

*Abdullah Bozkurt*

Estonian president Toomas Hendrik Ilves explains how his country was able to overcome stiff opposition originating from within judicial circles in overhauling its judiciary and talks about the strong support for joining the EU across the national political spectrum. Dismissing the geographical boundaries placed on Europe today, Ilves says 'I reject the notion that [Europe is] Western Europe or Charlemagne's Europe, Catholic Europe, Western and Christian Europe'.

"We have done a lot of training with our judges to get them to understand European Union jurisprudence," explained Estonian President Toomas Hendrik Ilves as he was about to embark on a visit to an EU-hopeful country in which judicial reform tops the domestic agenda.

In an exclusive interview with Today's Zaman on the eve of an official visit to Turkey, President Ilves explained how the country was able to overhaul its judiciary and justice system. "Judges have to learn all over again. We had to spend a lot of time and effort on seminars, training judges and looking into how cases are resolved in the EU," he said, stressing, "It was not an easy overnight thing."

Asked how the country was able to overcome stiff opposition originating from within judicial circles, Ilves said young judges were supportive of all legal and judicial reforms required to enter the EU; however, the older ones dragged their feet for a while and resisted changes, but, in the end, they, too, went along with the reforms.

Having been forced to revamp the judiciary and legal system twice within a little over a decade -- after the end of the long-running Soviet occupation in 1991 and in order to become a full member of the EU in 2004 -- Estonia knows very well how difficult it is to overcome resistance from judges who are used to doing things the old way.

At the end of the Soviet occupation, Estonia went through its first judicial overhaul. As part of the judicial reform process, all former judges and other applicants were requested to apply for the position of judge; their applications were reviewed by the Judges' Examination Commission. By the end of 1994, the judicial corps had undergone a 67 percent renewal, with the average age of judges being less than 40. Later numbers indicate that 90 to 95 percent of judges have been replaced since the country reclaimed its independence. Ilves said the judiciary had to go through another reform after the country started negotiations with the EU to become a full member. "Judges had to learn all over again," he recalled.

In contrast with Turkey, where the opposition in Parliament is staunchly against reforms, Estonia was blessed with strong bipartisan support for a major legal overhaul in the country. "We had very strong support for joining the EU across the political spectrum," Ilves said, pointing out that "no alternative looked appealing" for the small country with a population of 1.4 million. The government, which changed many times during EU membership negotiations, and the opposition were on the same page, though antagonism persisted among political parties on a number of other issues. "There was no argument whatsoever on two issues: one was joining the EU and the other was NATO. On both those issues, there was compromise. That was tough. I was foreign minister at the time. We had to push much of the legislation through Parliament," he stated.

### **'You have a friend up here'**

Estonia is willing to share its expertise and wisdom in this field as well as in other chapters Turkey is negotiating with the European Commission, Ilves said, reiterating Estonia's unwavering support for Ankara's bid to join the 27-nation bloc. "You have a friend up here," he said in his presidential office in Tallinn, stressing that his personal affection for Turkey goes back to the 1980s when he used to work as a reporter for Radio Free Europe in Munich.

Though he has been to Turkey many times, he will be visiting Turkey for the first time as the president of Estonia, if you discount a brief layover in Istanbul during a connecting flight to

Jordan. "I have been a strong supporter of Turkey for a long time. I always had very positive feelings toward Turkey. The first time I was in Turkey in 1999 was when I was foreign minister, attending an Organization for Security and Cooperation in Europe [OSCE] ministerial meeting in Istanbul. Istanbul is such a great place. Completely European. No discussion about it," he said.

President Ilves dismisses the notion that geographical boundaries define what Europe is today. Asked how he describes European borders, Ilves said he personally draws the mark along lines involving democracy, fundamental freedoms and the rule of law. "In terms of values, I reject the notion that [Europe is] Western Europe or Charlemagne's Europe, Catholic Europe, Western and Christian Europe. Turkey is physically in Europe, meets fundamental criteria in democracy, the rule of law and fundamental freedoms. I do not see any reason to say that it is not European. This is my position in my private and public life," he said.

Ilves also does not share the criticism that reforms are moving at a slow pace in Turkey. "Different countries do things in different ways because of different traditions," he said, underlining the fact that democracy does things however they are possible. He emphasized that the important thing is to involve Parliament, which he emphasized should not be a rubberstamping body to approve reforms to fulfill criteria. "That is not good enough for me," he said, stressing that the process should be moving naturally. "Parliament may not have found a solution yet, but I am not concerned about that," he added.

Stating that external issues are much more of a concern for Estonia, Ilves immediately pointed out the Cyprus problem as the fundamental issue that needs to be solved as soon as possible. "Right now the whole Cyprus issue is of such fundamental importance in so many areas, it should be the focus of serious effort," he noted, stressing that the issue impacts relations between NATO and the EU.

Ilves believes the problem is not simply a matter of Turkey and Cyprus because "it affects security across whole areas from the Turkish-Iraqi border to Alaska. I think we need to make much more serious efforts in this regard," he added.

According to the Estonian president, Turkey does not want to see the EU doing more with NATO because of problems with Cyprus, and Cyprus does not want to see NATO doing more for the EU. "This is too important an issue for the whole of EU-NATO relations," he remarked, saying there is a big overlap between the two blocs and the EU has been working for years to develop its security and defense component. He seems frustrated that Cyprus is hampering

close coordination between the two blocs when it comes to defense and security. "We have been living in a schizophrenic environment [in which] you can talk to yourself," he lamented. Not "can" but "can't"

"The Estonian foreign minister going to Brussels to have an EU meeting goes to the other side of the town to have a NATO meeting as well. We all have the same troops. When they are not EU troops, they are NATO troops. They are available to both," he explained.

Stressing that Estonia cannot do much to resolve the Cyprus issue, he, nevertheless, said: "This is a core issue we need to resolve, and we need to do this to the satisfaction of both sides, which means more intense negotiations and much greater intentions from both the EU and NATO. Let's come up with the solution. It has really been prolonged, and we need to move forward. We all have much bigger problems," the president underlined.

## **Impressive IT technology**

Estonia is well known for its advanced e-government structure, and its people are savvy when it comes to using information technology. The right to use broadband is considered to be among fundamental human rights in Estonia, where over 70 percent of the population uses the Internet. In fact, 98 percent of banking transactions in Estonia are conducted through the Internet while 92 percent of the country's half million taxpayers required to file annual income tax returns did so electronically last year, cutting costs for tax collectors.

Ives said he is ready to share their IT technology with Turkey to help government agencies improve services and make them more accessible to the public. "We have the e-Governance Academy, which basically offers training on using IT technology for public administration and better governance," he said during the interview, suggesting Turkish experts could be trained there as well. "If people are interested, we are happy to share and talk about it," he added.

## **Emphasis on cyber security**

The 2007 cyber attack on Estonian Web sites, including those of Estonia's parliament, Estonian banks, ministries, newspapers and broadcasters, amid the country's row with Russia about the relocation of a statue in Tallinn was one of the triggers that spurred the Estonian government to focus more on cyber security.

The country led the initiative to establish the Cooperative Cyber Defense Center of Excellence (CCDCOE) in Tallinn, affiliated with NATO, to develop policies and research cyber defense technologies. Though Ilves described the 2007 attack as "very primitive," he admitted it had an impact nonetheless. "The issue is that with much more sophisticated things, [it is] possible to do damage," he argued, recalling a Wall Street Journal article that appeared last year indicating flaws in one-third of the US national grid.

He raised the question of a potential Article 5 breach in the NATO charter for cyber attacks that would do substantial damage to the member nations' critical infrastructure. The article says that an attack on any member shall be considered to be an attack on all and requires a coordinated proportional response to the attacker.

"My question is that a missile attack that knocks out one-third of your electrical system is clearly an Article 5 situation. If it is done by a computer, is that an Article 5 [case]? What is the appropriate NATO response to that? A response should be appropriate and proportional. What is the proportional and appropriate response to a cyber attack that does something great damage? We do not know, and we need to think about these things," he said.

## **Common interests**

The Estonian leader argued that, despite differences in size, there are many areas in which Turkey and Estonia can work together, citing issues from stability in the Balkans to energy diversification, from Afghanistan to strengthening the transatlantic alliance as examples. He appreciates Turkey's efforts in the Balkans, especially in politically fractured Bosnia. "We are interested in seeing stability in the western Balkans, and we need to come up with some kind of lasting solution," he said. "We cannot have a potential war in Europe," he warned.

Ilves also pointed out that energy security is one area in which the two countries could work together. "We are very interested in making sure all areas to Turkey's east are stable and could provide the rest of Europe with gas and oil. The Baku-Ceyhan pipeline was an important project, he said. However, he lamented the slow-moving Nabucco pipeline project linking Caspian natural gas reserves to eastern and central Europe via Turkey. "I highly value Turkey's expertise with your neighbors. You have a much better handle on your neighbors than anybody else does," he emphasized.

He also mentioned that it will be good to see countries in Central Asia, such as Kazakhstan and Turkmenistan, making progress on democracy, human rights and the rule of law. "We are not afraid of taking a position," he said, referring to sending troops to Afghanistan, where the highest causality numbers per capita were briefly claimed by Estonia. It now ranks third among participating NATO members in terms of casualties suffered.

"It is part of being a member of that community," Ilves said, defending their participation in Afghanistan and arguing that there is no free lunch. Statistics and public opinion polls show they are supportive of the Afghan war. "Estonians do not take NATO for granted," he explained.

When it comes to Iran's alleged ambitions to develop a nuclear arsenal, Ilves takes the gloves off, and says: "Clearly the potential of a nuclear attack would be utterly devastating for the entire world order. They seem to be intent on developing a nuclear bomb," he said.

"I am one of those people who think that you can judge a country's foreign policy potentially negatively based on how they treat their own citizens. If you do not treat your own citizens very well, then maybe there are reasons for that. If you have genuine democracy, you have to listen to what people say, take account of their feelings, and that makes you generally peaceful and not likely to go to the war. Less democratic countries are more likely to behave belligerently abroad," he said. "Clearly, we do not think it is a very good idea to have nuclear proliferation. We signed the Non-Proliferation Treaty a long time ago. We do not have any, and we never will. Generally, having nuclear weapons is not a very good idea."

He also said no missiles are based on Estonian soil and denied plans to station NATO missiles in the country. "I have not heard of any plans in that regard. It has never come up," President Ilves underlined.

Describing relations with Russia as "cool and business-like," Ilves said the priorities for Estonian foreign policy lie within Europe and transatlantic relations. "[In Russia] it does not seem to be of tremendous interest to develop warm and friendly relations with us. There's no need to hit your head against the wall. Looks like we are not going to make much progress there. We will work on those things on which we can make progress," he said.

### ***Bouncing back in business relations***

*\* Ilves suggested that there is much room for improvement in business relations between Estonia and Turkey. The two countries' trade volume in 2009, when the world was hit by an economic crisis, dropped 58 percent to \$208 million from \$500 million in 2008. The latest data for the first two months of 2010 indicate a bounce back from the drop, albeit slowly. The trade volume for the January and February period increased by 26 percent in comparison to last year, showing signs of recovery.*

*\* Ilves praised Güllüoğlu, a leading Turkish confectioner, which invested in Tallinn by opening a store last year. "We need more contacts and exchanges," he said, calling for more visitors*

*from Turkey to Estonia. The country has already simplified its Schengen visa applications to make it easier for travelers to visit Estonia. Turkey does require a visa from Estonian citizens, but getting a visa at the border is simple. Over 20,000 tourists come to Turkey from Estonia on vacation each year.*

*\* Direct flights between Tallinn and İstanbul have not resumed yet despite a pledge made by the Turkish president in Estonia in 2008. Ilves said he understands it is not easy to organize direct flights. He believes it will happen if it makes sense to do something like that. "Besides, economic conditions may have slowed things down," he added.*

Original interview on [Today's Zaman homepage](#) .