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Cyprus: The Courage to Compromise

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I write as a son of Greek Cypriots, who was born in Cyprus, and was evacuated from the island in the wake of the Turkish invasion in the summer of 1974.

But for the invasion, I would have grown up a Cypriot. Despite the invasion, I remain proud of my Cypriot heritage, and am afflicted – like all those who, in one way or another, were its victims – by the deep sense of injustice that is its enduring aftertaste. I was four years old when an overwhelming number of Turkish soldiers marched through the island. The phrase ‘ethnic cleansing’ did not exist then, but that was what it was. It was not a bloodless invasion, and I shall never forget it.

Many Cypriots still feel the anger of dispossession, and no one can blame them for that. But it is not that feeling that will lead to a solution. The mindset of war will not achieve a lasting peace. To settle the Cyprus problem what is required – and in this respect Cyprus is no different from any other conflict zone – is a final act of courage by those that have been its victim: the courage to compromise.

The time to find such courage is running out. If this self-evident statement requires demonstration, let me recall a recent tragedy that the world has already forgotten. It is the story of a young and proud republic, which is small but strategically located: A republic that finally obtained its independence, after many years of imperial rule by a domineering neighbour. That neighbour still coveted control of the republic, and used its small ethnic minority within the republic to claim and exert such control. During the long days of a single summer, the powerful neighbour was given a pretext to invade that sovereign republic, and proceeded to occupy an enclave purportedly in defence of its minority. Long after, its forces continue to occupy those enclaves, which it has since unilaterally recognised as ‘independent’.

These facts may sound familiar to Cypriots. But I am not describing Cyprus in the summer of 1974; I am describing Georgia in the summer of 2008: An invasion that happened only four years ago, but one that the world has already largely forgotten. So let us not hold an exaggerated sense of Cyprus’ international importance, or of the world’s attention span. Let us not simply repeat the mantras of ‘invasion’ and ‘occupation’, as if they will magically bring a just settlement to the island. They will not. As we approach the fortieth anniversary of the Turkish invasion, Cyprus is no longer a crisis, it is a problem. And soon it will not even be seen as a problem beyond Cyprus. It is naive to think otherwise. And after what the Cypriot people have endured over the last half century, history will not forgive naivety.

In this essay, I ask one preliminary question alone that is critical to there being even a chance of settling the Cyprus question:

Can we expect anything other than a bizonal bicommunal federation as the basis of a solution now to a division that has lasted for almost 40 years (more than double the lifetime of the independent, unitary Republic of Cyprus)?

The answer I propose will not meet with universal acclaim. It will provoke some, and may outrage others. I ask only that it be considered as the views of someone who was of Cyprus but, paradoxically because of the invasion, has not remained Cyprus-centric. In making this request, I must observe that the Cyprus debate as a national discourse has degenerated in recent years. Instead of a respectful recognition that fellow Cypriots can legitimately hold views that differ, those that participate most vociferously on the 'Cyprus issue' respond to those who hold opposing views by questioning their motives and their patriotism. Such insults undermine mature democratic debate. They demean all participants in the dialogue. And they inhibit, rather than encourage, progress to a consensus. So, as I begin to address the question posed, let me ask only that we question each other's ideas, without questioning each other's loyalty.

And to answer the question, let us begin with the lessons of the past. The relevant past for these purposes must begin before the Turkish invasion of 1974, with the island's fourteen years of unity and independence that preceded it.

There are two obvious things to say about that independence: first, it was but a short interlude in over five hundred years of foreign conquest and subjugation of the island; second, it was far from unitary.

During those short fourteen years Cyprus had more than one constitutional crisis, created by and resulting in, communal strife and division. In 1963, following constitutional amendments proposed by President Makarios, which were aimed at diminishing constitutional recognition of ethnic identity and division, fighting broke out between the two communities that led to the end of Turkish Cypriot participation in government, the withdrawal of many Turkish Cypriots into geographic enclaves and the establishment of an international peace-keeping force on the island of Cyprus – hardly a feature of a typical unitary state. In 1967, the outbreak of intercommunal fighting once again led to the threat of a Turkish invasion, the reinforcement of Turkish enclaves and the Turkish Cypriots proclaiming their own provisional administration. Those fourteen years of Cypriot unitary independence were, thus, brief, precarious and far from unified.

Since the invasion of 1974, against the backdrop of total geographic and political division, there have been numerous reunification plans. In all of these, from the very first in 1977 (the four point agreement signed by President Makarios and Rauf Denktaş in February 1977) the Republic of Cyprus has accepted that a future Cyprus settlement would be based on a federation made up of two states (bi-zonal) and two communities (bi-communal).

As these plans came and went, two trends were discernible. First, the Turkish Cypriot side – under Rauf Denktaş' leadership – kept retreating from the principle of bi-zonal bi-communal

federation, proposing eventually a 'confederation' which amounted to legitimised and recognised division by another name. Secondly, in so doing, Mr Denktaş invited widespread international condemnation for his blatant bad faith. That condemnation hardened into international determination to ensure that Turkish Cypriot intransigence in settlement discussions would not prejudice the Republic's aspiration to become a member of the European Union; an aspiration which was realised on 1 May 2004 when Cyprus acceded to the EU.

The second of those trends was instantly reversed by the Republic of Cyprus' rejection of the Annan Plan. Whatever the flaws of the Annan Plan and the manner in which it was foisted on the people of Cyprus, the Greek Cypriots have paid a heavy price for its rejection. Under President Papadopoulos' leadership, Greek Cypriots have metamorphosed into the party that said 'no'. Whether Greek Cypriots like it or not, rightly or wrongly, so far as international public opinion is concerned they have now forfeited much of the moral high ground in future settlement processes. Greek Cypriots may rightly regard themselves as the victims of a long-standing Turkish aggression, but so far as the world is concerned they now share responsibility for the failure to find a solution.

Leaving aside the shortcomings of the Annan Plan, the way in which the Greek Cypriot government manoeuvred itself into the position of taking the blame for the debacle of the UN's last initiative was a huge political failure. As a consequence, President Erdogan now tours the world telling leaders that the Greek Cypriots moan about the number of Turkish Cypriot soldiers on the island, but that if the Annan plan had been accepted in 2004 there would today be fewer Turkish soldiers on the island than Greek Cypriot soldiers.

Against this recent historical backdrop, for the Greek Cypriots now to go further and reverse thirty-three years of acceptance of the principle of bi-zonal bi-communal federation (something they did not even do when rejecting the Annan Plan) would be political folly on a historic scale. Not only does it of course have zero chances of acceptance by Turkey and Turkish Cypriots, but it will benefit from no international support – even from the Republic of Cyprus' friends. In a world in which international support is required for political success, such revisionism is worse than futile.

So why should some Greek Cypriots encourage their government to shoot themselves in the foot in this monumental way? Well, for the best possible reason some say: in the service of 'principle'. This principle can be stated in the following stirring terms: let us leave behind the ethnic divisions of the past; let us not define or discriminate on the basis of ethnicity; let us establish a future in which all Cypriots are equal before the constitutional law, be they Greeks, Turks, Armenians, Maronites or others. Is this not after all what it means to be European in the twenty-first century?

This sounds like an ideal world; but not a real world – at least not the real world of Cyprus today. And it regrettably won't be until the divided communities on the island build some history of reintegration together. We cannot simply brush aside fifty years of history as if they are only words on a page that can be turned. Whether we like it or not, the people of Cyprus do presently define themselves by reference to their ethnicity; indeed in truth many go further by defining themselves by reference to not being of the other community.

It is to be hoped that one day those divisions become less meaningful. In fact, we must look to a settlement that facilitates and accommodates such ethnic rapprochement by avoiding the cementing of ethnic divisions forever (in respect of which, see below). But today, the divisions could scarcely be more meaningful. Ignoring that reality – even if it could be imposed without support, which of course it cannot – would not be a secure foundation for a lasting settlement. Imagine what problems this might cause the day after settlement?

This is of course a statement of the obvious, and there exist countless examples of successful peace settlements of ethnic conflicts that are, of necessity, based on recognition of ethnic divisions.

Let me give you one example; an example I am personally familiar with. In 1995, as the Chairman of the Foreign Affairs Committee of the British Conservative Party's Bow Group think tank, I led a delegation of young political activists to Dublin Castle in Ireland to address the leaders of Ireland's political parties on a series of proposals for bi-communal rapprochement in Northern Ireland. Through happenstance, we found ourselves in Ireland at a time when the peace process was entering a critical phase.

That critical phase began with an IRA ceasefire in August 1994. It was then given momentum by a joint paper by the British and Irish Governments in February 1995 entitled 'A New Framework for Agreement', in which the British and Irish Governments set out a 'shared understanding' to assist discussion and negotiations involving the Northern Ireland parties. In this document, both governments stated in broad but significant terms that:

'Given the absence of consensus and depth of divisions between the two main traditions in Northern Ireland, the two Governments agree that such an accommodation will involve an agreed new approach to the traditional constitutional doctrines on both sides. This would be aimed at enhancing and codifying the fullest attainable measure of consent across both traditions in Ireland and fostering the growth of consensus between them.' (Paragraph 15)

On this basis, they agreed that:

'... future arrangements relating to Northern Ireland, and Northern Ireland's wider relationships, should respect the full and equal legitimacy and worth of the identity, sense of allegiance, aspiration and ethos of both the unionist and nationalist communities there. Consequently, both Governments commit themselves to the principle that institutions and arrangements in Northern Ireland and North/South institutions should afford both communities secure and satisfactory political, administrative and symbolic expression and protection. In particular, they commit themselves to entrenched provisions guaranteeing equitable and effective political participation for whichever community finds itself in a minority position by reference to the Northern Ireland framework, or the wider Irish framework, as the case may be, consequent upon the operation of the principle of consent.' (Paragraph 19)

The road to peace thereafter was neither smooth nor without incident (including the ending of the IRA ceasefire for a time on 9 February 1996 and the explosion of a huge bomb in London's

Docklands one hour after the IRA's announcement of the end of the ceasefire). But the road eventually led to agreement on 10 April 1998, with the so-called 'Belfast' or 'Good Friday' Agreement, signed by the political parties of Northern Ireland and the British and Irish Governments.

The agreement contemplated an inclusive Northern Ireland Government, troop reductions and 'parity of esteem' for the two communities in Northern Ireland: both the 'unionist' (i.e. those, mostly Protestants, who wanted continued union) and the 'Republican' (i.e. those, mostly Catholics, who strove for Northern Ireland to become part of the Republic of Ireland).

During the referendum campaign in Ireland and Northern Ireland that followed the agreement, it was easy for many on both sides of the ethnic divide to advocate rejection of the plan on the basis of principle. And they did.

On the unionist side, the 'no' campaign focused on the apparent concessions to illegal terrorist activity, the perceived one-way nature of the process and the apparent dilution of majority rule in Northern Ireland.

On the Republican side, the 'no' campaign concentrated on the purity of the republican ideal of complete and absolute independence from Britain, pointing to the overwhelming majority of Catholic nationalists on the island of Ireland (if you included Irish Catholics, outside of the 'north', in the Republic of Ireland south of the border).

It was momentous that the 'yes' campaign prevailed with majorities in both the Republic and Northern Ireland. Indeed, though no official breakdown exists of how nationalists and unionists voted, majorities (slim in the case of the unionists) in both communities within Northern Ireland voted yes.

The resulting constitutional arrangement is instructive for all those around the world searching genuinely for a political settlement of ethnic conflict. Whilst enshrining the principle of consent of the majority of the people of Northern Ireland on the fundamental question of whether they prefer to continue to support the Union with Great Britain or a sovereign united Ireland, the agreement recognises in a variety of important ways the need for obligatory bi-communal involvement in all the institutions of Northern Ireland's government. In particular, it ensures power-sharing (or 'Consociationalism' to give it its more formal legal title); i.e. a form of government involving guaranteed group representation.

Thus, the 108-member Assembly is elected by way of a system of proportional representation (PR (STV)) designed to ensure the representation of all communities, and operates where appropriate on a cross-community basis (i.e. requiring either parallel consent, meaning a majority of both unionist and nationalists assembly delegates, or a weighted majority, meaning a vote including at least 40% of each of the nationalist and unionist designates).

Moreover, the executive is selected on a cross community basis. Thus, the First Minister and Deputy First Minister reflect the two communities, and the posts of Ministers are allocated on the basis of the d'Hondt system (a system used in over 30 legislatures around the world as diverse as Belgium, Brazil, Paraguay and Poland) which ensures allocation to all major parties across the

community divide.

Importantly, recognition of the responsibility of the British Government to ensure compliance with European law is enshrined in the final paragraph of the Good Friday Agreement. But the peace settlement in Northern Ireland has nevertheless led to a system of government unlike that of most parts of the European Union. It recognises and positively discriminates between different citizens on the basis of ethnicity. But it does so in the interests of peace that is enduring, and today – a decade of peace later – only the few remaining dissident extremists in Northern Ireland denounce such inclusive democracy.

There are of course many differences between the situation in Northern Ireland and that in Cyprus.¹ But there are important lessons to be learned too. First, the solution to a historic ethnic divide is not found simply by pretending the division does not exist. Second, bi-communal inclusive democracy involves both sides across the divide reaching out and forsaking their respective perfect solutions. And third, the resulting compromise can work and endure – even in a region such as Northern Ireland where blood was being spilt right up until the settlement was signed.

Northern Ireland is not the only recent example of a conflict zone compromising for peace by accepting an ethnically-denominated constitution. For Bosnia, the Dayton Peace Agreement forged the creation of a very limited central state with a collective presidency comprising one Bosniak, one Bosnian Serb, and one Bosnian Croat, with central institutions carrying limited responsibilities. This was the price of peace. And most Bosnians today will confirm that it is a price worth paying.

It takes a special kind of arrogance to brush aside these examples of careful compromise as good enough for other conflict zones but not good enough for Cyprus. In truth, those that propose pure democracy as the solution for Cyprus (i.e. treating Cyprus as if it was France or England, with many hundreds of years of unified history), know in their heart of hearts that it means ‘no solution’. That is a legitimate position to hold after all these years. Perhaps the *status quo* is not the worst of all scenarios, and all of us should recognise that even a successful solution will be hugely disruptive and – at times – traumatic. But advocacy in favour of a permanent division should be stated openly and honestly. It should not be dressed up to masquerade as the alternative route to perfect settlement that it is not. There is no perfect solution that can be delivered. For those who

1 Gerry Adams, in a conversation over lunch in Dublin Castle, once tried to convince me of the parallels between the position of the Irish Catholics in Northern Ireland and the Greek Cypriots in Cyprus, on the basis that both were majorities on their island oppressed by a minority. This was a parallel that I rejected on the spot, and continue to reject. Looking beyond superficial parallels to religious division and the existence of majorities and minorities, the histories of the island of Ireland and Cyprus diverge in a multitude of ways. Moreover, the continued division of Cyprus is not on the whole supported – as division in Ireland firmly is by the unionists in Northern Ireland – by Turkish Cypriots.

pretend otherwise, who suggest that reciting the words 'invasion' and 'occupation' will lead us to a promised land, are throwing sand in our eyes.

So let us sweep aside platitudes that are easy to say to each other, but get us nowhere with others. Let us have an honest debate. After all these years, the choice now is between those who are willing to compromise to find a solution, and those who are not and are consequently consigning the island to permanent division.

And for those unwilling to consign the future of Cyprus to permanent, recognised, eventually legitimised division, bi-zonal bi-communal federation represents the only alternative. The next question – the much more relevant question – then follows:

What kind of federation settlement is achievable and fair enough to endure?

This is the real question, and the debate I have engaged with in this paper should not obscure it. Although not the subject of this paper, let me end with the following brief remarks on the requirements of a fair federal solution:

The *quid pro quo* of the difficult majority compromise that I advocate is that the compromise is – and is perceived to be – fundamentally balanced and fair to the majority. And I cannot help but suspecting that recent rejections of bi-zonal bi-communal federation arise only because the *forms* of federal solutions offered by successive recent peace-brokers are not seen by the majority as sufficiently balanced and fair.

The Greek Cypriot majority will undoubtedly make significant concessions (as they have already in negotiations) on territorial, governance, economic and EU issues. But they cannot be expected to do so without a sense of basic fairness in the resolution of property dispossessions and the security question that arises from the foreign troop numbers that are to be left on the island following the settlement.

Let us take the example of 'property', and recognise that any solution that requires the vast majority of the (still living) dispossessed citizens to say goodbye to properties that were their homes is too difficult for any political leader to impose. And they need not do so. Once again, a review of solutions implemented in other conflict zones is instructive. The return of over one million displaced persons and refugees to destroyed villages throughout the whole territory of Bosnia (from all ethnic communities to all zones) surely challenges those who doubt its appropriateness in Cyprus to give very good reasons why. Restitution in Bosnia has worked. Property has been restored to those from whom it was stolen, dividing lines between communities have been made permeable and – as a result – a future beyond segregation has become real. Why should Cyprus, where less blood flowed less recently, expect less?

The unfairness of officialised dispossession is exacerbated by the insecurity of legitimised militarisation. The genuine fear created by a large standing Turkish army on a small island, which is after all only forty miles from the Turkish mainland from where proximate troops can less controversially be stationed, cannot easily be brushed aside. An overwhelmingly large and ever-

present military presence can be no basis for a lasting solution, particularly as it is so obviously unnecessary for any legitimate defensive purpose.

On these issues compromise must come from those that did the dispossessing (on both sides), and from the party with overwhelming military preponderance (undoubtedly Turkey).

The result can be a solution that can endure. And endure long enough to see the compromises become less necessary. As the need for an ethnically focused constitution becomes less necessary, so the need for a standing foreign group contingent (be it Greek or Turkish) should – it is hoped – recede into irrelevance.

It is for that reason that the compromise solution that is reached should, on all issues, make express provision for periodic constitutional evolution in the future when – we must hope – ethnic tension and suspicion has declined. In this way, communities can more easily be invited to accept the proposed arrangement as an initial solution, rather than final solution.

Conclusion

In November 2010, Jack Straw, the former British Foreign Secretary, wrote an article in the Times of London in which he proposed that 'It is time for the UK Government to consider formally the partition of Cyprus if the talks fail'.² It does not matter that Greek Cypriots vehemently denounce such remarks. What matters is that they are now being said openly. And they will be said with greater regularity, all around the world.

More important than the transient words of politicians who come and go, are the judgments of the world's international courts. And here too time may be beginning to work against the position of the Greek Cypriot majority. For after a generation of cases before the European Court of Human Rights that have found against Turkey for depriving Greek Cypriots of their fundamental right to property, in 2010 its decision in the case of *Demopoulos and Others v. Turkey* signalled perhaps the emergence of a changing legal reality. Finding that the so-called 'Turkish Republic of Northern Cyprus' establishment of an 'Immovable Property Commission' can potentially offer adequate redress for dispossession, the European Court of Human Rights made an observation that profoundly challenges those tempted to think that Greek Cypriots can wait and wait until they get their ideal reunification solution:

'At the present point, many decades after the loss of possession by the then owners, property has in many cases changed hands, by gift, succession or otherwise; those claiming title may have never seen, or ever used the property in question. The issue arises to what extent the notion of legal title, and the expectation of enjoying the full benefits of that title, is realistic in practice. The losses thus claimed become increasingly speculative and hypothetical. There has, it may be recalled, always been a strong legal and factual link between ownership and

2 Jack Straw, 'No ifs or buts, Turkey must be part of the EU', *The Times*, 8 November 2010.

possession ... and it must be recognised that with the passage of time the holding of a title may be emptied of any practical consequences.³

So as we debate these questions, let us all recognise that the time for finding a solution is not unlimited. We cannot simply wait and wait until we get what we want. No solution now will, at some point in the not too distant future, mean no solution at all.

And no solution is – let us say it openly – a viable option, for Greek Cypriots: For a ‘solution’ to the division will undoubtedly bring uncertainty and, without doubt, a period of greater insecurity. Ethnic tension may not have been the original cause of the division, but we must accept that it may follow as a consequence of a generation of such division. Extremists can be expected to stoke those tensions on both sides following reunification, and the prospect of Islamic extremism on the island is not far-fetched. The ethnic make-up of the island will also visibly change: Greek Cypriots must acknowledge that, in pulling down the wall, *their* Cyprus will change too. And, of course, there will be an acute economic cost to reunification that – initially at least – will not be offset by the commercial opportunities that come with reunification.

In short, the price of reunification should not be underestimated. But for all those who like me consider the Green Line to be an open wound across their ancestral home: the price is worth paying for Cyprus to become whole again. And if the problems of reunification are overcome, reunification will bring its own special prize. For having served for a generation as a symbol of ethnic strife, a successfully reunified Cyprus can serve as a future beacon of hope for all those around the world who wonder at the compatibility of western and Islamic civilisation in one land. That is a vision worth showing courage for; that is a future worth compromising for.

3 *Demopoulos and Others v. Turkey* Grand Chamber Decision of the ECHR, March 2010, at paragraph 111.