

A Model of Power-Sharing in Cyprus: From the 1959 London-Zurich Agreements to the Annan Plan

AHMET SÖZEN

The Cyprus conflict has been on the international community's agenda, awaiting resolution, for half a century. The conflict has cost the two Cypriot communities—Greek and Turkish—dearly in terms of property and lives lost and years of uncertainty regarding the future. The two communities in Cyprus have been deeply divided in many respects, most notably politically and economically. Today, the *status quo* on the island has become almost unbearable for the two communities, though more so for the Turkish Cypriots—who have been isolated from the rest of the world for almost four decades. The conflict has also poisoned relations between the two North Atlantic Treaty Organization (NATO) allies and neighbors, Turkey and Greece. Instead of realizing the great potential for cooperation on many issues in accordance with their mutual interests, the two countries have been spending billions of dollars each year on military expenditures to counter the perceived threats from one another. Furthermore, the non-resolution of the Cyprus problem poses a significant challenge for the next wave of enlargement of the European Union (EU) in May 2004, when the Republic of Cyprus—together with nine other countries—is scheduled to become a full member of the EU. It is this background that makes the resolution of the Cyprus conflict critical and urgent and makes relevant current research on the Cyprus conflict.

It is clear from the principles adopted by the international community in many United Nations (UN) Security Council resolutions and many UN Secretary General reports and statements that any durable solution to the Cyprus conflict should include an innovative design to accommodate the needs and interests of the two deeply divided Cypriot communities and their respective motherlands, Greece and Turkey, as well as in accordance with both the realities on the ground in Cyprus and the widely agreed upon principles and norms of international law. Thus, a durable solution should be based on a design of "governance in multi-ethnic societies" where the

62 *Greek-Turkish Relations in an Era of Détente*

two Cypriot communities are required to operate through a true power-sharing mechanism and resolve their problems through relevant conflict-resolution mechanisms.

Since 1968, the two sides have been negotiating under UN auspices to find a comprehensive solution to the Cyprus problem. In 2002, after the most recent set of negotiations, the UN Secretary General Kofi Annan presented a comprehensive overall agreement to the two sides, known as the “Annan Plan.”

This contribution begins by depicting the history of the Cyprus conflict, and then follows with a discussion of the evolution of the concept of governance in multi-ethnic societies. Next, it describes the fundamental elements of the Annan Plan and evaluates the plan as a new hybrid model of confederation and federation, and whether this model would satisfy the needs and interests of the disputed sides, and concludes by asking whether it is a durable solution for the two ethnically distinct communities.

A BRIEF HISTORICAL BACKGROUND OF THE CYPRUS CONFLICT

The Republic of Cyprus was created after long and arduous negotiations, mostly between the two “motherlands”—Greece and Turkey, in order to reach a compromise between the two ethnic communities in Cyprus in the wake of British colonial rule. The 1959 London and Zurich Agreements were the international treaties that led to the creation of the Republic of Cyprus. This republic was a consociational democracy, also known as a functional federation.² The structure of the republic reflected a delicate system of power-sharing between the two communities of the island, which manifested itself in all three branches of the republic: the executive, the legislative and the judiciary.

By the end of 1963, the republic had collapsed because of the inability of the two ethnic communities, the Greek and Turkish Cypriots, to work together.³ The ethnic clashes had actually begun in the 1950s in the wake of debates over the future political form of the island after the end of British colonial rule and the withdrawal of the British from the island. These clashes erupted frequently, with major flare-ups in 1963 and 1967, and finally culminated in 1974 when a military *coup d'état* engineered by the then military regime of Greece tried to overthrow the Greek Cypriot government and annex the whole island to Greece. In order to prevent the Greek coup from actualizing *enosis* (union with Greece), Turkey deployed troops in Cyprus.

Today, the two communities—the Greek and Turkish Cypriot communities—that co-founded the 1960 Republic of Cyprus live

separately, each community in its own geographically separate territory. What is known as the Republic of Cyprus (RoC) has been under total Greek Cypriot administration since the end of 1963, and is recognized internationally and maintains a seat in the UN General Assembly as a sovereign state. The other co-founder of the 1960 Republic, the Turkish Cypriot community, has been living under a separate Turkish Cypriot administration since 1963.⁴ Since 1983, the Turkish Cypriots have been living under the banner of their self-declared Turkish Republic of Northern Cyprus (TRNC), which has all the characteristics and the organs of a small nation state in accordance with the modern state system since the Peace of Westphalia (1648). Yet, it is recognized internationally only by Turkey.

Therefore, in reality, there have been two nation states in Cyprus since 1963. Only one (RoC) is recognized as the *de jure* state of the whole island. Although it claims sovereignty over the entire island, it has *de facto* sovereignty over two-thirds of the island—the southern part of Cyprus. On the other hand, there is also a *de facto* republic, the TRNC, which, like Taiwan, is not recognized internationally, but has *de facto* sovereignty over one-third of the island, the northern part, with the help of some thirty thousand Turkish troops.

While the two communities developed their respective separate governing institutions, the leaderships of the two communities have continued to negotiate—on and off—since 1968 under UN auspices in order to devise a comprehensive solution to the Cyprus problem. All the proposals for a comprehensive solution to the Cyprus problem have called for some degree of cooperation, power-sharing and integration of the two communities and their respective governing bodies.⁵ The most recent UN proposal is the Annan Plan, which was first proposed to the two sides on November 11, 2002, after intensive face-to-face talks between the relevant leaders in 2002. The plan was revised twice, based on feedback from the leaderships of the two communities, and presented to them again on December 10, 2002, and on February 26, 2002. According to the UN, the plan offers a balanced solution where the needs and interests of the two ethnic communities are accommodated in a true power-sharing and conflict resolution mechanism. The UN also claims that the plan is compatible with a new idea of governance in multi-ethnic societies, which the international community has been trying to promote.

GOVERNANCE IN MULTI-ETHNIC SOCIETIES

Since the Peace of Westphalia (1648), the international political system can be characterized as a modern “state” system based on the notion of

territorially sovereign states. After the French Revolution, the emergence and subsequent spread of nationalism in almost all areas of the world created a new actor in the international political system—the nation state. As opposed to states being defined by their territory, nationalism champions the idea that a *nation* has the right to possess its own *state*. The end of the First World War and the collapse of the Austro-Hungarian and the Ottoman empires paved the way for the creation of dozens of new nation states from the remnants of the collapsed multi-ethnic empires. It was during this period that *self-determination*—the right of a *people* (nation) to govern itself and decide on the legal and political status of the territory it occupies—became a widely accepted principle of international law and customary practices.

Until the 1970s, self-determination had been interpreted as the right of a *people* to establish its own state. This is a *secessionist* explanation. However, who decides what a *people* consists of and whether it has the right to a separate statehood? Is rebellion or revolution or secession justified as the means a people use to establish its own state? In that regard, how feasible or just is the claim of many ethnic groups to self-determination? It was these questions that led the international community to rethink and redefine the concept of self-determination after the 1970s. The end of the cold war and the collapse of the multi-ethnic states such as the former Soviet Union and the former Yugoslavia brought the issue of self-determination into the international limelight. The international community is now faced with a dilemma: to allow secession of ethnic groups, political fragmentation and divorce, or to find political solutions for multi-ethnic coexistence and multi-ethnic governance.

In general, the international community has chosen to solve this dilemma by redefining the concept of self-determination and attempting to avoid further fragmentation of the international system. Hence, today self-determination is interpreted as the right of a people to participate in the democratic governance of the state in which it resides. In that sense, the secessionist interpretation applies only if it is impossible for a certain people to participate in the democratic governance of their state.

The dissolution of existing multi-ethnic states into new ethnically homogeneous states contains many problems for the international political system. Hence, today, the international community, as Timothy Sisk claims, has adopted an alternative approach, namely an all-inclusive participatory democratic governance and power-sharing mechanism in multi-ethnic states:

Given increasing emphasis on democratic governance as a fundamental human right, ethnic group claims for self-determination should ideally be accommodated in a democratic framework *within* existing states. Although not all ethnic conflicts begin as a quest for territorial sovereignty and self-determination, they often result in such maximalist claims unless they are addressed early and effectively. Power-sharing, defined as practices and institutions that result in broad-based governing coalitions generally inclusive of all major ethnic groups in society, can reconcile principles of self-determination and democracy in multiethnic states, principles that are often perceived to be at odds.⁶

It is known that power-sharing usually evolves as a result of an internal process. However, as an external dynamic, the international community has often attempted to promote power-sharing as means to prevent, manage and resolve ethnic conflicts in multi-ethnic states. In that regard, the international community has encouraged the state to stand above the ethnic conflicts and to impartially mediate them. It is no secret that the Annan Plan exemplifies this spirit.

THE ANNAN PLAN: A HYBRID SYSTEM OF FEDERATION
AND CONFEDERATION

According to the Main Articles (MA) of the Foundation Agreement of the second revision, or the third Annan Plan (hereafter simply called the Annan Plan), the Treaty of Guarantee and the Treaty of Alliance of the London and Zurich Agreements will remain in force and will apply *mutatis mutandis* to a new “state of affairs” (MA, Article 1).

In the new state of affairs there will be a federal/confederal state, the United Cyprus Republic, and two constituent states—the Greek Cypriot State and the Turkish Cypriot State. According to the Annan Plan, the status of the relationship of the United Cyprus Republic, its federal government and its two constituent states is modeled on the status of the relationship of Switzerland, its federal government and its Cantons (MA, Article 2.1 and 2.1.a). According to MA, Article 2.1.a:

Cyprus is a member of the United Nations and has a single international legal personality and sovereignty. The United Cyprus Republic is organised under its Constitution in accordance with the basic principles of rule of law, democracy, representative republican government, political equality, bi-zonality, and the equal status of the constituent states.

66 *Greek-Turkish Relations in an Era of Détente*

The federal government sovereignly exercises the powers specified in the Constitution. According to the Constitution of the United Cyprus Republic (Article 14), the federal government shall sovereignly exercise legislative and executive competences and functions in the following matters:

- a. External relations, including conclusion of international treaties and defence policy;
- b. Relations with the European Union;
- c. Central Bank functions, including issuance of currency, monetary policy and banking regulations;
- d. Federal finances, including budget and all indirect taxation (including customs and excise), and federal economic and trade policy;
- e. Natural resources, including water resources;
- f. Meteorology, aviation, international navigation and the continental shelf and territorial waters of the United Cyprus Republic;
- g. Communications (including postal, electronic and telecommunications);
- h. Cypriot citizenship (including issuance of passports) and immigration (including asylum, deportation and extradition of aliens);
- i. Combating terrorism, drug trafficking, money laundering and organised crime;
- j. Pardons and amnesties (other than for crimes concerning only one constituent state)
- k. Intellectual property and weights and measures; and
- l. Antiquities.

The constituent states, moreover, will be of equal status. They will be able to “sovereignly exercise all powers not vested by the Constitution in the federal government.” Furthermore, they will be able to freely organize themselves under their own Constitutions (MA, Article 2.1.c). According to MA, Article 2.2,⁷ the relationship between the federal government and the constituent states, and between the constituent states themselves, regarding external relations and the EU has been modeled on the Belgian system.

The United Cyprus Republic will have a special type of presidential system. The executive power will be vested in a Presidential Council composed of six members—at least two (one-third) from each constituent state. There will be a President and a Vice President, each from a different constituent state, who will serve for ten months. No more than two consecutive presidents may come from the same constituent state. The members of the Presidential Council will be elected on a single list by

special majority in the Senate and approved by majority in the Chamber of Deputies. Decisions in the Presidential Council will be reached by consensus. In the event of a lack of consensus, the Presidential Council will, unless otherwise specified, make decisions by a simple majority. However, this majority requires at least one member from each constituent state. The members of the Council will be equal and each member will be the head of a department. The heads of the Departments of Foreign Affairs and European Union Affairs will not come from the same constituent state.⁸

The federal Parliament will be composed of two chambers—the Senate and the Chamber of Deputies. Together they will exercise the legislative power. According to MA, Article 5.1.a, each chamber will have 48 members. While the Senate will be composed of an equal number of senators from each constituent state, the Chamber of Deputies will be composed proportionally of persons holding internal constituent state citizenship status of each constituent state. In the Chamber of Deputies, each constituent state shall be attributed no less than one quarter of the seats.⁹ According to MA, Article 5.1.b, the decisions of the bicameral Parliament will require the approval of both Chambers by simple majority, which must include at least one quarter of voting senators from each constituent state. For specific issues, two-fifths of sitting senators from each constituent state shall be required.

Each constituent state will have its own courts. They will be responsible for judicial issues within the boundaries of the constituent state. The judiciary power of the federal State will be the Supreme Court. It shall uphold the Constitution and ensure its full respect. The Supreme Court will have an equal number of judges (three) from each constituent state and three non-Cypriot judges (until) otherwise provided by law. The Court will be responsible for resolving disputes between the constituent states, or between one or both of them and the federal government, and resolving, on an interim basis, deadlocks within federal institutions if this is absolutely crucial to the efficient functioning of the federal government (MA, Article 6).

According to Article 30 of the proposed Constitution of the United Cyprus Republic, the composition of the public service will be proportional to the populations of the constituent states. However, at least one-third of the public servants at every level of the administration must hail from each constituent state.

The updated Treaty of Guarantee will cover, in addition to the independence, territorial integrity, security and constitutional order of the United Cyprus Republic, the territorial integrity, security and

constitutional order of the constituent states (MA, Article 8.1.a).

According to the updated Treaty of Alliance, there will be one Greek and one Turkish military contingent stationed on the island, which is not to exceed 6,000 (all ranks) each. They will be stationed in both the Greek Cypriot State and the Turkish Cypriot State. In addition, upon accession of Turkey to the EU, all Greek and Turkish troops shall be withdrawn from Cyprus unless it shall be otherwise agreed between the United Cyprus Republic, Greece and Turkey (MA, Article 8.1.b).

MA, Article 8.1.f clearly states that a Monitoring Committee, which will be composed of representatives of the guarantor powers, the federal government and the constituent states, and chaired by the United Nations, will monitor the implementation of this Agreement. In addition, Cyprus will be demilitarized. All Greek Cypriot and Turkish Cypriot forces, including reserve units, will be dissolved, and their arms removed from the island in specific phases as stated in the Agreement.

In accordance with the demilitarization of the island, there will be no paramilitary or reserve forces or military or paramilitary training of citizens. All weapons, except licensed sporting guns, will be prohibited on the island. Until the full accession of Turkey to the EU, the United Cyprus Republic will not put its territory at the disposal of international military operations without the consent of both constituent states and the consent of Greece and Turkey.

Upon a comprehensive solution to the Cyprus problem, each constituent state will have a fixed territory and there will be a clearly defined boundary between the two constituent states. Special arrangements will be implemented in order to safeguard the rights and interests of the current inhabitants of areas subject to territorial adjustment. The arrangements will provide for orderly relocation of these persons to adequate alternative accommodation in appropriate locations.

According to MA, Article 10 on property, the property claims of the displaced persons due to the 1963 and 1974 events will be resolved in a comprehensive manner in accordance with international law, respect for the individual rights of dispossessed owners and current users, and the principle of bi-zonality. In the areas subject to territorial adjustment, properties will be reinstated to the dispossessed owners of that specific constituent state.¹⁰ The property claims of the dispossessed persons will be received and administered by an independent, impartial Property Board. The Property Board will be composed of an equal number of members from each constituent state, as well as non-Cypriot members. Hence, there will be no direct dealings between the dispossessed individuals of the two communities.

Last but not least, there will be an independent, impartial Reconciliation Commission, which will promote understanding, tolerance and mutual respect between Greek Cypriots and Turkish Cypriots. The Reconciliation Commission will include men and women, in equal numbers, from each constituent state, as well as at least one non-Cypriot member, which the Secretary-General of the United Nations will appoint in consultation with the federal government and the constituent states.

The Annan Plan is a 192-page document with substantial details and it is beyond the scope of this article to discuss more than the fundamental elements of the plan. The critical question to be asked, though, is whether the Annan Plan can provide a stable, durable democratic and multi-ethnic solution to the Cyprus conflict in light of the reality of life on the island and in accordance with the widely agreed upon norms and principles of international law.

THE ANNAN PLAN: AN EVALUATION THROUGH GOVERNANCE IN MULTI-ETHNIC SOCIETIES

According to the literature on governance of multi-ethnic societies, one can detect two broad approaches in designing democratic institutions, especially where there are deep divisions between ethnic groups and where power-sharing is the central locus. One approach is *consociational* power-sharing, which is regarded as a successful conflict-management model for deeply divided societies. Lijphart presents this model better than anyone else.¹¹ The other approach is *integrative* power-sharing, which is widely associated with Horowitz.¹² While the former approach emphasizes a power-sharing model based on the protection of the rights and representation of various ethnic groups within the state machinery, the latter approach stresses the creation of incentives for inter-ethnic cooperation and inter-ethnic coalitions in multi-ethnic societies. Sisk provides an excellent summary of these two approaches,¹³ as set out in Table 1.

In the consociational model, according to Sisk, in power-sharing matters the elites cooperate only after elections and the ethnic groups are autonomous. Group rights are protected by veto rights and proportionality in government representation, civil services and the allocation of funds and resources. The main weakness of this model is the possibility that the elites may resort to conflict to further their opportunistic interests. However, it is widely agreed that this is a better model for multi-ethnic governance where territorial division exists between the different ethnic groups.

TABLE 1
APPROACHES TO POWER-SHARING

Approach	Consociational	Integrative
Characteristics	Elites cooperate after elections to form multi-ethnic coalitions and manage conflicts; groups are autonomous, minorities are protected.	Parties encouraged to create coalitions before elections creating broadly inclusive but majoritarian governments
Principles	Broad-based or "grand" coalitions; minority veto; proportionality in allocation of civil service positions and public funds; group autonomy.	Dispersion and devolution of power; promotion of intra-ethnic competition; inducements for inter-ethnic cooperation; policies to encourage alternative social alignments; managed distribution of resources.
Institutions and practices to promote these principles and effects	Parliamentary government; proportional reservation of seats; proportional representation electoral system.	Federalism; vote-pooling; electoral systems; president elected by "supermajority".
Strengths of the approach	Provides groups firm guarantees for the protection of their interests.	Provides politicians with incentives for moderation—"coalitions of commitment."
Weaknesses	"Coalitions of convenience." Elites may pursue conflict rather than try to reduce it; communal groups may not defer to their leaders; system relies on constraints against immoderate politics.	Lack of whole-country empirical examples of working systems; assumptions that politicians respond to incentives and citizens will vote for parties not based on their own groups.

Source: Timothy D. Sisk, *Power Sharing and International Mediation in Ethnic Conflicts* (Washington DC: United States Institute of Peace, 1996), p.?

For multi-ethnic governance where territorial division does not exist between the ethnic groups, the integrative model is considered more appropriate. Here, elites are encouraged to cooperate and form coalitions before elections. The integrative system is designed to provide continuous incentives for moderation in order to encourage smooth governance.

Which of the two approaches should be chosen depends on the nature of the case at hand. The Cyprus conflict is an excellent example of two deeply divided ethnic groups. The division has been deepened by many violent clashes, as illustrated above. In addition, the *de facto* physical separation of and the limited contacts between the two communities since

1974 has created additional negative myths and images of the “other,” which, in turn, has intensified the deep division between the two communities. Unsurprisingly, in 1993, UN Secretary General Boutros Ghali called for the implementation of a series of confidence building measures (CBMs) before an overall solution could be brought forward. His suggestion was based on his timely and correct diagnosis that the root of the Cyprus conflict was the growing mistrust between the two communities. In that regard, the consociational model offers a more realistic model than the integrative model for a united Cyprus. Does the Annan Plan provide such a model?

The Annan Plan clearly took into consideration the basic principles of international law, human rights and the realities of the island, as well as the necessary characteristics of good governance in a multi-ethnic society. The Annan Plan offers a consociational model where the two deeply divided and territorially separated ethnic communities of the island will have a second attempt (the 1959 London and Zurich Agreements was the first) to create a new state based on power-sharing.

In terms of its characteristics, the Annan Plan is influenced by and has adopted elements characteristic of Belgium and Switzerland, which are regarded in the literature as successful consociational democracies.¹⁴ In these two countries, the ethnic communities are highly autonomous and are required to cooperate only after their separate elections in a central government. According to the Annan Plan, the two constituent states will have competences that they will sovereignly exercise in all areas outside the competencies of the federal government as stated in the Constitution. Besides the election of the Presidential Council from a single list—which carries an integrative element—both constituent states will hold their own separate elections in all areas. They are expected to cooperate only after their separate elections in accordance with the consociational model.

In accordance with the principles of the consociational model, the Annan Plan provides proportional representation for the two ethnic communities in all political offices and in the allocation of civil service positions and public funds. In addition, the decisionmaking on the federal government level is consensus based, requiring at least the minimum participation of both communities. Hence, it is a hidden veto for the two communities respectively. For example, in the Presidential Council, although decisions requiring votes will be decided based on a simple majority, at least one vote from each constituent state will be required.

The institutions that will be created in the United Cyprus Republic support the principles of consociationalism by means of proportional reservation of seats and proportional representation of the two constituent

TABLE 2
CONFLICT-REGULATION PRACTICES

Approach	Consociational	Integrative
Territorial divisions of power	Granting autonomy and creating confederal arrangements; creating a poly-communal federation.	Creating a mixed or non-communal federal structure; establishing a single inclusive unitary state.
Decision rules	Adopting proportional representation and consensus rules in executive, legislative, and administrative decision-making; adopting a highly proportional electoral system.	Adopting majoritarian but integrated executive, legislative, and administrative decision making; adopting a semi-majoritarian or semi-proportional electoral system.
State-ethnic relations	Acknowledging group rights or corporate federalism.	Adopting ethnically blind public policies.

Source: Timothy D. Sisk, *Power Sharing and International Mediation in Ethnic Conflicts* (Washington DC: United States Institute of Peace, 1996), p.?

states. In addition, the Annan Plan provides firm guarantees for the protection of communal interests (such as the Treaty of Guarantee), which will assure the territorial integrity and the constitutional order of not only the United Cyprus republic but also of the two constituent states.

Of equal—if not greater—importance than the power-sharing elements of governance in a multi-ethnic society are the conflict-regulation practices. Conflict-regulation practices ensure the smooth operation of the institutions in a multi-ethnic state. As depicted in Table 2, Sisk provides a summary of conflict-regulation practices for both the consociational and integrative approaches.¹⁵

In the consociational model, conflicts are avoided or resolved by granting autonomy and acknowledging separate group rights within federations or confederations of different ethnic groups that are territorially separated. In such an arrangement, proportionality and consensus are required in all branches of the state. In the integrative model, however, since no territorial division between the ethnic groups exists, the system tries to avoid or resolve conflicts by creating non-communal federal structures or a unitary state where ethnically blind public policies are designed in the majoritarian-but-integrated branches of the state.

The Annan Plan allows for good conflict-regulation practices. The Plan grants a high degree of autonomy to each constituent state by creating confederal arrangements within a bi-communal federation which will be based on a territorial division of power. As for state-ethnic community

relations, the federal government is not superior to the constituent states and the relations between the constituent states are based on political equality.

In terms of decision rules, the Annan Plan provides proportional representation and consensus rule in two of the branches of power—executive and legislative—as well as for administrative decisionmaking. In addition, the two constituent states elect their own separate personnel for all of the political posts of the United Cyprus Republic except the joint list for the Presidential Council.

As the above evaluation shows, the Annan Plan provides the basic elements of power-sharing and the conflict-regulation practices of a consociational model, which is more suitable for the Cyprus conflict than the integrative model.

CONCLUSION

The 1959 London and Zurich Agreements established a consociational democracy in Cyprus. However, the 1960 Republic of Cyprus failed to last more than three years. Since then, the two conflicting sides have been unable to resolve the conflict. Most recently, the Annan Plan proposed the creation of a consociational federation/confederation in accordance with the most popular interpretation of the concept of self-determination: participation of different ethnic groups in democratic governance within the same federal state.

At present, however, neither Greece nor Turkey accepts the Annan Plan as the basis for a solution to the Cyprus conflict. Meanwhile, the leaderships of the two Cypriot sides continue to follow their traditional maximalist strategies in their efforts to solve the Cyprus conflict. The Greek Cypriots would like to achieve a solution based on a *unitary state*, which means that the 1960 Republic of Cyprus would continue to exist and the Turkish Cypriot community would be absorbed into it as a protected minority. On the other hand, the Turkish Cypriots advocate a confederal solution in which the TRNC would continue to exist and be acknowledged as a separate sovereign state but would cooperate as little as possible with the Greek Cypriot state.

By and large, the two motherlands have so far supported the maximalist strategies of their respective Cypriot communities. However, the EU factor—the accession of Cyprus to the EU in May 2004 and Turkey's struggle to start accession talks with the EU in 2004—has changed the dynamics of the Cyprus conflict. On the one hand, Turkey and the Turkish Cypriots realize that if a solution to the Cyprus conflict is not found by

May 2004 it will be almost impossible to persuade the Greek Cypriot side, which will become an EU member on behalf of the whole island, to accept the Annan Plan as a solution. After May 2004, Turkey and the Turkish Cypriots will be forced to accept a far less favorable solution than the Annan Plan. Moreover, the current AKP (*Adalet ve Kalkınma Partisi*—the Justice and Development Party) government of Turkey has also realized that the EU will not begin accession talks with Turkey until the Cyprus conflict is resolved. The issue has also become much more complicated and difficult for Turkey because of the widespread belief among the nationalist and some of the Kemalist elites in Turkey that the EU will never allow Muslim Turkey to be a full member of the Union. If that becomes the case, such elites advocate that Turkey should not be flexible (some even say “Turkey should not give up”) regarding Cyprus until Turkey (if ever) becomes a full member of the EU. Meanwhile, the Greek Cypriot leadership supports the Annan Plan, while the Turkish Cypriot leader Rauf R. Denktaş publicly denounces it. The Greek Cypriot rationale for supporting the Annan Plan is to avoid any major problems that could jeopardize the full EU membership of Cyprus. Recently, the current PASOK government of Greece has begun to show less open support for the Annan Plan compared to its earlier positive stance. This is most likely because PASOK is afraid of being labeled as the “party who sold the national cause to the Turks,” which could easily jeopardize PASOK’s position in the upcoming parliamentary elections. These factors are why the Annan Plan has so far failed to be endorsed and implemented by the two sides.

As the evaluation of the Annan Plan in the previous section shows, the Plan is designed to accommodate the two ethnically distinct communities in a governance structure where power-sharing and conflict-regulation practices are carefully crafted in a truly consociational manner. In this case, what factors would help the new consociational United Cyprus Republic to flourish and be stable, in contrast to the consociational Republic of Cyprus—which in the literature has become an example of the failure of the consociational model?

The Annan Plan provides a territorial federation/confederation as opposed to the non-territorial functional federation structure of the 1959 London and Zurich Agreements. Since the two communities have been governing themselves through their respective administrations and in their own geographic areas since 1963, it is more practical to ensure that the two political bodies continue to administer their separate zones and cooperate under a common umbrella—the federal government.

The Annan Plan grants each community a very high degree of autonomy (even semi-sovereignty) within their respective constituent states as opposed

to the 1959 London and Zurich Agreements, where each community had autonomy only in purely communal affairs. This is also compatible with the separate experiences of the two communities since 1963.

The opening of several borders and the easing of restrictions on the freedom of movement between the two sides on April 23, 2003 yielded no significant incidents of violence between the two communities. An optimistic interpretation of the latest peaceful developments could be that the two communities have learned their lesson from their history of violent ethnic conflict and have matured. Both communities now know that their best choice is to reach a compromise and cooperate under a common umbrella. They understand that the alternative is the current *status quo*, which mostly hurt the Turkish Cypriot community but nonetheless has affected both sides negatively.

If a solution based on the Annan Plan is reached before the accession of Cyprus to the EU in May 2004—that is, the Treaty of Accession is to be ratified in May 2004 and the United Cyprus Republic will become an EU member—the EU itself, together with its institutions and norms, will provide another umbrella under which the two Cypriot communities can cooperate peacefully. Such an arrangement within the EU will also foster integration between the two deeply divided Cypriot communities.

The peaceful resolution of the Cyprus conflict will contribute positively not only to Turkey-Greece relations but also to EU-Turkey relations. The resolution of the Cyprus conflict will create a suitable environment of trust in which Turkey and Greece can attempt to resolve their Aegean conflict. The resolution of the Cyprus conflict will also greatly assist the beginning of Turkey's accession negotiations with the EU. However, the opposite is also true: the EU can play an instrumental role in resolving the Cyprus conflict in line with the Annan Plan through linkage politics. If the EU gives a clear signal to Turkey that it will start the accession talks if the Turkish side endorses the Annan Plan, then it is probable that the Turkish side would accept the Annan Plan as a solution to the Cyprus conflict. In the same vein, if the EU signals to the Greek Cypriot leadership that it should accept the Plan or face difficulties in attaining EU membership, it would be very difficult for the Greek side to spoil the Plan.

NOTES

1. The term "consociational democracy" is used by Arend Lijphart to describe the "politics of accommodation," where different ethnic groups are represented in the government and their rights and interests are protected (*The Politics of Accommodation: Pluralism and Democracy in the Netherlands* [Berkeley, CA: University of California Press, 1968], p.?). According to

76 *Greek-Turkish Relations in an Era of Détente*

Donald Horowitz, Belgium, the Netherlands and Canada are regarded as successful examples of consociational systems, while Cyprus and Lebanon are seen as the two failures of consociational systems (*Ethnic Groups in Conflict* [Berkeley, CA: University of California Press, 1985], p.?).

2. Zenon Stavrinides, *The Cyprus Conflict: National Identity and Statehood* (Nicosia: Stavrinides, 1976), p.76.
3. For an in-depth analysis, see Ahmet Sözen, *The Cyprus Conflict and the Negotiations: A Political and International Law Perspective* (Ankara: Can Reklam, 1998); Ahmet Sözen, "Cyprus Conflict: Continuing Challenge and Prospects for Resolution in the Post-Cold War Era" (unpublished Ph.D. thesis, University of Missouri-Columbia, 1999); and Stavrinides (1976). The literature on Cyprus is mostly partisan writing. For an analysis of the Turkish thesis, see Rauf R. Denктаş, *The Cyprus Triangle* (London, Boston, MA and Sydney: K. Rüstem and George Allen & Unwin, 1982); Rauf R. Denктаş, *The Cyprus Problem and The Remedy* (Nicosia: Turkish Republic of Northern Cyprus Press Office, 1992); Necati Münir Ertökün, *Inter-Communal Talks and The Cyprus Problem* (Nicosia: Turkish Federated State of Cyprus Press Office, 1977); and M. Zaim Necatigil, *The Cyprus Question and the Turkish Position in International Law* (New York: Oxford University Press, 2nd Edn. 1993). For an in-depth analysis of the Greek thesis, see Glafkos Clerides, *Cyprus: My Deposition Vol. 1* (Nicosia: Alithia, 1989); Glafkos Clerides, *Cyprus: My Deposition Vol. 2* (Nicosia: Alithia, 1989); Glafkos Clerides, *Cyprus: My Deposition Vol. 3* (Nicosia: Alithia, 1990); Glafkos Clerides, *Cyprus: My Deposition Vol. 4* (Nicosia: Alithia, 1992); Kyriacos C. Markides, *The Rise and Fall of the Cyprus Republic* (New Haven, CT and London: Yale University Press, 1977); and Polyvios G. Polyviou, *Cyprus: The Tragedy and the Challenge* (Washington DC: American Hellenic Institute, 1975).
4. After the 1963 ethnic clashes, the Turkish Cypriot community established different governing structures in order to maintain its communal existence: The Provisional Turkish Cypriot Administration (1967), The Autonomous Turkish Cypriot Administration (1974) and The Turkish Federated State of Cyprus (1975).
5. The Draft Framework Agreement (1985) proposed by Secretary General Perez De Cuellar, and the Set of Ideas (1992) proposed by Secretary General Boutros Ghali, were comprehensive agreement plans that called for the creation of a bi-zonal and a bi-communal federation between the two communities. Each of these proposals called for a high degree of cooperation, power-sharing and at least some degree of integration between the two communities.
6. Timothy D. Sisk, *Power Sharing and International Mediation in Ethnic Conflicts* (Washington DC: United States Institute of Peace, 1996), p.vii
7. "The constituent states shall cooperate and coordinate with each other and with the federal government, including through Cooperation Agreements, as well as through Constitutional Laws approved by the federal Parliament and both constituent state legislatures. In particular, the constituent states shall participate in the formulation and implementation of policy in external relations and European Union affairs on matters within their sphere of competence, in accordance with Cooperation Agreements modeled on the Belgian example. The constituent states may have commercial and cultural relations with the outside world in conformity with the Constitution." **[Publication details of Annan Plan?]**
8. MA, Article 5.2.b.
9. There will be 24 senators from the Greek Cypriot Constituent State and 24 senators from the Turkish Cypriot State in the Senate. There will be no less than 12 deputies in the Chamber of Deputies who will come from the Turkish Cypriot Constituent State.
10. MA, Article 10.3: 3. "In areas not subject to territorial adjustment, the arrangements for the exercise of property rights, by way of reinstatement or compensation, shall have the following basic features: a. Dispossessed owners who opt for compensation or whose properties are not reinstated under the property arrangements shall receive full and effective compensation on the basis of value at the time of dispossession adjusted to reflect appreciation of property values in comparable locations; b. Current users, being persons who have possession of properties of dispossessed owners as a result of an administrative decision, may apply for and shall receive title if they agree in exchange to renounce their title to a property, of similar

value and in the other constituent state, of which they were dispossessed; c. Persons who own significant improvements to properties may apply for and shall receive title to such properties provided they pay for the value of the property in its original state; d. There shall be incentives for owners to sell, lease or exchange properties to current users or other persons from the constituent state in which a property is located; e. Properties not covered by the above shall be reinstated five years after entry into force of this Agreement (three years for vacant properties), provided that no more than 10% of the area and residences in either constituent state and 20% in any given municipality or village (other than villages specifically designated in this Agreement) shall be reinstated to owners from the other constituent state; and f. Current users who are Cypriot citizens and are required to vacate property to be reinstated shall not be required to do so until adequate alternative accommodation has been made available.”

11. Lijphart (1968); Arend Lijphart, “Consociational Democracy,” *World Politics*, Vol.4, No.2 (Jan. 1969), pp.207–25; Arend Lijphart, *Democracy in Plural Societies* (New Haven, CT: Yale University Press, 1977); Arend Lijphart, “Majority Rule versus Consociationalism in Deeply Divided Societies,” *Politikon*, Vol.4, No.2 (Dec. 1977), pp.113–26; Arend Lijphart, *Power-Sharing in South Africa* (Berkeley, CA: University of California Press, 1985).
12. Donald Horowitz, “Comparing Democratic Systems,” *Journal of Democracy*, Vol.1, No.4 (1990); Donald Horowitz, “Making Moderation Pay,” in Joseph Montville (ed.), *Conflict and Peacemaking in Multiethnic Societies* (Lexington, MA: Lexington Books, 1990); Donald Horowitz, *A Democratic South Africa? Constitutional Engineering in a Divided Society* (Berkeley, CA: University of California Press, 1991); Donald Horowitz, “Democracy in Divided Societies,” *Journal of Democracy*, Vol.4, No.4 (1993).
13. Sisk (1996), p.35.
14. *Ibid.*, p.34.
15. *Ibid.*, p.70.

Proof