

CHAPTER III

In Search for a Solution to the Division of Cyprus

3.1 Cyprus as a European Union Member.

The lack of an E.U. previous strategic policy to deal with the Cyprus' issue has been causing the loss of important opportunities to find a solution. For instance, the European Union missed an important opportunity to influence the solution of the Cyprus conflict during Cyprus' accession negotiations. By granting the Republic of Cyprus accession without solution in 1999, the E.U. favored Greek Cypriots unwillingness to express an objective, explicit, and official commitment toward unification. The E.U. is losing another opportunity for the solution of the Cyprus conflict on its dealing with Turkey's accession process. Even though, Turkish candidacy was accepted at the same time, nothing reassured Turkey that actual membership would be a real possibility in the near future. Thus, while Turkey has been engaged in multiple reforms to comply with the E.U. Acquis, it has been unwilling to make concessions regarding Cyprus as it represents its best card.

For Turkish Cypriots, the prospect of acquiring E.U. membership benefits such as access to E.U. full market, citizenship rights, funds, scholarship and civil society projects, as well as the right to have an influential voice in the policy of the new state and E.U. institutions have motivated them to undertake the commitment for unification with the Republic of Cyprus.¹ In fact, the popular support for unification became so strong and convinced that it caused the Turkish Cypriot population to challenge and finally bring down Rauf Denktaş's long-lasting rule. As has been mentioned, the new Turkish Cypriot leadership follows a more conciliatory approach. Unfortunately, the

¹ Ibid. p. 63.

U.N. Annan Plan was drafted considering the intolerant Denktash approach for a settlement agreement, while missing Greek Cypriots most basic demands. Thus the Republic of Cyprus entered the European Union as a divided state. Nevertheless, the E.U. stated its full commitment to end Turkish Cypriots isolation.

The accession of The Republic of Cyprus to the E.U. in May 1, 2004 was meant to include the whole Cyprus; thus, the E.U. decided that its legislation in the north would be suspended. A divided Cyprus accession meant a high political cost for the E.U. as it questions its ability to solve ethnic conflicts within its own multi-ethnic territory, as well as its credibility as an international mediating actor. For the Turkish Cypriots, this situation has caused them to remain excluded from any right or representation at the European Union. For instance, at the European Parliament, the Greek Cypriots decided to occupy all six seats meant for Cyprus even though two were actually intended for Turkish Cypriots. Also, the seat of the Greek Cypriot's government at the European Council allows Cyprus, as any other member, to influence and even block decisions, if their adoption requires unanimity.² Thus, Greek Cypriots have been able to block every European effort to end Turkish Cypriots isolation.

Inter-ethnic dialogue has been complicated as the bargaining power of the parties was extremely modified. Furthermore, Greek Cypriots have argued that according to the Treaty of Accession and Protocol No. 10, the government of the Republic of Cyprus represents the only legal authority at the E.U. Thus, Greek Cypriot leaders do not consider fair to make any concession to the other side. In fact, Greek Cypriots have been using the prospect of E.U. membership to extract concessions from Turkish Cypriots, instead of proposing a settlement which would consider both parties concerns.

² Ibid. p. 59.

Despite of the negative aspects that the Republic of Cyprus E.U. membership initially posed, the E.U. has been committed to end the isolation of Turkish Cypriots through the promotion of inter-communal trade, aid, and peace projects. According to European Union values cooperation does not imply recognition.³ Actually, the E.U. had already approved specific projects about the rules for the crossing of E.U. citizens across the Green Line and about their determination to support the economic recovery of north Cyprus. As part of such initiatives, the E.U. adopted the Green Line Regulation policy and also promoted a Financial Aid Regulation and a Direct Trade Initiative. Progress has been slow as there is still the need for a coordinated and well-defined strategy above Greek Cypriot's objections.

The Green Line Regulation provides for the amount of money that can be taken in goods from the north without paying customs duties by E.U. citizens (€135 allowed in 2005) and for the products allowed to be exported from the north to the south which would need to be entirely produced in the north such as agricultural products and furniture (which caused a benefit of approximately €100 000 per month in 2005). Greek Cypriots entered other restrictions to limit the movement of goods along the Green Line, and as a response mass products from the South are not allowed in the North.⁴

The proposal for Direct Trade stipulated that trade between Turkish Cypriots and E.U. members could be conducted through a preferential customs regime for products entirely produced in the north. E.U. considered this policy as a sustainable tool to improve Turkish Cypriots economy, but the Republic of Cyprus blocked it as they feared it would mean recognition to the illegal regime while causing Turkish Cypriots to be less responsive to Greek Cypriot's demands once they improve their economy.

³ BBC News. *EU pledges aid for Turkish Cyprus*. April, 26, 2004.
<http://news.bbc.co.uk/1/hi/world/europe/3660171.stm>

⁴ Jerry Sommer. *Op. Cit.* p. 60.

Turkish Cypriots have been disappointed about the limited benefits of the Green Line and Direct Trade Regulations as they cover only goods entirely produced in northern Cyprus and they do not have a manufacturing economy of its own. According to the Turkish Cypriot Chamber of Commerce, the Direct Trade Regulation will only increase exports from US \$ 61.5 million to US\$71.5 million a year.⁵

The Financial Aid proposal is directed at social and economic development as well as projects for reconciliation and rapprochement. Initially, the Financial Aid Regulation and Direct Trade Initiative were handled by the E.U. Commission as one package for economic recovery in the north. Thus, the E.U. Commission proposed an aid envelope of 259 million euros for 2004-2006, with the proposed regulation to facilitate direct trade from the northern part of Cyprus⁶. However, as the aid was linked to the Direct Trade proposal which was objected by the Greek Cypriots, none of the initiatives could be adopted. The Turkish Cypriot leadership, as well as the U.K., opposed to the separation of the proposals as they considered that once the Financial Aid part was accepted, the Direct Trade part would lose importance to the E.U.; thus, leaving Turkish Cypriots with the Financial Aid part and all its restrictions as the only assistance available to improve their economy.⁷

The lack of agreement caused the loss of 120 million out of the 259 million as the money had to be allocated by December, 2005. However, on February 27, 2006, COREPER (the Committee of Permanent Representatives) decided to decouple the aid package from the direct trade proposal and released the remaining 139m euros of E.U. aid which would be mainly allocated for infrastructure such as the modernization of water and electricity systems (to avoid mentioning it was for economic development).

⁵ Ibid. p. 62.

⁶ Euractiv. *Turkey disappointed by EU aid deal on northern Cyprus*. February 27, 2006. <http://www.euractiv.com/en/enlargement/turkey-disappointed-eu-aid-deal-northern-cyprus/article-152958>

⁷ Jerry Sommer. Op. Cit. p. 62.

Also the aid package came with a cover letter which linked future progress with Turkish Cypriot concessions on Varosha, Famagusta Port and a moratorium on the sale of Greek Cypriot property.⁸ Greek Cypriots agreed with this proposal as long as property rights would be respected when considering public work activities.

Considering that large areas of current Turkish Cypriots' lands are under dispute for property issues, the significance of this proposal is still very limited. Actually, by the second half of 2007, only 14.5 million euros of contracts have been agreed. The problems in allocating the aid in north Cyprus are mainly due to lack of cooperation within the communities, the fact that 78% of privately owned land belong to the Greek Cypriots, and the poor conditions of the existing key infrastructure that need rehabilitation and upgrading.⁹ Turkish Cypriot have proposed direct flights to northern Cyprus as a mean to obtain revenue from tourism but Greek Cypriots have also opposed to this demands to avoid recognition of the "TRNC". So far, the overall benefit for Turkish Cypriots has been insignificant. Turkish assistance since 1974 has totaled more than \$3.5 billion; only in 2006 the assistance was about 175 million euros, which allows no comparison with that of the E.U.¹⁰

Despite of Greek Cypriot efforts to keep isolated the north of Cyprus, the Green Line has resulted in a good source of revenue due to tourism and workers who go to work in the south.¹¹ Also, the intransigence of the Greek Cypriots has become so evident to the international community since they were granted E.U. membership, that many countries are starting to establish political contacts with the Turkish Cypriot

⁸ Cyprus Europe Public Relations. *Breakthrough on aid for Turkish Cypriots*. http://www.european-cyprus.net/english/index.php?prod_id=373&subject=standalone

⁹ EUbusiness. *EU Aid To Turkish Cypriots Hampered by Island Division*. 27 September, 2007 <http://www.eubusiness.com/Cyprus/1190907127.05/>

¹⁰ The Journal of Turkish Weekly. *Ending Embargo IS Only Way to Get Papadopoulos back to Table*. April 24, 2006. <http://www.turkishweekly.net/news.php?id=30479>

¹¹ Jerry Sommer. Op. Cit. p. 64. According to a study by Costas Apostolides, the GDP per person more than doubled in the last two years to about US \$10 000. According to Turkish government, it was US \$7 350 in 2004. For the Greek Cypriots it is about €15 000. About 7000 workers.

government. For instance, Turkish Cypriot leader, Mehmet Ali Talat, has been holding constant meetings with many high level foreign official representatives, such as the President of the European Commission (Jose Manuel Barroso) and the President of the European Parliament (Josep Borrell) as well as with U.S. and U.K. Foreign Ministers.¹²

In October 2005, the European Parliament decided to establish a contact group with the Turkish Cypriots. Therefore, European Parliament President, Josep Borrell, held meetings with Talat and with other Turkish Cypriot political figures such as Ferdi Sabit Soyer (CTP) and Serdar Denktash (DP), as well as with members of civil society organizations such as Ali Erel, President of the Turkish Cypriot Chamber of Commerce.¹³ As a result the European Parliament created a High Level Contact Group of eight MEPs whose mandate was to strengthen relations with Turkish Cypriots; to gather information on the region's political and economic situation; to ensure information on the E.U. would be passed on; and to monitor the implementation of financial and commercial measures proposed by the European Commission.

In its report from February 2006, the group proposed the introduction of Turkish as an official working language in the parliament in order to facilitate the communication with the Turkish-Cypriot community. The report also proposed the invitation of Turkish Cypriots representatives to the European Parliament as it is undemocratic that six Greek Cypriots represent both communities of the island.¹⁴ Even though the report has been opposed by some MEPs, it is still under discussion.¹⁵ Also, the European Court of Human Rights has been willing to include Turkish Cypriots

¹² Hellenic News of America. Carolyn Maloney and Michael Bilirakis. *Counterproductive U.S. Actions Thwart Solution of Cyprus Problem* By Carolyn Maloney and Michael Bilirakis. <http://www.hellenicnews.com/readnews.html?newsid=4390&lang=US>

¹³ Hellenic Resources Network. Cyprus News Agency. *EP President Holds Meetings in Cyprus' Occupied Areas*, October 5, 2005. <http://www.hri.org/news/cyprus/cna/2005/05-10-05.cna.html#05>

¹⁴ Elitsa Vucheva. EUOBSERVER. *Parliament Group Split Over Turkish Cypriot Approach*. November 1, 2007. http://euobserver.com/9/25068?rss_rk=1

¹⁵ Turkish Digest. *MEPs Consider Turkish Cypriot observers in EU Parliament*. March 14, 2007. <http://www.turkishdigest.com/2007/03/meps-consider-turkish-cypriot-observers.html>

representatives. For instance, in September, 2007 the European Court of Human Rights appointed Metin Hakki, head of the Supreme Court of the “TRNC”, as an expert judge in 38 Greek Cypriot property right cases against Turkey. The European Court overruled Greek Cypriot objection about the potential lack of impartiality of the appointed judge due to his nationality.¹⁶

On October 23, 2006, the Finnish E.U. Presidency proposed the opening of a Turkish Cypriot port for direct trade (with special regulations) with the E.U., by putting it under U.N. control. They also proposed to place the disputed resort of Varosha under U.N. administration. Besides from the implied benefits for Turkish Cypriots, the proposal was aimed as an incentive for Turkey to open its ports for the Republic of Cyprus, avoiding the suspension of its Accession Talks. However, both Turkish Cypriots and Greek Cypriots rejected the initiative.¹⁷ For Greek Cypriots any form of direct trade is outlawed, so they stated that they would only allow Turkish Cypriot export trade through a Greek Cypriot body such as the Greek Cypriot Chamber of Commerce.¹⁸ For Turkish Cypriots, the surrender of territory in exchange of direct trade was an excessive concession; the leadership argued that the proposal was not meant in any way to benefit the Turkish Cypriots but it was only aimed at favoring the Turkish Accession Talks.¹⁹

The inability of the E.U. to manage Greek Cypriot constant opposition to its policies regarding Turkish Cypriot economic recovery has caused Turkish Cypriot decrease of enthusiasm toward union as Greek Cypriots have been demonstrating its

¹⁶ The Journal of Turkish Weekly. *European Court of Human Rights Appoints Turkish Cypriot Judge*. September 12, 2007. <http://www.turkishweekly.net/news.php?id=48447>

¹⁷ BBC. Cyprus Talks “*May Be Last Chance*.” October 23, 2006. <http://news.bbc.co.uk/2/hi/europe/6078382.stm>

¹⁸ Ariana Ferentinou. Hellenic Resources Network. *Turkish Daily News. Does Anybody Know What the Finnish Plan is Really About?* October 9, 2006. <http://www.hri.org/news/cyprus/tcpr/2006/06-10-10.tcpr.html#B>

¹⁹ Turkish Press Review. “*TRNC’s Talat Meets with Rehn*.” October 11, 2006 <http://www.byegm.gov.tr/YAYINLARIMIZ/CHR/ING2006/10/06x10x11.HTM#8>

total unwillingness to share power within a common state for the benefit of both communities. As a result Turkey and Turkish Cypriot relations which were deteriorated in the last years had improved. Thus, Turkish Cypriots are starting to support the creation of its own separate state with their own government and with the Turkish Army stationed in the island to guarantee their security. Greek Cypriots need to act in good faith and make concessions for the benefit of the Turkish Cypriots as a goodwill gesture; only then can the E.U. expect Turkey to assume the political cost of removing its troops from north Cyprus.²⁰

3.2 Turkey's Accession Talks to the European Union

Turkish-E.U. relations have been both detrimental and stimulant for the solution of the Cyprus' conflict. Unfortunately, all parties in the equation failed to provide objective demands and proposals during Cyprus' accession process and Turkish Accession Talks negotiations. Nevertheless, Turkey's ongoing Accession Talks still represent the most solid opportunity to end the prolongation of the current state of affairs of which main victim are the Turkish Cypriots, which in turn remain isolated by Greek Cypriots and as hostages of Turkish politics.

Turkey has been an associated member since 1963, but it was not until 1987 that Turkey formally applied for E.U. membership. The application was turned down temporarily in 1989 due to Turkey's poor record on human rights and economics. Thus, when Greek Cyprus submitted its application for E.U. membership in 1990, Turkey fiercely opposed it. Turkey argued that Cyprus attempt to join the E.U. was illegal as the Treaty of Guarantee (Article I) prevented the Republic of Cyprus to join any

²⁰ Cem Ozdemir and Hakan Altinay. Acturca. *A Return to Dialogue*. August 30, 2006. <http://acturca.wordpress.com/2006/08/30/a-return-to-dialogue/>

political or economic union with any State without the consent of the Guarantor Powers; thus Turkey threatened with annexing north Cyprus (the partition which Turkey has *de facto* been imposing is forbidden in Article II of the same Treaty).²¹ However, Turkey was appeased by the European Union establishment of a Customs Union with Turkey in 1995, and its decision to accept Turkey's candidacy in 1999.

The prospect of Turkish E.U. membership polarized both the Turkish leadership and the European Union itself.²² On the one hand, the powerful Turkish Armed Forces which supported Rauf Denktash and the annexation of Cyprus as they considered that the European Union would never accept Turkey's membership, while the mere aspiration for membership was divisive and destructive for Turkey.²³ On the other hand, those who supported European Union membership as a mean to improve the economy, as well as enhancing human rights and democracy. The latter group included the minorities and the Justice and Development Party (AKP), led by Recep Tayyip Erdogan, which have been ruling the government since it won the Parliamentary elections in November, 2002.²⁴

²¹ Furthermore, Turkey argued that Article 50 of the Republic of Cyprus Constitution establishes that the Greek Cypriot President and the Turkish Cypriot Vice-President have the right to veto entrance in international organizations with the exception that both Turkey and Greece were both members. Turkish Cypriots also objected Greek Cypriot application to join the European Union (in 1990) but the latter dismissed the objections by declaring that according to U.N. resolutions, an application for the recognized Republic of Cyprus was admissible. Maurice. H. Mendelson. Why Cyprus Entry into the European Union Would Be Illegal. London: The Embassy of the Republic of Turkey and the Office of the London Representative of the "Turkish Republic of Northern Cyprus". 2001. p. 10, 66-67.

²² Euractiv. EU-Turkey relations. <http://www.euractiv.com/en//eu-turkey-relations/article-129678>

²³ The military is considered to be the guardian of the secular modern state (or kemalism). For instance Turkish 1982 constitution provided that half of the National Security Council, which also according to the constitution has the last word in every decision, would be top military and cabinet members. However in March 2002, the EU demanded the reduction of military power in the government; thus, Turkey made constitutional modifications to allow this change. Currently civilians' ministers hold a majority in the NSC which had also seen its power being diminished. Foreign Affairs. David Phillips. *Turkey's Dream of Accession*. September/October 2004. <http://www.foreignaffairs.org/20040901faessay83508-p0/david-l-phillips/turkey-s-dreams-of-accession.html>

²⁴ The AKP is a progressive party with Islamist roots, which is usually in conflict with the military rule. It was founded by Erdogan in 2001. Even though the party won the 2002 elections, he could not run for the Parliament seat required to become Prime Minister due to a conviction for inciting religious hatred in 1999. Thus, Abdullah Gul became Prime Minister. South East European Times. Recep Tayyip Erdogan, Prime Minister, Republic of Turkey. March 15, 2003. http://www.setimes.com/cocoon/setimes/xhtml/en_GB/infoBios/setimes/resource_centre/bios/erdogan_recep

Despite of the initial suspicion, Turkey received with enthusiasm the E.U. intention to give Turkey a date for starting Accession Talks before Greek Cypriot accession on May 1, 2004, at the European Council meeting in December, 2002. Actually, in 2001 when the E.U. outlined the political and economic conditions expected from Turkey before formal accession talks could begin, Turkey had already established a National Programme for the Adoption of the E.U. *acquis*.

However, within the European Union divisions existed between member states supporting Turkish membership and those against it. Greece and The Republic of Cyprus were among those supporting the start of Turkish Accession Talks before May 1, 2004 (as well as the U.K., Spain, Italy and Portugal), as they believed that the consideration of both countries as candidate members would have forced Turkey to acknowledge the need of solving the Cyprus' problem in order to achieve E.U. membership.²⁵ Also, Turkey behaving according to European values and standards has been regarded as a positive step for regional stability.

For the European members against Turkish membership (France and Germany), the threat to annex north Cyprus was perceived as “a hopeful sign, since Turkey would give up its own membership hopes if it annexed territory belonging, under international law, to an E.U. member state.”²⁶ At the end, Turkey reconsidered its threat as such an action would have meant to give up its European ambitions, and that it would have also be perceived as if Turkey were trying to revitalize the Ottoman Empire, irritating neighboring states which would have considered their Turkish and Muslim minorities as a burden that has to be gotten rid of.²⁷ However, the reluctant states proposed the start of Accession Talks after July, 2005.

²⁵ Press Conference by President Glafcos Klerides UN Headquarters. Thursday September 07, 2000

²⁶Niels Kadritzke, “Cyprus, North and South,” *Le Monde Diplomatique*, English language edition, April 2002. <http://mondediplo.com/2002/04/09cyprus>

²⁷ Resat Arim, professor Ali L. Karaosmanoglu, and Seyfi Tashan. *KOFI ANNAN PROPOSALS: CYPRUS-TURKEY-EU RELATIONS*. December 26, 2002 *Turkish Daily News*.

In December, 2002, the European Council decided to give Turkey a date for the start of Accession Talks at the European Council meeting in December, 2004. Turkey's Parliament changed leadership in March 14, 2003 and Recep Tayyip Erdogan (from AKP) became Prime Minister.²⁸ The new Prime Minister continued the reform aimed at reaching European standards and even supported the 2004 referendum on the U.N. Annan Plan.²⁹ However, the general frustration caused Erdogan's government to become challenged for his continuing friendship with Greek Prime Minister Costas Simitis, his lack of support for Denktash, and the stagnation on Turkish Accession Talks caused by the Republic of Cyprus' accession. Also, prior to the European Council decision on December 16, 2004, support for European Union membership decreased due to public statements by different European political groups regarding the implausibility of Turkish actual accession and which also proposed a "special partnership" with free trade and closer integration in military and security affairs instead of Accession.³⁰ The European Council finally decided to start Turkish Accession Talks in October 3, 2005.

²⁸The considerable AKP majority in the Parliament allowed them to change the constitution, thus allowing Erdogan to become Prime Minister, Abdullah Gull resigned in favor of Erdogan, and became Foreign Affairs Minister. Turkish President, Ahmet Necdet Sezer, accepted the appointment. South East European Times. Recep Tayyip Erdogan, Prime Minister, Republic of Turkey. March 15, 2003. http://www.setimes.com/cocoon/setimes/xhtml/en_GB/infoBios/setimes/resource_centre/bios/erdogan_recep

²⁹ The military allowed the referenda because according to polls Greek Cypriots were likely to vote against the Plan, so the military were expecting that the international community would put blame on Greek Cypriots and not so much on them. Chrysanthou. Hellenic News of America. Kiss & Make Up: Let's Talk Turkey when Turkey out of Cyprus February 29, 2004.

<http://www.hellenicnews.com/readnews.html?newsid=1486&lang=US>

³⁰ Mainly the Christian Democrats in Germany and France promoted the "special partnership" proposal. The benefits of such partnership are already covered by the Customs Union and NATO. Wolfgang Schauble, former Federal Minister in the government Helmut Kohl and deputy head of the CDU/CSU stated that the E.U. is, after all, European; and countries such as Turkey and Russia only partly share Europe's heritage and geography; in other parts, they definitely do not. See: Wolfgang Schauble and David L. Phillips. Foreign Affairs. Talking Turkey. November/December 2004.

Also the biggest French government party, UMP, declared that Turkey should not be offered the perspective of E.U. membership during the Brussels European Council meeting of December 2004. See: Marcel H. Van Herpen. Should Turkey Join the EU? The Anti Turkish Stance of the French UMP and German CDU/CSU. The Cicero Foundation. 1 May 2004. Paris.

http://cicerofoundation.org/lectures/vanherpen_may04.html

However, Turkish people's decreasing enthusiasm for E.U. membership was reflected in hardening its position toward Cyprus.³¹ The European Council requested Turkey to fulfill the "Adaptation Protocol of the Ankara Agreement," which provided a customs union of Turkey with the 10 new member states including the Republic of Cyprus, as a precondition for Accession Talks. Erdogan signed the Protocol on 29 July 2005, only after being assured that the signing of the Protocol was not meant to be an explicit formal recognition of Cyprus, but a step toward normalization of relations. He also endorsed a declaration reiterating that the signature did not imply recognition of the Republic of Cyprus as representative of all Cyprus but only as representative of the Greek Cypriots in the south.³² Furthermore, Turkey stated that the customs union agreement did not imply allowance of Greek Cypriot airplanes and ships in its territory until the latter agree on facilitating Turkish Cypriots economic development.

Following this path, during Turkey's negotiating tactics in October 5, 2005 which opened accession negotiations, Turkey objected the E.U. proposed negotiating mandate's clause which called for Ankara to stop blocking other E.U. members from joining international organizations.³³ Turkey's main concern was to prevent Cyprus from joining NATO, even though Cyprus has never been interested in NATO.³⁴ Turkey accepted the clause only after the U.S. granted that E.U. rules could not force Turkey to drop its objection to Cypriot NATO membership.³⁵ Erdogan's successful overcoming

³¹ Popular support for Turkish European membership has decreased from 75% in 2004 to 50% in 2006. EurActiv. *2007 Elections In Turkey*. April 5, 2007. <http://www.euractiv.com/en/enlargement/2007-elections-turkey/article-163039>

³² Turkish recognition of the Republic of Cyprus could only be granted after the Greek Cypriots recognition of the "TRNC" or unification. See EU-Turkey relations. <http://www.euractiv.com/en/eu-turkey-relations/article-129678>

³³ Ireland Online. *Cyprus' leaders to seek solution*. October 5, 2005. <http://breakingnews.iol.ie/news/story.asp?j=158153884&p=y58y5459x>

³⁴ In fact, Cyprus has always had a strong historical anti-NATO feeling. However, Cyprus insistence was meant to secure the full implementation of all paragraphs relating to Cypriot objectives. Cyprus News Agency. *Cyprus PM Satisfied with Result of EU Agreement on Turkey*. October 5, 2005. http://www.cna.org.cy/news_ie/newsdisp.asp?a=263078

³⁵ Reuters. *Cyprus Slams Turkish "Anatolian Bazaar" Tactics*. October 5, 2005. http://today.reuters.co.uk/news/newsArticle.aspx?type=topNews&storyID=2005-10-05T073022Z_01_MCC526995_RTRUKOC_0_UK-EU-CYPRUS-

of Europe demands for the recognition of Cyprus and the opening of its ports and airports for Cyprus as a precondition for Accession Talks enhanced popular support at home while stalling accession negotiations.³⁶

In order to resume Accession Talks, Turkish Foreign Minister Abdullah Gul unveiled an Action Plan in January 2006, under which the sides to the conflict should open high-level meetings under the auspices of the U.N. by the middle of 2006. The plan also calls for Turkey to fully implement the Ankara protocol and the opening its ports and airports to the Republic of Cyprus and those of northern Cyprus to international traffic of goods, persons and services, as well as the promotion of direct trade between north Cyprus and the E.U.³⁷ However, the Ankara Protocol was not implemented and on 29, November 2006, the European Commission recommended the suspension of Talks for 8 out of 35 chapters suspended the Accession Talks. Turkey offered to open one port and one airport by December 7, but the Commission's recommendation became effective on December 15 and Talks were suspended.³⁸

Turkey's decision to continue reforms on April 17, 2007, favored the resumption of Accession Talks on March 29 with the open of the second chapter.³⁹ However, further development was complicated as Turkey faced internal problems with terrorist

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³⁶ Erdogan popularity increased by not supporting the U.S. against Iraq in March 2005, even though the U.S. suspended the aid package for that year and increased its concerns regarding an Islamic Turkish government as a proper partner to fight global terrorism. He also managed to obtain support for European integration from Hilmi Ozkok, the country's top general and member of the NSC. Foreign Affairs. David Phillips. Turkey's Dream of Accession. September/October 2004.

<http://www.foreignaffairs.org/20040901faessay83508-p0/david-l-phillips/turkey-s-dreams-of-accession.html>

³⁷Turkey accession and Cyprus. <http://www.euractiv.com/en/enlargement/turkey-accession-cyprus/article-135940>

³⁸ Daniel Dombey and George Park. Financial Times. EU Freezes Parts of Turkish Accession Talks. December 11, 2006.

<http://search.ft.com/ftArticle?>

[queryText=Accession+Talks&y=3&aje=false&x=12&id=061211006769&ct=0](http://search.ft.com/ftArticle?queryText=Accession+Talks&y=3&aje=false&x=12&id=061211006769&ct=0)

³⁹The second chapter concerns enterprise and industrial policy. Turkey is expected to fulfill 200 legislative amendments and 400 regulations in order to reach EU standards by 2013. See: Euractiv. Turkey to Adopt Reforms Even if EU-Entry Blocked. April 18, 2007. <http://www.euractiv.com/en/enlargement/turkey-adopt-reforms-eu-entry-blocked/article-163243>

activities from the Kurdish PKK.⁴⁰ Also, Parliamentary elections took place in July 22, 2007, in which the AKP was reelected, and Presidential elections took place in August 28, 2007.⁴¹ Former Foreign Minister, Abdullah Gull (AKP member), became President against the protests of the military which warned that they would defend the secularist system.⁴²

Besides from the Cyprus issue, the European Union members have other concerns with divided opinions regarding Turkish accession. For instance, for some E.U. members, Turkey's population of 70 million represents an attractive market for European goods as it is among the ten top emerging markets worldwide; also, some E.U. members consider that this large and young population would become a future source of well-trained and disciplined work-force that can cope with Europe's aging population.⁴³ However, other E.U. members have raised preoccupation about Turkey becoming the largest European state as it would challenge European identity.⁴⁴

Another concern which has divided opinion among European Union members is Turkish poor record on human rights. While some E.U. members consider the strict observance of human rights protection as a precondition to accept Turkey within the E.U., other members (as well as the U.S.) believe that harmonization with E.U.'s human right policy is a process which could only be developed through Accession Talks and

⁴⁰ The Kurdistan Workers Party (PKK) is a separatist terrorist organization, which has launched its terrorist attacks on Turkey mainly from Iraq, but it also has offices in different European capitals with different names. The U.S. lack of resolution to destroy the PKK training camps in northern Iraq has damaged U.S.-Turkish relationship while the lack of E.U. willingness to put on trail or extradite the PKK head, Abdullah Ocalan who was caught with a Greek Cypriot passport, is still a source of resentment in Turkey. Sedat Laciner. Turkish Weekly Opinion. *The Existence of the PKK Terrorism in Iraq and the U.S.* August 9, 2007. <http://www.turkishweekly.net/comments.php?id=2691>

⁴¹ Euractiv. EU Turkey Relations. September 25, 2007. <http://www.euractiv.com/en/enlargement/eu-turkey-relations/article-129678>

⁴² The European Union condemned Turkish Army threat to manipulate the elections outcome. Euractiv. *2007 Elections In Turkey.* April 5, 2007. <http://www.euractiv.com/en/enlargement/2007-elections-turkey/article-163039>

⁴³ Global Action on Aging. *Turkish Population Aging But Still Youngest In Europe.* May 19, 2003. <http://www.globalaging.org/ruralaging/world/turkish.htm>

⁴⁴ Wolfgang Schauble and David L. Phillips. Foreign Affairs. *Talking Turkey.* November/December 2004.

that would continue after actual accession.⁴⁵ For instance, Turkey accepted the jurisdiction of the European Court of Human Rights until January 22, 1990 as a result of its E.U. aspirations. The Court cannot deal with violations of human rights by Turkey which occurred before that date such as the 1974 human rights' aggression against Greek Cypriots.⁴⁶ However, the Court have competence to examine cases of violations of human rights which were of a continuing nature, especially regarding the right to property and resettlement which are pending before the judicial organs of the Council of Europe.⁴⁷ Thus, in April 5, 2006, the European Court of Human Rights was able to order Turkey to pay compensation for those Greek Cypriots who lost their lands and properties as a consequence of the 1974 invasion.⁴⁸

Another aspect is security, some E.U. states argue that Turkey lacks the mean to protect its large borders with Iran and Syria which would facilitate the entrance of Middle Eastern terrorists to Europe.⁴⁹ Others have disregarded this argument while focusing in the E.U.'s European Security and Defense Policy. This policy is aimed at enhancing European role in NATO through Europe's Rapid Reaction Task Force, which has only been used for peacekeeping missions.⁵⁰ Turkey has been persistently blocking "Berlin Plus," an accord to allow the Europeans access to NATO assets.⁵¹

⁴⁵ Turkish EU membership was rejected in 1987 due to Turkish record of human right rights. The Press and Information Office of the Republic of Cyprus. *Violations of human rights by Turkey in Cyprus, 1999.* (Nicosia: The Press and Information Office, 1999). p. 20.

⁴⁶ Ibid.

⁴⁷ The US consistently ignored the flagrant violations of human rights by Turkey in Cyprus. The US Department of State's annual reports on human rights in Cyprus never made any reference at all to the continuing violations of human rights by Turkish troops. Ibid. p. 21

⁴⁸ The Guardian. Nicholas Watt and David Gowl. *Turkey warned hardline tactics may derail EU talks.* April 6, 2006. <http://www.guardian.co.uk/turkey/story/0,,1747896,00.html>.

⁴⁹But pushing for accession now while putting off the question of whether Turkey will ever become a full EU member would be a mistake. And starting the process, only to have Turkey ultimately fail to qualify, would be disastrous for both Turkey and the EU." Wolfgang Schauble and David L. Phillips. *Foreign Affairs. Talking Turkey.* November/December 2004.

⁵⁰Cyprus Mail. *The Battle for Paragraph 5.* October 5, 2005 http://www.cyprusmail.com/news/main.php?id=22155&cat_id=1

⁵¹ Leyla Boulton, Judy Dempsey, et al. *Financial Times, London Edition. Denktash Illness Hits Hopes of Peace Deal on Cyprus United Nations Plan.* December 11, 2002. <http://search.ft.com/nonFtArticle?id=021210007579>

For the European Union, Turkish potential membership involves many other important issues, such as the E.U. need to ensure oil and gas supply, which are more imperative than the Cyprus question.⁵² Unfortunately, the continuous occupation of north Cyprus has prevented Europeans from making an accurate honest assessment of the real risks and benefits of Turkish potential accession. Turkey have been using Turkish Cypriots to improve their bargaining power in the European Union, however Turkey seems to be disregarding the fact that despite of the progress achieve in the Accession Talks, the Republic of Cyprus is in position to block all progress at any given time. However, the great risk is that Turkey may perceive a lack of European Union intention to actually accept it in, causing Turkey to lose interest as well while opting for the annexation of north Cyprus or the eternal prolongation of the Cyprus question.

3.3 Assessment of the U.N. Plan for Cyprus.

The U.N. involvement in Cyprus started since the struggle for independence, and its effort for peace in Cyprus has been continuous since the ethnic clashes started in December 1963. The U.N has basically contributed with its offer of good offices and mediation between Greek Cypriots and Turkish Cypriots, as well as with the peace contingent UNFICYP which was created and deployed in 1964, in order to prevent the exchange of fire.⁵³ Even though, the “TRNC” has never complied with any of the U.N. resolutions regarding the current status quo in the island due to their lack of access to

⁵²Armenian News Network. *New Threat Looms over Turkish Accession*. May 8, 2006. <http://groong.usc.edu/news/msg147917.html>

⁵³ It has been 4 U.N. Secretary General devoted to Cyprus, and 13 U.N. Special Representatives. 168 UNFICYP elements have died. Secretary General’s Statement at Opening of Cyprus Talks, Troutbeck N.Y. July 9, 1997.

the General Assembly, all sides in Cyprus believe in the legitimacy of the U.N. as a mediating actor.⁵⁴

Despite of 40 years of U.N. diplomatic effort, the parties have not been able to reach an agreement yet. However, the Annan Plan is the most important and comprehensive document the U.N. has proposed to unify Cyprus, and, even though it was rejected in all its versions, it has made the Cyprus issue to be the closest to an end. Furthermore, all parties have agreed to consider it, even in a short extent, as a framework for future discussions.⁵⁵

Between 1999 and 2002, U.N. Secretary General Koffi Annan promoted talks among the communities' leaders to reach a comprehensive settlement that would allow a united Cyprus to enter the European Union. In August 2002 Annan and Under-Secretary General Alvaro de Soto decided to change its strategy by "forcing a negotiation" through the presentation of a specific proposal to the parties as the rounds of talks were proving unsuccessful due to the lack of agreement on the most important issues.⁵⁶ Thus, on November 11, 2002, Annan presented his 137-page "Plan for Cyprus Settlement." Turkish Cypriot leader, Rauf Denktash, rejected it.

It was modified and at the end of February 2003, Annan presented a 192-page "Basis for a Comprehensive Settlement of the Cyprus Problem," and requested the parties to agree to submit it to separate referendum. The Plan and the referendum

⁵⁴ Occasionally Rauf Denktash accused the U.N for complicating a solution: "I wanted to meet Klirdihis face-to-face in the past. I invited him and insisted on my invitation. We could have had a very short meeting. However, we could have created an opportunity for talks on a more realistic basis. ...He responded by saying that he would hold talks with me only within the framework of the UN secretary-general's goodwill mission... Mr. Alvaro de Soto arrived to say that he would take notes and that we should see him like a fly on the wall. But, he acted like a referee and tried to place the talks under his control. He began to use pressure on us as much as he could to impose an agreement that was drawn up by other entities... But the opportunity for a sincere give-and-take policy was lost when the UN was involved. The problem cannot be solved through impositions and maps drawn up by foreign entities." *Turkish Cypriot leader views outcome of Greek Cypriot Elections*. Feb 17, 2003. Bayrak TV, Nicosia.

⁵⁵ A VPRC poll, showed that 58 percent of Greek Cypriots think any new effort to reunify the island should be based on a radically different plan. Cyprus guarded in vote run-up 15/05/2006 Kathimerini, English edition. http://www.ekathimerini.com/4dcgi/_w_articles_politics_100014_15/05/2006_69699

⁵⁶ UN Under-Secretary General Alvaro de Soto, a Peruvian diplomat, was assigned the problem of Cyprus in late 1999. See Robert Rotberg. *Op. Cit.* p. 8.

proposal were rejected by Denktash, as it did not provide enough political equality and full sovereignty; Greek Cypriot leader Glafcos Klerides accepted the referendum in order to gain access to the European Union and as he acknowledged Denktash would reject it. However, the U.N. Plan was widely opposed by the majority of Greek Cypriots, even the Church as it limited their right to return to their properties; thus Klerides lost the elections to Tassos Papadopoulos who had openly opposed the Plan.⁵⁷ Turkey was supporting the Plan but could not put more pressure on Denktash as they were facing a change of leadership Parliamentary at the time.

On February 10, 2004, both parties agreed to start negotiations by February 19. on the basis of the U.N. Plan in order to achieve a settlement by March 22, 2004 which would be placed in separated referendum before May 1, 2004, the parties also agreed that in case of an absence of agreement, the parties would meet with Koffi Annan for a concentrated effort to agree on a finalized text by March 29, whether the deadlock continued the parties would allow the U.N. to finalize the text. Denktash accepted to put the Annan plan in referendum under Turkish pressure and as different polls reflected the Greek Cypriot population tendency against the Plan.⁵⁸

The final version was released on March 31, 2004. The Annan Plan proposed the establishment of the United Cyprus Republic. It was supported by the Turkish Prime Minister, Recep Tayyip Erdogan, the Greek Prime Minister, Kostas Karamanlis, the Turkish Cypriot Prime Minister, Mehmet Ali Talat, and also by the U.S., and the E.U. However, it was openly rejected by Greek Cypriot and Turkish Cypriot Presidents, Papadopoulos and Denktash, respectively.⁵⁹ However, as it has been agreed,

⁵⁷ Dan Lindley. Hellenic Studies. *The Republic of Cyprus' Road to European Union Accession: Missed Opportunities to Promote a Cyprus Solution*. April 23, 2003.
<http://www.nd.edu/~dlindley/handouts/cypruseuarticle.htm>

⁵⁸ BBC News. *Cyprus Vote Leaves Island Split*. April 24, 2004.
<http://news.bbc.co.uk/2/hi/europe/3656009.stm>

⁵⁹ In order to overcome Greek Cypriot worries against the permanence of Turkish troops, the U.N. Security Council voted a proposal for a neutral force to help police the island in case of unification but it was vetoed by Russia on the grounds that the proposal could have misguided the referendum results from

the referendum was held on April 24, 2004. On the Turkish Cypriot side 64.9% voted in favor of the Annan Plan, while the Greek Cypriot side voted 75.8% against it.⁶⁰ Greek Cypriot decision received worldwide condemnation and Papadopoulos was accused of manipulating the results with his messages before the referenda.⁶¹ Papadopoulos made clear that they did not vote against union but just against the Annan Plan.⁶² Denktash was pleased with the outcome while Turkey's Foreign Minister Abdullah Gul, demanded the end of the Turkish Cypriot isolation.⁶³ Talat demanded the E.U. to freeze Cyprus' membership until the island could join as one.⁶⁴ Thus, E.U. officially offered Turkish Cypriots to end their economic isolation.⁶⁵

Despite of the negative criticism from a large part of the international community, according to previous opinion polls the tendency to vote against the Plan among Greek Cypriots was evident. Popular opposition itself was predictable, as the Annan Plan failed to guarantee what Greek Cypriot people mind the most: the right to return to their homes. For most Greek Cypriots, accepting the Annan Plan the way it was presented, would have lead to the same situation that was created in the 1960s when, under pressure, the Cypriots had to accept a forced constitution which was politically unviable for them and which ultimately caused the collapse of the government of the Republic of Cyprus. Also, it was unsurprising that their already granted E.U. membership influenced them to wait for a better agreement. Annan failed

the firm position of not allowing Turkish troops at all. Also, Russia accused the U.N. of giving excessive demands to Turkey. BBC News. *Cyprus votes on unification plan*. April 24, 2004. <http://news.bbc.co.uk/2/hi/europe/3654919.stm>

⁶⁰ BBC News. *Cyprus 'Spurns Historic Chance.'* April 25, 2004. <http://news.bbc.co.uk/2/hi/europe/3656753.stm>

⁶¹ BBC News. *In quotes: Cyprus reunification fails*. 24 April, 2004 <http://news.bbc.co.uk/1/hi/world/europe/3656653.stm>

⁶² Ibid.

⁶³ BBC News. *Cyprus vote leaves island split*. April 24, 2004. <http://news.bbc.co.uk/2/hi/europe/3656009.stm>

⁶⁴ BBC News. *EU Pledges aid for Turkish Cyprus*. April 26, 2004. <http://news.bbc.co.uk/1/hi/world/europe/3660171.stm>

⁶⁵ BBC News. *Cyprus vote leaves island split*. April 24, 2004. <http://news.bbc.co.uk/2/hi/europe/3656009.stm>

to make an accurate assessment of the parties' priorities and the real nature of their demands at that specific time.

Turkish Cypriots mainly demand a separate constituent state largely independent, sovereign and politically equal to that of the Greek Cypriots with a loose federal government with equal power and presidential rotation.⁶⁶ Also they demand provisions to prevent Greek Cypriots from outnumbering (and thus abusing) their side. Greek Cypriots mainly demand removal of all foreign troops, a strong federal government, freedom of movement throughout the island, freedom to return to their homelands, freedom to settle and buy property throughout the island.

Regarding the powers of the central government the Annan Plan proposed a loose confederation of two equal constituent states based largely on the Swiss model.⁶⁷ The territory granted for the Republic would consist of only a few buildings with symbolical police force and legal powers. In fact, the limited powers of the central Supreme Court prevented it from any participation of the constituent states legal decisions within its territory. It would only have competence regarding conflicts between the constituent states and between a constituent state and a citizen of the other state.⁶⁸ At the common Parliament Turkish Cypriots were granted the right to veto important legislative measures such as taxation, citizenship and immigration, which could result in a potential deadlock.⁶⁹

Regarding the principle of freedom of settlement, the U.N. Plan, did not satisfy any of the parties, for the Turkish Cypriots it was unacceptable as it was violating the

⁶⁶ For Turkish Cypriots two sovereign states relinquishing some of their sovereignty in favor of a central government is a different concept than a central government allowing two component states exercise some elements of its sovereignty. Turkish Daily News. Yusuf Kanli and Ozgur Eksi. *Oymen Says Bizonality ought to be Cornerstone of Cyprus Accord*. February 9, 2003. <http://www.turkishdailynews.com.tr/archives.php?id=31128>

⁶⁷ EurActiv. *Turkey accession and Cyprus*. February 24, 2005. <http://www.euractiv.com/en/enlargement/turkey-accession-cyprus/article-135940>

⁶⁸ Robert Rotberg. Op. Cit. p. 10-11.

⁶⁹ F. Collins and E. Jordan. "Human Genome Project." October 13, 2003.

bizonal principle by allowing Greek Cypriots to resettle in the north. The U.N. plan provided that the amount permitted of Greek Cypriots to move north would represent no more than 28% of the population in the “TRNC”. According to Turkish Cypriot estimates this number is enough to threaten their security. The Greek Cypriots rejected the sole proposition of limiting their right to resettle. In fact, it was an incongruity that as European Union citizens, Greek Cypriots would be able to freely settle wherever they want within the E.U. except the north of their own country. Besides, the measure would perpetuate racial discrimination.

Regarding foreign troops, the Plan proposed the gradual reduction of foreign military troops to the minimum provided in the Treaty of Guarantee, unless the parties agree on a total removal.⁷⁰ This was one of the few issues that were left open for further negotiation. Both parties are afraid of becoming victims of a superior force, Turkish Cypriots fear a Greek Cypriot attack and Greek Cypriots fear a Turkish invasion, which would threaten their sovereignty.⁷¹ There are chances that ethnic clashes, as in many multi ethnic societies, can occur, and even if it is only a small skirmish, Turkey would have a justification to intervene and even take a larger part of the island. There is also the risk that were troops to stay, Cyprus would remain as a national issue to Greece and Turkey and a source of conflict between them and which would be reflected in Cyprus (and would perhaps inflame the Cypriots against each other). However, Cyprus is an E.U. member, thus the political cost of another invasion from Turkey would have a high political cost. Also, Greek Cypriots were overlooking the fact that the presence of the remaining troops can be negotiated in the future, once Turkish Cypriots can be

⁷⁰ Turkey currently has 5000 military personnel in active and 26 000 in reserve units. The Plan proposed an immediate reduction to 35000 and a gradual reduction to 650 within 14 years or at the date of Turkish accession to the E.U. Greece would also reduce its troops from 1250 to 950. Both parties would decide on the removal of the remaining troops. The U.N. forces were expected to increase from the current 850.

⁷¹It has been implied that the pro-Annan Plan AKEL party withdrew its support for the Plan (after trying to delay it) as a consequence of this move. They stated they decided that as the U.N. did not offer any guarantee that Turkish troops would actually be removed after unification. BBC News. *Communists reject Cyprus template*. 22 April, 2004. <http://news.bbc.co.uk/1/hi/world/europe/3649437.stm>

reassured that their survival is not on stake. Actually, on April 12, 2005, Greek Cypriot political parties agreed on the removal of all Greek and Turkish troops after a transitional period according to the Annan Plan.

Besides from the points of evident confrontation, the Annan Plan also needs revision regarding its contradiction with various principles of international law and with the U.N. charter as well. Mainly, the U.N. plan proposed conditions that would openly challenge the sovereignty and independence of Cyprus by promoting the continuous right for other countries (Great Britain, Greece and Turkey) to intervene in Cyprus in order to protect the territorial integrity, security and constitutional order of both the federal and the constituent states. Furthermore, the Plan allowed foreign nationals to have effective control in key government areas such as the Reconciliation Commission, the Supreme Court, the Central Bank, the Relocation Board, and the Property Court. Also sovereignty would be damaged by the lack of a military force which would leave Cyprus without a right of self defense.

Another issue in contradiction with international law is the settlers and their families' question consideration within a U.N. settlement. According to Article 49, section III, of the Geneva Convention on the Protection of Civilian Persons, which deals with the occupied territories (and which has been ratified by both Cyprus and Turkey), it is prohibited that the occupying power transfers its own civilian population into the occupied territory.⁷² Also, allowing settlers to vote in the referendum was illegal as settlers are the consequence of an illegal aggression.

It is evident that the quintessence of the U.N. Plan was the protection of the Turkish Cypriot minority. Even when the purpose is legitimate, it was at the expense of Greek Cypriots' rights (property rights, freedom of residence, freedom of movement), at

⁷² Committee for a European Solution in Cyprus. The international Expert Panel. *A Principled Basis for a Just and Lasting Cyprus Settlement in the Light of International and European Law*. Autumn 2005. <http://www.ifestos.edu.gr/32.htm#thefinalreport>

the expense of the overall functioning of the government, and even at the expense of democracy as it provided a strict mathematic equality between two demographically unequal communities. The U.N. disregarded the fact that as an E.U. member, Cyprus is committed to the protection of human rights under article 7.

Finally, the Annan Plan's main obstacle for its actual implementation relied in the fact that it was not the result of a democratic legislative process or dialogue but rather an attempt to force a solution that would unify the island for the ultimate benefit of Turkey's accession process to the E.U.⁷³ Driving a unified (weak) Republic of Cyprus to the European Union while granting the starting of Turkey's Accession Talks to the E.U. would have meant an enormous political gain for the U.N. prestige as peace guarantor and mediating actor. Therefore, in order to reach the May, 2004 deadline, Annan presented a solution that was not precisely fair, realistic and updated.

Annan also missed the opportunity to ask concessions regarding demilitarization from Turkey which was strongly supporting unification. Indeed, the slight changes to the U.N. Plan were meant to satisfy the objections of the outgoing Denktash, which after all rejected the Plan as well. If the decision was to be in the hands of the majority of the Turkish Cypriots, who were strongly longing for E.U. accession, the Plan could have demanded some reasonable concessions from them. Koffi Annan did not consider revising or renegotiating the Plan. However, the Annan Plan is still discussed and used as a reference for new proposals.⁷⁴

⁷³ The U.S. has been promoting Turkish membership to the E.U.; therefore, it was a supporter of pushing a solution through the U.N. Plan, and actually American and British citizens provided a considerable contribution on the creation of the Plan. The U.S. supports the continuation of the U.N. diplomatic effort, and even asked for a new special representative for Cyprus. At the same time, the U.S. has been suggesting that the issue should be shifted to an E.U. framework. Indeed, the U.S. did not provide funding at all for the UNFICYP in 2007. UNFICYP's annual budget for July 2004 to June 2005 was 51.9 million dollars. The U.S. budget for UNFICYP was about 7.4 million dollars in 2005 and about 6.6 million dollars in 2006. Turkish Daily News. *No US Funds for UNFICYP in Next Year's Budget*. April 6, 2006. <http://www.turkishdailynews.com.tr/article.php?enewsid=39998>

⁷⁴ In February 28, 2006, Koffi Annan met with Tassos Papadopoulos to discuss issues of demilitarization and the return of Famagusta. The meeting was condemned by Turkey and Turkish Cypriots, as the U.N. broke its tradition to meet leaders of both communities in equal manner. Journal of Turkish Weekly. *Turkey's Growing Cyprus Disappointment*. March 16, 2006.

3.4 Cyprus for Cypriots: The Unification Prospect.

The loosening of restrictions over the Green Line crossing, the change of leadership in North Cyprus, and European Union membership promoted general enthusiasm for the rapprochement of political parties and civil groups that share the same values such as the Greek Cypriot trade union PEO and Turkish Cypriot “This Country is Ours” which held a joint celebration on May 1, 2006 at both sides of the Green Line.⁷⁵ Unfortunately the old Greek Cypriot leadership, headed by Tassos Papadopoulos, continued with the Turkish Cypriot isolation overlooking Turkish Cypriot leader, Mehmet Ali Talat, initial readiness to take significant honest steps toward the unification of the island.⁷⁶ Therefore, while the Greek Cypriot leadership’s policy is being radicalized in order to obtain a total surrender of Turkish Cypriot demands, the communities have been walking away from each other in the absence of a diplomatic process. Among those withdrawing support from unification is the Turkish Cypriot Chamber of Commerce, which through its President, Erdil Nami, recently declared the Chamber intention to reconsider its long-time supportive position.⁷⁷

The growing mistrust among the communities is enhanced by the continuous Greek Cypriot restrictions to E.U. efforts to improve Turkish Cypriot living standard, and by their lack of equal response to Turkish Cypriot efforts for showing their goodwill. For instance, in December 2006, the Turkish Cypriot authorities agreed to dismantle a footbridge built in 2005 which angered Greek Cypriots as it was using

<http://www.turkishweekly.net/news.php?id=28059>

⁷⁵ Hellenic News of America. *Greek and Turkish Cypriot Organizations Call for Cyprus Solution*. April 27, 2006. <http://www.hellenicnews.com/readnews.html?newsid=5026&lang=US>

⁷⁶ The long-time well recognized intransigence of Papadopoulos and Denktash can be illustrated with the fact that the pair came to be known as: Mr. No and Mr. Never, name given by Turkish Cypriot opposition leader, Mustafa Akinici. Niels Kadritzke. *Le Monde Diplomatique*, English edition. *Cyprus Saying No to the Future*. May, 2004. <http://mondediplo.com/2004/05/07cyprus>

⁷⁷ Sylvia Tiryaki. *Turkish Daily News*. *Where do the Greek Cypriot policies lead to?* October 22, 2007. <http://www.turkishdailynews.com.tr/article.php?enewsid=86516>

territory belonging to the U.N. buffer zone.⁷⁸ As a goodwill response, on March 9, 2007, the Greek Cypriot government decided to demolish the wall and the military checkpoint on Ledra Street in Nicosia. Consequently, Turkish Cypriot authorities opened their side of the street but crossing was not allowed as Turkish troops were not removed from the island. However, the European Commission immediately declared it would provide 100 000 euros to finance stabilization works at the crossing point.⁷⁹

Also, direct rapprochement between both sides' leaders has been almost absent since the failure of the referendum in April, 2004. They met again until July 3, 2006, at a U.N. compound in Nicosia to discuss a humanitarian initiative for the fate of 1 500 missing persons.⁸⁰ Later in July, they held several meetings under U.N. auspices to discuss the U.N. promoted "Set of Principles" and which concluded with both sides' commitments to unification based on a bizonal, bicomunal federation with political equality through the implementation of confidence building measures.⁸¹ However, the leaderships are still discussing their disagreements with the U.N. proposed peace process.

The contact between both sides' leaders have been further complicated by the Greek Cypriot leadership attempts to disengage a possible settlement from the Annan Plan which is regarded by the Turkish Cypriot leadership as the only recognized framework to resume negotiations.⁸² For instance, on May 4, 2006, Talat regretted

⁷⁸ Tabitha Morgan. BBC News. *Symbolic Nicosia Wall Comes Down*. March 9, 2007. <http://news.bbc.co.uk/1/hi/world/europe/6434919.stm>

⁷⁹ Euractiv. *Cyprus Inches Closer to Reunification as Symbolic Wall is Razed*. March 9, 2007. <http://www.euractiv.com/en/enlargement/cyprus-inches-closer-reunification-symbolic-wall-razed/article-162350>

⁸⁰ BBC News. *Rare meeting for Cypriot leaders*. July 3, 2006. <http://news.bbc.co.uk/2/hi/europe/5140036.stm>

⁸¹ The talks were conducted by U.N. Under-Secretary General for Political Affairs, Ibrahim Gambari, who proposed a five-point framework for resuming negotiations on two levels: one focusing on day to day issues and the other on the intractable long-term political problems. Today's Zaman. *Greek Gov't Signals Support for Renewed Cyprus Talks*. July 10, 2006. <http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=34669>

⁸² Talat actually complained about Greek Cypriot disengagement from the U.N. Plan in a letter sent to Koffi Annan. Turkish Press. May 15, 2006. <http://www.turkishpress.com/news.asp?id=123688>

Papadopoulos' public statement about his reservations against a federal, bizonal and bicomunal solution which he later denied.⁸³

As have been mentioned, as a result of the Greek Cypriot intransigence, other international actors have been leaning toward upgrading the status of the "TRNC" through the establishment of direct contacts and even political recognition of their leadership. For example, the Organization of Islamic Conference accepted the term Turkish Cypriot State, as envisaged in the Annan Plan, since 2004, however only three ambassadors had accepted to visit (unofficially) north Cyprus up to 2006.⁸⁴ Moreover, in September 24, 2007 a ferry service started joint operations between Famagusta (in the "TRNC") and the Syrian town of Latakia with the approval of E.U. Commissioner Olli Rehn and despite Greek Cypriot diplomatic pressure on Syria.⁸⁵

Despite all political obstacles to alienate the communities, there is still ground to believe that coexistence can be possible. For instance, there are currently mix villages in south Cyprus where intercommunal conflicts have been absent.⁸⁶ Also, the willingness of the Cypriot people to live together can be illustrated by the recent Greek Cypriots' applications filed to the Turkish Cypriot Immovable Property Commission (IPC) regarding property devolution, even though, Greek Cypriot authorities have accused the IPC of trying to create chaos and sabotage the ECHR duties, and have claimed that the authorities would not recognize the agreements between Greek Cypriot citizens and the IPC. The Turkish Cypriots have also shown their willingness to move

⁸³ Financial Mirror. *Papadopoulos repeats commitment to bizonal, bicomunal Cyprus*. May 10, 2006. http://www.financialmirror.com/more_news.php?id=3828

⁸⁴ The Journal of Turkish Weekly. *Turkey's growing Cyprus disappointment*. March 16, 2006. <http://www.turkishweekly.net/news.php?id=28059>

⁸⁵ On September 28, 2007, Greek Cypriot Foreign Minister, Marcoulli met her Syrian counterpart, Walid Al Moualem to stop the ferry service but it continues to run. Cyprus Observer. *Greek Cypriot side uneasy with developments*. October 28, 2007. <http://www.observercyprus.com/observer/NewsDetails.aspx?id=2312>

⁸⁶ For example, Pyla a village where Greek Cypriot and Turkish Cypriots have been living together in harmony despite the events in the 1960's and 1970's. BBC News. *Mixed Village Bets on United Future*. April 25, 2004. <http://news.bbc.co.uk/1/hi/world/europe/3653875.stm>

back to their properties in south Cyprus where they are a minority without fear of being abused. Some of them have also appeal through Greek Cypriot courts the devolution of their properties in the south which they plan to inhabit.⁸⁷

It should be noted that Greek Cypriot people do not object nor fear coexistence with the Turkish Cypriots per se but the Turkish troops and the settlers' perpetual presence in the island.⁸⁸ Therefore, intercommunal reconciliation can be possible once a settlement is reached and Turkish troops are withdrawn. This process can be accelerated with the creation of confidence-building measures aimed at promoting mutual understanding and agreements. The international community has been largely promoting the creation of interesting proposals such as the replacement of the Guarantor Powers (U.K., Greece and Turkey) for an E.U. force, or the Guarantor Powers intervention rights to be limited to the respective constituent state.

Also it has been stressed that ending the isolation of the Turkish Cypriots would result in direct benefit to south Cyprus. Actually, the improvement of Turkish Cypriot economy, far from allowing the communities to remain separated, can be exploited to enhance Turkish Cypriots' determination to become one single country with E.U. benefits. By honestly supporting or at least not opposing to the E.U. initiatives toward the economic recovery of north Cyprus, and if Turkish Cypriots living standard improves as a result of such initiatives, would logically drive Turkish Cypriot aspiration

⁸⁷ Under a 1991 Law, the abandoned properties in the south were placed in the care of the Guardian of Turkish Cypriot Properties, an organ belonging to the Minister of the Interior, also the law stipulates that those Turkish Cypriots living in the south for more than six months would be eligible to claim the properties lost after the conflicts. Thus, after the easing of crossing restrictions in the Green Line in 2003, the Turkish Cypriot, Ari Mustafa applied for the reinstatement of his property to the Supreme Court in September 2004. After the government and the Greek Cypriot refugees living in the property withdrew the appeal they have placed, he won his property back in late January, 2006. *Financial Mirror. Turkish Cypriot Refugee Gets His Property Back.* February 14, 2006.

http://www.financialmirror.com/more_news.php?id=3228&type=st

⁸⁸ "They haven't shown us any reason to trust them [Turkey]. We don't have a problem with the Turkish Cypriots; we have a problem with Turkey." Greek Cypriot student comment. BBC News. Dominic Bailey. *Greek Cypriots Hold Out for a Better Deal.* April 24, 2004.

<http://news.bbc.co.uk/1/hi/world/europe/3653875.stm>

for full membership to make more concessions in the future in order to keep their own economic development. Besides, Turkish Cypriots have been living isolated for 40 years, thus there is no evidence to believe that protracting such isolation would result in Turkish Cypriot willingness to withdraw their demands nor that it would bring any other benefit to the solution of the Cyprus question.

Furthermore, the Greek Cypriots seem to be unaware that if they expect unification to come, it is on their own convenience that Turkish Cypriots could develop a dynamic and healthy economy, as a weak economy would mean a high cost for them in the long term, even if the two communities come to be politically independent from one another as they would always be in the same island. Greek Cypriots are overlooking the opportunity to profit from E.U. willingness to fund infrastructure work that otherwise they would have to absorb by themselves. They are also overlooking that Turkish Cypriot economy is already improving in an extent due to tourism and Turkish economic recovery, and that it is such improvement which is endangering Turkish Cypriot current positive position toward unification. Therefore, a lack of initiatives from the Greek Cypriots would only allow the perpetuation of the status quo and perhaps the total loss of Greek Cypriots properties and a larger Turkish migration as the time goes by.

The continuation of the status quo would ultimately challenge the E.U. ability to solve conflicts within its multiethnic territory, and it would complicate Turkish accession to the E.U. Therefore the international community has proposed alternative solutions in case the communities failed to reach an agreement in the near future. For instance, it has been suggested the creation of two recognized independent states but it is not a viable solution as the "TRNC" population is too small (200 000 citizens) to become a self sufficient country; currently it depends largely on Turkish economic aid

and subsidies, as well as on their military protection. It has been also suggested that north Cyprus can become an E.U. protectorate until the parties reach an agreement. This temporal solution would allow the end of Turkish Cypriots isolation but it would withhold its sovereignty. It is unlikely that Greek Cypriots would accept such a solution as it would prevent them from gaining their properties back while Turkish Cypriots prosper. However the E.U. can administrate temporarily Turkish Cypriot ports and airports and use part of the revenues to pay compensation for Greek Cypriots.

In any case, the E.U. is already dealing with the Turkish Cypriots at a sub-state level as they can actually become E.U. citizens through Republic of Cyprus passports which they have the right to request if they were born in the island. The E.U. is used to deal with federal states such as Belgium, in which various E.U. policies are implemented at sub-state level. The “TRNC” is already following Turkish example by adopting laws, regulations and policies that are compliant with the E.U. *acquis*, and that would facilitate lifting of the trade embargo, and that ultimately would end up in the normalization of Turkish Cypriots relations with the rest of the world. “Cyprus would for the time being become an unusual case of a federal bi-communal member state, in which the central level of government had by default put itself into the situation of having zero jurisdictions in one entity.”⁸⁹

Greek Cypriots still need to acknowledge that the international community is already taking unilateral measures to regulate the abnormal political situation in Cyprus as it is an E.U. member state. Therefore it is in their own interest to create rational and coherent proposals aimed for the benefit of all Cypriots before others decide for them as it happened in the past and also before Cypriots really forget that common life was possible once.

⁸⁹ Michael Emerson. Centre for European Policy Studies, Welcome to Northern Cyprus – autonomous entity of the European Union. 22 April 2004.
<http://www.turkishdigest.com/2004/11/welcome-to-northern-cyprus-autonomous.html>

Cypriots have been long apart. Whole generations have grown up separated, bitter, and estranged. Nevertheless, persons on either side of the Green Line, especially those of mature years, are still Cypriots, and think of themselves as Cypriots. Middle-aged and older people on both sides share a culture, a remembered mutual antipathy to and relationship with British colonial rule, a British common law heritage that today still informs legal practice on both sides, the English language, a European mentality and affinity, and memories, albeit fading, of an island where Turkish and Greek Cypriots lived and worked, interspersed, from one end to the other.⁹⁰

⁹⁰ Robert Rotberg. *Op. Cit.* p. 4.