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CONTINUITY AND TRANSFORMATION OF THE EU POLICY TOWARDS THE KURDISH ISSUE IN TURKEY AND IRAQ

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ABSTRACT

The article is devoted to the analysis of the evolution of the EU's approach towards the Kurdish issue in Turkey and Iraq. The authors identify the basic trends and patterns of the EU's foreign policy towards the Turkish and Iraqi Kurds. The current political dynamics in the Middle East allows the authors to draw a conclusion about the shift in the EU foreign policy paradigm towards those countries, where the Kurdish minority resides, and towards the Kurds themselves.

Key Words: the Kurdish issue, the EU documents, Middle East.

INTRODUCTION

The relations of the European Union with the Middle East are characterised primarily by instability resulting from tensions there. The region is commonly regarded as a centre of Islamic extremism. The terrorist threat from organisations based in the countries of the region, as well as increasing Muslim migration to Europe, contribute to the EU's intensifying engagement in the area. The Kurdish issue, which is taken here in its more general meaning as a fragmentation of the Kurdish nation into four regions, plays a significant role in shaping EU policy towards the Middle East region.

In the light of these observations, this article examines the complex issues in the EU–Turkey–Kurds and EU–Iraq–Kurds triangles and provides answers to the following questions: (1) How important is the Kurdish issue in EU rhetoric? (2) Does the EU perceive the Kurdish issue in Turkey and the Kurdish issue in Iraq differently? (3) What are the preconditions that led to a tectonic shift in the EU approach towards the Turkish and Iraqi Kurds at the beginning of the 21st century?

The objective of this paper is a comprehensive study and analysis of the evolution of EU policy towards the Kurdish minority in Turkey and Iraq. With respect to the primary case-study of this article (the Kurdish issue in Turkey and Iraq), we are interested in the difference in the EU approach towards Turkey and Iraq's Kurds. The starting point for our research is the statement that the EU demonstrates a large degree of continuity through the export of its norms in the relations with Turkey and security-building measures in the relations with Iraq. This article aims to assess this statement and questions current accounts of continuity in the EU's approach.

Another point, addressed in the article, argues with the statement that the EU foreign policy is shaped by a set of common norms and values. Despite the normative rhetoric deeply embedded in EU discourse, the EU does not always act as an international normative actor. We show that EU foreign policy takes different forms and pursues different approaches at the same time point (but in different geographical locations).

The significance of this research lies in its implications for both the EU and other non-member states. A thorough understanding of the EU's foreign policy strategy towards Iraqi and Turkish Kurdistan will allow Brussels to select the most appropriate modalities of

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engagement, as well as to develop the most efficient mechanisms for conflict prevention and resolution at the regional and interregional levels.

METHODOLOGY

The methodology used in this article is a discursive analytical approach, which requires a thorough examination of the official declarations, statements and resolutions adopted by the EU. These documents allowed us not only to examine the EU engagement in the Kurdish issue but also to observe key patterns, trends and changes in the EU official position towards the Kurds in Turkey and Iraq. Based on a qualitative content analysis of discursive practices, the Kurdish issue in Turkey and Iraq is thoroughly examined in the EU documents reflecting the EU official position. Official articulation serves as “the sole source of analysis where non-formal and personal exchanges are not taken into account” (Kapidžić, 2011, p. 6). According to Sedelmeier (2003), the importance of actual policy practice, including discursive practices, such as declarations or other documents, should be taken into account as they give norm-based justifications for common actions. Therefore, by applying a discursive analytical approach, it is possible to draw conclusions on the continuity or changes in the foreign policy, as well as to cover a broad spectrum of interests and preferences in EU policy-making.

The documents’ selection is presented in the article according to the date of their adoption, which allows readers to follow a changing dynamics in the EU approach towards Kurdish minority in Turkey and Iraq. Documents of the most influential European institutions are selected: the European Council, the European Parliament, the European Commission and the Council of the European Union.

The authors have identified the same timeframe – the 1980s to the present day – for both cases (Turkish and Iraqi Kurds) for purposes of comparison.

LITERATURE REVIEW

The issues this paper addresses belong to the broader debate of the role of the EU as a policy-shaper in international relations. Bretherton and Vogler (2012) suggest that, since 1992, the EU has been perceived as a strong actor with a consistent and coherent external policy as well as the potential to exert influence over other states. According to Manners (2002), due to the wide-ranging global involvement of the EU, the EU has its own effective foreign policy as well as an ability (through exporting its values) to influence the behaviour of other states, regardless of whether they are listed for accession or do not have any European aspirations. In this regard, both Turkey and Iraq with the largest Kurdish populations can be treated as perfectly comparable.

The academic literature does not devote attention to the EU approach towards Kurds evenly, focusing primarily on the issues around the Kurds in Turkey and the EU–Turkey–Kurds triangle. Cengiz and Hoffman (2013) suggest assessing the EU approach towards the Turkish Kurds through the concept of Europeanisation, specifically the external incentive model. According to Güney (2015), the EU considers the Kurdish issue in Turkey as a sensitive one as it has a potential to create the potential negative externalities for the EU such as illegal migration and loss of influence.

The EU approach towards Iraqi Kurds is examined within the context of conflict dynamics in Iraq and the potential of the EU for peace-building. Some researchers do not consider the EU as a significant actor in Bagdad–Erbil relations, emphasising the crucial role of the US (Shifrinson, 2006; Charountaki, 2014). Others focus mainly on the EU democracy-building and state-building strategy for Iraq, ignoring any engagement with the Iraqi Kurds (Youngs, 2004; Spyer, 2007).

The literature review allows us to draw a conclusion that, despite the growing interest in EU-Kurdish studies, there is still a considerable disproportionality in the literature devoted to EU–Turkish Kurd relations and EU–Iraqi Kurd relations.

THE EU AND TURKISH KURDS

The EU interest is concentrated on the Kurdish issue in Turkey and affords relatively little attention to the Kurdish minority in other states. The EU's concern over the questions of human rights and rights of minorities in Turkey has repeatedly been a theme of resolutions adopted by the European Parliament.

When in 1987 Turkey applied for membership in the European Economic Community, the European Parliament adopted a resolution expressing deep concern over “the issue of minorities” (European Parliament, 1987). Denial of the very existence of a Kurdish issue has been identified by Europe as one of the obstacles to Turkey's accession into the EEC and continues so today.

In the period between 1984 and 1989, the European Parliament adopted 12 resolutions on human rights in Turkey, but none of them was devoted exclusively to the Kurdish issue. Significant changes in the rhetoric of the Member States of the European Parliament were noted when the Kurdish question in southeast Turkey escalated in 1990. Thus, in March 1992, the European Parliament condemned Turkey for the use of disproportionate force during clashes while the Kurdish minority was celebrating their national holiday, Nowruz. Furthermore, while criticising violence by the PKK, the European Parliament appealed to the European Council and the European Commission to take all necessary measures for the speedy resolution of the Kurdish issue (European Parliament, 1992).

On 19 September 1996, the European Parliament passed a resolution calling on the Turkish government to attempt a peaceful solution to the Kurdish question (European Parliament, 1996). In the same document, the European Parliament appealed to the European Commission to stop funding projects in Turkey in the framework of MEDA, pointing out serious problems of human rights in Turkey. It is worth noting that this document of the European Parliament was highly motivated by the human rights situation in Turkey, pointing to the numerous violations of human rights in the southeast regions of Turkey with a dense population of ethnic Kurds.

The European Parliament also expressed concern regarding the arrest of several members of the Democratic Party of Turkey, particularly that of Leyla Zana, the first Kurdish woman to be elected to the Turkish Parliament in 1991 (European Parliament, 1997). She was sentenced to 15 years in prison for her political speeches and the decision to take her oath in Parliament in the Kurdish language. The message from the European Parliament was clear and precise. The Joint EU–Turkey parliamentary committee was discontinued and the European Parliament decided to award Leyla the Sakharov Prize. Additionally, the European Parliament adopted a resolution urging the release of Leyla Zana, who was convicted of human rights activities.

Human rights and the rights of national minorities in Turkey were crucial factors in shaping EU policy towards Turkey at the summit held in Luxembourg in 1997. That year, the Member States decided not to grant Turkey “candidate status” for EU membership. This issue continues to rankle in Turkey–EU relations and serves as a major obstacle to further cooperation between the parties.

The Helsinki summit, held two years later, was a turning point in relations between the EU and Ankara. In December 1999, the European Council gave Turkey candidate status for EU membership. The prospect of membership has become the principal incentive for Turkey to conduct the necessary reforms on the one hand, aimed at implementing the Copenhagen criteria, while on the other hand providing the necessary leverage on the part of

the EU to require institutional and political transformation for continued admissions candidacy.

In 1999, the stated EU conditions had not yet had a significant impact on Turkey, which had openly expressed reluctance to comply with the requirements of the European institutions on the issue of reforms in terms of minority rights. Ankara viewed this point as a serious threat to its national sovereignty. The granting of candidate status to Turkey signalled a willingness of the EU Member States, not only to accept Ankara into their club, but also to take on the burden of its problems – including those addressing the Kurdish minority. The Helsinki Summit contributed to the eradication of the Sevres syndrome, named after the Sèvres Treaty, which gave the Kurds the opportunity to create their own state and undermined the territorial integrity of Turkey.

Thus, the resolution of the European Parliament, adopted on 15 November 2000, stated that the solution to the Kurdish issue should be based on respect for the territorial integrity of Turkey (European Parliament, 2000). A few years later, another resolution of the European Parliament on the progress of Turkey's negotiation process marked a positive shift in Ankara's policy, particularly the decision to permit the public broadcasting in the Kurdish language. The European Parliament also strongly condemned the PKK terrorist activities (European Parliament, 2006).

It is worth noting that, since granting candidate status to Turkey, the European Parliament has become more focused on the cultural rights of the Kurds. The recognition of the Kurdish language turned into the main stumbling block, used by the EU to leverage Turkey towards a change in its policy. The requirement to amend the law and introduce classes in the Kurdish language was repeatedly mentioned in various EU reports (European Commission, 2005; 2006).

A complete change of emphasis from politically sensitive issues to cultural rights of minorities became part and parcel of the conditionality mechanism. The so-called “carrot and stick” policy pursued by the European institutions was supposed to be the core of the EU's potential in Turkey to provide for a more flexible attitude of Ankara towards the Brussels requirements.

However, the latest trends in the EU Middle East policy showed evidence of a gradual transformation of the EU approach towards the Kurdish issue. The lack of real progress in the negotiations between the EU and Turkey and the further gradual Islamisation of the latter drummed up pro-Kurdish sentiment among the European public. Recently, the European Parliament has stepped up criticism of Ankara, noting serious setbacks in some key areas such as freedom of expression, extended incarceration without trial, long jail sentences, lack of effective legal representation in criminal trials, denial of political rights, etc. The EU Parliament's resolution, adopted on 14 April 2016 on the 2015 report on Turkey, stressed that “there is no violent solution to the Kurdish question” (European Parliament, 2016). The resolution also urged the Turkish Government to take its responsibility to resume negotiations with a view to achieving a comprehensive and sustainable solution to the Kurdish issue.

The Kurdish issue has become an integral and inseparable part of EU rhetoric during the accession negotiations with Turkey. The European Union engagement in the Kurdish issue is clear and justified by the very fact of Turkey's European aspirations. Since 1999, the Kurdish issue has made Turkish candidacy for the EU membership highly vulnerable, souring relations with Brussels. The human rights situation in the Kurdish regions of Turkey has turned into a leverage, successfully used by the EU in pursuit of changes from Ankara. The further dynamics in EU–Turkish Kurds relations depends, on the one hand, on what measures Ankara will take to address the human rights abuses against the Kurdish minority and, on the other, on how much attention the EU will devote to the Kurdish issue.

EU AND THE IRAQI KURDS

Contrary to EU engagement with the Turkish Kurds, Brussels initially kept a low profile in Iraqi Kurdistan. The political cooperation with Iraqi Kurds, who have been solidly within the orbit of the US geopolitical interests for a number of decades, does not have a long history.

During the 24 years of Saddam Hussein being in power in Iraq, the EU did not support political or contractual relations with Baghdad. With its significant potential in the humanitarian field, the EU played an important role in creating a “security zone” in Iraqi Kurdistan in 1991. At the Luxembourg summit of European Communities on 8 April 1991, the Member States also added the issue of providing humanitarian assistance to assist the Iraqi Kurds. After 1992, the EU took second place after the United Nations in terms of humanitarian assistance to the Iraqi Kurds.

It was in the 1990s that Washington kept on playing a decisive role in shaping Iraqi Kurdistan. However, in the late 1990s, the situation gradually started to change. The Iraqi Kurds stepped up their diplomatic activity in Europe. In 1999, they opened the Kurdistan Regional Government Mission to the EU, based in Brussels, which also represented Iraqi Kurdistan in the Benelux countries. Such representation provided direct contact between the Kurdish leaders and European elites as well as contributing to diversifying the relations of the Iraqi Kurds with other states and weakening the US monopoly in relating to the Kurds. Since the beginning of the 2000s, the leaders of Iraqi Kurdistan have been actively involved in the process of lobbying the Kurdish issue at the EU level. In 2000, Prime Minister of the Kurdistan Regional Government, Nechirvan Barzani, twice participated in the meetings of the European Parliament and ably led the delegation representing Kurdish interests.

In April 2002, the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy released a report on the situation in Iraq 11 years after the First Gulf War, which recognised the progress made by Iraqi Kurdistan in the democratisation process. The document also condemned massive human rights violations in Iraq, as well as Iraq’s non-compliance with its obligations to respect the rights of ethnic and religious groups. To prevent human rights violations in Iraq, the report called on the Council and the Commission to “put maximum pressure at all occasions on the Iraqi regime to reduce its repression towards its own population, at first by stopping the massive executions, arbitrary arrests, internal displacement campaigns and ethnic cleansing in the Kurdish region; ensure the long-term, unceasing protection of the Iraqi population in particular the Kurdish and Shiite populations” (Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, 2002).

The Iraqi crisis became a challenge for the EU Common Foreign and Security Policy. In February 2003, in Brussels, the Council held an extraordinary meeting to discuss the Iraqi crisis. During the lengthy negotiations, European leaders managed to find a common approach to the crisis. The Conclusions of the Extraordinary European Council (European Council, 2003) defined the basic principles of the EU policy towards Iraq and created the necessary conditions for more active EU engagement in the settlement of the Iraqi crisis. The spring session of the European Council, which coincided with the beginning of the military operation in Iraq, emphasised the growing interest of the EU to take part in the post-crisis stage. Despite the fact that the text of the joint document, which was prepared in May 2003, does not mention Kurds, Paragraph 67 states that the EU “is committed to the territorial integrity policy, the political stability and the full and effective disarmament of Iraq on its territory, as well as to the respect for the rights of the Iraqi people, including all persons belonging to minorities” (European Council, 2003a). The EU also expressed its desire to participate more actively in the post-conflict phase, particularly in Iraqi reconstruction.

After the overthrow of the Ba’ath regime, the EU kept on maintaining the relations exclusively with Baghdad, moving away from the Iraqi Kurds. This position was reflected in

the Council Decision dated 7 March 2005 to launch the EU integrated rule of law mission for Iraq (Council of The European Union, 2005). Baghdad was chosen as the place where the headquarters of the Mission would be located, despite the Iraqi Kurds' proposal to open the Mission in Erbil.

On 7 June 2006, the Member States adopted the Communication from the Commission to the Council and the European Parliament (recommendations for renewed European Union engagement with Iraq), with a particular emphasis on the territorial integrity of Iraq. There is no mention of the Kurds at all, while the ethnic minorities are referred to only once with regard to “the considerable scope for Iraq and international efforts ... to promote human rights and fundamental freedoms, including rights of ... ethnic minorities” (Commission of the European Communities, 2006).

However, since the beginning of the second decade of the 21st century, European interest in Iraqi Kurdistan has increased sharply, and the EU's policy towards the Iraqi Kurds has been transformed. The main reason behind the change of the EU approach towards the Iraqi Kurds lies mainly in pragmatism. During the first decade of the 21st century, the Kurdish Regional Government was obliged to cooperate with Baghdad on the issue of energy exports from Iraqi Kurdistan. However, in 2011, Iraqi Kurdistan announced the suspension of energy supplies to Baghdad because of the debt to the Erbil energy companies. This decision fuelled European interest in Iraqi Kurdistan. The following years have been marked by the rapid growth of Iraqi Kurdistan due to the development of the oil and gas sector. Thanks to the regulatory framework that provides most favoured status to foreign investments, Iraqi Kurdistan has become attractive for European investors. In contrast to the central Iraqi government, which offers energy companies only service contracts, the Kurdish Regional Government is willing to agree on the distribution of products, which certainly seems more attractive for oil companies. Since 2011, Erbil has signed over 50 production-sharing contracts with 29 energy companies from 17 countries, the vast majority of which are European countries, despite objections from Baghdad. These companies have already drilled more than 40 extension wells and made numerous oil and gas discoveries.

A new stage in relations between the EU and Iraqi Kurdistan has already been reflected in numerous resolutions of the European Parliament. While the preservation of the territorial integrity of Iraq was a keynote in EU resolutions by 2010, in 2014 the European Parliament adopted a resolution on the situation in Iraq acknowledging the burden placed on the Kurdistan region and the Kurdistan Regional Government, which are hosting a large number of Internally Displaced Persons. According to the Resolution, the EU “takes note of the announcement by the Kurdistan Regional Government of a referendum for independence” (European Parliament, 2014). At the same time, the European Parliament called on the President of Iraqi Kurdistan, Massoud Barzani, to uphold an inclusive process respecting all non-Kurdish persons living in the province.

On 15 August 2014, the Council of the European Union welcomed “the decision by individual Member States to respond positively to the call by the Kurdish regional authorities to provide urgently military material” (Council of the European Union, 2014).

Following the referendum held on 25 September 2017, the EU responded with rhetoric support for the constructive dialogue between Erbil and Baghdad. Surprisingly, neither the Council of the EU nor the EU Parliament has so far adopted an official document that would declare the referendum invalid or confirm its non-recognition, in contradistinction to the referendum in Crimea in 2014.

CONCLUSION

The discursive analytical approach used in this article allows us to draw conclusions about the major shifts in EU foreign policy. Portraying itself as an actor of changes and a normative

power, the EU changes its own policy towards the Turkish Kurds depending on Ankara's success in democratic reforms. Moreover, the EU's support for the Iraqi Kurds has led to a clash of interests between Brussels and Ankara. The latter considers that the independence of Iraqi Kurdistan would give a message to Kurdish minorities living in Turkey. The threat of territorial integrity, which is now hanging over one of the candidate countries for EU membership, is pushing Ankara for rapprochement with Russia, weakening the EU's influence in Turkey and thus questioning the success of its normative potential.

The EU pursues another approach towards the Iraqi Kurds. Portraying itself as a mediator in the Iraqi crisis, the EU has changed its own policy towards the Iraqi Kurds depending on its own interests. By developing strong cooperation with Iraqi Kurdistan in the field of energy resources as well as by welcoming the supply of weapons to the Iraqi Kurds, the EU has explicitly legitimised Iraqi Kurdistan as a regional power.

The selection of different approaches (normative and *realpolitik*) towards the same national minority in Turkey and Iraq not only undermines the EU's capacity to put forward a unified image towards the Middle East in general, and towards the Kurdish issue in particular; it also demonstrates the crisis in the EU's foreign policy coherence and continuity. It might also have serious implications for EU internal policy, as the aggravation of the Kurdish issue could potentially destabilise Iraq, which will lead to a new wave of refugees and another migration crisis.

This strategy serves the EU's interests but does not provide a solution to the Kurdish conundrum. The EU uses the Kurdish issue in Turkey and Iraq to promote its own interests but remains ambivalent about its willingness to try and solve it.

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