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Cyprus: The Prospects for Peace

Introduction

Negotiations conducted under the auspices of the UN aimed at resolving the “Cyprus problem” have been carrying on intermittently for nearly fifty years. The main parties in this process are the Greek Cypriots and the Turkish Cypriots, who are the constituent communities of the Republic of Cyprus (RoC), originally created in 1960. The other parties are outside of Cyprus: Greece, Turkey, and the United Kingdom – the so-called guarantors of the RoC.¹

Since 1977, the objective of the UN-sponsored Cyprus peace process has been to achieve a settlement that would “reunite” the island based on a formula of “bi-zonal, bi-communal federation”. However, after four decades of talks, an agreement on the details of that formula remains elusive. The basis of the settlement being sought was reaffirmed, in a joint declaration issued in 2014, as a bi-communal, bi-zonal federation with political equality and with two constituent states, one Greek Cypriot and the other Turkish Cypriot.

The most recent round of this stop-start-stop enterprise began in May 2015, along the lines of the aforementioned joint declaration,² and was still ongoing at the time of writing. Yet, when launched two years ago, it was hailed – not least in diplomatic circles – as the best hope for a long time, with many even thinking that a settlement could be reached within months, and certainly before the end of 2016. This was largely because the interlocutors, Greek Cypriot leader Nicos Anastasiades and the then newly elected Turkish Cypriot leader, Mustafa Akıncı, both appeared to be strongly committed to a settlement, a rare situation in the long history of the talks.³ Moreover, the two men appeared to have a very good rapport. Unusually, many Greek Cypriots

Note: The contribution reflects events up to August 2017.

1 The Treaty of Guarantee, which is one of the international accords that created the RoC, made Greece, Turkey, and Britain “guarantors” of “the independence, territorial integrity and security” of the RoC as well as “the state of affairs established by the Basic Articles of its Constitution”. *Treaty of Guarantee. Signed at Nicosia on 16 August 1960*, at: [http://www.mfa.gov.cy/mfa/mfa2016.nsf/FB80B3D87DE5A915C2257F95002BE30E/\\$file/The%20Treaty%20of%20Guarantee.pdf](http://www.mfa.gov.cy/mfa/mfa2016.nsf/FB80B3D87DE5A915C2257F95002BE30E/$file/The%20Treaty%20of%20Guarantee.pdf).

2 Cf. UN News Centre, UN chief applauds resumption of “full-fledged” talks on Cyprus, at: <http://www.un.org/apps/news/story.asp?NewsID=50871#.WUzaRjOB1ok>.

3 Though it is worth remembering that a comparable situation existed in 2008-2010 when the Greek Cypriot and the Turkish Cypriot communities were represented, respectively, by Demetris Christofias, the leader of a staunchly pro-rapprochement party, and Mehmet Ali Talat, with the same credentials. A common view at the start back then, expressed in particular by Talat, was that an agreement could be concluded in less than a year.

had confidence in Akıncı, at least at first, chiefly due to his reputation for being capable of standing up to Turkey.⁴

However, two years on, the outlook for a settlement appears to have shifted from favourable to gloomy. Time has run out, with the Greek Cypriot side distracted by the start of campaigning for the February 2018 presidential election. There is also imminent danger of a summer 2017 crisis in relations between Turkey and the RoC over offshore oil and gas exploration if nothing changes in the current state of play.

A Brief Background to the Conflict

A major impediment to reaching a solution in Cyprus is in fact conceptual. It is simply the fact that there is no agreement among the parties about what the “Cyprus problem” is. Consequently, it is hard to see how the issue could be resolved. For without agreement about what the problem is, how can parties be expected to concur on what would count as its solution? It might be said that everybody is in perfect unison about what is required in Cyprus: a comprehensive settlement that would reunify the island under a bi-communal, bi-zonal federation. However, it is arguable that this ostensibly consensual formula obscures more than it illuminates. To see the point, one needs to recall the nature of the original RoC at the time of its creation and to consider how things have evolved since then, determining the parties’ perceptions about what is problematic with the status quo.

In 1960, Britain relinquished its sovereignty over the island in accordance with a set of international treaties.⁵ The island then became the independent Republic of Cyprus: a “bi-communal”, consociational state, with a constitution providing for power-sharing between Greek and Turkish Cypriots. However, this set-up only existed for a few years. It collapsed quite quickly when violent inter-communal strife broke out in late 1963, resulting in the Greek Cypriots’ assuming sole governance of the state.⁶ Despite the absence of Turkish Cypriot participation, the Greek Cypriots maintained that theirs was the lawful government of the Republic.⁷ Over time, the Greek

4 Cf. Umut Bozkurt, *Yes we can? Mustafa Akıncı and a new hope for Cyprus*, openDemocracy, 30 April 2015, at: <https://www.opendemocracy.net/can-europe-make-it/umut-bozkurt/yes-we-can-mustafa-akinci-and-new-hope-for-cyprus>; Evie Andreou, Muddled signals on talks from Akıncı victory, in: *Cyprus Mail*, 27 April 2015, at: <http://cyprus-mail.com/2015/04/27/muddled-signals-on-talks-from-akinci-victory>.

5 These treaties were negotiated between the UK, Greece, and Turkey and essentially imposed independence on the Cypriots. At the time, this was a compromise between the Greek Cypriot quest for *enosis* (political union with Greece) and the Turkish Cypriot counter-demand of *taksim* (partition of the island between Greece and Turkey).

6 Cf. Keith Kyle, *Cyprus: In Search of Peace*, London 1997, pp. 5-15; Richard Patrick, *Political Geography and the Cyprus Conflict: 1963-1971*, Waterloo, Ontario, 1976, pp. 45-88.

7 This claim was made on the basis of the “doctrine of necessity”. It was first invoked in a 1964 case in which the supreme court cited the concept of “state necessity” to justify its

Cypriot-run administration came to be internationally accepted as the legitimate government of the RoC. Meanwhile, most of the Turkish Cypriot community had retreated into guarded enclaves, where they were to remain, administering their own affairs, until 1974.⁸

In July 1974, the military junta in Greece engineered a coup by Greek and Greek Cypriot forces against the government of Greek Cypriot President Archbishop Makarios III, with the ultimate aim of effecting *enosis* (union with Greece). Five days later, Turkey, invoking the Treaty of Guarantee, launched a military intervention⁹ and, negotiations for a settlement having failed, divided the island. Subsequently, the parallel administration of the Turkish Cypriots that had existed since 1964 evolved to govern in the north. In 1983, the Turkish Cypriot side unilaterally declared independence and established the Turkish Republic of Northern Cyprus (TRNC).¹⁰

Today, the division of Cyprus remains “unresolved”. The northern part of the island – roughly a third of the territory of the original Republic – is controlled by the self-declared TRNC, a *de facto* state¹¹ backed and recognized only by Turkey. A UN-controlled buffer zone separates it from the Greek Cypriot-controlled southern part, or, as it is referred to by the international community, the area under the control of the “government of the RoC”. In other words, although the government in the south consists only of Greek Cypriots, the international community accepts it as representing the RoC, frequently referring to it as “the government of Cyprus” and treating it as the only legitimate state on the island. The Turkish Cypriots and Turkey, on the other hand, maintain that, since the demise of the original bi-communal RoC government in 1963-64, no single authority that is constitutionally or effectively competent to represent Cyprus as a whole, i.e. both Greek and Turkish Cypriots, has existed on the island.

jurisdiction to hear the case, despite the absence of a Turkish Cypriot judge, as provided for in the constitution. The court also upheld the suspension or inapplicability of certain provisions of the constitution, which in turn enabled the continued functioning of the state organs with Greek Cypriot members only. For a comprehensive examination of this topic, see Alecos Markides, *The Republic of Cyprus*, in Constantijn Kortmann/Joseph Fleuren/Wim Voermans (eds), *Constitutional Law of 10 EU Member States: The 2004 Enlargement*, Deventer 2006; Murat Metin Hakkı, *The Cyprus Issue: A Documentary History, 1878-2007*, London 2007, chapter 15.

8 Cf. James Ker-Lindsay, *The Cyprus Problem: What Everyone Needs to Know*, Oxford 2011.

9 Turkey and the Turkish Cypriots in general describe this action as a “peace operation”, while Greek Cypriots and most of the international community view it as an “invasion”.

10 This was a somewhat atypical proclamation of statehood in the sense that it also affirmed commitment to establishing a federation with the Greek Cypriot side. In his address to the UN Security Council on 18 November 1983, the Turkish Cypriot leader Rauf Denktaş stressed that, in declaring the TRNC, the Turkish Cypriots “are not seceding [...] from the Republic of Cyprus, or will not do so if the chance is given to us to re-establish a bi-zonal federal system”. *Rauf Denktaş at the United Nations: Speeches on Cyprus*, Edited with an Introduction by Michael Moran, The Eothen Press, Huntington, 1997.

11 Cf. Scott Pegg, *De Facto States in the International System*, Institute of International Relations, The University of British Columbia, Working Paper No. 21, 1998.

The Search for a Settlement: Before 2004

From 1964 to 1968, the UN used mediation to try to resolve the situation in Cyprus, but those efforts failed. In 1968, inter-communal negotiations began under the auspices of the good offices of the UN Secretary-General and continued until they were interrupted by the events of 1974. In 1975, inter-communal talks recommenced under the auspices of the UN, and many rounds of negotiations have since been held without bearing any results.

In 2004, a settlement appeared close. This was based on a blueprint drafted by the UN, which took into account the positions of the parties and the course of the negotiations thus far. Known as the “Annan Plan” (after the then UN Secretary-General, Kofi Annan), it was strongly backed by most of the international community, notably by the EU and the US. Had it been accepted by both sides, Cyprus would have been reunited as a bi-zonal federation with a bi-communal federal government and two politically equal constituent states, a “Greek Cypriot State” and a “Turkish Cypriot State”, before joining the EU. In separate twin referenda held in April 2004, the Annan Plan was rejected by a vast majority of Greek Cypriots (76 per cent), while the Turkish Cypriots approved it by a large margin (65 per cent). Nonetheless, since a settlement had not been made a precondition of membership, in May 2004 the EU – having conducted accession negotiations with the Greek Cypriots formally acting on behalf of the whole island – officially accepted a divided Cyprus as a member. The application of the EU’s *acquis communautaire* has been suspended in Northern Cyprus and, in EU parlance, this section of the island is referred to as “those areas of the Republic of Cyprus in which the Government of Republic of Cyprus does not exercise effective control”.¹²

The Search for a Settlement: After 2004

The defeat of the Annan Plan was followed by several years of no real dialogue, until the process was relaunched in spring 2008. This time, however, there was an important difference: The process would be “Cypriot-owned and Cypriot-led”. This was essentially demanded by the Greek Cypriot side and reflected a common Greek Cypriot view that the Annan Plan was essentially an imposition on the Cypriots by the (Western) international community and should not be revived. The rule remains in place in the present negotiations, and the current Special Advisor to the UN Secretary-General on Cyprus, Espen Barth Eide, describes the situation as follows: “The process is led by the Cypriots and their leaders. My role is to facilitate but we [United Nations]

12 *Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded – Protocol No 10 on Cyprus.*

are not putting down our own proposals. Every word is written and agreed to by the sides.”¹³ The post-2004 period has also been marked by the Greek Cypriot side’s opposition to fixed timeframes and an insistence that talks be open-ended.¹⁴

There are other differences between the current negotiations and previous rounds. For one thing, the leader representing the Greek Cypriot community is now also the head of an EU member state. Oil and gas exploration off the coast of Cyprus has also been the subject of a new dispute since 2008, with a serious potential to wreck the negotiations.

At the time of this writing, in June 2017, the negotiations had yet to produce a comprehensive settlement, having experienced a number of interruptions due either to the holding of elections on one of the two sides or to grievances raised by one side against the other. Not surprisingly, these grievances – as in previous negotiations – tend to be related to the parties’ differences over the nature of the Cyprus problem and their views on the status quo. More specifically, they concern what is known as the “sovereignty issue”, which boils down to questions such as: Where does the sovereignty invested in the original, bi-communal republic at the time of independence rest at present in the divided Cyprus? How will the future, post-settlement state of affairs come into being? Or, put differently, how will the current de facto set-up of two administrations be transformed into a federal state with two constituent states?

In spring 2012, talks were suspended largely because the Turkish Cypriot side was upset about the upcoming EU presidency of the RoC and insisted that the talks should be concluded before the term began. The Greek Cypriot side appeared not to share that feeling of urgency. The Turkish Cypriots saw the EU presidency as providing yet another boost to the Greek Cypriot side’s claim to sovereignty. The Turkish Cypriots believe that such recognition dampens the Greek Cypriot side’s interest in the kind of settlement aimed at in the current process while also rendering meaningless the principle that the two sides in the negotiations are political equals.¹⁵ After this interruption, it took nearly two years, a presidential election (on the Greek Cypriot side), and an agreement on a joint declaration before the talks could resume,¹⁶ only to be halted again seven months later.

13 Paul Taylor, Cyprus leaders to make joint Davos appeal for peace, in: *Kathimerini*, 20 January 2016, at: <http://www.ekathimerini.com/205222/article/ekathimerini/news/cyprus-leaders-to-make-joint-davos-appeal-for-peace>.

14 Cf. Kerin Hope, UN envoy focuses on progress in unification talks, in: *Financial Times*, 9 November 2011, at: <https://www.ft.com/content/102d209a-cd14-11de-a748-00144feabdc0>; Michele Kambas/Tom Miles, *Cyprus leaders seek deal in “historic opportunity” for peace*, Reuters, 9 January 2017, at: <http://www.reuters.com/article/us-cyprus-conflict-idUSKBN14T0B6?il=0>.

15 Cf. *TRNC calls unjust Greek Cypriot EU term presidency “absurd”*, Turkish News Agency (TAK), 23 February 2012.

16 Cf. Jean Christou, Joint Declaration: final version as agreed between the two leaders, in: *Cyprus Mail*, 11 February 2014, at: <http://cyprus-mail.com/2014/02/11/joint-declaration-final-version-as-agreed-between-the-two-leaders>. This point was reached at the end of dif-

This time, the reason was a controversy over offshore exploration involving the Greek Cypriots on the one side and the Turkish Cypriots and Turkey on the other.¹⁷ When RoC-authorized exploratory drilling started in September 2014, the Turkish Cypriot side protested and warned about reciprocal action (in co-operation with Turkey). Turkey then issued a navigational warning (via the Navtex system), designating maritime areas south of the island for seismic surveys to be carried out by the Turkish state petroleum company, TPAO, as per licences granted by the TRNC in 2011.¹⁸ The reaction of the Greek Cypriot side was to announce the suspension of their participation in the negotiations.¹⁹ The crisis abated only after the drillship, which was operated by the company Eni, left the area, having found no “exploitable hydrocarbons”; at the same time, Turkey’s second Navtex warning expired, and the TPAO survey vessel left Cyprus’s waters.²⁰ This crisis, which lasted from October 2014 to April 2015, was again ultimately linked to the issue of sovereignty and the parties’ perceptions of what is politically at stake in Cyprus.²¹

difficult and protracted discussions and with the help of intense American diplomatic efforts. Here too, the main problem was the parties’ differences on the sovereignty issue. Cf. Elias Hazou, Anastasiades: gas crucial to US role in talks, in: *Cyprus Mail*, 18 February 2014, at: <http://cyprus-mail.com/2014/02/18/anastasiades-gas-crucial-to-us-role-in-talks>; Security Council Report, *January 2014 Monthly Forecast: Cyprus*, 20 December 2013, at: http://www.securitycouncilreport.org/monthly-forecast/2014-01/cyprus_3.php.

- 17 Cf. Ayla Gürel/Fiona Mullen/Harry Tzimitras, *The Cyprus Hydrocarbons Issue: Context, Positions and Future Scenarios*, PRIO Cyprus Centre Report 1/2013, chapter 5.
- 18 Cf. Turkey trespasses for fourth time since hydrocarbons discovered, in: *Cyprus Mail*, 21 October 2014, at: <http://cyprus-mail.com/2014/10/21/turkey-trespasses-for-fourth-time-since-hydrocarbons-discovered>.
- 19 Cf. Jean Christou, President says: I had no other choice, in: *Cyprus Mail*, 7 October 2014, at: <http://cyprus-mail.com/2014/10/07/president-says-i-had-no-other-choice>.
- 20 Cf. Michele Kambas, *U.N. Cyprus envoy says sees no obstacle to new peace talks*, Reuters, 7 April 2015, at: <http://www.reuters.com/article/us-cyprus-un-talks-idUSKBN0MY12J20150407>.
- 21 Very briefly, the Greek Cypriot side maintains that, as the legitimate RoC government, it alone has the sovereign right to explore and exploit the natural resources in Cyprus’s EEZ and that this is neither conditional on a settlement nor a bi-communal matter. They accept – as does the international community – that the island’s offshore energy resources belong to both communities. Yet, pending reunification, the Republic would not suspend the exercise of its sovereign rights, while the Turkish Cypriots would benefit from their share of the revenues only within the framework of a united Cyprus. As mentioned earlier, the Turkish Cypriots, together with Turkey, reject the Greek Cypriots’ and the international community’s perception of the current political status quo in Cyprus. They argue that the Greek Cypriots cannot legitimately represent the RoC on their own, as this is contrary to the constitution. Consequently, they object to Greek Cypriots’ offshore hydrocarbon exploration activities, which involve exercising sovereign rights over natural resources that are jointly owned by the two communities. For a more detailed discussion of this, see Ayla Gürel, *Offshore Gas: An Anticatalyst in Efforts to Reunify Cyprus*, in Jonathan Warner/David W. Lovell/Michalis Kontos (eds), *Contemporary Social and Political Aspects of the Cyprus Problem*, Newcastle upon Tyne 2006, pp. 58-89.

The Latest Initiative

The presidential elections in the north, which coincided with the end of the last hydrocarbons crisis, provided for a highly upbeat, almost euphoric start to the talks. At first, the leaders of the two sides, Nicos Anastasiades and Mustafa Akıncı, appeared determined to reach a settlement quickly and seemingly even shared the view that they represented the last chance to reunify the divided island.²²

In this latest round, the parties have been negotiating again, as per the 2014 Joint Declaration,²³ for a comprehensive settlement based on a bi-communal, bi-zonal federation composed of two constituent states of equal status. The settlement would provide for a “united Cyprus” with “a single international legal personality” and “a single sovereignty”, emanating “equally from Greek Cypriots and Turkish Cypriots”. The “core issues” to be resolved are governance and power sharing (which also encompasses the complex questions of citizenship, immigration, and residency), the economy, EU matters, property, territory, and security and guarantees.

Until roughly October 2016, both sides repeatedly talked about the urgency of finding a solution and expressed optimism about the chances of achieving a reunification agreement. Indeed, their common sense of purpose was reflected in the resolve they showed, up to that point, to avoid playing the habitual blame game and to focus on keeping up the momentum of the process. According to various statements by the leaders, and also judging from reports issued by the UN, as of October 2016 the progress the parties had made in bridging their differences on power sharing and governance, EU matters, and the economy was unprecedented. However, this upbeat but non-specific description of what the process had achieved so far needed to be weighed against what remained to be done in the months ahead.

For example, as regards power sharing and governance, one important remaining difficulty has been whether the presidency of a united Cyprus should rotate between the two communities. A rotating presidency is seen by the Turkish Cypriot side as a prerequisite for political equality, while the Greek Cypriot side disagrees.²⁴

22 Cf. Sara Stefanini, “*Best chance Cyprus has had for peace*”, Politico, 31 March 2016, at: <http://www.politico.eu/article/cyprus-reunification-peace-nicos-anastasiades-mustafa-akinci>.

23 Cf. *11 February 2014 Joint Declaration on Cyprus*, UN Cyprus Talks, News, at: <http://www.uncyprustalks.org/11-february-2014-joint-declaration-on-cyprus>.

24 Cf. Sara Stefanini, *Cyprus, the endgame*, Politico, 9 January 2017, updated 12 January 2017, at: <http://www.politico.eu/article/cyprus-news-standoff-talks-reunification-turkey-greece-anastasiades>; Rotating presidency and political equality “different things” Anastasiades said, in: *Cyprus Mail*, 26 February 2017, at: <http://cyprus-mail.com/2017/02/26/rotating-presidency-political-equality-different-things-anastasiades-said>; Akıncı: *Ongoing Cyprus talks “the last chance” for solution*, SigmaLive, 6 March 2016, at: <http://www.sigmalive.com/en/news/politics/142488/akinci-ongoing-cyprus-talks-quotthe-last-chancequot-for-solution>.

The property issue, which concerns the rights of displaced Cypriots and other related matters, remained contentious, though it had been discussed extensively. Generally, the sticking points related to the question of how to balance the rights and interests of dispossessed owners and current users and to differences in interpreting the principle of bi-zonality and its implications for the settlement of the property issue.

In October 2016, two core issues still remained untouched: the sensitive issue of territory, and the especially thorny issue of security and guarantees. The first refers to an adjustment of the territory currently controlled by the Turkish Cypriot side, some of which is to be handed over to Greek Cypriot control. The issue of security and guarantees had been deliberately left to the end of the negotiations, to be opened in earnest only after differences on other issues were resolved. The incompatibility of the parties' positions on this highly controversial matter are well known: The Greek Cypriot side demands the end of the 1960 guarantee system, while the Turkish Cypriot side wants it to be retained in some form that would at any rate include Turkey's role as a guarantor – a role, incidentally, that Turkey also appears to be unwilling to part with.²⁵

In November 2016, doubts about the future of the negotiations began to set in. During this month, negotiations were transported to Mont Pèlerin, Switzerland, so that the parties could start discussions on territory without the risk of media leaks and unhelpful speculation. The aim, as described by the UN, was to achieve enough progress on "criteria" for territorial adjustment, which would then "pave the way for the last phase of the talks".²⁶ This was understood to mean some sort of extended across-the-board negotiations, including discussion with the guarantors of the security and guarantees issue, in order to unlock all the remaining sticking points. However, these talks ended inconclusively, i.e., without a roadmap to the Cypriot endgame.

Keen to move the process forward and put it on track towards a solution, hopefully in the first half of 2017, the UN persuaded the parties to meet again, this time in Geneva, in the hope of breaking deadlocks on all the core issues. The first part of the talks in Geneva was a two-day effort between the two Cypriot leaders and took place on 10-11 January. This was to be followed by the multilateral "Conference on Cyprus" to address the security issue. In this conference, which began on 12 January, the two Cypriot delegations were joined by the delegations of the guarantor powers and the EU (as an observer). As there was hardly any preparation beforehand, it quickly

25 Cf. Akinci draws "red line" over Cyprus security guarantees, in: *Famagusta Gazette*, 7 March 2016, at: <http://famagusta-gazette.com/akinci-draws-red-line-over-cyprus-security-guarantees-p32844-69.htm>; Turkish Cypriot security "critical for Ankara" says Cavusoglu (Updated), in: *Cyprus Mail*, 28 February 2016, at: <http://cyprus-mail.com/2016/02/28/turkish-cypriot-security-critical-for-ankara-says-cavusoglu>.

26 Jean Christou, No deal on territory, talks deadlocked (Update 7), in: *Cyprus Mail*, 22 November 2016, at: <http://cyprus-mail.com/2016/11/22/leaders-due-wrap-mont-pelerin-talks-late-monday>.

became clear to all that there was little point in carrying on with the conference. The talks ended without agreement but with a plan for the officials of the five parties to convene on 18 January to work on the security issue, before another high-level “last effort” to forge a settlement.

However, in February the two Cypriot leaders fell out over a decision by the Greek Cypriot legislators to require public schools to commemorate the 1950 *enosis* plebiscite.²⁷ This led to the suspension of the talks for at least two months. When the talks eventually resumed, there was a widespread impression that they had little prospect of success.

What went wrong? Despite the efforts made by everyone, including the leaders and international facilitators, the truth remains that the parties were simply too far apart. Although considerably more progress was achieved than in previous rounds of talks, there were still too many issues in all negotiating chapters on which the two Cypriot sides and the guarantor states Greece and Turkey maintained diametrically opposed views. In addition, serious internal disagreements persisted among each community’s political elites, making it harder for the leaders to pursue strong and realistic negotiating positions. This was exacerbated by the upcoming elections.²⁸ Finally, the fixed views of both communities and the fact that they had been inadequately prepared for the kinds of compromise that a deal would necessitate meant it was highly unlikely that the measures would be passed in the simultaneous referenda that would be required.

Despite all these challenges, renewed efforts were undertaken after a two-month break, spearheaded by the UN Secretary-General’s Special Advisor, Espen Barth Eide, and culminating in the latest international conference on Cyprus, held in Crans-Montana, Switzerland, in late June and early July 2017. Optimistic participants and observers banked on the personal, constructive involvement of the UN Secretary-General and the intense shuttle diplomacy pursued by his Special Advisor, focusing on the important progress achieved hitherto, which simply could and should not be overlooked. This created a spirit of renewed euphoria and the belief that a final understanding could be reached. By contrast, critics highlighted the fact that the remaining obstacles to reunification were plainly too serious to allow for a swift solution. Arguing that existing convergences were not adequate to warrant excessive enthusiasm, they pointed out the significant changes that have taken place with regard to the timeline, the local realities, and the regional and international frameworks within which the Cyprus issue has to be resolved.

Thus, in addition to the problems outlined above, the window of opportunity that may have existed until 2016 appears to be closing rapidly. Locally, the upcoming elections are redrawing the map of political priorities and

27 Angelos Anastasiou, Talks impasse after Akinci refuses to attend, in: *Cyprus Mail*, 22 February 2017, at: <http://cyprus-mail.com/2017/02/22/leaders-meeting-called-off>.

28 Presidential elections in the Republic of Cyprus are scheduled for February 2018, and general elections in the Turkish Cypriot community will take place within the first six months of that year.

choices for all involved. Regionally, changing realities and uncertainties, including political and military balances, have caused a number of the global players interested or involved in modifying the present status quo to become more sceptical. In addition, domestic concerns in Turkey, EU-Turkey relations, and regional problems such as migration might not be directly associated with the Cyprus issue, but they certainly affect it.

The deterioration in EU-Turkey relations has diminished the EU's leverage in Turkey and reduced Ankara's incentives to negotiate a solution that would facilitate its EU accession process. Further, regional security challenges make Turkey less likely to consider military withdrawal from the strategic outpost of Cyprus in a favourable light. These factors, in combination with Turkey's reduced interest in the potential energy reserves of the Eastern Mediterranean – due to the situation in the global gas market as well as its own energy diversification programme – have presented Ankara with fewer reasons to negotiate a solution to the Cyprus situation.

At the same time, things have also changed drastically on the other side of the Atlantic. The election of Donald Trump as president of the United States – a country which has been a key supporter of reunification efforts and which has spearheaded several important initiatives – came at a crucial time in the effort to find a solution. The mere fact of change created a vacuum of people and policy at a critical juncture. Moreover, the loss of key individuals who were personally involved in the issue, such as Vice President Joe Biden and Secretary of State John Kerry, took the wind out of the sails and allowed for the escalation of differences that otherwise might well have been managed. Many months into the Trump administration, some key positions still remain unfilled. The administration's apparent diminished interest in the region is extremely damaging to the prospects of reaching a resolution. Crucially, US leverage over Turkey is also at a historical low point as a result of a number of regional and international developments.

It is far too early to evaluate the Crans-Montana conference. Although the – customary and expected – mutual blame game started immediately after the failure of the conference, the substance of what was discussed and agreed or disagreed upon remains to be assessed. However, a few preliminary conclusions can be drawn regarding the likelihood in principle that an agreement will be reached and some of the fundamental parameters that shape the prospects of achieving such a solution.

Even if the – premature – international conference on Cyprus in Crans-Montana had been successful, this would not have amounted to an immediate and automatic resolution of the Cyprus issue. It would have signified only the overcoming of one initial obstacle. The next two challenges would be the acceptance of the proposal in two referenda and the long-term viability of the solution. Neither of these should be taken for granted. At the same time, it must be borne in mind that, while all sides may have consistently expressed their commitment to finding a solution, they seem to have always defined this

solution differently: If each side requires the nearly total capitulation of the other as a prerequisite to its proposed solution, such commitments are worthless, as any proposal seen as the outcome of a zero-sum game will inevitably fail in parallel referenda.²⁹

In any case, even if Turkey had conceded to the withdrawal of forces – which would have made the Turkish Cypriots very uneasy – this would not have amounted to the end of Turkish involvement in Cyprus. Turkey may no longer be interested in maintaining the same level of military presence in Cyprus, but its wish for continued political involvement should not be doubted. At the same time, it is extremely unlikely that the Greek Cypriots would have accepted a plan that envisaged the continued presence or involvement of Turkey. In any case, although the issues of security and guarantees are essential, they are not the only questions that remain to be decided. It would also seem that there was a failure to converge on a shared position on a series of other issues pertaining to internal aspects of the Cyprus issue (governance, territory, property, etc.). Moreover, suspicion and a serious lack of trust were evident right to the very end. In this regard, perhaps we have never truly come close to a solution.³⁰

As things stand, the most likely scenario seems to be the continuation of the current situation, with the possibility that ties between Turkey and the Turkish Cypriots will be further strengthened. The likelihood of immediate partition or annexation certainly appears distant, as this would not benefit anyone at the moment. What has nonetheless surfaced from the collapse of the process is the bankruptcy of the notion of a comprehensive settlement based on the principle that nothing is agreed until everything is agreed. Such an approach fails to capitalize on the progress made in some areas of negotiation. This, in combination with the great distance separating the two communities, shows the need to reevaluate the entire approach and to change the methodology followed thus far. Basic pillars of the new approach should be initiatives to bridge the gap between the Turkish Cypriot and Greek Cypriot communities at the grassroots level, the building of trust, and an incremental, piecemeal approach.³¹

Since the physical division of the island in 1974, there has been very little meaningful contact between the two communities, and little has been done to ensure that each side understands the other's sensitivities, concerns, and fears. The two communities have grown too far apart and continue to do so. The Greek Cypriots have become more Hellenized and the Turkish Cypriots more Turkified. Despite the lifting of the physical barriers to communication between the two communities in the early 2000s through the estab-

29 Cf. Harry Tzimitras, opinion brief, in: *Arhika symperasmata apo tin apotyhia ton diaprasmatefseon gia to Kypriako* [Initial conclusions on the failure of negotiations on the Cyprus Question], Hellenic Foundation for European and Foreign Policy (Eliamep) Series of Strategic Dialogues, at: <http://www.eliamep.gr/eliamepnews>.

30 Cf. *ibid.*

31 Cf. *ibid.*

ishment of border crossings, interaction remains minimal, and divisions continue to deepen. Mutually exclusive national narratives and education systems that cultivate enmity perpetuate mistrust and lead to the easy demonization of the “other”, a diluted shared identity, and thus uncertainty regarding reunification at the level of the people. The fundamental fears, concerns, considerations, and wishes of each community (typified by the dispute over the “*enosis*” bill) meet with very little understanding on the part of the other community. This is why the solution to the Cyprus issue has a different meaning and definition for each side.

It is everyone’s hope that the negotiations for the solution of the Cyprus problem will resume and that a comprehensive settlement will finally be reached. Yet the two communities are destined to live together on the island, irrespective of whether a solution to the Cyprus problem is found. It is therefore imperative that avenues of co-operation between the two communities are introduced and pursued. This will increase interaction between the Greek and Turkish Cypriots and lessen the gap separating them. In the case of an eventual solution, this will greatly facilitate the implementation process, ensuring that a settlement will not be perceived as *de novo* and imposed, but rather as built on existing co-operation. In the unfortunate eventuality of a non-solution, this will enable the two communities to enjoy a more peaceful and prosperous coexistence, maximizing the well-being of both sides.³²

In view of the above, it is clear that another path where progress is possible, independently of the negotiations, should urgently be nurtured for purposes of inter-communal trust-building and co-operation. One way this can be done is by creating frameworks within which the two sides are able to interact in mutually beneficial ways or work together to deal with problems that affect the lives of people everywhere on the island. Areas to consider in this respect include environmental protection, natural disaster response and management, migration, justice and criminal matters, education, and tourism. Specific projects should be pursued, aimed at exploring effective platforms for practical co-operation and forming linkages between the two communities.

The creation of opportunities for collaboration and co-operation are recognized elements of effective peacebuilding because they help establish relationships of interdependency that go beyond simple interaction. Such interdependency can be economic, professional, or even political. No matter what the sphere, the need and ability to rely on others can foster relationships of trust that often radiate beyond the initial co-operation and create chains and networks of mutual dependency. In international peacebuilding, various tools have been developed to aid in the establishment of such linkages in a range of

32 Cf. Harry Tzimitras/Mete Hatay, *The Need for Realism: Solving the Cyprus Problem through Linkage Politics*, Brookings Institution, Turkey Project Policy Paper No. 9, October 2016, available at: <https://www.brookings.edu/research/the-need-for-realism-solving-the-cyprus-problem-through-linkage-politics>.

areas. These tools could be adapted to the situation in Cyprus and could be implemented in areas including infrastructure (water, electricity, desalination, etc.); usage and revision of the Green Line Regulation³³ for the promotion of trade; environmental protection, climate change, agricultural policies, alternative energy production, and resource management; control of illegal migration and refugees; crime; communication; education; a legal aid office in the buffer zone to help with legal issues on either side; and culture and sports.³⁴

It is clear from recent developments, and the forces driving them, that the Cyprus issue and the prospects for its solution are unlikely to remain as they are. For one, the interest, continued involvement, and engagement of the international community should not be taken for granted. This includes the United Nations, which is facing unprecedented challenges. For another, realities on the ground have changed appreciably. It is also clear that the approach and methodology employed thus far have been unsuccessful and need to be constructively but decisively revisited. This will take pragmatism, leadership, out-of-the-box thinking, and a change of mindset. It is no easy task, but given the way things have been allowed to develop for half a century, this now seems to be the only realistic option.

33 The Green Line Regulation, established in 2004 to promote collaboration in trade between Greek Cypriot and Turkish Cypriot businesspeople, sets out the terms under which persons and goods can cross the dividing line. In its genesis, the regulation was a way for the EU to suspend the *acquis communautaire* in the island's North while attempting to minimize the adverse effects of that decision for Turkish Cypriots. Because of the North's exclusion from the customs union, the Green Line Regulation was to become a way for Turkish Cypriots to collaborate with Greek Cypriot partners in order to export their goods to the EU. While the Green Line Regulation contained much promise for developing the sorts of interdependent relationships that are important for peace, a number of impediments have prevented it from fulfilling that promise. The Regulation is not working, and indeed trade across the Green Line has steadily decreased since 2008. Cf., *inter alia*, Mete Hatay/Fiona Mullen/Julia Kalimeri, *Intra-island trade in Cyprus: Obstacles, oppositions and psychological barriers*, PRIO Cyprus Centre and British High Commission, PCC Report 2008, available at: <https://www.prio.org/Publications/Publication/?x=7287>; Omer Gokcekus/Jessica Henson/Dennis Nottebaum, Impediments to trade across the Green Line in Cyprus: Classic Barriers and Mistrust, in: *Journal of Peace Research*, 6/2012. The text of the Regulation is available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2004R0866:20080627:EN:PDF>.

34 Cf. Tzimitras/Hatay, cited above (Note 32).