

CYPRUS SHOULD NOT MISS WHAT MAY BE THE LAST CHANCE FOR UNIFICATION AND A COMMON FUTURE

Despite the presence of a huge body of work of the UN, never before in the history of Cyprus negotiations had the two parties agreed on so much that defines the path to the solution of the problem ... It is the expectation of the two peoples in Cyprus, as well as that of the international community as a whole, that the current two leaders will rise to the occasion and bring this protracted problem to a mutually acceptable conclusion.

Mehmet Ali Talat*



* President of the Turkish Republic of Northern Cyprus.

The Cyprus issue has been on the agenda of the United Nations for almost half a century. It is a problem that so far has defied all settlement efforts undertaken by successive UN Secretaries-General. The failure to solve the problem however does not necessarily mean that it is intractable, but it indicates that the lack of any incentive for a solution on the part of Greek Cypriot side has been a huge obstacle for the settlement efforts. The fact that the Greek Cypriot side has been unlawfully and unfairly recognized, since 1963, as “the Government of the Republic of Cyprus,” and under this title has continued to be a member of the United Nations and has also become a European Union member as of 1 May 2004, has encouraged it to pursue a policy of extending its authority over the whole island rather than concluding an agreement with the Turkish Cypriots on the basis of a power-sharing arrangement between the two sides.

Although the efforts of the UN through the good offices mission of the Secretary-General have so far not brought a comprehensive settlement to the island, the accumulated work nevertheless has shaped the basic parameters which would be part and parcel of any future settlement in Cyprus. This body of work, as the UN terms it, covers all settlement efforts to this date, most importantly the UN Comprehensive Settlement Plan of 31 March 2004, a blueprint that comprises approximately 9000 pages and is a culmination of four decades of negotiations. The rejection of this internationally endorsed plan by the Greek Cypriots through a resounding “no” in the referendum as called for by the then Greek Cypriot leader, Mr Tassos Papadopoulos, was a major setback in the settlement efforts which led to more than four years of deadlock in the negotiations. Furthermore, the plan has been demonized by the Greek Cypriot side ever since and has been portrayed as the source of all evil. The UN and particularly the then Secretary-General, whom the plan was named after, was blamed by the Greek Cypriot side for the failure. The Greek Cypriots have rejected the plan through their commonly expressed will. This has to be respected. At the same time, however, Turkish Cypriot overwhelming “yes” vote for the Plan, despite the great sacrifices it entailed for them, deserves not only respect but also requires taking necessary steps by the third parties, in line with the promises given and decisions taken since 2004, to end the unjust and unjustified isolation of the Turkish Cypriots.

The lifting of isolations of Turkish Cypriots is not an end in itself, but will be an important step towards a comprehensive settlement by leveling, at least to some extent, the playing field between the two sides on the island. It will also lead

to a smoother unification as the economic disparity between the two sides will be reduced. The lifting of isolations will restore the confidence of the Turkish Cypriots in the international community and particularly in the EU which has been seriously damaged since 2004 as a result of the fact that despite their expressed will for compromise and EU membership, Turkish Cypriots were left out in the cold through no fault of their own. The EU, for its share, must first decide whether Turkish Cypriots are EU members or not. Saying that they are, but at the same time subjecting them to isolations cannot go hand in hand. How can one be considered as European if he/she is not allowed, among other things, to travel and trade freely in Europe? It is about time that the isolations on the Turkish Cypriots are lifted in preparation for the not-too-distant day when they take their rightful place in the EU as the equal partner of the Greek Cypriots in a united Cyprus.

Since 2004 I have spent a lot of time and energy in convincing the Greek Cypriot leadership to initiate full-fledged negotiations. With the election of Mr Dimitris Christofias –who was a major figure in the “no” camp at the 2004 referenda, but underlined the need for a settlement during his election campaign– as the new Greek Cypriot leader in the South on 24 February 2008, the longstanding deadlock in the negotiations has come to an end. Within a couple of months, in line with the constructive and flexible approach of the Turkish Cypriot side, we agreed with him to start full-fledged negotiations under the auspices of the good offices mission of the UN Secretary-General. As a further sign of the prevailing positive atmosphere created by the two leaders, the UN Secretary-General appointed, with the consent of the two sides, Mr Alexander Downer, a former Australian foreign minister, as his new Special Adviser on Cyprus. This appointment demonstrates the UN’s commitment to the negotiations.

Full-fledged negotiations commenced on 3 September 2008 pursuant to four important agreements between me and Mr Christofias (on 21 March, 23 May, 1 July and 25 July 2008). Accordingly, we have agreed that our common goal is to create a bizonal, bicomunal federation with political equality, and that in this federation there will be a Turkish Cypriot State and a Greek Cypriot State, as Constituent States with equal status, as well as a Federal Government and that this partnership will have a single international personality. We also took up the issues of single sovereignty and citizenship and agreed on these in principle, deciding to take up their details in our future negotiations. We further agreed that the new settlement plan will be approved by our people through separate

simultaneous referenda. Despite the presence of a huge body of work of the UN, never before in the history of Cyprus negotiations had the two parties agreed on so much that defines the path to the solution of the problem. The fact that we managed to achieve this convergence with Mr Christofias in just a few months is very encouraging.

Still, it is clear that in order to reach a settlement in Cyprus within a reasonable time, the established UN parameters and the UN body of work accumulated during four decades of negotiations, which culminated in the comprehensive settlement plan of 2004, cannot and should not be put aside. Keeping this in mind, we started by discussing the topic of Governance and Power-Sharing, which is one of the six core issues that we have identified together; and we will continue with the topics of Property, Economy, European Union Matters, Territory Security and Guarantees.

The Turkish Cypriot side believes that a comprehensive settlement is possible and achievable in the course of the first half of 2009, given that every aspect of the Cyprus problem has been discussed and negotiated in detail during four decades of negotiations. What has been lacking so far was the political will and courage to engage into a meaningful give-and-take process to finalize the comprehensive settlement, within the spirit of compromise and reconciliation. It is the expectation of the two peoples in Cyprus, as well as that of the international community as a whole, that the current two leaders will rise to the occasion and bring this protracted problem to a mutually acceptable conclusion.

The role of the international community during the negotiations will also be very important for a successful outcome. There is no doubt that an issue which has been on the agenda of the United Nations for almost half a century is an international problem. Although the two sides in Cyprus are the main actors in the negotiations, the role and the responsibility of the guarantor powers (United Kingdom, Turkey and Greece) in a settlement cannot be overlooked. Their main responsibility is to encourage the two sides for a mutually acceptable compromise settlement on the island. Turkey supports the Turkish Cypriot side's efforts to reach a just and fair settlement in Cyprus. This support has also played a major role in the overwhelming "yes" vote of the Turkish Cypriot people to the UN Comprehensive Settlement Plan in 2004. With their positive stance in 2004, Turkey and the Turkish Cypriot side have proved, beyond any doubt, their sincerity for a settlement. If the other two guarantors also act in line with their

responsibilities, the chances of success of the current initiative will be much higher. The UN, on the other hand, should encourage the two sides to negotiate on the basis of established UN parameters and body of work. Otherwise, any effort to deviate from the accumulated work would mean to discard the product of four decades of negotiations and start from the scratch. Certainly, Cyprus cannot wait another forty years for a settlement.

The process of negotiations will not be easy. There are some major differences between the two sides. Finding a compromise between them will require flexibility from both sides. We must aim at finding a settlement that would not rock the boat more than it is necessary. The issue of property, which is the most complex and probably the most difficult topic to be dealt with, is a good example. It is unrealistic to expect that all Greek Cypriots and Turkish Cypriots displaced by the tragic events of the past will be able to return to their former properties. The return of a big number of Greek Cypriots to their former homes would create tremendous political and economic instability in the Turkish Cypriot Constituent State (the Turkish Cypriot administered State in the North after a settlement) by making thousands of Turkish Cypriots currently living in these properties refugees once again after more than three decades. Some of these Turkish Cypriots have already become refugees two to three times since 1963 in such a small island. The issue of property should be dealt with in a manner making use of all the options available for the exercise of property rights, namely compensation, exchange and restitution.

As for the issue of governance and power-sharing, the political equality of the two peoples in the new partnership should be safeguarded in a settlement and necessary mechanisms should be devised to implement this effectively in the workings of the state machinery. The distinct identities of Turkish Cypriot people and Greek Cypriot people should be respected and preserved in the agreement. Effective mechanisms must be established to prevent one people from exercising jurisdiction or authority over the other. Cyprus is the common home of Turkish Cypriots and Greek Cypriots. Their relationship within the context of a settlement should be organized in a manner fully reflecting this reality.

The issue of security and guarantees is also important for the Turkish Cypriots. The Cyprus history is full of grievances and sorrow. To prevent the repetition of the past events, the continuation of the 1960 Treaties of Guarantee and of Alliance is crucial.

Coming to the possible role of the EU with respect to the UN led talks, I attach great importance to the European Commission's oft-stated position that the EU will accommodate any solution reached by the two sides in Cyprus, provided these are in line with the principles on which the EU is founded. This is of vital importance because a solution will necessarily call for both transitional and permanent safeguards within the EU. Therefore, it is clear that at future stages of negotiations we will need the EU to provide technical assistance on relevant issues. Considering that Greek Cypriots already enjoy full access to the resources and experience in EU, Turkish Cypriot side will need separate channels of communication with the Commission to compensate for this asymmetry.

Of course, the prime concern here is ensuring legal certainty of the settlement within the EU. Adaptation as envisaged by Protocol 10 Article 4 cannot be accepted by the Turkish Cypriot side for various legal and political reasons. We cannot have a solution that is open to legal challenges or gives the impression that we have been integrated to the "Republic of Cyprus". Provisions of the settlement should become Primary Law and this should be done in a politically acceptable manner. Now that Ireland has been promised that its interests will be taken into account in a special protocol to be prepared for the next member state to join the EU (probably Croatia), it is not unreasonable for Turkish Cypriots to seek a similar arrangement.

It is unfair for EU to put pressure on Turkey to open her ports to Greek Cypriot vessels and planes while Turkish Cypriots are still under isolation despite the EU's own decisions and commitments to end the isolation. Surely, it must be clear to all that such a development would destabilize the ongoing negotiations by tilting the balance further in favor of the Greek Cypriot side.

The choice today before the two sides in Cyprus is clear. We will both strive for a common future and show the flexibility required to solve the Cyprus problem, or we will be forced to accept the permanent division of the island. If we opt for settlement and unification, we must act without further delay and find a solution in the shortest possible time. The island of Cyprus has been identified with problems and conflicts for too long. It is time for it to become an island of reconciliation and peaceful coexistence. Greek Cypriots and Turkish Cypriots are civilized and well-educated people who are capable of realizing this dream.

I am hopeful that this time the negotiations will yield a result and the long-awaited settlement of the Cyprus problem will be realized. Turkish Cypriots and Greek Cypriots will once again become partners rather than adversaries. They will enjoy the benefits of EU membership together and strive for a better life standard for everyone living on the island of Cyprus. The settlement will also consolidate prosperity and stability in the Eastern Mediterranean region. The already developing relations between Turkey and Greece will enter into a new phase. With the eventual membership of Turkey to the European Union, the south-eastern part of the European Union will be a hub of peace, cooperation and prosperity that will definitely contribute to Europe's desire to be a strong global player.