new round of proximity talks, have been redeployed, occupying a part of the buffer zone;
 - 6. Calls on the European Union, through its High Representative for the CFSP, to become more involved in the search for a solution to the Cypriot question and calls for the final political settlement to respect the *acquis communautaire*;

7. Notes that the Union is capable of making a vital contribution to the security of the Greek and Turkish Cypriot communities within the framework of a peace settlement and the demilitarisation of the island, that the Union can help resolve the problem of the controlled return of refugees and the repatriation of the settlers, and that it can make a dynamic contribution to the development of the northern part of Cyprus, once reunification has taken place;
8. Believes, in this respect, that bicommunal projects should be instituted and dialogue between the parties encouraged in a new framework of confidence-building measures;
9. Takes the view, finally, that the accession of Cyprus will strengthen the Union's influence in the eastern Mediterranean, thus making for greater security in that region;
8. Instructs its President to forward this resolution to the Council and Commission and the Government and Parliament of the Republic of Cyprus.

EXPLANATORY STATEMENT

I. CYPRUS'S APPLICATION FOR MEMBERSHIP

1. On 3 July 1990, the Government of the Republic of Cyprus – recognised by the Community and its Member States as the only legitimate government of the Cypriot people – submitted an application on behalf of the island as a whole to join the European Communities⁴. On 17 September 1990, the Council decided to initiate the procedures provided by the Treaties in response to an application for membership. On 30 June 1993, the Commission adopted its opinion⁵ on Cyprus's application for membership, acknowledging '*beyond all doubt, its European identity and character*' which '*confirm its vocation to belong to the Community*'. At the same time, the Commission indicated that '*a political settlement of the Cyprus question would serve only to reinforce this vocation and strengthen the ties which link Cyprus to Europe*'⁶.
2. On 6 March 1995, the 'General Affairs' Council, on approving the agreement for customs union with Turkey, declared that membership negotiations with Cyprus would commence six months after the end of the IGC, taking account of the outcome of that conference. This decision was confirmed by the European Council meeting in Florence (21-22 June 1996). In July 1997, the Council, referring to that decision, stated that negotiations for the accession of Cyprus would open at the beginning of 1998, even if there were no progress on the Cyprus question.
3. On 15 July 1997, the Commission, referring to the conclusions of the European Council in Madrid (15-16 December 1995), presented a document entitled 'Agenda 2000 - For a stronger and wider Union' (COM(1997) 2000) which brought together its opinions on the applicant countries, drawn up on the basis of the Copenhagen criteria, together with a pre-accession strategy designed to accompany the enlargement process. In its resolution of 4 December 1997 on that document, the European Parliament called on the '*Council and the Commission to do everything in their power to promote a peaceful solution to the Cyprus question, in accordance with the UN Resolutions without the accession negotiations being linked to a solution to the dispute*'⁷. Finally, Parliament called for the involvement of both communities in the enlargement process.
4. The European Council meeting in Luxembourg (12-13 December 1997) gave the go-ahead for negotiations with five countries of central and eastern Europe, and with Cyprus, expressing the following opinion: '*The accession of Cyprus should benefit all communities and help to bring about civil peace and reconciliation. The accession negotiations will contribute positively to the search for a political solution to the Cyprus problem through the talks under the aegis of the United Nations which must continue with a view to creating a bi-community, bi-zonal federation. In this context, the European Council requests that the willingness of the Government of Cyprus to include*

⁴ The European Union was established in 1992 by the Maastricht Treaty.

⁵ COM(1993) 313.

⁶ See paragraphs 44 and 45 of the opinion.

⁷ See paragraph 114 of the resolution.

representatives of the Turkish-Cypriot community in the accession negotiating delegation be acted upon'.

5. Negotiations for the accession of Cyprus opened on 31 March 1998. They have progressed swiftly, since 16 of the 29 chapters under negotiation have been provisionally closed at the time of drawing up this report, these being industrial policy, SMEs, science and research, education and training, culture and audio-visual policy, statistics, consumers and health protection, customs union, external relations, telecommunications and information technology, economic and monetary union, fisheries, social policy and employment, company law, the CFSP, and financial control.
6. On 17 December 1998, the Commission submitted its first regular report on Cyprus' progress towards accession (COM(1998) 710). The European Parliament gave its opinion on this report in a resolution dated 15 April 1999, expressing its regret at the *'difficulties, arising at present, with regard to the acquis communautaire in the whole of Cyprus, due to the continued occupation of a part of the island and the refusal of the Turkish Cypriot leadership to participate in the negotiations'*.
7. Finally, taking a further step, the European Council meeting in Helsinki (10-11 December 1999) decided that an actual solution to the Cyprus question would not constitute a *'precondition'* of its decision on the accession of Cyprus. Now that the ambiguity is ended, it is clear henceforth that Cyprus will never be held hostage by a third country, even if it is an applicant country. The improvement in Greek-Turkish relations has played an important role in the change of attitude of the European Council as a whole; in particular, Greece has lifted its opposition to the granting of appropriations relating to the EU-Turkey customs union, as well as its reservations concerning the recognition of Turkey as an applicant country. It is therefore all the more regrettable that, so far, the authorities in Ankara have not responded with a single positive signal in terms of their position on the accession of Cyprus.

II. APPRAISAL IN THE LIGHT OF THE COPENHAGEN POLITICAL CRITERIA

8. The Commission states, as in the previous regular report, that Cyprus possesses *'stable institutions guaranteeing democracy and the rule of law'*. The institutions of the State operate smoothly and separation of their powers is respected. The country has a law against corruption, active and passive, applicable to the public and the private sectors. There are not a great number of cases reported of corruption in the administration.
9. Cyprus respects human rights and fundamental freedoms, at least in the part controlled by the legal Government. The country has ratified most international legal instruments in the field of human rights, including those in the field of protection of and respect for minorities and combating racism. Following the regular report in 1998, Cyprus abolished the provisions in the criminal code concerning the death penalty and signed Protocol No 6 to the European Convention on Human Rights.
10. Freedom of movement between the two parts of the island is restricted because of the political situation but a 1997 agreement allows reciprocal visits to religious sites.

However, since December 1997, the authorities in the northern part of the island have prohibited most intercommunal contact. The Commission also points out that its own delegation has difficulty visiting the north of the island, which prevents it from carrying out fact-finding missions among Turkish Cypriot civil society.

III. APPRAISAL IN THE LIGHT OF THE COPENHAGEN ECONOMIC CRITERIA

11. The Commission notes that ‘*Cyprus is a functioning market economy*’ and that it should be able ‘*to cope with competitive pressure and market forces within the Union*’. This general positive confirmation means that it is unnecessary for your rapporteur to go into detail on each of the areas under negotiation. It will be possible therefore to single out certain aspects.
12. First of all, it should be noted that macro-economic developments are not satisfactory; the balance of payments deficit represents 7% of GDP and the public deficit has risen from 1% of GDP in 1975 to 5% in 1998, which is more than the 3% criterion set by the Maastricht Treaty for the single currency. Nevertheless, the situation can and must change between now and accession. It should be noted that the Cypriot pound has been linked to the euro since 1 January 1999. Its fluctuations (+/- 1%) remain within the permitted margin (+/- 2.25%). The country could therefore join the single currency on accession provided it meets the Maastricht criteria at that point.
13. The Commission notes in its regular report for 1999 that the move towards privatisation is not dynamic enough. It therefore regrets the fact that the Cyprus Tourist Development Agency has not been privatised. It also calls on the Government to reform the financial system and liberalise interest rates, which are currently subject to a ceiling.
14. As regards agriculture, the Commission notes that progress has been made to prepare for its integration into the common agricultural policy. Nevertheless, there is a need to create the appropriate administrative structures, especially in terms of strengthening border checks in the veterinary sector and the upgrading of slaughterhouses to EU standards.
15. Finally, it should be noted that 50% of Cyprus’s trade is with the European Union and that the island is a major transit centre for Russia and Bulgaria.

IV. INCORPORATION OF THE ACQUIS

16. The Commission notes in its regular report for 1999 that the incorporation of the *acquis* is proceeding too slowly in the economic sector. The same applies to justice and home affairs, where the Commission notes the lack of legislation on the right of asylum and shortcomings in regard to visas, for which the Schengen arrangements on visas should be adopted.
17. Cyprus has put in place the political and administrative structures necessary to facilitate the incorporation of the *acquis*. At government level, a ministerial committee for

European affairs has been set up, and at parliamentary level, an all-party committee which meets regularly with the head of the negotiating team, thus facilitating legislative work.

Finally, a general civil service training programme dealing with Union affairs has been operating since July 1996.

18. As regards the CFSP, Cyprus takes an active part in multilateral dialogue in this context and is regularly associated with the Union's positions and measures. Cyprus, for instance, supported the Union's common position on Kosovo, the ban on flights to the Federal Republic of Yugoslavia and the oil embargo against that State. Furthermore, accession to the CFSP played a significant role in the decision taken in December 1998 by the Cypriot Government to abandon the deployment on the island of S300 anti-aircraft missiles bought in Russia and to install them on Crete as part of the common defence area established with Greece. Cyprus continues to orient its foreign and security policy towards the Union, participates in Euro-Mediterranean dialogue and cooperates closely with its Mediterranean neighbours.

V. ACCESSION AS AN IMPETUS FOR A SETTLEMENT OF THE CYPRUS QUESTION

19. The Republic of Cyprus, an applicant country for accession, associated since 1972 with the Community, then the European Union, finds itself in the paradoxical situation of having more than one third of its territory occupied since 1974 by another associated country, Turkey. The Turkish intervention and occupation of almost 38% of Cypriot territory have been condemned by the UN Security Council⁸ and General Assembly, as has the self-proclamation in 1983 of a 'Turkish Republic of Northern Cyprus'⁹. All this, as well as the lack of progress on the Cyprus question, the Kurdish question, the violations of human rights or claims to the islands and the continental shelf of the Aegean, did not prevent the European Council meeting in Helsinki from conferring on Turkey the status of applicant country. However, there has been no fundamental change in the country's policy since the European Council meeting in Luxembourg.
20. The United Nations has been involved in the Cyprus crisis since the beginning in 1964 when it sent a peace-keeping force (UNFICYP) to the island. Undoubtedly, however, the two interventions by the Turkish army in 1974 (Operations Attila I and II) have complicated the search for a political solution, which is based on the principle of establishing a bi-zonal and bi-communal federation as set out in the Denktash-Makarios (1977) and Denktash-Kyprianou (1979) agreements. The subsequent stages in the search for a settlement were the 'draft agreement on Cyprus' (1986), drawn up under the aegis of the UN Secretary-General, Mr Perez de Cuellar, then the 1992 'set of ideas' proposed by Mr Boutros Ghali, UN Secretary-General, and the 'confidence measures' recommended by Resolution 789 (1992) of the UN Security Council. In fact negotiations have always foundered on the persistent demand by Mr Denktash that the northern part of Cyprus should be recognised by the Greek Cypriots, in contradiction of

⁸ Resolutions 353 of 20 July 1974 and 367 of 12 March 1975.

⁹ Resolutions 541 of 18 November 1983 and 550 of 11 May 1984.

UN resolutions.

After a further attempt in 1995, the talks were broken off once again in 1997 following a decision of the European Council in Luxembourg that the Union should open accession negotiations with Cyprus. In 1998 Mr Denktash proposed linking confidence-building measures, a confederal arrangement for Cyprus (thus the recognition of his pseudo-‘State’) and the accession of Turkey to the European Union. This proposal was rejected by the European Union.

21. In June 1999, coinciding with the 25th anniversary of ‘Operation Attila’, the G8 called for a new initiative and urged the leaders of the two communities to engage in meaningful negotiations, with no preconditions, on the basis of UN resolutions. These proximity talks were opened in December 1998 under the aegis of Mr Kofi Annan, UN Secretary-General. Several countries, such as the United Kingdom, Finland, Portugal and the United States are attempting to contribute in a bid to find an agreement between the two Cypriot communities and the States involved, enlisting in particular, the services of Mr Holbrooke, the broker of the Dayton accords on Bosnia-Herzegovina.
22. The aim of this report is not to interfere in the proximity talks and to propose a constitutional solution for the reunification of the island of Cyprus. However, as Cyprus is an applicant country, the European Parliament must require the final settlement to be consistent with the fundamental values of the European Union and fully respect the *acquis communautaire*.
23. As regards the accession process, the Union must persuade the Turkish Cypriot community, which numbers an estimated 89 000, to take part, unconditionally, in the accession talks because its direct interests are at stake. The accession of Cyprus should benefit both communities and enable the Turkish Cypriots to catch up economically (their per capita income is three times less than that of Greek Cypriots). It is therefore essential that the Turkish Cypriots put forward their point of view in the accession negotiations. If the island is reunified, it should be possible to overcome the disparity in the standard of living and level of development between the two zones within a reasonable period by means of a special European Union programme. There is a precedent for this in Northern Ireland, where the European Union has provided for a structural programme of EUR 100 m designed to accompany the peace process.
24. The progress of negotiations and the period during which the accession treaty will be undergoing ratification by the European Parliament and the national parliaments should exert great pressure on the two communities, but especially on the Turkish Cypriot community, and on Turkey to reach a political settlement of the Cyprus question. As far as the Turkish Cypriots are concerned, their community will only be able to reap the full benefits of accession, such as the establishment of the ‘three freedoms’, to the extent that the division of the island is brought to an end. It should be stressed, however, that the final settlement must fully respect the cultural heritage of the two communities. As regards Turkey, its credibility as an applicant country is at stake.
25. As regards the settlement of the Cyprus question, the European Union has not

sufficiently taken account of the trump cards it holds, particularly since the establishment of the CFSP and now the common European security and defence policy (CESDP). The Union will in fact soon have available an entire range of instruments – political, economic, cultural and military – enabling it to intercede effectively to resolve conflicts. Moreover, it can take advantage of the new climate between the two powers guaranteeing the independence of Cyprus – Greece and Turkey – now that Turkey has been granted the status of applicant country, to get involved in the search for a political solution to the Cyprus question, given that it is first and foremost a European issue.

In the talks with Turkey on pre-accession strategy, it should be made plain to Turkey that the European Union does not intend to open accession negotiations while Turkish forces are occupying the north of the island, as it is inconceivable in a community based on the rule of law that one Member State should station troops in part of the territory of another Member State without the explicit agreement of the latter.

26. To make progress in the search for a political solution to the Cyprus question¹⁰, it may be useful to put forward a number of points for consideration so as to place the search for this solution in the context of the forthcoming accession of Cyprus to the European Union.
- (a) Given its links with Cyprus and the powers guaranteeing the independence of Cyprus under the Treaties of London and Zurich, the Union should instruct its High Representative for the CFSP to seek a solution – together with both Cypriot communities, the three other parties involved (Greece, Turkey and the United Kingdom) and the United Nations – which takes account of the prospect of accession of Cyprus to the Union.
 - (b) In seeking this solution, security should take top priority. For these reasons, the European Parliament proposes the demilitarisation of the island as a whole. The withdrawal of the Turkish army should be accompanied by the deployment in Cyprus of an international force responsible for enforcing the implementation of the peace accords. Police forces could also prove indispensable during a transitional period. The European Union could provide the bulk of the forces, which could be limited in number. The European Parliament considers that membership of the European Union is in itself a guarantee of safeguarding the fundamental rights of the island's two communities.
 - (c) The Union could also take constructive measures to facilitate the repatriation to Turkey of the settlers in the occupied zone (an estimated 110 000 people). Some of the appropriations granted under the customs union could be used for a multi-annual programme for the reintegration of this population.
 - (d) In the context of its political dialogue with Turkey, the European Union should raise the case of those persons living in enclaves (some 500) and missing persons (1 619) as matters falling within the scope of the Copenhagen criteria. The same

¹⁰ On this subject see European Parliament resolutions of 10 March 1988 and 21 January 1993.

applies to the protection of cultural assets which bear witness to the history of Cyprus.

- (e) Existing military bases would be made available to the CESDP, so that they could be used by the European Union in carrying out the Petersberg tasks.
- (f) Finally, the Union would facilitate contacts between the two communities at political, economic and cultural level. If necessary, a specific programme for Cyprus could be drawn up.

VI CONCLUSIONS

27. The accession of Cyprus to the Union will strengthen the influence of the European Union in the eastern Mediterranean and the Middle East. From the economic point of view, the accession of Cyprus should not pose major problems, since it is a country with a market economy and a high standard of living. The average income per inhabitant is EUR 13 000.
28. Cyprus, as with all applicant countries, benefits from a pre-accession strategy comprising three aspects: the setting-up of an Accession Partnership; support for priority measures under the Accession Partnership; and participation in certain Community programmes and agencies. Support measures under the pre-accession strategy for Cyprus and Malta were thus adopted by the Council on 13 March 2000¹¹, followed by the Accession Partnership proper on 20 March 2000¹².
29. It is to be hoped that a political solution will be found to the Cyprus question in order to eliminate a regional flashpoint and enable the Greek and Turkish Cypriot communities to enjoy the benefits of accession. The European Parliament continues to hope that the talks seeking an overall settlement of the Cyprus question, initiated on 3 December 1999 in New York under the aegis of the UN Secretary-General, will reach a successful conclusion, but certain recent events are not conducive to optimism regarding the outcome of the new round of negotiations:
- (a) the proximity talks have not yet moved out of their preliminary phase. The two interlocutors are not speaking to each other directly. It has not yet been possible to address the substantive problems enumerated in Security Council Resolution 1250 because of Mr Denktash's persistence in demanding recognition as a precondition;
 - (b) Mr Denktash is supported in this attitude by Turkey. For example, the visit paid at the end of June to the northern part of Cyprus by the new President of the Republic of Turkey, Mr Sezer, a few days before the resumption of talks on 5 July, added nothing new;
 - (c) similarly, the entry of Turkish troops into the village of Strovilia on 2 July 2000

¹¹ See Regulation (EC) No 555/2000 of 13 March 2000 (OJ L 68, 16.3.2000, p. 3).

¹² See Council Decision 2000/248/EC (OJ L 78, 29.3.2000, p. 10).

and the establishment of a new military position 300 metres inside the demilitarised zone can only be interpreted as a gesture of defiance vis-à-vis the United Nations;

- (d) likewise, Turkey's refusal to execute the judgment delivered on 28 July 1998 by the European Court of Human Rights in the Loizidou case, which was the subject of a call to order by the Council of Europe's Committee of Ministers, does not suggest a desire to seek a peaceful resolution. The Committee of Ministers was right, therefore, to declare that 'the refusal of Turkey to execute the judgment of the Court demonstrates a manifest disregard for its international obligations, both as a High Contracting Party to the Convention and as a member State of the Council of Europe'. It called on Turkey in consequence to comply fully and without any further delay with the Court's judgment;
 - (e) finally, the latest statement by the Turkish Foreign Affairs Minister, Mr Cem, dated 8 September 2000, which calls on the Commission to exclude the question of Cyprus from the document it is preparing on pre-accession partnership with Turkey on the pretext that its inclusion would irreparably damage relations between the two partners, cannot be described as constructive.
30. All of this shows that the European Union must remain firm in the position it adopted in Helsinki and cannot make Cyprus's membership dependent upon the progress of negotiations being conducted under the aegis of the United Nations with a view to settling the Cyprus question. To do otherwise would run counter to the morality and principles on which the post-Cold-War world is founded, namely that no change to borders brought about by force will be recognised.