

**POLICY  
PAPER**



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# The Intercommunal Negotiations after 1974 and Future Prospects

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### Abstract

*On 13 July 1974, two constitutional experts, Michael Dekleris and Orhan Aldıkacti from Greece and Turkey respectively, who had been supporting the enhanced intercommunal negotiations, reached a tentative agreement on the Cyprus problem.<sup>2</sup> This was to be ratified on 16 July by Glafkos Clerides and Rauf Denktash on behalf of the Greek Cypriot and the Turkish Cypriot Community.<sup>3</sup> However, the coup against President Makarios on 15 July by the Greek Junta and the subsequent Turkish invasion on 20 July changed the overall political scene drastically. Not surprisingly, the basis of negotiations for a solution to the Cyprus problem changed from a unitary State to what eventually came to be known as a bizonal bicomunal federation. This paper assesses the results and repercussions of successive rounds of intercommunal negotiations under the auspices of the UN since 1974.<sup>4</sup> In addition, certain suggestions are made for the future.*

**Keywords:** Cyprus question, intercommunal negotiations, bizonal bicomunal federation

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<sup>2</sup> See M. Dekleris, *The Cyprus Question 1972-1974: The Last Opportunity* (in Greek), Estia, Athens 1981, pp. 266-273 and M. Christodoulou, *The Course of an Era: Greece, the Cypriot Leadership and the Cyprus Problem* (in Greek), Ioannis Floros, Athens 1987, p. 623.

<sup>3</sup> Ibid.

<sup>4</sup> See also A. Theophanous, *The Intercommunal Negotiations after 1974 - Results and Future Prospects*, Policy Paper 7/2019, June 2019. This paper was firstly presented at the conference *The Political History of the Republic of Cyprus* organised by the School of Law, the Cyprus Center for European and International Affairs, the Cyprus Review and the Magazine *Nea Estia*, that took place at the University of Nicosia on 12-13 October 2018.

## From the Unitary State to the Bizonal Intercommunal Federation

The 1960 constitution established in essence an administrative federation, based on consociational democracy without a geographical base.<sup>5</sup> Cyprus was under the guardianship of three guarantor powers, the UK, Greece and Turkey. Furthermore, there was neither a common vision for the future nor a tradition of tolerance and a culture of political cooperation. At the same time there were systematic foreign interventions in the affairs of the newly founded island-state. Under these circumstances intercommunal strife erupted which culminated to a great crisis at the end of 1963 and subsequently.<sup>6</sup> Following was the withdrawal of the Turkish Cypriots from the State structure and the creation of enclaves the political scene changed drastically. President Makarios struggled for the continuity of the State and the legitimisation of the Doctrine of Necessity. In essence, the Security Council Resolution 186 of 4 March 1964 was a victory for the Republic of Cyprus.<sup>7</sup> Since then, Turkey has been trying to reverse this significant decision. With the rise of the Junta in Greece on 21 April 1967 and the crisis in Cyprus in November 1967, which led to the withdrawal of the Greek contingency force from Cyprus, Makarios adopted a new policy. The objective was not *enosis* anymore but a unitary State.<sup>8</sup> Slowly but gradually there was progress in the intercommunal negotiations which started in 1968.<sup>9</sup> On 13 July 1974, a plan for the solution of the Cyprus problem was tentatively finalised by Michael Dekleris and Orhan Aldikacti; this agreement was to be ratified by Glafkos Clerides and Rauf Denktash on 16 July 1974.<sup>10</sup> This agreement provided for a unitary State with elements of local and communal self-administration on issues of low politics.<sup>11</sup>

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<sup>5</sup> See Republic of Cyprus, *Constitution of the Republic of Cyprus*, PIO, Nicosia 1960 and S. Kyriakides, *Cyprus: Constitutionalism and Crisis Government*, University of Pennsylvania Press, Philadelphia 1968, pp. 157-162.

<sup>6</sup> For an interesting reading see S. Kyriakides, *Cyprus: Constitutionalism and Crisis Government*, op. cit; B. O'Malley and I. Craig, *The Cyprus Conspiracy: America, Espionage and the Turkish Invasion*, I.B. Tauris Publishers, London and New York 1999, pp. 87-100.

<sup>7</sup> United Nations, S/RES/186, The Cyprus Question, 1964, available at [https://peacemaker.un.org/sites/peacemaker.un.org/files/CY\\_640304\\_SCR186.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/CY_640304_SCR186.pdf)

<sup>8</sup> M. Christodoulou, *The Course of an Era: Greece, the Cypriot Leadership and the Cyprus Problem* 515-516.

<sup>9</sup> For this as well as for an interesting perspective of the entire period from 1960 to the immediate aftermath of the 1974 situation see Gl. Clerides, *My Deposition* (in Greek), Vols. 1, 2, 3, and 4, *Alitheia Press*, Nicosia, 1988, 1989, 1990, 1991.

<sup>10</sup> See footnote 2.

<sup>11</sup> M. Dekleris, *The Cyprus Question 1972-1974: The Last opportunity*.

Nonetheless, Turkey was preparing its own action plan to take advantage of the clash between Makarios and the Junta. Following the coup against Makarios on 15 July 1974 Turkey invaded Cyprus five days later, on 20 July, 'to reestablish the constitutional order and to protect the Turkish Cypriot community'. On 22 July there was a ceasefire, followed by the resignation of the putschist president Nicos Samson. Glafkos Clerides, who assumed duties of Acting President in accordance with the constitution, suggested to the Turkish Cypriot leader Rauf Denktash the return to the 1960 constitution. Denktash, however, in consultation with Ankara, stated that 'it is too late'.<sup>12</sup> At the conference in Geneva, on 11-13 August 1974, the Turkish side submitted two maps; in both cases 34% of the territory was to be under Turkish Cypriot administration.<sup>13</sup> And in both cases the Greek Cypriots were expected to evacuate these territories.

When the leader of the Greek Cypriot negotiating team, Acting President Glafkos Clerides, requested 36 hours to come to Cyprus for further consultations, Turkey refused. In the early hours of 14 August, Turkey attacked Cyprus again by air, sea and land. With the new cease-fire on 16 August the situation had changed dramatically. Turkey had conquered about 37% of the island. In the process it committed ethnic cleansing and other atrocities. There were thousands of refugees, dead and missing. Furthermore, the economy of the country suffered a devastating blow. Indeed, the Greek Cypriots were facing a tragedy of biblical proportions.<sup>14</sup>

On 29-30 November 1974, at the meeting in Athens between the Prime Minister Karamanlis and President Makarios in the presence of their closest associates, the discussion largely revolved around the options of a biregional and a multiregional intercommunal federation.<sup>15</sup> Makarios returned to Cyprus on 7 December 1974, and resumed his duties as President of the Republic. The debate in relation to the solution of the Cyprus problem continued. Gradually it was understood that the only way for the reestablishment of the unity of the country was a federal arrangement

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<sup>12</sup> Gl. Clerides, *My Deposition* (in Greek), Vol. 4, 38-39.

<sup>13</sup> Ch. Hitchens, *Hostage to History: Cyprus from the Ottomans to Kissinger*, Verso, New York 1997; B. O'Malley and I. Craig, *The Cyprus Conspiracy: America, Espionage and the Turkish Invasion*, I.B. Tauris, London/New York 1999, pp. 187-221; V. Coufoudakis, *International Aggression and Violations of Human Rights – The Case of Cyprus*, University of Minnesota Press, Minneapolis 2008; Gl. Clerides, *My Deposition* (in Greek), Vol. 4

<sup>14</sup> A. Theophanous, 'Economic Growth and Development in Cyprus 1960-1984', *Modern Greek Studies Yearbook*, Vol. 7, 1991, pp. 111-112.

<sup>15</sup> S. Pavlou (ed.), *The Other Deposition-Confidential: Minutes of the 1974 Meeting*, Molly Press, Nicosia 1991.

including the geographical dimension. The forces opposing federation did not offer a comprehensive alternative.

On 15 February 1975, the Turkish Cypriot leadership, in line with Ankara and with the full support of the Turkish Cypriots, unilaterally declared the 'Turkish Federal State of Northern Cyprus.' On 2 August 1975, the Third Vienna Agreement was signed by Glafkos Clerides and Rauf Denktash; a major provision was the status and the rights of the 15,000 enclaved Greek Cypriots in Karpasia which the Turkish side never respected.

With the election of Jimmy Carter as the new President of the US in November 1976, there were great expectations in Cyprus. Nevertheless, the priority of the US was to end the arms embargo against Turkey and the full normalisation of the relations between the two countries. The rights of the Greek Cypriots and international legality were of secondary importance for the Carter administration as well. Indeed, the American initiative facilitated the objectives of both the US and Turkey. Developments that followed led to the high level agreement between President Makarios and the Turkish Cypriot leader Rauf Denktash on 12 February 1977, under the auspices of the UN Secretary General:

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.<sup>16</sup>

Following the visit of the US Presidential Envoy Clark Clifford in Cyprus a few days later, on 23 February 1977, President Makarios moved to submit specific proposals with the objective to reach a solution of the Cyprus problem. He soon

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<sup>16</sup> Press and Information Office, High-Level Agreement of 12 February 1977, between Makarios and Denktash.

realised that the painful concessions of the Greek Cypriots were not reciprocated by the Turkish Cypriot side. Given the intransigent Turkish Cypriot positions there was a huge gap between the two sides in the territorial, property and refugee issue, the structure of the State, governance, the definition of political equality and the guarantees. In his last speech on 20 July 1977, a few days before his death on 3 August, President Makarios declared the need for a long run struggle and, at the same time, he convincingly explained that this option was not a choice but a necessary and inevitable response to the Turkish objectives.

Spyros Kyprianou succeeded Makarios and remained president until 1988. In 1978, the American-Canadian-British Plan, known as the Nimitz Plan, was submitted, but the majority of the Greek Cypriot political forces rejected it.<sup>17</sup> It should be noted that in this specific plan there was a provision for ‘two constituent regions’ (26 years later, in 2004, there would be a provision for two ‘constituent States’ in the Annan Plan). On 19 May 1979, President Spyros Kyprianou and the Turkish Cypriot leader Rauf Denktash reached a new high level agreement under the Auspices of the UN Secretary General:

- ‘1. It was agreed to resume the intercommunal talks on 15 June 1979.
2. The basis for the talks will be the Makarios-Denktash guidelines of 12 February 1977 and the UN resolutions relevant to the Cyprus question.
3. There should be respect for human rights and fundamental freedoms of all citizens of the Republic.
4. The talks will deal with all territorial and constitutional aspects.
5. Priority will be given to reaching agreement on the resettlement of Varosha under UN auspices simultaneously with the beginning of the consideration by the interlocutors of the constitutional and territorial aspects of a comprehensive settlement. After agreement on Varosha has been reached it will be implemented without awaiting the outcome of the discussion on other aspects of the Cyprus problem.
6. It was agreed to abstain from any action which might jeopardise the outcome of the talks, and special importance will be given to initial practical measures by both sides to promote goodwill, mutual confidence and the return to normal conditions.

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<sup>17</sup> N. Christodoulides, *The Solution Plans of the Cyprus Question (1948-1978)* (in Greek), Kastaniotis Press, Athens 2009, pp. 200-235.

7. The demilitarisation of the Republic of Cyprus is envisaged, and matters relating thereto will be discussed.
8. The independence, sovereignty, territorial integrity and non-alignment of the Republic should be adequately guaranteed against union in whole or in part with any other country and against any form of partition or secession.
9. The intercommunal talks will be carried out in a continuing and sustained manner, avoiding any delay.
10. The intercommunal talks will take place in Nicosia.<sup>18</sup>

This high-level agreement constituted an improvement of the Makarios–Denktash agreement. The aftermath though was disappointing. It is indicative that there was no follow up on the provision (5) of this agreement in relation to Famagusta. In fact, this specific provision has never been implemented.

Over time there was an upgrading of the Turkish demands. On 15 November 1983, the Turkish Cypriot leader Rauf Denktash unilaterally declared the so-called ‘Turkish Republic of Northern Cyprus’ (TRNC). The unilateral declaration of independence which was supported only by Turkey was condemned by the Security Council of the UN and the international community.<sup>19</sup> Nevertheless, there were no sanctions against Turkey and its protectorate, the TRNC.

In 1984–1986 there was an important initiative by the then Secretary General Pérez de Cuéllar which eventually failed. President Kyprianou was sceptical about the philosophy of the plan which satisfied all Turkish Cypriot demands whilst it failed to address comprehensively the Greek Cypriot concerns. The major issue which led to the collapse of this effort was the Greek Cypriot fear that in the event of a collapse of the transitional government there would be no return to the *status quo ante*.<sup>20</sup> This is a thorny issue which has appeared in all initiatives and rounds of negotiations.

Gradually the Greek Cypriot leadership made new concessions. Consequently, the negotiating framework formulated over time was significantly different

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<sup>18</sup> Press and Information Office, High-Level Agreement of 19 May 1979, between Kyprianou and Denktash.

<sup>19</sup> United Nations, S/RES/541, 1983, available at [http://www.mfa.gov.cy/mfa/properties/occupied-area\\_properties.nsf/res541.pdf](http://www.mfa.gov.cy/mfa/properties/occupied-area_properties.nsf/res541.pdf)

<sup>20</sup> United Nations, S/RES/550, 1984, available at [http://www.mfa.gov.cy/mfa/mfa2016.nsf/943A9E40E9874575C22582C5003C57AB/\\$file/ATT8ONFF.pdf](http://www.mfa.gov.cy/mfa/mfa2016.nsf/943A9E40E9874575C22582C5003C57AB/$file/ATT8ONFF.pdf)

<sup>20</sup> For a comprehensive reading see P. Polyviou, *Kyprianou and the Cyprus Problem – The High Level Meeting of New York in 1985* (Athens: Kastaniotis, 2010).



from what was discussed in the period 1977-1979. After 2008, the negotiation framework changed even more with new concessions by the Greek Cypriot side. Retrospectively, even leading supporters of the bizonal bicomunal federation understood that each time the Greek Cypriots accepted a specific Turkish Cypriot demand soon after there was a new request on the negotiating table.

### **From the High Level Agreements to the Annan Plan and the Day After**

The high level agreements of 1977 and 1979 entailed a drastically different approach in relation to the negotiating framework before 1974. The eventual acceptance of a bizonal bicomunal federation so as to avoid partition was a painful concession for the Greek Cypriots. Various factors contributed to that. First, the international community was trying to find common ground between two diametrically opposite positions. Second, the huge imbalance of power between the Republic of Cyprus and Turkey led to a synthesis of ideas which reflected to a great extent the Turkish positions. Third, these negative developments were also the outcome of the weaknesses of Cyprus and Greece. Nevertheless, so many years after those agreements, there is still a huge gap both within and between the two communities, in the interpretation and the precise definition as to what was agreed.

It should be stressed that what the Greek Cypriot leadership accepted in 1977 and 1979 is not the same with what is discussed today. For example, in 1977 and 1979 the issue of a founding agreement by two constituent States was out of question. Indeed, Greek Cypriots perceived the area that would be under Turkish Cypriot administration as a region, not as a constituent State. In relation to the territorial, the property and the refugee issues, the positions of the two sides were diametrically different. The Turkish Cypriots insisted on strict bizonality and exchange of properties. On the other hand, Greek Cypriots expected the respect of the right of return and of property entitlements within the framework of a unified federal arrangement.<sup>21</sup> Obviously, the implementation of the Turkish position would undermine the concept of a unified State, economy, and society.

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<sup>21</sup> 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; 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.

Immediately after the first high level agreement in 1977, President Makarios publicised his intention to build new houses for Turkish Cypriots on State land in the area that would be under their own administration, so as to allow Greek Cypriots to return to their properties. Nevertheless, the objectives of Ankara and of the Turkish Cypriot leadership were different. Not surprisingly, there were different perspectives in relation to the decision making provisions. The Turkish Cypriot side underlined the importance of political equality: that meant that no major decision could be taken without the Turkish Cypriot consent. In addition, the Turkish Cypriot side was assertive with its request for rotating presidency.

For the Greek Cypriots, such positions were excessive. It was one thing for the Turkish Cypriots to have autonomy in the territory under their own administration but it was another thing to demand rotating presidency and their consent for any major decision of the State. The Turkish Cypriot demands in conjunction with the role of Ankara exacerbated the fears of the Greek Cypriots. More specifically, given the control of Turkey on the Northern part of Cyprus and the colonisation policy which rendered the Turkish Cypriots a minority even in the occupied part of the island, Greek Cypriots fear that Turkey would turn a federal Cyprus into a protectorate.

The differences between the two sides are deep. Despite the Greek Cypriot concessions, the Turkish maximalism has not allowed the overcoming of the deadlock. Furthermore, it should be noted that the Turkish Cypriots perceive the Republic of Cyprus as a Greek Cypriot State – they call it the ‘Greek Cypriot administration’ – and they therefore prefer ‘a new partnership’ which will entail ‘a new State of affairs.’ This would mean the creation of a new State. Furthermore, for the Turkish Cypriot side the two constituent States would be almost ethnically homogeneous. On the other hand, the Greek Cypriots support a solution which will provide the continuity of the internationally recognised Republic of Cyprus. In addition, they evaluate any solution to the Cyprus problem not only in relation to the Turkish Cypriot community, but also within the framework of the regional and geopolitical context and the objectives of Turkey.

The silent majority of Greek Cypriots consider that the Turkish Cypriot positions for a solution amount to ‘Turkish control in ‘the North’ and partnership in ‘the South’.’ This would be worse than partition. This view has also been held by the deceased Presidents Spyros Kyprianou and Tassos Papadopoulos and the veteran politician Vassos Lyssarides. It has been held by several academics, analysts, and

journalists as well.<sup>22</sup> This assessment does not amount to supporting partition. However, it points out that of bizonal bicomunal federation as discussed today is indeed worse than partition.

Over time a new issue has emerged following Turkey's massive illegal colonisation which has led to serious demographic changes in the occupied part of the island. Currently, the population in the occupied part of Cyprus is estimated to be around 350,000, out of which only about 120,000 are Turkish Cypriots. In fact, the vast majority are settlers who have been given citizenship and voting rights.<sup>23</sup> Inevitably the composition of the Turkish Cypriot community has been drastically altered.

While with the high level agreements the Greek Cypriots made painful concessions, they never accepted the Turkish philosophy of bizonal bicomunal federation. President George Vassiliou (1988-1993) codified the positions of the Greek Cypriot side in 1989.<sup>24</sup> With these proposals the Turkish Cypriot demand that they would constitute a majority in the area under their administration was accepted. In addition, there were provisions for the effective participation of Turkish Cypriots in all bodies and organs of the State. Nevertheless, these concessions were not good enough for the Turkish side to reach a negotiated settlement.

When the Ghali Set of Ideas<sup>25</sup> was submitted in the summer of 1992, the Turkish Cypriot side rejected it. And yet, the philosophy of the Ghali Set of Ideas incorporated political equality, strong bizonality, bicomunalism and effectively maintained the guarantee system with the participation of Turkey. Denktash was in favour of full separation and a loose confederal arrangement. Even with such a solution no major decision with regard to foreign policy and security issues could be reached without the consent of the Turkish side.

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<sup>22</sup> St. Lygeros, *On the Brink of Extinction* (in Greek), Livanis, Athens 1993; Y. Valinakis, 'The Annan Plan for the Cyprus Question' (in Greek), *Exoterika Themata*, Vol. 8 January 2003, reprinted in D. Constantakopoulos, *The Seizure of Cyprus* (in Greek), Livanis, Athens 2004, pp. 277-286; Y. Valinakis, 'A Bold Proposition for Cyprus' (in Greek), *Kathimerini* (Athenian daily Newspaper), 24 September 1989.

<sup>23</sup> J. Christou, 'North's population tops 350 thousand', *Cyprus Mail Online*, 18 November 2017, available at <https://cyprus-mail.com/2017/11/28/norths-population-tops-350-thousand/?hilitte=%27population%27%2C%27north%27%2C%27has%27%2C%27reached%27%2C%27351%27%2C%27000%27>

<sup>24</sup> Greek-Cypriot side, 'Outline Proposals for the Establishment of a Federal Republic and for the Solution of the Cyprus Problem', (30 January 1989), in Republic of Cyprus, Press and Information Office, *The Cyprus Problem* (rev. 1999), Appendix 20, pp. 170-181.

<sup>25</sup> United Nations, 'Set of Ideas' (for the solution of the Cyprus problem), S/24472, August 1992.

President Vassiliou accepted the Ghali Set of Ideas as the basis for the solution of the Cyprus problem. On the contrary, Glafkos Clerides was critical and expressed his will to drastically improve these ideas. In fact, the Ghali Set of Ideas basically determined the outcome of the presidential elections of 1993. Glafkos Clerides defeated George Vassiliou with a narrow margin. It took the international community a few years to invest again in a well-coordinated effort for the solution of the Cyprus problem. This was made possible when broader interests were intertwined with the Turkish European ambitions.<sup>26</sup> The initiative, which culminated with the Annan Plan in 2004, started in the fall of 1999.<sup>27</sup>

The Cyprus question constituted a major obstacle for Ankara's European prospects as Turkey had occupied a great part of the territory of a candidate country. The Turkish objectives were supported by the US, the UK and several other EU countries. Undoubtedly, a solution of the Cyprus problem would have facilitated Turkey's European ambitions. In the event of a rejection of the negotiated plan Turkey should not be assigned blame at any cost.

In the 2003 presidential elections Tassos Papadopoulos defeated President Clerides. Clerides had a more flexible stance than Papadopoulos in relation to the Cyprus problem. Indeed Clerides found himself in a similar position as Vassiliou back in 1993. And Papadopoulos adopted a hard line stance – like Clerides did in 1993. The major point is that Greek Cypriots were and still are very sceptical towards peace plans that entail serious risks, including the possibility of leading to a deterioration rather than an improvement of the *status quo* for them.

The UN Secretary General Kofi Annan continued in his efforts for a comprehensive settlement along the same philosophy, despite the outcome of the presidential elections (16 February 2003) in Cyprus. More specifically, on 10-11 March 2003, he had a new meeting at the Hague with the then newly elected President Tassos Papadopoulos and the Turkish Cypriot leader Rauf Denktash. President Papadopoulos appeared more flexible, while Rauf Denktash remained intransigent. Consequently, the new initiative of the UN Secretary General failed. And it was the Turkish side which was blamed for this.

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<sup>26</sup> A. Theophanous, *The Cyprus Question and the EU: The Challenge and the Promise*, Intercollege Press, Nicosia 2004, pp.105-133.

<sup>27</sup> United Nations, 'The Comprehensive Settlement of the Cyprus Problem', fifth version of the Annan Plan: Annan Plan V, submitted on 31 March 2004, available at <http://www.un.org/Docs/sc/sgrep04.html>

On 16 April 2003, President Papadopoulos signed in Athens the Treaty of Accession of the Republic of Cyprus to the EU. While the Greek Cypriots were jubilant, in the occupied territories there was tension, disappointment and discontent for the Turkish Cypriot leadership. Indeed, for several months prior to this, Turkish Cypriots held several rallies against Denktash and expressed their preference in favour of Cyprus' EU accession as a reunified country in various ways.<sup>28</sup>

Rauf Denktash's move (also encouraged by Ankara) to partially lift restrictions on the movement of Greek and Turkish Cypriots across the dividing line on 23 April 2003, came as a surprise to most people. But not to those Cypriot and foreign observers and analysts who perceived that unless something was done in the occupied Northern part of Cyprus to release increasing pressures, violence against the authorities of the TRNC by the Turkish Cypriots themselves could not be ruled out.

In fact, there were high expectations by the Turkish Cypriot leadership from this move:

- (a) the pressure of the Turkish Cypriots against the regime would be eased;
- (b) the image of both the TRNC and Turkey would be improved drastically;
- (c) the socioeconomic benefits for the TRNC and the everyday life of Turkish Cypriots would be substantially improved;
- (d) politically, the way that the 'free' mobility of people would be dealt with would influence the content of an eventual settlement in favour of the legitimisation of the *status quo* with a few changes.

The reaction of both Greek and Turkish Cypriots to the easing of restrictions on movement was an even greater surprise, since they moved across in thousands without any friction or incidents. Initially there was optimism and great emotion. Many people thought that this was similar to the events which led to the collapse of the Berlin Wall. In the case of Cyprus though the occupation regime did not collapse but was strengthened. At the same time, one of the pillars of Turkish policy in Cyprus – that the Greek and Turkish Cypriots could not live together

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<sup>28</sup> H. Smith 'Cyprus Turks turn against their leader', *The Guardian*, 19 December, 2003; Reuters, 'Enough, nobody believes you...' Turkish Cypriot Rally Calls for Denktash to Quit', 27 December 2002; *The Guardian*, 'Turkish Cypriots rally for UN plan', 15 January 2003; *The Guardian*, 'Turkish Cypriots say enough', 18 January 2003.

– was weakened. For years Denktash argued in favour of separation and strong bizonality for security reasons. The facts on the ground though did not confirm this hypothesis.

In any case, the Turkish (Cypriot) side scored a major diplomatic success. The Cypriot government, caught by surprise and without a comprehensive policy, reacted rather clumsily. Some officials encouraged the ‘free movement,’ others discouraged it and some took a neutral stance, stating that “it was up to each individual to act according to his/her own conscience.” On 30 April 2003, the Cypriot government announced a set of measures of support of the Turkish Cypriots which included free medical services in public hospitals, the granting of identity cards and passports of the Republic of Cyprus and access to the labour market in the government controlled areas.

It seemed that a new era was beginning. It was obvious that the philosophy of the Annan Plan had been overcome by these events as it failed to address the new realities. However, although President Papadopoulos was not sympathetic to the philosophy of the Annan Plan, he did not take more brave steps. These could include a new approach to the Cyprus problem in conjunction with a new set of confidence building measures that could lead to significant socioeconomic gains for both sides and to a new political environment. The Greek Cypriot side followed these developments instead of adopting a proactive role so as to monitor and influence them. A few months before accession to the EU, the initiatives and pressures for a solution on the basis of the Annan Plan intensified.

The Annan Plan (V) was the outcome of the efforts of the international community for a final settlement of the Cyprus Problem. The results of the referenda – 75,8% rejection by the Greek Cypriots and 64,9% acceptance by the Turkish Cypriots (including the settlers who voted) – was indicative of a greatly imbalanced plan. At the same time, Turkey’s efforts at exculpation proved fruitful. The Turkish narrative was that ‘the Greek Cypriots are maximalists and do not wish to share power, the wealth of the island and the benefits of EU accession with the Turkish Cypriots.’

President Papadopoulos and the Republic of Cyprus were unjustly blamed for the failure to reach a solution. The Greek Cypriots though missed an important opportunity to reposition the Cyprus problem on a new basis. It is unfortunate that the State and the political system failed to put forward a convincing narrative which could respond to the Turkish story and also reestablish reality.

It could be argued that the Annan Plan (V)<sup>29</sup> legitimised to a great extent the outcome of the 1974 invasion and the realities on the ground. It provided for two constituent/founding States with a weak central State, strict bizonality and a presidential council with rotating presidency. With regard to the Supreme Court, the relevant provision provided for three Greek Cypriot judges, three Turkish Cypriots and three foreigners. In essence, the plan implied the dissolution of the Republic of Cyprus which would be replaced by a three-headed State structure in which no decision could be reached without the approval of the Turkish side. Furthermore, the new State would not be an equitable member of the EU (as it would still depend on external powers).

On 8 July 2006 President Tassos Papadopoulos reached an agreement with the Turkish Cypriot leader Mehmet Ali Talat in relation to the future of Cyprus. It was reaffirmed that the solution would be on the basis of a bizonal bicommunal federation in accordance with the UN Security Council resolutions. Indeed, President Papadopoulos wanted to make changes so as to improve the Annan Plan. The essence of the Papadopoulos-Talat Agreement on 8 July 2006, under the auspices of the UN, was the preparation at a technical level so as to resume the negotiations.

- ‘1. Commitment to the unification of Cyprus based on a bi-zonal, bi-communal federation and political equality, as set out in the relevant Security Council resolutions.
2. Recognition of the fact that the status quo is unacceptable and that its prolongation would have negative consequences for the Turkish and Greek Cypriots.
3. Commitment to the proposition that a comprehensive settlement is both desirable and possible, and should not be further delayed.
4. Agreement to begin a process immediately, involving bi-communal discussion of issues that affect the day to day life of the people and concurrently those that concern substantive issues, both of which will contribute to a comprehensive settlement.
5. Commitment to ensure that the ‘right atmosphere’ prevails for this process to be successful. In that connection, confidence building measures are essential, both in terms of improving the atmosphere and improving the life

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<sup>29</sup> United Nations, ‘The Comprehensive Settlement of the Cyprus Problem’.

of all Turkish and Greek Cypriots. Also in that connection, an end must be put to the so-called 'blame game'.

Decision by the two leaders:

The Technical Committees on issues that affect the day to day life of people will commence by the end of July provided that, at the same time, the two leaders will also have exchanged a list of issues of substance and its contents to be studied by expert bi-communal working groups and finalised by the leaders.

The two leaders will meet further, from time to time as appropriate, to give directions to the expert bi-communal working groups as well as to review the work of the Technical Committees.<sup>30</sup>

For President Papadopoulos, the objective was to achieve 'a bizonal bicomunal federation with the right content.' For the Turkish Cypriot leader, Talat, the fundamentals of the Annan Plan were binding.

It is doubtful whether this agreement could lead to a major improvement of the Annan Plan. It should be noted that for the first time the provision of 'bizonal, bicomunal federation' was included in an agreement between the two community leaders. This specific provision had been included, though, in various UN Security Council resolutions in the previous years. Be that as it may, the agreement on 8 July 2006 did not specify the precise content of the solution to the problem.

### **The Intercommunal Negotiations After 2008 and the Collapse at the Crans Montana**

After the victory of Demetris Christofias in the presidential elections of February 2008, the Greek Cypriot side engaged in negotiations on the Cyprus problem despite previous reservations on procedural issues. As a result, the agreement reached between Christofias and Talat on 23 May 2008, under the auspices of the UN Secretary General brought back and revived the philosophy of the Annan Plan:

'The Leaders today had genuine and fruitful discussions, and reviewed the results achieved pursuant to the 21 March agreement.

They reaffirmed their commitment to bi-zonal, bi-communal federation with political equality, as defined by relevant Security Council resolutions.

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<sup>30</sup> Press and Information Office, High-Level Agreement of 8 July 2006, between Papadopoulos and Mehmet Ali Talat.



This partnership will have a Federal Government with a single international personality, as well as a Turkish Cypriot Constituent State and a Greek Cypriot Constituent State, which will be of equal status.

They instructed their representatives to examine, within 15 days, the results of the technical committees.

The representatives will consider civilian and military confidence – building measures. They will also pursue the opening of Limnitis/Yeşilirmak and other crossing points.

The leaders decided to come together again in the second half of June to make a new assessment.<sup>31</sup>

It was the first high level agreement which provided for two constituent States with equal status. Obviously, the importance of the provision of ‘constituent State’ was underestimated as it implies a founding State. Inevitably, with the implementation of this provision the Republic of Cyprus would be replaced by a new State.

In the election campaign, Christofias’ slogan was that he would be ‘the President of the solution’; indirectly, this implied that Tassos Papadopoulos was responsible for the lack of a solution. Furthermore, the role of Turkey in the whole equation was not addressed. This perspective, which indeed facilitated the Turkish narrative, was also dangerous and detrimental for the Greek Cypriot side.

Demetris Christofias assumed at the time that his ideological and political relationship with Mehmet Ali Talat would have facilitated the negotiations and create conditions for a final settlement. Additional confidence building measures created a favourable climate. Although there was progress in the negotiations and points of convergence on important issues were reached, again, the leaders did not conclude a solution.

It should be stressed that convergence was achieved on issues of governance, including rotating presidency. In addition, the two sides agreed on guiding lines with regard to the settlers and the number of Turkish citizens that would be allowed to come to Cyprus after a solution. The objective was to maintain the ratio 4:1 between Greeks and Turks. Furthermore, some guiding lines were agreed on the energy, territorial and property issues. Nevertheless, a comprehensive settlement, still, was a long way off.

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<sup>31</sup> Press and Information Office, High-Level Agreement of 23 May 2008 between Christofias and Talat.

With his election on 24 February 2013, President Nicos Anastasiades had to address the consequences of the economic crisis. Nevertheless, he remained focused on the need to find a solution within the framework of a bizonal bicomunal federation. Despite initial difficulties, President Nicos Anastasiades and the then Turkish Cypriot leader Dervis Eroglou reached an agreement on 11 February, 2014, under the auspices of the UN Secretary General and the beginning of a new round of negotiations was announced:

“The two leaders had their first meeting today under the auspices of the UN Secretary General’s Good Offices mission. The meeting was held in a friendly and cordial atmosphere and the two leaders have agreed to the following:

1. The status quo is unacceptable and its prolongation will have negative consequences for the Greek Cypriots and Turkish Cypriots. The leaders affirmed that a settlement would have a positive impact on the entire region, while first and foremost benefiting Turkish Cypriots and Greek Cypriots, respecting democratic principles, human rights and fundamental freedoms, as well as each other’s distinct identity and integrity and ensuring their common future in a united Cyprus within the European Union.
2. The leaders expressed their determination to resume structured negotiations in a results-oriented manner. All unresolved core issues will be on the table, and will be discussed interdependently. The leaders will aim to reach a settlement as soon as possible, and hold separate simultaneous referenda thereafter.
3. The settlement will be based on a bi-communal, bi-zonal federation with political equality, as set out in the relevant Security Council Resolutions and the High Level Agreements. The united Cyprus, as a member of the United Nations and of the European Union, shall have a single international legal personality and a single sovereignty, which is defined as the sovereignty which is enjoyed by all member States of the United Nations under the UN Charter and which emanates equally from Greek Cypriots and Turkish Cypriots. There will be a single united Cyprus citizenship, regulated by federal law. All citizens of the united Cyprus shall also be citizens of either the Greek-Cypriot constituent state or the Turkish-Cypriot constituent state. This status shall be internal and shall complement, and not substitute in any way, the united Cyprus citizenship.

The powers of the federal government, and like matters that are clearly incidental to its specified powers, will be assigned by the constitution. The Fed-

eral constitution will also provide for the residual powers to be exercised by the constituent States. The constituent States will exercise fully and irrevocably all their powers, free from encroachment by the federal government. The federal laws will not encroach upon constituent state laws, within the constituent States' area of competences, and the constituent States' laws will not encroach upon the federal laws within the federal government's competences. Any dispute in respect thereof will be adjudicated finally by the Federal Supreme Court. Neither side may claim authority or jurisdiction over the other.

4. The united Cyprus federation shall result from the settlement following the settlement's approval by separate simultaneous referenda. The federal constitution shall prescribe that the united Cyprus federation shall be composed of two constituent States of equal status. The bi-zonal, bi-communal nature of the federation and the principles upon which the EU is founded will be safeguarded and respected throughout the island. The federal constitution shall be the supreme law of the land and will be binding on all the federation's authorities and on the constituent States. Union in whole or in part with any other country or any form of partition or secession or any other unilateral change to the state of affairs will be prohibited.
5. The negotiations are based on the principle that nothing is agreed until everything is agreed.
6. The appointed representatives are fully empowered to discuss any issue at any time and should enjoy parallel access to all stakeholders and interested parties in the process, as needed. The leaders of the two communities will meet as often as needed. They retain the ultimate decision making power. Only an agreement freely reached by the leaders may be put to separate simultaneous referenda. Any kind of arbitration is excluded.
7. The sides will seek to create a positive atmosphere to ensure the talks succeed. They commit to avoiding blame games or other negative public comments on the negotiations. They also commit to efforts to implement confidence building measures that will provide a dynamic impetus to the prospect for a united Cyprus.<sup>32</sup>

In relation to the Christofias – Talat Agreement, the 11 February 2014, Joint Communiqué presented a more specific framework, with a more detailed

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<sup>32</sup> Press and Information Office, High-Level Agreement of 11 February, 2014 between Anastasiades and Eroglou.

content and new ideas. For the first time there would be negotiations between the Greek Cypriots and Ankara, as well as between the Turkish Cypriots and Athens. For President Anastasiades, this approach involved Turkey directly. His critics suggested that this specific methodology upgraded the status of the TRNC and gave the impression that Greece and Turkey had similar responsibilities.

In relation to the bizonal bicomunal federal State, the agreement provided that the residual powers would be allocated to the constituent States. At first sight, this provision may be indicative of a loose federation. The agreement also indicated that sovereignty 'would equally emanate from Greek Cypriots and Turkish Cypriots.'

Another major issue of disagreement was and is still whether the new State would evolve from the Republic of Cyprus or not. As far as foreign affairs is concerned, the Greek Cypriot side considers that the relations with the EU and the conclusion of international agreements should be an exclusive competence of the federal central government. On the contrary, the Turkish Cypriot side considers that international agreements should also be a competence of the constituent States. Furthermore, there are different perspectives between the two sides on the issue of governance including the hurdle of rotating presidency.

There are also disagreements on the issue of natural resources. The Greek Cypriot side considers that this should be the competency of the federal central government and the Turkish Cypriot side that this should be a competence of the constituent States. However, the Turkish Cypriot position that the energy wealth should be utilised for the benefits of both communities, essentially contradicts this request. Furthermore, the Greek Cypriot side rejects the idea that the revenues from the exploitation of the energy resources should be shared before a solution.

In relation to the settlers, the Greek Cypriot position is that colonisation of the island is the outcome of Turkey's expansionist plans and that it constitutes a threat. At the same time Greek Cypriots accept that many settlers will stay for humanitarian and other reasons; these includes mixed marriages and children of settlers born in Cyprus. The Turkish Cypriot leadership purports that all settlers have been incorporated in the TRNC.

On the property issue, the positions of the two sides are also diametrically opposed. The Greek Cypriots support the property rights of individuals as well as the UN Pinheiro principles.<sup>33</sup> The Turkish Cypriot position is that the principle of

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<sup>33</sup> According to the Pinheiro Principles (United Nations Principles on Housing and

bizonality is supreme; this entails that there is a limit to property rights and the implementation of the Pinheiro principles. Furthermore, the Turkish Cypriot side wishes to limit the right of return, so as to minimise number of Turkish Cypriots that will have to be relocated. Within the framework of territorial adjustments the Greek Cypriots also consider and suggest the return of 100,000 refugees to their properties; the Turkish Cypriot side asserts that this request is excessive.

In the negotiations that followed, the rights of the property owners were discussed in relation to the rights of current users. Given the complexity of the issues it is inevitable that there should be a categorisation of the various cases.

Furthermore, while the Greek Cypriots aim at major territorial adjustments the Turkish Cypriot side practically indicates that only marginal readjustments are possible. And the two sides continue to have different perspectives on the issues of guarantees and the foreign troops.

As a result, there were serious difficulties in the negotiations between Anastasiades and Eroglu. This in conjunction with several violations of the Cypriot EEZ by Turkey led to the temporary suspension of the negotiations. With the election of Mustafa Akinci as the new Turkish Cypriot leader on 26 April 2015, there were, again, high expectations for a quick solution of the Cyprus problem. However, it is Turkey that has the final word.

Unrealistic expectations for positive economic effects were also cultivated.<sup>34</sup> Arguably a solution of the Cyprus problem would lead to a new dynamics. Indeed, construction, the enhancement of the tourist product and the development of the energy sector would be associated with positive developments. Be that as it may, it will be difficult for Cyprus to endure the expenses of a three headed State. Taking into consideration the strict rules of the Eurozone, the Greek Cypriots will replace Turkey in subsidising the Turkish Cypriot constituent State. And if the Turkish Cypriot banks need recapitalisation, they will be supported, most likely, by the

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Property Restitution for Refugees and Displaced Persons) all refugees and displaced persons should have their properties restored, available at <http://2001-2009.state.gov/documents/organization/99774.pdf>

<sup>34</sup> Even before the election of Akinci as the Turkish Cypriot leader there were reports suggesting a promising future and great economic benefits. For example see, F. Mullen, O. Oğuz and P. Kyriacou, *The Day After: Commercial Opportunities Following a Solution to the Cyprus Problem*, PRIO, Cyprus Centre, Nicosia 2008 and F. Mullen, A. Apostolides and M. Besim, *The Cyprus Peace Dividend Revisited a Productivity and Sectoral Approach*, PRIO Cyprus Center, PCC Report 1/2014. These views were presented again and again on various occasions.

Greek Cypriots as well. With regard to property issues the necessary resources for compensations are not available. According to conservative estimates, EUR15 billions will be required even after the territorial adjustments.<sup>35</sup>

When the negotiations at Crans Montana collapsed at the beginning of July 2017, it was announced that the major reason was the issue of guarantees and the presence of foreign troops even after a solution. The then Greek Minister of Foreign Affairs Nicos Kotzias<sup>36</sup> as well as the UN Secretary General Antonio Guterres had in this regard underlined the importance of a normal State. Nevertheless, there were entrenched differences on other major issues such as governance, territory, property and the settlers. In other words, the gap between the two sides proved much greater than what it was initially estimated.

Despite efforts since then for the resumption of the negotiations this has not been made possible yet (until 15 October 2019). At this stage, it seems that, in addition to the issue of guarantees, governance and the specific definition of political equality have become thorny issues. At the same time, the further colonisation and islamisation of the occupied territories continue ceaselessly, while Turkey ramps up its drilling operations off the coast of Cyprus despite EU and US warnings.

## Conclusion

More than 42 years have passed since the first high level Makarios-Denktaş agreement on 12 February 1977. Since then and despite numerous initiatives by the UN and other powers, endless rounds of intercommunal negotiations and successive concessions of the Greek Cypriot side, a comprehensive settlement proved impossible to reach. Considering all relevant factors, including the negotiating *acquis*, the absence of a narrative from the Republic of Cyprus and the projection of the Turkish perspectives in various decision making centres in ways

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<sup>35</sup> If we also take into consideration the resources that will be required for the current users who will have to relocate in the form of compensation, the total amount required may be up to EUR25 billions. We cannot expect to raise this amount from international donors. The overall situation in the international economic environment does not allow such expectations. See Reporter 'The Economics of the solution' (in Greek), 13 December 2015, pp. 1,5-8.

<sup>36</sup> N. Kotzias, *Cyprus 2015-2018: The three years that have changed the Cyprus Problem. The struggle for normality, without 'intervention rights' and 'guarantees'*, Publications Hellenic Republic, Ministry of Foreign Affairs, Athens 2018. It is important that the Secretary General of the UN Antonio Guterres also endorsed the goal of a normal State. It remains to be seen whether this objective would be implemented.

that pervert what has really taken place in Cyprus, one could argue that the pursued policy in the last 45 years has failed.

The supporters of the bizonal bicomunal federation as it is discussed today believe that there are no alternative options. Nevertheless, federal models which rely exclusively on ethnocommunal pillars do not have a promising future. In the event that the current basis of negotiations is implemented, the occupation and its effects on the ground will be deepened. It should be stressed that Turkey considers the Republic of Cyprus as 'defunct' and strives ceaselessly for its dissolution.

While the *status quo* is not desirable, it is a serious mistake to consider that any solution of the Cyprus problem will improve it. Nonetheless, as long as there is no prospect for improvement, the *status quo* remains 'second best.' At the same time given that the *status quo* is not static, time should be utilized in the best possible way.

Although the accession of the Republic of Cyprus to the EU changed the overall environment, Turkey's stance remains unaltered. And despite Turkey's checkered past in Cyprus – and elsewhere – systemic actors adopt a policy of tolerance toward Ankara and the pressures are directed toward Nicosia, instead.

Furthermore, it will be extremely difficult, even impossible, for a three headed costly, and cumbersome State to be functional in the Eurozone, despite expectations that an eventual solution will lead to an economic boom. For a prosperous future within the framework of a solution to the Cyprus problem, there are several prerequisites, such as political stability, a minimum of common objectives between the contracting parties, flexibility in governance and avoidance of high public spending and bottlenecks. It will be imprudent to assume that all these issues will be automatically resolved and lead to the desirable outcome. Furthermore, we should not ignore the experiences of other states which rely on ethnonationalist pillars.

The demographic issues are very important. In case of a solution within the current negotiating framework there would be a situation in which one constituent state will be Turkish and the other will become multiethnic. Furthermore, a great part of the Greek Cypriot youth that does not share this 'vision' of a solution, will leave Cyprus. Over time, the Greek Cypriots could indeed be turned into a numerical minority in their own country which has been culturally and historically Hellenic for centuries on end.

The issues of legitimisation and of smooth governance, which are interrelated, are also decisive. To the present day Greek Cypriots still bury the remains of missing persons since 1974. Furthermore, every year on 20 July early morning, they hear the sirens in memory of the invasion while in the occupied part of Cyprus there is a military parade and jubilation. It is impossible for the Greek Cypriots to accept the legitimisation of the invasion and to subsidise with their taxes the new state structure. A necessary, although not sufficient condition, for coexistence in a state is a minimum of common objectives and principles. This does not exist today.

Positive developments would arguably emerge if reconciliation and an honest compromise could be achieved. However, Ankara would only agree to a solution which serves its strategic interests. The current negotiating framework dissolves the Republic of Cyprus and its implementation would turn the entirety of the island into a Turkish protectorate. The rights of the Turkish Cypriot community can be safeguarded by and within the Republic of Cyprus. After all, when Turkey invaded Cyprus, it declared that its objectives were the reestablishment of the constitutional order and the 'protection' of the Turkish Cypriot community. It was a serious mistake not to clarify from the beginning that the common state would be the Republic of Cyprus.

Certainly there are great difficulties in altering the basis of the negotiations and in promoting the normalisation of the relations between Turkey and the Republic of Cyprus. Nevertheless, such a new approach constitutes a strategic imperative. For the implementation of these high objectives, sustained efforts, comprehensive proposals for the content of a solution, a strong economy, a convincing narrative and a pragmatic foreign policy will be required.

Currently though we see a huge gap between the two sides as well as deep intracommunal differences. The question under which circumstances is coexistence in one State desirable and feasible must also be addressed. The population of the occupied part of Cyprus is over 350,000, most of whom are settlers from Anatolia. Obviously, the structure and the character of the Turkish Cypriot community is changing.

It is important to reassess Turkey's objectives and answer the question as to whether partition would suffice to serve its expansionist goals. It is also tragic to have a negotiating framework which, if implemented, would lead to a deterioration of the *status quo* for the Greek Cypriots. There is also great concern for the possibility of collapse in case of a bad solution. Even without the deep mistrust, as well as



Turkey's bad reputation and decisive role, the implementation of a solution would require time. Given the circumstances, an evolutionary approach may constitute the only strategic option. Unfortunately, the confidence building measures, most of which have been adopted unilaterally since 2003, serve basically the objectives of the Turkish Cypriot side.<sup>37</sup> The real litmus test for Turkey's intentions lies in the return of Varosha to its legitimate residents. Nevertheless, Turkey has other plans for Varosha; more specifically, there are plans to colonise this territory as well and use it to advance specific political and commercial interests.<sup>38</sup>

The Republic of Cyprus must enhance its position with pragmatism in various ways. This includes promoting and updating the networks of cooperation with other countries on the basis of common objectives and converging interests on various issues including energy. It is also indispensable for the Republic of Cyprus to reestablish its moral high ground, to univocally advance a narrative and to submit major guidelines for the solution of the Cyprus problem in a way that the unity of the country is secured.

Indeed, there should be a new policy with the objective to establish a *suis generis* federal model that will be the outcome of a constitutional revision of the 1960 constitution. This specific approach will also entail confidence building measures between the two communities and the harmonisation of the relations with Turkey with respect to the independence, sovereignty and territorial integrity of the Republic of Cyprus. To implement these objectives, the prospect of a multilateral energy cooperation will be indeed very useful. These objectives may be achieved with the contribution of the EU as well as other powers within the framework of an evolutionary approach.

The position in favour of an evolutionary approach is strengthened by the fact that in case of a solution it is impossible to move from a certain situation to another overnight. This is because there are separate narratives, experiences, perceptions, value-systems, and different political, economic, and social realities. I have outlined the main pillars of such an evolutionary approach in March 2017 as follows:<sup>39</sup>

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<sup>37</sup> In relation to the attempt to promote the telephone communication between the two sides the Turkish Cypriot leadership has systematically rejected the usage of the code 00357 which is internationally utilised for the Republic of Cyprus. Eventually, an agreement was reached on 12 July 2019 which provides for the use of both the codes of the Republic of Cyprus and Turkey (0090).

<sup>38</sup> For example see E. Aygin, 'Clashing claims over Varosha', *Cyprus Mail*, 1 September 2019.

<sup>39</sup> A. Theophanous, 'Revisiting the Cyprus Question and the Way Forward', *Turkish Policy Quarterly*

- i. The occupied areas in the Northern part of Cyprus should be turned into an EU Region under Turkish Cypriot administration with the immediate implementation of the *acquis communautaire* through the suspension of Protocol 10. The Republic of Cyprus should have a role in this process.
- ii. Gradual return of territories under Greek Cypriot administration, gradual implementation of the four basic freedoms for all citizens and gradual implementation of the obligations of the Turkish Cypriot community.
- iii. Normalisation of relations of the Republic of Cyprus with Turkey. Within this framework it will be possible to address effectively energy issues in the Eastern Mediterranean and beyond in ways which serve multiple interests.
- iv. Establishment of a roadmap for the next steps and guidelines for a federal constitution as a result of a synthesis. More specifically, it is essential to amend the 1960 constitution which is based on consociational democracy and introduce elements of an integrationalist federal model as well. (specific ideas toward this direction have been submitted in 2004).<sup>40</sup>
- v. It is also important for the EU to undertake its responsibilities in the harmonisation process of the occupied territories of Cyprus with the *acquis communautaire*. Within this framework, it is also essential to launch a process of internal political, social and economic convergence.
- vi. Turkey must also assume its own responsibilities. It should be remembered that when Turkey invaded Cyprus on 20 July 1974, it had put forward the position that its objectives were the restoration of the constitutional order of the Republic of Cyprus and the protection of the Turkish Cypriot community. Turkey should work towards this direction. It should stop the colonization and islamisation of the occupied territories. Furthermore, it should stop facilitating illegal migration of citizens of third countries in the government controlled area of the Republic of Cyprus. Last but not least, it should withdraw the occupation troops.
- vii. Any solution should be the outcome of a voluntary agreement between the two sides in Cyprus. Evidently, the evolutionary approach will give the time required for the

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(Special Issue - Protracted Conflicts in Turkey's Neighborhood: Between Cold Peace and Hot War), Vol. 15, No 4, Winter/March 2017, pp.1-10 (especially pp. 5-6).

<sup>40</sup> A. Theophanous, *The Cyprus Question and the EU: The Challenge and the Promise* 141-150. I presented these ideas first in May 2004 and then on 4 July 2004 in A. Theophanous, (with the contribution of a special working team of the Center), 'The Next Step: What do we do after the Annan Plan?' (in Greek), circulated as a supplement, *Simerini*, 4 July 2004.

gradual strengthening of relations between the two communities and the formulation of the concept of an integrationalist, federal, indivisible State. If this is not possible, other ways should be sought to ensure peace and security within the context of Cyprus' EU participation which was ensured upon its accession in 2004, including Protocol 10.

At the same time the Republic of Cyprus needs to continuously enhance its state entity as well as to generate a comprehensive narrative for its just case. It is also essential to raise the issue of occupation and the responsibilities of Turkey. Equally important is a pragmatic foreign policy and the creation of a model state in the Eastern Mediterranean. With such a policy the Republic of Cyprus will improve the prospects of implementing its objectives.

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