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**CYPRUS: A NEW AND REALISTIC APPROACH**

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**NEED FOR AN ACCURATE DIAGNOSIS**

The development of successful and sustainable remedies for a conflict depends on the accurate assessment and diagnosis of the causes and dynamics of that conflict.

Greeks and Greek Cypriots choose to describe the Cyprus issue as one resulting from the ‘invasion’ and ‘occupation’ of the northern third of the Island by the Turkish army in July 1974.

In *Years of Renewal*, Henry Kissinger described the Cyprus issue as “the forerunner of conflict between ethnic groups”.<sup>1</sup>

Neither of these descriptions of the Cyprus issue are accurate or adequate.

The latest phase of the conflict started in the early 1950s with the Greeks of Cyprus demanding union with Greece (enosis). The Turks of Cyprus responded to this first by demanding the union of the island with Turkey and later by demanding the partitioning of the Island (taksim) between Turkey and Greece. This was because the Greeks and Turks of Cyprus saw themselves, respectively, as parts of the Hellenic and Turkish nations.<sup>2</sup> Since the Greeks of Cyprus simply identified themselves as Greeks and the Turks of Cyprus as merely Turks, one could hardly talk of a distinct Greek Cypriot identity and, similarly, a distinct Turkish Cypriot identity until the establishment of the 1960 Republic of Cyprus. The two peoples established the 1960 bi-communal Republic through negotiation, thanks to the facilitation and active encouragement of Turkey, Greece and Britain—all acting together because of the need for NATO solidarity at the height of the Cold War. They thus agreed to rule out both enosis and taksim, and instead supported as a compromise, the establishment of a partnership constituted of the two national communities and to be guaranteed by the two mother countries and by Britain. Although restricted (union with any other country and partition between Turkey and Greece were both ruled out), it was the 1959/1960 Agreement that facilitated independence from Britain and that gave international legal personality to the Greek Cypriot community and the Turkish Cypriot community (both were signatories to the Agreement) as two distinct and equal constituent peoples. This provided a golden opportunity for the two peoples to prosper in partnership and to act as a bridge between motherlands Greece and Turkey.

The obsession with enosis and the pull of mother Greece were so strong, however, that the partnership only lasted three years before the Greek Cypriot partner, under Archbishop Makarios (then also President of Cyprus), destroyed the partnership by putting into practice the Akritas plan<sup>3</sup> which aimed at marginalising the Turkish Cypriot partner and at realising enosis. Needless to say, this quickly rekindled old rivalries between Turkey and Greece and made the two communities completely dependent on support from their respective mother countries for security and survival. The destruction of the partnership in 1963 and the Greek Cypriot partner’s usurpation of the title of the bi-communal Republic of Cyprus marks the beginning of the current episode of the crisis, which the United Nations has been trying to help resolve (unfortunately unsuccessfully,

due to reasons to be elaborated later) through a peacekeeping and peacemaking presence on the Island since 1964. A former Greek Prime Minister, Constantinos Mitsotakis, no partisan of Turkey, recently acknowledged:

“The attempt by Makarios to abrogate the very agreements he had signed was a mistake that constituted a crime. Because from that point on the situation dragged Cyprus into bloody events and led to crimes committed by the Greek Cypriot side against the Turkish Cypriot side which we cannot deny.”<sup>4</sup>

Turkey’s legitimate and timely intervention on 20 July 1974 was in response to a Greek and Greek Cypriot military coup on 15 July 1974, the purpose of which was to realise speedy union with Greece through military means. The Athens Court of Appeal, echoing the 29 July 1974 conclusion of the Standing Committee of the Parliamentary Assembly of the Council of Europe, explained in its 21 March 1979 decision:

“The Turkish military intervention in Cyprus which was carried out in accordance with the Zurich and London Agreements was legal. Turkey, as one of the Guarantor powers, had the right to fulfil her obligations. The real culprits ... are the Greek officers who engineered and staged the coup and prepared the conditions for this intervention.”

Provocative Greek Cypriot and Greek initiatives in recent years (like the unlawful Greek Cypriot EU membership application claiming to represent the whole Island, the importation of sophisticated weaponry and the assignment of military bases to Greece) have exacerbated Turkish-Greek rivalry to new levels—even to the extent of challenging Eastern Mediterranean security and stability, NATO solidarity and EU enlargement. Together with Greece’s provocative militarisation of the Aegean Islands, Turkey considers South Cyprus’s importation of sophisticated weaponry, in the context of the Greek-Greek Cypriot Joint Military Doctrine (JMD) and the military co-operation of Greece with Syria, as initiatives aimed at encircling Turkey on a large exposed front extending from the west to the east (Thrace, the Aegean, Cyprus and Syria).<sup>5</sup> In an analysis published in the Athens based *Periodico* weekly on 23 July 1999, Petru Zaruna discusses how the development of a first strike capability through sophisticated weaponry and smart missiles will secure a strategic advantage for the Greek side in Cyprus that can determine the result of a possible confrontation. Petru Zaruna’s point is that, if Greece and the Greek Cypriot side could develop such a capability on the Island and put in place the necessary radar and missile systems capable of knocking out Turkish military supply ships and air cover, then they could isolate North Cyprus from Turkey and guarantee military success. Greece and the Greek Cypriot side have for a long time been investing in such systems (i.e. the MM-40 Exocet, Aspide, S-300, TOR M-1 and Mistral-Atlas). It is such provocations, nurtured by the unyielding Greek and Greek Cypriot obsession that Cyprus is a Greek island,<sup>6</sup> that have elevated the significance of Cyprus in Turkish security and strategic planning to a new, unprecedented level. Echoing this new and vital significance, the Turkish Prime Minister, Bülent Ecevit, emphasised on 15 July 1999 at the special Cyprus session of the Turkish Parliament that because of ever-growing threats posed by the Greek-Greek Cypriot alliance in the Eastern Mediterranean, Turkey now needs an independent and strong TRNC more than ever. Turkey is only 40 miles away from Cyprus while Greece is more than ten times this distance. The southern Mediterranean coast of Turkey facing Cyprus has seen rapid development in recent years especially in the fields of tourism, intensive agriculture (thanks to the massive South Anatolian Project for irrigation) and manufacturing. The southern coast of Turkey is also home to several new freshwater export terminals, the Iraqi oil pipeline terminal at Ceyhan and the proposed Yumurtalık terminal for Central Asia-Caspian oil and gas.

In view of the above facts and realities, it is more accurate to describe the Cyprus issue as yet another in a chain of Greece-bred confrontative issues with Turkey, the latest episode of which started in 1963 and has been spiralling to new dimensions since the Greek and Greek Cypriot military coup of 15 July 1974 and, more recently, since the provocative policies (like the JMD and the unlawful EU membership initiative claiming to cover the whole island) of the Greek Cypriot side and Greece.

## FAILURE OF THE INTERNATIONAL COMMUNITY

Following the usurpation of power in 1963, Makarios cleverly presented Cyprus as “a unitary Hellenic state” (not as a partnership state) and the Turkish Cypriot people as “a rebellious minority” not as a politically equal partner.) Furthermore, he managed to exploit the rivalry between the West and the Soviet Union, and to blackmail both into supporting the Greek Cypriot usurpation of power.

On 23 February 1964, three Soviet ships unloaded cargo at Famagusta. The ships contained arms from Soviet stockpiles in Egypt and had departed from Port Said.<sup>7</sup>

Because Guarantors Greece and Turkey were both deeply involved parties in Cyprus, it was up to Britain, the third Guarantor, and the UN to fulfil their obligation to see to it that the rule of law was respected in 1963 and 1964, and that a peaceful return to the 1960 constitutional order was facilitated if peace and stability were to be maintained.

On 4 March 1964, the UN Security Council met and resolved (Resolution 186) to send to Cyprus a UN peacekeeping force, the United Nations Forces in Cyprus (UNFICYP), assigned to facilitate “a return to normal conditions”. Western powers however, feeling vulnerable and fearing possible retaliation from Archbishop Makarios at the height of bipolar rivalry in 1964 and the effects of the Cuba crisis, chose to give impunity to the Greek Cypriot side and Greece.

This impunity very quickly led thousands of UN troops stationed in Cyprus to function as hostages rather than as protectors or as restorers of law and order. The resultant creeping reluctance to uphold the rule of law is dramatically documented in many of the reports that came out of international capitals between February 1964 and the 10 September 1964 report of the UN Secretary General.

On 13 February 1964, George Ball, the US Undersecretary of State, on an urgent visit to Cyprus, sent a telegram to Dean Rusk, the Secretary of State, informing him,

“The Government of Cyprus is committed to a strategy which, after our discussions of the last two days, I think even they should believe is silly, of trying to neutralise Turkey by a Security Council Resolution condemning aggression and guaranteeing territorial integrity. In this manner, they hope to eliminate the one defence of the Turkish Cypriot population, so that the Government of Cyprus can proceed happily with systematic genocide, without outside interference ... We must face the fact that Cyprus is an island infected by a blood lust, and that there is no government that seriously wants to maintain order. It’s only desire is to liquidate the Turkish Cypriots.”<sup>8</sup>

On 5 March 1964, Makarios described the previous day’s Security Council Resolution as a major diplomatic success and stated, “We have secured a resolution in the first phase of our struggle in the international field. Turkey cannot, in future, threaten intervention in Cyprus invoking the Treaty of Guarantee.”<sup>9</sup> Makarios regarded Security Council Resolution 186 as the stamp of approval recognising the Greek Cypriot administration as the “legitimate government of Cyprus”. The historian, Salahi R. Sonyel, described the taking of this Resolution as follows:

“It is remarkable that the United Nations not only failed to condemn the usurpation of the Constitution by force, but actually rewarded it by, in effect, recognising the Greek Cypriot administration, which had usurped the Constitution, as the ‘Government of the whole island’.”<sup>10</sup>

In his report to the Security Council (S/5764) on 15 June 1964, the Secretary General wrote, “It would seem also not subject to question that a sovereign government normally is entitled to import and/or manufacture arms. With regard to Cyprus, the question is whether at the present time and in the present circumstances, the

import and manufacture of arms by the government of Cyprus is within the letter and/or spirit of the Security Council Resolution of 4 March” (para. 120). This reflected the Secretary General’s own reservations about the extent of authority and sovereignty of the Greek Cypriot administration.

On 12 August 1964, Patrick Dean of the British delegation to the United Nations, wrote a letter to the Foreign Office in London asking for clarification of its policy on the Cyprus issue. Patrick Dean’s question was as follows:

“What is our policy and true feelings about the future of Cyprus and about Makarios? Judging from the English newspapers and many others, the feeling is very strong indeed against Makarios and his so called government and nothing would please the British people more than to see him toppled and the Cyprus problem solved by direct dealings between the Greeks and the Turks. We are of course supporting the latter course, but I have never seen any expression of official disapproval in public against Makarios and his evil doings. Is there an official view about this, and what do we think we should do in the long run?”<sup>11</sup>

Following the intervention of the Turkish air force on 8 and 9 August 1964 to protect Turkish Cypriots under attack in the Kokkina and Mansura areas, the Soviet Union announced on 15 August 1964 that it was prepared to help ‘Cyprus’ in the event of “foreign invasion”, and was ready to begin negotiations on the matter right away.

Under the influence of Greek Cypriot and Soviet threats, the US Secretary of State, Dean Acheson, and the British Foreign Secretary, R. A. Butler, got together on 3 September 1964 to chart a common strategy and work towards a joint plan. According to recently released Foreign Office documents the conclusion of the consultations was that:

“The danger of a settlement of this kind (a common plan) collapsing in the face of Makarios’ intransigence leads us all to the extreme and reluctant conclusion that there is no alternative to Papandreu’s idea of a Greek coup d’état, if a Mediterranean Cuba is to be avoided...”<sup>12</sup>

This conclusion is clear proof of the success of the blackmailing tactics of the Greek and Greek Cypriot sides and is testimony to how the Americans and the British finally succumbed to threats thus allowing for the violation of international Agreements.

In his report of 10 September 1964 (S/5950), the Secretary General desperately and unsuccessfully tried to cover up the UN and international community’s failure in Cyprus in the following words:

“I think it is necessary to point out, with regard to the reference in the Security Council Resolution to ‘a return to normal conditions’, that there has been all along and continues to be what I consider to be a misunderstanding on the part of the Turkish community of Cyprus and of the Turkish Government as to the function and duty of the United Nations Force in Cyprus. The position of the Turkish side is that by a ‘return to normal conditions’, the Security Council intended a complete restoration of the situation in Cyprus exactly as it was before the fighting broke out in December, including, of course, the restoration of the constitutional situation. Therefore, in their eyes, UNFICYP should have been employing force, whenever necessary, to restore, over the opposition of the Cypriot Government, the constitutional situation relating to the privileges, rights and immunities of the Turkish community in Cyprus. Thus, in this view, UNFICYP should not regard the Cypriot Government or any act taken by it as legal; the present Cypriot army, the National Guard, should be considered as illegal and should be treated as such by UNFICYP; the importation of arms by the Cypriot Government should be considered illegal under the Cypriot Constitution and should be stopped by UNFICYP in pursuance of the Security Council resolutions. I have not, of course, accepted these positions and have pointed out to those who hold them that the Security Council did not indicate such intentions in adopting its resolutions on this question.” (Para. 218.)

Sadly, Security Council member countries used the UN to back down from their obligation to uphold the rule of law as well as their 4 March 1964 position, since the commitment to facilitate 'a return to normal conditions' could not have meant anything other than a return to the constitutional order before the fighting broke out. The 10 September 1964 report of the Secretary-general is also testimony to how desperately the Turkish Cypriot side tried to save the 1960 bi-communal Republic and how they were betrayed in this effort, especially by the international community.

The 4 March 1964 failure to uphold the 1960 rule of law resulted in the destruction of the political balance between the two constituent peoples of the island and made a future compromise based on equal power sharing impossible—consequently preparing the ground for the sad events of 1974. To repeat, the way Resolution 186 was used and interpreted amounted to an unacceptable intervention aimed at changing the underlying unchangeable principles of a negotiated international agreement without the consent of the Turkish Cypriot side. Years later, at the Glion talks in 1997, Glafcos Clerides admitted to President Rauf R. Denktaş, and later to the US Presidential Emissary, Richard Holbrooke, that he knew the Greek Cypriot side could not represent the Turkish Cypriots, but that if the UN and the international community treated him as such he was not going to refuse. This is why it is the responsibility of the international community not to waste any more valuable time in rectifying the injustice it committed against the Turkish Cypriot people and level the political playing field so that a new pattern of relationship between the two sides in Cyprus can be facilitated.

After having allowed for Greek Cypriot violations of international agreements in spite of the strong objections of the Turkish Cypriot partner, the UN Security Council or the Secretary General cannot now turn to the Turkish Cypriot side and say to them that it is not possible to change the 1963 fait accompli without the agreement of all of the concerned parties. Unfortunately, this is exactly what the international community is asking from the Turkish Cypriots when it tells them that their status is one of the issues that will be discussed and decided at the negotiating table.

The failure to uphold the constitutional order of 1960 killed the process of 'partnership state-building' in Cyprus and resulted in the two national communities returning to their continental mother countries for survival and security. Today, for all intents and purposes, the Greek Cypriot South and the Turkish Cypriot North have separately completed the process of integration with their respective mother countries. In defence, the Greek Cypriot South has the JMD with Greece. They have also developed mechanisms for a joint foreign policy and there is freedom of movement and settlement between South Cyprus and Greece. Although there is yet no freedom of settlement between North Cyprus and Turkey, the Turkish Republic of Northern Cyprus (TRNC) has taken significant steps towards integrating its economy with that of Turkey. The TRNC uses the Turkish lira as legal tender and is working towards a single customs system with Turkey. Turkey and the TRNC have constituted a Partnership Council composed of five ministers and five parliamentarians from each side who meet every six months to co-ordinate the policies of the two countries, including their economic and foreign policies.

In 1990, the Greek Cypriot side unilaterally and unlawfully applied for EU membership with the political purpose of strengthening its hand against Turkey and Turkish Cypriots. In 1992, the UN proposed in the Set of Ideas<sup>13</sup> that EU membership should be taken up after a settlement of the Cyprus issue and following separate referenda in the two communities (para. 92). The UN Set of Ideas also foresaw the continuation of the 1960 guarantee system, territorial separation and an exchange of properties.

In 1993, following his election as Greek Cypriot President, Mr Glafcos Clerides chose to push aside the UN Set of Ideas and to continue with confrontative policies and practices by declaring as his priorities the JMD with Greece and EU membership. His declared objective in pursuing EU membership as a priority was to maintain and further anchor the Greek Cypriot administration's claim to be the sole legitimate government of the whole of Cyprus, to prejudice the outcome of a future settlement and to undermine the 1960 guarantee system. The EU's endorsement of this immoral and unlawful application as a valid application for the whole of

Cyprus was facilitated by the Greeks and Greek Cypriots, again working together and resorting (like in 1964) to threats and blackmailing tactics in order to secure endorsement. The threat this time was that they would obstruct EU enlargement if 'Cyprus' was not admitted. But, the unjustified empowerment of the Greek Cypriot side as the sole interlocutor for the structured dialogue between the EU and 'Cyprus' in 1995 has only helped to make the Cyprus issue even more intractable, and has made the EU itself part the Cyprus issue. In effect, this endorsement is increasingly helping turn the Cyprus case into an issue of contention between the EU and Turkey, which is exactly what Greece and Greek Cypriots want. The proof of this is that the EU has repeatedly been taking resolutions that link the Cyprus issue with Turkey's EU membership. This is undermining confidence in the EU in general and is making Turkey's journey to the EU conditional on what is called 'progress in Cyprus' as if Turkey is the party that created the Cyprus issue and is blocking progress.

On 12 July 1999, Greece's Alternate Foreign Minister Yiannis Kranidiotis officially declared that Greece would lift its veto on Turkey's membership "if the membership of 'Cyprus' would not be conditional on reaching a solution". This is yet more proof that the intervention of the EU in Cyprus and its endorsement of the unilateral and unlawful Greek Cypriot application as a valid application for the whole of Cyprus has robbed the Greek Cypriot side and Greece of any motivation to resolve the Cyprus issue as a first priority. Instead, the EU's biased involvement has encouraged the Greek Cypriot side and Greece to continue to focus on EU membership before a settlement so that they could continue to exploit the Cyprus issue, especially on European platforms, to hit Turkey in order to maintain their unjustly acquired monopoly advantages.

Similarly, the recent intervention of the G-7 and Russia is bound to complicate the Cyprus issue even further and to make it even more intractable.

#### THE SPECIAL CASE OF PARTNERSHIP STATES

Europe 'solved' its problem of nationalism through wars and population transfers starting from the French Revolution of 1789 and extending over several centuries. Although, through movements for self-determination, many national groups have completed the process of state-building, Asia and Africa remain ethnically more heterogeneous than Europe. Rita Jalali and Seymour Martin Lipset observe, "While the nationalism of the majority with its state-building and unifying potential was treated with empathy, the nationalism of the minorities were considered divisive and, therefore, suppressed."<sup>14</sup> This perception is getting stronger and, in the post Cold War period, ethnic conflict is usually associated with minority groups in multiethnic unitary states seeking some kind of autonomy or independence. As such, ethnic conflict is seen as a serious challenge to the territorial integrity of independent and sovereign states.

The Republic of Cyprus, however, was established under international agreements and by agreement between the two equal parties in the form of a partnership state with the purpose of safeguarding equally the vital interests and rights of its two constituents. The relationship of the constituents was not one of majority and minority and the Cyprus President and Vice-president, who were separately elected by the Greek Cypriots and Turkish Cypriots, respectively, had equal powers (each had the veto power and decisions were taken in unanimity). The question is what happens when a partnership of this nature fails to fulfil its *raison d'être* for establishment. When the Czechoslovak partnership, for example, failed to fulfil the purpose of its establishment there was a velvet divorce. In the case of Cyprus, the Greek Cypriot destruction of the 1960 constitutional order in 1963, the resultant disappointment and division, the eventual emergence of two *de facto* states, the failure to establish a new partnership on the basis of sovereign equality and statehood of the two sides and the failure to negotiate a velvet divorce, have robbed Cyprus of alternative solutions.

Allen Buchanan, writing on the morality of political divorce, points out that political associations or unions are human creations designed to satisfy the needs of those who live within them. If any such association or union fails to satisfy the need or aspiration for which it was undertaken, then there is a legal and moral justification for dissolution.<sup>15</sup> Buchanan further points out that under such circumstances "others are morally obliged not

to interfere with ... seceding".<sup>16</sup>

In spite of the fact that the Cyprus partnership experienced violent dissolution in 1963, and the fact that the two ex-partners have evolved into two fully fledged separate unitary states, the international community is playing deaf and blind to this reality by clinging to the old alibi that recognition of the existence of the two states on the island would set a precedent for the break-up of other states. This alibi cannot justify the deprivation of the Turkish Cypriot people of their sovereign equality. The Turkish Cypriot people were not a subject community but a fully-fledged politically equal constituent and signatory of international agreements establishing the 1960 Republic of Cyprus. Furthermore, there is no Cypriot nation that could exercise a national right of self-determination for the entire island. This is why it was confirmed twice in the British parliament (1956 and 1958) that "any exercise of self-determination should be effected in such a manner that the Turkish Cypriot community, no less than the Greek Cypriot community, shall, in the special circumstances of Cyprus, be given freedom to decide for themselves their future status."<sup>17</sup> Neither of the two peoples of Cyprus, therefore, possess the de jure or de facto right or power to deny the right of self-determination of the other. When the Greek Cypriots destroyed the partnership Republic in 1963, each partner had a legal right to resort again to its right of self-determination. The Turkish Cypriot people never gave up this right and never accepted, against all odds and hardships, the writ and authority of the Greek Cypriot people. As also acknowledged by Mr Glafcos Clerides in his memoirs, with the destruction of the partnership in 1963, the Turkish Cypriot people established their own government (My Deposition, Vol. III, pp. 236-237). Greek Cypriots or Greeks never controlled or exercised sovereignty over the whole Island. In 1974, the Turkish Cypriots, with the help of Turkey (under international treaties), defeated a Greek and Greek Cypriot plot to unite the island with Greece. They declared their own independent state in 1983, after waiting for 20 years for the Greek Cypriots to agree to form a new partnership with them based on the principle of sovereign equality. In an article soon to be published by the Jerusalem Centre of Public Affairs, Prof. Dr Peter Pernthaler of the University of Innsbruck, Austria, emphasises, "The foundation of the TRNC, however, was no secession from a unitary state of Cyprus, but rather a reaction to the foundation of the national Greek de facto regime leading to 10 years of civil war."

The two sides in Cyprus have already signed a Population Exchange Agreement (UN document S/11789 dated 5 August 1975) and have agreed on the principle of territorial separation. What remains is the recognition of the existence of two separate states on the Island so that both can move to a higher need level where co-operation, mutual respect, partnership and the development of mutual interests will be the priority. Professor Barry Bartmann describes the coming into being of the TRNC as the result of "a cumulative process of constitutional expulsion."<sup>18</sup>

The break up of partnership states like Czechoslovakia and Yugoslavia set relevant precedents for 'Cyprus'. It is high time to benefit from such precedents and to revisit the case of the TRNC, the oldest but so far ignored and demonised constituent of a failed partnership. The opportunity is still there for the two ex-partner states in Cyprus to negotiate a common roof over their heads that will be built on their sovereign equality.

#### NEED TO PREPARE THE GROUND FOR RESOLUTION

There are in general three possible options (scenarios) that the two parties can pursue in Cyprus:

- 1) Maintain the status quo
- 2) Unilaterally change the status quo in their respective favours through political, military, economic etc. means
- 3) Reach a mutually acceptable resolution.

The first option maintains the existing state of affairs (no violence but also no positive peace), while the

second option would increase the risk of open confrontation on the island and between Turkey and Greece. It is only through the third option that peace, stability and co-operation on the Island and in the region can be achieved. This win-win option, however, can only be feasible and sustainable when each party separately perceives that it is not at a disadvantage vis-à-vis the other party; when each develops, through experience, a substantial amount of trust and confidence in the other; and when there is some hope that the aspirations, concerns and needs of both will be respected and satisfied. It cannot be said that such conditions exist on the island today so long as the Greek Cypriot side continues to impose embargoes on the Turkish Cypriot people; so long as they claim to be the government of the whole Island; and while the international community allows for these injustices to continue.

The international community is operating on the assumption that it is possible to persuade and motivate the two sides to agree eventually to work together under a federal roof. This is an impossibility after 36 years of confrontation, separation and mistrust, and especially before full political parity between the two sides is re-established. Another assumption is that the relationship of the two peoples of Cyprus can be taken up in isolation from the relationship between Turkey and Greece. The Kardak-Imnia crisis has proven that this is not so.

It is because of these and similar unrealistic assumptions that the international community is still stubbornly refusing to accept the 'two peoples and two states' reality of the Island. This, in turn, is why it is insisting on the artificial 'one people, one indivisible sovereignty and one citizenship' approach<sup>19</sup> for settlement. Such mechanistic and simplistic approaches, hoping to settle the Cyprus issue through constitutional amendments, are bound to fail simply because they ignore the non-reducible needs and rights of the Turkish Cypriot people (like their right of self-determination and sovereign equality), as well as the socio-psychological dimension of the conflict.

Both sovereign national states on the Island today possess all the essential elements of independent states that are required by international law, i.e. they both exercise stable and effective constitutional power on clearly defined territory and over permanent populations without foreign control.<sup>20</sup> As such, any effort in Cyprus has to take into account the expressed will of the peoples of the two states, manifested through their democratically elected governments. The challenge is to find and create those conditions under which the two states will have the desire, interest and confidence to move from the existing confrontative relationship to a working and evolving co-operative relationship. Naturally, having tasted independence, there is no way that either state can accept the superiority or the sovereignty of the other. As Professor Michael Walzer, the author of *Just and Unjust Wars*, says, "... Indeed, if some sort of union federation or confederation is our goal, the best way to reach it is to abandon coercion and allow the tribes to separate and then to negotiate their own voluntary and gradual, even if only partial, adherence to some new community of interest. Today's European Community is a powerful example, which other nations will approach at their own pace."<sup>21</sup>

It was the assurance given by international interlocutors that the Greek Cypriot side had positively changed which finally persuaded the Turkish Cypriot side to participate in the 1997 round of face to face talks. When Mr Glafcos Clerides repeated the claim that the Greek Cypriot government of Cyprus is the sole legitimate government for the whole island in Glion in August 1997, the face to face talks ended and have not resumed since. The attempt to discredit the Turkish Cypriot demand for the withdrawal of such a claim, and its branding as an unacceptable precondition to re-start negotiations, is equivalent to not wanting a co-operative relationship on the island on the basis of political and sovereign equality. The Greek Cypriot claim is clearly a reflection of their wish to continue to subjugate the Turkish Cypriot people (which amounts to tyranny) and is in fact itself a precondition that cannot be accepted. The Greek Cypriots and Greeks tried to impose their will on the Turkish Cypriot people through military means from 1963 onwards, but failed and lost a war in 1974. No one can now expect the Turkish Cypriots to accept such a precondition and the erosion of their legitimate rights and equal status in Cyprus for which they have fought and won.

The international community's insistence on starting negotiations before the political ground is levelled and

before the psychological environment is ready for resolution is probably due to one or more of the following:

- a) Their own blueprint for a settlement that may not rest on sovereign equality
- b) Their emphasis on conflict management rather than on conflict resolution
- c) The eagerness of some Security Council member countries to be seen to be doing something
- d) The influence of blackmailing tactics and of lobbies at the international level
- e) Demands of domestic politics in some countries (i.e. the USA).

The credibility of the UN and of active Security Council member countries are at risk because of such a failure of policies and practices. The UN needs to take the bull by the horns and demonstrate leadership in developing a new perspective, approach and vocabulary in order to quickly adapt to the changing realities in Cyprus and in the region. The end of the Cold War has seen the demise of many partnerships that failed to fulfil the purpose of their establishment. In Cyprus, however, the international community is stubbornly continuing to overlook the outcomes of a long failed partnership while keeping one of the constituent partners in the political limbo. The failure of the 1960 partnership, the 36-year-old embargoes, and the unfounded claim of the Greek Cypriot side that they are the sole authority for the whole Island have strengthened Turkish Cypriot fears and forced them to seek further safeguards to protect their existence, rights and interests. The end of the Cold War has also brought new threats and opportunities for Cyprus and the region. New markets have emerged and new sources of energy have been exposed to international markets in the area surrounding Cyprus. Religious fundamentalism, ethno-nationalism, the heavy concentration of arms and sophisticated armaments (especially in the hands of autocratic regimes) and international terrorism are among major threats facing the region. The only way to benefit from the rising opportunities and to deal with the pressing threats is through co-operation and partnership. The best example of this is the European Union. Yet, in Cyprus, where the Greek Cypriot side has officially (but unlawfully) applied for membership, the spirit and culture of co-operation cannot be said to exist. The international community has to come up with a new approach and perspective that will inspire the development of a new awareness on the Greek Cypriot side and Greece and that will show that the way forward lies in empathy and respect for the sovereign equality of the Turkish Cypriot people. Regional security and stability and the optimum exploitation of regional and global opportunities rest on the early development and implementation of a custom-made new UN mandate for Cyprus.

In fact the Greek Cypriot side needs visionary leaders who will be able to make the Greek Cypriot people appreciate that a politically and economically viable Turkish Republic of Northern Cyprus is vital for the security and stability of the Greek Cypriot people as well as being a vital link between the Greek Cypriot South and Turkey. Similarly, through visionary leaders, Greeks and the Greek Cypriot people can start to look upon Turkey as an economic, security and political opportunity rather than a monstrous threat. Turkey is a pillar of security and stability, with growing political and economic influence and leverage in a region linking Europe, the Eastern Mediterranean and Central Asia.

Third parties can help in the development of such a transformed win-win vision and awareness before issuing invitations for formal negotiations. Professor Jay Rothman, an expert on the Israeli-Palestinian conflict, warns, "Premature conflict 'conquest' ... regularly leads to future crisis." He also warns, "... unless the real conflict is defined and its causes articulated and addressed, the symptoms usually multiply."<sup>22</sup>

After many futile efforts, the two sides in Cyprus would have more confidence and hope in face to face negotiations if a level playing field was in place and if they could agree through UN facilitated shuttle talks on the structure of the negotiations and the broad goals to which the process of negotiation would lead.

## WINDOW OF OPPORTUNITY

The number of Greek and Greek Cypriot politicians and intellectuals analysing and writing about the Cyprus issue in a relatively more objective manner is on the rise in recent years. This is encouraging.

In 1992, Nicos Rolandis, a former Greek Cypriot Foreign Minister and currently the Minister of Tourism and Commerce, stated that, given the amount of mistrust and institutionalised hatred between the two sides in Cyprus, the forcible creation of mixed villages could cause violence, and even fatal disturbances, just like potential volcanoes, ready to erupt at any time.<sup>23</sup>

As quoted earlier, the former Greek Prime Minister, Constantinos Mitsotakis, has recently acknowledged that the Greek Cypriot side's abrogation of the very agreements it had signed constituted a crime.

Peter Loizos, lecturer in social anthropology in the London School of Economics and Political Science, and author of *The Heart Grown Bitter*, a book about Greek Cypriot refugees, has said, in an interview published in the Athens based daily newspaper *Eleftherotipia* on 13 August 1999, that the main problem and obstacle in Cyprus is the deep crisis of confidence. He identified three main causes, which, starting from 1963 led to the Turkish Cypriots losing confidence in Greek Cypriots:

### 1) The imposition of an economic embargo

This embargo is still continuing and has deeply hurt the Turkish Cypriot people, resulting in a tremendous amount of trust being lost in the Greek Cypriot community

### 2) The implementation of the Akritas Plan

This plan aimed at capturing the whole island by force of arms in 24 hours and finally expelling all Turkish Cypriots from the island. The implementation of this plan in the 1960s confirmed the fears of the Turkish Cypriot people

3) The Greek Cypriot pretence, maintained since 1964, that it represents both communities in Cyprus and that the Turkish Cypriot authorities are illegal. The Greek Cypriot side has won the diplomatic battle on this, but has completely lost the confidence of the Turkish Cypriot side.

The conclusion of Peter Loizos, who is of Irish and Greek Cypriot extraction, is that given the growing mistrust, the Turkish Cypriots cannot any longer be expected to accept any kind of federal settlement that will not give them the right to secede.<sup>24</sup>

The 31 August 1998 proposal of the Turkish Cypriot side is based on pragmatic reasoning and logic that is very much in tune with that of Peter Loizos.

In a nutshell, the Turkish Cypriot proposal is aimed at transforming the prevailing confrontative relationship on the island into a co-operative relationship through a confederal arrangement. Since the underlying vision of the UN Secretary General and of the UN Security Council, as reflected in its relevant resolutions, is also to end the existing confrontative relationship and to transform it into a co-operative relationship through negotiation, the Turkish Cypriot proposal shares the same objective as that of the UN. It goes beyond the UN, however, in that it is pragmatic and is based on the realities of the island. Since neither side will accept to engage in a new

co-operative venture with a disadvantage, and for reasons of fair play and sustainability, the Turkish Cypriot proposal foresees institutionalised co-operation through the existing two states.

On the issue of security, the proposal foresees the continuation of the 1960 guarantee system, which prohibits any activity likely to promote, directly or indirectly, either union with any other state or partition of the Island between Turkey and Greece.

On EU membership, the confederation may, if parties jointly agree, pursue a policy of accession to the EU. Until Turkey's full membership of the EU, however, a special arrangement would be needed to provide Turkey with the full rights and obligations of an EU member with regard to the Cyprus confederation, in order to maintain the balance and symmetry between mother countries, Turkey and Greece, vis-à-vis their relations with the Island.

The two states establishing the Cyprus confederation will also be able to develop special relationships with their respective mother countries.

If a mutually acceptable resolution based on the sovereign equality of the two sides in Cyprus is not soon realised, the provocative unilateral initiatives of the Greek Cypriot side and Greece (like EU membership and the JMD) and the continued exploitation of the human aspects of the conflict (like the missing persons and property ownership issues) may start to take over and dictate the agenda in Cyprus, mainly due to the escalatory and time-linked nature of these initiatives.

The membership of the Greek Cypriot side in the EU, before a resolution and before the equal sovereign status of the Turkish Cypriot republic is recognised, will pose a detrimental challenge to the legitimate rights and survival of the Turkish Cypriot people. The EU would be seen to have completely disregarded Turkish Cypriot and Turkish interests and rights and to have finally chosen to take on board the full force of the Cyprus issue. It is unlikely that the TRNC would be able to counter successfully such a challenge alone, as an unrecognised state. The further unavoidable dependence of the TRNC on Turkey for protection and survival will inevitably lead to the development of a wider wedge between the EU (now with two Greek votes) and Turkey. This in turn will have an undesirable effect on the orientation and on the European (Western) vocation of Turkey, which will undermine mutual economic and political interests and endanger regional stability as well as wider regional security arrangements. Both the Greek Cypriot side and Greece, especially, and many members of the international community in general, have failed to understand that Cyprus is a vital national issue in Turkey and that the Turkish Cypriot people and Turkey will not allow their rights and interests in Cyprus to be undermined, or for Greek Cypriots and Greece to have an advantageous, let alone dominant position on the Island. This is why the Turkish side is determined to see respect for parity on the island in order to avoid confrontation.

The JMD is a no-win game for the Greek Cypriot side. Armaments invite armaments. The island of Cyprus is too small for sophisticated weaponry and an arms race.

At a conference at Intercollege in South Cyprus in May 1997, Dan Lindley of the Massachusetts Institute of Technology stressed:

- The current armament policy of the Greek Cypriot side is increasing tension, and increased tension makes a mutually acceptable solution that much more difficult
  
- Turkey will continue to be the dominant power in the region. There is little that any organisation or state (including Greece and the USA) can do to help Cyprus in case of war involving Turkey

- The introduction of missiles and sophisticated weaponry is helping to justify the Turkish presence on the island, heighten the risk of a war (that the Greek side would lose), reduce the chance of EU membership, limit tourists arrivals and lessen the possibility of a favourable solution.

The security of Greek Cypriots lies in accommodation with the Turkish Cypriots and Turkey. The obstacles in the way of accommodation are mainly those identified by Peter Loizos: the Greek Cypriot pretence that they are the government and that they represent the whole Island, the continuing inhuman embargoes, etc.

The removal of existing obstacles preventing accommodation is not only vital for the Greek Cypriots and Greeks, but is also essential for overall regional security and stability. There are critical transatlantic security, economic and political interests linked to this accommodation including the effectiveness and solidarity of NATO, EU enlargement, Turkish-Greek relations, and oil and gas interests in the Middle East and the Caspian Basin.

There is an urgent need for the UN Security Council to re-evaluate the Cyprus question and the way forward. Its resolutions dating over 35 years and the mission of good offices mandate entrusted to the Secretary General (Resolution 367, 12 March 1975, over 24 years of age) have failed to produce results. By continuing down the same avenue, no matter which special representative is assigned, only more time will be wasted and the risk of confrontation increased. A bold, new approach is needed, based on the sovereign equality of the two peoples on the Island. The international community allowed the destruction of the essential balances in and over Cyprus in 1964. It is the failure to restore these balances on the reality of two states that has prevented resolution. Some may say that it is difficult for the Security Council to admit failure and substantially change its resolutions in the short-term. But this is not a matter of academic discussion. It is about the survival and future of the Turkish Cypriot people. We cannot expect the Turkish Cypriots to give up their rights and vital interests because it is difficult for the Security Council to correct its failures. As we have found at the end of every crisis, making peace is more difficult than war. This is why the international community has to do the difficult thing and take the bull by the horns so that justice is served by seeing to it that the political playing field in Cyprus is levelled and the essential balances maintained so that resolution is facilitated.

In the words of the UN Secretary General, “We seek a United Nations that will view change as a friend, not change for its own sake but change that permits us to do more good by doing it better. We seek a UN that is leaner, more focused, more flexible and more responsive to changing global needs.”<sup>25</sup> Again, in the words of the Secretary General, “The foundation of the UN is the law. It is the idea that the behaviour of States and the relations between them shall be governed by one law, equal and applicable to all.”<sup>26</sup> These principles need to be applied to the Cyprus issue now by adapting the mandates of the peacekeeping (1964) and the good offices (1975) missions of the UN to the needs and realities of today. Furthermore, we need to uphold the fundamental rule that neither of the two peoples of Cyprus possesses the de jure or de facto right or power to represent or to govern the other.

A viable and sustainable future for Cyprus has to be based on the reality of two states on the Island, coupled with a vision of evolving and exemplary co-operation. The removal of the obstacles that prevent the realisation of this vision would open the door for unlimited opportunities for the island and for the region.

1 Henry Kissinger, *Years of Renewal*, Simon & Schuster, p. 192.

2 Metin Tamkoç, *The Turkish Cypriot State*, K. Rüstem & Brothers, 1998, p. 42.

3 See UN documents A/33/115; S/12722, 30 May 1978.

- 4 Constantinos Mitsotakis as quoted by the Greek Cypriot daily *Fileleftheros*, 2 May 1999.
- 5 For further details see M. Ergün Olgun, 'Turkey's Tough Neighbourhood', *Cyprus: the Need for New Perspectives*, Clement H. Dodd (ed.), Huntingdon, Eothen Press, 1999, pp. 231-260.
- 6 Greek President Costis Stephanopoulos, as quoted by the Greek Cypriot daily *Simerini* on 25 June 1998; "Greece is here, because Cyprus is Greece ... Greece is not here as an ally or supporter, but because Cyprus is Greece."
- 7 Salahi R. Sonyel, *Cyprus: the Destruction of a Republic—British Documents, 1960-1965*, Eothen Press, 1997, p. 85.
- 8 FO 371/174747/ C 1015/ 566: British Embassy to Mervyn Brown of FO, tel. Ankara, 3 February 1964.
- 9 *The Cyprus Mail*, 5 March 1964.
- 10 Sonyel, *op. cit.*, p. 86.
- 11 FO 371/174757/C 1015/ 65: FO to British representatives, conf. disp., 11 August 1964.
- 12 FO 371/174754/ C 1015/1933: Secret FO minutes, 10 September 1964.
- 13 UN documents, S/24472, 15 July 1992.
- 14 Rita Jalali and Seymour Martin Lipset, 'Racial and Ethnic Conflicts: a Global Perspective', *Political Science Quarterly*, Vol. 107, Number 4, Winter 1993, p. 593.
- 15 Allen Buchanan, *Secession, the Morality of Political Divorce from Fort Sumter to Lithuania and Quebec*, Westview Press, Boulder, San Francisco, Oxford, 1991, p. 7.
- 16 *Ibid.*, p. 27.
- 17 See 'Parliamentary Debate', *Hansard* (House of Commons Official Report), 19 December 1956, pp. 1, 268 and *ibid.*, 26 June 1958, p. 729.
- 18 Barry Bartmann, 'Facing New Realities: the Turkish Republic of Northern Cyprus and Unrecognised States in the International System', from an International Conference entitled *Cyprus: the Supremacy of Law, Political Realities and the Need to Adapt to Change*, 2-6 June 1999, p. 15.
- 19 For further details see 1992 UN Set of Ideas and the subsequent relevant resolutions of the Security Council.
- 20 Zaim N. Necatigil, *The Cyprus Question and the Turkish Position in International Law*, Oxford University Press, (1989, 1990) 1993, pp. 121, 323.
- 21 Michael Walzer, 'Modern Tribalism', *Dialogue*, 1992, Foundation for the Study of Independent Social Ideas Inc., reprinted with permission from *Dissent*, 18.
- 22 Jay Rothman, *From Confrontation to Co-operation, Resolving Ethnic and Regional Conflict*, Sage Publications, 1992, p. 76.

23 CyBC Television, Dialogue programme, 30 July 1992.

24 Peter Loizos, 'EOKA-B Should Have Been Tried', Eleftherotipia, 13 August 1998.

25 Address at the Massachusetts Institute of Technology, Boston, 6 June 1997 (SG/SM/6247).

26 Remarks at the forty-ninth session of the International Law Commission, General, 4 July 1997 (SG/SM/6279).