

## **URGENT NEED TO RETHINK CYPRUS**

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In the light of a renewed interest in the Cyprus question, visits by diplomats of 'interested countries' have increased noticeably. They all want to help the UN secretary-general in his mission of good offices which rests on Security Council resolution 367 of 12 March 1975, the relevant part of which reads:

"Requests the Secretary-General accordingly to undertake a new mission of good offices and to that end to convene the parties under new agreed procedures and place himself personally at their disposal, so that the resumption, the intensification and the progress of comprehensive negotiations, carried out in a reciprocal spirit of understanding and of moderation under his personal auspices and with his direction as appropriate, might thereby be facilitated."

In resolution 367, the Security Council described the process of the new mission of good offices as:

"... negotiations between the representatives of the two communities on an equal footing, the objective of which must continue to be to reach freely a solution providing for a political settlement and the establishment of a mutually acceptable constitutional arrangement ..."

I believe that, with the exception of a few legal minded or legally trained ones, diplomats do not really understand what we, as the Turkish Cypriot side, try to explain to them. Some are very generous and tell me that they do not care 'to find out who started the Cyprus problem and why it was started. We must look to the future and not to the past'. They do not realise that without knowing the past, and how and why the problem started, one cannot plan the future. I repeatedly tell them that they cannot indefinitely avoid confronting the root causes of the problem and pretend that these questions are irrelevant. They are very much relevant, and should be so, for all those who have their magical remedies or prescriptions in their pockets. There can be no remedy for any illness, be it physical, psychological or political, without a correct diagnosis – and a correct diagnosis needs full knowledge about the past history and problems of 'the patient'. That is why telling the historical background of the Cyprus question to my listeners is an absolute must for me, and by now I am used to my visitors' look of boredom when I begin my account of what happened, when it happened and why it happened in Cyprus.

I do not load my listeners and my readers with all the details of the past and usually start by asking a few questions in order to test their knowledge on Cyprus. Misconceptions have to be corrected. Misinformation and opinions formed on sheer propaganda cannot provide the basis of a future settlement.

If both sides want, as many diplomats argue, a 'fair, workable and permanent settlement based on the political equality of each side for establishing a new partnership in the form of a bi-zonal, bi-communal federation', then why has an agreement evaded Cyprus for so many years?

Ambassador Hugo Gobbi, who served in Cyprus for over three years, from 1980 to 1983, wrote a book in 1993 entitled Rethinking Cyprus, which angered the Greek Cypriot side tremendously because Mr. Gobbi set out his views on this point as follows:

"I have tried to base my methodological judgement on the information and experience gathered in Cyprus, which have then been put in order and examined ...

I have found the continuity of certain thought structures, traditionally held by others, to be a serious obstacle, in that they hinder the radical changes necessary for the issue's analysis ...

This is why I think that the United Nations' method, conceived on the basis of logical or nomological causality, must give way before other methods, where cause and effect interlock through a judgement of efficiency ...

Such a stance may appear to be excessively daring, but believe a sick man, who does not recover after three decades of treatment [from 25.12.63], or since the Turkish intervention of 1974, to be entitled to demand a different therapy ..."  
(Rethinking Cyprus, Tel Aviv, p.16.)

Most of my diplomat guests listen to me with incredulity – 'what is he talking about?' Hence, my questions to them:

When did the Cyprus problem start? They talk about 'the 22 year old problem' thus falling in line with Greek Cypriot propagandists whose main job has been to make the world to believe that it started in 1974 and to forget that the Cyprus problem started in December 1963, with the declared objective of uniting the island with Greece! They do not want to believe me, so I produce 'chapter and verse' from the Greek Cypriot side and I point out that UNFICYP, which is still with us, has been on the island since March 1964, eleven years before the arrival of Turkey in Cyprus. Why was UNFICYP sent to Cyprus in 1964? Surely because there was a problem. And what was the problem? Who had started it all and why? Very generously, and probably because the Greek Cypriot propaganda machine has made them believe that 'it was all the Turkish Cypriot side's doing because they wanted to partition the island' they reply that they are not interested in finding out 'who did it?', nor are they interested 'in apportioning blame to either side'! So, the need to produce evidence on these vital issues, without a full grasp of which, I believe, there can be no 'just and durable settlement'.

WHO DID IT?

I can quote no less an authority than General George Karayiannis, the Greek army officer, then in command of the Greek Cypriot forces, who stated in Ethnikos Kiryx newspaper (Athens) of 13 June 1965, that:

"In August 1960 ... President Makarios decided to proceed with the following:

- A) to organise for battle the Greek Cypriots and arm them,
- B) to proceed with the revision of the Constitution, so that, with the cancellation of the Vice-President's veto, it would become possible to put the state into proper working order.

First of all he put into operation a specially prepared scheme for organising the Greek Cypriots for battle ...

The organisation of the Greek Cypriots for battle which was thus created and which initially bore the title 'the organisation', finally took the name of THE

NATIONAL GUARD OF CYPRUS. The Minister of the Interior, Polycarpos Yeorkadjis, was appointed as its commander, and the President of the Parliament, Glafcos Clerides, and the Minister of Labour, Tasos Papadopoulos, as its sub-commanders ..."

The secret 'organisation' to which General Karayiannis refers is 'the organisation' which had agreed on a plan of action now known as the Akritas Plan. 'Akritas' was the code name of the Greek Cypriot Minister of Interior Polycarpos Yorgadjis.

I ask my visitors whether they have read this notorious plan for 'cleansing Cyprus of the body of the Turkish Cypriot community'. Some have, others have not. "But that is in the past," I am told. "How can it be in the past, when what the Greek Cypriot side has achieved under this plan is the present problem that we are all trying to solve", I retort. Most of them do not understand me, because they are not aware that the Republic of Cyprus, which was established in 1960 under the international treaties of that year, was a bi-communal partnership state established by Turkish Cypriots and Greek Cypriots as an honourable compromise of their respective contradictory aims, aspirations and policies, which had brought Cyprus to the very brink of civil war, and which was about to lead to a Greco-Turkish war. Greek Cypriots started an armed campaign of terror in 1955 in order to unite the island with Greece, while Turkish Cypriots rejected and resisted 'the colonisation of this Turkish land by Greece'. Thus, the 1960 compromise provided that whatever had caused this internal conflict should be outlawed and all direct or indirect avenues to the re-surfacing of such causes should be securely blocked; that the two communities should be co-founder partners with equal political rights; that communal matters would be in the autonomous domain of elected communal chambers; that there would be no fear and no likelihood of one community dominating the other; that the two national communities would elect their representatives on separate electoral rolls; and that when the elected representatives of both sides sat together, only then would legitimacy ensue. Turkey, Greece and Great Britain were the guarantors of this political accord.

Obviously, the danger to the independence of Cyprus was from within as it was clear that a Greek Orthodox Church, dedicated to making Cyprus Greek, would not abandon its policy just because an agreement was made with the Turkish Cypriot side. Makarios was most emphatic on the point that 'national causes never die!'

As described above, the decision to destroy this compromise and to proceed to 'Hellenising Cyprus' was taken at the very same time as the compromise agreement was signed. And, in his memoirs, *My Deposition*, Vol. 3, page 105 (1993) Mr. Glafcos Clerides clearly sets out the Greek Cypriot policy of converting the partnership republic into a Greek Cypriot Republic, in the following words:

"Just as the Greek Cypriot preoccupation was that Cyprus should be a Greek Cypriot state, with a protected Turkish Cypriot minority, the Turkish preoccupation was to defeat any such effort and to maintain the partnership concept, which in their opinion the Zurich Agreement created between the two communities. The conflict, therefore, was a conflict of principle and for that principle both sides were prepared to go on arguing and even, if need be to fight, rather than compromise.

The same principle is still in conflict, even today, though a federal solution has been accepted –and though a federation is nothing more than a constitutional partnership of the component states, provinces or cantons which make up the federation."

Now, my visitors, the diplomats who urge me to forget the past, and have no idea about these present realities, are taken aback when confronted with these realities, but as good diplomats they cannot afford to be pessimistic. 'Surely the Greek Cypriot side wants a settlement ...,' they say. Mr. Clerides tells them that he is for a settlement on a bi-zonal, bi-communal basis but pressure has to be put on Turkey to abandon its 'intransigence' and to withdraw her troops from Cyprus; and that Greek Cypriots have no problem with the Turkish Cypriots with whom they coexisted happily until Turkish troops arrived in 1974! The guarantee system has to change, etc. But to this propaganda line, I believe, Mr. Hugo Gobbi has given an adequate answer as quoted above.

Many visiting diplomats do not appear to know, for example, that the 1960 partnership republic was, for the sake of self-preservation, not a fully independent republic. 'How can it be?' they ask. I point out that when Makarios attacked us in December 1963 his war cry (in order to deceive and get the votes of the non-aligned countries) was 'Full Independence'. He propagated that he was for getting rid of the restrictions imposed on his independence by the outgoing colonial power; a very effective argument for the non-aligned, the Soviets and its satellites, who failed to see that Makarios's demand for 'full independence' was in order to remove the restrictions on the right of Cyprus to opt for enosis and that once this was achieved he would be uniting with a NATO country! Archbishop Makarios had brazenly denied this in public at the time, but recently a former spokesman of the Greek Cypriot administration, Militates Hristodulu, in an interview published by Simerini newspaper on 2 November 1996, admitted that Makarios did not object to Cyprus becoming a part of NATO after the realisation of enosis.

#### WHY NO SETTLEMENT FOR 33 YEARS?

The answer to this question is quite simple; because, when the Cyprus problem was brought to the UN Security Council in February-March 1964 the UN Security Council failed to take cognisance of the rule of law and, like the diplomats of today, did not try to diagnose the problem. A reference was made to "the government of Cyprus" in Resolution 186 (1964) of 4 March 1964, which gave the mandate for UN peacekeeping forces to be sent to Cyprus. The relevant provisions of this resolution are as follows:

"... in the interest of preserving international peace and security, to use its best efforts to prevent a recurrence of fighting and, as necessary, to contribute to the maintenance and restoration of law and order and a return to normal conditions."

Thus, Makarios, through violence and atrocities like the Serbian war criminals of the 1990s, got away with the title of 'the government of Cyprus'. Turkish Cypriots were being literally destroyed but refused to bow to Makarios's illegal writ.

Why did the Security Council take such a wrong track in 1964 by referring to 'the government of Cyprus' and by interpreting and implementing that resolution as if 'the government of Cyprus' meant the Greek Cypriot wing of the bi-communal partnership of Cyprus established by international treaties in 1960? Why has this error, which has obviously removed all motivation from the Greek Cypriot side for a fair settlement, not been corrected? These points are not the subject of the present article, but I feel that legal brains and political commentators on international law will have a great deal to write about the treatment by the Security Council of international treaties and of the rights evolving upon peoples in such an arbitrary way!

The odd thing is that to this day all members of the Security Council and all members of the EU confirm that the 1960 accords exist and indeed a solution is being sought within their spirit, if not their letter, by declaring, as in the Set of Ideas put forward by the UN secretary-general, that "the relationship of the two communities is that of two politically equal communities and not that of a minority and majority", as Greek Cypriots allege. In his many reports the UN secretary-general repeatedly states that "it is the two communities who will settle the Cyprus problem amicably"; "that Cyprus is the homeland of both communities (and is not therefore a Greek land as Greek Cypriots allege)"; "that one community has no right to impose its political will on the other"; and "that the guarantee system of 1960 shall continue".

In my meeting with Makarios in 1977 we agreed to settle the problem, as two political equal parties, on the basis of a bi-zonal, bi-communal federal republic and ruled that "bi-zonality should not be watered down or destroyed under any plea or excuse" as integrated coexistence had been made impossible for us by the Greek Cypriot leadership from 1963 to 1974.

Today, the Greek Cypriot aim is to destroy the bi-zonality of the future state and to abrogate or render ineffective the 1960 guarantee system through entry of 'Cyprus' into the EU. This is what Mr. Clerides has said on EU membership:

a)"If it becomes certain that the accession of Cyprus into the Union will be achieved ... then her [Turkey's] intervention in a EU member country is unthinkable." (From a PIK TV interview reported in Fileleftheros of 25 April, 1994)

b)"... if the Greek Cypriots enter the EU, this would give the Greek Cypriots major cards to play on many constitutional issues ..." (23 July, 1994, Agon)

For us the application for EU membership is an unlawful and a unilateral Greek Cypriot application which cannot bind the Turkish Cypriot side because it is contrary to the rule of law. Cyprus, even when it was a united partnership republic between 1960 and 1963, could not apply for EU membership in which 'both guarantor motherlands, Turkey and Greece, are not members'. Even Mr. Averoff, the then Foreign Minister of Greece, was honest enough to declare at a meeting of the foreign ministers of the three Guarantor Powers held on 12 February 1959, that the intention was "... to avoid the possibility of either Greece or Turkey securing a more favourable economic position in Cyprus than the other -of Greece, for example, establishing a kind of economic enosis."

In other words the independence of Cyprus was restricted by the international treaties of 1960 by prohibiting enosis or partition. The indirect option for enosis through membership of any union in which both motherlands, Turkey and Greece, were not jointly members was the natural consequence of the aim to prevent Cyprus destroying itself at the altar of enosis.

To those who claim that the independence of a nation-state is the supreme value to be protected, irrespective of the lives and liberties of the peoples who compose it, such restrictions on the independence of a nation-state may be inadmissible. But, in the case of Cyprus, which was established as a bi-communal state where the diametrically opposed visions of the two co-founder communities could only be reconciled by placing restrictions on the realisation of the conflicting national visions of both constituent communities, such restrictions are admissible and have been admitted as per the 1960 accord! Again, everyone who talks about a nation state forgets the glaring fact that, as repeatedly stated by Makarios, there is no Cypriot nation and that the 1960 agreements did not create a nation; they

created a bi-national partnership state under agreed terms! Furthermore, in the Cyprus context, we are not dealing with an abstract question of whether such restrictions are good or bad. We are dealing with a reality: but for such restrictions the bi-communal independence and partnership character of Cyprus would have easily been destroyed (as was attempted by the Greek Cypriot partner in the years following 1963-64 and hence the conflict now in its 33rd year). The 1960 agreements aimed at preventing Cyprus from destroying itself as an independent state through the internal balance between the two co-founder partner communities and externally establishing equality vis-à-vis Cyprus between Turkey and Greece! Such self-destruction would have entailed the cleansing from Cyprus of the Turkish Cypriot population in its totality. Such an attempt would, in turn, spark off a Greco-Turkish war in the region. It was to prevent such a result that all parties to the 1960 agreements agreed to such restrictions and we have seen that, but for those restrictions, the independence of Cyprus (and with it) the political existence of the Turkish Cypriot co-founder partner would have been destroyed and Cyprus would have been colonised by Greece.

#### WHAT THEN IS OUR FINAL POSITION?

We say, as the UN secretary-general has said in paragraph 92 of the UN Set of Ideas, that the Cyprus problem should first be solved and then the two communities should decide on EU membership through separate referenda, and we point out that, for Turkish Cypriots to say 'yes' to such membership, the rule of law, as established under the 1960 Treaties, should first be upheld, which in effect means, 'Cyprus' should not be allowed to enter the EU until Turkey is also a member. Otherwise, as Andreas Papandreu had admitted, the aspirations of Greece would have been realised and the Turkish Cypriots would be truly cleansed from Cyprus, as the Turks of Crete were cleansed after a similar 'on and off' struggle which lasted for nearly seven decades.

It is significant that Sir David Hunt, a former British high commissioner who served in Cyprus, has clearly stated in a talk he gave in Edinburgh University in 1980 that:

"... I choose Crete as an example of those territories because the parallels are particularly close ...

Up to this point the Cretan pattern had been closely followed. In the High Commission and in the Foreign Office there was serious discussion whether it would be for the general good if it was followed to the end ...

It was in 1974 that the Cyprus affair took an un-Cretan turn."

"Un-Cretan turn" means, of course, that the guarantee system of the 1960 accord, prevented the finalization of 'the Cretan affair' in Cyprus and put an end to the colonisation of Cyprus by Greece.

These are the facts, and on these facts we have to rethink Cyprus again!

We want the rule of law to be respected and Greek Cypriots to be told in no uncertain terms that they should stop aspiring to be the government of Turkish Cypriots if they want the reunion of the island under agreed terms! Is this too much to ask?