

Issue Brief for Congress

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Cyprus: Status of U.N. Negotiations

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Cyprus: Status of U.N. Negotiations

SUMMARY

Cyprus has been divided since 1974. Greek Cypriots, nearly 80% of the population, live in the southern two thirds of the island. Turkish Cypriots live in the “Turkish Republic of Northern Cyprus” (recognized only by Turkey), with about 30,000 Turkish troops providing security. U.N. peacekeeping forces maintain a buffer zone between the two. Since the late 1970s, the U.N., with U.S. support, has promoted negotiations aimed at creating a federal, bicommunal, bizonal republic on Cyprus. The two sides would pledge not to move toward union with any other country. This reflects concerns that Greek Cypriots would like to unite with Greece and that Turkish Cypriots seek to partition the island, linking the north to Turkey.

The Secretary General’s April 5, 1992 “Set of Ideas” is a framework for negotiations for an overall settlement. The Security Council implied Turkish Cypriot leader Rauf Denktash’s responsibility for their failure and called for confidence-building measures (CBMs). Glafcos Clerides was elected president of the Republic of Cyprus in February 1993. Subsequent talks focused on CBMs. Denktash failed to return to talks on June 14, 1993. Both sides eventually accepted CBMs in principle, but did not agree on Secretary General’s proposed method for recording clarifications.

A January 4, 1997 confirmation that Greek Cypriots would acquire Russian S-300 missiles prompted the United States to deplore the purchase and Turkey to threaten military action to prevent deployment and to bond closer to Turkish Cyprus. The missiles were

the focus of intense crisis prevention efforts. On December 29, 1998, Clerides decided not to deploy the missiles on Cyprus.

The prospect of Cyprus’s European Union accession triggered heightened international attention to Cyprus and complicated settlement efforts. The U.N. hosted inconclusive talks between Clerides and Denktash in July and August 1997. Denktash demanded that the TRNC be recognized as a state equal to the Greek-Cypriot side in a confederation. He concluded a declaration of partial integration with Turkey to parallel Cyprus’s integration with the EU.

In June 1999, the G-8 group of industrialized countries and Russia suggested that the Secretary General invite the parties to negotiations in fall 1999. Clerides and Denktash participated in five rounds of U.N.-mediated proximity (indirect) talks beginning in December 1999. On November 8, 2000, the Secretary General gave the two leaders his “observations” on substance and procedure. In reaction, Denktash withdrew from talks until two separate states were recognized. Denktash and Clerides met on Cyprus on December 4, 2001, and agreed to hold direct talks beginning January 16, 2002. They have met many times since January 2, and talks continue.

Members of Congress have urged the Administration to be more active, although they have not proposed an alternative to the U.N.-sponsored talks. Some Members seek increased pressure on Turkey to withdraw its troops from Cyprus.

MOST RECENT DEVELOPMENTS

Talks between (Greek) Cypriot President Glafcos Clerides and Turkish Cypriot leader Rauf Denktash missed the U.N.'s June target date for a settlement, but continue. According to disclosures made by both sides despite a news blackout, security issues were discussed in May and June. According to Denktash, the Greek Cypriots want the U.N. to be a guarantor, whereas he wants the U.N. to be observers. Turkish Cypriot reports said that, the Greek Cypriots conveyed views on territory, retaining their earlier proposal to reduce the Turkish Cypriot area to 24%. Denktash responded that "the territorial issue cannot be discussed with percentages" because territory is related to sovereignty, his overriding demand. Denktash proposed that ideas from the Belgian constitution be discussed; Clerides offered to discuss it in its entirety. Cypriot Foreign Minister Kasoulides said that his government will continue to work for a negotiated settlement by autumn.

After a briefing by the U.N. Secretary General's Special Advisor on Cyprus Alvaro de Soto on July 9, the President of the U.N. Security Council said that the members "expressed disappointment that ... progress remained disappointingly slow They noted in this regard that the Turkish Cypriot side has been less constructive in its approach so far and has declined to support the resolving the core issues" They also reiterated their May call for the U.N. to play a fuller part in the talks.

BACKGROUND AND ANALYSIS

The island of Cyprus gained its independence from Great Britain in 1960 and has been divided since 1974. The 738,000 Cypriots are 76% of Greek ethnic origin, and 19% of Turkish ethnic origin. (Less than 5% of the population is Maronites, Armenians, Roman Catholic Latins, and others.) At independence, the republic's constitution defined elaborate power-sharing arrangements. It required a Greek Cypriot president and a Turkish Cypriot vice president; each elected by his own community. The Treaty of Alliance among the Republic, Greece, and Turkey provided for 950 Greek and 650 Turkish soldiers to help defend the island. The two sides aspired to different futures for Cyprus: most Greek Cypriots favored union with Greece (*enosis*), and Turkish Cypriots preferred partition of the island (*taksim*) and uniting a Turkish zone with Turkey.

Cyprus' success as a new republic lasted from 1960-63. After President Makarios proposed constitutional modifications in favor of the majority community in 1963, relations between the two communities deteriorated, with Turkish Cypriots increasingly consolidating into enclaves in larger towns. In 1964, Turkish Cypriots withdrew from most national institutions and began to administer their own affairs. Intercommunal violence occurred in 1963-64, and again in 1967. On both occasions, outside mediation and pressure, including that by the United States, appeared to prevent Turkey from intervening militarily on behalf of the Turkish Cypriot community. Since the 1964 crisis, U.N. peacekeeping troops have been a buffer between the two communities.

In 1974, the military junta in Athens supported a coup against President Makarios, replacing him with a hardline supporter of *enosis*. Turkey, citing the 1960 Treaty of Guarantee as a legal basis for its move, sent troops in two separate actions and, by August 25, was in control of more than 36% of the island. The military intervention (often called

an invasion) had many byproducts. Foremost was the widespread dislocation of the Cypriot population and related refugee and property problems. The Athens junta fell, civilian government was restored in Athens and in Nicosia, Greece withdrew from NATO's military command to protest NATO's failure to prevent Turkey's action, and Turkey's civilian government entered an extended period of instability. U.S. relations with all parties suffered.

After 1974, Turkish Cypriots emphasized a solution to keep the two communities separate in two sovereign states or two states in a loose confederation. In February 1975, they declared their government the "Turkish Federated State of Cyprus" (TFSC). In 1983, Turkish Cypriot leader Rauf Denktash declared the "Turkish Republic of Northern Cyprus" (TRNC) — a move considered by some a unilateral declaration of independence. Turkish Cypriots have a constitution and a 50-seat parliament. Denktash argued that creation of an independent state was a necessary precondition for a federation with the Greek Cypriots. He ruled out a merger with Turkey, and pledged cooperation with U.N. settlement efforts.

Past Settlement Efforts

After 1974, U.N. negotiations focused on reconciling the two sides' interests and reestablishing a central government. They foundered on definitions of goals and ways to implement a federal solution. Turkish Cypriots emphasized bizonality and the political equality of the two communities. Greek Cypriots emphasized the three freedoms — movement, property, and settlement. Greek Cypriots envision a society with free movement of people; Turkish Cypriots prefer two nearly autonomous societies with limited contact. They also differed on the means of achieving a federation: Greek Cypriots want their internationally recognized national government to devolve power to the Turkish Cypriots, who would then join a Cypriot republic. For the Turkish Cypriots, two entities would join, for the first time, in a new federation. These views could affect resolution of property, citizenship of Turkish settlers, and other legal issues. Since 1974, there have been several formal sets of U.N.-sponsored direct negotiations as well as indirect talks:

1977 Makarios-Denktash Meeting. Agreed that 1) Cyprus will be an independent, nonaligned, bicomunal, federal republic; 2) each administration's control over territory will be determined in light of economic viability, productivity, and property rights; 3) freedom of movement, settlement, and property will be discussed; and 4) powers and functions of the central federal government would safeguard the unity of the country.

1979 Kyprianou-Denktash Communiqué. Agreed to talk on the basis of the 1977 guidelines and address territorial and constitutional issues, giving priority to Varosha; to abstain from actions which might jeopardize the talks, accept the principle of demilitarization, and eschew union in whole or part with any other country.

1984 Proximity Talks. After the 1983 declaration of the "TRNC," both sides proposed confidence-building measures and resolution through a comprehensive framework. Proximity or indirect talks were conducted through U.N. representatives on constitutional arrangements, withdrawal of foreign troops, and the status of international treaties and guarantees dating from 1959-1960.

1985-86 U.N. Draft Framework Exercise. In January 1985, Denktash and Kyprianou met in New York. The Turkish Cypriots accepted a draft U.N. document; Greek Cypriots considered it a basis for negotiations, but did not want to sign. The U.N. modified the document in light of objections. Greek Cypriots accepted an April 1985 version; Turkish Cypriots did not. Greek Cypriots opposed a March 1986 revision and called for an international conference or a new summit to revitalize the process.

1988-89 Talks. After futile informal direct talks, Cypriot President Vassiliou and Denktash submitted papers that hardened positions. In April 1989, Secretary General Perez de Cuellar discouraged the parties from writing positions and proposed separate meetings to draft an agreement outline on a noncommittal basis. Denktash criticized the new approach as substituting proximity talks for direct talks, but the U.N. believed the parties had agreed to “separate and periodic joint meetings.” In June, Perez de Cuellar circulated draft ideas for an outline of an agreement. Turkish Cypriots argued that the U.N. had gone beyond its good offices role and stated that only a document drafted by the parties would be acceptable.

March 1990 - April 1992. Security Council Res. 649, May 13, 1990, reaffirmed the Secretary General’s right to make suggestions. It referred to the federal solution as bicommunal as regards constitutional aspects and bizonal as regards territorial aspects — the first U.N. reference to bizonality, a key concept for the Turkish Cypriots. In June 1991, Perez de Cuellar called for an international meeting. On August 2, President Bush announced that Greece and Turkey had agreed to a U.N. conference on Cyprus. The Secretary General insisted that the sides be within range of agreement first. The Greek and Turkish Prime Ministers were unable to find common ground. On October 8, the Secretary General reported that a conference was not possible and blamed Denktash’s assertion that each side possessed sovereignty, differing from U.N. resolutions attributing that characteristic solely to the Republic.

“Set of Ideas.” Secretary General Boutros-Ghali’s April 1992 report suggested a bizonal federation of two politically equal communities, possessing one international personality and sovereignty. A bicameral legislature would have a 70:30 ratio of Greek Cypriots to Turkish Cypriots in the lower house and a 50:50 ratio in the upper house. 7:3 ratio would prevail in the federal executive. Each state would be guaranteed a majority of the population and of land in its area. Non-Cypriot forces not foreseen in the 1960 Treaty of Alliance would withdraw. In June, Boutros-Ghali presented a “non-map.” A new U.N. draft provided for a separate referendum by each community within 30 days of an agreement, an 18-month transitional period, withdrawal of Turkish troops, guarantees consistent with Conference on Security and Cooperation in Europe principles, an end of the Greek Cypriot embargo, free movement, a time-table for the return of Greek Cypriot refugees and their property, three constitutions (one for each community and one for the central government), a 7:3 ratio in the executive, vice-presidential veto power (no rotating presidency), an island-wide referendum on EC membership, and the return of Varosha and about 30 villages to Greek Cypriots. Turkish Cypriots would receive assistance and compensation. Greek Cypriots would get Morphou, home of about 11,000 Turkish Cypriots. Denktash said that they and Turkish Cypriots to be displaced from other areas total 40,000 or about one-quarter of the Turkish Cypriot population. Vassiliou estimated that 82,000 Greek Cypriots would be able to return home and that Denktash’s 40,000 figure was inflated.

On August 21, Boutros-Ghali reported that his map provided for two federated states, the return of many Greek Cypriots, and Turkish Cypriot retention of the coastline and traditional villages. He said that Denktash's territorial proposals were not close to the "non-map" and that arrangements would be made for displaced Turkish Cypriots. Vassiliou was depicted as ready to negotiate an agreement based on the map. Denktash accepted the right of return and right to property, provided practical difficulties were taken into account. Boutros-Ghali concluded that an agreement was possible if Turkish Cypriots foresaw territorial adjustment in line with his map. Denktash said the report was unacceptable. Security Council Res. 774, August 26, 1992, endorsed the set of ideas and non-map. The Secretary General's November 19 report implied Denktash's responsibility for the lack of progress. A February 14, 1993, election in Cyprus produced a new president, Glafcos Clerides, and a delay. Clerides accepted the set of ideas only "in principle."

Confidence-Building Measures. On November 19, 1992, the Secretary General called for confidence-building measures (CBMs) including a reduction of Turkish troops in exchange for a reduction in defense spending by the Republic of Cyprus; U.N. control of Varosha; contacts between Greek Cypriots and Turkish Cypriots; reduced restrictions on foreign visitors crossing the buffer zone; bicommunal projects; a U.N.-supervised island-wide census; cooperation in U.N. feasibility studies on resettlement and rehabilitation of people who would be affected by territorial adjustments.

From May 24 to June 1, 1993, Clerides and Denktash discussed opening Varosha and reopening Nicosia Airport, which has been under U.N. control but unused since 1974. Clerides insisted that all of Varosha be handed over, while Denktash wanted to retain about 20% and/or have a U.N. security circle around it and an end to the Greek Cypriot embargo of northern Cyprus. Greek Cypriots sought to avoid recognizing the TRNC. Denktash claimed that CBMs would benefit Greek Cypriots more than Turkish Cypriots, and would not return to New York. U.N. representatives concluded that Turkish Cypriots were ill-informed on CBMs and Turkey's support for them had been communicated to the U.N., but not to the Turkish Cypriots. Boutros-Ghali concluded that the Turkish Cypriots had undertaken a campaign of disinformation. U.N. experts determined that both sides would benefit from the CBMs, with relatively greater benefits for Turkish Cypriots because of their smaller economy and lifting of obstacles facing them.

On January 28, 1994, Denktash agreed to CBMs in principle. He later contended that a March 21 U.N. draft unbalanced equities in the CBMs. Clerides said that he would accept the March 21 text if Denktash would. The Secretary General's May 30 report, made known on June 1, insisted that the March draft had not destroyed balance. Boutros-Ghali blamed the Turkish Cypriots' lack of political will for the lack of agreement. On May 31, Denktash had said that he would accept the CBMs if improvements agreed to were incorporated. Clerides would not negotiate beyond the March document. Boutros-Ghali's June 28 letter to the Security Council President concluded that there was sufficient progress to implement CBMs based on the March paper and clarifications, and said that he intended to address an identical letter to each leader expressing his intention to proceed and request the Security Council to endorse the March 21 paper. Neither side accepted this procedure.

Developments, 1997-2001

On January 4, 1997, Cyprus signed a contract to purchase Russian S-300 (SA-10) anti-aircraft **missiles** with a 90-mile range, i.e., able to reach southern Turkey, at a cost of about \$400 million, to protect air and naval bases in southern Cyprus to be used by Greece. The U.S. State Department said that the decision “introduces a new and destabilizing element” that “threatens to take the arms buildup on Cyprus to a new and disturbing qualitative level....” Turkish officials said that they would not allow the weapons to be deployed. The State Department declared that any threat to use force was unacceptable. On January 20, Turkish President Demirel and Denktash signed a joint defense declaration, stating that any attack on the TRNC would be considered an attack on Turkey.

1997 Talks. In 1997, U.N. Secretary General Kofi Annan called for indirect talks followed by open-ended, face-to-face talks between Clerides and Denktash. His Special Representative on Cyprus began proximity or indirect talks. As goodwill gestures, Turkish Cypriots and Greek Cypriots exchanged visits to holy sites and held bicommunal events and business and professional meetings. Greek planes did not overfly Cyprus during joint Greek-Greek Cypriot military exercises in May 1997 and for the next five months. Turkish planes did not overfly Cyprus for as long as Greek aircraft did not do so.

Clerides and Denktash met under U.N. auspices at Troutbeck, New York, July 9-12, and in Switzerland, August 11-15. Before the talks, Denktash said that he would not sign any documents until the European Union (EU) suspended its accession negotiations with the (Greek) Cypriot government as the sole representative of Cyprus. (See **European Union Membership**, below.) Denktash said that a settlement was not possible without political equality and sovereignty, the accession process stopped, and the delivery of missiles withdrawn. He refused to sign a joint declaration at the end of the talks. The U.N. Security Council President said that the Turkish Cypriots’ preconditions had impeded progress.

Greece terminated its moratorium on military flights over Cyprus before joint exercises with Cypriot forces on October 10, 1997. Turkey ended its parallel moratorium on October 14. During the exercises, Greek and Turkish warplanes confronted each other over Cyprus, but neither side fired. Greece charged that Turkish planes had harassed its defense minister’s plane. In October, Turkey conducted exercises in northern Cyprus, including the mock destruction of missile launchers.

After the December 12, 1997 EU formal decision to begin accession talks with Cyprus, Denktash informed the U.N. that “intercommunal talks have ended,” and that he would only participate in talks between states having equal status. On December 27, the TRNC suspended all bicommunal activities except religious pilgrimages.

The military air base at Paphos became operational for use by Greek fighter planes on January 24, 1998. The S-300 missiles were intended to protect the base. The Cypriot government said that if there were either a demilitarization agreement or substantial progress toward a settlement, then it would not deploy the S-300s.

On April 23, Denktash and Turkish President Suleyman Demirel issued a communique calling for negotiations only between sovereign, equal states. They said that the special relationship between Turkey and the TRNC would be enhanced in every field.

On June 16, Greece sent four F-16 fighter planes and one C-130 cargo plane to the Paphos air base. Turkey responded on June 18 by sending six F-16's to northern Cyprus. Cypriot troops completed S-300 training in Russia in July with a test-firing. The Cypriot press claimed that Secretary of State Albright had asked President Clerides to reconsider the S-300 purchase, to store the missiles outside of Cyprus, or to replace the order with one for shorter range SA-15s.

On August 31, Denktash proposed the creation of a Cyprus Confederation based on (1) a special relationship between Turkey and the Turkish Republic of Northern Cyprus (TRNC), (2) a special relationship between Greece and the Greek Cypriot government, (3) establishment of a Confederation between the TRNC and the Greek Cypriot government, (4) the 1960 Treaty of Guarantees, (5) the Confederation may, if the parties agree, pursue accession to the EU. The Greek Cypriot government declared the proposal to be "unacceptable." The U.S. Administration, the U.N., and others reiterated that the basis for a settlement is a bizonal, bicomunal federation.

On December 29, Clerides decided not to deploy the missiles on Cyprus. The EU, United States, Britain, and the U.N. had provided a face-saving context for his decision. A December 14 letter from the Secretary General to the President of the Security Council reported that his Special Representative was continuing shuttle talks and that he perceived a "flexible approach by both sides." On December 22, the Security Council approved S/Res/1217, to renew the UNFICYP mandate, and S/Res/1218, requesting the Secretary General to work on measures to build trust and cooperation.

On June 20, 1999, the G-8 summit of leaders of major industrialized countries and Russia urged the Secretary General to invite the Cypriot leaders to negotiations, without preconditions. On June 22, the Secretary General declared his readiness to do so. On June 29, the Security Council passed S/Res/1250, calling upon the two leaders to support a comprehensive negotiation with no preconditions, all issues on the table, and to negotiate in good faith until a settlement is reached, with full consideration of all U.N. resolutions and treaties. S/Res/1251 said that the goal is a Cyprus with a single sovereignty that comprises two politically equal communities in a bicomunal, bizonal federation.

During Greek-Greek Cypriot annual military exercise from October 2-7, 1999, no Greek planes landed at the Paphos air base; there were no incidents involving Greek and Turkish planes; and Turkey's objections to the exercise were milder than in previous years.

1999-2001 Proximity Talks. Secretary General Annan and his Special Advisor on Cyprus, Peruvian diplomat Alvaro de Soto began proximity or separate, indirect talks with Clerides and Denktash in New York from December 3 to 14. In U.N. Security Council Resolution 1283 (December 15, 1999), the Council reaffirmed "all its relevant resolutions on Cyprus," without specifying that a bizonal, bicomunal federation with a single sovereignty on the island is its goal. On December 15, the Secretary General submitted an addendum, noting that the governments of Cyprus, Greece, and Britain concurred with UNFICYP's extension. He also stated, "The Government of Turkey has indicated that it concurs with ... the position of the Turkish Cypriot party, namely that UNFICYP can operate on both sides of the island only on the basis of the consent of both parties and that the Turkish Cypriot authorities will accordingly request UNFICYP to work with them to develop modalities of UNFICYP's operation in northern Cyprus." The Turkish Cypriots interpreted the wording as a move toward recognition of their state, and the Greek Cypriots

were upset with this Turkish Cypriot view. A second round of proximity talks was held in Geneva, January 31-February 8, 2000.

Bicommunal contacts among political parties, journalists, businessmen, and environmentalists resumed. On May 26, the Secretary General noted “two positive developments”: an increase in contacts between Greek- and Turkish-Cypriots, and Turkish-Cypriot measures easing visits of Greek Cypriots and Maronites to the north.

The Cypriot and Greek governments succeeded in preventing an addendum similar to that of December 1999 in U.N. Security Council Resolution 1303, June 15, 2000. Denktash said that the U.N. had made “a grave mistake.” He linked his attendance at the talks to measures that, he asserted, would prove that UNFICYP needs Turkish Cypriot cooperation to fulfill its mission. He constrained UNFICYP activities in the north and, on June 30, Turkish forces set up a three-man checkpoint outside Strovilia, a small Greek Cypriot village in the no-man’s land separating the Turkish-Cypriot-administered area and a British base, which is an UNFICYP crossing point between north and south, thereby blocking UNFICYP access.

A third round of talks was held from July 24 to August 4. At the outset of the fourth round of talks, September 12 to 26, Secretary General Annan said that he had concluded that the equal status of the parties “must and should be recognized” explicitly in a comprehensive settlement, noting that in the negotiations each represents its side and no one else, as the political equal of the other. Clerides boycotted the talks for two days in protest until assured that they would take into account U.N. resolutions that call for a federal solution. Denktash was pleased with Annan’s remarks.

During Greek-Greek Cypriot military exercises from October 19 to 23, Greek and Turkish planes engaged in mock dogfights. Greek planes landed at Paphos air base for the first time since it became operational in January 1998, and Greek Cypriot National Guard TOR-M1 anti-aircraft missiles deployed at Paphos locked onto Turkish F-16 fighter planes. Turkish planes landed on the island during Turkish-Turkish Cypriot exercises in November.

A fifth round of proximity talks was held from November 1 to 10. On November 8, the Secretary General gave the two leaders his “assessment” of issues of procedure and substance. Media leaks and statements by the parties suggest that he called for one sovereign, indissoluble, common state with a single international legal personality; common state law would overrule regional law; political equality would be defined as effective “participation” in government, not numerically; component states would be to a great extent self-governed; the return of an “appreciable amount of territory” to Greek Cypriots, with as little dislocation of Turkish Cypriots as possible and return of as many Greek Cypriots as possible; and a security regime including an international military force, police, and a political mechanism. Clerides welcomed the Secretary General’s views. Denktash rejected them and, at a November 24 “summit” with Turkey’s President, Prime Minister, Chief of the Armed Forces General Staff, and other high officials, announced his withdrawal from the talks because no progress could be made until two separate states are recognized. Turkey supported his decision. (Denktash later said that he was not asking the Greek Cypriots to recognize his state politically but rather to acknowledge that his state exists.) Denktash refused to participate in a sixth round of proximity talks in January 2001, labeling the Secretary General’s November 2000 assessment an unacceptable precondition.

After meeting Denktash on August 28, the Secretary General expressed hope that proximity talks would continue “not too far into the future.” His adviser, Alvaro de Soto, visited Cyprus from August 29-September 5. On September 5, he said that Annan had invited the two leaders to hold separate meetings with him on September 12 in New York. De Soto hoped that the meetings would be followed by separate working meetings with him. Clerides accepted. Denktash did not because “The necessary foundation has not been established.” Denktash proposed a secret face-to-face meeting with Clerides, but de Soto did not think it was a good idea.

On December 4, Clerides and Denktash met for the first time since August 1997. De Soto also was present. The two leaders agreed to begin direct talks with no preconditions, all issues on the table, and to continue until a comprehensive settlement is achieved. Clerides became the first Cypriot president to travel to the north since 1974 on December 5, when he attended a dinner at Denktash’s residence. Denktash reciprocated by visiting Clerides’ private home for dinner on December 29.

Developments, 2002

On January 16, 2002, Clerides and Denktash met in de Soto’s presence and agreed to hold intensive peace talks thrice weekly (later cut to twice) beginning January 21 at the Nicosia airport, a U.N. base. Ground rules provide that there will be no final agreement until all issues are agreed upon.

On April 29, Denktash presented a “non-paper” of his views on a solution. According to Turkish media reports, Denktash proposed a Partnership State to be founded by the two now-existing states on Cyprus. Each partner would retain authority over its domestic affairs. Together, the two partners would set up a 12-member Council consisting of the two presidents and five representatives from each side. Each president would chair the Council for 2 years. Council members would hold portfolios for foreign affairs, economy, and EU relations. A joint parliament would have an equal number of members from each side. Denktash insists that the Turkish security guarantee continue. The situation would be reviewed in 5 years, when new authorities could be given to the partnership. Clerides responded to all points in the document. His spokesman charged that Denktash’s positions completely contravened U.N. Security Council resolutions.

On May 2, 2002, the President of the U.N. Security Council stated that Council members regretted that more progress had not been made in the negotiations. They called on the two sides to set down on paper areas of common ground “with the aim of establishing the component parts of a comprehensive settlement” and “where differences remain, to narrow and remove those through a process of negotiation focused on compromise formulations.” “They urged both sides, and in particular the Turkish side, to cooperate fully with the Secretary General’s Special Adviser.”

Secretary General Annan visited Cyprus, May 14-16, and met separately and jointly with Clerides and Denktash. Annan asked them to focus on the core issues of governments (meaning structures and powers), security, territory, and property. He said “that between now and the end of June they can resolve all the core issues provided they go about their task decisively and with the necessary political will,” adding, “I don’t say that by the end of June,

they will have a signed and sealed agreement.” Annan looked to Greece and Turkey for sustained and constructive support. Denktash contended that “it is impossible to finish everything by June.” On May 17, the two leaders resumed talks and Denktash reported that they were trying to accelerate the process, but maintained that there was still time until December.

Positions of the Parties on Key Issues

(Greek Cypriot positions are on the left; Turkish Cypriot positions are on the right.)

Sovereignty and Powers

Greek Cypriots say that bicomunal, bizonal federation of two states with one sovereignty should be established. A new federal constitution should come first, specifying the powers of the central government and those of the self administered states.

The Turkish Cypriots say that each community should form a sovereign state as equals and join in a “partnership state,” which would have a single international legal personality.

Presidency

The President will be elected by a common vote from Greek Cypriots and Turkish Cypriots, but must have votes from the other community.

A rotating presidency will prevent one community retaining control of the office. Each community separately must elect its own representative to fill the office of president or vice president.

Territory

The Greek Cypriots accepted the map in the U.N. set of ideas, subject to marginal changes. Turkish Cypriot territory on the island must fall under 29+% to allow the maximum number of refugees to remain under Greek Cypriot administration.

The Turkish Cypriots rejected the map included in the U.N. set of ideas. Denktash will not discuss territory before Turkish Cypriot sovereignty is accepted, adding that Turkish Cypriots have a “right” to more than 33% of the island.

Security/Turkish Troops/Guarantees

An international force with a new mandate for peacekeeping should be stationed on a demilitarizeisland. Clerides rejects Turkish guarantee.

The 1960 Treaty of Guarantee, whereby Turkey rightfully protects the Turkish Cypriot community, is in force and must not be diluted. Turkish troop presence may be cut or reduced if Turkey retains its Treaty rights in a peace accord. Agrees that island should be demilitarized.

Displaced Persons and Property Rights

A majority of the Greek Cypriot refugees must return to their homes under local Greek Cypriot administration; remaining refugees must have the right to return. Turkish Cypriots cannot be compensated for property they did not own in 1974. Turkish Cypriots may opt to return to properties they owned in the south in 1974 or to be compensated for them at 1974 values plus inflation. All Turkish Cypriots to be resettled will be compensated. Turkish Cypriot misappropriation of Greek Cypriot properties is null and void. More recently, the European Union requires free movement of people and purchase of property, therefore, exchange of property and compensation will be on a voluntary basis.

The population exchange cannot be reversed. Turkish Cypriots to be resettled should be compensated at the current value for the property they occupy at the time of resettlement. Greek Cypriots unable to return to property they owned in 1974 will be compensated from the sale of Turkish Cypriot property in the south. The Turkish Cypriot property in the south roughly equals the Greek Cypriot property in the north. Deeds to Greek Cypriot properties in the north allocated to Turkish Cypriots in the north since 1974 are legally valid. A Joint Property Claims Commission should be formed to inventory property on both sides of the island, determine value, and seek resources to pay compensation.

Other Factors Affecting the Talks

The Cyprus talks are vulnerable to changes in the atmosphere between the two communities and within each community and to factors not part of the talks.

Domestic Politics in Cyprus

In the south, Democratic Rally (DISY) leader Clerides was elected President of the Republic of Cyprus in February 1993. He had asserted that a settlement would result only if the U.N.'s set of ideas were changed. Clerides was reelected in February 1997 and the next presidential election will be held in February 2003.

May 28, 2001 parliamentary elections produced a narrow victory for the Reformist Party of Working People (AKEL), a communist party that supports accession to the EU and has engaged leftist parties of the north. AKEL received 34.71% of the vote and 20 seats in the 50-seat parliament. DISY dropped to second place with 34% of the vote and 19 seats. Six other parties also won seats. Dimitris Christofias, AKEL's leader, was elected speaker of parliament. There is no vice president. The speaker is the second highest official in government and acts for the president when he is absent or incapacitated.

In the north, Denktash was elected the first "President" of the TRNC in 1983, and reelected subsequently. On April 15, 2000, Denktash won 43% of the vote to 30% for Dervis Eroglu in the first round of the election for "President." Eroglu withdrew on April 19, before a second round, and Denktash was declared "President" again. In December 6, 1998, elections for the 50-seat parliament, the National Unity Party (UBP) had won 24 seats; the Democratic Party (DP) 13; Communal Liberation Party (TKP) 7; and CTP, 6. Dervis Eroglu then became Prime Minister and formed a coalition with the TKP.

A banking crisis in northern Cyprus in 2000 eroded the government's standing, provoked domestic unrest, and prompted Denktash to criticize the government more. Eroglu

and his TKP Deputy Prime Minister, Mustafa Akinci, increasingly disagreed. Akinci criticized Denktash's withdrawal from the U.N. talks and non-participation in EU membership negotiations, and Turkey's influence over TRNC affairs. On May 19, 2001, the National Popular Movement (UHH) announced its formation, vowing to strengthen ties with Turkey and to struggle against "foreign forces and local collaborators." A Denktash adviser is a UHH founder, and Denktash supports it. On May 24, the UBP withdrew from the coalition with the TKP. On the same day, the headquarters of a newspaper that is critical of Denktash was bombed. On June 5, Eroglu formed a new government with the DP.

In June 30, 2002, local elections, UBP won 16 out of 28 mayoral posts, but the pro-settlement, pro-EU Republican Turkish Party (CTP) won the key cities of Nicosia, Kyrenia, and Famagusta and polled second overall.

Policies of Greece and Turkey

The "motherlands," Greece and Turkey, have widely different approaches to the Cyprus problem. They defend and protect their ethnic kin, and their bilateral relations, strained over Aegean Sea issues, have been harmed because of Cyprus.

When Greece and Turkey developed a brief rapprochement in 1988, Greece accepted that Cyprus was not strictly a bilateral Greek-Turkish issue and need not be on the agenda of Greek-Turkish talks. After adverse public reaction in Greece, however, Cyprus resurfaced as a contentious bilateral issue. On January 31, 1992, Greek Prime Minister Mitsotakis met Turkish Premier Demirel and agreed to work on a treaty of friendship and cooperation. In Greece and Cyprus, Mitsotakis was criticized for failing to declare a Cyprus settlement a precondition for improved ties. On November 16, 1993, the next Greek Prime Minister, Andreas Papandreou, and Clerides agreed to a joint defense doctrine whereby their governments would decide on the Cyprus issue jointly, Greece would include Cyprus in its defense plan, and any Turkish advance would lead to war between Greece and Turkey. Clerides announced in April 1994 that Greece would provide air cover for Cyprus, while Cypriot bases would be prepared to refuel Greek Air Force planes, a naval base would be set up, and elite troops would bolster land forces. In January 1996, Costas Simitis succeeded Papandreou. He retained the joint defense doctrine.

Turkish governments argue that the Cyprus problem is not acute because Turkish Cypriot security has been ensured since 1974, and that dialogue is the appropriate channel for resolution. Turks support their armed forces on the island and agree that they should not withdraw until Turkish Cypriots' rights are guaranteed effectively. Prime Minister Bulent Ecevit, who also had held the office in 1974, argues that the Cyprus problem was solved then. Turkey provides aid annually to the TRNC. In January 2001, a 3-year, \$350 million aid package was announced to help the TRNC overcome a major financial crisis. It also brought increased Turkish supervision of the Turkish Cypriot economy.

In July 1999, Greece and Turkey began a dialogue on "lesser" issues, excluding Cyprus and the Aegean. The rapprochement accelerated after devastating earthquakes in Turkey in August and Greece in September, which produced mutual sympathy and good will. Greece's decision to allow the EU to affirm Turkey's membership candidacy that December confirmed a change in relations. In January 2000, George Papandreou made the first official visit by a Greek Foreign Minister to Turkey in 37 years. Turkish Foreign Minister Ismail Cem visited Greece in February. The two have met often. On November 2, 2000,

Papandreou asserted that the most basic precondition for a full rapprochement is the solution of the Cyprus problem based on U.N. Security Council resolutions. Athens and Ankara have signed many agreements on lesser issues and, on March 12, 2002, began exploratory talks on significant issues concerning the Aegean Sea.

European Union Membership

A customs agreement between Cyprus and the European Community (EC) came into force in 1988. On July 4, 1990, Cyprus applied for EC membership, stating that it would welcome Turkish Cypriot participation in technical negotiations. Turkish Cypriots objected because EC acceptance of the application recognized the Republic's government and not their own. Greece's EC membership and Turkey's lack thereof led Turks and Turkish Cypriots to view increased EC involvement in Cyprus as favoring Greek Cypriots.

The EU was to fix a date for Cyprus membership accession negotiations in January 1995. The EU preferred a prior intercommunal solution, but was willing to begin negotiations without one. In December 1994, Greece had vetoed an EU-Turkey customs union and some Europeans demanded that the veto be lifted before Cyprus's application was raised. On March 6, 1995, the EU separately ratified the customs union accord and scheduled accession talks with Cyprus. At Greece's insistence, the Republic is the EU's interlocutor. Turkey said that if Greek Cypriots were admitted into the EU as the Cyprus government, then Turkey would integrate with the "TRNC" to the same degree. Denktash asserted that if Cyprus becomes an EU member while Turkey is not a member, then it would weaken Turkey's guarantees and mean surrogate union between Greece and Cyprus.

On July 10, 1997, the European Commission reconfirmed that membership talks with Cyprus would open in 1998. On July 20, then Turkish Deputy Prime Minister Ecevit and Denktash issued a joint declaration, noting the July 10 statement and calling for a process of partial integration between Turkey and TRNC to parallel that of Cyprus and the EU. Denktash ended contacts with the EU because they "legitimize" an accession process initiated "illegally" by the Greek Cypriots.

Clerides said that Turkish Cypriots could participate as full members of the negotiating team for accession if they accept the idea of EU membership and if their participation did not suggest recognition of the TRNC. On September 25, 1997, then Greek Deputy Foreign Minister Papandreou said that Greece would block the EU's expansion eastward if Cyprus were not accepted because it is divided. France withdrew its objection to accession talks with a divided Cyprus when Greece withdrew its objection to talks with East European candidates. On June 12, 1998, at an EU summit, however, France reiterated its opposition. On November 9, the French, German, Dutch, and Italian foreign ministers warned of "particular difficulties" linked to accession talks with a divided island. Greece again warned that it would block EU expansion if Cyprus were excluded on these grounds. On November 10, the EU began substantive accession negotiations with Cyprus.

On May 14, 1999, then Greek Alternate Foreign Minister Kranidiotis declared, "It is clear that Cyprus can become a member of the EU even if the Cyprus problem is not solved...." On July 10, he said that Greece would not object to Turkey's EU membership candidacy if assured that Cyprus's accession would go ahead even without a resolution. Greece later said that it would not veto Turkey's candidacy if Turkey met conditions relating

to acceptance of borders in the Aegean and Cyprus' EU accession. Turkey rejected linkage between the Cyprus issue and its candidacy.

The EU summit's conclusions on December 10, 1999, "underline(d) that a political settlement will facilitate the accession of Cyprus to the European Union. If no settlement has been achieved by the completion of accession negotiations, the ... decision on accession will be made without the above (i.e., a settlement) being a precondition. In this the Council will take account of all relevant factors." Greece had insisted that Cyprus be allowed to join the EU without preconditions and expressed satisfaction. Turkey focused on the reference to "all relevant factors," suggesting that the EU could consider a settlement or lack thereof at that time as a factor in its decision-making. Greeks argue that the phrase refers to overall EU membership criteria. The summit also affirmed Turkey's EU candidacy.

In February 2001, Clerides suggested that Denktash's intransigence may make Cyprus's entry into the EU easier because it will enable Cyprus to show it is not to blame for the lack of a settlement. On April 5, Foreign Minister Kasoulides said that if Denktash accepts that Cyprus's accession is inevitable, then he may change his approach to a settlement because it would be better for Turkey if a settlement were achieved before accession. If Cyprus enters the EU before a settlement, then Greek Cypriots will vote on Turkey's own accession. Kasoulides argued that EU membership addresses concerns at the heart of a settlement, especially security because, if Cyprus is in the EU, then there is less potential for instability on the island and between Greece and Turkey.

On June 16, the EU set the end of 2002 as the target date for closing negotiations with leading applicants for membership, including Cyprus, paving the way for accession in 2004. In November, the European Commission said that it would support any constitutional arrangements the two sides reached in a settlement, provided that Cyprus was "able to speak with one voice in the EU decision-making process."

Turkish Foreign Minister Cem and other Turkish officials have repeatedly charged that the EU stance on absence of a settlement not being an impediment to Cyprus's accession had encouraged Greek Cypriot intransigence. On April 16, 2002, Cem declared, "A whole new situation will be created if an agreement is not reached and one part of Cyprus joins the EU unilaterally representing the entire island.... (W)e will certainly react strongly and actively." On May 9, Denktash said the chances were great that northern Cyprus would unite with Turkey if the EU admitted Cyprus prior to a settlement.

On June 22, the EU summit in Seville, Spain called upon the leaders of the Greek Cypriot and Turkish Cypriot communities to intensify and expedite their talks to achieve a settlement before the conclusion of accession negotiations between the EU and Cyprus. The EU then would accommodate the terms of a settlement in the Treaty of Accession.

U.N. Peacekeeping Forces

The United Nations has had forces on Cyprus since 1964. The size of UNFICYP (U.N. Forces in Cyprus) is now 1,227, with 15 countries participating. On April 2, 1993, the Secretary General urged a change in financing from having costs borne by UNFICYP participating countries, contributions, and assessments to assessments. On May 27, the Council agreed that costs not covered by contributions would be treated as U.N. expenses. UNFICYP cost about \$42.4 million for the period from July 2001 through June 2002. The government of Cyprus contributes one-third of the cost and the government of Greece contributes \$6.5 million annually; the rest comes out of assessments.

Missing Persons

Five Americans and 1,614 Greek Cypriots were claimed missing on Cyprus since 1974. A U.N. Committee on Missing Persons in Cyprus, consisting of a U.N. official, a Greek Cypriot, and a Turkish Cypriot, has met irregularly since 1984. (The U.N. chair has been vacant since January 2000.) Turkish Cypriots raise the issue of nearly 500 Turkish Cypriots missing since between 1963 and 1974, and suggest that some Greek Cypriot missing had resulted from internecine fighting among Greeks after the 1974 coup. In December 1995, the U.N. Committee received files of 1,493 Greek Cypriots and 500 Turkish Cypriots. Clerides said that 96 missing had been killed in action. On March 1, 1996, Denktash said that the Turkish Army had captured Greek Cypriots in 1974 and handed them over to Turkish Cypriot fighters. Revenge “massacres happened.” Asked if that meant that all missing are dead, Denktash responded, “Unfortunately.” Clerides insisted that investigations continue.

P.L. 103-372, October 19, 1994, called on the President to investigate U.S. citizens missing from Cyprus since 1974 and report information on other missing discovered during investigation to international or nongovernmental organizations. On May 22, 1998, President Clinton reported to Congress that the remains of one American had been recovered and identified, and the family informed, and that the other four Americans “in all likelihood did not survive the events in Cyprus during the summer of 1974.”

In July 1997, Clerides and Denktash agreed to exchange information on the grave sites of missing persons and to expedite the return of remains. On January 23, 1998, their representatives exchanged data. The Greek Cypriot submitted evidence of 200 Turkish Cypriot missing and the Turkish Cypriot submitted information on 430 Greek Cypriots, including a map to grave sites. In April, the Turkish Cypriot representative would not discuss more unless the Greek Cypriots agreed to look into the fate of victims of the 1974 coup. The U.N. said that his position deviated from the 1997 agreement. In June 1999, Foreign Minister Kasoulides declared that the missing do not include anyone killed during the 1974 coup, and the (Greek) Cypriot government began to exhume unmarked graves in the territory it controls and to identify remains.

On December 29, 2001, Clerides and Denktash agreed to work on solving the missing persons issue. They met twice on January 11, 2002, at the residence of the U.N. Secretary General’s Acting Special Representative on Cyprus, Zbigniew Wlosowicz. The Greek Cypriot government presented its views on a practical way to ascertain the fate of the

missing on January 18, while the Turkish Cypriots did so on January 29. Both sides now view the issue as a humanitarian one separate from a political settlement.

U.S. Policy

Since 1974, the United States has supported U.N. negotiations to achieve a settlement. The 1974-1978 period was marked by sharp divisions between the Ford and Carter Administrations and Congress over Turkey's role on Cyprus. A congressionally mandated arms embargo was in place against Turkey until September 1978. In general, Congress still favors measures to pressure Turkey to withdraw its troops and encourage concessions by Denktash, while successive administrations have argued that pressures are counterproductive and have preferred diplomacy. Although Members do not propose an alternative to the U.N. talks, they advocate an active U.S. role. In response, President Reagan created the State Department post of Special Cyprus Coordinator, and President Clinton named a Presidential Envoy for Cyprus. The Bush Administration decided not to fill the position of Presidential Envoy. On February 14, 2001, U.S. Secretary of State Colin Powell wrote to the Cypriot Foreign Minister, affirming that the Administration "fully supports the ongoing U.N. efforts to achieve a comprehensive settlement" and declared "the U.S. will also remain engaged in efforts to facilitate a just and lasting settlement of the Cyprus issue."

Since 1978, Congress has appropriated \$14 million or \$15 million for scholarships, bicomunal projects and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus. Fifteen million dollars have been appropriated for FY2002.

LEGISLATION

H.Con.Res. 164 (Bilirakis)

Expresses the sense of Congress that security, reconciliation, and prosperity for all Cypriots can best be achieved within the context of membership in the EU. Introduced and referred to the Committee on International Relations, June 19, 2001.

H.R. 2707 (Payne)

Restricts U.S. aid to Turkey until Turkey uses its influence with the Turkish Cypriot leadership to achieve a settlement on Cyprus based on U.N. Security Council resolutions. Introduced and referred to the Committee on International Relations, August 1, 2001.

H.Con.Res. 269 (Ros-Lehtinen)

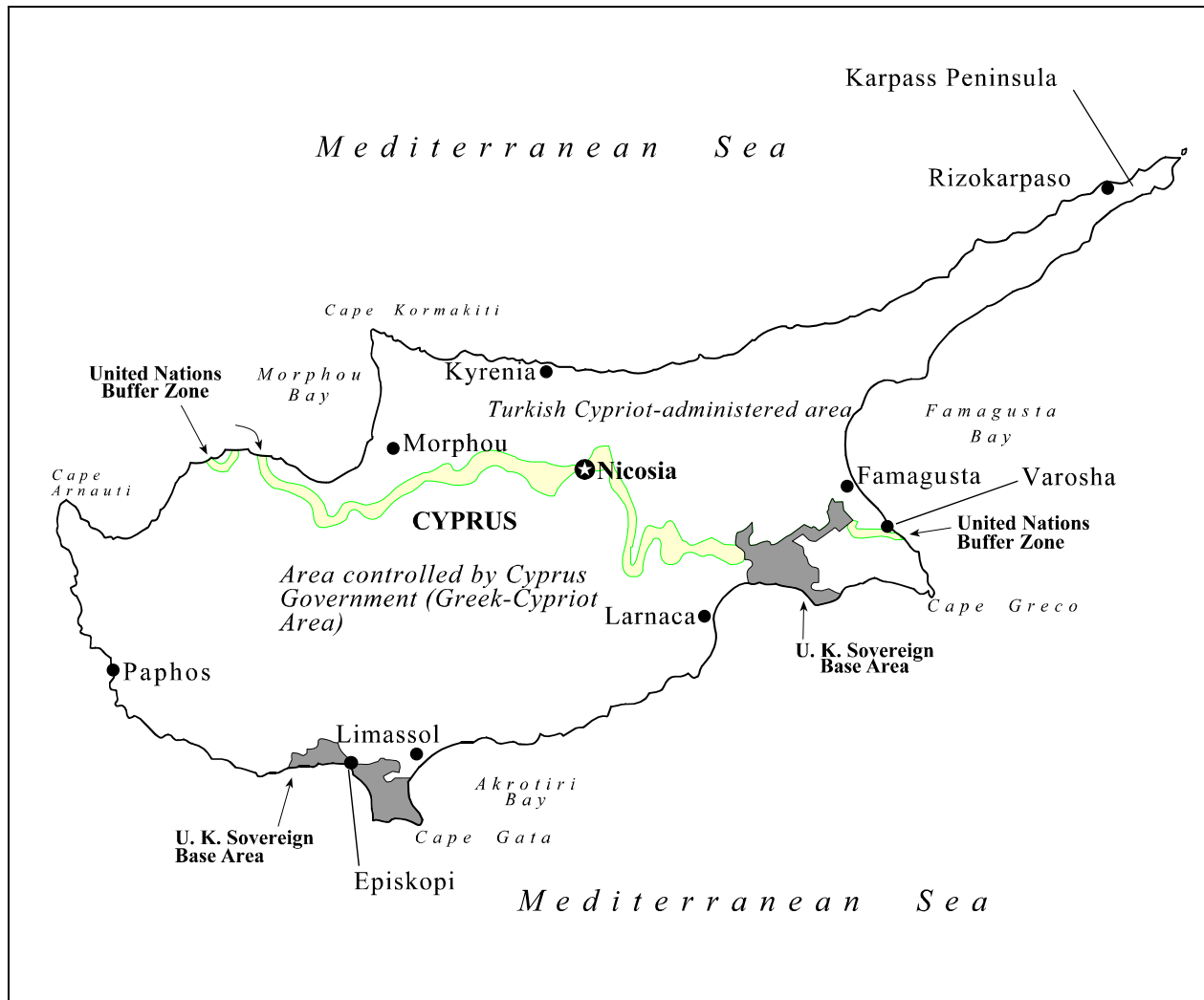
Same as S.Con.Res. 28, below. Introduced and referred to the Committee on International Relations, November 13, 2001.

S.Con.Res. 28 (Snowe)

Urges the President to undertake efforts to end restrictions on the freedoms and human rights of the enclaved peoples (427 Greek Cypriots and 165 Maronites) in the occupied area of Cyprus. Introduced and referred to the Committee on Foreign Relations, March 26, 2001. Reported favorably without amendment, with an amended preamble, and without a written report, and placed on the Senate Legislative Calendar under General Orders, July 12.

S.Con.Res. 122 (Snowe)

Same as H.Con.Res. 164, above. Introduced and referred to Committee on Foreign Relations, June 19, 2002.



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