

REMARKS BY DR. ERATO KOZAKOU MARCOULLIS
AT A ROUND TABLE DISCUSSION ON
“ADDRESSING THE CYPRUS QUESTION: THE WAY FORWARD”
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After nearly 34 years of Turkish occupation and forcible geographic separation of the two communities and after more than 44 years of total absence of community cooperation in the government and state structures, a solution is already long overdue to the Cyprus problem that has caused so much suffering to almost three generations of Cypriots on both sides of the divided island.

Today we live in the 21st century. The Republic of Cyprus is a member of the European Union and the Euro-zone and many other dramatic and sweeping changes have taken place in the international scene since the creation of the independent Republic of Cyprus in 1960. The defective and rather problematic body of Treaties that established the Republic, the Zurich and London Agreements as they are better known, were a product and a remnant of a colonial era and mentality, rather than agreements reached by the people for the people of Cyprus, as it should have been the case. All three guarantor powers, Greece, Turkey and the United Kingdom equally share responsibility for this abnormal birth of the Cyprus Republic. I would also venture to repeat what was said in the past that all three guarantor powers at some point in time, separately, concurrently, at one single occasion or continuously have violated their very pledge to guarantee the independence and territorial integrity of the Republic.

Our topic of discussion today is “Addressing the Cyprus Question: The Way Forward”. I will, therefore, try to avoid as much as possible references to the past and concentrate instead on the future and what needs to be done.

I will start from the premise that our primary objective is the solution of this longstanding problem.

By the notion of a settlement the international community has supported over the years the reunification of the country, the territory, the people, the society and the institutions of the state. The two communities have also endorsed with high level agreements reached in 1977, 1979 and 2006 a solution based on a bizonal, bicomunal federation, with political equality as described in the UN Security Council resolutions.

But how did we arrive from a unitary to a federal state solution? It would be interesting to briefly remind of the evolution of the two sides’ positions.

The Greek Cypriot Community’s preference during the 60’s was a unitary and unfettered independent state, with majority rule and minority protection, as well as full respect of the UN Charter principles, including the right of self determination.

The Turkish Cypriot Community demanded the geographical separation of the two communities and the establishment of a federation of two component states based on ethnic lines.

The positions of the two communities and those of Greece and Turkey, going along the same lines respectively, were reflected in detail in the 1965 Report of the UN Mediator,

Galo Plaza, which I still find one of the most analytic reports on the Cyprus Question ever written. It remains also very true as far as some to the main conclusions reached by the Mediator.

The solution of a bizonal, bicomunal federation which was considered unrealistic and a non starter before 1974, because of the intermingling of the two communities and the lack of a geographical basis required for the establishment of a federal state, became an agreed objective of the two communities after the Turkish invasion and occupation. Though painful, it was considered by the Greek Cypriot Community as their ultimate concession and the only realistic way under the circumstances towards reaching the goal of reunification.

Over forty years of tireless, though inconclusive, efforts on the part of five United Nations Secretary Generals and eighteen Special Representatives, as well as over 100 UN Security Council resolutions on the situation in Cyprus have established the necessary framework for such a bizonal, bicomunal federal solution.

Today, we have in front of us an opportune situation. While a new UN effort is getting ready to unfold, the two communities are today headed by two new leaders with a positive record of political party cooperation and commonalities in their political ideologies. These new leaders who are meeting in nearly 48 hours for the first time in such capacity, have in front of them an agreement, the 8th of July 2006 agreement, bearing the signature of the former leader of the Greek Cypriot community and the present leader of the Turkish Cypriot community, as well as a process of negotiations, brokered by Ibrahim Gambari in November 2006. This agreement and the Gambari

procedure have been endorsed by the United Nations Security Council and by the European Council as the way to move forward towards fully fledged negotiations.

With all these important ingredients in their hands, it is therefore necessary to ensure that this new UN effort starts right and bears fruit. Mistakes and miscalculations of the past, as well as years of interventions, interferences, complicity and one sided approaches should be avoided at all cost. This new effort has to lead to reunification and to the establishment of a federal Republic of Cyprus with the effective participation of both communities in the federal organs, while at the same time each one community should be able to administer its respective component state on the issues reserved for communal administration.

According to the Forum of Federations, there are roughly 25 federal states in the world today, which together represent 40 percent of the world's population. There is no common model of a federal system. Each one is different from the other and with a different historical evolution. Some have evolved from unitary states; others are the result of previously separate entities. Nevertheless, all have some common characteristics identifiable in all federal systems of governance which tend to promote cooperation and cohesion of usually very diverse societies, ethnically and culturally, that would have otherwise drifted apart.

In the case of Cyprus though, I agree with Andreas Theophanous' views expressed in his recently published article that a federal model promising for the future of Cyprus would be one which, while respecting bi-communality, would not exclusively depend on it. I also agree with his assessment that federal models that revolve around the concept of civic nationalism and a common core value system have greater chances of success.

There is, therefore, ample expertise around the world and in the European Union in particular to help the two communities reach the appropriate federal system of governance that could take onboard their respective legitimate interests and concerns.

If we take it for granted that reaching an appropriate federal system is not insurmountable, taking into account the vast experience accumulated by 25 functioning federations around the world, what then are the crucial obstacles that have hindered so far the realization of a settlement? And what needs to be done to prevent a new failure which could be catastrophic?

Having dealt with the Cyprus Question in many different capacities for the past 28 years, I feel confident enough to outline my point of view on the Way Forward, which I consider both doable as well as a necessary prerequisite for a lasting solution:

1. The primary players are the two communities on the island and their legitimate concerns and interests should be taken into account, not the interest of any other country. The solution, therefore, must be a Cypriot solution, negotiated and agreed by the Cypriots themselves.
2. During the negotiations the two leaders could be assisted by experts from the international community, and more importantly by EU experts, but no form of arbitration should be exercised or enforced. The people of Cyprus have suffered a lot from foreign interventions over the years and are today mature enough and educated enough to be able to decide about their own future. The ownership of the solution should, therefore, rest with the people of Cyprus themselves.

3. No suffocating deadlines or timeframes should be imposed on the two leaders during the negotiations, though both should be reminded at all times that an early solution is in Cyprus' and their respective communities' best interests. It has been proven in the past that strict timeframes are counter productive and remove any incentives towards progress.

4. Both leaders should unreservedly support the reunification goal and reaffirm their commitment to a bizonal, bicomunal federal settlement with political equality as described in the UN Security Council resolutions.

5. Greece and Turkey should lend their full and unequivocal support towards such a settlement throughout the process, without any form of interference or coercion. The Turkish military's control of the situation in the occupied part of Cyprus should cease and the Turkish Cypriot Community should be allowed freely to engage in the negotiations, trying to secure the community's own interests and not those of Turkey.

6. The 8th of July Agreement and the Gambari process should be immediately initiated by setting up technical committees and working groups of experts of an agreed number. Following adequate preparation to be assessed by the UNSG and by the two leaders, fully fledged direct negotiations should be launched as soon as possible.

7. Concurrently, Confidence Building Measures should be courageously agreed and implemented, not limited to opening a single crossing point, but be extended to bicomunal civil society cooperation across-the-board and with the full backing of the two leaders.

8. In this respect, I find it essential that a Reconciliation Commission should be established without further delay, entrusted to promote understanding, tolerance and mutual respect between the two communities that have lived peacefully together for nearly four centuries. It is also vital to establish now a Truth Commission tasked with revealing the painful experiences of both communities during the last 44 years. Through the functioning of such Commissions the necessary healing process will begin and solid bridges of cooperation will be built for the benefit of peace and coexistence.

9. During the negotiations, material on which agreement has been reached in previous efforts should remain on the table and be fully utilized. But, it is totally unthinkable that material, which was largely the product of arbitration and which was to be considered null and void *ab ignition* in case of non approval at the referenda, were to be resurrected and be placed on the table.

10. The UN and the EU should ensure, through a monitoring mechanism to be established, that all parties remain onboard the bizonal, bicomunal federal settlement objective and fulfill their commitments faithfully. Any deviations from the agreed objective should be fully exposed and appropriate sanctions should be imposed on the parties concerned.

11. With regard to the security issue, the objective should be complete demilitarization. The Turkish military should be convinced by allies and friends in the European Union and across the Atlantic that withdrawal of all its forces as a part of a comprehensive settlement is a sine qua non for a Cyprus settlement.

12. The Turkish military and the Turkish Government must also be convinced that the 1960 security arrangement, with the centrality and monopoly of the three guarantor powers, is outdated and incompatible with the 21st century. A new security architecture based on the genuine concerns and possible fears of the two communities should be discussed and addressed, taking into account the European Union security environment and guarantorship.

13. The federal Republic of Cyprus should be an evolution from the unitary state established under the 1960 Agreements, the Republic of Cyprus. There is no precedent in the post UN era for a sovereign member state of the United Nations to vanish and to be replaced, through a so-called virgin birth, by a totally new state. We have to ensure that no such dangerous precedents are created.

14. The fundamental freedoms and human rights of all the legitimate citizens of Cyprus, including the freedom of settlement and the right to property, should be fully respected, as guaranteed by the UN and the Council of Europe human rights instruments and by the EU Treaties themselves. The citizens of Cyprus are not second class EU citizens and should, therefore, be able to fully enjoy in their own country all the human rights that the other EU citizens are able to enjoy.

15. With the launching of the negotiations a moratorium should be enforced in the occupied area on the illegal sale and expropriation of Greek Cypriot properties. Otherwise at the end there will be nothing left to negotiate on the property issue.

16. An international fund should be established as soon as possible to facilitate the implementation of the agreement and to financially assist the majority of Turkish settlers

to be resettled in Turkey and to encourage those Greek and Turkish Cypriots who emigrated since the conflict started to return.

17. Once reached between the leaders, the Comprehensive settlement agreement should be put to separate and simultaneous referenda in both communities in order to be fully endorsed by the people of Cyprus.

18. A mechanism of implementation under Chapter VII of the UN Charter should be put in force in order to ensure that commitments undertaken by all parties are fully realized.

I consider the Way Forward I described as a Win-Win situation for all the major players in the Cyprus Question.

Primarily, for the two communities it will signal the beginning of a new era of peaceful cooperation as citizens of the European Union, with all benefits fully enjoyed.

Cyprus will prove to be a model and a worth emulating example of coexistence and of multicultural, multiethnic harmony. A new period of prosperity will emerge where all potentials in tourism, services and scientific, economic and academic advancements will be fully utilized for the well being of all Cypriots.

For Greece and Turkey it will also be a new era of boosting relations with positive effects on their respective economies.

For Turkey itself it will mean speeding up its path towards full membership in the EU with all the benefits that this entails for the country, for the Turkish people, as well as for the EU itself.

The UN will remove from its agenda a problem that has preoccupied the international community for over forty years and has cost the Organization considerable expenses in peacekeeping and peacemaking efforts.

For the EU and NATO it will be a period of relief and a beginning of a closer and unhindered cooperation in common projects.

I said earlier that I consider this Way Forward as doable. It is, if everyone from the interested parties remains focused on the objective of reunification and the project of establishing a bizonal, bicommunal federation. I do hope that the UN and especially the Permanent Members of the Security Council and the EU will put all their weight on this effort and will exert all necessary pressure on those parties that would chose to deviate from this common objective. This is an opportunity to open a new chapter for the future of this troubled island that should not be missed.