

ECMI
ISSUE BRIEF



 EUROPEAN CENTRE
FOR
MINORITY ISSUES

Cyprus – Should the UN withdraw?

Jan Asmussen

ECMI Brief # 25
April 2011



The European Centre for Minority Issues (ECMI) is a non-partisan institution founded in 1996 by the Governments of the Kingdom of Denmark, the Federal Republic of Germany, and the German State of Schleswig-Holstein. ECMI was established in Flensburg, at the heart of the Danish-German border region, in order to draw from the encouraging example of peaceful coexistence between minorities and majorities achieved here. ECMI's aim is to promote interdisciplinary research on issues related to minorities and majorities in a European perspective and to contribute to the improvement of interethnic relations in those parts of Western and Eastern Europe where ethno-political tension and conflict prevail. ECMI Briefs are written either by the staff of ECMI or by outside authors commissioned by the Centre. As ECMI does not propagate opinions of its own, the views expressed in any of its publications are the sole responsibility of the author concerned.

ECMI Brief # 25

European Centre for Minority Issues (ECMI)

Director: Dr. Tove H. Malloy

© ECMI 2009

Cyprus – Should the UN withdraw

Ban Ki Moon's long awaited progress report on the negotiations in Cyprus did not come up with a final recommendation on how long the United Nations will be committed to engage in Cyprus.¹ However, he warned that the UN would not continue indefinitely to spend efforts and money on a process that does not seem to render any progress.

Indeed there is not much to suggest that a negotiated solution is anywhere close to be concluded in the foreseeable future. This appears strange as on the onset the past three years have seen the most intensive and most comprehensive negotiation process ever.

Jan Asmussen, April 2011
ECMI Issue Brief #25

Following a period of silence after the failure of the Annan-Plan and throughout the Presidency of Tassos Papadopoulos, intensive rounds of talks were conducted by Greek Cypriot leader Dimitris Christofias and the Turkish Cypriot leader Mehmet Ali Talat, who was followed by his successor Derviş Eroğlu.

During the negotiations most of the well known disputed topics have been discussed in intensive rounds at high and expert levels. As the principle of “nothing is agreed until everything is agreed” persists, no concrete progress has been reported from the negotiations. However, despite existing agreements on secrecy much has been leaked – often apparently deliberately – to the press that has covered some of the topics discussed. The indication is that little progress has been achieved on virtually any of the areas that were already at the

forefront of controversy during the Annan-Plan period.

If this is the case, the underlying question is why so much time has been spent on a process that does not seem to be leading toward a successful conclusion.

In order to assess this question one needs to ask a couple of interrelated questions, such as how a desired future solution should be devised for the respective communities. Is there a real desire to change the current political system on behalf of the Greek Cypriot community? Does the Turkish Cypriot community really wish to enter a multi-cultural political set-up in which it shall play a minority role albeit one that will include extensive participation rights? What are the interests of external actors, notably Turkey, the European Union and the United States of America? Finally, are there push factors that would make a solution possible or might there be an overarching interest



that unites various actors in the secret desire to perpetuate the situation and preserve the so called “Cyprus Problem”?

The Cyprus Impasse (2004-2007)

The failure of the Annan-Plan marked a preliminary end to international solution diplomacy.² General sentiment was that any future initiative should be initiated in Cyprus and “local owned.” However, no real meaningful local initiatives came to the surface during the remainder of Tassos Papadopoulos term in office.

In 2006 the UN had tried to reinitiate the process in what became known as the Gambari Process, named after UN Under-Secretary General Ibrahim Gambari. Talat and Papadopoulos met more than 50 times without reaching any agreement.³

In the end there were strong indications that the UN might withdraw from Cyprus altogether if Papadopoulos were to be reelected. The impasse on the Cyprus issue was evident in a speech given by UNFICYP chief of Mission Michael Møller which expressed the UN’s growing impatience with the lack of movement in a speech early February 2008. He said the length of UNFICYP’s mission and the continuing lack of progress gave rise to a number of legitimate questions. UNFICYP was often asked how much longer the international

community would wait for a settlement, and what more the force could do in Cyprus after more than four decades. He also hinted that UN resources on Cyprus could be put to better use elsewhere. Møller said that it all boiled down to whether the necessary political will existed among the leaders of both communities in Cyprus to sit down and negotiate seriously to find a solution.⁴ In the event, Tassos Papadopoulos came in only third in the first round of elections held on 17 February 2008.⁵

New Hope? Electoral Change in South Cyprus

The final round of elections was won by Dimitris Christofias, the leader of the communist AKEL, who pledged to re-launch negotiations with his Turkish Cypriot counterpart Mehmet Ali Talat. Addressing a crowd outside his campaign quarters he said: “From tomorrow we join our forces, work collectively and with unity to achieve the reunification of our country.”⁶

On 21 March 2008 Talat and Christofias agreed on a fresh start for negotiations and in May they clarified the aim of establishing a “bi-zonal, bi-communal federation with political equality, as defined by relevant Security Council resolutions. This partnership will have a Federal Government with a single international personality, as well as a Turkish Cypriot Constituent State



and a Greek Cypriot Constituent State, which will be of equal status.”⁷

Both leaders declared on 1 July 2008 that they had agreed “in principle” on the issues of single sovereignty and citizenship. Their commitment was further reiterated in a statement on 1 July 2008 saying that the “aim of the full-fledged negotiations is to find a mutually acceptable solution to the Cyprus problem which will safeguard the fundamental and legitimate rights and interests of Greek and Turkish Cypriots. The agreed solution will be put to separate simultaneous referenda.”⁸

As a first symbol for the new spirit of reconciliation, Christofias and Talat opened a new crossing point in the old town of Nicosia at Ledra Street. This street had been closed during the troubles in 1963/64. Its opening was indeed seen as a sign that times were changing in Cyprus.⁹ Unfortunately, the pompous opening of the Ledra barricade was not followed by the speedy opening of other check points. Instead it took the leaders until 14 October 2010 to open the Limnitis/Yeşilirmak crossing that links the villages of Limnitis/Yeşilirmak and Kato Pyrgos.¹⁰

Another encouraging development seemed to be reestablishment of so-called “technical committees. Technical committees comprised of government officials from both sides had first been established during the Annan-Plan period but were dissolved

after the referenda. The 22 April 2008 saw the installment of six working groups and seven technical committees. The working groups dealt with issues of governance, European Union, security and guarantees, territory, property and economy. Their main task was to reach convergence in the main areas and to highlight the differences that could then be addressed at the high level talks. The technical committees were formed around practical matters affecting the daily life of Cypriots. They were tasked to confront criminal matters, economy, cultural heritage, crisis management, humanitarian issues, health and environment. The main rationale for their existence was to increase confidence between the communities through concrete measures that would improve cooperation.

Six official negotiation chapters were defined. Those were governance and power-sharing, EU matters, economy, property, territory, security and guarantees. A seventh chapter on Citizenship and settlers on which the Greek Cypriots were very keen was not officially included.¹¹

The intensive and full-fledged negotiations started on 3 September 2008. Already a month later the leaders had completed a first round of issues that included governance and power-sharing, economic affairs, European Union, property, territory, and security. The speedy and intensive process led many observers to believe that



this time both sides meant business and were committed to finding a lasting solution in a foreseeable period of time. It soon became clear that these hopes were not being fulfilled as easy as it seemed.

No Progress in the talks

Early indications that the talks would encounter difficulties became apparent even before they actually started. Dimitris Christofias was heading a shaky coalition government that included hard-line politicians. Partly for this reason, he seemed to return to rhetoric that resembled those of the Papadopoulos era and endangered the talks from the start.¹²

The International Crisis Group listed moves by Christofias that slowed the talks that included:

forming a coalition government with rejectionist parties, and not reaching out to the pro-compromise main opposition party; rejecting the Annan Plan as a textual basis for discussion; travelling frequently when Turkish Cypriots were ready to push ahead with talks; frequently blaming Turkey for all the problems on the island even though Turkey was supporting the talks; failing to give significant support to Talat in the north Cypriot elections; and appearing reluctant to stimulate Greek Cypriot enthusiasm for the talks.¹³

Balancing between nationalist attacks and keeping the talks at bay proved to be a difficult task for Christofias, who often seemed to water down publicly what had seemed to be achieved at the negotiating table.¹⁴

For his part, Mehmet Ali Talat continued to have the support of Turkish President Recep Tayip Erdoğan, who remained in charge of Turkish politics despite the attempted closure of his party in summer 2008.¹⁵

Despite negative press coverage, the talks continued in intensive mode. Apart from frequent meetings of the leaders, Christofias and Talat appointed the special representatives George Iacovou and *Özdil Nami*, who would meet even more often to discuss details and prepare the ground for the high-level talks.

Unfortunately, the number of meetings did not correspond with the amount of gaps breached. Christofias and Talat alone held 70 meetings. They managed to agree on EU matters as well as on economy and made twenty-two classifications of disputed property. There was no real progress on citizenship, apart from Christofias' public announcement that he would be prepared to accept up to 50,000 settlers from Turkey to become Cypriot citizens. No formal discussion on territory, security and guarantees took place because the Turkish Cypriots and Turkey insisted to leave this open until the end of the negotiations.¹⁶



It became more and more clear that no progress was made on most vital issues. Turkish-Cypriots had laid much hope on a process that was expected to lead them to the perceived benefits of European Union membership. Much of the esteem that had led to the mass protests and downfall of the Denktaş regime that had dominated Turkish-Cypriot politics for decades now gave way to deep felt disappointment and frustration. On the domestic front Talat's CTP party did not deliver on their economic promises. Instead it appeared that the same nepotism that had ruined the political culture before was carried on just by replacing the members of the old regime with those stemming from CTP.¹⁷ Coupled with slow progress at the negotiations this led to a rapid decline of Talat's popularity. Subsequent communal and parliamentary elections in 2006 and 2009 were lost by the CTP.¹⁸

An increasingly nervous Talat urged Christofias several times to speed up the negotiating process in order to produce tangible results. A second "reading phase" that started in September 2009 was initiated with the view to increase convergence. According to Ban Ki Moon's report from November 2010, a number of important convergences had been achieved in the areas of governance and power-sharing, as well as in EU related issues and Economy. Joint papers and bridging proposals had been drafted to prepare for

intensified talks that started in early 2010. On governance and power-sharing the Greek Cypriot side has agreed on a rotating presidency while the Turkish Cypriote side was prepared to accept cross-voting.¹⁹

A joint statement issued by the leaders on 1 February 2010 read that "with goodwill and determination, we can achieve a solution in the shortest possible time." Both leaders warned that "time is not on the side of the settlement."²⁰ These talks that lasted for six full days in January and February produced nothing concrete. Yet, Ban Ki Moon judged that the papers produced by the sides were "valuable in providing detailed opening positions and acted as a starting point for the negotiations around specific issues under consideration."²¹ As this evaluation could hardly have been seen as an optimistic one, Ban Ki Moon decided to travel to Cyprus in early 2010 in order to encourage the leaders to reach some progress before the Turkish Cypriot presidential elections.

Towards the end of the electoral campaign – and with Talat's inevitable defeat at hand – Christofias showed more flexibility. Ban Ki Moon reported that both leaders had made steady progress. On 30 March 2010 during a final meeting Talat and Christofias stressed again that they could reach a comprehensive settlement. The problem was that only few people in Cyprus really continued to believe in the success of the process.



The end? Electoral Change in North Cyprus

As a result, Talat suffered a solemn defeat in the Presidential election in the North on 18 April 2010. Gaining just 42.85 per cent of the votes he lost to the conservative veteran politician Derviş Eroğlu, who received 50.38 per cent.²² The election of Eroğlu, an ardent conservative who had strongly opposed the Annan-Plan in 2004, was regarded by many observers as marking the final death knell to the negotiations. However, there were two reasons why these evaluations were wrong: First, Eroğlu was elected on domestic i.e. Turkish Cypriot internal reasons described above. Opinion polls during election period clearly indicated that the majority of Turkish Cypriots still supported a solution on the basis of that plan. Therefore, Eroğlu refrained from demanding a withdrawal from Turkish-Cypriot commitments and vowed to respect the will of the people. Second, and possibly even more decisive, Turkey obviously pressed Eroğlu from the beginning not to endanger the negotiation process by irresponsible statements.²³ As a result Eroğlu announced immediately after his election that he believed that he would reach an agreement with Christofias within a “certain time period.”²⁴ He promised as well that he would take a constructive stance and would work within the “UN parameters”.²⁵

The talks continue

The talks continued from May 2010 in the same format as their forerunners. Eroğlu’s chose a new special representative, Kudret Ozersay, a young international lawyer who had been on Talat’s negotiation team at Bürgenstock. This was seen as further evidence that Eroğlu would not end the talks. Moreover, he proclaimed that a solution was attainable by the end of 2010.²⁶ The meetings remained Cypriot-led and Cypriot owned. The UN was mainly represented by an observer who took note of the progress but did not interfere into the process. From September 2008 to November 2010 the leaders met 88 times. 29 meetings dealt with governance and power-sharing and 25 on property. Eight meetings were held on economic issues and six times both leaders discussed citizenship, immigration, aliens and asylum. Five meetings were allocated to European Union matters; four were held on territory i.e. on the final map and two on security and guarantees.²⁷ Despite the frequency of the talks indications were that most issues were far from solved.

UN runs out of patience

On 4 June, The UN Secretary General’s Special Representative to Cyprus, Alexander Downer, gave a quite undiplomatic and open judgement on the prospects for a



solution. He said that “if the people of Cyprus, Greek Cypriots and Turkish Cypriots, want a settlement they will achieve it. If they do not want one, it is clear they will not get one... This is an agreement which is within the reach of the leaders... But the question is whether people want it or not, not the leaders alone, but whether the public want it or not. The future of this country is in your hands.” This was a clear message that Greek Cypriot commentator Loucas Charalambous rightly interpreted in saying “What he was really saying was: ‘If you fools seriously believe that we will pander to you for much longer you are making a big mistake. If you do not want to solve your problem it is your choice. We, however, do not intend to stay here and put up with your petty antics for much longer.’” Only a Russian veto prevented the inclusion of a formal deadline into the Security Council resolution on Cyprus.²⁸ The fact that 13 members had backed it must however have been interpreted to mean that the International community’s patience was wearing thin.²⁹

The hardly covered threat that the UN might withdraw from Cyprus altogether was frequently communicated to the negotiating factions.

The Eroğlu-Christofias negotiations in 2010 centered mainly on property issues. Previously the sides had only agreed on a joint paper on categories of affected

property. Both sides produced new proposals and tried subsequently to bridge the gaps between them. Ban Ki Moon reported that “since May 2010 the leaders have met on the property issue 15 times, including two all-day meetings, one during the August break. In addition, the representatives and experts met 21 times to advance the property discussions at the more technical level.”³⁰

This frequency did not match the expectations regarding the marrying of the proposals. Instead, Alexander Downer reported in November 2010 on a “worrying lack of progress in efforts to agree on a conceptual framework on property”.³¹

The main reported differences on the property chapter were

- a. Greek Cypriot insistence that all former property holders should be able to choose among exchange, compensation or reinstatement; and
- b. the Turkish-Cypriot position that since between 70 and 80 per cent of the property in the north is Greek Cypriots owned a total reinstatement would make bizonality impossible. Therefore, they insisted on a limit on reinstatement.

Ban Ki Moon warned in his November report that the leaders would “have to reconcile these and other seemingly



irreconcilable issues across all six chapters”.

32

In addition, the lack of implementation of confidence-building measures is mirrored by the fact that at the negotiations out of twenty-three measures that were agreed upon by the technical committees only six were implemented.³³

The talks got stuck even on procedural matters, as the Greek Cypriots insisted linking the property discussions to the territory chapter. Instead, Turkish Cypriots demanded a multilateral conference that would include the two parties and the guarantor powers Greece, Turkey and Britain. This is unacceptable to the Greek Cypriots, who regard the Treaty of Guarantee as null and void. Turkish Cypriots, on the other hand, insist on the continuation of the Treaty even after a solution has been found.

Ban Ki Moon, who had noted the slow process, became increasingly impatient and urged the leaders in phone calls on 21 October 2010 “to achieve concrete advances in the current discussions on property in order to maintain momentum in the peace process”.³⁴ Both leaders were subsequently invited to New York where on 18 November the Secretary General confronted them with a list of “several core issues” on which he “asked the leaders to work on (...) and to “report back to (him) on progress at the end of January”.³⁵

In December the Security Council joined Ban in expressing “concern at the slow pace of progress in recent months.” It stressed “that the status quo (was) unsustainable and that there now exist(ed) a unique opportunity to make decisive progress in a timely fashion. It “strongly urg(ed) the leaders to increase the momentum in the negotiations to ensure the full exploitation of this opportunity to reach an enduring, comprehensive and just settlement.” The Council indicated that “decisive progress” could be attained “in the near future”.³⁶ No progress was made until the 26 January meeting, where Ban could only report that the leaders would reconvene “soon”.³⁷ Ban warned that the talks could not be an open-ended process; that a critical window of opportunity was rapidly closing. Criticizing the lack of progress he sensed that “talks for the sake of talks are ultimately not productive”.³⁸

Ban in his April report to the Security Council reported some progress in the areas of Economy and EU. But on the core issues of dispute property, territory, and security no significant developments could be recorded.³⁹

What are the obstacles?

Ban Ki Moon has noted that while the leaders showed a constructive and collegial approach at the negotiations, they often had returned to negative public rhetoric.



Throughout the process, he complained that “political leaders, both in government and opposition, have accused the other side of undermining the talks.”⁴⁰ He equally criticized the “near-total official secrecy of the negotiations” as having not “not been helpful on the public front. “ Instead, selected details were leaked to the press. This would have left the public largely in the dark about what was going on in the negotiations. He warned that this way one might “potentially face an unprepared and unreceptive public at the time of the referendums.”⁴¹

It is strange that the Secretary-General failed – or at least appears to be failing – to understand that this kind of negotiation tactics is exactly a feature of the Cyprus political negotiation circus from its very start in 1968. The real question is whether the underlying logic of the negotiations is not to come to a successful solution that will be endorsed in referenda, but to institutionalize a negotiation process that secures the persistence of the so-called “Cyprus Problem.”

In this respect it is worth mentioning that the main obstacles that were leaked to the press and appeared as well in the Secretary General’s report are issues that are to be solved in the immediate period following a solution: The chapters on property, territory, and guarantees.

Most of the discussions seem to concentrate on the amount of property Greek Cypriots will be able to reclaim, the final boundaries of the Turkish Cypriot constituent state, and the question of international guarantees that a final settlement will be honoured by both parties. These are important questions. However, these questions will not determine how successful a future united Cyprus will be. There has been no serious public discussion on governance i.e. the functioning of the state. The only issue that has popped up occasionally was that of the actual amount of autonomy the federal states will have. This was mainly a repercussion of previous disputes regarding confederation vs. federation which is a phantom debate since federation had already been agreed on in 1977.

One cannot but wonder how serious both sides are, if they fail to engage in meaningful discussions on how the two communities will re-establish a common state that would not have difficulties to even redevelop common means of day-to-day communication.⁴²

What do the Cypriots want?

Recent opinion polls show an increasing scepticism regarding a possible successful conclusion of the negotiations. At the same time few of the Cypriots interviewed believe



that “the other side” would honour an agreement once it is reached.

While both sides continue to claim that they want a solution to the Cyprus Problem, the perceptions of how such a solution should look like are quite divergent. A majority of Greek Cypriots supports a unitary state (92%), while the majority of Turkish-Cypriots would prefer to settle for a two-state solution (90%). The federal model, the only solution that is on the table, is a mere second best option supported by respective 79%/76%. However, only few Greek-Cypriots would agree to the permanent partition (38%) or prefer the continuation of the status quo (37%). Turkish Cypriots claim that they prefer the status quo (64%) to a solution based on the Greek interpretation of federation (53%).⁴³ The divergent opinions have their impact on the amount of private interaction and visits between the two communities which is declining. The number of crossings by Cypriots to the other side fell by 8 per cent from April 2009 to April 2010, while mutual trade dropped by 16.8 per cent. Greek Cypriots travelling north in the year to 30 April 2010 fell to 670,910 from 730,310; Turkish Cypriots crossing south fell to 1,185,073 from 1,287,126. The total value of mutual trade was about €5.2 million, down from €6.1 million.⁴⁴

Looking at these numbers, one cannot but wonder what Cypriots really want. As most

Cypriots do answer favourably to the question that they want a negotiated solution we must try to look behind the political cultures that preclude open departure from positions that are seen as imperative for national survival. The Greek Cypriot preference for a unitary state is actually equivalent to the Turkish Cypriot one of agreed partition. Both sides do not show any overt desire to share a common state, political system, and, last but not least, economy. When Greek Cypriots talk about a unitary state it would be one that would be dominated by the Greek Cypriot majority. The Turkish Cypriots would have minority rights as elsewhere in Europe, but would not be able to force their agendas against the will of the majority.

The Turkish Cypriots on their part hope to gain independence from the present dependence on Turkey and hope that after an agreed partition they would be able as EU members to benefit from European prosperity. They do fear that in a unitary state they would be sidelined and marginalized by successful Greek Cypriot enterprises that would have the support of a Greek Cypriot dominated administration. The dilemma of having to choose between Turkey and Greek-Cypriots has dominated much of the Turkish-Cypriot solution debate. The major shift in public opinion that took place in Northern Cyprus in the years surrounding the Annan-Plan was related to economic troubles in Turkey that



had direct repercussions in Cyprus. One of the major problems of Turkish Cypriot economy is that a disproportionately high number of employees work for the public sector that can never be fully subsidized by domestic tax revenues. As a result, Turkey is subsidizing the core of the public sector salaries in Northern Cyprus. Subsequently, Turkey is reserving the right of interfering into internal affairs at most major levels. Many Turkish Cypriots hoped that by entering a United Cyprus in 2004 that would escape the dependence on Turkey and enter a more diverse system of European sponsorship. There were surprisingly few discussions on whether the present level of public employment and expenditure could be kept in a United Cyprus and who would have to pay for it. As the Turkish economy recovered and prospered in the years following the failure of the Annan-Plan, Turkish Cypriot public wages increased as well and public protests against Turkish interference diminished significantly.

This has now changed as Turkey has decided to cut down on public expenditures in Northern Cyprus. On January 2011 the TRNC government – following pressure from Ankara – adopted a huge austerity package that would cut civil service salaries by up to forty per cent, change the promotions system and privatize state-owned corporations such as electricity, telecommunications and the largest University (EMU). Again this led to huge

protests on 28 January and 2 March in which up to 30 000 Turkish Cypriots demonstrated against the package.⁴⁵ While these protests were interpreted by some observers as signs for Turkish-Cypriot willingness to shake-off Turkey's influence on the island, most indicators suggest the Cyprus Mail's commentator was right alleging that had "Ankara carried on picking up the tab, nobody would be on the streets protesting against Turkey's interference and expressing a yearning for re-unification."⁴⁶ The protests are not born out of a genuine wish to find a solution to the Cyprus problem, but stem from understandable worries about the economic future of Turkish-Cypriot families.

Judging Greek and Turkish Cypriot desires for a settlement, their action prompts one to wonder if the opinion polls do not lack one important question: While the questioners do prompt the Cypriots to state that they do wish to see a solution to the Cyprus problem, they were not asked how much they actually desire such a solution. In other words, do Cypriots really desperately wish to see an alternation or disruption of their present lives?

The absence of large scale pro-solution manifestations on the Greek-Cypriot and the clear economy driven character of the Turkish Cypriot ones do not support the notion that Cypriots are desperate to see reunification in their lifetime.



Limited Prospects for the “classic” solution

A classic solution would be a negotiated agreement between the two Cypriot leaders on the ground of the UN parameters. It would result in a federal, bi-communal United Republic of Cyprus consisting of Greek Cypriot and Turkish Cypriot constituent states. The likelihood of a breakthrough seems to be next to zero. Ban Ki Moon himself has downplayed hopes of a solution in 2011: “The political environment in the second quarter of 2011 will likely not be conducive to constructive negotiations. Parliamentary elections in the south are scheduled for May, while elections will be held in Turkey in June.”⁴⁷ While Ban is certainly right in asserting that the prospect in 2011 are bleak, there is little evidence out there that chances are any better in the years to follow.

Prospects for an alternative solution

The UN and other international actors have frequently showed signs of fatigue with the Cyprus Problem. The ICG reported UN statements indicating that it was considering changes to “mandate, force levels and concept of operations” depending on “developments on the ground”. This could include the closure of the good offices mission. Another option discussed would be the reduction of UNFICYP force level. At

present there are 850 military personal and 60 police officers of the UN Peacekeeping Force (UNFICYP).⁴⁸ The International Crisis Group opposes such a move, arguing that the UN “remains the sole authorised facilitator of the talks. Special Representative Downer has the parties’ confidence to shuttle between Ankara, Athens and Nicosia. He and his team should encourage the exploration of interim steps, including preparations for the reconstruction of Varosha and verification of troop numbers.”⁴⁹ In the light of the lacking progress the ICG proposes a set of confidence building six interim measures that would help to keep the negotiations going.

The group proposes that:

1. Turkey should open its ports and airports to Greek Cypriot sea and air traffic and Greek Cypriots should allow the port of Famagusta to handle trade with the EU under Turkish Cypriot management⁵⁰ and EU supervision and end their practice of blocking Turkey’s EU negotiating chapters
2. Turkey and the Turkish Cypriots should hand back the fenced area of Varosha to its Greek Cypriot owners, subject to a UN interim regime that oversees reconstruction.
3. Greek Cypriots should allow charter flights to Ercan Airport in the



Turkish Cypriot zone, monitored by the EU.

4. The actual troop numbers on the island should be verified and a census be conducted to determine the exact population of the island and the legal status of its inhabitants.
5. Greek Cypriots should cooperate with Turkish Cypriot administrative entities, pending a political settlement. Turkish officials should meet with Greek Cypriot officials, and Turkish Cypriots should be supportive.
6. The European Commission, supported by the EU Presidency, should continue to serve as an honest broker to secure agreement on interim steps. Leaders of EU member states should avoid partisan statements at a time when UN talks continue and no one party is being clearly obstructive.⁵¹

While these measures “would change little of the bi-zonal, bi-communal realities on the ground”, the ICG argues they would “reduce tensions, normalise relations between all parties, build a sense of trust and pave the way to a full political settlement.”⁵²

This is most probably true, but the real questions are:

- a) if these measures would reinvigorate the negotiations; and

- b) if the negotiations will discontinue because no additional confidence building measures are implemented.

The Crisis Group argues that implementing the Additional Protocol would “put anti-Turkey Greek Cypriot and European hardliners on the defensive (and) clear its EU negotiation path for years”.⁵³ This is based on the assumption that the Cyprus problem is the real stumbling block hindering Turkey’s accession. The Crisis Group senses that EU Turkey-skeptics would “hide behind Cyprus, sometimes even forcing the Greek Cypriots (and Greece) to act just to keep the EU-Turkey process”⁵⁴ However, it fails to turn this argument around in the sense that a positive solution to the Cyprus problem would not really alter the opposition to enlargement. German Chancellor Angela Merkel’s ill-intended visit to Cyprus exemplified that those opposed to Turkey’s EU membership aspirations are not interested in a solution but in a persistence of the Cyprus problem in order to prevent Turkey joining the Union.⁵⁵

Turkey has shown considerable flexibility during the Annan-Plan period. It continues to back a negotiated solution. Turkey’s main incentive is European Union membership. However, as disillusionment with the EU is rising, support for a solution that would effectively diminish Turkey’s control over the north is waning.



The ICG has basically sensed that the lack of confidence and confidence building is due to political stubbornness on both sides:

Greek Cypriots believe the slightest international engagement with Turkish Cypriots qualifies as recognition of their separate communal identity or de facto sovereignty and would make them lose interest in a federal settlement. Similarly, Turkish Cypriots who want a closely integrated federation oppose interim steps lest Greek Cypriots become more satisfied with the status quo and their community be left stranded. But doing nothing has produced exactly this result anyway: loss of interest in the talks, deepening partition and fatalistic acceptance of the status quo. By contrast, any one confidence-building step would help build dialogue and trust and without removing mutual suspicion, there seems little hope of a political settlement.⁵⁶

What the ICG – and much of the international community – fails to appreciate is that the Cypriots are not stubbornly preventing a solution that is in their interest but diligently working to preserve a process that has been part of their political culture for many years and that has proven beneficial for much of the political leadership and a great deal for the population, as well.

The ICG describes the UN-facilitated negotiations as the “only way to achieve an

over-all political settlement, to solve the ultimate status and size of the Turkish Cypriot zone, to establish full diplomatic relations between Turkey and the Republic of Cyprus, to work out the amount of territory that Turkey and Turkish Cypriots will hand over to the Greek Cypriots and to agree on the property owned on both sides of the island. Therefore,” it urges” they must continue”.⁵⁷

Ahmet Sözen has recently argued that in the light of the lack of progress at the negotiations the UN should even play a larger role and update its mission of good offices to a level where it could put forward bridging proposals itself. He links this to a demand for a firm deadline (end of 2011) for the end of negotiations and the holding of referenda.⁵⁸ The problem with this approach is that it has already been tested unsuccessfully with the Annan-Plan where gaps were filled by the Secretary General and a firm date for referenda was imposed. The result was the rejection on behalf of the Greek-Cypriot majority.⁵⁹

What is really needed is a test of Cypriot sincerity toward a solution. If decades of solution talks have shown us one thing it is that international interference surrounding the negotiations has not resulted in a solution.



As it is one of the main demands of the Greek-Cypriot side that the process should be Cypriot owned, the UN should now prepare for living up to this process by announcing withdrawal from its mission from Cyprus by the end of 2011.

If the Greek and Turkish Cypriots want a solution all options are still at their disposal. The EU stands by with a mission in Cyprus to help with the legal details of implementation and the UN can still provide expertise were needed.

What the UN should stop to engage in is giving an umbrella to a theater that has been dragging on for far too long and that – despite the intensiveness that it had over the past three years – resembles the negative rhetoric and the shambles that have characterized Cyprus talks since 1968.

As it appears, Ban Ki Moon's concealed threats of reviewing the situation and claims that the process cannot be an open ended one do not filter down as to be taken seriously by the parties involved. As the Secretary-General has already agreed to a new tripartite meeting in June it is rather unlikely that he is going to put firm deadlines in front of the Cypriot leaders.⁶⁰

If the Cypriots truly want a solution they still have all cards in their hands – all options have been discussed and various scenarios are on the table. What is needed is

a determined effort on behalf of the leaders to bridge the gaps.

Alternatively, both sides should be bold enough to engage in an honest discussion with all quarters of the society if unification is really what people want.

Ban Ki Moon has again warned that the process cannot be open ended and that he would make a “broader assessment of the United Nations presence in Cyprus”. However, it does not seem that the leaders take this covert threat of UN withdrawal seriously. Therefore, the UN should realize that its continued presence in Cyprus apparently helps to perpetuate the Cyprus problem rather than to solve it.

Policy recommendations

- The UN Secretary-General should announce an end of the good offices mission by the end of 2011 at the latest.
- The UN should review the actual need continuation of its peace keeping force in Cyprus. Given the absence of actual violent incidence on the island and the multitude of worldwide trouble spots it might well decide to downgrade it to an observation mission.
- The confidence-building measures suggested by the ICG will not help



nor hinder the negotiation process. They should nevertheless be implemented as they would all contribute to peace, trust and security on the island

- Greek and Turkish Cypriot political parties, civil society actors and media have to engage in honest discussions as to what they perceive as the preferable vision for the future of the island. If a multicultural

and bi-communal federation is not the preferred options alternative models have to be seriously considered.

- The International community cannot help in this process – it's continued interference, albeit on Cypriot request and insistence – is perpetuating the negotiation process a permanent feature of Cypriot political culture.



ABOUT THE AUTHOR

PD Dr. Jan Asmussen

ECMI

Senior Research Associate Conflict & Security Cluster

FOR FURTHER INFORMATIONSEE

EUROPEAN CENTRE FOR MINORITY ISSUES (ECMI)

Schiffbrücke 12 (Kompagnietor) D-24939 Flensburg

☎ +49-(0)461-14 14 9-0 * fax +49-(0)461-14 14 9-19 * E-Mail: info@ecmi.de * Internet:

<http://www.ecmi.de>

Notes

¹ S/2011/112 *Assessment report of the Secretary-General on the status of the negotiations in Cyprus*, 4 March 2011.

² See Jan Asmussen, *Cyprus after the failure of the Annan-Plan*, ECMI Issue brief No. 11, 1 June 2004.

³ International Crisis Group (ICG), *Cyprus: Reunification or Partition?*, ICG Europe Report No. 201, 30 September 2009, 2.

⁴ Jean Christou, "UN was working on Cyprus pullout had Tassos won", *Cyprus Mail*, 19 February 2008.

⁵ Ionic Kasoulides (DISY) 33.51 per cent, Dimitris Christofias (AKEL) 33.29 per cent, Papadopoulos 31.79 per cent, George Psyllides, "Cyprus says 'no' to Tassos", *Cyprus Mail*, 18 February 2008.

⁶ Christofias (AKEL) 53.37 per cent, Kasoulides (DISY) 46.63 per cent, George Psyllides, "Christofias sweeps to power", *Cyprus Mail*, 25 *Cyprus Mail* February 2008.

⁷ Joint Statement by Greek Cypriot Leader Dimitris Christofias and Turkish Cypriot Leader Mehmet Ali Talat, *UN Press release*, 23 May 2008.

⁸ Joint Statement by Greek Cypriot Leader Dimitris Christofias and Turkish Cypriot Leader Mehmet Ali Talat, *UN Press release*, 25 July 2008.

⁹ 'Opening of Ledra Street Points to Progress in Peace Process', *UNFICYP Press Release*, 3 April 2008.

¹⁰ S/2010/603 Report of the Secretary-General on his mission of good offices in Cyprus 24 November 2010, para 15.

¹¹ International Crisis Group (ICG), *Cyprus: Six Steps toward a Settlement*, ICG Europe Briefing No 61, 22 February 2011, 3.

¹² Loucas Charalambous, 'Don't undermine talks before they even begin', *Cyprus (Sunday) Mail*, 21 April 2008

¹³ ICG, *Cyprus: Six Steps toward a Settlement*, 3 footnote 8.

¹⁴ Jean Christou, 'National Council concern over agreement with Talat', *Cyprus Mail*, 3 July 2008

¹⁵ 'Ruling party narrowly saved, says democracy won', *Turkish Daily News*, 30 July 2008



¹⁶ ICG, *Cyprus: Six Steps toward a Settlement*, 3.

¹⁷ The most striking example was the appointment of a schoolteacher as director of the Cyprus Turkish Airways that subsequently went bankrupt.

¹⁸ Simon Bahceli, 'CTP loses footing after local elections', *Cyprus Mail*, 27 June 2006; 'Nationalists sweep votes in general elections in Turkish Cyprus', *Hurriyet Daily News*, 20 April 2009.

¹⁹ ICG, *Cyprus: Six Steps toward a Settlement*, 3.

²⁰ Joint Statement by Greek Cypriot Leader Dimitris Christofias and Turkish Cypriot Leader Mehmet Ali Talat, *UN Press release*, 1 February 2010.

²¹ S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus*, 24 November 2010, para 19.

²² '3rd President of TRNC is Dervis Eroglu', *TRNC PIO News*, 19 April 2010.

²³ 'Erdogan congratulated Eroglu on Phone', *TRNC News Headlines*, 20 April 2010.

²⁴ 'Eroglu "I believe that we will reach to an agreement with Christofias within a certain time period"', *TRNC PIO News*, 19 April 2010.

²⁵ 'Eroglu: "I am decided to spend effort on a solution with a constructive understanding and within the UN parameters', *TRNC News Headlines*, 19 April 2010.

²⁶ 'Eroglu: "It is satisfactory to determine end of year as an objective', *TRNC News Headlines*, 9 June 2010.

²⁷ S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus*, 24 November 2010, para 8.

²⁸ S/RES/1930 (2010), 15 June 2010.

²⁹ Loucas Charalambous, 'Continued UNFICYP Presence is a Scandal', *Cyprus Mail*, 20 June 2010.

³⁰ S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus* 24 November 2010, para 21.

³¹ S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus* 24 November 2010, para 22.

³² S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus* 24 November 2010, para 23.

³³ S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus* 24 November 2010, para 15.

³⁴ S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus* 24 November 2010, para 24.

³⁵ S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus* 24 November 2010, para 25.

³⁶ S/RES/1953 (2010), 14 December 2010.

³⁷ ICG, *Cyprus: Six Steps toward a Settlement*, 4.

³⁸ S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus* 24 November 2010, para 28.

³⁹ S/2011/112 *Assessment report of the Secretary-General on the status of the negotiations in Cyprus*, 4 March 2011, para 14.

⁴⁰ S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus* 24 November 2010, para 31.

⁴¹ S/2010/603 *Report of the Secretary-General on his mission of good offices in Cyprus* 24 November 2010, para 32.

⁴² Most Greek and Turkish Cypriots do not speak each other's languages. It is a saddening feature of the Cyprus Conflict that most Turkish Cypriots used to speak Greek, but that in 47 years of strife and separation this knowledge has withered away. English, that is basically the idiom for the negotiations, is widely spoken. However, not all Cypriots have a sufficient command of English to use it in official business.

⁴³ Interpeace, *Next Steps in the Peace Talks. An island-wide study of public opinion in Cyprus*, Nicosia 2010, <http://www.cyprus2015.org/>



⁴⁴ EU Commission ,COM(2010) 499 *Annual Report on the implementation of Council Regulation (EC) 866/2004 of 29 April 2004 and the situation resulting from its application*, Brussels 2010. 21.9.2010. http://ec.europa.eu/cyprus/turkish_community/greenline_regulation/index_en.htm.

⁴⁵ Simon Bahceli 'We're stuck between Turkey and the Greek Cypriots' *Cyprus Mail*, 29 January 2011; 'Thousands of Turkish Cypriots protest wage cuts', *Hürriyet Daily News*, 29 January 2011; Simon Bahceli 'Thousands of Turkish Cypriots say 'no' to austerity', *Cyprus Mail*, 3 March 2011.

⁴⁶ 'Our view: Rallies actually against Ankara's refusal to keep picking up tab', *Cyprus Mail*, 3 March 2011.

⁴⁷ S/2010/603 Report of the Secretary-General on his mission of good offices in Cyprus 24 November 2010, para 29.

⁴⁸ At present there are 850 military personal and 60 police officers of the UN Peacekeeping Force (UNFICYP).

⁴⁹ ICG, *Cyprus: Six Steps toward a Settlement*, 4.

⁵⁰ Just before the Republic of Cyprus joined the European Union in 2004, the EU Council agreed on three measures in order to help the Turkish Cypriots to live up to EU standards: A €259 million Financial Aid Regulation; a Green Line Regulation for handling the passage of people, goods and services across the divide; and a Direct Trade Regulation (DTR) to ease the isolation of Turkish Cypriots. The Green Line Regulation has limited effect because of "Turkish Cypriot reluctance" and "many informal Greek Cypriot obstacles". The Financial Aid Regulation was implemented after eighteen months. The DTR remains blocked due to Greek Cypriot resistance. Turkey insists on the implementation of the DTR before it would open its ports and airports to the Greek Cypriots. Turkey' refuses to implement the Additional Protocol of 29 July 2005 i.e. opening its ports to Greek Cypriot vessels. Subsequently, the Greek Cypriot government succeeded in persuading the European Council to block eight of the 35 chapters in the accession negotiations; ICG, *Cyprus: Six Steps toward a Settlement*, 5.

⁵¹ ICG, *Cyprus: Six Steps toward a Settlement*, 1-2.

⁵² ICG, *Cyprus: Six Steps toward a Settlement*, 17.

⁵³ ICG, *Cyprus: Six Steps toward a Settlement*, 7.

⁵⁴ ICG, *Cyprus: Six Steps toward a Settlement*, 8.

⁵⁵ German Chancellor Angela Merkel visited Cyprus in January 2011. After meeting Greek-Cypriot politicians only, she blamed Turkey for lack of progress and applauded the Greek Cypriots for having "really proved their willingness to compromise". Merkel accused the Turkish side of "not responding accordingly" to positive Greek Cypriot steps; Associated Press, 12 January 2011.

⁵⁶ ICG, *Cyprus: Six Steps toward a Settlement*, 9.

⁵⁷ ICG, *Cyprus: Six Steps toward a Settlement*, 17.

⁵⁸ Ahmet Sözen ,*Heading towards the defining moment in Cyprus*. Paper prepared for delivery at the 52st Annual Convention of the International Studies Association, Montreal, 16-19 March 2011.

⁵⁹ See Jan Asmussen, *Cyprus after the failure of the Annan-Plan*, ECMI Issue brief No. 11., 1 June 2004.

⁶⁰ 'Tripartite Meeting in June', TRNC News Headlines, 5 April 2011; 'Ban and the leaders discuss meeting in June', *Cyprus Mail*, 5 April 2011.