

A Comparative Perspective: The Impact of Cypriot Membership on Kosovo's Journey to the EU

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Cyprus and Kosovo are places with heightened division yet they are in vastly different positions internationally (i.e. Cyprus is a member of the European Union while Kosovo is not). In Cyprus exists the Turkish Republic of Northern Cyprus (TRNC); in Serbia there is Kosovo. The international community treats the TRNC and Kosovo very differently: the former receives almost no recognition while the latter enjoys recognition from a majority of states. The main question of this paper is as follows: How could Cyprus join the EU with tangible ethnic division while Kosovo must remedy such tensions in order to join? Before analyzing these cases in relation to the EU, it is necessary to review the histories of each contested state.

Historical Background: Cyprus

Cyprus has a turbulent history. The country spent many years under Ottoman rule which ended when Greek Cypriots overthrew the system (Bahcheli & Noel, 2013, p. 315). Ottoman rule over Cyprus ended in 1878 (Kasim & Kasim, 2017, p. 560). According to Tweedy (1931) however, “up to 1914, the Island remained in Turkish possession” (p. 767). Under Ottoman rule, ethnic segregation was institutionalized (Calame & Charlesworth, 2012, p. 125). Although Turkish Cypriots were treated more favorably under Ottoman rule, the identified starting point for division came when the Ottomans were overthrown because Greek Cypriots felt liberated while Turkish Cypriots were left with a “loss of status” and “future uncertainty” (Bahcheli & Noel, 2013, p. 315). Thereafter, the British took over. According to Tweedy (1931), the British gave the Cypriots “larger representation” but this meant that Greek Cypriots had an advantage over their Turkish counterparts due to population size (p. 768). The balance of power changed but soon all Cypriots yearned for independence from British rule.

This desire did not lead to cooperation, however; instead, ethnic homelands grew in importance. In an effort to oppose British authority, Greek Cypriot nationalism developed,

furthering the divide between the ethnic groups (Bahcheli & Noel, 2013, p. 319). Greek Cypriots engaged in guerilla tactics by targeting the police, which was primarily composed of British-appointed Turkish Cypriots (Hannay, 2005, p. 2). The goal of Greek Cypriots was reunification with their ethnic homeland, Greece, in which their cause found support but of which the British disapproved (Kasim & Kasim, 2017, p. 560; Bahcheli & Noel, 2013, p. 317-318). According to Bahcheli and Noel (2013), the Greek reunification movement was called enosis (p. 319). It was the idea of Greek unity with Cyprus, which existed prior to its violent form in the middle of the twentieth century (Tweedy, 1931, p. 765). Turkey became involved during this time as well, insisting that Cyprus was de facto Turkish territory given extensive Ottoman rule and proximity (Kasim & Kasim, 2017, p. 560). However, Turkish demands changed to promote division of Cyprus between the two ethnic homeland states (Kasim & Kasim, 2017, p. 561). Neither ethnic homeland was given control over Cyprus.

Rather, the Republic of Cyprus was created. The state was unsuccessful and lasted only a few years. According to Blair in a *New York Times*' article (1964), Turkish Cypriot interests were overrepresented in this republic. The island's demographics were split unequally with a majority of Greek Cypriots and the two communities were not united (Hannay, 2005, p. 2). In 1963, the Greek and Turkish Cypriots engaged in widespread fighting (Bahcheli & Noel, 2013, p. 319). Greek Cypriots and "paramilitary nationalists" began to harass resistant Turkish Cypriots (Hannay, 2005, p. 4). The Turkish Cypriots formed enclaves and a new solution was necessary (Bahcheli & Noel, 2013, p. 321). At this point, Blair (1964) claims, enosis was no longer popular as a sufficient solution among Greek Cypriots. His view conflicts with Kasim & Kasim (2017), who claim that the attacks against Turkish Cypriots were a plan of elimination to catalyze enosis (p. 561). Separation was chosen instead by the former external authority: In 1963, the British

formally established the Green Line (Calame & Charlesworth 2012, p. 133). The United Nations intervened in Cyprus by sending “a small UN military force” in 1964 (Hannay, 2005, p. 5).

However, the trouble did not end there.

The situation worsened in 1974, when both ethnic homeland states got involved. A successful Greek-supported military coup was launched against the Cypriot government (Kasim & Kasim, 2017, p. 561). Turkey reacted by sending military enforcements to the island—however, this response was justified under the 1960 Treaty of Guarantee (Kasim & Kasim, 2017, p. 561). Cyprus’ northern territory was occupied by Turkish troops (Brey, 2007, p. 34). Directly after the partition was established in Nicosia, tension continued between the communities especially in the periphery where refugees emerged since ethnic groups caught on the wrong side of the line felt the need to move to their side of the island (Calame & Charlesworth, 2012, p. 133). According to Kozakou-Marcoullis (1999), Greek Cypriots fled from or were forced out of this occupied territory during that summer and had not been allowed to return by 1999 (p. 58). After the dual events in 1975, a new state, the Cyprus Republic was created (Kasim & Kasim, 2017, p. 561). Eight years thereafter, another state was established on the island: the Turkish Republic of Northern Cyprus (TRNC) (Kasim & Kasim, 2017, 561). The latter was not internationally recognized and remains as such (Brey, 2007, p. 35).

The island remains divided with a key example being the Green Line, a major obstacle towards reconciliation because it has separated the communities for so long and is unlikely to be removed. The barrier was not intended to permanently divide the island as it has (Calame & Charlesworth 2012, p. 133). Yet it remains. The Green Line encouraged “further animosity and segregation” even though violence decreased (Calame & Charlesworth, 2012, p. 134). Perhaps

an integrated future could have been obtained if the island was never partitioned in the first place.

Cyprus: Disputed Territory to EU Member State

How was Cyprus able to become a member of the EU when such tangible division continues to exist? The reason could be linked to the United Nations. In 1983, a dissatisfied Security Council advised UN member states to disregard the TRNC as a legitimate state (Hannay, 2005, p. 8). After the UN exclusively recognized the Greek Cypriot Republic of Cyprus as the only governing body on the island, the Turkish Cypriots' disenchantment with the international community peaked (Hannay, 2005, p. 5). One may wonder why the UN refused to recognize the TRNC. The Montevideo Convention of 1933 outlines which characteristics a state needs in order to be recognized as such; these include: "a defined territory, a permanent population, government, and the capacity to enter into relations with the other states"—international recognition is not a requirement (Kasim & Kasim, 2017, p. 554). The TRNC meets all of the necessary requirements. According to Berg (2009), however, a reason for not recognizing a state could be from fear of starting a "domino effect" (p. 224).

In the past, there were attempts led by external actors to reintegrate the Cypriot communities. The United Nations invested much effort during the early 1990s with aims to increase trade between the two sides of the island by opening the Nicosia airport (Hannay, 2005, p. 9). When compromises failed, the UN was reluctant to reopen negotiations between Greek and Turkish Cypriots after the Republic of Cyprus' application for EU membership had been accepted (Hannay, 2005, p. 64). The European Union declined to recognize the TRNC, in accordance with the UN. The Cyprus Republic was seen the island's only governmental authority (Kasim & Kasim, 2017, p. 561). In an effort to engage the TRNC, the EU reached out

to them, who refused to participate because they were embittered by the EU accepting the Republic of Cyprus' application for membership without them (Hannay, 2005, p. 9). Therefore, the EU only worked with the government in the Republic of Cyprus throughout the EU accession process (Shaelou, 2010, p. 31). Thus, the organization set a precedent of denying the legitimacy of the TRNC's political institutions and government, even though EU membership was intended to—and does—cover the territory of the entire island (Shaelou, 2010, p. 31).

During the EU membership process, an attempt was nevertheless made to unite the island. The Annan Plan was promising; in short, it would have created “a federal and united Cyprus Republic composed of the two constituent states, Turkish state in the north and Greek state in the south” (Kasim & Kasim, 2017, p. 562). The plan was proposed to the people via referenda; the results were as follows: the Greek Cypriots rejected it while the Turkish Cypriots approved it (Kasim & Kasim, 2017, p. 562). Therefore, it was unsuccessful. “A unique...chance was missed” (Brey, 2007, p. 37). The Republic of Cyprus would have been admitted into the EU regardless of the results which is why Greek Cypriots refused (Kasim & Kasim, 2017, p. 562). Cyprus became an EU member in 2004. By allowing Cyprus to become a member in this way, it seems that the EU has eliminated the TRNC's chance to ever become a member state if it ever pursued it. Since all of Cyprus' territory is a part of the EU, even if the EU bilaterally recognized the TRNC, what territory would the TRNC claim? This admission was a mistake.

The EU legitimized the divided situation in Cyprus by allowing the state to enter without fixing its problem of ethnic partition. Although the EU expressed concern over the island's divided nature and “the continued lack of official contacts between the two governments,” they were not taking any kind of particular action to improve the situation after Cyprus became a member (Taspinar, 2010). It is difficult to foresee the international community working towards

reintegration of the Cypriot communities now. The situation is generally accepted and the TRNC is unlikely to achieve worldwide recognition. Since Cyprus is an EU member, they are affecting the organization's policy. Given Kosovo's interest in becoming a part of the EU, Cyprus affects the accession process in Kosovo as well as the final vote of whether or not it attains membership.

Historical Background: Kosovo

Kosovo also has a turbulent history. Like Cyprus, there was a time when Kosovo was governed by Ottoman rule, but after the Balkan wars, its territory came under the command of the kingdoms of Serbia and Montenegro (Ker-Lindsay, 2009, p. 8-9). The Albanians were treated differently because of the regime change. Like the Greek Cypriots in Cyprus, Christian Serbs in Kosovo approved of the regime change; however, like the Turkish Cypriots, Muslim Albanians were unhappy (Ker-Lindsay, 2009, p. 9). Tension was created between the ethnic groups around this time. After being ushered into the Federal Republic of Yugoslavia but denied statehood, Albanians in Kosovo sought recognition which was only partially attained in 1974, when Kosovo became an autonomous province (Ker-Lindsay, 2009, p. 9-10).

After its status improved, Kosovo was able to write its own constitution and harbored many of the characteristics and powers associated with Yugoslav republics (Ker-Lindsay, 2009, p. 10). During this time, the pressure for independence was still strong among Albanians; their desire to become a republic was coupled with increasing hostility towards Serbs living in Kosovo (Ker-Lindsay, 2009, p. 10). Then, near the turn of the century, Yugoslavia fell apart.

The collapse of Yugoslavia would bring major changes in the region. When Slobodan Milosevic seized executive power of Serbia in 1989, Kosovo's status as an autonomous province was removed and came under "direct rule from Belgrade" which certainly displeased the

Albanians (Ker-Lindsay 2009, p. 11). The ethnic Albanians in Kosovo nonetheless continued to work towards independence; Ibrahim Rugova became the president of Kosovo in 1992 but was not recognized internationally and thus excluded from the Dayton Peace Talks (Ker-Lindsay 2009, p. 11). Kosovo's claim to independence was ignored by the international community.

The ethnic Albanians in Kosovo altered their strategy in the middle of the 1990's by creating the Kosovo Liberation Army (KLA) to fight for independence—and attention—on the world stage (Ker-Lindsay 2009, p. 11). They decided to use violence against their traditional rivals, the Serbs, and started out by attacking Serb police forces (Ker-Lindsay 2009, p. 11). Eventually, as the violence intensified and the Serbs fought back, civilians became victims and the United States viewed the KLA as a terrorist organization (Ker-Lindsay 2009, p. 12).

The international community increased their involvement in the area after the heightened violence. Negotiations led by the Contact Group began but there was little progress (Ker-Lindsay, 2009, p. 12). The violence, however, only increased. There were more clashes between the KLA and the Serbian forces, leading to thousands of casualties and even more refugees (Ker-Lindsay, 2009, p. 13). Before the war, ethnic Albanians and ethnic Serbs had lived near one another, but after 1999, Serbs formed an enclave in the northern part of Kosovo while Albanians congregated south of the Ibar River (Synovitz, 2013).

As in Cyprus, the UN got involved. They sent “the Kosovo Verification Mission (KVM)” with the responsibility of negotiating a ceasefire (Ker-Lindsay, 2009, p. 13). Since the KVM was a part of the OSCE, it also dealt with human rights and had a monitoring role (Ker-Lindsay, 2009, p. 13). Violence continued. The North Atlantic Treaty Organization (NATO) warned the actors in the conflict that they would intervene if nothing changed but it backfired because the KLA continued to provoke the Serbs in order to get the international community involved (Ker-

Lindsay, 2009, p. 13). It is interesting how the KLA's tactic worked. Milosevic was also warned numerous times that NATO would take action while negotiations were occurring but he refused to compromise (Ker-Lindsay, 2009, p. 14).

After a NATO air campaign, the dynamics altered as international organizations became more involved on the ground. Yugoslav forces withdrew from Kosovo and a "UN civil mission and a security force—Kosovo Protection Force (KFOR)—under NATO control" was sent to the territory (Ker-Lindsay, 2009, p. 14-15). It was around this time that the migration of Serbs to the north occurred and Mitrovica was partitioned (Synovitz, 2013). The city became a divided one like Nicosia in Cyprus. Many Serbs were subject to "revenge attacks" from the Albanians, which influenced their movement north (Ker-Lindsay, 2009, p. 16). International involvement increased.

In the summer of 1999, Resolution 1244—which created the UN Mission in Kosovo (UNMIK)—was passed by the UN Security Council (Ker-Lindsay 2009, p. 15). UNMIK was supposed to ensure Serbian sovereignty over Kosovo (Berg, 2009, p. 228). Additionally, UNMIK was charged with the installation of western values in Kosovo (i.e. human rights) (Spernbauer 2014, p. 54). The Serbs that did stay in the south relied on UNMIK to protect them, like the Turkish Cypriots had once relied on the British (Ker-Lindsay 2009, p. 16).

UNMIK received mixed reactions. According to the European Stability Initiative (2006), UNMIK had barely showed "any real authority in Mitrovica" which decreased the ethnic Albanians' faith in the gains or changes that the international community promised (p. 5). There had been a series of fruitless status talks in relation to Kosovo (Spernbauer, 2014, p. 61-62). In 2008, Kosovo declared independence (Ker-Lindsay 2009, p. 106). The Kosovars, anxious for

independence for so long, acted unilaterally. Thereafter, international intervention in the area changed; Kosovo was no longer a recovering province; it was a recovering state if recognized.

Yet its reception was quite different from that of the TRNC. Soon after Kosovo's declaration, the Americans recognized their statehood (Ker-Lindsey & Economides, 2012, p. 80). With the support of the world's hegemon, Kosovo already had a great advantage over the TRNC. The Serbs considered the declaration of independence as "null and void" (Berg, 2009, p. 222). However, the International Court of Justice said that the declaration was legal under international law (Kasim & Kasim, 2017, p. 566; Spornbauer, 2014, p. 67). Berg (2009) suggests that more of the international community may have recognized Kosovo because "during Kosovo's final status talks in 2006–2007, it became clear that Kosovars would accept nothing less than independence" (p. 227). Yet international intervention did not cease thereafter.

Kosovo and the EU

Kosovo remains a contested state with a divided society, yet it aims to be a fully recognized state within the European Union. There are still many problems. According to Brey (2007), areas of northern Kosovo near Serbia in which many ethnic Serbs live have "parallel structures" (p. 33). In fact, approximately 100,000 Serbs in the area have exhibited "a fierce opposition" to Kosovo's break from Serbia (Berg, 2009, p. 225). How has the EU responded?

Like Cyprus' Nicosia, Kosovo has a divided city that has garnered international attention: Mitrovica. Ethnic Serbian residents live on one side of the river while ethnic Albanian residents live on the other. Mitrovica's barrier was not erected by an external actor. Instead, the residents of the city built barricades and have maintained them; originally, Serbs built barriers to protect themselves from the increasing Albanian population just south of them after the war (Synovitz,

2013). Even when the international forces take down the barricades, they are erected again (Charles, 2014). One of the reconstructions of barriers by the Serbs was different: a peace park (Charles, 2014). I was able to see this aesthetically pleasing yet bizarre barrier when in Mitrovica. Later, the peace park was removed and replaced by a wall according to Radosavljevic (2017) in the *Pristina Insight*. These examples depict the continuous ethnic tension in Kosovo.

The TRNC and the Serb enclave north of the Ibar River in Kosovo have a key similarity: they are both dependent on external actors for survival. The TRNC, it is estimated, receives roughly \$500 million a year from Turkey (BBC News, 2009). North Mitrovica is partially supported by Serbia (ESI, 2006, p. 6). The Serbs in northern Kosovo follow their homeland state, Serbia, by not recognizing the government in Pristina as legitimate (Synovitz, 2013). Due to the continued support of ethnic homeland states, the minority groups of Kosovo and the Republic of Cyprus are not forced to accept the majority government.

Most of the states in the EU recognize Kosovo with the exception of Cyprus, Greece, Romania, Slovakia, and Spain. According to Hasselbach (2012), the EU members that do not recognize Kosovo have “strong minorities within their own borders and fear they, too, might seek independence.” The EU member state, Cyprus, was critical about Kosovo’s declaration of independence. In fact, the Republic of Cyprus condemned it, saying that the “territorial integrity, sovereignty and independence of both Serbia and the Republic of Cyprus were being violated in the most brutal manner” because of the TRNC’s and Kosovo’s moves towards independence (Berg, 2009, p. 228). The EU has tried to stay “status neutral” in regard to Kosovo (Chivvis, 2010, p. 32). According to Hasselbach (2012), Kosovo will not be a candidate state unless there is consensus within the EU, “nevertheless, the EU Commission says the way to Europe is

basically open for Kosovo.” If the time comes for Kosovo to be a candidate state, the EU will have to work hard to convince Cyprus—and a few other members—to recognize Kosovo.

Although consensus may not come about, the EU has certainly invested considerable resources into Kosovo. Its Rule of Law Mission (EULEX) is a primary example. EULEX is “the largest ever mission formed under the EU’s Common Security and Defence Policy” (Ker-Lindsay & Economides, 2012, p. 81). Interestingly, EULEX was sent to Kosovo in the same month as their declaration of independence (Chivvis, 2010, p. 31-33). Unlike UNMIK, however, EULEX was not received well by Kosovo Serbs (Chivvis, 2010, p. 39). According to the European Union Office in Kosovo (2016), EULEX and the role of Special Representative compose the EU’s presence in Kosovo. It is telling that every member state had to agree to send EULEX, a state building effort, to Kosovo (Ker-Lindsay & Economides 2012, p. 81, 84, 87). According to the European Union Office in Kosovo (2016), EULEX helps Kosovo through strengthening its “rule of law, specifically in the police, judiciary and customs.” In addition, Kosovo has received great financial aid. From 1999 to 2016, the EU gave €2.3 billion to Kosovo (European Special Representative in Kosovo, 2016).

The EU has provided help to Kosovo but it still faces many problems. For example, its institutions are weak and corruption exists (Spernbauer, 2014, p. 75-76, 82-83). Thus, further progression to EU accession would be “in the rather distant future” (Ker-Lindsay & Economides, 2012, p. 81). Nevertheless, the EU advises Kosovo to change many aspects of its society. According to Bouris and Kyris (2017), Europeanization is “a process of structural change that affects actors, institutions, interests, practices and ideas...and comes as a response to EU policies and decisions” (p. 757). The EU has instructed Kosovo that in order to obtain EU membership, it

must strive to become “a democratic and multiethnic society” (Shaelou, 2010, p. 330-331). This task is difficult anywhere, but is increasingly so given recent history of violent ethnic conflict.

What about Serbia? Kosovo and Serbia, the state from which it declared independence, have engaged in EU-facilitated talks, because Serbia too wants to join the EU (Bebiak, 2017). These talks have yielded some successes and Serbia recently announced that they must either recognize Kosovo’s territorial claims or not—simply put, northern Kosovo cannot be seen as external from Kosovo (Bebiak, 2017). A difficulty lies in whether or not Kosovo would ever be able to become a member since the EU relies on consensus. Serbia, the state from which Kosovo declared independence, also seeks to join the EU. If they succeed prior to Kosovo’s accession (if it ever occurs), then there would be six EU member states that do not recognize Kosovo.

Cyprus and Kosovo: A Comparison

The international community has long been involved in both Cyprus and Kosovo. It appears that international actors forfeited reconciliation between the Greek and Turkish Cypriot communities in order to support the “easy” decision of recognizing only the Republic of Cyprus. By including the Republic in the EU, the circumstances of a divided Cyprus hardened. In the Kosovan case, however, international attention was already great in the region. In fact, the Cold War had ended so the wars of Yugoslavia became pressing European crises. Because of these events, the international community had a strong invested interest in nurturing peace in the region. Thus, the Kosovars had greater bargaining power than the Turkish Cypriots, since their commitment to independence from Serbia may have led to further violence and conflict. No one wanted that. Timing, the actions of ethnic homelands, and responses from the international community contributed to the creation of the current positions of Cyprus and Kosovo.

International intervention was a norm in Cyprus and Kosovo, whose territories occupy small spaces in a global context. Yet, Kosovan independence had an advantage through the wars of Yugoslavia, because international involvement and public knowledge of the conflicts were already established. In contrast, the Cypriot conflict occurred during pivotal points of the Cold War, on which international attention was focused. After the British set up the Green Line, a United Nations peacekeeping force was sent to Cyprus in order to “patrol the buffer zone” that extends across the island (Calame & Charlesworth, 2012, p. 135). The Cypriot crisis was not prioritized.

Ethnic groups in Cyprus and Kosovo have different homelands with varying relationships to the EU. No EU member has a vested interest in Kosovo as a homeland state. Neither Albania nor Serbia nor Turkey are EU members. The Republic of Cyprus entered the EU with the support of their homeland state and EU member, Greece. Meanwhile, Turkey was unable to oppose consensus since they are not an EU member. In fact, Turkey and the EU have long had a difficult relationship. When the EU accepted a divided Cyprus, they championed Greek Cypriots interests over those of Turkish Cypriots.

Although Kosovo may lack an ethnic homeland state within the EU, its predicament involves powerful actors. As aforementioned, Kosovo had the support by the United States after its independence declaration. Serbia has maintained a historical alliance with Russia, a world power and UN Security Council member. After the 2008 declaration, Russia—like Serbia—refused to recognize Kosovo (Ker-Lindsay & Economides, 2012, p. 81). The Cold War superpowers are involved in Kosovo’s dilemma; neither were present in the Cypriot dilemma.

A key difference between the TRNC and Kosovan declarations of independence was the response of the international community: uniformly and uncoordinated, respectively. As

aforementioned, the UN advised its members not to recognize the TRNC (Hannay, 2005, p. 8). To this day, only Turkey does. With Kosovo, however, the international community was “sharply divided” (Ker-Lindsay & Economides, 2012, p. 80). Western powers like the United States supported Kosovo’s independence prior to their declaration (Ker-Lindsay & Economides, 2012, p. 79). Such early backing by powerful countries did not exist for the TRNC. Today, most EU member states have recognized Kosovo but none recognize the TRNC. Because Kosovo has garnered greater support from the international community, there may be more potential for progress.

The EU enlargement process has been important in both cases. Initially the EU encouraged Cyprus to come to an agreement. Due to different factors, such as strict UN condemnation of the TRNC, lack of progress from negotiations, and intervention from homeland states, the organization greeted a divided Cyprus as a member state in 2004. Because they were not forced to compromise with the UN plan, the Greek Cypriots did not and Cyprus entered as a divided country (Kyris, 2013). Kosovo’s situation is more precarious than that of Cyprus and the TRNC—there is more flexibility with Kosovo’s quest for full recognition. Although the EU is currently encouraging ethnic reconciliation in order for Kosovo to move forth in discussions, one cannot help but wonder if a similar path will be taken. As showcased in Cyprus, the EU was flexible when their policy did not work.

In conclusion, Cyprus and Kosovo suffer from the common dilemma of ethnic division. Although Cyprus obtained EU membership (the end goal that Kosovo so desires), it sits in a suboptimal state of stagnation. The TRNC is unlikely to gain recognition in the near future and Cyprus remains divided. Kosovo may be in a better position, however. One day, it could become an EU member. If the international community does not give up on the reconciliation aim and

process within Kosovo, then it could enter the EU as a unified state. Although it may seem contradictory for the EU to allow a divided state in yet push Kosovo to reconcile, the organization could be trying to resolve its mistakes in Cyprus. Therefore, the EU's error in Cyprus may have a positive impact on Kosovo, by spurring on further reconciliation.

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