The Cyprus Question and the Role of the UN: An Overall Assessment

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Since its creation the Republic of Cyprus has had a very turbulent history. From the outset the geopolitical implications of the Treaty of Establishment, the Treaty of Alliance, and the Treaty of Guarantee on the one hand and the particular characteristics of the Cold War on the other were not fully understood. Domestic tensions as well as foreign interventions led eventually to the cataclysmic events of the summer of 1974.

Fifty years after the establishment of the Republic of Cyprus, this island-state faces critical problems and multidimensional challenges.[1] The greatest challenge remains the reestablishment of the territorial integrity and unity of the country. Prior to the Turkish invasion of 1974, the basis of the intercommunal negotiations revolved around the establishment of a unitary state with elements of local and communal, self-administration on issues of low level politics. Since the latter part of the 1970s, the model for the solution to the Cyprus problem, according to conventional orthodoxy, has essentially been a bizonal bicommunal federation.[2] Yet despite successive and repeated rounds of intercommunal negotiations under the auspices of the UN and the support of the international community there has not been an agreement.[3] In fact, the problem remains unresolved while the gap between the two sides is widening. Thus, it is not surprising that to the present day the bizonal bicommunal federation does not yet have a commonly accepted precise definition. Besides it is indeed doubtful whether the implementation of such a model could lead to stability and cooperation.[4]

Historical Background and Context

Cyprus is the third largest island in the Mediterranean, located approximately 70 km to the south of Turkey. The island's geostrategic location at the crossroads of three continents, Europe, Asia, and Africa, has had a profound impact on its long history of colonization. Cyprus was first colonized by the ancient Greeks in the 2nd millennium BCE. Afterwards, it was successively conquered by almost every ruling empire and/or power that controlled the region. In 1571 the Ottoman Empire gained control of the island. It was during this period that the island's present-day Turkish Cypriot population began to develop primarily from the descendants of Turkish soldiers and administrators garrisoned on the island and subsequently by Greek Cypriots who under various circumstances became Moslems. In 1878, Cyprus' administration was ceded to the British Empire. The exchange of sovereignty from Turkey to Britain followed the Treaty of Lausanne in 1923 after the end of World War I.

Enosis, the Greek word for *union*, was a concept deeply embedded in the conscience of Greek Cypriots. The *Megali Idea* (The Great Idea) of a greater unified Greek nation was an unfulfilled aspiration of all those seeking to revive the past greatness of Hellenic culture. A major incident that clearly demonstrated the Greek Cypriots' increasing agitation occurred in October 1931. The recently formed organization National Radicalist Union openly declared its goal of *enosis* and led an organized riot that resulted in the burning of the Government House in the capital city of Nicosia. In this, as in all other subsequent incidents, the Greek Orthodox Church of Cyprus was actively involved. The next major event was the plebiscite that was held from 15 to 22 January 1950. Every Cypriot over the age of eighteen was called to demand or oppose unification with Greece. The result was a resounding yes: 98% of those who voted favored *enosis.* While there was an overwhelming Greek Cypriot participation, naturally, only few Turkish Cypriots participated.

These events were the prelude to the April 1, 1955, when multiple synchronized explosions marked the beginning of the armed struggle for *enosis.* EOKA, the National Organization of Cypriot Fighters, began its guerilla campaign against the British colonial administration. The organization was led by two prominent figures: on the military front by Lieutenant-Colonel George Grivas, who went by the nom de guerre Dighenis (a mythical figure of Cypriot folklore from the Byzantine era) and on the political front by the Archbishop of Cyprus, Makarios III. EOKA waged a persistent campaign between 1955 and 1959, when the British administration further encouraged negotiations for the creation of an independent Republic of Cyprus.

The major points of the 1960 Constitution that resulted from the Zurich Agreement of February 11, 1959, were as follows: one year after the signing of the agreement Cyprus would become an independent Republic with two official languages, Greek and Turkish and an independent national flag of neutral design and color. The state would have a Greek President and a Turkish Vice-President, independently elected by universal suffrages of Greeks and Turks respectively, who would hold executive authority and appoint a Council of Ministers composed of seven Greek and three Turkish Ministers who were to make decisions by an absolute majority. Those decisions, however, would be subject to a final veto by either the President or the Vice-President. Union and partition would be thereby forever prohibited. Britain would retain sovereignty over two base areas at Episkopi and Dhekelia. The House of Representatives would be composed of 35 Greek and 15 Turkish Representatives chosen by universal suffrage from communal rolls. Laws would be passed by concurrent absolute majorities of both communities of the House independently. Two communal chambers would have jurisdiction over matters of taxation, religion, cultural affairs, education and personal status. All six large towns would be divided into two separate municipalities. The Supreme Constitutional Court would be composed of a Greek Cypriot, a Turkish Cypriot and a foreign neutral judge and would be chosen jointly by the President and Vice-President.

The agreement also included two Treaties which were to be considered an integral part of the Constitution: the Treaty of Guarantee, in which Great Britain, Greece and Turkey are designated as protecting powers of the Republic and are given the right to take individual or joint action in

Cyprus in order to maintain the Republic's independence and constitutional integrity, and the Treaty of Alliance, which established a Tripartite Army Headquarters in Cyprus consisting of 2000 Cypriots (in a ratio of 60:40, Greek Cypriots to Turkish Cypriots), 950 Greek nationals and 650 Turkish nationals.[5]

It is important to stress that when the Cypriot state was created it was, in fact, a reluctant Republic.[6] The major objective of the EOKA anticolonial struggle against British rule during 1955-59 was *enosis*.[7] Greek Cypriots, who were about 80% of the population of the island, felt that this was a just cause and a right of self-determination. The Turkish Cypriot minority community, about 18% of the population, favored *taksim* (partition) although an extreme section claimed that Cyprus should be given to Turkey. The remaining 2% consisting of Armenians, Maronites and Latins felt closer to the Greek Cypriots and eventually identified with them.

The 1960 constitution designed by Britain, Turkey and Greece was presented as a compromise.[8] In fact, it reflected the balance, or rather the imbalance, of power in the eastern Mediterranean. The constitution of the Republic of Cyprus was based on consociationalism.[9] Furthermore, Britain, Turkey and Greece were the guarantor powers of this newly founded Republic. Greek Cypriots felt bitter about the arrangements made as they thought that Turkish Cypriots were given excessive rights. According to the mainstream Greek Cypriot perspective, not only the just objective of *enosis* was sacrificed, but also in the newly created Republic of Cyprus the Turkish Cypriots who did not participate in the anticolonial struggle[10] were in the end granted excessive privileges at the expense of the Greek Cypriots.

This, in conjunction with the lack of political maturity and administrative experience in Cyprus (a country under colonial rule), was not conducive toward the development of a normal political life. In addition, the constitutional structure itself did not encourage the creation of common objectives and a common vision, while the sustained interventions of foreign powers contributed to the deterioration of the situation.[11]

Thus, it is no surprise that the first period of the Republic was characterized by intercommunal and intracommunal strife, tensions and in certain cases with violence.[12] The defining moment for the Turkish Cypriots was 1963-64 which led to their withdrawal from the government, the "drawing" of the "green line" as well as the creation of enclaves.[13] Greek Cypriots felt that this was part of a broader Turkish plan for the partition of Cyprus. On the other hand, most Turkish Cypriots felt there was a real issue of security. The events of 1963-64 augmented the feelings of bitterness and distrust. The Republic of Cyprus was effectively governed by Greek Cypriots following the withdrawal of Turkish Cypriots from the government and the civil service. At the same time, the Turkish Cypriot enclaves which were created contained the seeds of partition.

The Galo Plaza Report and the Intercommunal Negotiations up to 1974[14]

Several issues divided the two sides whose political approach remained adversarial following the 1960 agreement, with each expecting to gain future concessions within the new framework. In 1963, following three years of an uneasy political life President Makarios proposed a set of 13 constitutional amendments ostensibly in an effort to streamline the unwieldy provisions of the existing framework. At the same time, though, these proposed amendments would also lead to reduced representation of the Turkish Cypriots in the administrative strata of the governmental structure as defined in the constitution. The amendments were immediately rejected by the Turkey and the Turkish Cypriot leadership. Following an intercommunal altercation in the capital of Nicosia, island-wide violence broke out.

During the next year, most Turkish Cypriots moved from an even island-wide geographic spread to the formation and consolidation of secured enclaves. A series of incidents in 1964 and 1967 that involved the intervention of Turkish armed forces further entrenched the confrontational approach of both communities and the resurgence of extremist elements. The increasing level of violence ultimately led to the involvement of the United Nations. The United Nations Force in Cyprus (UNFICYP) was formed in March 1964. It was initially intended to police the rift in the capital city of Nicosia. Its scope was gradually expanded from the Green line that initially divided the capital to the entire country and it remains on the island to this day. Moreover, through UN Security Council Resolution 186 the UN reaffirmed the legitimacy of the government of the Republic of Cyprus despite the Turkish Cypriot withdrawal and what followed.[15]

Alongside the formation of UNFICYP, the UN appointed a mediator (Lasso Galo Plaza, a former President of Ecuador) as stipulated in UNSCR 186 in order to formulate a framework for settlement to the conflict in early 1965. The Galo Plaza Report recommended a shift from a power-sharing arrangement to a unitary state that would prioritize the protection of Turkish Cypriot minority rights.[16] The Turkish government rejected this first attempt at dynamic mediation immediately and forcefully. This was the first—and for a long time the sole—UN attempt at re-engineering the constitutional framework of Cyprus.

It is essential to note that the Galo Plaza Report constituted a rejection of partition and of federal ideas based on division along ethnonationalist lines. It also, in effect, upheld the independence, territorial integrity and sovereignty of the Republic of Cyprus.

It is also important to assess the UN peacemaking efforts and philosophy. Both sides attempted to utilize the entry of a third-party mediator in order to consolidate and legitimize their own particular claims. The Greek Cypriot side believed that the UN peacemaking operation would help them to reduce the privileges enjoyed by the Turkish Cypriot side with the provisions of the 1960 Constitution. On the other hand, the Turkish Cypriot side believed that UN involvement would prevent the Greek Cypriot side from unilaterally altering the character of the existing framework thereby reducing their privileges. In reality, however, the peacemaking effort was not reformist in nature, and instead favored the *status quo.*

The entrenchment of inflexible positions made rapprochement and constructive compromise increasingly more difficult. The Greek Cypriot side portrayed the Turkish Cypriot actions as abandonment of the 1960 Constitution, which justified a reconfiguration of the framework provided by that constitution. The Turkish Cypriot side based its position on the primacy of providing security. According to the Turkish Cypriot view, this could not be guaranteed under a system that approximated unitary government. Therefore, the Turkish side supported the geographic division of the two communities. In effect, the Turkish position undermined the dynamics and the potential of the Galo Plaza initiative and the prospect of an integrated society. The Greek Cypriots did not immediately follow up dynamically to pursue utilizing this momentum. This was partly an outcome of the *enosis* ideology which was still very influential.

Be that as it may, besides ideology and entrenched positions, there were other forces at work which were contributing to major political changes.[17] Cyprus was undergoing a socioeconomic transformation which created new stakes and vested interests. This, in conjunction with the 1967 military coup in Greece, led to a fundamental redefinition of Greek Cypriot objectives. Makarios announced a new policy stating that "what is feasible does not always coincide with what is desirable." This new policy which meant abandoning the long-standing goal of *enosis* was confirmed with a vast majority in the presidential elections of early 1968. The major objective was a unitary state with elements of local and communal self-administration on issues of low level politics. Even though democratic procedures were not fully observed during the election, the major outcome was that inevitably and undoubtedly the vast majority of Greek Cypriots approved the new policy. At last, Cyprus was moving along the lines of pragmatism and a promising future was foreseen.

A series of intercommunal talks were held under the auspices of the United Nations in the period between 1968 and 1974. Glafkos Clerides represented the Greek Cypriot side while Rauf Denktash represented the Turkish Cypriots. Despite difficulties and political resistance on both sides the talks achieved some progress. Renewed talks took place in 1972; following the guidelines of the Galo Plaza initiative, the UN representative (Osorio Tafall) took a more active role. Once again, the deviation from the established *status quo* was met by Turkish resistance on the grounds that the talks promoted a shift towards a unitary state solution to the conflict. But again efforts continued and the two sides found themselves near to an agreement. But for various reasons a comprehensive agreement was not eventually reached.[18]

Nevertheless, the enhanced intercommunal negotiations continued. The major problem at this time was the escalation of the clash between President Makarios and the Greek junta. At the same time the new Turkish government under Prime Minister Ecevit had repeatedly showed a more assertive stance in relation to both Greece and Cyprus.[19] Be that as it may on July 13, 1974, the two constitutional experts, M. Dekleris and O. Alticacti from Greece and Turkey respectively, finalized a draft for a comprehensive settlement of the Cyprus problem which was to be ratified on July 16, 1974, by the two negotiators, G. Clerides and R. Denktash.[20] This agreement was on the basis of a unitary state with elements of local and communal self-administration on issues of low level politics, aimed at overcoming the stalemate following the

1963/4 constitutional and intercommunal crisis.[21] But the media at the time was not focusing on the prospect of an imminent solution of the Cyprus problem, but on the brewing clash between President Makarios and the Greek junta.

The Crisis of 1974 and the UN Response

Tragically the coup of July 15, 1974, reversed this historical path. The crisis in 1974 was in essence the culmination of foreign interventions in Cyprus. The Greek junta overthrew President Makarios on July 15, 1974; indeed, the clash between Athens and Nicosia was out of control and with repercussions that extended beyond this island state. It should be noted that several analysts have argued that the Greek coup against Makarios was supported, even instigated, by the CIA.[22] Turkey exploited the coup and invaded on July 20. Despite the collapse of the junta in Athens and in Nicosia on July 23/24, Turkey continued its military operations. Ankara stated on the invasion date that "its intervention was intended to reestablish the constitutional order and to protect the Turkish Cypriot [minority] community." On July 23, the Greek junta collapsed and C. Karamanlis returned to Athens in the early hours of the following day to lead the country to the reestablishment of democracy in the land of its birthplace and to a new era. The putschist regime in Nicosia collapsed as well and G. Clerides – as Speaker of the House of Representatives - assumed duties of Acting President in accordance with the constitution. He immediately suggested to the then Turkish Cypriot leader R. Denktash the return to the 1960 constitution. R. Denktash and Ankara declined.[23]

The Turkish forces repeatedly violated the ceasefire, ignored the ongoing negotiations and continued to advance. Finally, on August 14 Turkey unleashed the second stage of Operation "Attila," the codename for the invasion of the island. The result was the uprooting of almost 40% of the Greek Cypriots and the death of many soldiers who resisted the invading army. Many civilians were also shot or taken prisoners.

By August 16, 1974, there was a new political landscape in Cyprus. Turkey had captured 38% of territory of the Republic of Cyprus, which was ethnically cleansed from the presence of about 200,000 Greek Cypriots, who became refugees in their own country. The Turkish Cypriots who were more or less normally distributed throughout the island were gradually transferred to the Turkish occupied area. The military occupation by Turkey continues to this day, under the pretext that the military presence is necessary in order to guarantee the safety of Turkish Cypriots.

Had Turkey stopped its military operations on July 23, 1974, and had contributed to the reestablishment of the constitutional order based on the 1960 constitution very few people would have questioned its stated reasons for "intervening." Retrospectively though, there is no doubt that Turkey committed ethnic cleansing, did not reestablish the constitutional order in Cyprus, occupied 38% of the land of this island-state, has set up a puppet/protectorate regime and has pursued an ambitious policy of colonization. Currently, there are more Anatolian Turkish

settlers than Turkish Cypriots in the area it occupies which calls itself the "Turkish Republic of Northern Cyprus" ("T.R.N.C.").[24] And there has been a systematic destruction of the cultural heritage as well as a massive exploitation and usurpation of Greek Cypriot properties.

Following the events of 1974, attempts at mediation took into account the new state of affairs. The sphere of potential future outcomes was effectively constrained by precluding any future consideration of any configuration that approximated a unitary state solution.

The political and social history of Cyprus after 1974 has been characterized by a long and arduous process of negotiations between the Greek Cypriot side and the Turkish Cypriot leadership which inevitably functions under the control of Turkey. On November 15, 1983, Denktash unilaterally declared the establishment of the "Turkish Republic of Northern Cyprus" as an independent state, a status that has not been recognized by any country other than Turkey and which has been condemned as an illegal action by the Security Council of the United Nations.

A general interpretation of the role of the UN after 1974 is that there has been a tenuous division in the organization's approach to Cyprus between the different considerations of the General Assembly and the Security Council, which tends to reflect the prevailing global balance of power. While the *peacekeeping* function of UNFICYP can generally be considered a success, the same cannot be said of the *peacemaking* function.[25] As already mentioned, the legacy of the outfall from the Galo Plaza initiative has been that direct third-party mediation scuttled any potential for similar initiatives. Over time, it became clear that the Security Council was reticent to sanction initiatives that deviated substantially from the established *status quo*. Thus, the peacekeeping and peacemaking efforts were effectively decoupled instead of being handled in tandem as was the initial objective of the Galo Plaza attempt at mediation.

Greek Cypriots realized that the objective of *enosis* was dead once and for all. Likewise the objective of a unitary state with elements of local and communal self-administration on issues of low level politics which was the basis of negotiations before July 15, 1974, over which an agreement had essentially been reached, was no longer an option.[26] Greek Cypriots were desperate and ready for unprecedented concessions for the reestablishment of the unity and territorial integrity of the Republic of Cyprus. Successive rounds of intercommunal talks did not lead anywhere. Gradually it would become evident that Turkey's objectives were not limited to protecting the Turkish Cypriot minority community and/or preventing *enosis*. The objective was to bring the island-state under its strategic control. In addition to the occupation of almost 40% of the territory of Cyprus in 1974, the massive inflow of Anatolian settlers is indicative of that objective.

Despite the initial outcry and various strong resolutions of the UN and other international institutions, in essence no action has been taken against Turkey. In November 1974, the General Assembly of the UN passed a unanimous resolution (3212) for the respect of the territorial integrity, sovereignty and independence of the Republic of Cyprus and for the withdrawal of all foreign troops. Adding insult to injury Turkey voted in favor of this resolution. Subsequently, the UN urged bicommunal negotiations to address the problem despite the fact that the issue is a

complex one with several dimensions and with the bicommunal aspect not being the most important one. Indeed, the Turkish expansionist designs against Cyprus constitute the most important dimension of the Cyprus problem. Not surprisingly, successive years of bicommunal negotiations did not lead to any substantive results.

The events of 1974 established a reconfigured negotiating framework for the two sides, one that shifted the balance of power towards the Turkish Cypriot side in tangible ways. The resulting *status quo* favored the Turkish Cypriot negotiating position since the actual conditions on the ground catered to their established negotiating stance that physical separation of the communities was a desirable condition – if not precondition – for a viable settlement to the conflict. This marked shift in the balance of power was reflected in the subsequent discussions between the two communities.

In February 1977, President Makarios and the Turkish Cypriot leader R. Denktash met under UN auspices for high-level discussions. These first post-1974 discussions yielded a set of defining groundwork principles that have set the agenda for all subsequent negotiations ever since.[27] The resulting guidelines were the following:

1. We are seeking an independent, non-aligned, bi-communal Federal Republic.
2. The territory under the administration of each community should be discussed in the light of economic viability or productivity and land ownership.
3. Questions of principles like freedom of movement, freedom of settlement, the right of property and other specific matters, are open for discussion, taking into consideration the fundamental basis of a bi-communal federal system and certain practical difficulties which may arise for the Turkish-Cypriot community.
4. The powers and functions of the central federal government will be such as to safeguard the unity of the country having regard to the bi-communal character of the State.[28]

The next round of UN-sponsored high-level discussions occurred in 1979, between Rauf Denktash and Makarios' successor President Spyros Kyprianou. The talks yielded a refinement of the already agreed-upon basis of the 1977 meetings, which is referred to as the ten-point agreement.[29] Moving beyond the Makarios–Denktash guidelines, this agreement called for the immediate resettlement of the Greek-Cypriot area of Varosha and for the ultimate demilitarization of the island. Once again, these parameters have been on the negotiating table ever since, with demilitarization being portrayed as a point of agreement for future consideration and the resettlement of Varosha as a recurrent carrot of the Turkish Cypriot bargaining strategy towards the Greek Cypriot side.

The negotiations resumed in 1980 with the involvement of UN mediator Hugo Gobbi with little progress or deviation from established negotiating tactics. In mid-1981, the Interim Agreement presented by then UN Secretary-General Kurt Waldheim evaluated the current state of affairs and future prospects for compromise among the two sides. The report found few points

of convergence and a multitude of points of divergence between the sets of proposals presented by each side. As the points of contention on territorial and constitutional provisions were severe, they effectively crippled any meaningful attempt at bridging the gap between the two sides. As a result, proposals coming directly from the UN on different items on the negotiating agenda were in short supply.

Perez de Cuellar's tenure as UN Secretary-General was marked with a renewed initiative with the aim of brokering a successful compromise. The Secretary General's aide-memoire proposed zones of compromise on the major issues which could form the backbone of a reformed bargaining arrangement. However, the unilateral declaration of independence of the "TRNC" on November 15, 1983 was a serious setback that negated the likelihood of bargaining concessions. Following the declaration, both sides hardened their stances, indicating the growing intractability of the conflict.

De Cuellar fared better the following year when he initiated a round of proximity talks using shuttle diplomacy between the two sides that resulted in a general framework to be used for future high-level discussions. These were held in New York in January 1985. Everything was on the table for these discussions, including all major issues of principle as well as technical and practical details that were to be handled through working groups. The Turkish Cypriot side accepted the document as presented, but the Greek Cypriot side accepted it only as the groundwork for further negotiations. A redrafted version was presented in April of that year with the reverse result: this time it was accepted by the Greek Cypriots, but not the Turkish Cypriots. A further draft agreement presented in March 1986 with yet another reversal as it was accepted by the Turkish Cypriots (and Turkey) and rejected by the Greek Cypriots. As it became clear that the two sides effectively used the negotiating process as a bargaining chip in itself, UN initiatives were not encouraged further and a period of stagnation followed for the next two years.

Negotiations resumed in 1988 with the election of President George Vassiliou. The new high-level discussions bypassed the drafts of 1985–86 and reverted to the high-level agreements of 1977 and 1979 as the basis for future drafts. UN mediators Oscar Camilion and Gustave Feissel used the positions of the two sides in forming a foundation for a constitutional arrangement that aimed to find some common ground. This attempt at a more active style of mediation was portrayed as interventionist by the Turkish Cypriot side which had by this point shifted a negotiating stance that emphasized its objective of international recognition of the "TRNC." Perez de Cuellar had to concede that the negotiations had once again reached a stalemate, and he held the Turkish Cypriots responsible in their search for greater recognition and status than the UN framework could provide.

Perhaps the most fruitful outcome of the de Cuellar tenure was the formulation of the *Set of Ideas* during 1988–90. At the time of their presentation as an outline of a comprehensive agreement they were deemed a failure as they were only partially considered by the Greek Cypriots and completely rejected by the Turkish Cypriots. However, de Cuellar's replacement, Boutros-Ghali, adopted them as the basis for a renewed effort at a comprehensive settlement. The ideas centered on the stipulation of a federal state composed of two federated states with

identical powers to safeguard the cultural identity and ensure the political equality of each community. The framework would specify the division of powers between the federated states and the federal government, and the two communities would be represented in a bicameral legislature with a federal executive. Moreover, the framework called for the continuation of the 1960 treaties, albeit with some modifications, and the matters of territorial adjustment and the preservations of the three freedoms (movement, settlement, and ownership). Therefore, the ideas adhered to the precedents set by the succession of high-level discussions dating back to 1977 and can be characterized as further refinements of those basic principles.

By the time this UN initiative lost momentum in 1992, the dominant positions of the two sides were clear. The Greek Cypriots were generally in favor of more dynamic UN mediation as they interpreted operating within such a bargaining framework as legitimacy for the existing government and the sovereignty of the Republic of Cyprus. On the other hand, the Turkish Cypriots rejected that framework as they realized that the statist bias of the UN environment did not favor any alterations to the sovereignty issue for fears of creating new precedents in the existing international system. Over time, this fundamental disagreement over sovereignty was carried over into proposals for a future constitutional arrangement as Greek Cypriots advocated a strong central federal government, whereas the position of Turkish Cypriots was that the two constituent states should retain individual sovereignty in a confederated arrangement. This was – and still is – regarded as impossibility by the Greek Cypriot side, as it might leave the door open for the Turkish Cypriot side to unilaterally secede from the federal state ultimately resulting in the permanent partition of the island into two independent states.

By 1993, with persistent failure on substantive issues of territoriality and sovereignty effectively disallowing any progress on constitutional matters, the UN shifted emphasis towards confidence-building measures. Proposals such the reopening of Nicosia International Airport which laid dormant in the Green Line buffer zone with joint access to both communities and the repopulation of the Turkish-occupied Varosha region of Famagusta were met with initial encouragement. Expectations were positive as UN Representatives Joe Clark and Gustave Feissel led a new round of proximity talks between the newly elected President Glafkos Clerides and Turkish Cypriot leader Rauf Denktash. Yet the ensuing negotiations followed an all-too-familiar pattern as they were effectively derailed amidst accusations of favoritism on both sides with the Greek Cypriots claiming that external pressure from US diplomats favored the Turkish Cypriot proposals and the Turkish Cypriots remaining adamant that the *status quo* of the negotiating framework was unacceptable.[30]

The Rejection of the Annan Plan and the Political Fallout[31]

The negotiations were restarted with Kofi Annan's appointment as UN Secretary-General in 1997 with the role of mediator filled by Diego Cordovez. Clerides and Denktash were presented with a revised set of ideas for a comprehensive settlement. By this point, however, the EU had

already decided to begin accession negotiations with the Republic of Cyprus regardless of the outcome of the peace talks. Regarding this development as a deterioration of its bargaining potential, the Turkish Cypriot side withdrew from open dialogue and entered (officially) into a partial integration association agreement with Turkey.[32] Thus, the second round of talks ended in stalemate.

When Cyprus' EU accession negotiations were formally initiated in 1998, the Turkish Cypriot side responded with refusing to participate in any further negotiations over a comprehensive settlement on the basis of the accepted framework of a bizonal, bicommunal federated state. Instead, they proposed the creation of a confederation of two sovereign constituent states. In other words, the Turkish Cypriots shifted to a hard-line stance that prioritized the international recognition of their regime and the characterization of future negotiations as between two separate states rather than two communities of a single state.

Over the next three years, proximity talks became the norm of interaction between the two sides under UN auspices, most prominently with Alvaro de Soto serving as the mediator. In some ways, these talks sought to bridge the gap between the two communities in terms of how future negotiations would be conducted. Each side effectively portrayed the continuation of the process as a success and a legitimization of their own perspective. The Greek Cypriot side emphasized the entrenchment of the bizonal, bicommunal federal framework as the basis of a comprehensive settlement in anticipation of the EU accession negotiations as an improvement in their bargaining position. On the other hand, the Turkish Cypriot side interpreted the use of proximity talks as gradual legitimization of their regime at the international level and as a tool for demanding further concessions.

The US and Britain strongly supported the new process of bicommunal negotiations under auspices of the UN.[33] It was assumed that the expected accession of the Republic of Cyprus to the EU in conjunction with Turkey's own European ambitions created new dimensions and indeed a window of opportunity for the resolution of the Cyprus question. Of course, the fundamental question remained: what model can lead to a viable solution?

The UN plan, which was eventually submitted to a referendum on April 24, 2009, known as Annan V, was overwhelmingly rejected by Greek Cypriots but strongly backed by Turkish Cypriots (and Turkish settlers). Since then the Cyprus problem has become more complicated.[34] The Turkish side tried to utilize the Greek Cypriot rejection of the Annan Plan to absolve itself of its responsibilities and also blame the Greek Cypriot side. For example, Ankara put forward the hypothesis about the "Turkish Cypriot isolation." The truth of the matter is that Turkish Cypriots enjoy the civil rights, liberties and privileges which derive from the citizenship of the Republic of Cyprus and EU membership without obligations. At the same the usurpation of Greek Cypriot properties continues. To the extent that there is Turkish Cypriot isolation is an outcome resulting from the Turkish occupation.

The Greek Cypriot rejection of the Annan Plan – by 76% - stemmed from a fundamental disagreement with its philosophy. The Plan did not call for an integrated society and economy but instead embedded division. Furthermore, the strict bizonality in essence legitimized the

ethnic cleansing carried out by Turkey as well as the usurpation of Greek Cypriot properties. On top of that the plan guaranteed that Turkey would have a strategic presence on the island. Greek Cypriots considered that the strategic presence of Turkey on the island was unacceptable and detrimental. For their own interests, the US, UK and Turkey wanted the Annan Plan to succeed and since its rejection, they have sought to revive it. The major issue at stake was the potential European path of Turkey. A solution to the Cyprus problem would have facilitated Turkey's accession process. But, still, if there was not going to be a solution of the Cyprus problem, it would have seemed more convenient if the Greek Cypriots were the ones to reject it, making them, and not the Turkish side, the rejectionists.[35]

Two years later, on July 8, 2006, there was an agreement between President Papadopoulos and the Turkish Cypriot leader Talat under the auspices of the Secretary General of the UN. This agreement constituted in essence a road map in relation to both the substance and the procedure for moving toward an agreed framework for a solution of the Cyprus problem. In December 2006, the EU reached a decision in relation to Turkey's accession process. Eight major chapters were frozen while the completion of each of the remaining chapters would have to be confirmed by all member states. The message was clear: Turkey would have to abide by its obligations that it had undertaken toward the Republic of Cyprus. Three years later in December 2009, Turkey's progress would be reassessed by the EU.

President Papadopoulos was repeatedly blamed by the domestic political opposition as well as by various circles outside Cyprus that he was responsible for the deadlock to a great extent. On the other hand, several of his supporters expected him to take bold steps after the referendum so as to redefine the basis of negotiations. In any case, he lost the presidential elections of February 2008 to Demetris Christofias.

The victory of Demetris Christofias in the presidential elections of February 2008 raised expectations about the prospect of rapid developments towards the resolution of the Cyprus problem. The implicit assumption was that the major obstacle for a breakthrough had been President Papadopoulos. This assumption has proved to be simplistic and misleading. Christofias adopted different approaches to those of former President Papadopoulos both strategically and tactically and also called for what he described as "a Cypriot solution,"[36] One of his main objectives was to reduce outside pressures and to prevent arbitration as had been the case with the Annan plan. Implicitly, however, a side-effect of this approach is that it minimized the responsibility of Turkey in the decades-long stalemate on the island.[37] It also served to water down Ankara's violations of fundamental rights of Cypriots and of international law.

However, despite a much more flexible approach by President Christofias it has not been possible to achieve much progress so far. Christofias' had higher expectations in relation to Talat's approach to the issues; obviously he overestimated the role of Mehmet Ali Talat and indeed of any Turkish Cypriot leader to act independently of Turkey.[38]

Concluding Remarks and Suggestions for Further Research

The conflict on Cyprus is indicative of various phenomena that plague the international system, especially with regards to third-party mediation. The UN and its structures tend to reflect the *status quo* of the global balance of power. Nowhere is this more evident than the UN Security Council. As a result, the organization's actions have to balance the imperatives of international law with the exigencies of balance of power politics among the powerful nations that tend to set the agenda in the Security Council as well as between those nations and the rest of the world.

Cyprus presents a networked challenge that involves Turkey, Greece, the UK, the EU and its organs, as well as other powers and international organizations. The involvement of the UN has increasingly become a factor that further complicates rather than simplifies the interplay among the parties involved. Before 1974 there was a unique opportunity to reach a compromise. Following the realization that *enosis* was not feasible and that an independent Republic of Cyprus could offer security and prosperity to both communities, there were positive prospects. Lack of adequate political maturity and will in conjunction with foreign interventions frustrated this prospect.

Since 1974 there has been a new set of arrangements on the ground. Gradually the Greek Cypriot side offered more and more concessions in anticipation of an eventual breakthrough. Inevitably the new positions of the Greek Cypriots were incorporated in UN documents and resolutions. The irony is that today many Greek Cypriots feel that the basis of negotiations may lead to a result which is worse than what they wanted to avoid in the first place. The painful concession of bizonal bicommunal federation was considered necessary to prevent partition and also lead to the reunification of the country. Nevertheless, it is considered doubtful whether this is a realistic assessment.

It should be also noted that following the collapse of the Soviet Union and the end of the Cold War and of bipolarity, there has been a new global balance of power. This was also gradually reflected on the UN stance toward Cyprus. For example, while implicitly the Turkish side was perceived as bearing greater responsibilities, gradually this was neutralized. After the 2004 referenda, the Greek Cypriot side was blamed for not utilizing a "unique opportunity" for a solution. Subsequently Ankara projected itself as a third party to the conflict and to some extent the Turkish efforts were rather successful.

At its core, the Cyprus problem also entails a fundamental contradiction between two core principles of the UN framework: self-determination and sovereignty.[39] With the establishment of the Republic of Cyprus in 1960, the two principles were aligned as the ability of Cypriots to govern themselves affirmed both ideals. The two principles clashed with the emerging internal division. Once Turkish Cypriots raised the banner of self-determination, the organization was faced with the following conundrum: if secession was accepted, then the violation of the sovereignty of a UN member state would be legitimized raising the specter of a slippery slope for the encouragement of secessions in other cases with the justification of self-determination. As a

result, the UN initiatives have been balancing acts between preserving the legitimacy of the Republic of Cyprus and engaging the Turkish Cypriot community in equitable terms.

The negotiating framework is complicated even further by the precedent set by the 1960 Constitution that established the Republic of Cyprus. A complex set of consociational attributes in an attempt to gerrymander power-sharing between the two communities, it established advantages (and corresponding disadvantages) for the two communities and both have been loath to rescind them in all subsequent formulations that have been on the table. For any future arrangement to be favorable to either side, it has to represent a perceived improvement over the *status quo*; for the arrangement to have a mutually beneficial effect is a tall order when the representation of the conflict is at zero-sum as it has been between the Greek and Turkish Cypriots.

The characterization of the conflict externally and internally tends to fluctuate on both sides, complicating the effectiveness of third-party mediation even further. Since international opinion has reached a consensus over supporting the bicommunal, bizonal framework, both communities officially endorse this perspective as indicated by the progression of negotiations described above. At the same time, however, the two communities have traditionally presented different perspectives. On the Greek Cypriot side the continuation of the *status quo* is increasingly seen as a second best to a very loose federation. On the Turkish Cypriot side, there has traditionally been a reluctance to relinquish the gains and concessions accumulated over time. Moreover, it is also essential to remember that the Cyprus problem has several dimensions, including bicommunal, Greco-Turkish, European and international. The UN essentially treated the problem as a bicommunal one. In one way or another, after 1974, this facilitated Ankara's positions and objectives.[40]

A major issue to be addressed is whether the conventional orthodoxy, bizonal bicommunal federation can lead to a sustainable outcome.[41] It is interesting to note that part of the literature suggests that federal arrangements based exclusively on ethnonationalist pillars do not seem to have a promising future. Indeed the model of Bosnia should be avoided. The challenging question is whether and under what circumstances an integrationalist federal model can be advanced as a compromising position. Certainly though the UN cannot take the initiative for such an approach. It is up to the Republic of Cyprus to do so.

Notes

[1] It is engaged in a peaceful liberation struggle against Turkey which is more reminiscent of a 19th century context and at the same time it has to tackle as any modern state the problems of the 21st century. These include achieving full employment, moving toward a new sustainable model of development, dealing with the challenges of a modern society within the context of a multicultural Europe, addressing the issue of illegal immigration, and improving the level of education, of health services and of the quality of life in general.

[2] Although the term bizonal was not initially used it was subsequently integrated in the negotiation process.

[3] For interesting reading see C. Palley, *An International Relations Debacle: The UN Secretary-General's Mission of Good Offices in Cyprus 1999-2004* (Oxford and Portland, Oregon: Hart Publishing, 2005) and M. Michael, *Resolving the Cyprus Conflict: Negotiating History* (New York Palgrave Macmillan, 2009).

[4] It is worthwhile noting that the model under consideration is similar to the one in Bosnia the record of which is not promising. See P. McMahon and J. Western, "The Death of Dayton: How to Stop Bosnia from Falling Apart," *Foreign Affairs*, vol. 88, no. 5, September/October 2009, pp. 69-83.

[5] See Constitution of the Republic of Cyprus / Cmnd.1093, *Cyprus*, London: HMSO, 1960; N.D. Macris (Ed.), *The 1960 Treaties on Cyprus and Selected Subsequent Acts,* (Mannheim und Möhnesee: Bibliopolis, 2003), Peleus – Studien zur Archäologie und Geschichte Griechenlands und Zyperns, Band 24; S. Kyriakides, *Cyprus: Constitutionalism and Crisis Government,* (Philadelphia: University of Pennsylvania Press, 1968), pp. 53-71; S. Bose, *Contested Lands–Israel–Palestine, Kashmir, Bosnia, Cyprus and Sri Lanka*, **(**Cambridge, Massachusetts, London, England: Harvard University Press, 2007), especially pp.71-76.

[6] See S. G. Xydis, *Cyprus: Reluctant Republic,* (The Hague/Paris: Mouton Press, 1973).

[7] See R. Holland, *Britain and the Revolt in Cyprus,* (Oxford: Oxford University Press, 1998).

[8] Constitution of the Republic of Cyprus / Cmnd.1093, *Cyprus*, London: HMSO, op. cit. See also N.D. Macris (Ed.), *The 1960 Treaties on Cyprus and Selected Subsequent Acts,* op. cit.

[9] For interesting reading on consociationalism see A. Lijphart (Ed.), *Democracy in Plural Societies: A Comparative Exploration***,** (New Haven and London: Yale University Press, 1977) and A. Lijphart, "Consociation and Federation: Conceptual and Empirical Links"*, Canadian Journal of Political Science*, vol. 12, no. 3, pp. 499-515, 1979.

[10] In fact many Turkish Cypriots supported the British in various ways, including membership of the security forces of the colonial power.

[11] We should not forget that Britain, Turkey and Greece were also guarantor powers of the constitutional order and of the independence and territorial integrity of the Republic of Cyprus. In various ways these countries were influencing directly and indirectly political developments in this island-state.

[12] See S. Kyriakides, *Cyprus: Constitutionalism and Crisis Government*, op. cit., and B. O'Malley and I. Craig, *The Cyprus Conspiracy: America, Espionage and the Turkish Invasion*, (London/New York: I.B. Tauris, 1999).

[13] Although violence started after an unfortunate incident in Nicosia on December 21, 1963, tensions had risen after the submission of the 13 points by President Makarios on November 30, 1963, for the revision of the constitution. The Turkish side believed that this amounted to a constitutional coup; on his part, Makarios considered his suggestions as "food for thought" aiming at the better functioning of the institutions of the Republic of Cyprus.

[14] For historical overviews of the negotiations and their failures, see Clerides, Gl., *My Deposition* (in Greek), vols. 1, 2, 3 and 4, (Nicosia: Alitheia Publishing, 1988, 1989, 1990, 1991); M., Christodoulou, *The Course of an Era: Greece, the Cypriot Leadership and the Cyprus Problem* (in Greek), (Athens: Ioannis Floros, 1987); S. Kyriakides, *Cyprus: Constitutionalism and Crisis Government,* op. cit.; O. Richmond, "Ethnonationalist Debates and International Peacemaking: The Case of Cyprus," *Nationalism and Ethnic Politics*, vol. 5, no. 2, pp. 36-61, 1999, and R. Fisher, "Cyprus: The Failure of Mediation and the Escalation

of an Identity-Based Conflict to an Adversarial Impasse", *Journal of Peace Research*, vol. 38, no. 3, pp. 307-326, 2001.

[15] Throughout 1964, the situation on the island preoccupied the UN Security Council with no less than five Resolutions (186, 187, 192, 194, 198) being passed from March to December of that year.

[16] Kyriakides, *Cyprus,* pp. 154-157.

[17] It is understood that both communities were not monolithic. Consequently, on both sides there were forces which wanted to work toward intercommunal peace and cooperation. But they were not strong enough. In addition, the mainstream objectives were rather antagonistic and dominant.

[18] In relation to this it should be noted that President Makarios was facing a very difficult situation within the Greek Cypriot community. At the same time relations with the Greek junta had their own peculiarities. On the other hand, the Turkish side would always find/create a stumbling bloc. For interesting reading see Clerides, Gl., *My Deposition* (in Greek), vols 1, 2, 3, 4, op. cit.

[19] For example, in February 1974 he called for a federal solution to the Cyprus problem which would also entail geographic divisions. Christodoulou, *Course of an Era,* pp. 618-619.

[20] Dekleris, *The Cyprus Question,* pp. 266-273; Christodoulou, *Course of an Era,* p. 623; A. Theophanous, *The Cyprus Question: The Challenge and the Promise,* (Nicosia: Intercollege Press, 2004), p. 30.

[21] A. Theophanous discussed this issue with Miltiades Christodoulou who in 1974 was the spokesman of the government and one of the closest associates/advisors of President Makarios. He asked whether Turkey would have gone all the way to an agreement if the coup against Makarios had not taken place. Christodoulou was not sure about this. The point is that in one way or another (perhaps) Turkey expected a "window of opportunity" to invade.

[22] O'Malley and Craig, *The Cyprus Conspiracy*.

[23] Clerides *My Deposition,* vol. 4, pp. 38-39.

[24] It is estimated that by the end of 2009 the population in the "TRNC" was approximately 280,000, of which 180,000 settlers, 95,000 Turkish Cypriots and 5,000 others.

[25] For a general evaluation of the UN's success in peacekeeping and peacebuilding, see M. Doyle and N. Sambanis, *Making War and Building Peace,* (Princeton, NJ: Princeton University Press**,** 2006).

[26] For interesting reading in relation to the entire period see Christodoulou, *Course of an Era*; Dekleris, *The Cyprus Question*; Clerides, *My Deposition,* and N. Crawshaw, *The Cyprus Revolt: An Account of the Struggle for Union with Greece,* (London: George Allen and Unwin, 1978). See also M. Attalides (Ed.), *Cyprus Reviewed* (Nicosia: Jus Cypri Association, 1977), and C. H. Dodd (Ed.), *The Political, Social and Economic Development of Northern Cyprus,* (Huntingdon: Eothen Press, 1993).

[27] Michael, *Resolving*.

[28] Theophanous, *The Cyprus Questions,* Appendix A, p. 191.

[29] Theophanous, *The Cyprus Questions,* Appendix B, pp. 193-194.

[30] For the mainstream positions of the two sides as they developed in the 1990s see 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 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.

[31] For an overview of the pre-negotiation conditions and the failure of the Annan Plan, see Palley, *An International Relations Debacle*; A. Schiff, "Pre-negotiation and its Limits in Ethno-National Conflicts: A Systematic Analysis of Process and Outcomes in the Cyprus Negotiations", *International Negotiation*, vol. 18, pp. 387-412, 2008. Theophanous, *The Cyprus Question*; A. Theophanous, *Cyprus, the EU and the Stakes Involved: Accession to the EU and the Solution (to the Cyprus Problem),* (in Greek), (Athens Papazisis Press, 2006).

[32] It has, however, been noted that the Turkification of the northern part of Cyprus had started before. For example, see Ch. Ioannides*, In Turkey's Image: The Transformation of Occupied Cyprus into a Turkish Province,* (New Rochelle NY: Aristide D. Caratzas, 1991).

[33] For an analysis of external presence in the negotiations, see R. Saner and L. Yiu, "External Stakeholder Impacts on Third-Party Interventions in Resolving Malignant Conflicts: The Case of a Failed Third-Party Intervention in Cyprus," *International Negotiation*, vol. 6, pp. 387-416, 2001.

[34] For an evaluation of the post-Annan period, see M. Michael, "The Cyprus Peace Talks: A Critical Appraisal," *Journal of Peace Research*, vol. 44, no. 5, pp. 587-604, 2007; A. Theophanous, Reflections on

the Report "*The Cyprus Stalemate: What Next*?" (International Crisis Coup, Europe Report N^{0}171) Research Center - Intercollege, Electronic Newsletter *In Depth*, Vol. 3, Issue 2, April 2006.

[35] Palley, *An International Relations Debacle*; Theophanous, *Cyprus Question*; Theophanous, *Cyprus.*

[36] This approach may be supplemented through grassroots efforts on the island. For such an approach, see B. Broome, "Reaching Across the Dividing Line: Building a Collective Vision for Peace in Cyprus," *Journal of Peace Research*, 2004, vol. 41, no. 2, pp. 191-209.

[37] For example see V. Coufoudakis, *International Aggression and Violations of Human Rights – The Case of Cyprus,* (University of Minnesota, Minneapolis, Minnesota: Minnesota Mediterranean and East European Monographs, Modern Greek Studies, 2008).

[38] A. Theophanous, *A New Start or More of the Same*? Cyprus Center for European and International Affairs*,* Electronic Newsletter *In Depth*, Vol. 5, Issue 4, August 2008.

[39] For an analysis focused on sovereignty, see O. Richmond, "Ethno-Nationalism, Sovereignty and Negotiating Positions in the Cyprus Conflict: Obstacles to a Settlement," *Middle Eastern Studies*, vol. 35, no. 3, pp. 42-63.

On the other hand one could put forward the position that over the Cyprus problem there is no contradiction between these two core UN principles, self-determination and sovereignty. This will be the case if the people of Cyprus are considered as a single entity and not as consisting of two communities.

[40] See A. Theophanous, "*The Cyprus Problem: Accession to the EU and Broader Implications,*" *Mediterranean Quarterly,* Vol. 14, No. 1, (Winter 2003) pp. 42-66.

[41] Claire Palley suggests that the UN shared refrain from pressure to force an agreement. It is important for the two sides to sign an agreement when they feel that an honest and functional compromise has been reached. See C. Palley, "*Must History Repeat itself by Duplicating Earlier Mistakes in the 60-year Long Negotiations About Cyprus' Future*?" Cyprus Center for European and International Affairs, Policy Paper Series, No. 2/2010, Nicosia 2010.