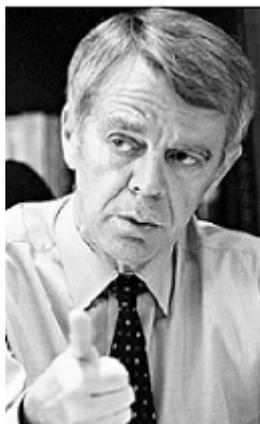


## Cyprus

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**Introduction**

This paper purports to highlight the Cyprus issue, as intercommunal talks move to the deciding stage towards the end of the year. It examines its complexities and the past failures in solving it, notwithstanding the considerable personal commitment of successive UN Secretaries – General. The adverse effects of the continuation of the present de facto partition are also examined.

Finally, the paper outlines its repercussions on the accession negotiations of Turkey, in view of the progress report to be submitted by the European Commission to the Council of Ministers in the autumn.

The Cyprus problem will be moving back to center stage in European affairs during the Swedish Presidency of the EU. In the past, it has eluded the efforts of policy makers like Dean Acheson and Cyrus Vance, as well as successive Secretaries-General of the UN. The international community would not have spent so much time and money on it, had it not endangered peace in the Eastern Mediterranean and, as far as NATO is concerned, the cohesiveness of its southeastern flank. Greece and Turkey repeatedly came close to an armed confrontation over Cyprus, and actually fought a limited war on the island in 1974. With the end of the Cold War, the repercussions of armed tension between the two NATO allies have decreased and Greece has distanced itself from scenarios of armed intervention. Cyprus is now proving to be an obstacle to another major goal of US and many European policymakers, the smooth continuation of EU accession negotiations with Turkey.

The Cyprus problem is a product of the decolonization movement of the 1950's. A Greek Cypriot liberation struggle against British rule helped achieve independence in 1959. It also sowed the seeds of distrust between the Greek Cypriot majority and the Turkish Cypriot

minority, as their respective goals (and those of Turkey and Greece) were incompatible (partition/taksim versus union/enosis). The London-Zurich Agreements were negotiated between Greece and Turkey. They established the independent bicomunal state of Cyprus. Turkey, Greece and the UK guaranteed the independence and the territorial integrity of Cyprus and retained the right to intervene to restore the status quo.

Criticism of the Agreements and the gradual growth of negative perceptions by both communities towards each other led to the 1964 intercommunal clashes, the creation of Turkish Cypriot enclaves and the withdrawal of the Turkish Cypriots from common institutions. The Security Council established UNFICYP to prevent further conflict. UN-sponsored negotiations started soon afterwards. In 1974, a Turkish force landed on the island in response to a coup against President Makarios inspired by the Athens –then-ruling-junta. It occupied the northern one third of Cyprus and through violence, fear and persuasion achieved the geographical separation of the two communities. Subsequent high-level Agreements (1977 and 1979) between the two communities acknowledged the fact by agreeing to a bizonal federation.

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The Turkish Cypriot community declared itself a federated State in 1975 and an independent one in November 1983. The Security Council condemned the Turkish Cypriot Declaration (54/1983), but Turkey recognized the new state and withdrew recognition from the Republic of Cyprus. Intercommunal negotiations resumed in time. In 1995, the European Union decided to open accession negotiations with Cyprus, hoping these would trigger the solution of the Cyprus problem. Turkish Cypriot reluctance to reach an UN-sponsored compromise led the EU to accept Cyprus without a previous political agreement. A new attempt to reach a solution produced a text in 2004, the so-called Annan Plan, which was rejected by the Greek Cypriots, but approved by the Turkish Cypriots, having been endorsed by Turkish Prime Minister Erdogan.

The complexity of the Cyprus problem is due to the existence of strong nationalistic tendencies in Greece and Turkey and by extension in Cyprus over the last decades, but also to the difficulty of having a positive political climate on all four sides, conducive to a settlement. The electoral calendar in Ankara, Athens and Nicosia often freezes the negotiating process. Athens over the last twenty years has come around to accepting whatever solution the Greek Cypriots negotiate, or at least to keep its advice to Nicosia from public knowledge. In Ankara things are different, for it has long been accepted that the Turkish Armed Forces hold hardline views about the strategic value of the island to Turkey and the need to safeguard Turkish – on top of Turkish Cypriot – interests there. Turkish interests, as perceived by Turkish generals, who almost staged a coup against Mr. Erdogan in 2004 over his acceptance of a compromise solution, include the right of intervention and the continuing presence of a large contingent of troops, in order “to avert the use of Cyprus for operations against Turkey”. At present, at least two Turkish divisions (30,000+ troops) are still stationed in the north of the island.

The most important question is whether there is a meeting point at the negotiation table. It has

often seemed in the past that the concessions the two communities were willing to make were not enough to satisfy the opposite side. The Turkish Cypriots demand political equality and separate administration, while the Greek Cypriots wish to avoid the misuse of these principles, as for example on the issue of separate sovereignty, for the consequent de jure separation of the island. Other important issues are the return of land and the settlement of the property question uphold the Greek Cypriots owners’ rights, while the Turkish Cypriots prefer a simple exchange of properties.

The current round of talks started in September 2008 in a much improved climate, following the election of Dimitris Christofias to the Presidency. Hopes of an early breakthrough have not materialized. The two leaders negotiate in person and have started the process from the beginning, as any reference to the provisions of the Annan text is political anathema to the Greek Cypriot public opinion. Negotiations have not yet reached the end of the presentation of positions and proposals over all issues. The issue of property has just been taken up, but the thorny question of security remains to be tackled before real negotiations begin. Security has developed into the priority issue of the Greek Cypriot side, both because of public opinion but also because of the government’s ideological position in favour of demilitarisation. The fate of the Turks who have settled on the island since 1974 and the immigration question in general are included in the security chapter. The calendar of the negotiations is important for two reasons: first because the mandate of Mr. Talat finishes in the spring of 2010 and second because Turkish EU accession negotiations are moving at a snail’s pace, partly because of the blocking of eight negotiation chapters by the EU at the request of Cyprus.

Polls suggest that Mr. Talat, who has put his weight behind a settlement and the consequent extension of the EU acquis to northern Cyprus, will lose to Mr. Dervish Eroglu, who has been championing more nationalistic positions.

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If a settlement has not been reached by the end of 2009, or at the latest the first months of 2010, negotiations will be perturbed and new delays will probably occur. Mr. Eroglu might disavow what Mr. Talat will have accepted. President Christofias is also challenged by a constellation of forces opposed to a compromise solution and is not likely to rush into a premature settlement.

The stalling of Turkish accession negotiations because of the very slow pace of opening new chapters will have to be assessed by the Commission in a report to the Council of Ministers in the autumn. If the assessment is to be positive and there are other issues involved, such as internal moves by Turkey, some movement will have to be made on the chapters already blocked by Cyprus and France. France's objections reach the core of Turkish membership and it is probably premature to expect a move by Paris. Cypriot objections are different. They are objections of legal principle, tied to Turkey's refusal to ratify the additional Protocol extending the EU-Turkey Customs Union to Cyprus. Turkey says it will honor its signature, if the EU makes good its commitment, through Council Conclusions agreed in April 2004, i.e. after the EC "no" to the Annan Plan, to lift existing trade restrictions between the EU and the Turkish Cypriots. To press its point, Turkey denies access to its ports by Cypriot-owned or flagged vessels.

An agreement between the two Cypriot leaders by the autumn will untangle the knot, if achieved by the time of the Commission's report. If one is to judge by the slow rate of negotiations over the past year, this is unlikely, however desirable. The next best step would be for the Swedish Presidency to strike a balanced deal, which will solve the present impasse over the blocked chapters. The Cyprus government objects to direct trade between the EU and the Turkish Cypriots out of concerns over its effect on the recognition of a Turkish Cypriot state. The EU and the US should find ways to ease these concerns. There are several examples which show

that, if there is a will, there is a way. Turkey has managed to sign the Protocol but still keep a straight face in stating that its signature does not imply recognition of the Republic of Cyprus. Cyprus allows EU nationals to fly to Turkey from Ercan Airport in the north, but does not recognize the airport. Turkey now accepts Cypriot passports, but grants the visa on a separate piece of paper. On the other hand, the Turkish government wants something to show for signing the Protocol and endorsing the Annan Plan in 2004. There is a domestic consumption element in the positions of both Ankara and Nicosia. It is in the interest of Greece and Cyprus to revitalize the Turkish accession negotiations. Turkey might become more open on Cyprus if negotiations progress, knowing that it will be required to endorse a solution in Cyprus before it joins the EU. It would indeed be risky for Turkey to keep the issue pending in order to use it as a last-minute bargaining chip in the accession negotiations. It may be turned against it by forces elsewhere in Europe opposing Turkish accession.

The EU role in brokering a deal is delicate. Since the accession of Greece, and more so since that of Cyprus, Turkey and the Turkish Cypriots consider the EU as biased and complain, when promises like direct financial assistance to the latter stumble in front of the conditions posed by the Government of Cyprus. Greek Cypriots have also been disappointed by the Commission's willingness to accommodate deviations from the *acquis* in a future settlement of the problem. They resent the tendency of member-states since 2004 to favor compensating the Turkish Cypriots for having said yes to the Annan Plan, to the Greek Cypriots' no. There are no eurosceptics however among the Greek Cypriots after the governing AKEL party endorsed the EU. Turkish Cypriot attitudes are more varied, but access to EU benefits will weigh favorably in a referendum on a settlement.

A settlement has to be agreed between the two leaders, accepted through referenda by the

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two communities, and endorsed by the international actors involved (EU, UN, Greece, Turkey, UK). It has then to be tested in its implementation, in view particularly of a burdensome mechanism which will require the agreement of the representatives of both communities in the legislative and the executive branches. It is an open question whether political forces on the island and the societies they represent have put the past behind them and have achieved the required degree of maturity and reconciliation. Not enough has been done by either side to achieve integration, cooperation and understanding. Proposals in this area continue to face an overwhelming obstacle; they are considered either as equivalent to recognition by the Cyprus government or as tantamount to the acceptance of the authority of the central government by the Turkish Cypriots. More political will is necessary. However, the first crucial date will come in the autumn. Good luck to the leaders of the two communities of Cyprus and to the Swedish Presidency with the Turkish accession negotiations, if there is no agreement on Cyprus by then.

The lack of an agreement at the end of the current negotiations will not signify the end of efforts to solve the Cyprus problem. Alternatives are worse or unthinkable (partition or annexation of the north by Turkey), and it is in the interest of everyone concerned to keep trying, if for no other reason, to keep tensions low in the region. The continuation of the de facto partition is an international anomaly and a specific headache for the EU, whose *acquis* does not apply in the area not under the control of the Government of Cyprus. Defence cooperation between NATO and the EU cannot go forward. Greek-Turkish relations are held hostage. The Cypriots themselves are denied the economic benefits of a solution, which they often seem to ignore by calculating the short term impact to their pocket.

If a solution eludes negotiators, the international Community and in particular the EU are likely to increase pressure on the Government of Cyprus to ease existing restrictions on the North. It would better for Nicosia, in such a situation, to take its own initiatives and remove some of the basic TC complaints. After all, the Turkish Cypriots need to be convinced to reenter into a partnership with their Greek Cypriot neighbours.

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