

A COMMON VISION FOR A WAY OUT OF THE CYPRUS CONUNDRUM

UN-brokered peace talks with Cypriot leader Nicos Anastasiades and Turkish Cypriot leader Mustafa Akıncı have brought the Cyprus problem once again to the edge of resolution. However, the thorny issue of security and guarantees presents a significant challenge to reaching a deal. The author argues that the key to solving the security and guarantees issue is to start with a “common vision” that would be agreeable to all relevant parties. This common vision should be based upon establishing the right institutions in the future united federal Cyprus, so that it can have the capacity and the resilience to deal with its security problems without outside assistance. In that regard, it is high time that the two Cypriot leaders earnestly focus on designing those internal security mechanisms and institutions, while the three guarantors should work on the external security and guarantees, and related transitional arrangements.

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TURKISH POLICY
QUARTERLY

Winter 2017

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The Cyprus problem ranks among the top unresolved protracted conflicts in the world. It first entered into the UN Security Council's agenda in the 1950s, and has remained on the agenda in various UN bodies ever since. Although many stakeholders have lost hope, including the Turkish and Greek Cypriots, their desire to solve the problem is nonetheless still very much alive. The Turkish and Greek Cypriot leaders, Mustafa Akıncı and Nicos Anastasiades, are among those who are committed to finding a solution to the decades-long problem.

Since the start of the last round of Cyprus peace negotiations in May 2015, the two leaders have reached significant convergence on many aspects, and in fact came very close to an overall settlement regarding the internal aspects of the Cyprus problem. The lingering issue that remains is without a doubt the external security and the involvement of the three guarantor powers – Greece, Turkey, and the United Kingdom. Given the many high profile public statements on the issue of security and guarantees, designing a formula that would satisfy the five parties – i.e. the three guarantors and the two Cypriot sides – is definitely a very difficult diplomatic endeavor. It is possible, however, as long as the formula is carefully drafted based on an objective, realistic, and pragmatic analysis.

The key to solving the security and guarantees issue is to design a formula with a vision that can be agreed upon by all of the relevant parties. In other words, a “common vision” is needed, which should include creating the appropriate institutions in a future united federal Cyprus that will finally have both the capacity and resilience to deal with its security problems, without the need for external assistance – unless in cases of an existential threat from outside. While all related parties are working on the external security and guarantees issue, the two Cypriot leaders should earnestly focus on designing those internal security mechanisms and institutions that would make the future united federal Cyprus resilient in handling its security problems.

At present, the two leaders have agreed upon several internal aspects of the Cyprus problem. On 11 January 2017, Akıncı and Anastasiades exchanged maps for the first time. The next day, a historic Cyprus conference brought the three guarantor powers and the two Cypriot sides together to discuss the issue of security and guarantees. If there is a will, there is definitely a way to employ diplomacy. We are now facing a moment of truth in Cyprus.

Historical Overview: Intercommunal Negotiations

After the attempted *coup d'état* against then president Makarios III on 15 July 1974

organized by the Greek military junta, and the successive Turkish military operation that led to the physical division of the already deeply divided island, intercommunal negotiations entered into a new track. The Cyprus intercommunal peace negotiations began between Rauf Denктаş and Glafkos Clerides, two interlocutors who later became the respective leaders of their communities in Beirut in 1968. The 1977 Makarios-Denктаş and 1979 Denктаş-Kyprianou Summit Agreements (aka High Level Agreements) designed this new track on which the intercommunal negotiations would take place. According to the Summit Agreements, the intercommunal negotiations would aim for a federal state, which would be bi-communal with regard to the constitutional aspect and bi-zonal with regard to the territorial aspects. Hence, a bi-zonal, bi-communal federation became the main parameters of the future settlement of the Cyprus conflict, and the 1977 and 1979 Summit Agreements formed the basis of all future intercommunal negotiations.

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Since the Summit Agreements, intercommunal negotiations have continued intermittently. With the exception of the UN-proposed Confidence Building Measures (CBMs) in 1993, which attempted to bridge the significant lack of trust between the two Cypriot sides, the intercommunal negotiations have always aimed for a comprehensive settlement of the Cyprus conflict.

In 2004, with minor arbitration by the UN at the very final stage of negotiations, a comprehensive settlement – also known as the Annan Plan – was reached and then put to two simultaneous, separate referenda (one in the north and one in the south of the UN divide). The peace plan, while supported by two-thirds of the Turkish Cypriots, was rejected by three-fourths of Greek Cypriots. This was the very first comprehensive solution plan that had ever been drafted and tabled for the Cyprus issue. Since one “yes” was missing in the referenda, the settlement plan became “null and void,” and entered the annals of history as a huge opportunity lost for Cyprus. The failure of the referenda led to enormous disappointment firstly among the Turkish Cypriot community and the pro-solution Greek Cypriots, and secondly among the international community.

It took four years to pick up the pieces and restart discussions. In April 2008, Turkish Cypriot pro-solution leader Mehmet Ali Talat and the newly elected Greek Cypriot leader Dimitris Christofias agreed to re-commence the interrupted intercommunal

negotiations by first establishing six working groups, and mandating them to prepare the ground for the high-level negotiations with the leaders.¹ In addition, they established seven technical committees to deal with the day to day problems of the Cyprus issue, with the aim of increasing cooperation and trust between the two communities.² After a few months of preparatory work of recording the convergences and divergences of the two sides and some initial bargaining, Talat and Christofias continued the intercommunal negotiations and slowly increased the number of convergences in all six dossiers, except the last two – (1) territory and (2) security and guarantees.

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However, once the high-level talks began in September 2008, the working groups were by and large dissolved, and the negotiation process reverted to the traditional, narrow, track-one level process. Furthermore, most of the decisions of the technical committees were never endorsed by the two leaders. Naturally, these confidence-building and bi-communal cooperation activities had also never been implemented. The negotiations on track-one level continued the following several years, albeit at a snail’s pace. This was mostly due to the leaders’ political concerns, who were very careful to make sure that their respective communities were happy with their behavior. In addition, the peace negotiations stalled and were suspended a few times due to both sides’ respective election seasons.

Current Round of Talks

The current peace negotiations started in May 2015 between Mustafa Akıncı and Nikos Anastasiades, who were both pro-solution leaders during the 2004 Annan Plan referenda. In addition to negotiating the substantive issues of the Cyprus problem – that is, on the six dossiers (see footnote 1), the two leaders also stated that they were intending to agree on and implement important CBMs, such as uniting the electricity grids of the two sides or having a mobile phone roaming agreement, which would bridge the big gap of trust between the two communities. The joint appearances of the two leaders at social events on both sides of the UN divide also increased the air of optimism among the people in both communities. Meanwhile, the two leaders managed to achieve a significant number of convergences on the

¹ The six working groups were: (1) Governance and Power Sharing, (2) Economic Affairs, (3) European Union Affairs, (4) Property, (5) Territory, and (6) Security and Guarantees. The author of this article was a member of the Governance and Power Sharing Working Group in 2008.

² The titles of the Technical Committees are: (1) Crime and Criminal Matters, (2) Economic and Commercial Matters, (3) Cultural Heritage, (4) Crisis Management, (5) Humanitarian Matters, (6) Health Matters, and (7) Environment.

substantive issues of the Cyprus problem. Nevertheless, the CBM leg of negotiations was ultimately dropped because Akıncı and Anastasiades both started to see them as a distraction from reaching a comprehensive settlement.

There are several dynamics that make this round of negotiations different from the preceding ones. First of all, the two leaders did not start from scratch in May 2015. Rather, they continued building upon the existing agreements, though some past convergences were consensually shelved along the way. The fact that the current leaders have reached a greater level of convergences than in the past

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is noteworthy. Let us focus on the specifics. Akıncı and Anastasiades have closed most of the issues in the governance and power-sharing areas, except for the matters of rotational presidency and effective participation in decision-making by both communities at the federal level. The economic affairs dossier is almost complete. The only sticking issue regarding EU affairs is how to find a legal formula that would make the final solution unchallengeable in the international courts. In other words, the only lingering problem in this dossier is how to ensure the Cyprus settlement is part of EU primary law (the EU *acquis communautaire*). On the thorny property dossier, the two sides have one important remaining issue – the emotional attachment of displaced persons to their immovable property.

Secondly, it was the first time that the two Cypriot sides exchanged maps with one another. In other words, it was the first time that the two leaders seriously engaged in negotiations on the territory dossier. In the past, the UN always acted as the third party that submitted territorial maps, such as during the 1993 Ghali Set of Ideas and the 2004 Annan Plan. In terms of the percentage of territory of the Turkish Cypriot and Greek Cypriot future constituent states, both sides are quite close to one another. The Turkish Cypriot side proposed a map where the Turkish Cypriot Constituent State would have 29.2 percent of the land, while the Greek Cypriot side’s map left 28.2 percent of the land to the Turkish Cypriot Constituent State. Here, although the two sides are very close to one another percentage-wise, the remaining issue to be solved is whether Morphou, known in Turkish as *Güzelyurt*, will be returned to the Greek Cypriots or not. Another problem regarding territory is what percentage of the sea shores the Turkish and Greek Cypriot constituent states will possess. Currently, the Turkish Cypriot side controls more than 50 percent of the sea shores of the island. Given the fact that tourism is one of the leading economic sectors, access to the sea shore is an important asset on the island.

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Thirdly, it was the very first time since the Treaty of Guarantee and the Treaty of Alliance was entered into force (together with the Treaty of Establishment which established the 1960 bi-communal Republic of Cyprus) that the five relevant parties – the three Guarantors and the two Cypriot sides – came together on 12 January 2017 in Geneva to negotiate the issue of security and guaran-

tees. This, in and of itself, is a very historic event. It means that we are actually at the end of the process – that is, at the “end game,” to use popular Cyprus conflict jargon.

Security is Key

The security issue, under serious discussion officially for the first time, is indeed the key to solving the remaining internal aspects of the Cyprus conflict. So far, however, the positions of the relevant sides, especially the two “motherlands,” Greece and Turkey, have been rather maximalist. Until now, each side has engaged in positional bargaining and stuck to their respective opening position in the negotiations. On one side, high ranking Greek officials, such as Foreign Minister Nikos Kotzias, have repeatedly publicly stated that Greece does not accept any guarantees. In other words, Greece wants to abolish the Treaty of Guarantee and the Treaty of Alliance. On the other side, Prime Minister Binali Yıldırım and other Turkish officials do not refrain from stating repeatedly that Turkey would not accept any solution without its “effective and de facto” guarantee rights. In other words, Turkey wants to maintain some sort of legal status in Cyprus, which would entail the stationing of a number of Turkish troops on the island – though maybe symbolic in number – as well as some sort of intervention rights, similar to its rights in the Treaty of Alliance and Treaty of Guarantee, respectively.

Unfortunately, both official and public debates on the security issue of the Cyprus conflict have remained very narrow. The debate by and large has revolved around whether the guarantor powers would have any troops stationed on the island, and whether they would continue to hold intervention rights in case of violations of certain provisions (such as the ones in 1960 Treaty of Guarantee: (1) security; (2) independence; (3) territorial integrity; and (4) constitutional order of the Republic of Cyprus).

This myopic stance on the security issue, which is based on hard power, is problematic on two main fronts. Firstly, focusing on hard power formulations leads to

a “win-lose” equation for Turkey and Greece, and hence, forces them to endorse and maintain maximalist positions on the security issue, which naturally results in a deadlock. Secondly, this means that all soft power-related internal security mechanisms that should exist in a future united federal Cyprus are omitted. Hence, even in the case of a settlement, where the necessary internal security mechanisms are absent, there will be a huge risk that the new federal state will not be functional and that its fragility could lead to its collapse.

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The Way Forward for a New Security Architecture for a United Federal Cyprus

The key to solving the security and guarantees issue is to first look at security from a holistic perspective and second, to start designing a solution for the security issue with a common vision that would be endorsed by all the relevant parties involved in the Cyprus conflict.³ In other words, a holistic security understanding will move the parties away from the hard power oriented win-lose formulation, and open the way for win-win formulations on the security architecture of the future united federal Cyprus.

Combining this holistic perspective of security with a “common vision” is the ideal formula towards both a settlement and consolidated peace on the island. This common vision should aim to create the right institutions in the future united federal Cyprus with the capacity and the resilience to deal with its security problems by itself. The vision should be to create a resilient, united federal Cyprus that would not need any external security-related assistance, unless in cases of an existential threat from the outside.

Our research shows that the Greek and Turkish Cypriots hold opposite views – that is, they are polarized on hard security issues, such as on the matter of troops and

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- Individual Security: Feeling safe from violence in daily life,
- Collective Security: Collective groups/communities are not discriminated or marginalized,
- Political Security: Representation, political equality, functionality and freedom of expression,
- Economic Security: Feeling safe from poverty, economic marginalization and lack of access to essential goods; being able to maintain the current livelihoods and standards,
- State Security: Sovereignty, internal and external threats.

guarantees (intervention rights).⁴ While the majority of Greek Cypriots do not accept Turkish unilateral intervention rights and Turkish troops on the future united Cyprus federation, the majority of Turkish Cypriots state that they would not accept a federation without some sort of Turkish guarantees (intervention rights) and presence of some number of Turkish troops. A possible “short-cut formula” would be some sort of transitional period that would be acceptable for both sides in a future referenda. The starting point would be the presence of some troops and some sort of intervention rights by the guarantors. However, this transitional period formula should be accompanied by a careful design of the necessary internal security mechanisms that would make the future united island resilient in handling its security problems independently.

The research conducted shows that the security needs and fears of the two communities in Cyprus are not limited to hard security concerns, but also include those related to justice, functionality of the state, economic security, and gender security. This, in fact, highlights the significance of the transitional period in safeguarding the sustainability of an overall settlement. The more self-confident the Greek and Turkish Cypriot communities feel about transitional period arrangements, the more secure they will feel about the feasibility and the stability of the overall settlement. Addressing broader, non-traditional security requires endogenous resilience and internal security mechanisms that are built in the new federal state. This way, the focus would be shifted away from zero-sum (win-lose) security narratives to common security needs. It is known that these narratives are fed from historical traumas and fears, whereas common security needs entail preventative measures that can yield more convergences between the two communities. Endogenous resilience should be built through effective and efficient public institutions that can foster civil loyalty and hence, ensure the sustainability of a comprehensive settlement in Cyprus.

While the traditional hard security issues that eventually emphasize some sort of military presence and guarantees are creating polarizing and confrontational narratives in Cyprus, the Greek and Turkish Cypriot communities display significant convergence on non-traditional, soft security internal mechanisms. We should focus on common denominators and foster a shared sense of security, through a better understanding of the security needs, potential risks, and threat perceptions of the two communities, rather than focusing on traditional security issues about military and guarantees that thwart the peace process. In this vein, the new security architecture for a united federal Cyprus needs to be based on three key principles:

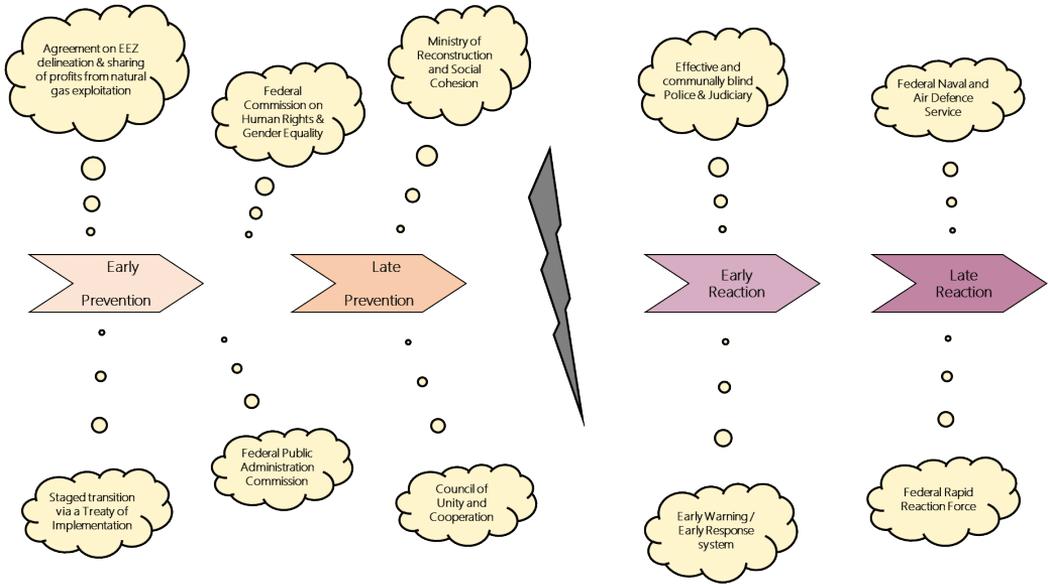
⁴ For SeeD’s interim research findings on the new security architecture for united federal Cyprus, see <http://www.seedsofpeace.eu/index.php/where-we-work/europe/cyprus/security-dialogue-project/interim-research-findings-and-a-new-security-architecture>

1. It should effectively respond to both actual and perceived threats. The current positional bargaining approach is based on historic zero-sum negotiating positions, rather than an in-depth understanding of security needs and fears that need to be addressed.
2. Preventive remedies are as important as reactive remedies that focus on worse case scenarios.
3. Building endogenous resilience and a sustainable settlement should be the ultimate goal (common vision). A settlement can be sustained only if federal Cyprus develops its own internal capacities to deal with stressors and threats, rather than depending on external security providers.

The following figure shows the new security architecture for Cyprus with the suggested internal mechanisms as shown on a continuum starting from early prevention and late prevention, to early reaction and late reaction. Our public opinion research results show that there is support among both communities for the establishment of internal security mechanisms in the future united Cyprus federation, along the following lines:

- Reaching an agreement on the Exclusive Economic Zone (EEZ) delineation by the relevant parties to the conflict;
- Staged transition via a Treaty of Implementation wherein the responsibilities of the relevant parties as well as what mechanisms will be used in case of non-compliance, are stated clearly;
- Establishment of a federal commission on human rights and gender equality;
- Effectively and communally blind police and judiciary and federal rapid reaction force.⁵

⁵ “Interim Research Findings and a New Security Architecture,” *Center for Sustainable Peace and Democratic Development*, 7 June 2016, <http://www.seedsofpeace.eu/index.php/where-we-work/europe/cyprus/security-dialogue-project/interim-research-findings-and-a-new-security-architecture>



In conclusion, while all related parties are working on the external security and guarantees, the two Cypriot leaders should earnestly focus on designing internal security mechanisms and institutions that would finally lead to a resilient united Cyprus federation.