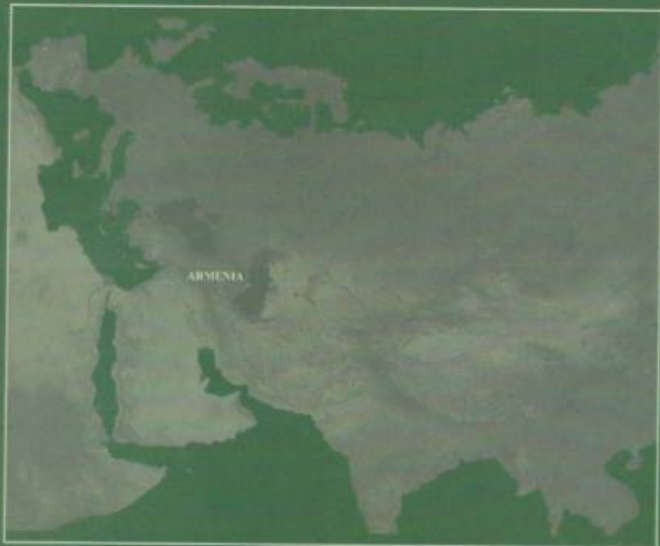


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ANI MATEVOSYAN

EXAMINING STATE-BUILDING OF THE SYRIAN REPUBLIC AND THE LEGACY OF ITS COLONIAL PAST

Abstract: This research tackles essential elements of Syrian state-building processes through a structural analysis incorporating several theories and concepts including but not limited to colonialism, nationalism, military interventions, institutional development, minority rule, and eventually neocolonialism. The article reveals how minority rule and different implications of military interventions shaped today's Syria, as well as addresses some of the current issues such as the absence of domestic political consolidation. The primary aim of this research is to contextualize the role of France—as a former colonizer, within the state-building process of Syria by examining different phases of Syria's historical past. An examination of Syria's political developments proved that having inherited a colonial past, the current state of Syria has also inherited an unavoidable legacy of political instability from its colonial past.

Keywords: Syria, Middle East, State-Building, Colonialism, Military Interventions.

Introduction

As a modern country without pre-colonial history as an independent state, Syria began its first phase of state-building when it was colonized by France. It is important to note that three important phases have followed the abolishment of the French mandate, which are analyzed within the scope of this article. To explore each stage of Syria's development, the following phases are identified: the post-colonial period, the beginning of neo-colonialism, and the transition from escalations to civil war. Once established in Syria, the French mandate laid the foundations of state-building processes. This article attempts to uncover the roots of Syrian state-building by analyzing its colonial past and interpreting it from the theoretical perspectives of colonialism, military intervention, institutional development, minority rule, and neocolonialism.

The link between State Failure and Colonial Heritage

Scholars argue that in the long term, colonialism is closely associated with state failure. According to one perspective, the communities which have been previously colonized by major powers are the most prone to becoming a failed

state. The primary claim behind this argument is that colonizing powers impose their own models of government on colonized states, which significantly limits the colonized states' chances of adapting to governing practices other than the imposed one. However, this model is certainly not the only model of statecraft. Therefore, formerly colonized states tend to encounter state failure after the abolishment of the colony¹. However, colonial heritage is not the only factor that establishes a causal mechanism for predicting state failure. According to one study, factors such as the lack of a prior history of state development and corrupt state authorities also factor into this and can serve as elements for predicting state failure². These two factors can be further specified by referring to weak institutional development, social issues, newly emerging and weak party systems, etc. Altogether, these issues hinder the process of state development even further.

Another feature of a failing or weak state is the rise of political opposition, oftentimes through terrorism. Nevertheless, Edward Newman believes that it is not always the case. While weak states may create a suitable environment for the promotion of terrorism, there are additional factors that affect this tendency. Therefore, it is not justified to include terrorism among all the risks and threats that develop within the context of weak or failed states³. On the contrary, the rise of opposition in Syria is deeply rooted in its colonial history. As one evident instance of long-lasting French influence in Syria, the division of the Syrian state into smaller states exacerbated the divisions among different groups living in Syria. This policy of France came to be known as the fragmentation policy.

The Fragmentation or "Divide-and-Rule" policy during the Mandate Period as yet another hallmark of post-WWI Syria

There are two interpretations of the fragmentation politics of the French administration in Syria. Scholars seem to agree that France sought to increase its power and influence in the region through Syria's fragmentation. It is commonly argued that even in 1918, when the French mandate had not yet been officially established in the Middle East, France already had a blueprint of their administration of Syria. It was suggested to divide Syria into 8-10 autonomous

¹ Helland Leonardo Figueroa and Stefan Borg, *The Lure of State Failure*, *Interventions* 16, no. 6 (2013), 877-97.

² Howard Tiffany O., *Revisiting State Failure: Developing a Causal Model of State Failure Based Upon Theoretical Insight*, *Civil Wars* 10, no. 2 (2008), 125-46.

³ Newman Edward, *Weak States, State Failure, and Terrorism*, *Terrorism and Political Violence* 19, no. 4 (2007), 463-88.

regions, which would in turn have their own subdivisions⁴. There is also another perception that the French mandate gave a formal shape to divisions that had already existed in the Middle East. Due to the formalization of the divisions, the structure of international politics was and still is affected. Joseph Malone also supports the idea that the division of Syria into smaller states, with some exceptions, is rooted in history⁵.

Fabrice Balanche argues that this fragmentation caused inequality in terms of territorial advancement. Alawites are well integrated into political networks and Sunnis in economic networks. Alawite territories have the support of the state for their development, other territories must rely more on relations with economic networks to ensure their development. Since the Baath party has come to power, all social and political crises in Syria are rapidly drifting into the community. In addition to repression, the regime has tried to better regulate Muslim culture through the Ministry of Culture, and it has even given notable clergymen honorary places. Finally, the liberalization of the economy offers opportunities for the traders who are less tempted to support Islamist movements. More Sunnis are suffering from underemployment, high cost of living and widespread corruption⁶.

Additionally, the identity of small ethnic groups in Syria was used to serve the purpose of the colonizers. The French administrations have used this as an opportunity to introduce internal political changes within Syria. The most important one is the upward social mobility of the Alawite minority. This policy succeeded in establishing minority rule over the Sunni majority⁷. Building upon the concept of minority rule as a form of government, state-building practices in general and institutional development is considered within this analysis. Henceforth, the theory of neo-colonialism is applied to understand the current developments in Syria. With France as the former colonizer of the Syrian state, it has been expected to note an informal connection between the two states even decades after the abolishment of the French mandate.

⁴ Fomin Alexander, *Voyna s prodoljeniem. Velokobritaniyai i Frantsiya v borbe za "Osmanskoye nasledstviye" 1918-1923*. [A War with Continuation: Great Britain and French in Competition for "Ottoman Heritage"]. 1918-1923, (University of Dmitriy Pojarskiy, Moscow), 2010.

⁵ Bodman, Herbert L. and Joseph J. Malone, *The Arab Lands of Western Asia*, *The American Historical Review* 79, no. 4 (1974), 1226.

⁶ Balanche Fabrice, *Clientélisme, Communautarisme Et Fragmentation Territoriale En Syrie*, *A contrario* n° 11, no. 1 (2009), 122.

⁷ Haklai Oded, *A Minority Rule over a Hostile Majority: The Case of Syria*, *Nationalism and Ethnic Politics* 6, no. 3 (2000), 19-50.

Features of the Post-Colonial Period

Declaring its independence in 1946, Syria entered a new phase of the post-colonial period. After the abolishment of the French mandate, Syria encountered a few significant challenges in terms of state development. Certainly, the Syrian people enjoyed considerable freedoms, but there were also several restrictions on basic liberties imposed by the French colonizers. This period is mainly characterized by continuous political instabilities, including a temporary unification with Egypt, tensions and wars with Israel, as well as consecutive military coups that have posed a serious challenge to the stability of the political landscape in Syria.

The role of the army increased following popular protests. Husni al-Za'im, chief of staff of the armed forces, the leader of the Syrian army, played a significant role in this process. Under his leadership, Syria experienced its first military coup as an independent state on March 30, 1949. This gave him a positive reputation, and Za'im was soon elected as the new president. He enforced military dictatorship in the country. Za'im's military career started during the years of the French mandate when he served in the French army. He also managed to establish a good relationship with the representatives of the American Embassy in Syria⁸, which substantiated his image as a pro-western politician.

However, his leadership was interrupted by a second military coup. The snap parliamentary elections of 1949 allowed the National Bloc Party to come to power, which played a critical role in the second military coup and strongly supported the toppling of the government. Another concept, that of "Greater Syria", once again shook the state-building processes of Syria, which sought the unification of Syria, Lebanon, Jordan, and Iraq. This did not become a reality because of a third military coup, which was yet another challenge to the newly independent state of Syria. Carried out by Colonel Adib Bin Hassan Al-Shishakli on 19 December 1949, this third military coup affected both the internal and foreign policies of Syria, since the new leaders took down the restrictions against French and American monopolies introduced by the previous nationalist leaders.

Only two years after the third military coup, starting 29 November 1951, Shishakli was ready to carry out a fourth one—aiming to overthrow Al-Atasi's government. This period, which lasted until 1957, has been characterized as another crisis phase for Syria⁹. As soon as Shishakli became the leader of the country, his policy of military dictatorship became even more evident. Eventually,

many political parties and institutions were dissolved, and political involvement was forbidden for civil servants, members of trade unions, students, and representatives of other social groups. Nevertheless, Adib al-Shishakli's legitimacy decreased drastically. Major protests were being organized against him by both local groups such as the people of Jabal Druze, Aleppo and Latakia, and movements supported by international powers like America, France, and Britain. After almost four years of struggle, Shishakli had no choice but to resign and found asylum in Lebanon, Saudi Arabia and France¹⁰.

Syria achieved relative stability when Shukri al-Quwatli was elected president in August 1955. Quwatli focused on improving relations with neighboring countries by entering into several agreements with other Arab countries due to continuous pressure. Syria was able to finally establish relative sovereignty and ease external pressures¹¹.

Another important regional development that affected Syria's state-building was its unification with Egypt and the establishment of the United Arab Republic. This soon turned into an expansion of Egypt's control over Syria. Through unification, the government sought to help Syria stabilize its foreign policy and improve living conditions for Syrian citizens, but this did not last. As a result, the unification with Egypt was a major threat to the political stability of Syria, presenting yet another challenge for the independent state. In September 1961, Syria's military occupied Damascus, and intense demonstrations took place all across the country.

A milestone in Syria's political history was the revolution of 1963, also known as the Baath Revolution. Carried out by the Socialist Baath Party, the Baathists attempted to abolish class divisions. The revolution succeeded in overthrowing the former government and brought Hafez al-Assad to power. The ideology behind the initiation of the movement and later the establishment of the party is rooted in the years of the French Mandate in Syria, when a considerable rise of nationalist tendencies could already be noted that is substantiated by the fact that Michel Aflaq, the founder of the party, studied at the University of Sorbonne, France. He had firm connections with active French leftist political members¹².

¹⁰ Voblikov Dmitriy, *Noveyshaya istoriya arabskikh stran* [Modern History of Arab States]. *Glavnaya regaktsiya vostochnoy literaturi*. Nauka. 9(1)7N72.1969. 260-265.

¹¹ Hovhannisyann Nikolay, *Arabakan yerkrneri patmutyun IV* [History of Arab States IV]. *The National Academy of Sciences of the RA. Institute of Oriental Studies. "Zangak"* 93/99 63.3 854. Yerevan, 2007. 480-482.

¹² Robert Benewick and Philip Green, *The Routledge Dictionary of Twentieth-Century Political Thinkers* (London: Routledge, 1998).

⁸ Mullenbach Mark, *Syria (1946-Present)*, (University of Central Arkansas: UCA, 2013).

⁹ Mullenbach, Syria, 2013.

One issue was the possibility of Alawites maintaining their dominance within the army. Daniel Pipes argues that the primary reason was general public perceptions for the following reasons. First, the Sunni bourgeoisie had perceived the army as the place of minorities and those who are less socially advanced. Using various corruption channels, Sunnis would attempt to avoid the military service, which was not an option for Alawites, who were generally living in worse economic conditions compared to Sunnis. Lastly, the Sunni elite viewed the army as a threat to political stability and minimized its budget. This fostered self-organization among Alawites, which was a valuable opportunity for them to appropriate the functions and operations of the army to their needs and interests¹³. Sunnis underestimated the importance of the army, which plays a critical role in maintaining control and ensuring the maintenance of political power. A consolidated power among Alawites within the army gave them the ability to dismiss many Sunni officers. Another institution that fostered Alawites' solidarity was the Ba'ath Party. A dynamic similar to the one that had occurred in the Syrian Army could also be noted within the party. There was an ongoing rivalry among different Sunni groups as to who should take ruling positions. Meanwhile, Alawites were rapidly achieving political progress¹⁴.

It is commonly argued that political stability in Syria was generally due to the dominance of the religious minority over a majority since 1963. It is interesting to observe that the supporters of the Ba'ath Party were not only Alawites, but also representatives of other religious minorities such as the Druze. Since 1963, when political power became concentrated in the hands of the Baathists, it is important to consider the composition of the government and the military elite that attained power

The Importance of Military Interventions

Military interventions have been discussed within different academic discourses. Brian Taylor argues that three forms of military involvement can be identified: the traditional understanding of military interventions focused solely on civil-military relations, military arbitration resulting in the resolution of a power dispute of civilian sovereignty, and "no military involvement" used to explain a situation when there is a regular sequence of events within the state. According to

¹³ Campbell John C. and Daniel Pipes, *Greater Syria: The History of an Ambition*, *Foreign Affairs* 69, no. 2 (1990), 185.

¹⁴ Van Dusen, Michael, *Syria: Downfall of a Traditional Elite*, In Frank Tachau (ed.), *Political Elites and Political Development in the Middle East*. (Cambridge, Mass: Schenkman Publishing Company Inc).

Brian Taylor's analysis, internal divisions within the army lessen the possibility of coups because it weakens the overall cohesion and strength of the military¹⁵.

For instance, if subordinates do not approve the decisions of the executive, they are less likely to fully support the operations of the executives in terms of implementing their decisions. This analysis creates a possibility for civilian groups to purposefully exacerbate any possible divisions that may exist within the military. Taylor's analysis goes hand in hand with Eric Nordlinger's penetration model¹⁶. According to this model, the weaknesses of the army and the divisions within the military allow strong civilian groups to seize control of the military relying on extensive use of influence, control, and punishment. The Syrian army, being one of the most influential and vital institutions for the stability and sustainability of the Syrian state, was still heavily dependent on the Alawites. This was due to their dominance in terms of numbers within the army. According to Pipes, Alawites constituted up to 70 percent of officers as of 1955¹⁷. As a minority, the military was one of the few professional arenas, perhaps the only one, where they were able to penetrate effectively.

Nevertheless, reasons and motives behind military interventions or coup d'états vary from one instance to another. To understand what some of the factors are that increase the possibility of performing coup d'états, Ödner tests seven hypotheses in his analysis and explores the possibility of whether economic development, politically developed institutions, the centrality of military institutions, less politically developed institutions but high social mobilization, heterogeneous structures, and out-dependent economies increase the chances of coup d'états (2010). This research shows that socio-economic development and political institutionalization have the most critical impact in coup incidents¹⁸. Projecting this research to the case of Syria, it will be evident that during the first years of its independence, Syria could be classified as neither a socially nor economically developed state. In addition to it, political institutionalization was still an ongoing process that had been challenged by constant instability within Syria. Perhaps, these two variables are of utmost importance in understanding why

¹⁵ Taylor Brian D., *Politics and the Russian Army*, 2003.

¹⁶ Fitch John Samuel and Eric A. Nordlinger, *Soldiers in Politics: Military Coups and Governments*, *Political Science Quarterly* 93, no. 1 (1978), 168.

¹⁷ Pipes Daniel, *Greater Syria: the History of an Ambition*, (New York: Oxford University Press, 1992).

¹⁸ Ödner Murat, *What Accounts for Military Interventions in Politics: A Cross-National Comparison*, (102nd ed.). 2010.

there was no consolidation among the Syrian political elite and thus no political stability in Syria.

Two other theories of military intervention relevant to this topic are the theories of conflict and regional differences, which are closely related. According to the conflict theory, "ethnic antagonisms including cultural diversities, ethnic dominance and ethnic competitions are largely responsible for military interventions in politics"¹⁹. This draws attention to the heterogeneity of the population concerned, concluding that the more diverse it is within its internal structures, the higher the chances of military coups. On the other hand, the theory of regional differences suggests that the various factions of the ruling class attempt to establish their dominance via the military. Consequently, this analysis can also be situated within the Syrian context. Primarily, there was an ongoing conflict among different religious groups in Syria, particularly the Sunnis, who were the majority, and the Alawites, who were a minority but held key positions within the military. The ongoing conflict concerned the formation of the government and maintaining stability within the state of Syria. Additionally, as suggested in the theory of regional differences, it would be appropriate to note the territorial divisions of Syria into at least four divisions, each of which was populated mostly by a single religious group.

Therefore, the newly independent state encountered significant challenges in the post-colonial period and failed to achieve political stability during the early years of its independence. The traces of Western influence could still be noticed in the process of Syrian state-building in two ways. First, anti-western tendencies dominated the attitude of the Syrian people. The importance of the Syrian identity was continuously growing, and rising nationalist attitudes exacerbated the hatred towards former colonizers. On the other hand, Syrian state-building faced a series of difficulties while attempting to establish stability in all spheres of the Syrian reality. Creating an arena of prospective foreign engagement, Syria attracted Soviet and American interest in its domestic politics. A brief review of the developments in Syria in this stage shows how international communism penetrated Syrian political life. However, military coups prevented Syria from achieving stability and had continuously shaken the Syrian state. The most organized political group was that of minorities—the Alawites. This was primarily due to the fact that Alawites had the experience of ruling the state throughout the years of the French mandate. Being a minority and having limited opportunities to expand their influence over

¹⁹ Edeh Herbert C. and Michael I. Ugwueze, *Military and Politics: Understanding the Theoretical Underpinnings of Military Incursion in Third World Politics*, *Mediterranean Journal of Social Sciences*.

the whole Syrian state, Alawites utilized institutional influence that they inherited from the period of the French mandate.

Early Traces of Neo-Colonialism

The transition from the first phase of Syrian state-building into the second phase, which is characterized by the emerging traces of neo-colonialism. The beginning of the second phase is marked by the successful military coup of the Baath Party. It is essential to understand the ideology behind and explore the roots of the Baath Party. As a representative group for the Alawite minority, the domination of the Baath Party played a pivotal role in shaping domestic dynamics. These tendencies and other interstate developments are explored in the following chapter.

With Baath Party coming to power, Hafez al-Assad was elected president of Syria, and, being a representative of the Alawite minority group, put an end to constant instability and continuous military coups in Syria. Serving in the role of a political leader of a state with such a volatile political past, Assad introduced a number of changes within both domestic and foreign policies. As far as domestic policies are concerned, it should be noted that these policies have primarily served the interests of the Alawite community and did not provide solutions to tough economic conditions for non-Alawites. What exacerbated the selective policy-making politics of Assad was the ruling party's promotion of secularism and adherence to non-religious values, much to the chagrin of non-Alawi groups. Islamic Fundamentalism was established informally and continued to expand its sphere of influence, particularly among the Sunni majority. Eventually, it developed into a large-scale movement initiating and carrying out violent strikes against the regime. The supporters of the Muslim Brotherhood did not approve of Assad's decision to separate state from religion, which was officially recorded in the new constitution. Only after three years of Assad's presidency, in 1973, the activities of the Brotherhood took shape and were carried out in form of protests and demonstrations, which were contained temporarily when Islam was recognized as the official religion of the Syrian state. Nevertheless, the Muslim Brotherhood did not come to a consensus with Assad's regime on several issues. This is why the violent acts of the Brotherhood became occasional and were expressed via rebellions, murders of Alawi soldiers, violent attacks against public officials, rallies, strikes, and mass demonstrations²⁰. It should also be noted that Assad's government, despite the fact that it aimed to contain the opposition, did not tolerate

²⁰ Haklai, *A Minority Rule over a Hostile Majority*, (2000), 35–40.

such uprisings. Occasionally, the government responded with equal or more extreme violence (e.g. Massacres of Hama, discussed later in this section).

As far as foreign policies implemented by the Assad regime are concerned, it should be noted that the top three priorities for Assad constituted avoiding possible escalations and tensions with Israel, major disagreements with conservative regimes of states within the Arabian Peninsula and moving towards greater socialization of society. In general, Hafez al-Assad did not spare his opponents. His opponents received house or in prison arrests until the end of their lives, depriving them of the opportunity to leave the country. It can be said that the military coup of November 1970 established the beginning of Assad's authoritarianism in Syria.

Minority Rule: Privileges to Alawites

Starting from the early 1970s, Alawites were granted numerous privileges. Particularly, in contrast to other groups, Alawites had opportunities to advance in academia and hence get promoted to higher positions within the Syrian government. After the military coup, the Baath Party had established a single-party rule over the Syrian state. Therefore, it is justified to believe that with single-party rule of the minority over the majority, the Alawi population would benefit significantly. The Alawites' migration to urban areas and improvement of their economic conditions could easily be anticipated, which supported Hafez al-Assad in strengthening and developing public institutions and centralizing power in his hands.

The problem of the Alawite character of the Syrian government is unique. First, examining the separate components of the Alawite religious system, it should be noted that "it contains Christian, Islamic and Pagan elements. Although the Alawites consider themselves Shiites, they often violate Islamic law [] and sometimes deviate from it"²¹. The primary reason for its outstanding uniqueness also comes from the fact that a minority has managed to establish and maintain a dictatorship over a majority. There is no arguing that the Alawite leaders of Syria, the Syrian army and special services also dominate the economy of the country. In Syria, the Alawites were this minority, who, according to various estimates, accounted for 10 to 20% of the population, but in reality, most likely, one still needs to lean toward more conservative estimates, at 11-12%. And yet it was this group that began to dominate Syrian political life. Nevertheless, it is interesting

²¹ Vardanyan Grigor, Alawineri kronakan hamakargi arandzahnatkutyunnere. [The Features of Alawite Religious System]. Merdzavor Arevelk [Middle East]. RA National Academy of Sciences.

that the dominance of these groups at a certain period contributed to stability within the state after 25 years of political instability and continuous military coups which had shaken the country. The minority could not absolutely suppress the majority in this case and constantly found compromises with the latter. This can be seen as the primary key to success for the Alawite government, i.e. the dominance of the minority who understood governance over the majority could not be carried out merely by suppressing their rights and freedoms, but rather a constructive dialogue should have been built with representatives of the majority. This has provided the regime with a sufficiently high level of stability²².

Secularism Introduced in Syria

Another way to interpret the stability brought by the Alawite rulers is by referring to the Syrian regime's orientation on secular values. It is commonly argued that a number of sects came into existence after Syria gained its independence, and it is only after Hafez al-Assad overthrew Jadid that the focus shifted from sectarianism towards secularism. This shift was embraced by the new constitution of the Ba'ath Party, which explicitly downplayed the importance of sectarian differences, aiming at totally abolishing them, stating that sectarian differences are "unimportant" and will eventually "disappear"²³. One of the strategic steps taken by Hafez al-Assad was the assignment of representatives from the Sunni majority to important government positions, including the positions of Minister of Defense, Foreign Affairs, and even Vice-President. The rivals of Assad's regime criticized it for being discriminatory towards some and for providing benefits to the Alawi community. It is true that some Alawites benefitted from Assad's regime because they enjoyed major economic benefits, but the main benefactors were particularly those who had family ties with the President himself²⁴. However, it is also indisputable that there were Alawites for whom the ethnicity of the political leader did not make a difference. Additionally, a large number of Sunnis supported the Alawi president.

It is also important to consider the relationship that was built between the ruling minority and the subordinate majority of this state, i.e. Alawites and Sunnis.

²² Doroshenko Yelena, Shiitskoye dukhovenstvo v dvukh revolyutsiyakh: 1905-1911 & 1978-1979. [Shiite Spirituality in Two Revolutions: 1905-1911 and 1978-1979]. Russian Academy of Sciences. Institute of Oriental Studies. Moscow. IV RAN 63.3(5). 1998.

²³ Dam Nikolaos van, The Struggle for Power in Syria: Politics and Society under Assad and the Ba'ath Party, (London: I.B. Tauris, 2013).

²⁴ Neep Daniel, Ashes of Hama: The Muslim Brotherhood in Syria, The RUSI Journal 159, no. 2 (2014), 97-98.

It seems that Hafez al-Assad gave much importance to the Sunni culture, and instead of highlighting differences, he attempted to find commonalities between the two groups aiming at integrating Alawites within the majority²⁵. The feeling of Sunni superiority could be seen in several instances within the Syrian public discourse. For example, Sunni Islam was taught in public schools, orthodox Sunnism was the public Islam, etc. Certainly, it is quite challenging to state whether Assad's regime has alleviated or exacerbated the tensions between Sunnis and Alawites. If referring to Haklai's three indicators discussed below to evaluate such instances is justified, then a general conclusion is that there is a significant decline in tensions between those two groups. The first indicator is the existence and activities of an ethnic opposition to Assad's regime. After the Muslim Brotherhood's defeat, there seems to be neither internal political pressure on the Alawi government nor an alternative ruling power proposed by the opposition. It can indeed be claimed that if there was no threat to political stability under Assad's administration, then his government was at least tolerable for all domestic political players. Otherwise, it could have continuously challenged the power and status of the ruling elite.

The second indicator for measuring the tensions is the number of released political prisoners during Assad's administration period. In the early 1970s, when Assad had just come to power and aimed at weakening or abolishing the political opposition which could be a threat to the legitimacy of his government, the number of political prisoners increased drastically- many people were even detained without holding a proper trial. However, Assad changed his policy on imprisonment for political grounds after almost twenty years of his presidency. By December of 1995, he approved the release of more than 1200 Syrian political prisoners. Presumably, a dominant majority of the political prisoners who were set free had been members of the Muslim Brotherhood or supported the Brotherhood's activities in some way. The third indicator is the Sunni population's desire to take part in governance. This willingness includes not only the positions that give political power and influential roles but also those that are more symbolic and ceremonial. Assad allowed the inclusion of some Sunnis within governmental agencies, which has given them an opportunity to partake in some decision-making processes- particularly those related to the economy²⁶.

²⁵ Phillips Christopher, *Sectarianism and Conflict in Syria*, *Third World Quarterly* 36, no. 2 (2015), 357-76.

²⁶ Haklai, *A Minority Rule over a Hostile Majority*, 2000, 43-45.

When considering Sunni involvement in the Alawite government, it is also essential to understand how this could affect the most powerful institutions in Syria, i.e. the Baath Party along with its internal structures and the army. Certainly, a shift of power in either of these institutions could cause instability of the political regime in Syria and pose a serious threat to the state. On the other hand, remembering that pan-Arabism was one of the founding ideologies of Baath, it would create controversy if Sunnis were totally left out of the government. As a result, Assad faced a serious dilemma and saw the possible solution of this issue in balancing the two: allowing some Sunnis to engage with the government on the one hand and limiting the scope of their operations and influence on the other to maintain the political power that seemed to be the key for stability in Syria.

As a result, it becomes evident that Hafez al-Assad succeeded in bringing stability to the Syrian political landscape due to his cautious domestic and foreign policies. He prioritized the stabilization of relations with Israel and other states of the Arabian Peninsula, but at the same time aimed at avoiding greater socialization of society. Being a representative of the Alawite minority, Assad introduced privileged opportunities for Alawites and proposed confrontational ideas such as secularism and the ideology of pan-Arabism. It is essential to note that it is during the presidency of Assad that there were a significant rise of Islamist movements. However, Assad succeeded in containing the Islamist opposition via numerous means. Last but not least, Assad prioritized the development of two institutions, namely the Baath Party and the Syrian Army, which were both dominated by the Alawite minority and served as tools for maintaining control over the Syrian state.

From Escalations to Civil War

The Syrian politics was heavily affected by the death of Hafez al-Assad, which marked the beginning of the third phase in Syria's development as a state. Bashar al-Assad, his son—the next president of Syria, was challenged by several actors in both domestic and international entities. In addition to those challenges, he inherited a legacy that included several unresolved issues in Syria, which have had negative impacts on Syrian politics and exacerbated the civil war.

Was there a way to avoid the civil war in Syria? It has been commonly argued that there would have been such a possibility if Hafez al-Assad had introduced more institutional reforms and structural improvements. However, as the continuity of Syrian state-building shows, there were a lot of disruptions in the process due to several factors that could not have been avoided²⁷.

²⁷ Van Dam Nikolaos, *Destroying a Nation: The Civil War in Syria*, 2017, 130-156

Hafiz al-Assad died on 10 June 2000. Bashar al-Assad assumed his position as the president of Syria only a month after his father's death, on July 17, 2000. It is commonly observed that in spite of possessing the same last name, the policies of the two have vastly differed in the majority of fields, including economic, social, as well as international and foreign policies.

As far as the Baath Party's leadership in Syria is concerned, it is essential to point out that the party's leadership under Assad has become more focused on security, military, and intelligence services. The Regional Command, which used to be the highest organ within the party's structure, has now claimed more of a subordinate role. It used to have a number of core responsibilities aimed at fostering the functions of the Baath Party²⁸.

Therefore, the Baath Party's operations in present-day Syria are mostly initiated, executed, and supervised primarily via military and intelligent services. Other branches of the party, such as those operating on the lower levels of the government or within individual administrative districts of Syria, have failed to bring about valuable contributions to the conflict management process. Instead, all that can be observed within these branches is isolation from the core operations of the party and failure to oversee the administrations at the provincial level, where the criticality of the security situation has made it impossible to uphold and ensure effective governance.

The Arab Spring in Syria

The end of 2010 was marked by the Arab Spring, which has come to play an essential role in the political histories of a number of countries in the Middle East. In Syria, anti-government demonstrations began on 15 March 2011. Starting as peaceful rallies, these demonstrations escalated into fierce battles for a democratic regime and for the resignation of President Bashar al-Assad. Previous sections of this article have provided the background upon which this conflict has developed. However, considering modern-day Syria, it is essential to acknowledge that the Syrian conflict has been triggered by several problems including socio-economic causes, religious factors, intervention in the conflict by other actors, and the geopolitical location of Syria²⁹. So far, the situation in Syria is improving with Assad's control of the vast majority of the state's territory.

²⁸ Belhadj Souhail, *The Decline of Syria's Baath Party*, Carnegie Europe, 2012, <https://carnegieeurope.eu/2012/12/05/decline-of-syria-s-baath-party-pub-50258>.

²⁹ Mukhametov Rinat, *Viyaniye protsessov globalizatsii na islamskiy mir [The Influence of Globalization on the Islamic World]*. Politicheskoye samoopredeleniye islamskogo mira v usloviyakh globalizatsii. "Medina" Publishing House. (2009).

Still, there are a number of obstacles that Syria has to overcome, the most critical one being active terrorist organizations. Three organizations can be identified as the most active ones: the Syrian Islamic Front, Al-Nusra Front, and the Islamic State of Syria (ISIS)³⁰. The problem of terrorism in Syria greatly hinders the process of resolving the conflict. The operations of these groups affect multiple spheres in Syria. The reasons that have fueled the ongoing civil war in Syria have deepened much more and became some of the primary difficulties for resolving the conflict because these causes, in turn, lie in the fundamental nature of the contradictions that generated the conflict in the first place.

As a result, the dissatisfaction of the population with the authoritarian regime, the domination of Alawite representatives in power and military structures, corruption within the government, and religious contradictions became the causes of the civil war in Syria. As of March 2021, the number of people killed in the ongoing Syrian civil war has reached 598,100, and millions have either been injured or displaced³¹. The war has also left negative implications for the Syrian nation in terms of its development. According to the Human Development Index, Syria's ranking has worsened in recent years. It should be noted that starting from 1990, Syria was continuously achieving positive growth until the 2010s. In 20 years, the score 0.558 was improved until 0.644. However, due to civil war, the score has worsened to 0.539 by 2015, categorizing Syria as a state with "low human development." There is no major improvement until 2020³². Moreover, the Fragile States Index ranks Syria as the fourth most fragile state in the world. Within this Index, Syria achieved the best results in 2010, when it was ranked as the 48th most fragile state. However, immediately after the beginning of the civil war, the score has been worsening, taking Syria to the top of the chart³³.

Therefore, it should be noted that since coming to power, Bashar al-Assad fostered the mobilization of different segments of political opposition. Besides Islamists, the unresolved issue of the Kurdish population has hindered his successful presidency. Due to a number of reasons, Baath Party has also undergone significant transformations as a political party. The most important transformation

³⁰ Lund Aron, *Syria's Salafi Insurgents: The Rise of the Syrian Islamic Front*, The Swedish Institute of International Affairs, #17, (2013), 22–24; Benotman, Noman, & Blake, Roisin. *Jabhat al-Nusra: A Strategic Briefing*, QUILLIAM, Center for International Security and Cooperation. (23 January 2015); *The Islamic State. Mapping Militant Organizations*, (Stanford University, 2019).

³¹ The Syrian Observatory For Human Rights. *Syrian Revolution 120 months on: 594,000 persons killed and millions of Syrians displaced and injured (2021)*

³² United Nations' Development Program. *Human Development Reports*. (2020).

³³ *Ibid*

is its structural shift. As already discussed, military and intelligence services have taken control of other branches of the party. Thus, the party became more closely associated with the Syrian Army. Lastly, the most critical event in Syria's political reality is the Arab Spring, which was driven by multiple factors including westernization, religious conflicts, geopolitical issues, and terrorism. Combined together, these factors has fueled a civil war in Syria, which has lasted for almost a decade now.

Conclusion

This article examined three phases of Syria's state-building after the abolishment of the French mandate. Applying several theories and exploring relevant concepts, it also revealed how minority rule and different implications of military interventions shaped today's Syria. It also addressed some of the current issues such as the absence of domestic political consolidation. Ruled by the Alawite minority, equal simultaneous institutional development has become a serious obstacle for Syria as an independent state.

An examination of Syria's political developments proved that having inherited a colonial past, Syria has also inherited an unavoidable legacy of political instability. An examination of various political phases in Syria's state-building shows that Syria has constantly encountered major developmental obstacles that have affected the stable process of institutional and state development, particularly consecutive military interventions and different manifestations of post-colonialism. The Syrian Civil War has raged for over a decade now and the situation has not yet stabilized.

NEW INSPIRATION FROM CHINA'S PHILOSOPHY OF "UNITY OF MAN AND HEAVEN": CONTEMPORARY INTERNATIONAL RELATIONS UNDER THE COVID-19 PANDEMIC

Abstract: The danger of the novel coronavirus has not yet come to an end, and new variants have begun to attack the world. What philosophy should *humankind's* strategy be based on when human society as a group is fighting against Covid-19, as the pandemic ravages the world? Unfortunately, political leaders of various countries have failed to achieve the overall awareness of attacking the pandemic for a shared future for mankind so far. In the face of the pandemic, mankind as a whole urgently needs to break through the narrow nation-oriented ideology of seeking only self-protection. The International Community should establish a new type of international cooperation featuring the concept of harmony of "all things under heaven as a unity". The international relations system dominated by the power of western discourse is now in a bottleneck. The main aim of this article is to study the ancient Chinese wisdom of "the Unity of Man and Heaven" philosophy and build a global harmonious community. *The author argues that the "export" of the aforementioned wisdom must be a priority for Chinese scholars.*

Keywords: Tao; Unity of Man and Heaven; Novel Coronavirus; Anthropocentrism; Harmony.

Introduction

Covid-19 suddenly arrived and caught humanity off guard. In the face of the ravages of the disease, human beings have become so fragile and powerless. Every day, there are stories of illness and death. This microscopic organism has not only changed the pattern and rhythm of the world, but has also suddenly awakened our awareness of impermanence. Mankind has not been able to find the specific source of this virus or a radical effective cure. No matter where the virus originated, the culprit behind the global pandemic of novel coronavirus must be humans whose ignorance and fearlessness has caused the outbreak to spread. The pandemic has forced people, countries, and nature into a hopeless situation. People think they are the masters of nature. They do whatever they want and use all kinds of cruel means to kill wild animals to meet their own desires. They do not understand that the ecological chain is interlinked, and that once the chain breaks, causing ecological imbalance, nature's merciless punishment will come to the human body. Under the

influence of Covid-19, many human activities have had to slow down and even come to a stop, and people's expectations for a variety of bright futures have been shattered. It is impossible to predict how many people will be infected and how many will die and how long the virus will continue to spread. The pandemic will pass one day, and human society will return to normal after a period of great depression, but at such a terrible cost that we have to ask ourselves: How do we live with nature? What is the future of mankind? Does human society have a common basis for stability? In the era of globalization and modern technology, how should different ethnic groups get along with each other, and how should human beings treat the earth on which we live? What is the meaning and value of life?

Man lives between heaven and earth. We should have the ability to worship and observe the laws of heaven and earth, and harmoniously resonate with them. Human beings suffer such abuse because there is something wrong with our hearts and the way we act. The virus's visit may be nature's wake-up call. Reflecting on the origin of the virus, we need to re-understand the reality of the universe, nature and life, abandon anthropocentrism, establish a harmonious world outlook that corresponds to the laws of nature and life, and open a new chapter of human awakening with the help of the three-dimensional philosophy concept of the ancient wisdom of Chinese civilization, "the Unity of Man and Heaven".

When absorbing knowledge and thinking and analyzing problems, we should not distinguish between Chinese and Western. Instead, we should look at things from the human perspective and put aside national boundaries and ethnic differences. We should work for one purpose to keep our earth more beautiful and peaceful, because mankind shares the same earth which is our common home.

What are the Consequences of Covid-19 for All of Humanity?

So, what are the consequences of this global outbreak for all of us? I think it can be analyzed from the following aspects:

In terms of human life, it will cause human death on a certain scale. As novel coronavirus transmission is strong, and the fact that the development and popularization of vaccines will take some time, it is extremely likely to cause a certain scale of human death.

Especially in countries with relatively backward medical infrastructure, once large-scale infection occurs, the death toll will be incalculable. However, the World Health Organization (WHO) is now paying close attention to the pandemic and promoting China's successful experience around the world. At the same time, many countries, including China, have donated money to the WHO to fight Covid-19. The WHO has been sending personal protective equipment and laboratory supplies

to the countries where the COVID-19 has occurred and is confident that the scale of deaths will gradually be brought under control.

Economically, there will be incalculable losses: The Covid-19 pandemic is a human problem facing all mankind and no country or region has immunity to it. At present, it is the era of a global economy, and the production and economy between countries are more and more closely connected. The upstream and downstream supply chains of many manufacturing industries are distributed in different countries. The global outbreak of the pandemic will cause the supply chains of various industries to break, and in addition, tourism and transportation of various countries will be restricted. It is bound to cause significant economic losses to many industries such as manufacturing, tourism, air traffic and service industries in various countries. If the situation is not effectively controlled, a world-class economic crisis will occur, affecting the whole world. In its World Economic Outlook released on April 14, the International Monetary Fund named the global public health crisis "The Great Lockdown", comparing it to The Great Depression, which has dealt a fatal blow to the functioning of the highly globalized world economy. In the United States, for example, unemployment levels exceed those in the past decade, reaching their highest levels since the Great Depression, and output fell more in the first two quarters of 2020 than during the Great Recession of 2008-09¹. Millions of Americans who are hours away from losing unemployment aid or the small business they have spent years building have a simple plea to President Trump and Congress: Please help us. The Washington Post has been inundated with messages and phone calls from people on the verge of losing their homes and cars and going hungry this holiday who are stunned that President Trump and Congress cannot agree on another emergency aid package. Several broke down crying in phone interviews².

Human eating and living habits: The cause of this outbreak is the spread of a wild animal virus. We believe that through this epidemic, all mankind will strengthen the protection of wild animals, resolutely avoid eating wild animals, and put an end to the sale and trade of wild animals.

Now many people are used to excessive consumption and luxury consumption, many families need to bear the mortgage, car loan, credit card

¹ Fernandes N, Economic Effects of Coronavirus Outbreak (COVID-19) on the World Economy, 2020, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3557504

² Heather Long and Rachel Siegel, Families on brink of eviction, hunger describe nightmare Christmas as \$900 billion relief bill hangs in limbo, Dec. 25, 2020, <https://www.washingtonpost.com/business/2020/12/24/trump-congress-stimulus-unemployment-reaction/>

consumption. The epidemic affects all walks of life, and the income of many families will be affected. Overconsumption, which can be affordable when income is stable, may become a burden for many people. Through this global epidemic, people's outlook on life consumption may change, and they will be more rational about excessive consumption and luxury consumption.

Social interaction: America is a country that advocates individualism. It is also the foundation of American democracy, the basis of the "American dream", promoting the development of the economy and the progress of society. Excessive emphasis on individualism, however, without constraint, inevitably brings hidden trouble to society and crisis too. Advocating personal freedom during the outbreak constitutes one of the main obstacles to preventing the disease.

"Social distancing", telecommuting, and distinctions between "essential" and "non-essential" workers make a difference in terms of gender, race/ethnicity, education, occupation, etc. The most vulnerable groups are at greater risk, including low-income workers, the elderly, people with chronic diseases, and those living in confined spaces such as prisons or detention facilities for migrants.

Covid-19 forces a rapid shutdown of the normal patterns of social interaction that drive economic and social activity³. Most people experience interruptions in the normal rhythm of daily life because of enforced social distancing and may continue to experience interruptions in work, school, social and family relationships⁴. As a result, education, health, social services and faith-based organizations, government, criminal justice, the law, and many other infrastructures that rely on human connections have been forced to change their practices rapidly, moving some practices quickly online⁵. The pandemic has led to an increase in the practice of working from home and has greatly accelerated and maintained greater use of the Internet⁶. Although these trends predate Covid-19 and were predicted in the 1980s, when Information and Communication Technology

³ Ibid

⁴ Ibid

⁵ Ibid

⁶ Clement A Tisdell, Economic, social and political issues raised by the COVID-19 pandemic, Economic analysis and policy vol. 68 (2020), 17-28.

(ICT) (was still in its infancy, Covid-19 accelerated them⁷. Whether all these trends are socially and psychologically desirable remains an open question⁸.

Reflection on the Pandemic Situation of Covid-19

Human beings need a metamorphosis: The sudden arrival of the pandemic has forced human society to press the pause button. The pandemic has profoundly changed the way people live and work and dealt a fatal blow to the highly globalized world economy. It has accelerated the global recession since the 2008 financial crisis. This once-in-a-century pandemic has brought unprecedented difficulties in value selection, social pressure, psychological shock and livelihood damage to human society⁹.

How can the virus be so rampant? Today's human beings lack reverence for nature and do whatever they want to challenge the limits of nature. As Engels pointed out in *Dialectics of Nature*, "We should not be too intoxicated with the victory of human beings over nature." For each such victory, nature takes revenge on us. Hawking once said that if the human race cannot limit greed and desire, it will start to die in 200 years. Since the beginning of the industrial revolution 200 years ago, human society has entered a period of unprecedented rapid development. The more advanced technology becomes, the more damaging it will be to the environment. People's endless pursuit of economic benefits has led to the degradation of human beings without a bottom line. The urgent issue facing mankind today is how to conduct deep reflection and collective correction, and how to avoid collective extinction in arrogance. However, it is regrettable that so far, mankind has failed to realize the overall awareness of mutual support and joint action. In the dilemma of viral determinism, many countries and regions have constantly politicized the pandemic and delayed the best opportunity for the global fight against it, resulting in countless innocent lives lost.

The novel coronavirus is a great disaster for human society, but it is also a rare respite for the planet on which human beings depend. According to the hexagrams in the *Book of Changes*, human beings have entered the stage of flying dragons in

⁷ Darton D. O'Neill G., The changing role of the household economy in a world of expanding technology, In: Tisdell C.A., Maitra P., editors. *Technological Change, Development and the Environment: Socio-Economic Perspectives*. second ed. (Routledge: London and New York: 2018), pp. 217-238.

⁸ Tisdell. Economic, social and political issues raised by the COVID-19 pandemic, 2020, 17-28.

⁹ Zhu Yunhan, Why Globalization is Irreversible -Explore the World after the Crisis of Novel Coronavirus [J].*Cultural Frontiers*, (2020) (03), 34.

the sky and have mastered enormous energy. On the surface, human beings seem omnipotent, but in actuality they are in danger. However, it is difficult for them to detect this. If we continue to develop without restraint, the slightest mistake will make human beings shattered. At this time, only by careful reflection, staying true to our original aspiration and forging ahead, can we safely enter the next stage of development?

To worship heaven and earth: "The Unity of Man and Heaven" is a philosophical thought in China, which is expounded by Confucianism, Taoism and Buddhism. Heaven refers to the sky, also refers to the way of heaven, but also refers to the natural road. The unity of Man and Heaven refers to the harmony of Man and Tao, and the state of "heaven and earth are born together with me, and all things are one with me". It also refers to the harmony of man and nature¹⁰. The "Unity between Heaven and Man" reflects the profound and unique cultural essence of the Chinese people, and the philosophical views that "Providence is so great and from Heaven, which is unchanged"¹¹. Therefore, observe Providence, to educate man to be good, would be the most fundamental way to solve natural disasters and man-made misfortunes, whether in ancient China or in other parts in the earth. This is because "man who accords with Heaven can be preserved and man who rebels against heaven can perish"¹².

Human beings are ordained between heaven and earth, so they should respect the way of heaven, respect life and abide by the laws of heaven and earth. The trend of the world is mighty and overwhelming. Those who follow it will prosper while those who resist will perish. Observing the Way leads to prosperity, contrary leads to ruin.

Taoism or Daoism is a philosophical tradition of Chinese origin which emphasizes living in harmony with the Tao (Chinese: 道; pinyin: Dào; lit. 'Way', or Dao)¹³. The Tao is a fundamental idea in most Chinese philosophical schools put forward by the sage-Lao Tzu¹⁴ who embodies the Way and perfectly realizes his

nature through it. Pure and empty he preserves himself. He acts without depending on others and without exceeding norms. He leads but does not dominate others. Therefore, without belaboring his intelligence, the people transform themselves. Without relying on his own efforts, tasks are accomplished. His hidden virtue is far-reaching, ineffable and inconceivable.

In Taoism, however, it denotes the principle that is the source, pattern and substance of everything that exists. Dao is called the "Mother of Myriad Things" and is characterized by potentiality and infinity. As a function, Dao is the law of order below forms, the objective law that governs all existence in the universe; it is also called the "Constant Way"¹⁵. It runs from ancient times to the present and includes everything in the created world. It is so big that nothing is beyond it; it is so small that nothing can fill it. It embodies the true structure of the cosmos and its internal rhythm.

In Chapter 25 of Tao Te Ching, Lao Tzu put forward the important argument: "Dao begets one; one begets two; two begets three; three begets the myriad creatures"¹⁶. Tao is the mother of all things under the world, the source of all energy, the foundation of heaven and earth, and the source of all things¹⁷. All living things under heaven are the sons of Tao, and human beings and all living things under heaven are the same kind of life. Human beings should treat all living things with equality and compassion, instead of excessive killing, stealing and adultery." Human beings must revere heaven and earth." In general, "Tao" is the driving force and law for the growth and development of all things. If we follow the principle, we will prosper; if we go against it, we will perish. Confucianism endows "Tao" with the content of benevolence and righteousness and puts forward that "the cause of justice is supported by many people, while the cause of injustice is not supported by people"¹⁸. In the face of the global pandemic, only by respecting, obeying, and letting nature take its course can we achieve harmony in our own body and mind, in our families, in our nations and even in the world.

The human race on Earth is one body that shares a common destiny. Political leaders in Today's world should focus on the common aspirations and missions of the world instead of blaming each other for the benefit of one country and missing

¹⁰ Zhaohe Chen, *The ecological concept and enlightenment-the "unity between heaven and man*, International Journal of Research-Granthaalayah, 2015.

¹¹ Dong Zhongshu, *The strategy for recommending virtuous man, in the Various Revelation of Spring and Autumn*, 1st ed., (Jinan: Shandong Friendship Press, 2001), 255.

¹² Liu Zhongzhong, *Lilou section one in the works of Mencius*, in *The Four Books*, 1st ed. Changsha, (Hunan People's Press, 1993), 398-394.

¹³ Elizabeth Pollard, Clifford Rosenberg, Robert Tignor, *Worlds Together, Worlds Apart: A History of the World - From the Beginnings of Humankind to the Present*, (W.W. Norton, 2014), p. 164.

¹⁴ Laozi was an official historian of the Zhou who lived during the Spring and Autumn era (770-476 BCE). He was about thirty years older than and a contemporary of Confucius.

¹⁵ Fuchen He and Zhonghu Yan, *The General Theory of Taoism*, (Paths International Ltd), 2013.

¹⁶ Tao Te Ching, Chapter 25.

¹⁷ Chen, *The ecological concept and enlightenment-the "unity between heaven and man*, 2015.

¹⁸ Raphals Lisa, *Divination and Prediction in Early China and Ancient Greece*, (Cambridge: Cambridge Univ. Press, 2013), 337.

the opportunity to fight against the pandemic. All mankind should face the consequences of breaking the law of nature. We should follow the way of heaven, return to the lost path as soon as possible, cross over the existing planar thinking, and regain the philosophical concept of "unity of Man and Heaven" of ancient Chinese civilization for seeking the well-being of mankind.

Abandon Anthropocentrism and Build a Harmonious Relationship between Man and Nature

The Enlightenment ignited the light of human reason. People were liberated from the repression of medieval beliefs and began to control the world with reason. But serious problems followed. People mistakenly believe that man is the center of the world. Relying on increasingly developed scientific means, the uncontrolled exploitation and utilization of natural resources has resulted in the imbalance of the overall ecological chain and led to the emergence, one after another, of a variety of natural disasters.

Man has cruelly destroyed nature, and nature is taking merciless revenge on man. The "greenhouse effect" makes the world's climate more and more volatile. The sky is increasingly expanding the ozone hole. Forest grassland is in rapid retreat and the desert is advancing step by step. Unrestricted and destructive mining is making man kill the goose that lays the golden egg, drain the water to fish, and unknowingly become his own gravedigger. To a large extent, the root of this crisis is caused by human factors, the alienation of human nature and the advocacy of anthropocentrism in western culture.

Anthropocentrism holds that human beings are separated from nature and higher than nature. It holds that human life has intrinsic value, while other entities (including animals, plants, mineral resources, etc.) are resources that can be rationally developed for human interests¹⁹. Many ethicists find the roots of anthropocentrism in the creation story told in the Judaic-Christian Bible, Genesis²⁰. In the creation story, humans are created in the image of God and instructed to "conquer" the earth and "rule" all other creatures²¹. This idea is not confined to Jewish and Christian theology, and can be found in Aristotle's Politics and Immanuel Kant's Moral Philosophy²².

¹⁹ Boslaugh Sarah E., Anthropocentrism, Encyclopedia Britannica, 11 Jan. 2016., last modified 23 May, 2021, <https://www.britannica.com/topic/anthropocentrism>

²⁰ Ibid

²¹ Ibid

²² Ibid

Anthropocentrism believes that humans are the most important entity in the universe. Anthropocentrism explains or looks at the world in terms of human values and experiences²³. In Western civilization, the emphasis on humanistic modernization has actually caused havoc for human civilization. In the 21st century, especially in the current pandemic caused by novel coronavirus, people must reflect on the problems in the process of modernization. How to avoid the huge risks posed by the pandemic? How to solve the disease of today's world? The author thinks that the answer is in the Chinese philosophy of Confucianism, Chinese Buddhism and Taoism, which is completely perfect. Western learning is now in a bottleneck state, and the ancient Chinese wisdom is "dredging" rather than "blocking". The forbearance spirit of embracing all rivers in Chinese culture is lacking in the western theory of unification.

The Virtue of Centrality and Harmony in Chinese Philosophy

The rich traditional cultures left behind by Chinese ancestors are called the "Three Teachings and Nine Streams," each of which has a different orientation toward value. From a bird's eye view of Daoxue, there is a commonality among these schools of thought. The fulcrum of commonality lies in the two Chinese characters called "zhong he" (centrality and harmony 中和). The characteristic Chinese philosophical thoughts can be summarized in one word. The word is "zhong" (centrality 中), one part of two characters that describe the characteristics of Chinese philosophy. There must be reasons why all schools of thought, including Buddhism from India, were assimilated by Chinese culture and civilization. Though they differ in many ways, they are voices that come from the spiritual apertures of the Chinese mind. These voices "are liver and gall, Chu and Yue, if we look at them from the point of view of their differences. But if we look at them from the point of view of their sameness, then the ten thousand things are all one." ("Dechongfu" in Zhuangzi 庄子·德充符). "zhong" and the name Zhongguo (Middle Kingdom or China 中国) was not derived from China as pottery, nor from Китай in Russian; rather, it was a crystallization of the Chinese soul and national character. Therefore, the core teaching that most represents Chinese wisdom is "centrality and harmony." At this point, Confucian culture gives the best expression. Zhongyong (中庸 Centrality and Equilibrium or The Mean), one section in the Liji (Book of Ritual 礼记) said: "Before pleasure, anger,

²³ Merriam-Webster e-dictionary, <https://www.merriam-webster.com/dictionary/anthropocentrism>

sorrow, and joy have arisen, this is called centrality. After they have arisen and have attained their appropriate degree, this is called harmony. Centrality is the great root of the world, and harmony is the pervasive Way of the world. Once centrality and harmony are realized, Heaven and Earth take their proper places and all living things are nourished." Yizhuan (Commentary of the Book of Changes 易传) talked about "taking centrality as an aspiration...(and) as a guide for one's right conduct." Mencius advocated "taking the middle way to establish oneself." In the Confucian "Actions of the Great Yü" in the Book of Documents (Da Yümo in Shangshu 尚书·大禹谟), considered to be an authentic transmission of "sixteen characters" from the tradition tracing back to Yao and Shun, we have this: "The heart of man is indeed in danger. The heart of the Way is indeed subtle. One must be sincere. One must be persistent. Hold to that centrality without bias." Confucianism, Taoism and Buddhism thus all gave prominence to the philosophy of "centrality and harmony"²⁴.

It encompassed Heaven and Earth. Dr. Stephen T. Chang of the American Tao University said in *The Integral Management of Tao: Complete Achievement: The Yellow Emperor used the principle of Dao as a guideline for administering and developing the state. From the Eastern Zhou onward, independent regimes emerged which provided opportunities for Confucianism, Legalism and the other six schools to contend against one another. From Taoism came Confucianism, Legalism, Mohism, Agriculturalism, the School of Names, Militarism, the Yin-Yang School, and the School of Diplomacy*²⁵.

Daoxue undoubtedly possesses many meanings and values relevant to the modern, global world. Taoism is reasonable, legitimate and fair, and has a five-thousand-year lineage dating back to the Yellow Emperor. It opens up new ideas for our world of the 21st century. The conflicts between East and West will surely be reconciled and unified by the Great Dao; and the relevance of Daoxue has generally been recognized by the modern international academic community. International research generally recognizes that "Dao" will be the "guiding principle of the world" in the 21st century²⁶.

Chinese youth now shoulder the responsibility to establish the heart-mind for secure life for the people, continue the learning of past sages, and bring about

²⁴ Hu Fuchen and Zhonghu Yan, *The General Theory of Taoism*, (Paths International Ltd, 2013), 79-82.

²⁵ *Ibid*, 58.

²⁶ *Ibid*

peace in the world²⁷. The Chinese philosophy is to study human beings, society, nature and the universe as a whole. The idea of "unity of man and heaven" makes it easy to harmonize all things in the world into harmonious coexistence.

The essence of Chinese philosophy lies in penetrating the objective laws that govern nature, society and human life. It uses Taoist methods to hold to the essential and know the roots in order to pursue harmony between human beings and nature, and to achieve the transcendence of life itself. It implements the strategy of using softness to overcome the hard, weakness to overcome the strong and regression in order to progress. It sets the goal of opposing human alienation and returning to nature. The essence of Religious Taoism lies in understanding the value of life in the context of the natural world and society. It further raises the motto: "My life is in my own hands, not in the hands of Heaven." It develops the potential of life and soul to an optimal level and seeks an identity between human beings and Dao, optimal relations between human beings and society, and between man and nature.

It uses "life" as the source, "transformation" as its precondition, "adaptation" as the hub, "Zhong (centrality)" as the essential, "he (harmony)" as a means of accommodation, and "forbearance" as the true course of coping with the world²⁸. There are two orders in this world. One is the law of nature, the other is the law of society. In the short run, social rules may work, but in the long run, natural rules must work. People in today's world should consider more based on natural rules instead of shadow knowledge and shortsighted views.

There is no reason why human civilization should always let the European and American civilization bear huge responsibilities. With the development of human civilization today, various problems have emerged, and mankind needs new ways of governance. China has become an important player in world governance. Chinese people should involve the wisdom of sages in the construction of modern civilization and show the mind of benevolent government when dealing with relations with other countries. In his book *The Silk Road: A New History of the World*, Peter Frankopan, a professor at Cambridge University in England, mentioned this story: "In Greek mythology, Zeus, the father of the gods, sent eagles from each end of the earth and sent them flying towards each other. A sacred stone - the Omphalos ("navel of the earth") - was erected at the spot where the two eagles would meet, where they would communicate with the gods. The two

²⁷ Stephen Chang, *Management Gist of Daoism -- Wisdom of Life and the Road to Success*, trans. Wang Hu and Wang Jinshun. (Sichuan University Press, 1992), 19.

²⁸ Hu Fuchen and Zhonghu Yan, *The General Theory of Taoism*, 86.

eagles set off from the western coast of the Atlantic Ocean and the Pacific coast of China, then flew inland to meet somewhere between the Black Sea and the Himalayas. The story of the sacred stone has been a source of inspiration for philosophers and theologians²⁹.

This story has given us the general direction of human thinking: the future of the new axis era must carry out dialogues based on mutual respect among civilizations and seek the Gospel of mankind under the same canopy.

A Community with a Shared Future for Mankind

The concept of a community with a shared future for mankind proposed by Chinese leaders has broken through the constraints of Western theoretical paradigms of realism and liberalism. Its inspiration derives from the philosophy of unity of Man and Heaven.

Against the background of globalization, humanity's current political system and governance structure have been unable to solve the contemporary human crisis. The scholars in international relations should broaden their research perspectives and be forward-looking, put their theoretical research above the realistic dilemmas facing the world, and establish the principles and paths of a new world pattern and governance system. A theory of international relations with Chinese characteristics can be derived from Chinese culture with a unique Chinese perspective.

It is necessary for Chinese scholars of international relations to continue to dig and deepen their research, improve their own style by paying attention to the fate of mankind and philosophical introspection of Chinese style, and further develop international relations theories that belong to both China and the world.

Conclusion

Human beings rely on increasingly developed scientific means to exploit natural resources without restraint, resulting in the imbalance of the overall ecological chain. A variety of natural disasters emerge one after another. If human beings cannot deeply reflect on their misconduct, make timely corrections, human society will certainly face greater disasters and crises. Disease knows no borders. To defeat the current pandemic, which poses a global threat, requires all mankind to fulfill their obligations and help each other. There is only one earth on which mankind can live. If the balance between man and nature is destroyed, the survival of mankind and different groups will be put in jeopardy. Now the international

community should transcend race, nationality, skin color, region, language, culture, religion, sex, nation, class limitation and cooperate with a common purpose of fighting against the pandemic. The wisdom of the Chinese ancestors has expanded the community of human life into one between man and all creation. As mankind enters the 21st century, all kinds of opportunities and challenges coexist. How to address the health, development and survival challenges facing human society? Fifty years ago, the historian John Toynbee publicly and boldly predicted that in the future, China would be the most qualified and likely nation to create a new civilization for human society, and that Chinese civilization would unify the world. The future of the world lies in China, and the way out for mankind lies in Chinese civilization. Coincidentally, at the First International Conference of Nobel Laureates "Facing the 21st Century" held in Paris in 1988, 75 Nobel Laureates discussed the topic of "Challenges and Hopes of the 21st Century", and one of the important conclusions was that mankind must draw on the wisdom of Confucian sages 25 centuries ago if it is to survive. It seems that the ancient and modern world has a basic consensus on the prediction of mankind³⁰. The philosophical wisdom of the unity of Man and Heaven in China is not only a transcendental ideal world and the source for all human order and value, but also it is the ultimate and only absolute Truth. It is one foundational element of Chinese culture. It is also the trunk that can receive grafts of cultural branches from abroad, thereby serving as a meeting point for different cultures³¹. One day, I hope, the ideas put forward here will be proven true by the development of modern science and philosophy and will assist the progress of world civilization. Chinese scholars have the obligation to pass on this wisdom to the world and give a voice that resonates with the world in the field of international relations.

²⁹ Peter Francopan, *The Silk Road: A New World History*, trans. Shao Xudong and Sun Fang, (Zhejiang University People's Publishing House, 2015), VI.

³⁰ People's Daily: Chinese traditional culture is bound to benefit mankind!, Zhongshan Chinese Academy <https://mp.weixin.qq.com/s/iYxJ2MT2q7A4JtetoLWNUg>

³¹ Hu Fuchen and Zhonghu Yan, *The General Theory of Taoism*, p. 79.

GARNIK DAVTYAN

THE INFLUENCE OF THE AMENDMENTS TO THE ELECTORAL CODE OF AZERBAIJAN ON THE OPPOSITION PARTIES

Abstract: The purpose of this study is the examination of the Electoral Code of Azerbaijan, to show how it affects the conduct of the elections and their results. The principal results of this research show how the Azerbaijani authorities have built the Electoral Code in a way that maximizes their power at the expense of the opposition. On top of that, it is possible to state that the authorities deliberately ignored the opinions of authoritative figures and created favorable conditions for them, ignoring the opposition.

Emphasizing these conclusions, it should be noted that as a result of the changes in the Electoral Code, an atmosphere has been created in Azerbaijan where the opposition has an absolute distrust of the current government. There are no fair elections, and there are serious loopholes where even struggling has become meaningless.

Keywords: Azerbaijan, Electoral Code, Venice Commission, proposal, opposition.

Introduction

The Electoral Code is one of the most important pillars of any state, which, originating from the legal norm of the Constitution, provides opportunities to hold this or that state election, to set deadlines, to appeal, and so on. In general, the Electoral Code contains the Code of Electoral Conduct, which aims to promote "conditions conducive to free and fair elections", which create an atmosphere of tolerance, free political propaganda, and open public debate¹. One can single out the International Covenant on Civil and Political Rights², in particular Article 19.1, which guarantees the right of "everyone" to "have an opinion without interference". Article 19.2 defines the right to freedom of expression, which includes "the freedom to seek, receive and impart information and ideas of all kinds". The right to freedom of opinion and expression is a "central pillar of democratic societies,

¹ Official website, "The Electoral Code of Conduct", last modified June 20, 2020, <https://www.elections.org.za/pw/Parties-And-Candidates/The-Electoral-Code-Of-Conduct>

² "International Covenant on Civil and Political Rights", Entry into force 23 March 1976, General Assembly resolution no. 2200A

and a guarantor of free and fair electoral processes, and meaningful and representative public and political discourse"³.

The Electoral Code regulates the interrelationships between local self-government bodies, the parliament, the president, including the principle of registration of candidates, participation in elections, the process of a referendum, and other legal norms. The Code clearly defines the classical constitutional principles of suffrage: direct suffrage, equal, universal free, secret, and the frequency of elections. It also has general guarantees for correct voting, such as the respect of human rights, stability of suffrage and procedural guarantees, which includes the organization of elections, an effective system of appeals and observation by an impartial body⁴.

At different times, elections have played their role and had importance in different countries of the world, through which they have elected both a leader and made different decisions. In general, the ruling elites in the English-speaking world began to revise their electoral laws in the late eighteenth and early nineteenth centuries⁵. It also must be stated that researchers have long argued that electoral laws directly transfer preferences into results, and they have used the election results to identify the social bases of parties. Elections, in turn, are a complex system that can also have a negative impact. This negative impact is reflected in electoral fraud, such as ballot-box stuffing, double voting, and pressure on voters, etc. Polling station operation, tallying procedures, as well as the opportunities generated by voter registration usually makes political parties have multiple illegitimate votes cast in support of the desired candidate. As a result, it can cause damage to the number of sociologically minded views of politics⁶.

The electoral systems (codes) cannot be changed freely; they must be based on the principles of democracy. Today, it is of paramount importance for democratic countries to turn the so-called democracy into an active legal and political institution, which must be demonstrated by the existence of a free and fair state and

³ United Nations Human Rights Council, "Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression" Doc. A/HRC/26/30, July 2, 2014, 10, <http://undocs.org/A/HRC/26/30>

⁴ European commission for democracy through law, Electoral law, (Strasbourg: Council of Europe and Venice Commission, 2013), 6, <https://www.venice.coe.int/webforms/documents/?pdf=CDL-EL%282013%29006-e>

⁵ Karen Offen, International Encyclopedia of the Social & Behavioral Sciences (UK: Pergamon, 2001), p. 34

⁶ Fabrice Lehoucq, Electoral Fraud: Causes, Types, and Consequences, Review in advance, no. 6, (February 2003), 233.

local self-government bodies that hold the trust of the people⁷. Elections are even more important because they are directly related to the stability, development and statehood of the state. Therefore, the establishment of electoral legislation, the electoral system and its subsequent improvement is one of the key preconditions for the establishment of representative institutions of democracy and effective, unhindered operation. However, if elections are being held in unreformed systems, their results range from nonexistent to partial credibility⁸.

An electoral system that is fairly elected plays a paramount role in the institutional decisions of any democracy. The specific choice of each electoral system has a significant impact on the future politics of a country; electoral systems usually stay quite stable as political interests consolidate and respond to stimuli.

The laws of the Electoral Code are often cited as a key factor in determining the success of an election, as it is the observance of those laws that forms both a stable domestic policy and a basis for refraining from further political manipulation. The electoral system of the whole world pays little attention to external models, rarely asks for the expert advice of self-governing specialists, and in the end adopts the system that they perceive to be perceptible⁹. In other words, the states, particularly the CIS countries, which are on the path to democracy, must at least take into account the reform package of the Electoral Code of such countries which have brought their state a step closer to democracy. It is not acceptable to make changes to the Electoral Code self-willingly, without taking into account professional opinions. The Electoral Code is the legal instrument that realizes the redistribution of relations between the borders of the authorities, the formation of new political roles, and other factors.

However, as experience shows, the amendments to the Electoral Code are applied with a completely different perception, particularly in the Republic of Azerbaijan.

The Electoral Code of the Republic of Azerbaijan consists of 7 sections, 246 articles¹⁰. In total, 21 amendments were made to the Electoral Code of Azerbaijan

during 2003-2018¹¹. The first amendment to the Electoral Code was made after İlham Aliyev came to power in 2003, on November 11¹², and the last one in 2018, on December 18¹³, in total 21 changes.

The study is based on amendments to articles related to the opposition, candidate registration requirements, the electoral commission, and all articles that are directly related to showing the overall domestic political picture from a legal point of view. Reports, opinions and recommendations made by international organizations, in particular the Venice Commission (hereinafter referred to as the VC), the OSCE, including the Office for Democratic Institutions and Human Rights (hereinafter referred to as the ODIHR), will be key ones.

Throughout 2005, amendments to the Electoral Code were made during 3 different periods (March 4¹⁴, June 14¹⁵, June 28¹⁶ and December 23¹⁷). The total number of amended articles is 56, but before coming to the changes made in the original articles, let us refer to the ODIHR 2004 Joint proposals on electoral legislation and electoral governance in Azerbaijan¹⁸.

In the section "Proposed Amendments to the Electoral Code" of the document prepared by the above-mentioned two institutions, several important observations are made on the issues of the Electoral Code of Azerbaijan and their amendments.

¹¹ "İzberəcəli kodeks" Azərbaycan Respublikası, Azərbaycan, 2020, str. 1 ["Electoral Code" of the Republic of Azerbaijan, Azerbaijan, 2020, p. 1.]

¹² Azərbaycan Respublikasının Milli Məclisi qərar, Azərbaycan Respublikasının Seçki Məcəlləsinə dəyişiklik edilməsi haqqında Azərbaycan Respublikasının qanunu № 516-IIQD, 2003, last modified March 24, 2021, <http://www.e-qanun.az/framework/2570>

¹³ Azərbaycan Respublikasının Milli Məclisi qərar, Azərbaycan Respublikasının Seçki Məcəlləsinə dəyişiklik edilməsi haqqında Azərbaycan Respublikasının qanunu № 1397-VQD, 2018, last modified March 24, 2021, <http://www.e-qanun.az/framework/41184>

¹⁴ Azərbaycan Respublikasının Qanunu, Fövqəladə vəziyyət haqqında № 856-IIQD, 2005, last modified March 24, 2021, <http://www.e-qanun.az/framework/9494>

¹⁵ Azərbaycan Respublikasının Qanunu, Azərbaycan Respublikasının bözi qanunvericilik aktlarında dəyişikliklər və əlavələr edilməsi haqqında № 938-IIQD, 2005, last modified March 24, 2021, <http://www.e-qanun.az/framework/10418>

¹⁶ Azərbaycan Respublikasının Qanunu, Azərbaycan Respublikasının Seçki Məcəlləsinə əlavələr və dəyişikliklər edilməsi haqqında № 957-IIQD, 2005, last modified March 24, 2021, <http://www.e-qanun.az/framework/10426>

¹⁷ Azərbaycan Respublikasının Milli Məclisi qərar, 23 dekabr 2005-ci il tarixli 35-IIQD nömrəli Azərbaycan Respublikasının Qanunu, 2005, 1, last modified March 24, 2021, <http://www.e-qanun.az/framework/13703>

¹⁸ Venice Commission and the OSCE/ODIHR, Joint recommendations on the electoral law and the electoral administration in Azerbaijan Recommendation of 2004, CDL-AD(2004)016rev, Introduce in OSCE/ODIHR 1 of June 2004, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2004\)016rev-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2004)016rev-e)

⁷ Nona Harut'yunyan, "Əntrakan orensdrut'jan ardi himnaharcərə ew zargacman mitumneri Hajastani Hanrapetu t'yunum", Erewan, 2018, 8 [Nona Harutyunyan, Current issues of electoral legislation and development trends in the Republic of Armenia, Yerevan, 2018].

⁸ Lehoucq, Electoral Fraud: Causes, Types, and Consequences, 236.

⁹ Giovanni Sartori, The Importance of Electoral Systems (London: Palgrave Macmillan, 1994), 28.

¹⁰ Azərbaycan Respublikasının, Azərbaycan Respublikasının Seçki Məcəlləsi, 2003, last modified March 24, 2021, <http://www.e-qanun.az/code/17>

It is noted that the Electoral Code is still very complicated and contains repetitions. The latter created difficulties for candidates, political parties, observers, election officials, and those who wished to get acquainted with it or file a complaint. Moreover, it was mentioned; "This reduces the transparency of the legislation; it contradicts the right of citizens to know the law clearly"¹⁹.

Great importance is also given to other important members of the Electoral Commission of Azerbaijan, in particular to the fact that the Electoral Code gives great authority to the chairman of the electoral commission. Therefore, it would be preferable to appoint presidents from various political parties, which, in its turn, will increase trust in the work of the commissions. In addition, it was stated that the decisions of the commissions require a quorum of two-thirds, with a two-thirds majority. This will require a high level of consensus to make the commissions effective²⁰. Moreover, the Electoral Code should present an understandable and translucent procedure for the nomination and selection of all commission representatives. As for the term of office of the Commissioners, the ODIHR noted that the term of office of the latter should be reviewed, which was 5 years, arguing that it is too long. Regarding the holding of early local elections in 2011, the Deputy Chairman of the People's Front Party of Azerbaijan Fouad Gehremanli noted that municipalities have low status and that they have no real authority. Moreover, he added that there are no conditions for holding fair elections in the country. Electoral commissions are under the control of the authorities, holding rallies are prohibited, and the opposition is not allowed to appear on television²¹.

The document also referred to the registration of candidates running in the elections. It was noted that the registration process for candidates should be significantly improved. The Electoral Code must shed light on the reasons for rejecting candidates in the presidential election. The number of signatures (45,000) required for the registration of presidential candidates should be reduced²².

In Azerbaijan, joint proposals on electoral law and electoral governance also refer to Article 86 of the Electoral Code, stating that it should be amended to clearly regulate demonstrations and open-air rallies. Of course, we must also take

¹⁹ Ibid

²⁰ Venice Commission and the OSCE/ODIHR, Joint recommendations on the electoral law and the electoral administration in Azerbaijan Recommendation of 2004

²¹ Faik Medjid, V Azerbayjane idyöt pödgötövka k viböram samöüpravleniya v 330 munic ipalitetax, last modified March 25, 2021, <https://www.kavkaz-uzel.eu/articles/-195757/>, [Preparations for local self-government elections in 330 municipalities are underway in Azerbaijan, Caucasian Knot, November 14, 2011]

²² Ibid

into account the fact that the lack of 268,106 votes near the second place indicates that the opposition Musavat party has been enjoying the trust of citizens since 2003 (If we do not take into account that during the 2003 presidential elections a large number decided not to run in 2008. on August 2. The main reasons for not participating were the number of electoral violations), but did not run in this presidential election. Their reasons for not participating in the elections were the lack of freedom of assembly and the imprisonment of journalists, as well as the lack of a consistent position with international organizations on the elections²³. Moreover, election commissions were to be given special powers to offer local governments the right to provide polling stations for all competitors under the same conditions. It was important that the VC and ODIHR addressed the issue of free airtime for candidates. It was mentioned that Article 194 of the Code sets a 5% threshold, which is necessary to release presidential candidates from the obligation to pay for free airtime and pavilion. The threshold should be lowered to 3%, in accordance with the 3% threshold set for parliamentary elections (Article 161 1 Article 230). It is proposed to demand 3% of valid votes instead of the number of voters in the respective constituency²⁴.

The official document also refers to the observers who are an important component of the elections. It was stated that if some NGOs receive foreign state funding, it should not prohibit their appointment as observers. This clause called for an amendment to the Law on Public Organizations and Foundations. After the VC and ODIHR also called for "the Code to stipulate that observers have the right to enter election commissions after completing all election tasks from Election Day until." "This increases the transparency of the work of the commissions, especially the CEC, in the crucial days before the final results are announced"²⁵. Moreover, valuing the amendments to the Electoral Code, the call for organizations was to ensure a simple procedure for registering individual observers.

In 2004, VC and ODIHR in the recommendations called for "the authorities to take steps as soon as possible to turn the state-run television station into an independent public service broadcaster with balanced reporting, including coverage

²³ News website, "İsa Qəmbər: İndiki halda seçkilərə qatılmamaq daha uyğundur", August 4, 2008, last modified March 25, 2021, http://www.turan.az/login_az.php?doc=%2Fhome-3%2Fturanne1%2Fpublic_html%2Fnews%2F2008%2Fsubsc%2Fpolitics_8_az.htm&anc=51498&pb=politics&op=exit

²⁴ Venice Commission and the OSCE/ODIHR, Joint recommendations on the electoral law and the electoral administration in Azerbaijan Recommendation of 2004

²⁵ Ibid, p. 5.

of the activities of leaders during elections²⁶. In addition, they noted that during the elections (before the start of the campaign) the CEC should establish an independent media council with a professional, non-partisan staff, with a clear mandate to oversee the campaign through the media.

In the package of the above-mentioned proposals, we presented the key points that were essentially related to the election process in Azerbaijan. It was obvious that in 2004 according to the package of proposals, priority should be given to reviewing the Electoral Code to ensure that pro-government members do not dominate election commissions, and NGOs with international funding are allowed to appoint election observers. It should be stated that twenty opposition parties united in the Alliance for the Progress of Azerbaijan have announced that they will boycott the upcoming local elections. In particular, they stated that they had information that a list of candidates had been prepared, which included mayors and members, who are mainly members of the New Azerbaijan party or independent candidates supporting the so-called ruling party. The opposition representatives of the bloc also mentioned that in these conditions the results of the elections will be falsified and that they do not find it expedient to participate in the local elections. However, we will represent the extent to which the Azerbaijani government has made targeted changes in a summary. According to VC 2006 June 12 report²⁷, Azerbaijan has not implemented reforms in a number of areas:

AREA I: Subparagraph (c) states: "One of the remaining shortcomings of the Electoral Code of Azerbaijan is the fact that, according to international observers, the conduct of election commissions continued to be strongly in favor of the government, thus undermining trust in the independence of the electoral administration²⁸. In other words, Azerbaijani authorities directly ignored the recommendations made in 2004 regarding the new composition of the commission being composed of representatives from different political parties, in order to increase public trust in the work of the commissions.

AREA II: Referring to Azerbaijan in 2006 report, the VC noted that the latter did not implement the 2004 Recommendations on reducing the signature requirements raised by the VC and ODIHR²⁹. This refers to the reduction of the number of 45,000 signatures required for the registration of presidential candidates.

²⁶ Ibid, p. 8.

²⁷ Venice Commission, "Report on electoral law and electoral administration in Europe", CDL-AD(2006)018, June 12, 2006, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2006\)018-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2006)018-e)

²⁸ Ibid, p. 9.

²⁹ Ibid, p. 18

AREA III: Another violation reported by the VC was the non-inclusion of NGOs as observers in the elections. Therefore, several local non-governmental organizations have been banned from conducting election observation missions, but by a last-minute decision, the ban was temporarily lifted only for 2004 local elections³⁰. The 2006 report noted that the lack of local observers, as well as the fact that the number of international observers was too low, made election fraud possible.

It should be noted that in addition to the above-mentioned directions, the VC addressed remarks and non-fulfillment of the recommendations to Azerbaijan and also registered a number of other omissions, violations, and non-fulfillment of the proposals. The non-implementation of the other proposals in the above-mentioned directions was distinguished by the fact that they were directly related to the elections and their conduct. It was more important to show how Azerbaijani authorities made it difficult to register candidates, particularly opposition figures, as well as other cases of non-prevention of election violations.

Representatives of the People's Front of Azerbaijan, Musavat and the Democratic Party of Azerbaijan expressed their dissatisfaction with the amendments to the Electoral Code. Arif Hajiyev, former deputy chairman of the Musavat party, referring to the change in the composition of the election commission, stated: "The authorities do not want to abandon the principle of forming election commissions at all levels"³¹. Continuing to insist that the commission should also include members of opposition parties.

It should be noted that despite all the efforts, Azerbaijan made changes in the Electoral Code that did not follow either the logic of the proposals of the VC or the demands of the opposition.

Some changes have been made in Azerbaijan since 2005, but compared to the changes of June 2³² and December 16³³ of 2008 they are not of major significance.

³⁰ Ibid, p. 27.

³¹ Gerai Dadaşev, "Oppozic'iya Azərbaycana tərbuyet providēnia svobodnix vibrov", Ria, <https://ria.ru/20050618/40545054.html>, [Geray Dadashev, Azerbaijan's opposition demands free elections, Ria, June 6, 2005]

³² Azərbaycan Respublikasının Milli Məclisi qərar, Polis haqqında Azərbaycan Respublikasının Qanununa, Azərbaycan Respublikasının 1999-cu il 7 dekabr tarixli 768-IQ nömrəli Qanunu ilə təsdiq edilmiş Gömrük orqanlarında xidmət haqqında Əsasnaməyə və Prokurorluq orqanlarında qulluq keçmə haqqında № 611-IIIQD, 2008, 1, last modified March 24, 2021, <http://www.e-qanun.az/framework/4363>

³³ Azərbaycan Respublikasının Milli Məclisi qərar, Azərbaycan Respublikasının Seçki Məcəlləsinə əlavələr və dəyişikliklər edilməsi haqqında № 739-IIIQD, Azərbaycan, 2008, 1, last modified March 24, 2021, <http://www.e-qanun.az/framework/16259>

The Venice Commission, in its "Opinion on the draft law on amendments to the Electoral Code of the Republic of Azerbaijan in 2008"³⁴, referred to the previous amendments to the Electoral Code.

Giving great importance to the conduct of elections and the protection of candidates' rights in this package of proposals, the VC referred to the reduced time of the election campaign and electoral processes. In this regard, the document states that most of the changes were related to the reduction of the official campaign duration by almost half. The official start of the campaign period has been decreased to 28 days from 60. Moreover, the deadline for announcing elections has been reduced from 120 to 75 days, and the deadline for organizing constituencies has been reduced from 115 days to 70 days before the start of voting³⁵.

These changes have their negative consequences. These consequences have negatively affected the rights of voters. If identical circumstances for providing information to voters were restricted some weeks earlier from Election Day, then the right of voters to get notice has been remarkably restricted. The reduction of the start of the official campaign period was also negative. This meant that voters, as well as candidates, particularly opposition candidates, did not have enough time to familiarize citizens with their election programs.

The VC also noted that Article 181.1³⁶ of the Electoral Code had been amended: "To reduce the number of signatures required for the presidential election from 45,000 to 40,000". However, it was suggested that Article 181.2 be amended to allow every voter to submit signatures to only 1 probable candidate. Unfortunately, this proposal was ignored by the Azerbaijani authorities.

The document also refers to the coverage of election campaigns on television and radio. Article 77.1³⁷, which was also amended, contains a problematic point, which states that the election campaign will be conducted through state television and radio broadcasting organizations. The VC had a negative interpretation of this, noting, "News and political coverage, forums or articles on radio and state television must respect the principle of juridical equality. Biased coverage or

treatment in state-funded media should be prohibited, and immediate action is required from the authorities in the event of any breach"³⁸. In this regard, the leader of the Liberal Party Lale Shovket noted that elections in Azerbaijan, in the absence of a democratic atmosphere, cannot be free and fair, if "the free press is pressured, leading journalists are detained, political prisoners are imprisoned, freedom of assembly is restricted, the Electoral Code is introduced. There are reactive changes, the government has monopolies in the election commissions"³⁹.

Amendments to the Electoral Code of Azerbaijan consist of the inclusion of new articles, in particular 11-1⁴⁰ (prevention of illegal interference in the conduct of elections (referendum)), 47.5-1 (procedure for excluding citizens from the voter list), 73-1⁴¹ (refusal of a candidate to run for office), 170.3⁴² (Failure of elections in a single-mandate constituency or invalidation of elections). All of these articles were approved by the Venice Commission, with a few exceptions.

Let us state that the above-mentioned new articles have nothing to do with facilitating the registration of an opposition candidate, protecting their rights, and eliminating election violations. Taking into account the above remarks, which have not been revised or have been partially revised, we can say that changes have been made, but they are more aimed at limiting the opposition and providing even more favorable conditions for the government.

To get an overview of the extent to which the Azerbaijani authorities have pursued this or that proposal or point of view on the Electoral Code by amending the articles, let us present the amendments or omissions of the Code from 2008 to 2018, as well as insufficient changes and omissions.

Despite the efforts of international organizations to try to improve the Electoral Code in Azerbaijan as much as possible, we should note that Article 23.1, the term of office of the members of the Central Electoral Commission (hereinafter referred to as the CEC), has not been amended. The members of the commission

³⁴ Venice Commission and the OSCE/ODIHR, Joint opinion on the draft law on amendments and changes to the electoral code of the republic of Azerbaijan of 2008

³⁵ Venice Commission and the OSCE/ODIHR, Joint opinion on the draft law on amendments and changes to the electoral code of the republic of Azerbaijan of 2008

³⁶ Azərbaycan Respublikasının, Azərbaycan Respublikasının seçki məcləli, Bölmə 6, Maddə 181.1, 2003, last modified March 25, 2021, <http://www.e-qanun.az/code/17>

³⁷ Azərbaycan Respublikasının, Azərbaycan Respublikasının seçki məcləli, Bölmə 2, Maddə 77.1, 2003, last modified March 24, 2021, <http://www.e-qanun.az/code/17>

³⁸ Venice Commission and the OSCE/ODIHR, Joint opinion on the draft law on amendments and changes to the electoral code of the republic of Azerbaijan of 2008

³⁹ *Opozic'iya v Azerbayjane zayavlyayet o nelegalnix predstoyaxix prezidentskix viberov*, last modified April 21, 2021, <https://www.kavkaz-uzel.eu/articles/143272/>, [Faik Medjid, *Opposition in Azerbaijan claims the illegitimacy of the upcoming presidential elections*, Caucasian Knot, September 5, 2008]

⁴⁰ Azərbaycan Respublikasının, Azərbaycan Respublikasının seçki məcləli, Bölmə 1, Maddə 11-1, 2003, last modified April 21, 2021, <http://www.e-qanun.az/code/17>,

⁴¹ Azərbaycan Respublikasının, Azərbaycan Respublikasının seçki məcləli, Bölmə 12, 73-1 Maddə, 2003, last modified March 24, 2021, <http://www.e-qanun.az/code/17>,

⁴² *Ibid*, chapter 27, 170.3

continue to hold office for 5 years⁴³. In the election of CEC members, the distribution of balanced seats between the government and the opposition has also remained unchanged. According to Article 24.1, there are 18 CEC members elected by the Milli Mejlis. Article 24.3 defines the issue of election of CEC members, according to which 6 members are nominated by deputies from the majority political parties in the Milli Mejlis, the other 6 members are elected regardless of their political party affiliation. As for the last six members, they are elected from the political minority parties in the Milli Mejlis⁴⁴. Article 28.2⁴⁵, the proposal of the Electoral Commission to increase the quorum of decisions, has also not been revised. The VC suggested that decisions should require a quorum of two-thirds, with a two-thirds majority that would require a high level of consensus to make the commissions work. It turns out that the Electoral Commission, in order to ensure a quorum, proposes to clearly define the mandatory presence of two-thirds, i.e. 12 members of the commission, and not according to the current members.

It can be concluded from the above that the Azerbaijani authorities ignored all the proposals and opinions on the CEC. It should be noted that the inclusion of the opposition in the commission, with proportional distribution of seats, would give the opposition a great opportunity to restrain the government, in particular to prevent electoral violations and to hold elections on equal terms. Moreover, shortening the term of office of the commission members would also play a role in the conduction of elections, the registration of electoral violations, and, if necessary, the holding of by-elections. Despite the fact that the VC and the ODIHR in 2004 and 2008 adopted documents, it was stated that Azerbaijan had not implemented the necessary changes regarding the reforms in the legal framework of the Central Electoral Commission and stressed their importance.

Note that the above articles were not the only ones that were not changed. Article 86⁴⁶ has not been amended by the Electoral Code, the conditions for conducting pre-election campaigns through mass events. Already in 2004, the VC referred to that article, noting that the latter should be changed in order to clearly regulate demonstrations and outdoor gatherings. Moreover, election commissions were to be given special powers to propose to local governments to provide polling

stations under the same conditions for all competitors. However, in the case of Article 23.1 as well as in Article 86, Azerbaijan ignored the recommendations of international organizations. Article 86.3 of the Electoral Code provides a statement on the holding of rallies in areas of state or community ownership, but this article also does not specify the conduct of rallies and open-air rallies. There are only conditions for allocating the territory to the persons belonging to this or that political party of the precinct, and all these events are carried out by the Electoral Commission. Moreover, not only is there no balanced distribution of seats among the ruling opposition parties, but it will also be difficult to find at least two members of opposition committees.

In this context, it would be appropriate to refer to Article 75.2 of the Electoral Code of Azerbaijan, which is the period of the election campaign. Still in 2008 in its opinion on the draft law on amendments to the Electoral Code of the Republic of Azerbaijan, the VC stated that changing the official start of the campaign period from 60 to 28 days would negatively impact the rights of voters, which would restrict the right of voters to receive information, and they called for the reconsideration of this approach. However, in 2008 As a result of the June 2 amendments, the revision of this article decreased the campaign start time before the voting day, bringing it down to 23 days⁴⁷. Moreover, in 2010, as a result of the relevant amendments of June 18, the deadline for announcing elections (referendum) in Article 8.1 was reduced from 75 to 60 days, and already the same article was again amended in 2018, stating the deadline for announcing elections should be 60 days before the voting day⁴⁸. This article was amended again, according to which: "The decision (order) to hold elections (referendum) is officially announced at least 60 days before the voting day"⁴⁹.

In addition, the opposition parties Musavat and Hope have stated they will not run in the by-elections. The "Muslim Unity" movement also joined the boycott of the elections, stating that the boycott of the elections is due to the fact that the country does not have a transparent electoral system or fair courts. The announcement states: "Unfortunately, the country does not have a transparent

⁴³ Azərbaycan Respublikasının, Azərbaycan Respublikasının seçki məəcəlləsi, Bölmə 3, 23.1 Maddə, 2003, last modified March 24, 2021, <http://www.e-qanun.az/code/17>

⁴⁴ *Ibid.*, 24.3

⁴⁵ Azərbaycan Respublikasının, Azərbaycan Respublikasının seçki məəcəlləsi, Bölmə 4, 28.2 Maddə, 2003, last modified March 24, 2021, <http://www.e-qanun.az/code/17>

⁴⁶ Azərbaycan Respublikasının, Azərbaycan Respublikasının seçki məəcəlləsi, E-qanun, Bölmə 13, Maddə 86, 2003, last modified March 24, 2021, <http://www.e-qanun.az/code/17>

⁴⁷ *Ibid.*, 75.2

⁴⁸ Azərbaycan Respublikasının, Azərbaycan Respublikasının seçki məəcəlləsi, Bölmə 1, Maddə 8.1, 2003, last modified March 24, 2021, <http://www.e-qanun.az/code/17>

⁴⁹ Azərbaycan Respublikasının Milli Məclisi qərar, Azərbaycan Respublikasının Seçki Məcəlləsində dəyişiklik edilməsi haqqında № 1397-VQD, Azərbaycan, 2018, 1, last modified March 24, 2021, <http://www.e-qanun.az/framework/41184>

system of fair judicial elections. For many years, our people have been suffering from the injustice of the courts, election fraud and illegal arrests⁵⁰.

It can be concluded from the above that as a result of the amendments to the previous articles, as well as the amendments to these articles, an attempt was made to exclude the opposition from the election campaign as much as possible. By shortening the deadlines for announcing elections before the start of the voting day, the latter are deprived of full participation in the elections and are unable to prepare for the elections on time. In this regard, in 2015, a number of Azerbaijani parties stated that they will not run in the elections. In particular, neither the Democratic Party of Azerbaijan nor the National Council of Democratic Forces participated in the parliamentary elections of 2015. At the same time, he stated that half of the conditions necessary for free and fair elections in the country were not met, which is why they refused to participate in the elections⁵¹. A number of parties called for a boycott of the elections, including some parties of the Freedom 2015 bloc. This fact, of course, could not but affect the future activities of the alliance. Thus, the leader of the Freedom Party Ahmed Oruj stated that there is no transparent environment in the country to participate in the elections and refused to participate in the elections. He added that the latter asked the government to discuss these issues, but did not receive a positive answer⁵².

It should be noted that the last amendment to Article 8.1 in 2018 left the requirement almost the same. It was clearly stated that the deadline for announcing elections was changed from 75 to 60. What prevents the government from announcing the elections exactly 60 or even sooner, 50 days before, which was implemented in the 2010 amendments? Nothing, in fact. It turns out that the Azerbaijani authorities do not intend to improve the position of the opposition in the Electoral Code, to give them the opportunity to run at least on equal terms in the local, presidential and Milli Mejlis elections. Additionally, in 2018, International observers recorded 63 cases of tension at polling stations, including 20 attempts to influence voters who came to the polls, and 9 cases of intimidation. Unauthorized persons were found in 78 polling stations; 19 incidents in polling

⁵⁰ News Website, "Müsləman Birliyi" hərəkatı prezident seçkilərini boykot edəcək", Mart 27, 2018, last modified March 23, 2021, <https://www.meydan.tv/ru/article/muselman-birliyi-herekati-prezident-seckilerini-boykot-edecek/>,

⁵¹ News Website, "What to expect from the parliamentary elections in Azerbaijan?", October 30, 2015, last modified March 20, 2021, https://www.bbc.com/russian/international/2015/10/151030_azeri_parliament_elections

⁵² News Website, "Seçkinin əsas müzakirə mövzusu – boykot", September 23, 2015, last modified March 24, 2021, https://musavat.com/news/siyaset/sechkinin-esas-muzakire-movzusu-boykot_293854.html

stations to intervene or direct the process. More than a quarter of the observers reported significant procedural errors or omissions⁵³.

Conclusion

In summarizing the impact of the amendments to the Electoral Code of Azerbaijan on the opposition forces, it can be concluded that the opposition is deprived of competing with the government on equal terms. First, taking into account the fact that the opposition in Azerbaijan was deprived of membership in the Central Electoral Commission, which in its turn created unequal and uncontrollable conditions of the election process for the opposition. Moreover, the CEC, being the most important structure for both the organization and conduction of elections, was in fact governed by independent candidates nominated by the government, which made the CEC's impartiality highly unlikely. Citing the official start of the campaign period, the announcement of the elections and the negative decisions to reduce the number of constituencies, it should be noted that these had a significant impact on the opposition. Those negative consequences were reflected in the organization and conduct of the elections. Sometimes the elections were held ahead of schedule⁵⁴, due to which the latter did not have time to properly prepare for the elections. ODIHR, OSCE, and the VC are among the authoritative international organizations which in their reports, referred to the shortcomings of the Electoral Code of Azerbaijan, the weakening of the opposition and reforms. Of course, there have been positive changes in the amendments to the Electoral Code, in particular 11-1 (prevention of illegal interference in the conduction of elections (referendum)), 47.5-1 (the procedure for excluding citizens from the voter list) and other articles, but they are counterbalanced by changes in their volume and nature, and they contradict the logic of positive change.

Thus, the government of the Republic of Azerbaijan still has a lot of work to do to improve the Electoral Code. It is difficult to say to what extent the Aliyev regime is ready or willing to hold free, fair and equal elections. However, one thing is obvious: the opposition in Azerbaijan is deprived of the principles of equality, freedom and justice.

⁵³ International election observation, "Statement of preliminary findings and conclusions", November 7, 2010, 12, <https://www.osce.org/files/f/documents/4/9/73524.pdf>

⁵⁴ İlham Əliyev, "Növbədənəson Azərbaycan Respublikası Prezidenti seçkilərinin ələ alınması haqqında Azərbaycan Respublikası Prezidentinin Sərəncamı Act, February 05, 2018", in Public Website of the President of Azerbaijan (Azərbaycan: Azərbaycan Prezidentinin Rəsmi internet sahifəsi), <https://president.az/articles/26943>

⁵⁵ Azərbaycan Respublikası Mərkəzi Seçki Komissiyasının, "Səsvermənin ümumi yekunlarına dair Mərkəzi seçki komissiyasının Protokolu", Azərbaycan, 2011

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The Impact of the Cyprus Conflict on Turkey's EU Accession Process

Abstract: This study aims to analyze the impact of the Cyprus conflict on Turkey-EU relations while considering several factors: 1) the EU conditionality approach, 2) Turkish-Greek relations, 3) component problems of the Cyprus conflict 4) the recent developments in the Eastern Mediterranean and their impact on Turkey-EU relations. The main focus is on the documents and decisions of different bodies of the EU and how they link the Cyprus conflict to Turkey's accession process and how Turkey reacts to them. For this purpose, a content analysis of documents, decisions, and protocols issued by the European Council and Commission and Progress Reports on Turkey is conducted. The conclusions drawn from the research are the following: 1) the Cyprus conflict and Turkey's tense relations with Greece have negatively impacted and continue to impact Turkey-EU relations, 2) Turkey, to some extent, conformed to EU conditionality when it did not refer to the Cyprus conflict, 3) the problems of rights to ports/airports of Cyprus and the issues of property and IDPs shape the strained relations between Turkey and the EU, and finally 4) the situation in the Eastern Mediterranean concerning rights to hydrocarbons currently and in the near future will determine the geopolitical dynamics in the region.

Keywords: Turkey-EU relations, Cyprus conflict, Greece, conditionality, "TRNC", accession.

Introduction

As of 2021, Turkey has been attempting to join the European Union for sixty-two years. Due to the strained situation in the Eastern Mediterranean and the democratic backslide in the country, the relations between the EU and Turkey are at a historic low point.

To join the EU, Turkey has to comply with the rules and standards of the Union. Along with political and economic problems, the Cyprus conflict is considered to be one of the major obstacles for Turkey on its way to the EU. As of 1974, approximately 37% of Cyprus's territory is occupied by Turkey. Over the years, efforts have been made to find a solution to the conflict. However, the complicated problems and several stakeholders have brought the negotiation process to stagnation. In the beginning of the 2000s, Turkey tried to implement a balancing policy attempting to hasten the accession process to the EU without completely abandoning its "national cause" – Cyprus.

The Cyprus conflict did not immediately become a precondition for Turkey's EU accession. Several major factors contributed to the formation of the Cyprus conflict as a condition for Turkey's accession to the EU. Considering the historically complicated relations between the major players – Turkey, Greece, the European Community (later European Union) and Cyprus – this study is trying to find out the historical turning points and the circumstances of the Cyprus conflict and the ways it has impacted the Turkey-EU relations. This study tries to contribute to the study of EU-Turkey relations and the Cyprus conflict presenting EU conditionality as an effective mechanism to contain Turkey's antagonistic actions and to balance the interests of Turkey, Greece, and Cyprus. The study consists of three chapters: the first chapter reflects the historical perspective of Turkey-EU relations in the framework of the Cyprus conflict; the second chapter addresses the component problems of the Cyprus conflict; and the final chapter focuses on the current contradictions and disputes in the Eastern Mediterranean while trying to analyze their historical implications.

Historical Perspective of Turkey-EU Relations and the Cyprus Conflict

During the Cold War, all countries were faced with the choice of allying with either Soviet or the Western bloc. Both Greece and Turkey started strengthening their ties with Europe by joining various Western institutions. As a result, both countries joined NATO on the same day in 1952¹ clarifying their position in the bipolar world. Being to some extent protected from the Soviet threat, Turkey and Greece started thinking of diversifying their external economic ties through integration into European economic institutions². This opportunity was suggested by the newly founded European Economic Community, which had an ambitious goal of creating an "ever-closer union among the peoples of Europe"³. Thus, a month apart, first Greece⁴ then Turkey applied for admission to the European Economic Community (EEC)⁵. It is vital to mention that besides economic,

¹ NATO Member Countries. (2020). North Atlantic Treaty Organization. https://www.nato.int/cps/en/natolive/topics_52044.htm

² Öniş Z., Greek-Turkish Relations and the European Union: A Critical Perspective, *Mediterranean Politics*, 6(3), (2001), 31–45

³ The Treaty of Rome. (1957). https://ec.europa.eu/archives/emu_history/documents/-treaties/rometreaty2.pdf

⁴ Greece's Course in the EU. (2020). Hellenic Republic Ministry of Foreign Affairs. <https://www.mfa.gr/en/foreign-policy/greece-in-the-eu/greeces-course-in-the-eu.html>

⁵ Müftüler-Baç M., *Turkey's Accession Negotiations with the European Union: The Long Path Ahead*. In *Turkey-European Union Relations: Dilemmas, Opportunities, and Constraints* (Lexington Books, 2008), 115–133

political and historical reasons, Turkey had other important incentive to join the EEC. Having opposing interests with Greece in Cyprus and the Mediterranean region in general and being outside of an institution that would provide great economic development and advantages to Greece was not in Turkey's interests.

In 1963, Turkey signed the Ankara Agreement with the EEC. However, Turkey-Europe relations became strained after 1974 when Turkey occupied the north of Cyprus. The invasion was carried out in two phases – the first in July and the second in August⁶. The first invasion by which Turkey occupied 3% of Cyprus was not condemned by some members of the international community and did not impact Turkey's relations with Brussels as it was understood in the context of actions by a guarantor power. However, the second phase of invasion was universally condemned⁷. After the 1974 Turkish occupation of the northern part of Cyprus, Turkey became a more tangible security threat for Greece, pushing the latter towards closer relations with the European Community (EC)⁸. On 12 June 1975, Greece applied for full membership to the EC⁹ and was included in the EU's Mediterranean enlargement and joined the EC in 1981¹⁰.

In the beginning of the 1980s, the relations between Turkey and the EC became even more strained; for the first time the "just solution" of the Cyprus conflict and "the restitution of the Republic of Cyprus's sovereignty" were presented as preconditions for improvement of the relations between the European Community and Turkey¹¹. Meanwhile, Turgut Özal's newly elected government started implementing economic reforms and gradually took steps to ease the tension between the EC and Turkey. Taking all positive developments into account, Turkey applied for full membership to the EC in 1987.

In December of 1989, Turkey received the Commission's response to its application. The Commission's opinion was focused on economic and political problems in Turkey which hindered Turkey's accession to the EC. Besides underlining the economic backwardness of Turkey, the EC also touched the human

⁶ *ibid.*, p. 231

⁷ Lacher, H. & Kaymak, E., *Transforming Identities: Beyond the Politics of Non-Settlement in North Cyprus, Mediterranean Politics*, 10(2), (2005), 147–166; *Türk Dış Politikası: Kurtuluş Savaşından Bugüne Olgular*, (Belgeler, Yorumlar) [Turkish Foreign Policy: Facts, Documents, Comments from the War of Independence to Today] (Vol. 1)

⁸ Öniş, *Greek-Turkish Relations and the European Union: A Critical Perspective*, 31–45

⁹ *The History of the European Union - 1975*

¹⁰ Greece's Course in the EU. (2020). Hellenic Republic Ministry of Foreign Affairs. <https://www.mfa.gr/en/foreign-policy/greece-in-the-eu/greeces-course-in-the-eu.html>

¹¹ European Parliament Working Documents 1982-1983. (1982). <http://aei.pitt.edu/62731/1/B2472.pdf>

rights situation and the minorities of Turkey. Most importantly, the decision declared that "the dispute between Turkey and one Member State of Community, and also the situation in Cyprus" have negative effects on the accession¹².

Even though the EC rejected Turkish application, it decided to suggest measures to strengthen the EC-Turkey relations and to move forward towards the Customs Union. For this purpose, a cooperation package was suggested in 1990 to accomplish a Customs Union by 1995¹³. However, as with everything in that period until 1995, this initiative was also vetoed by Greece. Meanwhile, on July 3, 1990, the Republic of Cyprus applied for full membership on behalf of the whole island¹⁴.

To bypass Greece's negative impact on the enlargement process, the EU began using the principle of compromise – for each compromise made to Greece, the latter had to make compromises on other issues that the EU raised¹⁵. As a result, on 6 March 1995, a "package" decision was made, according to which the Customs Union agreement with Turkey would be considered along with the accession negotiations with the Republic of Cyprus¹⁶. Due to the EU's approach, Greece finally lifted its veto¹⁷. As a result, Turkey and the EU signed a Customs Union agreement on December 22, 1995¹⁸. The lifting of the veto by Greece did not mean that the relations between Greece and Turkey were improving. In the second part of the 1990s, their relations became tense because of the crisis in Aegean – the Imia-Kardak crisis in 1996 – around some islets¹⁹ and the Greek

¹² Commission Opinion on Turkey's Request for Accession to the Community (20 December 1989). (1989). https://www.cvce.eu/content/publication/2005/2/4/4cc1acfb-06b2-40c5-bb1e-bb3d4860e7c1/publishable_en.pdf

¹³ Nas, Ç. & Özer Y., *Turkey and EU Integration: Achievements and Obstacles*, (Taylor & Francis, 2017)

¹⁴ Sertoğlu K. & Öztürk I., *Application of Cyprus to the European Union and the Cyprus Problem, Emerging Markets Finance & Trade*, 39(6), (2003), 54–70.

¹⁵ Suvarierol S., *The Cyprus Obstacle on Turkey's Road to Membership in the European Union*, *Turkish Studies*, 4(1), (2003), 55–78

¹⁶ Cyprus and the Enlargement of the European Union. (n.d.), last modified March 1, 2021, https://www.europarl.europa.eu/enlargement/briefings/1a3_en.htm

¹⁷ Grigoriadis I. N., *Greek and Greek Cypriot Views of Turkey's Accession to the European Union: On the Endurance of a Spectacular Paradigmatic Shift*. In *Turkey-European Union Relations: Dilemmas, Opportunities, and Constraints*. (Lexington Books, 2008).

¹⁸ Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on Implementing the Final Phase of the Customs Union (96/142/EC). (1995). https://www.avrupa.info.tr/sites/default/files/2016-09/Custom_Union_des_ENG_0.pdf

¹⁹ Kramer H., *A changing Turkey: The challenge to Europe and the United States*, (Brookings Institute Press., 2000), 169

Cypriots' decision to purchase S-300 missiles from Russia²⁰. If it materialized, it would mean jeopardizing the relative stability on the island. Moreover, it meant having powerful surface-to-air weapons which could put Turkey's security under threat as well. Even though these missiles were deployed in Crete²¹, they heightened the tension among Turkey, Greece, and Cyprus.

Some positive developments during 1999 – mainly the “earthquake diplomacy” - resulted in a consequential change in Turkey-EU relations. The European Union's Helsinki Summit on 10 and 11 December, 1999 discussed Turkey's progress and decided to grant Turkey candidate status. From 2001-2002, Turkey prepared and adopted harmonization packages to reach the goals defined in the National Program and align with the standards of the EU²². The process especially accelerated after the Justice and Development Party (AKP) came to power in 2002. As the meeting of the European Council in Copenhagen was approaching, Recep Tayyip Erdoğan, who was not the Prime Minister of Turkey yet, started a tour in European countries in November-December, 2002. Even though Erdoğan was just the leader of the AKP at that time, he was welcomed by the leaders of the European states because he was perceived as the de facto or unofficial leader of Turkey²³. The time of the tour was not a coincidence; it was deliberately chosen to boost the chances of Turkey in the upcoming meeting in Copenhagen. Within a month, he visited sixteen European countries assuring European leaders that his party does not perceive the EU as a Christian club²⁴. Learning that the Cyprus conflict is one of the biggest impediments on Turkey's way to the EU, Erdoğan began to pressure Rauf Denktaş to accept the Annan plan as a basis for negotiations. Moreover, he created a picture that the problem was Denktaş and his policy arguing that the conflict “is not Denktaş's personal business”²⁵.

²⁰ Hannay D., *Cyprus: The search for a solution*. (I.B.Tauris., 2005), 70

²¹ Grigoriadis I. N., *Greek and Greek Cypriot Views of Turkey's Accession to the European Union*, 155

²² Oran B., *Türk Dış Politikası: Kurtuluş Savaşından Bugüne Olgular, Belgeler, Yorumlar* (2013). [Turkish Foreign Policy: Facts, Documents, Comments from the War of Independence to Today] (Vol. 3), p. 347. İletişim Yayınları.

²³ Economy, EU and Cyprus Priorities for New Turkish Government. (2002, November 18). Euractiv. <https://www.euractiv.com/section/elections/news/economy-eu-and-cyprus-priorities-for-new-turkish-government/>

²⁴ Henley J. & Black I., *Turkey Demands Talks on Joining EU*, *The Guardian*. last modified November 27, 2002, <https://www.theguardian.com/world/2002/nov/27/turkey.eu>

²⁵ Smith H., *New Turkish Leader Seeks Deal in Cyprus*. *The Guardian*, last modified January 3, 2003, <https://www.theguardian.com/world/2003/jan/03/cyprus.turkey>

The elections in the “TRNC” in December were a major factor before the referendum. As a result of the elections, opposition parties (pro-status-quo) had an equal number of deputies as the pro-Annan plan parties in the parliament. Taking the outcome of elections and Ankara's pressure into consideration, Denktaş agreed to restart the negotiations within the framework of the Annan plan²⁶. In January 2004, Erdoğan met with Annan and assured that he would support the restarting of the negotiations. This was the beginning of Turkey's “one step ahead” policy on Cyprus. The final version of the Annan plan was prepared by the end of March and it was decided that the twin referenda would take place on 24 April 2004²⁷. The results of the referenda were quite surprising: 64.9% of the Turkish Cypriots voted ‘yes’, meanwhile, 75.8% of the Greek Cypriots voted ‘no’. As experts explain, under Turkish pressure the majority of the Turkish Cypriots voted for the plan because it was essential for Turkey's advancement towards the EU. On the other hand, the RoC voted against the plan because it was going to join the EU a week after the referendum in any case²⁸. This became the first time that the Turkish Cypriot side was not blamed for the negative result. Leaders of different countries and the European Commission welcomed and congratulated Turkish Cypriots' for their “courageous” ‘yes’ vote²⁹. Despite the outcome of the referendum, the Republic of Cyprus joined the EU on 1 May 2004.

The 2004 Progress Report welcomed Turkey's October 2 decision to add Cyprus to the list of countries to which the Customs Union regimes would apply. In December 2004, the European Council meeting decided that the accession negotiations with Turkey would start on October 3, 2005³⁰. As it was planned, on October 3, 2005, the accession negotiations were opened. The Negotiation Framework defined the principles governing the negotiations. It was mentioned that Turkey's progress should be measured by Turkey's compliance with some requirements: the settlements of disputes, including the comprehensive settlement

²⁶ Kinacıoğlu M. & Oktay E., *The Domestic Dynamics of Turkey's Cyprus Policy: Implications for Turkey's Accession to the European Union*, *Turkish Studies*, 7(2), (2006), 261–273

²⁷ Oran B., *Türk Dış Politikası: Kurtuluş Savaşından Bugüne Olgular, Belgeler, Yorumlar* (2013). [Turkish Foreign Policy: Facts, Documents, Comments from the War of Independence to Today] (Vol. 3), p. 657. İletişim Yayınları.

²⁸ *ibid.*, pp. 661-663

²⁹ Excerpts from Statements and Decisions/Resolutions Following the Referenda Held in Cyprus on 24 April 2004. (2004). Ministry of Foreign Affairs of the Republic of Turkey. <http://www.mfa.gov.tr/what-the-world-said-after-the-referenda.en.mfa>

³⁰ European Council in Brussels. (2004), 8. https://www.ab.gov.tr/files/_files/Zirve_Bildirileri/PresConc_17122004.pdf

of the Cyprus conflict and the normalization of relations with the EU member states, including the RoC. This means that the Cyprus conflict was included as a precondition for Turkey's full membership because any serious breach of the principles on which the Union was founded would lead to the suspension of negotiations³¹.

Component Problems of the Cyprus Conflict

The RoC's membership to the EU not only did not bring about a solution to the Cyprus conflict but also deepened the isolation of Turkish Cypriots. Despite its promises to contribute to the economic development of Turkish Cypriots by adopting the Green Line Regulation in 2004, which aimed at managing the movement of goods and people from North to South³², the "TRNC" economy is greatly dependent on Turkey. In fact, the "TRNC" is neither inside the EU nor outside of it. No country besides Turkey recognizes the "TRNC" as a sovereign state, so there is a problem of transport and communication between the world and the north of Cyprus. Since the "TRNC" is not recognized, there are no direct flights there. The International Civil Aviation Organization rejected including the Ercan Airport in the northern part of Nicosia in the Regional Air Navigation Plan because the government of the RoC – the only sovereign state on the island – had not requested it³³. There are two options to reach the "TRNC": to travel to the RoC and cross to the North by a car which became possible only after 2003 when the "TRNC" opened two of the checkpoints, or to take a flight to Ercan Airport. However, the planes have to stop in Istanbul and only after that fly to Ercan³⁴. Meanwhile, the RoC considers entrance to the island by using this airport as illegal and may fine for it. It is vital to mention that the only direct flight to the Ercan Airport happened in 2005 from the Heydar Aliyev Airport in Baku when a plane

³¹ *ibid.*

³² Council Regulation (EC) No 866/2004 of 29 April 2004 on a Regime under Article 2 of Protocol 10 to the Act of Accession. (2004). <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02004R0866-20150831&from=EN>

³³ Foreign Affairs of the Republic of Cyprus. (n.d.). *Illegal Flights to the Territory of the Republic of Cyprus which is Under Turkish Occupation*. last modified May 2, 2021. [http://www.mfa.gov.cy/mfa/highcom/highcom_pretoria.nsf/all/E27E244E590AAC3FC2257A4D0037CD39/\\$file/ILLEGAL%20FLIGHTS%20TO%20THE%20TERRITORY%20OF%20THE%20REPUBLIC%20OF%20CYPRUS%20WHICH%20IS%20UNDER%20TURKISH%20OCCUPATION.docx?openelement](http://www.mfa.gov.cy/mfa/highcom/highcom_pretoria.nsf/all/E27E244E590AAC3FC2257A4D0037CD39/$file/ILLEGAL%20FLIGHTS%20TO%20THE%20TERRITORY%20OF%20THE%20REPUBLIC%20OF%20CYPRUS%20WHICH%20IS%20UNDER%20TURKISH%20OCCUPATION.docx?openelement)

³⁴ Eyüboğlu A., *Uçuş yaşamını delen formül*, (2014). [The Formula that Breaks the Flight Ban]. *Milliyet*. <https://www.milliyet.com.tr/cadde/ali-eyuboglu/ucus-yasagini-delen-formul-1881029>

with ninety passengers flew directly to the "TRNC"³⁵. The principle of "one nation, three states" can explain Azerbaijan's steps towards the "TRNC". In 1992, the parliament of Nakhijevan decided to recognize the "TRNC" but as the parliament of an autonomous republic did not have such a mandate, the decision had no legal validity. At that time, Heydar Aliyev was the Chairman of the Supreme Assembly of Nakhijevan³⁶. If Azerbaijan recognized the independence of the "TRNC", it would have become a basis and a precedent for other states to recognize the independence of Nagorno Karabakh.

Another problem is that the ports of the "TRNC" are only open to Turkish vessels and there are restrictions on Cyprus-flagged vessels; the same is true for aircraft. This is a breach of the Customs Union agreement between Turkey and the EU. Moreover, it is against the *acquis* of the EU on the free movement of goods. As a result, in 2006, the Council of the European Union decided to suspend negotiations on the eight chapters concerning the restrictions imposed by Turkey on the RoC (see Table 1) and not close the other chapters until Turkey implements all its commitments³⁷. Since then all progress reports on Turkey defined that as long as those restrictions were not lifted, Turkey would not be able to implement the *acquis*.

Table 1: Chapters within the context of the Negotiation Framework between Turkey and the EU blocked or suspended with regard to the Cyprus conflict³⁸

Chapter title	Status	Reason
Free Movement of Goods	suspended	Turkey's restrictions on the RoC
Free Movement of Capital		
Financial Services		
Agriculture and Rural Development		
Customs Union		
External Relations		
Fisheries		
Transport Policy		

³⁵ Sayarı S., *Kuzey Kıbrıs'a doğrudan uçuş* (2005, July 28). [A Direct Flight to the Northern Cyprus]. *Deutsche Welle*. <https://www.dw.com/tr/kuzey-k%C4%B1br%C4%B1sa-do%C4%9Frudan-u%C3%A7u%C5%9F/a-2524266>

³⁶ Tahiroğlu Y., *Azerbaycan'daki Kıbrıs heyecanı*, (2004, April 25). [Excitement in Azerbaijan over Cyprus]. *NTV-MSNBC*. <https://web.archive.org/web/201401042128-18/http://arsiv.ntvmsnbc.com/news/267258.asp>

³⁷ GAERC, 2006, p. 2

³⁸ Directorate For EU Affairs, *Current Situation*, last modified July 20, 2021. https://www.ab.gov.tr/current-situation_65_en.html

Energy	blocked	by Greek Cypriots
Judiciary and Fundamental Rights		
Justice, Freedom and Security		
Education and Culture		
Free Movement of Workers		
Foreign, Security and Defence Policy		

One of the problems addressed in the “Human rights and the protection of minorities” section of progress reports on Turkey concerns property rights and refugees. As a result of the intercommunal conflict and military actions of 1963 and 1974, many people had to be uprooted from their homes and move from one side of the island to the other. Consequently, there are around 228,000 IDPs (both Greek and Turkish) on the island³⁹. The displacement of people caused loss of property for both sides and after the precedent set by the *Loizidou v. Turkey* case, some IDPs began presenting a claim to their properties in the north of the island. By the *Loizidou v. Turkey* case Turkey was claimed to be responsible for compensating the damage done to applicants. After its success, many Greek Cypriots began to apply to the ECHR and to avoid similar applications to the ECHR, the “TRNC” introduced a “Property Compensation Commission” in 2003 as a domestic remedy to be exhausted before applying to the ECHR⁴⁰. However, it did not work properly so in 2005 the “Law for Compensation, Exchange and Restitution of Immovable Properties” was adopted which defined that all natural and legal persons could apply to the Immovable Property Commission (IPC) “requesting restitution, exchange or compensation” for their property⁴¹. As of April 2021, 6,825 people have applied to the Commission and it has paid around €366 mln as compensation⁴².

In general, the problems originating from the Cyprus conflict – communication and transportation, the property problem, and IDPs – have also shaped Turkey-EU relations. As this analysis has demonstrated, these problems

³⁹ Internal Displacement Monitoring Centre. (2019). Cyprus: Country Information. IDMC. <https://www.internal-displacement.org/countries/cyprus>

⁴⁰ *Xenides-Arestis v. Turkey* (admissibility), No. 46347/99 (European Court of Human Rights 2005), 23, <https://sites.manchester.ac.uk/aog-judgements/wp-content/uploads/sites/155/2019/10/Xenides-Arestis-decision-2005.pdf>

⁴¹ Law for Compensation, Exchange and Restitution of Immovable Properties, no. 67/2005 (2005), 2, <http://www.tamk.gov.ct.tr/dokuman/67-2005yasaING.pdf>

⁴² Immovable Property Commission. (2021). Immovable Property Commission. <http://www.tamk.gov.ct.tr/english/index.html>

have been included in the progress reports on Turkey and as long as Turkey has not fulfilled the conditions attached to these issues, it cannot implement the EU acquis.

Developments in the Eastern Mediterranean and Turkey-EU Relations

The hydrocarbon discoveries in the Eastern Mediterranean in the past decade indicate new geopolitical dynamics in the region, especially determining the course of Turkish-EU relations in the framework of the Cyprus conflict. With the increasing energy and security cooperation between several East Mediterranean states – including Greece, Cyprus, Egypt, and Israel – and the gradual isolation of Turkey from regional projects, the tension in the region has intensified considerably. Energy and security is just one side of the problem in the East Mediterranean. Historically complicated Turkish-Greek relations, especially the Cyprus conflict, contribute to the tense situation as well. Overall, some trends are visible regarding the situation in the Eastern Mediterranean – the growing cooperation and energy forums which leave Turkey out, Turkey’s reactive and aggressive responses to the regional developments, and the EU’s milder rhetoric after the recent escalation of tensions between Turkey and Greece in 2020.

Since 2013 a new point was added to the progress reports on Turkey regarding Cyprus’s rights to exploit hydrocarbon resources in its Exclusive Economic Zone (EEZ)⁴³. As the Republic of Cyprus is the only recognized sovereign state on the island, it has rights to the resources of the island. However, Turkey claims that Turkish Cypriots also have rights to those resources and the profits from exploitation should be shared between the two communities⁴⁴. As a result, starting from 2014 when Italian Energy Company ENI began drilling in the waters southeast of Cyprus, Turkey sent a research vessel and navy ships there⁴⁵. The escalation of tension between Turkey, Greece and Cyprus over the drilling in the Eastern Mediterranean became the new dimension of the Cyprus conflict. Just to clarify that the tensions because of energy resources have not just appeared recently, it is vital to mention that at the end of the 1980s Turkey and Greece had a similar conflict, as well. The first drilling in an area which included disputed waters between Turkey and Greece was carried out by a Canadian-controlled oil

⁴³ Turkey Progress Report, 2013

⁴⁴ Stergiou A., Turkey–Cyprus–Israel relations and the Cyprus conflict. *Journal of Balkan and Near Eastern Studies*, 18(4), (2016), 375–392 <https://doi.org/10.1080/194489-53.2016.1195994>

⁴⁵ *ibid.*, p. 377

company⁴⁶ which escalated the situation in the Aegean. To prevent possible Turkish-Greek confrontation, the “Davos Declaration” was reached between Turkey and Greece in the Economic Conference in Davos in 1988⁴⁷. However, the “Davos spirit” and the negotiations between the two countries did not last long. This drilling was the first of the conflicts that emerged between Turkey and Greece concerning the disputed territorial waters. However, only in the past decade did the search for hydrocarbons become a cause of crisis and began shaping the political situation in the Eastern Mediterranean.

The hydrocarbon discoveries in the Eastern Mediterranean created a solid ground for energy cooperation among several East Mediterranean countries. One of the results of this cooperation is the East Mediterranean pipeline project which intends to connect the gas reserves of Israel to Greece via Cyprus⁴⁸ and from there provide natural gas through Italy to Europe. On January 2, 2020, Israel, Cyprus, and Greece signed the final agreement on the pipeline⁴⁹. This possible project brings about several problems for Turkey. First of all, the project bypasses Turkey which was hoping to become a part of the bigger project of delivering natural gas from the Eastern Mediterranean to Europe⁵⁰. If this project realizes it will decrease the significance of the Trans-Anatolian Natural Gas Pipeline to some extent which is an alternative for the natural gas imported from Russia. Moreover, if Turkey became a part of the EastMed pipeline project, it would become a substantial energy hub and a corridor Europe⁵¹, thus, having more bargaining power against the EU.

⁴⁶ Hale W., *Turkish Foreign Policy 1774-2000*, (2002), https://books.google.am/books?hl=en&lr=&id=xLgtpBsovWC&oi=fnd&pg=PP8&ots=DYIIRT1i8f&sig=uECoGv6fimbZPusFRTv4NsdhAQ&redir_esc=y#v=onepage&q&f=false

⁴⁷ Background Note on Aegean Dispute. (n.d.). Ministry of Foreign Affairs of the Republic of Turkey. last modified March 28, 2021, <http://www.mfa.gov.tr/background-note-on-aegean-dispute.en.mfa>

⁴⁸ Dalay, G. *Turkey, Europe, and the Eastern Mediterranean: Charting a Way Out of the Current Deadlock*. Brookings. last modified January 28, 2021 <https://www.brookings.edu/research/turkey-europe-and-the-eastern-mediterranean-charting-a-way-out-of-the-current-deadlock/>

⁴⁹ Koutantou A., (2020, January 2). Greece, Israel, Cyprus Sign EastMed Gas Pipeline Deal, Reuters. <https://www.reuters.com/article/us-greece-cyprus-israel-pipeline-idUSKB-N1Z10R5>

⁵⁰ *ibid*

⁵¹ Dalay G., *Turkey, Europe, and the Eastern Mediterranean: Charting a Way Out of the Current Deadlock*, (Brookings, 2021, January 28). <https://www.brookings.edu/research/turkey-europe-and-the-eastern-mediterranean-charting-a-way-out-of-the-current-deadlock/>

Besides being isolated from energy cooperation, such regional projects include two EU member states – Greece and Cyprus – with which Turkey has conflicts. The conflict of hydrocarbons and EEZ between Turkey and Greece and Cyprus deteriorates the stability of the southeastern fronts of the EU. In order to protect the rights of its two member states, the EU imposes sanctions on Turkey which negatively impact EU-Turkey relations. Mainly after the 2019 unauthorized drilling in the west and northeast of Cyprus, the Council of the EU adopted conclusions that imposed several sanctions on Turkey. Most importantly, one of the conclusions touched upon the settlement of the Cyprus problem once again underlining that Turkey should commit and contribute to the settlement⁵². This development shows that the Cyprus conflict continues to be an obstacle for Turkey in its relations with the EU. In its turn, Turkey claims that it represents the rights of the Turkish Cypriots living on the island who should have their share of the natural resources found off the coast of the island⁵³.

However, the recent developments in the East Mediterranean regarding the deployment of Turkish Oruç Reis seismic research vessel in the disputed waters claimed by both Greece and Turkey and the EU's response to it showed that the EU's stance towards Turkey is not definite. The hardliners of the EU – Greece, Cyprus, and France – were disappointed with the moderate decisions of the Council of the EU⁵⁴ which were limited to imposing sanctions on some Turkish individuals and companies. Meanwhile, in contrast to the hardliners of the Union, Germany suggested to keep “the door open” for Turkey⁵⁵. The decision of the Council of the EU in December mentioned that the EU has a strategic interest in developing cooperative relations with Turkey. However, once again the EU reaffirms that Turkey should be ready to resolve the differences with the EU member states “through dialogue and in accordance with international law”⁵⁶ which obviously refers to the Cyprus conflict and Greek-Turkish relations.

⁵² Council of the EU. (2019, July 15). *Turkish Drilling Activities in the Eastern Mediterranean*, <https://www.consilium.europa.eu/en/press/press-releases/2019/07/15/turkish-drilling-activities-in-the-eastern-mediterranean-council-adopts-conclusions/>

⁵³ Khadduri W., *East Mediterranean Gas: Opportunities and Challenges*, *Mediterranean Politics*, 17(1), (2012), 111–117

⁵⁴ Wintour P., *EU Leaders Approve Sanctions on Turkish Officials over Gas Drilling*, *The Guardian*. last modified December 11, 2020. <https://www.theguardian.com/world/2020-dec/11/eu-leaders-sanctions-turkey-gas-drilling>

⁵⁵ *ibid*

⁵⁶ *European Council Meeting Conclusions*, (2020). <https://www.consilium.europa.eu/media/47296/1011-12-20-euco-conclusions-en.pdf>

Overall, the conflict of hydrocarbons between Turkey, Greece and Cyprus deteriorates the stability of the southeastern fronts of the EU. As the exploration for hydrocarbons continues off the coast of the Republic of Cyprus and Turkey continues to be isolated from regional projects, the tense situation will continue in the Eastern Mediterranean, occasionally causing crises. In order to contain Turkey's aggressive actions, the EU should utilize other mechanisms (e.g. conditionality) than sanctions as it did in the second half of the 1990s and early 2000s.

Conclusion

This study aimed to understand how the Cyprus conflict impacted the EU-Turkey relations and Turkey's EU accession process, analyzing the conflict and its impact since 1960. Based on the analysis of documents, reports, protocols and statements made by different officials, generally, it can be inferred that the Cyprus conflict played and continues to play a crucial role in the EU-Turkey relations determining the direction of the relations.

The analysis of developments demonstrated that the impact of the Cyprus conflict can be divided into three time periods: 1) 1960-1974, when the conflict had no influence on the EEC-Turkey relations and the main factors were domestic politics and the developments in the country considering the 1960 and 1971 coup d'états; 2) 1974-1979, when after the Turkish invasion of Cyprus, the EEC limited itself by just condemning the invasion and nothing else. So, in these two periods, the Cyprus conflict had no tangible impact on Turkey-EU relations. The last period began in 1980 and continues till today. Starting from 1982, the Cyprus problem gradually began to be incorporated in almost all documents and reports issued by the EC/EU. As a result, the resolution of the conflict became a precondition for Turkey's accession process.

The analysis demonstrated that despite criticizing and condemning the link between Cyprus and the accession process, Turkey, to some extent, conformed to the conditions imposed by the EU. The Özal government's economic reforms, the harmonization packages and reforms enabled Turkey to comply with the EU acquis. However, one of the substantial conditions was the Cyprus conflict to which Turkey never fully adapted. Despite the fact that due to EU conditionality Greece lifted its veto, the Customs Union agreement was reached, and accession negotiations started between Turkey and the EU, Turkey did not abandon the Cyprus conflict as its "national cause".

The EU conditionality also enabled Turkey to deal with the Greek impediment while moving towards the EU. The conditionality and "compromise for every compromise" approach imposed by the EU both on Turkey and Greece enabled the

former to overcome the Greek obstacle. However, the EU was not the only factor of rapprochement between Turkey and Greece. Several other developments such as "earthquake diplomacy", more moderate and reformist governments of both Greece and Turkey and the direct talks and negotiations between the two countries contributed to overcoming the Greek impediment occasionally.

The contradictions over the economic isolation of the "TRNC" and the failure of the EU to implement its promises of ending the isolation of the north, the problem of transport and communication, the restrictions by Turkey on the usage of ports, and Greek Cypriot rights concerning their property in the "TRNC" shape the present relations between Turkey and the EU. The analysis demonstrated that all the above-mentioned points were included in the progress reports on Turkey and resulted in the stagnation of Turkey's EU accession process, because based on these restrictions several chapters of the negotiation framework were blocked or suspended. Moreover, if Turkey does not lift the restrictions, it will not be able to implement the EU acquis, and the resumption of the accession process will be impossible.

Finally, the recent developments in the Eastern Mediterranean also display that the Cyprus conflict with its component problems (e.g. rights to natural resources) still play a tangible role in shaping Turkey-EU relations. Most probably this trend will continue in near future considering the ongoing explorations and drilling in the disputed waters of Greece, Turkey, and Cyprus. The role of the EU is crucial in easing the tension in the Eastern Mediterranean by using the mechanism of conditionality and compromise which effectively balanced the situation in the 1990s and early 2000s.

Generally, the discussion of these sub-questions leads to a comprehensive understanding that the Cyprus conflict, as a precondition presented by the EU due to Greece's efforts, has negatively impacted Turkey's EU accession starting from the 1980s. Even though Turkey was able to adapt to the EU conditionality to some extent and take certain "positive" steps towards solving the Cyprus conflict, the latter remains one of the fundamental problems that obstruct Turkey's EU accession process.

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