

The Cyprus Impasse: And the Way Out?

by

Assoc. Prof. Ahmet Sözen

Director
Cyprus Policy Center

ahmet.sozen@emu.edu.tr

Web: <http://ir.emu.edu.tr/staff/asozen/>

CPC Web: <http://www.cypruspolicycenter.org>

Where We are on the Ground in Cyprus Today

The Cyprus conflict remains one of the unresolved and long-lasting issues of the international community. This conflict has cost both the Greek Cypriots and the Turkish Cypriots, in terms of lives, orphaned children, economic loss and psychological destruction. The conflict began in the 1950s, erupted violently with bloodshed at the end of the 1950s and in December 1963. The conflict culminated in 1974 with the interventions of Greece and later Turkey that led to the island's current de facto division as the Greek Cypriot SOUTH (Republic of Cyprus) and the Turkish Cypriot NORTH (TRNC: Turkish Republic of Northern Cyprus). The Cyprus issue has been addressed over the past four decades by dozens of UN Security Council resolutions that have proved to be futile thus far in terms of resolving the problem.

The most recent and comprehensive solution proposal, a UN blueprint known as the Annan Plan included internationally endorsed parameters for a Cyprus solution and was put to separate and simultaneous referenda among Greek and Turkish Cypriots on 24 April 2004. The plan called for the reunification of the island, as the *United Cyprus Republic*, in a bi-zonal federal structure comprised of two constituent states, the Greek Cypriot State and the Turkish Cypriot State. The settlement plan was supported by 65% of the Turkish Cypriots, yet voted down by 76% of the Greek Cypriot community.

Today, public opinion polls show that the two sides by and large maintain their referenda positions. President Papadopoulos, the Greek Cypriot leader, enjoys significant public support for his "no" policy. On the other hand, President Talat, the Turkish Cypriot leader, converted support for the Annan plan into successive electoral victories. On 20 February 2005, Talat's party, CTP-BG, became the winner of the parliamentary election in North Cyprus. Moreover, on 17 April 2005, the Turkish Cypriots, this time in the Presidential election, once again demonstrated their continued commitment to a comprehensive solution in Cyprus and integration with the EU by electing Mr. Mehmet Ali Talat as their President.

The two election results show a clear victory for the pro-EU and pro-solution (Annan Plan) policies in North Cyprus. The EU and the US also interpreted the results in this manner by showing their pleasure at Talat's victory who swiftly offered an olive branch to Greek Cypriots in his post-election victory speech. He called "on the Greek Cypriot's side leadership to take our hand which we are extending in peace to them. We will continue to put our best effort for reconciliation and a solution to the Cyprus problem."¹

The international community has acknowledged the democratic will of the Turkish Cypriots. According to the EU Commission, “the results indicate a clear desire of the Turkish Cypriot community to continue preparations for their full integration into the EU.”ⁱⁱ Furthermore, “the results also show that the Turkish Cypriots are committed to the reunification of Cyprus.”ⁱⁱⁱ

The current Greek Cypriot political leadership under President Papadopoulos, however, has neither the intention nor the motivation to accept a compromised solution based on power sharing with the Turkish Cypriots. Alvaro De Soto, the previous UN representative to Cyprus, recently confirmed the Greek Cypriot position by arguing that the Greek Cypriot economic position and their EU membership left no motivation for them to accept a compromised solution such as the Annan Plan.^{iv} Even Greek Cypriot former Foreign Minister, Nikos Rolandis, indicated that the current Greek Cypriot political leadership was not interested in a solution in Cyprus.^v

Preference Orderings of the Two Communities vis a vis the “Solution”

Given the above analysis, it is quite obvious that the current preference ordering of the Greek Cypriot leadership vis a vis the “solution” to the Cyprus problem is as follows:

1. ***Osmosis***^{vi}: Papadopoulos’ first preference is the solution of the Cyprus problem through “osmosis” where the current de facto *Greek Cypriot dominated* Republic of Cyprus would continue to exist and that gradually the Turkish Cypriots would be assimilated in the Republic as mere individual citizens in which they would not enjoy either their political equality or their communal rights as envisaged both in the UN documents and also in the original 1960 constitution of the Republic of Cyprus.
2. ***Status Quo***: If the “osmosis” strategy is perceived to be unattainable, then the next preference for Papadopoulos (and the wider ruling Greek Cypriot leadership) is the continuation of the current situation (i.e., the status quo) in Cyprus which he finds as a better alternative to a bi-zonal and bi-communal federation based on the political equality of the two communities as described in the relevant UN Security Council documents.
3. ***Permanent Division/Divorce***: Since the separate and simultaneous referenda on the Annan Plan in April 2004, there are increased signs from the Greek Cypriot leadership that even the permanent division or a complete divorce of the two communities, provided that the Greek Cypriot side receives a sizeable piece of land from the Turkish Cypriot side – i.e., “land for peace,” is more preferable to a solution which is based on the political equality and the power sharing of the two communities. However, without a huge side-payment (i.e., a sizeable land) the permanent division of the island is the last preference for the majority of the Greek Cypriot political elites.
4. ***Federation a la Annan Plan***: It seems like that a federation, based on the power sharing and the explicit political equality of the two communities, which would be bi-zonal with regard to the territorial aspects and bi-zonal with regard to the constitutional aspects, is regarded as the worst case option for the current Greek Cypriot leadership (though many in AKEL disagree with this). However, it should be indicated that there are also a good number

of Greek Cypriot political elites who prefer a federal solution to the permanent division of the island.

Given the analysis in the beginning of the text, the preference ordering of the current Turkish Cypriot leadership, using the above utilized terminology for Greek Cypriot leadership, is as follows:

1. ***Federation a la Annan Plan***: The current ruling Turkish Cypriot leadership has been repeatedly indicating since the referenda in 2004 that it is committed to the bi-zonal, bi-communal federation based on the political equality of the two communities – a la Annan Plan. It should be also indicated that there is a sizeable number of the Turkish Cypriot political elites, especially in the opposition, who prefer a “two-states” solution (i.e., permanent division/divorce) to a federation in Cyprus.

2. ***Permanent Division/Divorce***: The current ruling Turkish Cypriot elites, in case a federal solution is impossible to attain, would prefer a “two-states” solution in which the Turkish Cypriots would be the masters of their house (state).

3. ***Status Quo***: The current situation is only the third preference of the current ruling Turkish Cypriot political elites. Compared to all the actors who are involved in the Cyprus conflict, Turkish Cypriots constitute probably the number one actor who is the least happy with the current situation (status quo) on the ground in Cyprus. Their perception is that through their YES vote in the referenda, they deserved to be emancipated from the isolations and restrictions which still persist. In that regard, they find the current status quo in which the Greek Cypriots being in the EU despite their NO vote and the Turkish Cypriots remaining outside the EU despite their YES vote to unify the island in the referenda unjust that needs to be fixed.

4. ***“Osmosis”***: Despite the fact that the Turkish Cypriots despise the current situation (status quo), they still prefer the status quo to the “osmosis” outcome in which they believe they would be reduced to a minority in a Greek Cypriot dominated Republic of Cyprus, in which case they would lose their political equality and the right to the power sharing mechanisms of the central government as described both in the UN documents and also in the original 1960 constitution of the Republic of Cyprus.

Alternative Scenarios

Given the above analysis of the preference orderings of the two leaderships in Cyprus, it is quite obvious that a “creeping divergence” is the net result currently on the ground in Cyprus. Based on the analysis above and the terminology used in the workshop in March 2006 at Oxford, today we are more informed to speculate on the future scenarios in Cyprus. The following are the probable scenarios listed starting from the most probable and going towards the least probable one:

1. ***Structural Stalemate a la Taiwan***: This is the most realistic scenario given the realities on the ground in Cyprus today. In this scenario, the TRNC continues to be internationally unrecognized while at the same time continuing to perform most of its functions just like the other recognized sovereign states. Gradually, the international community lifts the

restrictions and the isolations on the North Cyprus which would eventually *Taiwanize* the TRNC. In such a case, the international recognition of the TRNC would be a natural evolution – which might first come from some Muslim or Central Asian Turkic speaking countries, provided that there would not be a change in the political positions of the two leaderships (i.e., the Greek Cypriot preference for “osmosis” and the Turkish Cypriot preference for federation).

2. ***A Co-operative Status Quo***: This is the second possible scenario given the realities on the ground in Cyprus today. This scenario is possible only if meaningful negotiations between the two sides in Cyprus start. In that sense, the Gambari process^{vii} could be the catalyzing element here. The two sides agreed in July 2006 to: (i) establish technical committees to deal with daily issues; (ii) to form working groups to deal with the substantive issues of the Cyprus problem; and (iii) to implement confidence building measures to improve the atmosphere in Cyprus. If such a process could be started and maintained, then the non-cooperative mode of the relations (status quo) could be transformed to a co-operative one which in return could lead to either a federal solution as described in the UN documents or to an “amicable divorce a la Czechoslovakia” through the free and mutual consent of the two sides.

3. ***Amicable Divorce (or partition) a la Czechoslovakia***: An amicable divorce where the two sides mutually recognize each other and commit themselves to non-confrontational politics is possible when the Greek Cypriot elites perceive that the international recognition of the TRNC would be probable or when in a federal solution the Turkish Cypriots would get “*more than what they deserve*”^{viii} (explicit political equality) in which case the Greek Cypriot elites would want to negotiate the two-states solution probably with a “land for peace” approach in which they would require a sizeable piece of land from the North to be yielded to the South.

4. ***Conflictual Divorce a la Yugoslavia***: This is probably the least possible and the most undesired scenario for all the actors involved. Such a scenario presupposes some sort of violence or at least a ‘limited war’ on the island (which would automatically involve Turkey) after which the abyss between the Turkish and Greek Cypriots become somewhat permanent. Such a scenario, though very improbable, would mean the permanent derailing in the Turkey’s EU accession process which neither Turkey nor the EU can ever afford.

The Way Forward?

Based on the analysis above, a comprehensive solution to the Cyprus problem is not seen on the horizon. However, can an interim solution be found in order to transform the non-cooperative atmosphere in Cyprus and hence gradually pave the way for a comprehensive solution in the future? Given the intransigence of the Greek Cypriot leadership regarding the resumption of meaningful peace negotiations, it is up to the international community to find ways to motivate the Greek Cypriot leadership to genuinely return to the negotiation table. The international community can make a good start by simply honoring its pre-referenda promises of lifting the restrictions and isolation on the Turkish Cypriots. This may suggest to the Greek Cypriot leadership that their current policy would lead to the permanent division of the island without the possibility of Greek Cypriot side getting any side-payments. In addition, lifting the isolations on the Turkish Cypriots would enhance the role of the moderates, who supported the UN blueprint in North Cyprus, to have the necessary incentive

to continue sustaining their pro-solution vision. This is also compatible with the UN Secretary General's 28 May 2004 report on Cyprus, in which he observed

The decision of the Turkish Cypriots is to be welcomed. The Turkish Cypriot leadership and Turkey have made clear their respect for the wish of the Turkish Cypriots to reunify in a bicomunal, bizonal federation. The Turkish Cypriot vote has undone any rationale for pressuring and isolating them. I would hope that the members of the Council can give a strong lead to all states to cooperate both bilaterally and in international bodies, to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development.^{ix}

After the referenda the Turkish Cypriots who voted for the compromised solution and the reunification of the island are still out in the cold. They are under isolation and restrictions, despite the pre-referenda promises of the EU and other countries that the Turkish Cypriots would not be punished for their YES vote to the solution.

Meanwhile a permanent rift between Turkey and the EU due to the customs union agreement between Turkey and the EU is poisoning the Turkey-EU relations. The EU expects Turkey to fulfill its legal obligations by opening its sea and airports to the vessels carrying (Greek Cypriot) Republic of Cyprus flags. However, this is very difficult for Turkey given the Turkish public opinion. The Turks want to see a step taken by the EU to actualize its moral, political and legal commitments of lifting the isolations on the Turkish Cypriots which the EU Council promised on 26 April 2004, only two days after the referenda in the two parts of Cyprus where the Turkish Cypriots voted in support of the UN blueprint to unite Cyprus and make the united Cyprus member of the EU.

An Interim Solution before a Comprehensive Solution?

It is clear that a balanced solution formula can be found to prevent the rift between Turkey and the EU and add positive dynamism to the search for resolving the Cyprus problem. The EU can work on a deal which would include the fulfillment of both Turkey's legal obligations to the EU and the EU's moral, political and legal obligations to the Turkish Cypriots. Turkey's opening its sea and airports to the vessels carrying Republic of Cyprus flag and the EU's lifting the isolations on the Turkish Cypriots by adopting the direct trade regulation with the Turkish Cypriots simultaneously should be the essence of the deal. More practical measure to actualize this is to include North Cyprus into the customs union where intra-island free trade and free trade between the Turkish Cypriots and the EU will be established. In other words, the EU should find ways of applying the *acquis communautaire* in North Cyprus (where it is suspended) regarding the inclusion of the North into the EU customs union. Moreover, the suspension of the *acquis* on education should be lifted in the North, so that the Turkish Cypriots could start integrating with the EU educational systems, such as Erasmus, and start enjoying their most basic human right – education.

Although Ibrahim Gambari, Kofi Annan's political adviser managed to bring the two leaders together to agree on the principles of a future solution, such as political equality; bi-zonal, bi-communal federation in addition to the establishment of technical committees to deal with daily problems, in July 2006, the ground is currently not suitable for a comprehensive solution in Cyprus. In that sense, some CBMs (confidence building measures) can be adopted to play a catalyzing role towards a comprehensive solution of the Cyprus problem. For that purpose, the UN's creative and balanced CBMs proposal of 1993 should be re-tabled. According to

the UN proposal, it was proposed to simultaneously open the fenced area of Varosha to the resettlement of its inhabitants as a free trade zone between the two sides in the island under the UN administration and open the Nicosia International Airport in the buffer zone under the UN administration to the cargo and civilian passenger traffic of the two sides in Cyprus. Here, the EU administration can also be utilized for the two CBMs. In that way, it will be possible to integrate the two economies in Cyprus that will have a huge positive impact on the necessity to find a comprehensive solution in Cyprus. Moreover, such steps would make it possible for both the EU and the UN to honor their pre-referenda promises of lifting the isolations and restrictions on the Turkish Cypriots.

It is such concrete steps which can motivate the Greek Cypriot political leadership to resume the peace negotiations towards a comprehensive solution. Otherwise, the Greek Cypriot side would be more than happy with the continuation of the current status quo where they continue to hold the title of the “legal” government of the Republic of Cyprus (without the Turkish Cypriot presence) and that the Republic of Cyprus under a purely Greek Cypriot participation is a full member of the EU.^x It should be noted, however, that the above mentioned steps to lift the isolation of the Turkish Cypriots should not be taken just for the purpose of motivating the Greek Cypriot leadership to resume the peace negotiations, but primarily for humanitarian reasons.

NOTES:

ⁱ Kıbrıs Daily Newspaper, 21 February 2005.

ⁱⁱ Kıbrıs Daily Newspaper, 21 February 2005.

ⁱⁱⁱ Commission Statement, 21 February 2005 (www.delcyp.cec.eu.int/en/news/050221a.htm).

^{iv} For more information see NTV 7 March 2005 (www.ntvmsnbc.com/news/312443.asp).

^v Sunday Mail, 27 February 2005.

^{vi} See the full text of Papadopoulos’ speech at the UN General Assembly in 2005 at

http://www.cyprusemb.se/Dbase/cypemb/archive_352.asp.

^{vii} On 8 July 2006, Ibrahim Gambari, Kofi Annan’s political adviser managed to bring the two leaders together to agree on the principles of a future solution, such as political equality; bi-zonal, bi-communal federation in addition to the establishment of technical committees to deal with daily problems. For more information see http://www.unficyp.org/news/Press/2006_08July_%20Gambari%20reads%20statement%20by%20two%20leaders.htm.

^{viii} This is the Greek Cypriot argument regarding such arrangements in the 1960 constitution of the Republic of Cyprus as the Vice-President being a Turkish Cypriot with veto rights and that decisions on certain issues needed separate majority of the two community members in the House of Representatives.

^{ix} S/2004/437.

^x The view that the current Greek Cypriot leadership is not ready to negotiate a solution based on power sharing with the Turkish Cypriots and the above proposed CBMs are very compatible with the latest report of the International Crisis Group report on Cyprus that needs closer attention from the international community. For the full report see <http://www.crisisgroup.org/home/index.cfm?id=4003&l=1>.