

Ankara, December 7, 1963 (Department of State, Central Files, POL 15 Cyp. Confidential; Priority. Also sent to Nicosia and repeated to Athens, London and Istanbul).

⁸⁹ See Clerides, op.cit., pp. 195-209.

⁹⁰ On the creation of the "Green Line," see the account of Glafkos Clerides, who was present when it was drawn, in Clerides, op. cit., pp. 228-232.

⁹¹ In his memoirs, George Ball characterizes Makarios, among others, as "devious" and "bloody minded." Ball also told President Johnson, following his failed mission to Cyprus: "He [Makarios] must be cheating about his age; no one could acquire such a guile in only fifty-one years." See George Ball, *The Past has Another Pattern* (New York: W.W. Norton, 1982), pp. 343-345.

⁹² On the support of the Nixon administration to the Greek junta, see Theodore Couloumbis, *The United States, Greece and Turkey* (New York: Praeger, 1983), pp. 51-53; C.M. Woodhouse, *The Rise and Fall of the Colonels* (New York: Franklin Watts, 1985), pp. 87-111.

⁹³ See Lawrence Stern, *The Wrong Horse: The Politics of Intervention and the Failure of American Policy* (New York: New York Times Books, 1977), pp. 111-113; Couloumbis, op.cit., p. 88.

⁹⁴ During the July 15, 1974, coup, Makarios survived an attack on the Presidential Palace. He escaped to the mountainous Paphos district in the southwestern part of the island, and from there he was evacuated, on July 16, by a British helicopter, first to the British bases and then to Malta and London. On Makarios' rescue and the divergent views between London and Washington during the July-August 1974 Cyprus crisis, see the memoirs of British Foreign Secretary James Callaghan, *Time and Chance* (London: William Collins & Sons, 1987), pp. 337-339, 341, 350-353. See also Chris P. Ioannides, *Realpolitik in the Eastern Mediterranean: From Kissinger and the Cyprus Crisis, to Carter and the Lifting of the Turkish Arms Embargo* (New York: Pella Publishing Co., 2001), pp. 105-138.

⁹⁵ On American suspicions of Wilson, see O'Malley and Craig, op.cit., pp. 148-150.

⁹⁶ On the White House paralysis and the handling of the 1974 Cyprus Crisis by Henry Kissinger, see Ioannides, *Realpolitik*, pp. 112-114.

⁹⁷ For an extensive analysis of the handling of the July-August 1974 Cyprus Crisis by Secretary of State Henry Kissinger, see Costas Venizelos and Michael Ignatiou, *Ta Mystika Archeia tou Kissinger: H Apofasi gia ten Dichotomisi tes Kyprou* (Kissinger's Secret Archives: The Decision to Partition Cyprus), Athens: Livanis Press, 2002.

Revisiting the Cyprus Question: The Challenge and the Promise¹

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On April 24, 2004, the Greek Cypriots rejected the UN sponsored plan, known as Annan Plan V, by an overwhelming majority of 75.8 per cent. In contrast the Turkish Cypriots (native born and settlers) endorsed it with a 64.9 percent majority. The irony of this outcome was that the Greek Cypriots, who had heavily campaigned for reunification since 1974, had voted to reject the plan while the Turkish side, which traditionally had strong reservations about reunification, endorsed the plan.

Did the Greek Cypriots really change their mind and not wish to share the benefits of accession to the EU as well as their power and economic prosperity with the Turkish Cypriots? If not, what led to the resounding Greek-Cypriot "No" and the simultaneously overwhelming "Yes" by the Turkish voters? This issue can only be addressed within the framework of understanding all the dimensions of the Cyprus question. Two hypotheses have been advanced regarding the essence of that framework.

One hypothesis is that the Cyprus question is essentially one of ethnic conflict between two distinctively different communities that could not find a means to coexist. The *de facto* partition of this island-state is thus the outcome of a particular situation not unique to Cyprus. According to this

line of thought, outside interference was provoked by internal developments.

A differing view is that Cyprus was *de facto* partitioned in 1974 due to outright external interference. Indeed, inter-communal negotiations were about to lead to a lasting settlement of the Cyprus problem, when the Greek junta overthrew Makarios on July 15, 1974, and five days later on July 20, Turkey invaded the island.² Turkish troops continued to advance even after the first ceasefire on July 22 and on August 14 they launched a second major offensive. This led to the occupation of over a third of the island and the violent expulsion of about 200,000 Greek Cypriots. By mid-August the overall strategic, political, economic and social landscape of the country had been radically transformed.³ This perspective does not ignore the internal bicomunal dimension of the problem. It adopts though the position that domestic problems could not have been contained or managed in the absence of external interference.

In revisiting the Cyprus question and assessing its various dimensions, I will submit some ideas for ways to go forward. I believe the manner in which this problem will be addressed will most likely have spill-over effects and implications beyond this small island-state. Among the issues at stake is how the international community addresses aggression in general and continuing occupation of territories more specifically. Furthermore, how does the international community find ways to resolve conflict in multiethnic societies? In this regard it is of utmost importance to advance political systems and constitutional structures that can accommodate the peaceful and creative coexistence of ethnic groups within a particular state.

THE DIMENSIONS OF THE CYPRUS QUESTION⁴

It should not come as a surprise that over time the various parties directly and indirectly involved have focused on different aspects of the Cyprus question. To some extent this was a matter of convenience, but the problem has definitely gone through different phases. Be that as it may, there are seven different aspects of this complex problem.

A critical concern is the problem of invasion and ongoing occupation of a sizable portion of a small country by a very strong neighbor. Thus, it is an international problem. Obviously, the resolution of this conflict has potential repercussions beyond Cyprus. In addition to influencing relations between Greece and Turkey, it will also have practical implications for the UN and for international law, in view of the fact that the resolution of the problem itself may set a precedent.⁵

The Cyprus question also entails a bicomunal dimension. The recent historical experiences have been such that in spite of several periods of peaceful coexistence, today, lack of confidence is a major characteristic in the relations between the two communities.⁶ Obviously, the nature of the relationship has been further exacerbated by the influx of thousands of Anatolian settlers who have already altered the demographic structure in the so-called "Turkish Republic of Northern Cyprus" (TRNC) and the outlook of the Turkish-Cypriot community. This creates an additional complication to the bicomunal dimension of the problem. It would be inconceivable to the Greek Cypriots to accept the legitimization of Anatolian settlers in Cyprus when the majority of Turkish Cypriots themselves find it hard to do so.⁷

The Cyprus question is also a major problem between Greece and Turkey. Although Cyprus has never been part of modern Greece, culturally and historically it has a predominantly Hellenic identity. Greek Cypriots traditionally and historically aspired for the unification of Cyprus with

Greece. This would have been the natural culmination of their anti-colonial struggle against Britain.

Turkey, on the other hand, pursuing its perceived strategic interests vehemently opposed the idea of *enosis* (union) of the entire island or part of it with Greece and/or the creation of a second independent Greek state in Cyprus. Even since the invasion of 1974, Ankara has adopted a maximalist policy vis-à-vis Cyprus. From the traditional perspective of preventing *enosis* and/or the creation of a second Greek state in Cyprus, Turkey embarked on a policy of strategic control of Cyprus. Furthermore, Ankara has been consistently trying to alter the demographic character of the island. This may be indicative of a long run agenda. In this regard, the Cyprus problem (apart from other Greco-Turkish issues) constitutes a serious source of continuing conflict between Greece and Turkey. Despite the normalization of relations between the two countries, the Cyprus conflict has the potential to create tensions.

The Cyprus problem most certainly remains a European issue as well. The independence and territorial integrity of Cyprus were guaranteed by Britain, Greece and Turkey in 1960. All three countries belong to NATO. Britain and Greece are also members of the EU, while Turkey signed a Customs Union Treaty with the EU in January 1996. Furthermore, Turkey was granted candidate status by the Helsinki European Council in December 1999 and started accession negotiations in October 2005. Cyprus, which had been linked by a Customs Union Treaty with the European Community since 1988, started its accession talks with the EU in March 1998. The Helsinki European Council meeting in December 1999 decided that the solution of the Cyprus problem would not be a precondition for Cyprus' accession.⁸ Eventually Cyprus acceded to the EU on May 1, 2004 without prior resolution of the problem. Inevitably issues have become intertwined. In essence, a substantial portion of territory of a member state of the EU remains under occupa-

tion by a country that aspires to become a member of the EU. This situation raises the question of the credibility of the value system and of the power of the EU.

The Cyprus problem has also been of great concern to the United States and NATO. During the Cold War period, one of the major objectives of traditional United States policy in the area was the preservation of the cohesion of the south-eastern flank of NATO, which consisted of Turkey and Greece. The United States was concerned about the Cyprus question as it constituted one of the dimensions of the broader Greek-Turkish antagonism. Even after the Greco-Turkish rapprochement, which essentially started in the summer of 1999 and has continued ever since, developments in Cyprus have the potential to influence stability and cooperation of NATO allies in the Eastern Mediterranean. Further complicating matter is that in the post-Cold War era, the United States has set as one of its major strategic foreign policy objectives the accession of Turkey to the EU. Inevitably Cyprus is attached/intertwined with vital issues that generate interest toward the resolution of the problem.

An often neglected aspect of the Cyprus question has been its colonial dimension. This involves not only the British Sovereign Bases in Cyprus but also the guarantor power clauses of the 1960 constitution, which in any case were part of the problem. Turkey used the coup of the Greek military junta against President Makarios on July 15, 1974, as a pretext to invade Cyprus on July 20 with the objective "to reestablish the constitutional order and also to protect the Turkish-Cypriot minority community."

Even if one accepts the Turkish position, the continuing advance of the Turkish troops after July 23, 1974, cannot be justified given the facts on the ground. In Greece, the junta had collapsed and democracy was restored. In Cyprus, the illegal Sampson regime that replaced the Makarios govern-

ment had fallen and Glafcos Clerides, the Speaker of the House of Representatives, had assumed the duties of Acting President in accordance with the constitution. Nonetheless, on August 14-16, 1974 Turkey created a new state of affairs by launching a new massive attack that completed the occupation of 38 percent of the territory of Cyprus.

Ankara has been demanding ever since the Turkish military victory in 1974, that the solution of the Cyprus problem would maintain and further enhance the clauses of guarantees. Furthermore, Turkey essentially demands within the framework of a solution of the Cyprus problem, the dissolution of the Republic of Cyprus and its replacement by a new state entity in which no major decision would be reached without the consent of the Turkish (-Cypriot) side.

The Cyprus question remains one of the most intractable issues in the Mediterranean. To the degree that the Mediterranean is perceived/addressed as a single broad region, Cyprus is critical. If the idea of a Mediterranean Union is to be entertained, the resolution of the Cyprus problem is essential.

HISTORICAL BACKGROUND AND CONTEXT

In 1878, the Ottoman Empire turned to Britain for protection from the expansionist aims of Czarist Russia, and in return it handed over the administration of Cyprus to Britain under the condition that the latter would pay a rental fee.⁹ With the outbreak of the World War I, the Ottoman Empire was involved in the coalition against the Entente powers (Britain, France and Russia); subsequently, Cyprus was annexed by the British Empire, in November 1914. During the course of the war Britain offered Cyprus to Greece if Greece would fulfill its treaty obligations to attack Bulgaria. Greece declined the offer.¹⁰ Turkey later renounced its claims on Cyprus with the Treaty of Lausanne (1923) and the island was declared a British colony in 1925.¹¹

Cyprus is one of the few cases in modern history where the national struggle against the colonial power did not aim at independence but instead aspired toward the unification with another country (*enosis* of Cyprus with Greece). Indeed this was the objective of EOKA, 1955-1959 (the National Organization of Cypriot Fighters). EOKA enjoyed overwhelming support among the Greek Cypriots but the Turkish-Cypriot minority community opposed the objective of *enosis*. The British used the opposition of the Turkish Cypriots in various ways to maintain control in Cyprus. Within this framework Turkey also acquired a role as a player in the problem.¹²

From the Turkish (-Cypriot) side, two objectives were put forward in the event of withdrawal of Britain from the island: partition or "return" of the island to Turkey, which was the successor of the Ottoman Empire.¹³ It was under these circumstances that the Greek-Cypriot leader Archbishop Makarios discussed the idea of a compromise based on independence. Nevertheless, the London-Zurich agreements, by which Cyprus attained a fettered independence, reflected the strategic balance, or rather, imbalance, in the area. The constitution gave excessive rights to the Turkish-Cypriot community and, furthermore, contained the seeds of discord and division. Moreover, Britain, Greece and Turkey assumed the role of guarantor powers. At the same time 99 square kilometers of Cyprus were reserved as sovereign British base areas with extensive rights for using facilities of the Republic of Cyprus.

The first years of the Republic of Cyprus were turbulent. They were marked by intracommunal and intercommunal strife as well as foreign interference at different levels. Talk about *enosis* and *taksim* (the Turkish word for partition) persisted.¹⁴ At the same time there were developments that could encourage integrationist forces in Cyprus. The cause of *enosis* lost considerable support among the Greek-

Cypriot community after the establishment of the military dictatorship in Greece on April 21, 1967. Moreover, in Cyprus a promising if gradual socioeconomic transformation was taking place. Relations between the two communities were gradually but steadily improving. This process was strengthened in January 1968, when Makarios announced a new policy, whose objective was the "feasible," an independent unitary state with elements of local and communal self-administration rather than the "desirable," *enosis*. Makarios received an overwhelming 95.6 percent mandate, in the presidential elections of February 25, 1968. Thereafter, intercommunal negotiations began with Glafcos Clerides and Rauf Denktash as the two interlocutors. At a later stage, two constitutional experts from Greece and Turkey respectively, Michalis Dekleris and Orhan Altıkaçtı, were called to help the process which was now described as "enhanced intercommunal negotiations." Substantial progress was made, and in 1972, the two sides came near to an agreement.

Once more in the summer of 1974, the two sides came within reach of an agreement. Indeed, on July 13, a final draft was prepared with the help of the two constitutional experts from Greece and Turkey. This draft was expected to be endorsed by the representatives of the two sides, Clerides and Denktash, on July 16. This never happened, as the Greek military junta overthrew Makarios on July 15, 1974.¹⁵

At the time the headlines of newspapers in Cyprus were focused on the open clash between Makarios and the Greek military junta. Within this overall atmosphere Makarios accused the junta of being responsible for the unrest in Cyprus and the civil strife among the Greek Cypriots. He asked Athens to end its interference in Cyprus' internal affairs. Makarios was challenging the Greek military regime directly. The response of the military junta in Athens was to prove catastrophic for Cyprus. It staged the July 15, 1974, coup d'état that overthrew President Makarios. Five days

later, on July 20, 1974, Turkey invaded Cyprus in order to "protect the Turkish-Cypriot minority community and also to reestablish the constitutional order." Despite uneven forces there was heavy fighting. Eventually, under international pressure a ceasefire was agreed for July 22, at 16:00 local time. Turkey had succeeded in creating a military bridgehead in the northern part of Cyprus.

On July 23, 1974, the junta in Athens and the Sampson regime in Nicosia collapsed. That same day Clerides assumed duties of Acting President in Cyprus in accordance with the constitution. Had Turkey stopped its military operations in Cyprus and indeed worked in a way to facilitate a solution based on the constitutional order in Cyprus, very few would have challenged Turkish motives on the island. But the Turkish troops kept violating the ceasefire and kept expanding the area under their control while negotiations were going on. On August 14, Turkey launched a new *thao* which ended with its control of about 38 percent of Cyprus territory. This also constituted a total dismantling of socioeconomic life in Cyprus.¹⁶

The *de-facto* partition and the new strategic imbalance in Cyprus changed the "rules of the game" in relation to what was sought as a lasting solution. In the years that followed Greek Cypriots made concession after concession in an effort to achieve the reunification of the country even under undesirable and indeed painful clauses. In response, the Turkish (-Cypriot) side became more and more demanding. After years of mediation the UN proposed a comprehensive settlement that became known as the Annan Plan (V). The imbalance in that plan is indicated by the fact that it was overwhelmingly rejected by Greek Cypriots and strongly endorsed by Turkish Cypriots and settlers.¹⁷

ACCESSION TO THE EUROPEAN UNION AND FUTURE PROSPECTS

The Republic of Cyprus applied for membership to the EU on July 4, 1990. This was preceded by a Customs Union agreement that was signed in October 1987 and became applicable on January 1, 1988. There was a widespread conviction among policymakers in Cyprus that the accession process to the EU and eventually accession itself would have positive repercussions on the efforts toward a solution of the Cyprus problem. But it would be wrong to assume that the reasons for the application for membership of the EU were exclusively political. Indeed, policymakers understood that times were changing and it was appropriate for Cyprus to seek its destiny within the framework of the family of nations of the European Community that recently transformed itself into the European Union.¹⁸

The European Commission gave a positive opinion on Cyprus' application for membership in the summer of 1993. It judged that the country was eligible for membership although it considered the Cyprus problem a major obstacle to accession.¹⁹ Despite this, the application set in motion a new process with the indirect involvement of the EU. Other major issues were interrelated to the EU candidacy of Cyprus. For many European countries and especially for the United States, it was of strategic importance that Turkey should come closer to the EU. Such a process could advance Turkey's modernization and democratization. According to this view, such a development would permanently anchor Turkey to the West and, furthermore, expand the West's stability and prosperity zone. This strategic option in relation to Turkey did not take into consideration European reservations on the possible impact of Turkey on the EU and Turkey's potential to become a major political power as well. The general assumption was that Turkey would indeed sooner or later fully adopt European norms and political culture. The American

approach was very important for Cyprus in that Washington began to see the involvement of the EU more positively. In this regard, the new American approach vis-a-vis Cyprus did not consider the process of "intercommunal talks" as the exclusive way to go forward. Indeed, for the United States, the accession of Cyprus to the EU in conjunction with the European ambitions of Ankara looked promising.

Given these dynamics, Cyprus expected interest and support for a breakthrough of the stalemate at hand. Strategically, Nicosia and Athens adopted the idea of linking Turkey's European process with developments related to the Cyprus accession process and a general solution to the long standing Cyprus problem. On March 6, 1995, the European Commission decided to embark on accession negotiations with Cyprus six months after the then intergovernmental conference of the EU. At the same time it was also decided that the EU would go ahead with a Customs Union agreement with Turkey as Greece had agreed to lift its veto.²⁰ On its part, the United States, of course, greatly encouraged this process and the Customs Union agreement with Turkey.

In December 1999, a historic agreement was reached at the European Council in Helsinki: Turkey was given candidacy status for membership in the EU while Cyprus could accede to the EU without the solution of the Cyprus problem being a precondition. It was expected though that all parties would work in such a way so that by 2004 the solution to the Cyprus problem and accession of the Republic of Cyprus to the EU would be achieved simultaneously. It was also hoped that by 2004 the (other) sources of dispute between Greece and Turkey would also be addressed effectively.²¹

In essence this amounted to an updated and upgraded version of the March 6, 1995, agreement. Its importance is even greater if it is taken into consideration that the previous years (1995-1999) witnessed great tensions in the relations between the EU and Turkey, between Greece and Turkey

and also within Cyprus. Although these tensions in Cyprus and the Aegean involved casualties, war was avoided. The agreement reached at Helsinki opened a window of opportunity both in Cyprus as well as in the Greco-Turkish relations.

One would expect that the EU candidacy of Turkey would have changed the attitude of Ankara toward Cyprus, but the Turkish stance continued to be inflexible. Indeed, during the UN-led intercommunal negotiations, pressures were directed toward the Greek-Cypriot side. Eventually this backfired as seen in the Greek rejection of the Annan Plan V.

Retrospectively one could advance the hypothesis that the whole process did not aim primarily at the solution of the Cyprus question. Instead, the objective was to take Turkey off the hook and facilitate its European ambitions by granting a date for the beginning of accession negotiations. Thus, the Annan Plan V was formulated in such a way so as to incorporate almost all the Turkish objectives. If it was accepted, Turkey would seem as part of a peace process; if not, it would be the fault of the Greek Cypriots who rejected a plan endorsed by almost the entire international community.²²

Nonetheless, the Greek Cypriots feared that the implementation of the plan would make them worse off. Consequently, despite strong Euro-Atlantic pressures they rejected the plan overwhelmingly.

The Greek Cypriots and the Republic of Cyprus were heavily criticized for rejecting what was described as a historic opportunity for the reunification of their island-state. Furthermore, pressures on Ankara for its continuing occupation of the northern part of Cyprus were reduced. In December 2004, Turkey received a date for the beginning of accession negotiations with the EU with minimum obligations toward Cyprus.²³ Turkey was not asked to recog-

nize the Republic of Cyprus let alone to withdraw its troops from the occupied northern part of the island. More specifically,

The European Council welcomed Turkey's decision to sign the Protocol regarding the adaptation of the Ankara Agreement, taking account of the accession of the ten new Member States. In this light, it welcomed the declaration of Turkey that "the Turkish Government confirms that it is ready to sign the Protocol on the adaptation of the Ankara Agreement prior to the actual start of accession negotiations and after reaching agreement on the finalizing the adaptations which are necessary in view of the current membership of the European Union."²⁴

Turkey even refused to implement the Ankara Protocol in relation to Cyprus. Ankara suggested that it would open its airports and ports to Greek-Cypriot planes and ships if at the same time the "isolation of the Turkish Cypriots was lifted." Whether there is "Turkish-Cypriot isolation" is debatable; indeed, Greek Cypriots suggest that to the extent that it exists it is an outcome of the Turkish occupation. The Republic of Cyprus has been holding the position that it considered the improvement of the economic conditions of the Turkish Cypriots and the eventual convergence of living standards in Cyprus as one of its major objectives. But it could not agree with proposals that would effectively amount to the legitimization of the "Turkish Republic of Northern Cyprus."

Greek Cypriots have been trying to explain their positions to their partners in the EU at different levels as well as to the rest of the international community. At the same time they have engaged in efforts for the preparation of a new series of negotiations for a final settlement. Within this framework there was an agreement between President

Papadopoulos and the Turkish-Cypriot leader Talat under the auspices of the UN, on July 8, 2006.²⁵ This agreement was similar to a road map towards a negotiated settlement.

Nevertheless this did not work out. Turkish Cypriots continued to usurp Greek-Cypriot properties while the inflow of settlers from Turkey also continued. At the same time various circles were blaming the Republic of Cyprus and especially President Papadopoulos for the lack of progress and the continuing stalemate.²⁶

One of the actual reasons for the continuing stalemate is that in Turkey there has been an ongoing power struggle between the traditional Kemalist forces and Islamists. Within this political climate and its contesting visions of Turkish nationalism one cannot expect a policy shift in Ankara. Moreover, Ankara is not willing to let Cyprus go especially when the goal of accession to the EU does not appear to be moving forward as fast as the Turks had desired.

Matters become more complicated in view of the fact that Turkish expectations in relation to EU accession seem to be rather unrealistic. There is a feeling in Ankara that the EU is discriminating against Turkey and that whatever the Turks do, it will not be enough. In reality, while the EU has given a fair chance to Turkey, most Turks do not demonstrate a willingness to comply with all the conditions that participation in the EU entails. In addition to the Cyprus stalemate, the Kurdish issue has not yet been addressed comprehensively. Indeed it seems that Turkey effectively sees the issue of implementing the *acquis communautaire* and European political norms in general in an à la carte approach.

On their part, the Greek Cypriots have been trapped in unproductive procedures. Thus, the almost exclusive focus on the procedure of bicommunal negotiations gradually facilitated Turkey, which wanted to appear as a third party. Participation in the EU, the Eurozone and other institutions of the EU may create opportunities for Cyprus, but it is es-

sentia for Cyprus to undertake its own initiatives. While respecting the process of bicommunal talks, it is important that the Republic of Cyprus submits specific proposals in the form of fundamental guidelines for the resolution of the problem. These proposals should take into consideration the historical compromise for a federal solution as well as the fundamental pillars of European political culture. The goal should be an integrated society in which diversity is respected.²⁷ Such an outcome would have the potential to serve broader interests.

In the post-referendum period, Cyprus lost precious time in endless and pointless discussions regarding the Annan Plan. But enough time has since elapsed for Cyprus, now a full member of the EU, to undertake its own initiatives and clearly submit its own guidelines for the solution of the Cyprus question. Indeed, the following set of proposals may constitute a basis for a lasting solution.²⁸

- (1) *The Republic of Cyprus Remains in Existence:* The solution of the Cyprus problem must take place within the framework of the Republic of Cyprus.
- (2) *The Treaties of Guarantee and Alliance and the Cypriot Army:* Abolition of the Treaty of Alliance and the Treaty Guarantee and withdrawal of all foreign troops from the Republic of Cyprus. For a transitional period there will be provisions for peacekeeping troops within the framework of the UN and the EU. It is possible to have a professional army consisting of Greek Cypriots and Turkish Cypriots within the framework of the conventional obligations of the Republic of Cyprus to the EU.
- (3) *The Importance of the Economy and of a Modern State:* The solution will advance the reestablishment of the unity of economy and society as well as the viability and effectiveness of the state.
- (4) *Bicommunality and Bizonality and the Three*

Basic Freedoms: Although bicommunality will be an inseparable part of the solution, it will not be an exclusive one. Bizonality will be in a loose form and the provisions that will be made will not obstruct the three fundamental freedoms of mobility, settlement and property rights.

(5) *The Settlers:* The issue of the settlers must be addressed effectively. This means there must be provisions for the limitation of the number of Turkish citizens that might be able to enter and settle in Cyprus.

(6) *The Powers of the Central Government, the Hierarchy of Laws and Double Majorities:* The central government should have those powers that will allow it to function effectively. The laws of the federal state must have priority over the laws of the two regions except if the Supreme Court decides otherwise. Double majorities or two-third majorities will only be required in the case of constitutional reforms.

(7) *The Supreme Court:* The Supreme Court will consist of four Greek Cypriots, four Turkish Cypriots and one that will come from smaller communities on a rotation basis. The eldest judge will serve as the President of the Supreme Court.

(8) *The Efficiency of the Executive, Democracy and Popular Sovereignty:* The American system of President and Vice-President will be introduced with the additional provision that the President and the Vice-President will not come from the same community. All Cypriots will vote for the election of the President (and the Vice-President). The composition of the Council of Ministers will be on the basis of 70:30. The Upper House will be on the basis of 50:50 and the Lower House on the basis of 75:25.

(9) *The Territorial Issue:* The region under Turkish-Cypriot administration will comprise 27.5 percent of the territory. It is understood that the land that will be returned to the Greek-Cypriot side will include a greater percentage of coastline. All refugees will have *the right* of return. Property rights will be upheld. Even if all Greek Cypriots refugees choose to return, there will still be a Turkish-Cypriot majority in the area under Turkish-Cypriot administration.

(10) *Further Evolution:* If, in due time, developments are such that a functional federation evolves in which bizonality has less relevance, then, with the consent of the two sides, the bizonality provisions may be reassessed.

CONCLUDING REMARKS AND POLICY RECOMMENDATIONS

There is an anomaly in Cyprus that creates various complications in the EU, in the Eastern Mediterranean and the international community as a whole. Following the continuing occupation and the ethnic cleansing of Greek Cypriots, thousands of Anatolians have settled in the occupied part of Cyprus. The Turkish-Cypriot community has already become a minority in the northern part of Cyprus, a development that may have far reaching implications in the years to come. Furthermore, while Turkey currently talks about the "isolation of Turkish Cypriots," it continues to block the membership of the Republic of Cyprus in several European and international institutions including the OECD. In effect, Ankara does not recognize the right of the Republic of Cyprus to exist. Greek Cypriots rejected the last UN Plan because they felt it not only legitimized the outcome of 1974 but also would lead to the worsening of the *status quo*. Since then, there has been a stalemate despite an agreement reached on July 8, 2006, for a road-map toward the resolution of the problem.²⁹

While Ankara and the Turkish-Cypriot leadership talk about the "isolation of the Turkish Cypriots," in effect, Turkish Cypriots do not pay taxes and dues paid by Greek-Cypriot citizens of the Republic, but they enjoy free medical services and other benefits. Furthermore, about 6,000 Turkish Cypriots work full- or part-time in the government-controlled areas. To the extent that there is isolation, it is the outcome of the Turkish occupation of the northern part of Cyprus. Moreover, there is an intensification of the usurpation of Greek-Cypriot properties in the northern occupied part of the country. The "Turkeyfication" of the northern part of Cyprus has almost been completed. The continuing alteration of the demographic character of Cyprus by the continuing flow of settlers will prove ominous and destabilizing unless it is reversed.

Ankara restricts the rights of millions of Kurds within Turkey and is threatening to invade Iraq if the Kurdish region of Iraq acquires a form of independence or autonomy. Yet, in the case of Cyprus, Ankara advances a policy of dismembering the Republic of Cyprus. This is an obvious case of double standards. Be that as it may, the international community is in search of ways to contain ethnic conflict and advance the peaceful coexistence of various ethnic groups within regions and/or states. Cyprus could be a potentially unique success case provided there is an end to foreign intervention and respect for its independence and territorial integrity. In this regard it is essential to understand that the bicomunal dimension is not the major aspect of the Cyprus question.

The EU is faced with an untenable situation. While Turkey has started accession negotiations, it not only does not recognize one of the existing members of the EU, the Republic of Cyprus, it also continues to militarily occupy a significant portion of the Republic.

Cyprus does not wish to be a nuisance in the EU. On the contrary, it wishes to be, and is capable of being, an asset to the

EU and to the international community. During the Lebanese crisis in the summer of 2006, for example, the Republic of Cyprus played a crucial role in addressing effectively a major humanitarian crisis. A reunified Cyprus in which there is peaceful coexistence, democratic power sharing on a federal basis and enjoyment of the fruits of economic growth by all Cypriots could lead to multidimensional positive effects. Indeed, it is possible for Cyprus to play a modest but multidimensional role in the broader Mediterranean area.

Notes

¹ This paper is based on a presentation made at the International Symposium on "Ethnic Division of Polity and Society in Post-Civil War and Under-Conflict Nations: Cyprus, Lebanon, Former Yugoslavia, Iraq and Israel/Palestine" which took place in Tokyo, Japan, on January 28, 2007. This Symposium was organized by the Research Institute for Languages and Cultures of Asia and Africa, Tokyo University of Foreign Studies and was supported by the Japan Society for the Promotion of Science.

² For interesting reading see C. Hitchens, *Cyprus*, Quartet Books, London 1984 and B. O'Malley and I. Craig, *The Cyprus Conspiracy: America, Espionage and the Turkish Invasion*, I.B. Tauris, London/New York 1999.

³ D. Christodoulou, *Inside the Cyprus Miracle: Labours of an Embattled Mini-Economy*, Modern Greek Studies, University of Minnesota, Minneapolis 1992, especially pp. XV-1, 6, 42, 54, 55, 115, 118, 158, 165, 248, 274, 277, 286, 290; See also A. Theophanous, "The Anatomy of the Economic 'Miracle' 1974-1994" (in Greek), pp. 13-33 and D. Christodoulou *Where the Cyprus Miracle has not Reached* (in Greek), pp. 35-54, in N. Peristianis and G. Tsangaras (Eds), *Anatomy of a Metamorphosis* (in Greek), Intercollege Press, Nicosia 1995.

⁴ For interesting reading on various perspectives see Th. Ehrlich, *Cyprus 1958-1967*, Oxford University Press, New York and London 1974; B. O'Malley and I. Craig, *The Cyprus Conspiracy: America, Espionage and the Turkish Invasion*, op. cit., R. R. Denktash, *The Cyprus Triangle*, George Allen and Unwin, London 1982; M. Attalides, *Cyprus: Nationalism and International Politics*, St. Martin's Press, New York 1979; K. C. Markides, *The Rise and Fall of the Cyprus Republic*, Yale University Press, New Haven 1977; V. Calotychos, (Ed.), *Cyprus*

and its People: Nation, Identity, and Experience in an Unimaginable Community, 1955-1997, Westview Press, Boulder 1998; N. Crawshaw, *The Cyprus Revolt: An Account of the Struggle for Union with Greece*, George Allen and Unwin, London 1978; C. Palley, *An International Relations Debacle: The UN Secretary-General's Mission of Good Offices in Cyprus 1999-2004*, Hart Publishing, Oxford and Portland, Oregon, 2005; A. Theophanous, *The Cyprus Question and the EU: The Challenge and the Promise*, Intercollege Press, Nicosia 2004; S. Kyriakides, *Cyprus: Constitutionalism and Crisis Government*, Univ. of Pennsylvania Press, Philadelphia 1968; C. Hitchens, *Cyprus*, op. cit.

⁵ When Iraq invaded Kuwait in 1991, there was a strong international reaction which eventually took the form of military intervention led by the US. The Iraqi troops were pushed back and the territorial integrity of Kuwait was reestablished. Cypriots took seriously the declarations of the then President of the United States, George Bush, about a new international order. But soon they were disappointed. Likewise in 2005 the United States and the EU called for the immediate withdrawal of the Syrian troops from Lebanon. And the Syrians withdrew. The mainstream view among Greek Cypriots is that in the case of Cyprus, the United States, the strongest player in the international system, has opted for a solution to the problem that does not challenge the maximalist objectives of Ankara. Inevitably, this policy option, if implemented, would effectively legitimize and indeed worsen the outcome of the 1974 events for the Greek Cypriots.

⁶ See T. Bahcheli, "Turkish Cypriots, the EU Option, and Resolving Ethnic Conflict in Cyprus," in A. Theophanous, N. Peristianis and A. Ioannou, (Eds), *Cyprus and the European Union* (Intercollege Press, Nicosia 1999), pp. 107-124 and T. Bahcheli, "Searching for a Cyprus Settlement: Considering Options for Creating a Federation, a Confederation, or Two Independent States," *Publius: The Journal of Federalism*, vol. 30, no. 1-2, Winter/Spring 2000, pp. 203-216. See also A. Theophanous, "Prospects for Solving the Cyprus Problem and the Role of the European Union," *Publius, The Journal of Federalism*, vol. 30, no. 1-2, Winter/Spring 2000, pp. 217-241. There is no doubt that this bicomunal dimension is a major aspect of the problem which must be addressed effectively. Turkish Cypriots do have legitimate rights and concerns as all minority communities in all countries. The issue is very much complicated in the case of Cyprus for two major reasons: (i) The presence of about 40,000 Turkish troops in the northern part of Cyprus has encouraged the Turkish-Cypriot leadership to entertain maximalist demands. By the same token another issue raised is that the Turkish-Cypriot leadership cannot make any decision on major issues without the consent of Ankara. (ii) The

Turkish-Cypriot minority community has essentially played the role of the strategic minority and of a Trojan horse for the objectives of Turkey. This hypothesis is confirmed if we see that on several occasions Turkish-Cypriot demands extend to the "rights" of Turkey over Cyprus as well as of Turkish citizens to enter and settle in Cyprus after a solution.

⁷ Repeatedly, the Greek Cypriots were asked to address the settlers with "pragmatism" and as a "humanitarian" issue. And certainly, one cannot downplay this perspective. On the other hand though, the massive inflow of settlers entails a major political objective with far reaching implications. Inevitably, a fundamental change of the demographic structure of Cyprus could seriously alter the framework of the solution sought. In this regard Greek Cypriots concerns are valid and legitimate. It should be noted that according to a recent census S. Bahcheli, "Census reveals soaring population in north," *The Cyprus Mail*, 7 May 2006.

⁸ See Helsinki European Council, "Presidency Conclusions," 10 and 11, December 1999, I. Preparing for Enlargement, see paragraph 9.

⁹ See St. Panteli, "A New History of Cyprus" (in Greek), Floros, Athens 1985, p. 27.

¹⁰ M. Christodoulou, "The Course of an Era: Greece, the Cypriot Leadership and the Cyprus Problem" (in Greek), Ioannis Floros, Athens 1987, p. 30.

¹¹ Th. Veremis, "History of Greco-Turkish Relations 1453-2003" (in Greek), 3rd ed. Sideris, Athens 2003, pp. 88-91.

¹² B. O'Malley and I. Craig, *The Cyprus Conspiracy: America, Espionage and the Turkish Invasion*, op. cit., pp. 19-22; S. Kyriakides, *Cyprus: Constitutionalism and Crisis Government*, op. cit., pp. 1-52.

¹³ See Ch. P. Ioannides, *In Turkey's Image: The Transformation of Occupied Cyprus into a Turkish Province*, Aristide D. Caratzas, New Rochelle NY 1991, pp. 49-124.

¹⁴ See B. O'Malley and I. Craig, *The Cyprus Conspiracy: America, Espionage and the Turkish Invasion*, op. cit. and S. Kyriakides, *Cyprus: Constitutionalism and Crisis Government*, op. cit.

¹⁵ See M. Christodoulou, *The Course of an Era: Greece, the Cypriot Leadership and the Cyprus Problem* (in Greek), Ioannis Floros, Athens 1987, p. 623; M. Dekleris, *The Cyprus Question 1972-1974: The Last Opportunity* (in Greek), Estia, Athens 1981, pp. 226-273.

¹⁶ C. Hitchens, *Cyprus*, op. cit. pp. 101-120.

¹⁷ For an excellent discussion see C. Palley, *An International Relations Debacle: The UN Secretary-General's Mission of Good Offices in Cyprus 1999-2004*, op. cit. See also S. Avineri, "A Deeply Flawed Peace Plan for Cyprus," *Jerusalem Post*, 29 February 2004.

¹⁸ A. Theophanous, *Cyprus in the European Union and in the New*

International Environment: Challenges and Prospects (in Greek), I. Sideris, Athens 2000 (especially 115-116). See also A. Theophanous, *European Cyprus: Constitutional Structure Economy and Society. Accession and the Solution Scenaria* (in Greek), I. Sideris, Athens 2002, pp. 54-55.

¹⁹ Commission of the European Communities, "Commission Opinion on the Application by the Republic of Cyprus for Membership", COM (93)313 Final, Brussels June 30, 1993.

²⁰ European Council, SN 1661/95.

²¹ See Helsinki European Council, "Presidency Conclusions," 10 and 11, December 1999, I. Preparing for Enlargement, op. cit. par. 4, 9, 11, 12.

²² See C. Palley, *An International Relations Debacle: The UN Secretary-General's Mission of Good Offices in Cyprus 1999-2004*, op. cit. and A. Theophanous, *The Cyprus Question and the EU: The Challenge and the Promise*, op. cit.

²³ In relation to the conclusions of the European Council on Turkey see Council of the European Union, Brussels, Presidency Conclusions 16/17 December 2004, 16238/1/04 REV 1, CONCL 4. In general see paragraphs 17, 18, 19, 20, 21, 22.

²⁴ Ibid, Paragraph 19.

²⁵ See Press Information Office, Agreement between the President of the Republic Mr. Tassos Papadopoulos and the Turkish Cypriot leader Mr. Mehmet Ali Talat (8 July 2006).

²⁶ For example see International Crisis Group "The Cyprus Stalemate: What Next?" Europe Report No 171 – 8 March 2006 and "Turkey and Europe: The Way Ahead," Europe Report No 184 – 17 August 2007.

²⁷ One of the major goal of Cyprus is to regain its territorial integrants and address all issues with the internationally recognized Republic of Cyprus. After all, if Turkey with an area of 780,580 km² insists on safeguarding its territorial integrity, why can't the Republic of Cyprus, with an area of 9,250 km² do it too?

²⁸ I outlined the philosophy of these proposals in a press conference on May 6, 2004. See Cyprus Weekly May 7-13 2004, p. 4. These ideas were further elaborated and were included in the following two books: see A. Theophanous, *The Cyprus Question and the EU: The Challenge and the Promise*, Intercollege Press, Nicosia 2004, pp. 141-150 and A. Theophanous, *Cyprus, the European Union and the interests at stake: EU Accession and the Solution* (in Greek), Papazisis press Athens, 2006, pp. 202-217.

²⁹ The meeting between President Tassos Papadopoulos and the Turkish-Cypriot leader Mehmet Ali Talat on September 5, 2007 did not lead to a breakthrough.

The Cypriot Accession to the European Union: Challenges, Opportunities, Prospects

Van Coufoudakis

May 1, 2004, is a milestone in the long history of Cyprus. The Republic of Cyprus was the first among the ten candidates in the last EU expansion to complete its accession talks in record time (March 1998-December 2002), having met, without difficulty, the EU's political, social and economic criteria.

The government of Cyprus displayed excellent organizational skills. Cyprus is a small country with a small bureaucracy. The government brought together a talented team of experts to address the technical details of the 29+ chapters of the *acquis communautaire* that formed the basis of the accession talks. Their work was complemented by an excellent negotiating team and by talented Cypriot diplomats in key EU capitals. Moreover, there was coordination with all levels of government in Cyprus. The Cypriot performance is a model that should be studied by all future applicants for EU accession.¹

The Cypriot success is even more impressive considering that at the same time, the government and its legal services were also engaged in complex political and legal negotiations with the United Nations on the resolution of the Cyprus problem.