

Cyprus: The Way Forward*

James Ker-Lindsay

"Cyprus: The Way Forward" was the title of a Wilton Park Conference held in Larnaca, Cyprus, from 7-10 February 2004.¹ The 150 participants came from both Cypriot communities and abroad and included representatives from politics, academia, the media, civil society, international organisations, government service and the business community. Despite the fact that speaking invitations were sent to a number of senior members of the Cyprus Government, in the end no high level representatives of the administration attended. AKEL, the largest party in the government, did send its party spokesman to address the first session of the conference, but it did not have any formal presence at the other sessions. Indeed, the only Greek Cypriot party with any real presence at the event was the United Democrats. In contrast, there was a strong turnout from the Turkish Cypriot side, with representatives from the Republican Turkish Party (CTP), the Peace and Democracy Movement (BDH) and the Democrat Party (DP) attending. However, ongoing campaigning for the Turkish Cypriot parliamentary elections, which were held on 20 February, meant that senior members of the parties were only able to attend briefly.

The event took place under a constant barrage of attacks from much of the Greek Cypriot media. Contrary to press claims, the event was not closed to outsiders. It was just held under standard Chatham House rules with the press barred from covering events taking place inside the hall. In reality, this meant very little as there was a constant stream of information about proceedings passed to the press. It is also worth pointing out that the event had been held in Cyprus in order to try to dispel any views that it was in some way a 'secret' conference. To some degree the negative coverage of the event was heightened by the fact that just a few days earlier, Dimitris Christofias, the leader of AKEL, had heavily criticised British policy towards Cyprus. In a speech made in London, he called the British demons and referred to the United Kingdom as the 'nemesis' of the Greek Cypriots. These views were endorsed a few days later, while the conference was going on, by President Papadopoulos.²

The Basis for a Settlement

Despite clear and vocal opposition from a significant minority of Greek Cypriots, there is a general acceptance – both on the island and internationally – that a settlement of the Cyprus issue should be based on the UN plans that are currently on the table. The word plans, rather than plan, is significant in this statement. It is

important not to become fixated with the final version of the UN plan as a basis for any future progress on Cyprus. Instead, it would be beneficial to refer to the UN plans as a whole package. The fact that there are parts of the final plan that are obviously unacceptable to Greek Cypriots does not mean that efforts would be needed to negotiate new provisions. In many cases, acceptable elements were included in previous versions that were then discarded.

Linked with this, it is useful to make it clear that the UN plans were not the product of a specific negotiating period that started in January 2002. Instead they represent the latest evolutionary step in a process that started with the signing of the High Level Agreements in 1977 and 1979 and continued through many subsequent steps, such as the Set of Ideas. And, as an evolutionary process, it is obvious that there is still room for further real changes, and not just cosmetic alterations, to be made. Still, while there will need to be some substantial revisions to current provisions if the plan is to be acceptable to Greek Cypriots, changes made by the Greek Cypriots cannot be made at the expense of Turkish Cypriot concerns. The fundamental balance created in the plans cannot and should not be reversed.

Revising a Settlement Plan

Needless to say, there were a *very* wide range of specific proposals for changes to the plans presented *over* the course of the conference. While many ideas were extremely interesting, and certainly worthy of further development, the general feeling was that the conference was not designed to put forward specific suggestions for amendments to the plans - a task best left to the political leaders. Instead, the conference produced a number of general observations regarding the broad provisions of a settlement and the implications of these in terms of a revised plan.

Constitutional changes

The constitutional aspects of a settlement neither catch the imagination, nor deeply concern, many Cypriots in the same way as other issues, such as property or security, attract attention. Indeed, there seems to be few real areas of difference on these issues. As far as taking this matter forward in future, two main points are worth mentioning. The first is that there is a world of difference between workability, acceptability and desirability. Just because an element is not particularly desirable this does not mean that it cannot work. Secondly, the pursuit of a perfect constitution is a task that can *never* succeed. There is not a constitution in existence that is not in some way or another overly complicated, contradictory or just plain untidy. Moreover, the political will to make a constitution work is far more important than specific provisions. As one observer put it, if you test the constitution to destruction, you will destroy it no matter how perfect or well developed it might be.

Economic issues

There have been many concerns expressed about the economic aspects of a settlement. While deep reservations were expressed about many of the provisions contained in the third UN plan, a number of improvements were made to the fifth version of the plan that should have ensured greater economic and financial security. However, even then many leading economists and business leaders continued to voice grave fears about the economic and financial elements of the settlement. Given that many provisions were drawn up with great haste, there would seem to be room to re-evaluate many of these issues in order to secure provisions that would better protect the economic viability of any post-settlement state. Moreover, in the year since the referendum there have been a number of changes in the economic situation in both parts of the island that could necessitate a review of the provisions.

Settlers

As any discussions about the issue quickly shows, one of the greatest problems about tackling the issue of settlers is the lack of information on the subject. In the absence of data, there are wide disparities between the various numbers that are presented. Some Greek Cypriots have placed the number as high as 160,000. In contrast many Turkish Cypriots put the number as low as 40,000. Although discussions on this topic during the conference resulted in a broad acceptance that the number of Turkish citizens who have since been granted 'TRNC' citizenship is approximately 60,000, and that there are a further 40,000 Turkish workers on the island, it is clear that hard and fast data is needed. Therefore it would seem useful for a census to be conducted, according to international standards, and with international observers, in order to arrive at some sort of figure upon which to base further discussions.

Property

The issue of property is one of the two key issues of concern for Greek Cypriots. It is clear that the provisions in the final UN plan were extremely complicated. They were far beyond the ready comprehension of most voters. Moreover, complaints have been heard that while the provisions looked to be fair in theory, in practice many of the conditions laid down were so onerous that very few Greek Cypriots would have a realistic chance of receiving any of their property back. To this extent, there would certainly seem to be a need for further discussions on this matter, not only in terms of the actual provisions relating to property, but also in terms of trying to reach a system that would be more widely understood by the population.

Security

This has frequently been listed as the single greatest concern of Greek Cypriots. In actual fact, the subject of security relates to two issues. First of all, there are

questions relating to traditional military security. In this sense, one firm proposal does come to mind concerning the Treaty of Guarantee. It is clear that many regard the treaty as an anachronism, but that it is a vital element in any solution at this time. Looking ahead, however, there would seem to be grounds to propose that the Treaty lapses at the moment of Turkish membership of the EU. In fact, some would argue that this would be absolutely necessary. From a European perspective, the Treaty of Guarantee stands in contravention of one of the most fundamental principles of the EU, namely that no matter how serious an issue, no member state shall use, or threatened to use, force against another member state. The idea that one member state will have the right to intervene militarily in the affairs of another member state is therefore regarded by many as wholly contradictory to the very underlying premise of the European Union. While some argue that there is no way that Turkey would accept the termination of the Treaty, there are in fact grounds to believe otherwise. As it happens, there does seem to be an element of understanding in the upper echelons of the Turkish military that EU accession will change the security relationship Turkey has with both Greece and Cyprus.³

On a second point regarding military security, it is clear that there are certain potential flaws in the current UN proposals that need to be addressed. For example attention was drawn to demilitarisation and the protection of the state. Traditionally, the danger to Cyprus has been cast in terms of a conflict between Greece and Turkey. However, since 1 May 2004 Cyprus is now the eastern outpost of the European Union, sitting on the doorstep of the Middle East. The island does need to have some security, especially in terms of air defences. Some thought needs to be given to how Cyprus could receive the protection it needs without recourse to Turkey, an option that would be rejected by Greek Cypriots.

However, security also refers to issues relating to implementation. One of the great fears harboured by many Greek Cypriots is that the provisions of the plan will not be fully honoured by Turkey and the Turkish Cypriots. In particular, they feel that in the event that Turkey cannot remove its troops according to the specified timetable, or if land due to be handed back cannot be given over as the inhabitants have not yet received new homes in the Turkish Cypriot constituent state, then it will be the Greek Cypriots that will be asked to show goodwill and compromise. Many Greek Cypriots want to see steps taken to ensure that the timetable agreed to in the plan will be honoured when the time comes.

Language revisions

Finally, a small but potentially significant step that might engender a greater degree of confidence in any revised plan would be to go through current plans with a view to expunging language or provisions that are seen to use particularly harsh language. There are aspects of the plan that seem to have been written with a view

to making an agreement more palatable for Mr Denktash. With his departure from the political scene there might be room to rewrite parts of the plan to moderate the language. Needless to say, this is not a major issue, but it is perhaps something that should be considered and taken on board, if only to encourage greater public support for any new, revised set of proposals.

Getting to 'Yes'

One thing that is absolutely clear is there can be no question of reaching a settlement through a process that does not involve putting a revised plan before the people of Cyprus. A second referendum will need to be held. This will require work to be done on the way in which the public is informed about the terms of any new settlement plan and how the debate over a new plan is framed. In the period since the last referendum, there has been some excellent work done on the issue of public opinion. Alexandros Lordos and Muharrem Faiz, presented the findings of a number of polls they had conducted on various aspects of a settlement.⁴ The results challenged many of the opinions that are now forming concerning the actual wishes of the two communities regarding a solution. For example, it appears clear that the majority of Greek Cypriots are in fact willing to accept a bizonal, bicommunal federation. Moreover, it was suggested that with specific steps taken to improve various aspects of the UN peace plan, such as those relating to security, it appears possible that a second vote could achieve 65% support from the Greek Cypriots. This would be on a par with Turkish Cypriot support in the first referendum.

Similarly, it was accepted that one of the most beneficial things that can be done is for there to be a regular and ongoing public opinion polling process that can be used to inform the political leaders about the wishes of the people. However, one concern expressed was that while people may want to see improvements made to provision relating to security, for example, there is the question of how they will judge whether those changes that have been made conform to their requirements. In other words, there is still room for politicians, and those closely involved with the talks, to act as arbiters of the acceptability of the final product. This needs to be thought about.

Another issue that needs to be addressed is the way in which the media addresses the issue. It was pointed out that most of the Greek Cypriot media took a very negative view of the UN peace plan and waged an unremittingly hostile campaign against all those who supported the agreement. This included preventing supporters of the plan from expressing their views. Attention was given to the fact that neither Alvaro de Soto nor Gunther Verheugen were allowed to speak on Greek Cypriot television. In the event that a second referendum is held, steps will need to be taken to address this problem and ensure that a free and fair debate takes place.

However, care should be taken not to take the behaviour of the Greek Cypriot media as being indicative of some deep flaw in the nature of democracy in Cyprus, a view that has been widely expressed. For example, as the EU Constitution referendum campaign in the UK is likely to show, the media all over Europe are more than capable of distorting the truth to pursue a political agenda.

Restarting the Process

Although the conference examined ideas for changing the plans, and looked at ways to address public attitudes towards a settlement, there was little doubt that the key question was how to get the parties back to the table. One issue that had come up at an early stage was the idea that somehow the European Union could take a more active role in the future peace talks, perhaps even replacing the United Nations. This has been gaining currency in Greek Cypriot circles in recent months. However, as a number of participants pointed out this notion stood against the standard practice of the EU. Moreover, it has been categorically rejected by a number of senior EU officials. The EU had not intervened directly in such issues before - for example in Ireland or Spain - and would not want to do so now. Instead, the EU's role was vital for creating the conditions for the parties to reach a settlement. Furthermore, even if the EU did want to have a direct role, questions were raised as to whether Turkey would accept it in such a role. To this extent, it is accepted that the United Nations Secretary-General must retain a central position in the search for a solution.

In terms of the positions of the various interested parties, the general view was that Turkey remains committed to reaching a settlement of the Cyprus issue as soon as possible. Even though the 17 December 2004 decision to open up membership talks was an important milestone, the prospect of having to extend the customs union agreement to include the ten new EU members, including the Republic of Cyprus, has given Turkey the impetus to continue to press for a settlement. Similarly, there were few doubts expressed about the willingness of the Turkish Cypriot community to engage in new talks if such an opportunity arose. By extension, the prevailing view was that the key to any settlement at this stage lies in the hands of the Greek Cypriots and that, as things stand, there is little political will for movement on their part.

While many expressed frustration at the Greek Cypriot position, the view was put forward that it would be counter-productive to force the Greek Cypriot leadership back to the table before they are ready. Despite Turkish pressure to return to talks as soon as possible, the 3 October date for the start of Turkish EU membership talks should not be seen as being a deadline of some sort. It is not. Instead, the view was expressed by several participants that it would be better to give the Greek Cypriots time to work out exactly what they want, rather than push them into a

corner. Already there are signs that the two largest parties, DISY and AKEL, are formulating positions regarding specific changes to the UN blueprint.⁵ This could well yield results. Moreover, a broad acceptance by the main parties on the terms of any new plan, assuming the terms are realistic, would facilitate the settlement process significantly and would help overcome the vocal opposition from rejectionists.

Regarding the time frame for a resolution, there were several good reasons to suggest that a return to the table might even be held off for a couple of years. This thinking was based on the view that perhaps the Greek Cypriots were worried about the implications of a settlement on their hopes of joining the euro. It was pointed out that if a settlement was reached before the euro is adopted, the eventual date for joining would be pushed back significantly. This could have serious consequences. For a start, once the euro is adopted many of the provisions of the final UN plan, such as running the Cyprus pound and the Turkish lira side-by-side, would change significantly for the better. It would also lock the European Union into supporting the agreement financially. Another factor to consider is the European Constitution. Once the treaty comes into force it will create certain new conditions that would need to be taken into account in any new peace plan. Another interesting view put forward was that the process might benefit from a change in leadership at the UN. Kofi Annan's second and final term in office is due to end on 31 December 2006.

However, balanced against this argument for delay, the Greek Cypriot leadership must be aware that postponing any return to the table is likely to come at a price. First of all, a delay could negatively effect the specific terms of a settlement. Concerns have been expressed about the arrival of large numbers of Turkish workers in Northern Cyprus over the past few months.⁶ Most of them have been brought over to provide labour to fuel the construction boom taking place. Although these workers are not settlers, it is likely that a number of them will stay, which will further alter the demographic balance in Northern Cyprus. In the meantime, every new house built on Greek Cypriot property potentially changes the very nature of the eventual settlement (restitution versus compensation) that will be offered to the original owners.

Secondly, the Greek Cypriots must be careful not to base their calculations on the belief that Turkish-EU accession is a certainty. It is not. Although the current Turkish Government is certainly keen on EU membership, there is a strong undercurrent of Euroscepticism in many parts of Turkey and it is not inconceivable that at some point in the future a Turkish Government may opt for a 'special relationship', rather than full membership. Similarly, there are countries in Europe that remain deeply troubled at the thought of Turkey joining the Union and may at

some point try to halt the process of Turkish accession. France and Austria have both announced that they will hold referendums on Turkish EU accession. Bearing this in mind, it is certainly not beyond the realms of possibility that Turkey may not join the EU, in which case the chance of a settlement would probably be lost forever. As one participant noted, good gamblers know when to cash in their chips. The Greek Cypriots need to be careful to balance the time taken to reach a position against the various other factors at play that will make a settlement more complicated or more difficult, if not impossible, to reach.

Managing the Interim

The last set of issues concerns how best to deal with the current period of political inactivity. The general view was that time should not be wasted while a decision is taken on settlement talks. There is much that can, and should, be done. Perhaps the most important work that can take place in the meantime involves steps to bring about economic convergence between the two sides. Given the considerable concerns expressed about the financial and economic elements of a settlement, any steps to increase the relative wealth of the Turkish Cypriot community should be welcomed as a means to ease the eventual reunification process. Likewise, active efforts should be made to see the implementation of the EU acquis in the Turkish Cypriot areas. Again, this would ensure a minimisation of potential shocks in the aftermath of reunification.

However, these steps should not represent recognition by the back door. There is no question of recognising the 'TRNC', or even engaging in a process of 'Taiwanisation'. This has been clearly stated by Cyprus's EU partners, including the United Kingdom, as well as by any number of other countries, including the United States. Instead, the aim should be to ensure the long-term viability of a settlement. To this end, there needs to be a more measured and less cautious response from Greek Cypriots towards the proposals that have been developed to assist the Turkish Cypriots. The current fear of recognition is preventing the implementation of a number of steps that could really benefit Cyprus and the Cypriots, both Greek and Turkish, before, during and after a settlement. Similarly, Greek Cypriots should not assume that economic convergence or steps aimed at EU harmonisation will necessarily decrease Turkish Cypriot willingness to solve the island's division. While this argument is understandable, in fact there are good reasons to argue that development will continue to spur the Turkish Cypriot desire for a solution. For example, as the Turkish Cypriots engage in the process of harmonisation they will want to be sure that at the end there is the prospect of full membership of the EU. That cannot happen without a settlement. Likewise, no matter how high their economic development, the Turkish Cypriots will still remain politically unrecognised without a settlement. Balanced against this, the Greek Cypriots should be careful to recognise that by preventing the Turkish Cypriots from developing their economy

they could well be feeding Turkish Cypriot resentment against them and thereby undermining efforts to reach a settlement.

However, leaving aside the trade issues, there are many other positive steps that can be taken in the meantime. Naturally contacts between the two communities must continue to take place. Since the opening of the Green Line, there has in fact been a reduction in the number of formal bicomunal activities that have taken place. This needs to be addressed. Even though the two sides can mix freely, efforts need to be made to encourage the two communities to continue to get to know each other again and learn to co-operate on a wide range of social, economic and political issues. Similarly, contact between political parties is important. Such contacts not only help to establish common ground in terms of a settlement, but it also creates the foundations for bicomunal political co-operation in a post settlement Cyprus. Politics after a solution would be helped if people could move beyond a simple definition of interests in ethnic terms, and could see political debate restructured to reflect the types of political, left and right, debates elsewhere in Europe.

Another important idea to consider is the continuation of confidence building measures (CBMs). However, it is important to ensure that such steps remain unilateral actions designed to engender reciprocity. While the idea of negotiated CBMs has been mooted in the past, there is always the danger that a formal discussion process on CBMs could harm the overall settlement process. For a start, such a process would divert attention away from the need to reach a settlement and become a process in itself. Secondly, the failure to reach agreement on CBMs can engender mistrust rather than build confidence. This obviously harms the overall political atmosphere between the two sides and thereby sets back efforts to reach a solution. As was pointed out, had the proposal to open the Green Line been subject to discussion between the two sides it is highly unlikely that the restrictions would ever have been lifted.

Conclusion

In summary, there is a clear view that the UN plans continue to represent the basis for a settlement and that certain changes will be needed, mainly focused on property and security, if any future agreement is to be accepted by the Greek Cypriots. In the event that a deal is reached, another referendum will need to be held and careful attention will need to be paid to the conduct of the campaign. However, there appears to be little likelihood that a new round of talks will be held in the near future. While Turkey and the Turkish Cypriots appear ready to re-engage in discussion, the Greek Cypriots appear cautious about returning to the table. While pressure should not be brought to bear on the Greek Cypriot side, they

should be aware that delays do not necessarily work to their advantage. Moreover, until such time as they are ready to resume discussions, the Greek Cypriots should support efforts to improve the economic conditions of the Turkish Cypriots and assist them to meet the terms of harmonization with the EU acquis. In addition, the overall conditions of the island would benefit from greater contact between the two sides at all levels and from the continued development of goodwill gestures and confidence building measures.

This commentary is based on the concluding address delivered to the conference by the author, 'What needs to be done to achieve a settlement?' Please note that the views contained here represent the personal opinions of the author. They should not be taken to reflect the opinions of any other participants at the conference or of Wilton Park.

1. As an academically independent and non-profit-making Executive Agency of the British Foreign and Commonwealth Office (FCO), Wilton Park is underwritten financially by the FCO, which also provides advice and contacts.
2. 'Brit bashing is back in fashion', *Cyprus Mail*, 13 February 2005.
3. See the interview with General Hilmi Ozkok, the Chief of the Turkish General Staff, published in *Eleftherotypia*, 18 October 2003.
4. Alexandros Lordos, *Civil Society Diplomacy: A new approach for Cyprus*, an evidence based report in co-operation with CYMAR Market Research Ltd. and KADEM Social Research Centre, 2005. See also the earlier findings published in Alexandros Lordos, *Can the Cyprus Problem be solved? Understanding the Greek Cypriot response to the UN Peace Plan for Cyprus*, 2005.
5. The basic points of these two papers were compared and contrasted in *Politis*, 6 February 2005.
6. These concerns were subsequently outlined by Mr Papadopoulos on 23 February when he met in Brussels with Olli Rehn, the EU Enlargement Commissioner. 'Papadopoulos briefs Commission on North', *Cyprus Mail*, 24 February 2005.