SCENARIOS FOR CYPRUS AFTER THE ANNAN PLAN

A Master's Thesis

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SCENARIOS FOR CYPRUS AFTER THE ANNAN PLAN

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September 2008

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in International Relations.

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ABSTRACT

SCENARIOS FOR CYPRUS AFTER THE ANNAN PLAN

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This master's thesis aims to introduce a proper understanding of the long-lasting problems in Cyprus by analyzing the specific elements that shape the conflict in the region, starting by giving the historical details of the island. Considering similar conflicts that occurred throughout the history and previously applied mechanisms in order to manage the problems on the island, several scenarios will be presented and discussed to light the way for the best settlement of conflicts. All the way through the study, the method of merging comparative and single case studies is adopted and in-dept interviews with the former and incumbent presidents of Turkish Republic of Northern Cyprus

(TRNC) are made to supply views of different generations whether non-recognition of the independence of TRNC have functioned as an impediment ahead of conflict resolution. The study is concluded by revealing that the case of TRNC fits into the category of ethnic conflict just like the case of Kosovo, hence the resolution that will be applied in TRNC shall be very similar to Kosovar experience.

ÖZET

ANNAN PLANI SONRASI KIBRIS'TA SENARYOLAR

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Bu yüksek lisans tezinin amacı Kıbrıs'ta uzun zamandır süregelen problemleri adanın tarihinden başlayıp bölgedeki anlaşmazlığın özel sebeplerini inceleyerek anlamaya çalışmaktır. Adanın tarihi boyunca yaşanmış uyuşmazlıkları ve çözüm uygulamalarını dikkate alarak en uygun uzlaşma yoluna ulaşabilmek için çeşitli senaryolar sunulacaktır. Çalışma boyunca tek ve karşılaştırmalı durum analizleri birarada ele alınmıştır. KKTC'nin bağımsızlığının tanınmıyor olmasının uzlaşma sürecinde engel teşkil edip etmediğinin farklı nesillerce nasıl yorumlandığını anlamaya yönelik olarak eski ve mevcut KKTC cumhurbaşkanları ile görüşmeler yapılmıştır. Son tahlilde

Kıbrıs'taki durumun Kosova örneğinde olduğu gibi etnik anlaşmazlık kategorisinde değerlendirilmesi ve bu değerlendirmenin ışığında adada Kosovada uygulanan çözüme benzer bir çözüm yöntemi geliştirilmesi gerektiği ortaya çıkmıştır.

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CHAPTER I

INTRODUCTION

The conflict in Cyprus[1] and problems that stem from the non-recognition of the Turkish Republic of Northern Cyprus create certain problems in Turkey's relations with its neighbour, Greece, in particular, and with the European Union in general. Although, seemingly, all the parties and the interested countries try to resolve the conflict, due to the biased formulation of the problem itself and the non comprehension of the particular characteristics of the conflict have made a settlement almost impossible. There is no question that the perpetuation of the conflict affects each side: the economic embargoes hit the Turkish side to some extend while the continuation of the conflict makes the division more opponent, which in turn affect the Greeks negatively. The perpetual conflict has enhanced the sense of injustice and double standard among the Turks and it has

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[1] The word "Cyprus" here refers to a geographical location and not to either one of the states in the island.

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strengthened the clamour for recognition of the Turkish Republic of Northern

Cyprus. As Olgun (2001:1) indicates,

> The international community's toleration of the Greek Cypriot party's fanatically ethno-nationalistic and unlawful actions and claims has resulted in the destruction of balances established on the island between Turkey and Greece through the 1960 Agreements. The destruction of the power equilibrium and the absence of any international effort aimed at restoring this equilibrium are the main reasons for the intractability of the Cyprus Question.

Therefore, the already applied mechanisms to manage the conflict in the island can be considered as a failure since there is no equal protection and representation of the rights of both parties, and under these circumstances, the repetition of the conflict and the resumption of violence could not be overlooked altogether. In this dissertation, starting with the history of the island, the specific elements that shape the conflict in the region will be analyzed, since it has become evident that the attempts to resolve the conflict end up with constant violation of one part by the other.

History is not without examples of similar conflicts which have to be looked at and analyzed very carefully. The main target of this study is to introduce such a proper reading by giving both historical details of the island and their comparison with other relevant contexts. Therefore, the method that will be adopted throughout the present research is the merging of comparative

and single case studies. In addition, in-dept interviews were made with Rauf Denktaş and Mehmet Ali Talat, the former and incumbent presidents of TRNC respectively, in order to compare the views of different generations and see whether non-recognition of the independence of TRNC have functioned as a strategy of conflict resolution.

The convergence of their interpretation of the Greek side as non-compromising, biased and continuing *enosis* policies support the main argument of this dissertation, that is, the scenarios that argue for coexistence rather than independence will only work for the continuation of the current division the island. There is a historical continuity in the attitudes of the Greek side which made Turkish intervention necessary in 1974 and, as such, attitudes are persistent rather than temporary, as it can be followed from the words of Denktaş and Talat, no scenario other than recognition of TRNC can bring about a settlement. The interests of one party to the conflict were not being represented properly and adequately in the past and they continue be neglected at present. As it will be discussed later in detail, different techniques of conflict resolution in similar contexts have been adopted by those who do not recognize TRNC as an independents state, namely, there is a contradiction that to which more attention needs to be paid in order for an effective and more manageable

conflict resolution formula to be created. Given the fact that over the last decade or two a number of partnership states i.e. Yugoslavia, Czechoslovakia and others, have been dismantled and each partner set up its own internationally recognized state, it is apparent that nothing short of the international recognition for TRNC will work. It is this contradiction that is one of the main problematics of this thesis, and that is visible in the continuous suffering of the Turkish side in the island. It is interesting to note that both Denktaş and Talat supporters of diameterically opposed views in terms of a settlement to the conflict have alluded to that contradiction, the crux of this dissertation, a number of times during their seperate interviews.

The dissertation will start off by giving details about the history of the context and how the relations between the conflicting groups have been characterized. In the detailed study of the history of conflict in Cyprus, the relevant variables that have to be taken into consideration to test the effectivity of possible scenarios will be identified. This conflict in the island will then be tested in terms of whether it fits the category of ethnic conflict or not as it had been introduced by Wolff (2004) in his article "Managing and Settling Ethnic Conflicts". The importance of Wolff's categorization is that he introduces the possibility of various types of conflicts which simultaneously means the

necessity of coming up with different techniques of dealing with each. He argues that what makes ethnic conflicts uniqe is that ethnic differences themselves become the source of contradiction and violence, that is, one ethnic groups' safety and dignity are constrantly denied and violated. Therefore, the conflict resolution techniques to be introduced have to be structured in a way that both parties are equally protected and represented.

In ethnic conflicts, compared to other types of conflicts, the consequences of insisting on a scenario that supports coexistence rather than independence are not structered as such and end up with continuous discrimination of one group. Thus, such a technique is not effective enough to guarantee that the chances that the conflict among the groups will be repeated are minimal. In this study, after giving a brief background about the history of the island and the relations among two groups in conflcit, a particular chapter will be devoted to the Annan Plan and to discuss whether such a criterion would be effective. The main conclusion that is derived from such an analysis of the Annan Plan is that the Annan Plan fails to answer the needs of the region to end the conflict.

The above-mentioned part of the dissertation is mainly based upon a detailed single case study which will mainly function to identify the main

problematics, according to which strength of a scenario to end the conflict in the region has to be tested. The Annan Plan, its failures and the attitudes of the two parties during the process of developing such a plan had also been very functional in terms of clarifying the main sources of conflict.

In the following part of the dissertation, the importance of the necessity to introduce different conflict resolution techniques that will meet different needs and demands will be stressed by the introduction of three cases of the conflict which are Kosovo, Montenegro and the 'velvet divorce' between Czech Republic and Slovakia. The main characteristics of conflict in those different cases will be identified as it had been done to the case of Cyprus and how these conflicts had been settled will be briefly considered.

Each case will be concluded by a discussion about whether the conflict settlement technique adapted there is applicable to the Cyprus question. The Kosovo case will be argued as the one that is providing the best scenario that will fit into the particularities of the nature of conflict in Cyprus, and hence recognition of independent status of TRNC will be argued to be the most viable and non-biased conflict management strategy. Since these two cases show significant parallels, TRNC has the right to demand the recognition of

independence that simultneously followed Kosovo's declaration of independence.

The main issue that makes the other scenarios inapplicable is that they are structured to deal with the conflicts that are non ethnic in nature. In case of Montenegro, there was not much of an ethnic difference among the groups in conflict and in Czechoslovakia, the main sources of conflict was rather economic than ethnic. The discussion will be concluded by summarizing the findings of the single and comparative case studies which support the present thesis.

CHAPTER II

HISTORICAL BACKGROUND

2.1. A Brief Historical Background Before 1960

Throughout the history, questions over Cyprus were never cleared. Apart from the Lusignan domination (1192-1489) on the island, there was no indication of unity on the island. The island continuously got under different regional powers which varied very much from each other. In other words, control of different religions, social structures gradually created a complex formation for the newly arriving rulers (Manisali, 2000:5).

In chronological order, ancient Egyptians took control over the island in 1450 B.C, then the island came under Hittites rule in 1320 B.C, then stage by stage the island again fell under Egyptian rule followed by Phoenicians,

Assyrians, Independent Kingdoms, Egyptians, Persians, Macedon, and Egyptians again. Following these, Romans invaded the island in 59 B.C and took control of it till A.C 395. Then in order, Byzantines, Frankish Crusaders, Lusignans and Venetians were in control of the island (Serter and Fikretoğlu, 2002:12). Afterwards, in 1571 the Ottomans took over in the island (Zaim, 1981:1) and till 1878 they ruled it. Ottoman rule was welcomed since previous owners of the island; Catholic Venetians put pressure on Orthodox Christians (Manisali, 2000:5). After the Ottoman rule in 1878, the island was transferred to British control and with the Treaty of Lausanne[2], Britain's sovereignty on the island was recognized by Turkey. Greek Cypriots brutal struggle for liberation and *enosis*[3] eventually ended the British rule over the island and brought the peoples of the island to today's congested conflict in Cyprus (Akalın, 1999:199). The attempt of Britain to draw back from Cyprus in a sense created a vacuum of power and eventually the Greek Cypriot attempt to unite Cyprus with Greece, a process named *enosis* began to take shape. The campaigning of *enosis* by the

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[2] **Article 20:** Turkey hereby recognizes the annexation of Cyprus proclaimed by the British Government on the 5th November, 1914.
Article 21: Turkish nationals ordinarily resident in Cyprus on the 5th November, 1914, will acquire British nationality subject to the conditions laid down in the local law, and will thereupon lose their Turkish nationality. They will, however, have the right to opt for Turkish nationality within two years from the coming into force of the present Treaty, provided that they leave Cyprus within twelve months after having so opted. Turkish nationals ordinarily resident in Cyprus on the coming into force of the present Treaty who, at that date, have acquired or are in process of acquiring British nationality, in consequence of a request made in accordance with the local law, will also thereupon lose their Turkish nationality.   It is understood that the Government of Cyprus will be entitled to refuse British nationality to inhabitants of the island who, being Turkish nationals, had formerly acquired another nationality without the consent of the Turkish Government.
[3] Union with Greece.

Greeks resulted in violence and deaths of many people and with the rise of

Makarios to Archbishop Status, claims for *enosis* became even more provoking.

In response pronounced and Turkish Cypriots' identification with Turkey

had became more powerful. All these developments intensified with the

establishment of a Greek terrorist organization named EOKA – National

Organization of Cypriot Fighters- where EOKA engaged in operations against

both British rule and Turkish Cypriots. In January 1954, with the economic

support of Makarios, explosive materials and weapons were brought to the

island after the decision of Struggle Committee of EOKA to attain *enosis*

*(*Drusotis, 2002:51*)*. In order to stand against the *enosis* policy of EOKA, Turkish

Cypriots promoted *taksim[4]*, which meant partition of the island and formed the

Turkish Resistance Organization (TMT). EOKA engaged in operations against

British rule, Turkish Cypriots and organized attacks on armed services

(Drusotis, 2002:102).

In other words, the picture in the island was full of violence and tension

which rose and took a nature of Greek-Turkish civil war, instead of a struggle

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[4] Partition of the island into a Turkish and a Greek state.

between Greeks and British (Hale, 2002:131). To sum up, the EOKA terror ((Serter and Fikretoğlu, 2002:84)

- Attacked 30 Turkish villages,

- Murdered 200 Turkish people,

- Injured approximately 1000 Turkish People,

- Made 5000 bomb attacks,

- Materialized roughly 3000 sabotages

2.2. 1960s; the Making and Destruction of the Partnership State

The disorder in the island led many diplomats to consider the creation of an independent state in Cyprus, which came out with trilateral, London and Zurich Agreements (1959). The 'Republic of Cyprus'[5] came forth as a result of these agreements between three regional players (UK, Turkey and Greece) in addition to domestic ones. The newly established Republics' President would be represented by a Greek Cypriots whereas Vice-Presidency would belong to a Turkish Cypriot which would be elected by respective communities. The Council of Ministers would be conceived of 7 Greek and 3 Turkish ministers and

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[5] The internationally recognized "Cyprus" is the Greek Cypriot administration in the south of the island, which claims to be the sole representative in the name of the whole island in the international arena.

the same percentage proportion would be kept in the legislation process and in civil services. In the affairs of foreign policy, security and defence, both representatives of the two sides would have a right of veto.

According to this agreement, the Turkish Cypriot community obtained political equality with the Greek Cypriot community, and based on the Treaty of Guarantee, Turkey, Greece and the UK were responsible for the maintenance of the constitutional order over the island. In addition to these, UK obtained two base areas: Dhekelia and Akrotiri, Greece and Turkey after negotiated proportion, were to place troops on the island (Article 1 and 10 of the Treaty of Establishment).

With the Treaty of Guarantee (Article 1), the two sides agreed "not to participate, in whole or in part, in any political or economic union with any State whatsoever". And finally and importantly, in case provisions were violated, the Treaty of Guarantee (Article 4) gave the right to the three guarantor powers, to "take action with the sole aim of re-establishing the state of affairs created by the present Treaty". In short, as the Article 1 of the Treaty suggests, this agreement aimed to prevent the island both from *enosis* and *taksim*.

However, the 'Republic of Cyprus' did not last very long. Firstly, problems aroused between the two sides on issues such as separate municipalities, Constitutional Court, representation problem in civil services, proportion in the military and on taxation (Serter and Fikretoğlu, 2002:132). Meanwhile, the Greek Cypriot Interior Minister Policarpos Yorgadjis, including President Makarios, and Chairman of Assembly, Glafkos Kleridis, were preparing the Akritas Plan. The Plan contents were conceived of ways of achieving *enosis* and destruction of the Turks in the island[6]. Being the leader of the Greek Cypriots, Archbishop Makarios, as his name suggests, was always a 'Greek nationalist' and a 'churchman', and worked systematically for campaigning of *enosis* (Stavrinides, 1976:25).

With respect to these, in August 1963, President Makarios declared 13 points to amend the Constitution (Stavrinides, 1976:4), all of which aimed to reduce the Turkish Cypriots' gained rights to minority rights (Dodd, 2004:2). Since, with the 1960 Constitution, Turkish Cypriots had equal status with Greek Cypriots, which was realized by having the equal power of veto to either side's representatives, the Greek community demanded the withdrawal of Turkish

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[6] For further information, see http://www.cyprus-conflict.net/akritas_plan.htm

Cypriot community from the 'Republic of Cyprus' by proposing abolishment of right of veto of Vice President.

Towards the end of 1963, Greek Cypriots increased brutal systematic attacks against Turkish Cypriots. On 1 January 1964, Makarios declared that he unilaterally abolished the 1960 Agreements. Thus the 'Republic of Cyprus' found itself in a civil war in December 1963. In the meantime, in order to stop violations, the United Nations sent in UNFICYP (United Nations Peacekeeping Force in Cyprus) to the island which was to prevent resumption of hostilities and act as an interposition force in order to convince the parties through negotiations regarding the unity, territorial integrity and political independence of Cyprus (Karaosmanoğlu, 2002:107).

UNFICYP became fully operational on 27 March 1964 with the contribution of Austria, Canada, Denmark, Finland, Ireland, Sweden and Britain. 6200 troops were complimented. In fact, neither the individual state actors nor NATO and UN were prepared and capable to activate conflict prevention mechanisms before the civil war erupted in 1963. The reactions were followed only after exceeding threshold of violence. As of March 4, 1964, UN Security Council adopted Resolution 186 authorizing the formation of the

United Nations Peacekeeping Force in Cyprus (UNFICYP) and intermediary assistance to the communities in the conflict. UNFICYP's mandate, as given in resolution 186 (1964) was to use its best efforts to[7]:

- Prevent a recurrence of fighting

- Contribute to the maintenance of restoration of law and order

- Contribute to a return to normal conditions

Despite the fact that the UN achieved a considerable progress on the first two objectives, contribution to a return to normal conditions remained in question.

2.3. 1974 Turkish Intervention[8] and Partition

An important aspect of Zurich-London Agreements is the article four which gives the right to three guaranteeing powers to *take action with the sole aim of re-establishing the state of affairs created by the present Treaty*[9]. The Greek Junta forces, organized a *coup d'état* against the Greek Cypriot government on July 15,

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[7] For further information see www.unficyp.org
[8] Here, for academic purposes, the neutral term "intervention" is used, but the same event is perceived and labeled by the Greek/Greek Cypriot side as "occupation", while by the Turkish/Turkish Cypriot side as a "peace operation".
[9] Article 4 of 1960 treaty: "In the event of a breach of the provisions of the present Treaty, Greece, Turkey and the United Kingdom undertake to consult together with respect to the representations or measures necessary to ensure observance of those provisions.
In so far as common or concerted action may not prove possible, each the three guaranteeing Powers reserves the right to take action with the sole aim of re-establishing the state of affairs created by the present Treaty

1974, to overthrow Makarios and declare *enosis* with Greece. With the refusal of Britain to intervene, Turkey acting on the Treaty of Guarantee intervened solely to prevent Turkish Cypriots and Cyprus from *enosis* (Dodd, 2004:4). As a result of this intervention, Turkish Cypriots' security was obtained. Turkish Cypriot community, after 1963 Greek assaults, in order to self determinate itself, constituted a General Committee and then formed a 'temporary Turkish administration' and 'Turkish Administration'. Soon after 1974 'peace operation' was accomplished, lines were drawn between Greek and Turkish Cypriots and an Exchange of Population Agreement was concluded in Vienna in 1975. With the supervision of UN, Turkish population was exchanged with Greeks and vice versa. The Turks moved to the northern part of the island and Greeks to the south. Wide range of an immigration process started. However, the Turkish Cypriot administration was facing difficulties in managing the Turkish-held areas which were dispersed all over the island. With the state of political situation, the Turkish Cypriot Administration was converted to 'Autonomous Turkish Cypriot Administration' (Serter and Fikretoğlu, 2002:199). All these were results of the Greek Cypriot's preventing Turkish Cypriots to use its own rights obtained with the 1960 Constitution. Turkish Cypriots were forced to live under threats and pressures in order to safeguard their own security. Between 1963-67 and 1974, as being one of the founders, they resisted the threats and

attempts of ending the 'Republic of Cyprus'. With the belief of the only way that could supply peace, comfort, and security is to live nearby but to constitute their own structures. The proposals of forming an 'Independent Cyprus Federal Republic' were rejected by the Greek Cypriot community. And later on, with the decision of Assembly of 'Autonomous Turkish Cypriot Administration', on February 13, 1975, Turkish Federated State of Cyprus (TFSC) was proclaimed by Turkish Cypriots.

2.4. 1980s

Obviously, there were talks to bring the two communities together. High Level Agreements between Denktaş and Makarios in 1977 and between Denktaş and Kyprioanou in 1979 were conducted aiming establishment of a federation. In 1977 summit, Denktaş and Makarios signed a 4-point agreement which included an agreement on bi-communal 'federal republic', equality, return of refugees and territory issues. With the death of Makarios, these talks took a break and later on with some other pauses, his successor Kyprioanou resumed the talks. A ten point agreement was signed between Denktaş and Kyprioanou in 1979 taking 1977 agreement as a base. However talks took some pauses and

later on Greek Cypriots presented some proposals which contrasted with the Turkish proposals and the 1977 agreement.

Since no result came of these talks, on November 15th, 1983, Turkish Cypriots unilaterally declared the formation of Turkish Republic of Northern Cyprus (TRNC). Today, in the international arena, only the Greek government is recognized as the whole representative of 'Republic of Cyprus' and Turkey solely recognizes the Turkish government, TRNC. In consequence, the division of the two communities has remained since 1974. With the help of Turkey, TRNC was able to form a government based on democracy, and full working institutions of a state.

Turkish Cypriots mainly insisted on the need to be treated equal as the Greek Cypriots, and based their claims on the fact that they were unjustly treated by the Western powers, which in general favoured the Greeks. Whereas the Greek Cypriots based their claims on their proportional superiority, the 1960 Constitutions treated them unjustly (Dodd, 2004:5).

The Greek Cypriot explanation on the Cyprus problem is that it started in 1974, with Turkey's intervention in the island. This intervention is perceived by

the Greeks as an "invasion" (Stavridis, 2002:1). The Greek Cypriot leadership states to international community that the Turkish Cypriots on the island are 'minority', and the whole island is a Greek land. According to them, in any settlement, the Turkish Cypriots should not have excess rights; they should only have minority rights.

2.5. Developments in the 1990s and the EU Involvement in Cyprus

Even tough the EU imported Cyprus Conflict to its agenda before 1990, through Greece's membership in 1981, EU became directly involved as an actor more recently with the membership application of the 'Republic of Cyprus' to the Union in 1990. Despite the objections from TRNC and Turkey, the EU dealt with the Greek government as the legitimate government of 'Republic of Cyprus'.

Unfortunately, in exchange of Greek veto on Turkey's establishing a Customs Union with the EU, the government in Turkey under prime minister Tansu Çiller made a move towards agreement on Cyprus' start of accession negotiations, which was regarded by some opposition parties in Turkey and Turkish Cypriots as being 'sold out' (Dodd, 2004:9).

EU's effect as a catalyst for a solution has been a subject of discussion. In addition, when the negotiations started between EU and 'Republic of Cyprus', the foreign minister of the 'Republic of Cyprus', Ioannis Kasoulides, argued that these negotiations would act as a 'catalyst' for a solution to the Cyprus Question (Diez, 2002:3). Even though the EU did not declare unification of Cyprus as a pre-requisite to joining the Union, the EU always made clear its preference for the accession of a united Cyprus (European Council in Helsinki in 1999). While the EU was not party to the negotiations between two communities, it declared its support to UN's efforts of finding a compromise to the two communities' problems. Here, it could be argued that the fact that only one side needed this settlement made it harder in reaching a compromise. Despite its straightness, in Helsinki European Council 1999, 'Republic of Cyprus' was accepted as a member without any condition for a solution, which erased the hopes for a negotiated settlement.

It could also be argued that another turning point that complicated the relations between the two communities was this application of the Greek administration for EU membership on behalf of Cyprus as a whole. According to article 1 of the 1960 Treaty of Guarantee it was clear that each community

should "not participate, in whole or in part, in any political or economic union with any State whatsoeve*r"*. The Turks based their claims on this fact that 1960 Constitution was still in force, so they had no legal or moral right to take this action (Stephen, 2001:130). Although the Turkish Cypriot community opposed the application of the 'Republic of Cyprus' by the Greek Cypriot in the name of the whole island, the EU had accepted to evaluate it. After years of discussion, it was scheduled for Cyprus to sign accession treaty on the 16th of April 2003 and formally become an EU member on the 1st of May 2004. The hope was that significant progress could be made in drawing up an agreement before that date.

With the EU factor, a rapid transformation in the Turkish Cypriot society has occurred. The views in the country became divided into two. Those who followed Denktaş evaluated the Annan Plan as an obstacle to the independence of Turkish Cypriot side. The supporters of the Annan Plan, on the other hand, saw the Annan Plan as a route to the EU membership, which would end their isolation and solve their economic troubles. Claims among the EU, UN and USA to reward TRNC for their positive attitudes towards the conflict resolution process by lifting the international embargoes, isolation, enabling direct flights to the Turkish Cypriot airport *Ercan* and the opening of the ports to

international trade and the recognition of Turkish Cypriot Universities, had the strongest affect on the public opinion.

Large demonstrations took place in which about one-third of the population participated. In addition to these, media played and important role in the phase of the negotiations. Media's role was a noteworthy one especially in the Turkish Cypriot civil society. In general, the media presented Denktaş as an obstacle to a possible solution and to the well-being of Turkish Cypriots. In short, in TRNC, the media funded mostly by the outsiders, favoured a solution on the basis of the Annan Plan.

The press in Turkey generally evaluated a compromise which could be reached with the Annan Plan, as a good development for Turkey which would positively influence Turkey-EU relations. In addition, the international press put pressure on both sides to make them accept in the Annan Plan.

The polarisation of the Turkish society can be explained by another dynamic in addition to EU and the Media factor. Turkey's change of almost 40 years policy on Cyprus could be considered as one of them. Turkey is one of the main actors of the conflict in the island in addition to the two Cypriot

communities. Turkey mainland forces are located in the northern part of the island since 1974 to guarantee safety of Turkish Cypriots. Secondly, Turkey is the only state that recognizes TRNC. In other words, Turkey's role in the conflict is the role of a caring motherland. Turkish foreign policy makers often declare the Cyprus issue to be considered in Turkey's vital strategic and national interest. While dealing with the Cyprus issue, Turkey is following an essentially realistic approach.

The precedent, which left behind with several bad memories, a lack of trust and a sense of fear, the massacres made by the EOKA guerillas to the Turkish community in Cyprus are often bared in mind. However after the general elections in Turkey in 2002, which resulted the victory of government lead by Tayyip Erdoğan, policies towards the Cyprus issue softened and in fact, intentions to put weight for solving the Cyprus problem along the line of the Annan Plan was set forward. It is obvious that the EU plays significant role in views of AKP[10] government seeing as its key aim in order to begin to the EU accession process.

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[10] AKP is the abbreviation for -moderately Islamist- Justice and Development Party.

Apart from the EU element, another motive that pushed policies of AKP government in favor of Annan plan was the Loizidou Case, which obliged Turkey to pay thousands of dollars. There are thousands of applications like that and if the European Court of Human Rights (ECHR) continues such cases, Turkey would have to pay billions of Euros to the Greek Cypriot people who left their territories in North side after 1974. So, after the changes in the government, views of different groups divided on the Cyprus issue. The opponents of the Annan Plan share the view that the Cyprus issue would be defended and Turkey should continue to support TRNC rather than putting pressure on it to reach a solution. Cyprus is strategically important, with recognized Cyprus; Turkey would have an effective role in the Middle East and on oil lines. Apart from these, there is an interesting point that neither Turkey nor TRNC in their policies explicitly stated that TRNC should be recognized. Almost no action was undertaken towards the international independence of TRNC. They are basing their arguments on the basis of 1960 Constitutional state.

In short, compared to the Southern part, there was no co-operation among the Turks regarding the 'target'. Although the common target is claimed to be the solution, there have been considerable differences on what this solution is like or how this solution can be accomplished.

CHAPTER III

UN ENGAGEMENT IN CYPRUS AND THE ANNAN PLAN

3.1. UN Engagement

In the efforts of finding a compromise between the two communities in the island, the United Nations has been the main actor. Since 1960s, the Cyprus conflict has been on the agenda of the United Nations.

At first, UNFICYP's task was to act as an interposition force between communities to prevent the spread of violence across the island and open the way for a peaceful settlement between the two communities. After 1974, UNFICYP's task was transformed into monitoring of the cease-fire and the buffer zone between Northern Cyprus and Southern Cyprus. UNFICYP was entrusted with the task of contributing to the status quo and the prevention of

resumption of fighting. It was intended to deploy for only 3 months but it has still been in place today. Although UNFICYP was not able to make a big progress in the island in the name of conflict resolution, it has made successful work in preventing the escalation of inter-communal conflict from and arranged ceasefires. Except for a few incidents, no inter-communal violence has occurred on the island since 1974.

United Nation's involvement in the Cyprus conflict as a third party is not limited to its peacekeeping function. Negotiations concerning the search for a solution to the conflict have been going on mainly under the auspices of the United Nations. UN efforts are concentrated for preparing the ground for direct negotiations in order to achieve a viable political solution of the Cyprus conflict. Starting from the Secretary General U-Thant's efforts as early as 1964, UN has intervened most extensively as a mediator. For years, various Secretary Generals chaired the negotiations on a new constitution for the divided island of Cyprus however, till now; no settlement has been arrived at.

Recent negotiations concerning a solution to the conflict has also been going primarily with the support of the United Nations. Proximity talks were carried out from December 1999 till November 2000 and direct talks were

carried out from January 2002 to February 2003. During this period, third parties, namely the US, UK, the EU and UN intensified their efforts in order to reach a feasible solution for the Cyprus issue before the 'Republic of Cyprus' became member to the EU.

3.2. UN Attempts

In 1977, for the first time since 1974, Archbishop Makarios and President Denktaş's met to find a mid-way solution. According the president of Turkish Federated State of Cyprus (TFSC), Denktaş's proposal, on 27th January 1977, Denktaş-Makarios summit took place. Following this meeting on 12th February 1977 another summit including the term General Secretary of UN, Kurt Waldheim, took place. In this summit Denktaş and Makarios agreed on four articles. There are two important components of this agreement, Firstly; A bi-communal 'federal republic' the structure of the state and the constitutional system would be arranged according to this federal system structure. Secondly, the territorial arrangements would depend on economic sufficiency or productivity, and property rights. In other words, the negotiations reached a compromise where political status, equality, return of refugees and territory issues were agreed upon by the parties. However, with the death of Makarios, a

break was applied to the negotiations till May 1979. As being his successor, Sypros Kyprianou took over the inter-communal negotiations. An agreement was signed between the inter-communal negotiators. This agreement was a developed version of 1977 Denktaş-Makarios agreements. A ten-point agreement which included territorial and constitutional issues, giving priority on the resettlement of Varosha under UN auspices, demilitarization of Cyprus, depending on mutual trust and good intentions was signed by both parties. The talks took breaks due to the regime changes and political changes in Turkey and Greece.

The talks continued and on August 1981, Turkish Cypriots presented their fundamental principles: a bi-communal, bi-zonal federal republic, equality, fifty-fifty ratio on all government institutions and restriction of freedoms of movement, property and settlements according to the 1977 plan[11].

The Greek proposals compared to the Turkish one and to the 1977 Agreements, had great differences. They insisted on a unitary state, undividable territory of the federal republic and usage of the federal legislative and

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[11] For further information see http://countrystudies.us/cyprus/59.htm

executive powers to ensure Cyprus's economic reintegration. However no advances were reached with these talks.

According to the developments, Turkish Cypriots proclaimed Turkish Republic of Northern Cyprus on the 15th of November 1983. With the efforts of the term Secretary General Perez de Cuellar, 'indirect negotiations' started in New York in 1984. After three round of talks, UN Secretary-General Perez de Cuella's mediation mission was rejected by the Greek part became de Cuella's proposed plan envisaged a federal, bi-communal, and bi-zonal constitution. The Greek Cypriot's red lines, stated by the terms of the Greek Cypriot President Sypros Kyprioanou were mainly based on the withdrawal of Turkish forces from the island, return of Turkish settlers who had come from Turkey after 1974 and the freedom of movement, resident and property ownership on the island (Dodd, 2004:6).

In 1988, Yorgos Vasiliu won the presidential elections of the Greek administration. Bilateral talks between Vasiliu and TRNC President Denktaş continued from 1988 September to 1989 summer. After these negotiations, in February 1990, Denktaş and Vasiliu came together again in New York. However, these negotiations were also abandoned like previous ones, as Vasiliu

did not agree on Turkish Cypriot rights; having a seperate identity and right to self determination that Denktaş insisted.

In 1992, the term UN Secretary-General Butros Ghali, brought the leaders of the two sides together again in New York. During the first tour of the negotiations, the General Secretary Ghali exposed a map that only left 28.2% of land to Turkish side. This map which also suggested to give Omorpho to the Greek administration, was rejected by Denktaş who stated 29% (+) as the minimum rate that he can accept. The second tour of the meetings started on the 15th of July. In this tour Butros Ghali presented a resolution plan to both sides that is also named as 'Set of Ideas'. This plan was based on Peres de Cuealla's plan, however the negotiations could not make any progress on the matters of property and residency. Despite all these, Turkish Cypriots accepted the first plan, whereby the Greeks rejected (Dodd, 2004:7).

3.3. The Annan Plan

The most effective and famous efforts of UN came with the Annan Plan. On November 11, 2002, Kofi Annan, the Secretary-General of the UN, presented a comprehensive plan for the leaders of the parties namely direct to the Greek

Cypriot leader President Glafcos Kleridis and Turkish Cypriot President Rauf Denktaş, and the plan was made public upon presentation.

The Annan Plan was a combination of former UN attempts over the years in order to promote a settlement to the significant problems dividing the sides, such as decreasing the amount of the Turkish military presence on the island which was perceived as a threat by the Greek Cypriots, finding mid-ways to the problems which became complicated after 1974, bringing arrangements to territory and property claims of each side, creation of equal status within the agreed context of bi-communal federation.

The first Annan Plan, having 150 pages, was presented to the concerning states on 11 November 2002. The Annan Plan expected to prepare grounds for direct negotiations in order to achieve a feasible resolution to the Cyprus conflict.

Presidents of the two parties engaged in discussions, however negotiations broke off too many times. Annan Plan revised five times and finally the plan was offered to public referendum. The final version of the plan was presented

by the Secretary-General of the United Nations to the Parties on 21 March 2004, in Burgenstock, Switzerland.

Just before the Greek Cypriot entrance to the EU, the final Annan Plan was voted in separate referenda by the two administrations. The results showed that a significant share of the Turkish Cypriot population (64.90%) was in favour of the resolution on the basis of the Annan Plan, while the majority of the Greek Cypriots (75.83%) voted no.

3.4. Analysis of the UN Plan

In its main articles, the Annan Plan confirms that Cyprus belongs to both Turkish Cypriots and Greek Cypriots and reminds that both sides were the partners of the established state in 1960. In addition to these, the Plan aims to guarantee that the past events will not repeat and intents to build a relationship based on political equality (The Annan Plan, Appendix A: Main articles of the Foundation Agreement).

3.4.1. Basic Articles

According to the UN Plan, "United Cyprus Republic is an independent and sovereign state with a single international legal personality and a federal government and consists of two constituent states, namely the Greek Cypriot State and the Turkish Cypriot State" (The Annan Plan, Appendix A: Foundation Agreement, Article:1).

3.4.2. The Common State:

The common states' legislative power would be formed by two parts; the Senate and the Chamber of Deputies. Among each constituting states equal number of Senators will be represented whereas Chamber of Deputies would be formed according to proportion of population. On the other hand, the chair number of each constituting states will not be less than ¼ of the total chair number (The Annan Plan, Appendix A: Foundation Agreement, Article: 5, par.1).

Being a part of Federal Parliament, in the Chamber of Deputies, deputies would participate according to the ratio of population, however the number of

deputies which would be chosen by northern part shall be at least 1/3 proportion. In other words, Federal Parliament would have 12 representatives from north and 36 representatives from south. (The Annan Plan, articles 10-22)

Decisions made by the Common State depend on both chambers proportion of simple majority. On some certain matters, voted by Senators, 2 out of 5 special majority would be taken into consideration (The Annan Plan, Appendix A: Foundation Agreement, Article: 5, par.1b).

The executive power of the Common state would be exercised by the Presidential Council. It would constitute of 6 members chosen from single list through special majority of Senate and should be approved by majority of Chamber of Deputies.

Distribution of membership of Presidential Council would be made according to the proportion of population of each constituting state. It is desired that decisions would be taken according to majority. But in case where majority could not be achieved, unless specified in another way, with at least one participant from each constituent state decision would be taken by simple

majority (The Annan Plan, Appendix A: Foundation Agreement, Article: 5, par.2b).

The members of Council have equal voting rights and the Council shall decide the distribution of departments between its members. The heads of departments of external relations and EU relations should not be presented by the same constituent state (The Annan Plan, Appendix A: Foundation Agreement, Article: 5, par.2c).

President and Vice-president of the Council will be chosen among Council members for a 10 month period. And in addition to this, neither the President nor the Vice-president would have a veto-right (The Annan Plan, Appendix A: Foundation Agreement, Article: 5, par.2d).

"The Central Bank of Cyprus, the Office of the Attorney-General and the Office of the Auditor-General shall be independent" (The Annan Plan, Appendix A: Foundation Agreement, Article: 5, par.3).

The Supreme Court will constitute equal number of judges from each constituent state and three non-Cypriot judges (The Annan Plan, Appendix A:

Foundation Agreement, Article: 6, par.2). And it shall, *inter alia* manage the relationship between the common state and the constituent state.

In short, the common state would be in charge of external relations and EU relations, in addition to monetary policy, currency, Central bank regulations, budget, indirect taxations, economic and commercial policies, meteorology, aviation, international navigation, continental shelf, territorial waters, water resources, national resources[12], citizenship, communications, struggle for terrorism, drug smuggling, and other organized crimes, would be under the responsibility of the Common State- within the boundaries of the Constitution (Efegil, 2003:26-27).

3.4.3. The Constituent States

In the first two versions of the Annan Plan, status of the states' were defined with the term 'component state', which was never used before for organic structures like federation and confederation on judicial grounds (Toluner, 2003:30). In addition 'sovereignty' of these "component states" was defined with the term 'sovereignly' (The Annan Plan, p.8, article 2, par.1c)

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[12] Based on the modification of the first Annan Plan , natural and water resources were included under the authority of the Common State.

instead of 'sovereignty'. This kind of a statement does not express a meaning for the international law (Sönmezoğlu, 2003:11). In the last version of the Plan, the expression of 'component state' was changed with the term 'constituent state'.

As emphasized earlier, the UN Plan, offered two 'constituent states' and a 'common state'. Like the Belgian system, constituent and common states "were not placed in a hierarchical relationship" (Dodd, 2004:8). The constituent states would be free to exercise their own authority and functions that the Constitution did not took in charge of the common state, within the boundaries of the Constitution. Some of these functions were comprised of; tourism, industry, agriculture, fishery, trade, sports, education, health, labor etc.

3.4.4. Security and Demilitarization

The 1960 Treaty of Guarantee would stay in force *mutatis mutandis* to the new state of affairs (The Annan Plan, Appendix A: Foundation Agreement, Article: 8, par.1). This seems that the article gives the right to Greece, Turkey and United Kingdom to act together if possible, guarantee that the security functions are fulfilled. Turkey's guarantee can be considered as a vital interest for the Turkish Cypriots. Despite this reality, Turkey's status as a guarantor

would become non- proccessable (The Annan Plan, p.12, Article 8, par.1.) due to the indefiniteness of the guarantee system (Toluner, 2003:30).

The Turkish contingent shall be reduced from 30.000 to 6.000 till 2011, and gradually within 10 years should not exceed 650 ranks (The Annan Plan, p.12, Article 8, par.1b). Since demilitarization of the island leaves 650 Turkish, 950 Greek troops and two British military bases, these troops will be settled in each constituent state's respective areas (The Annan Plan, Appendix A: Foundation Agreement, Article: 8, par.1). UNFICYP shall act as a monitoring power through the implementation of this agreement. In addition to demilitarization, exportation of weapon was prohibited (The Annan Plan, Appendix A: Foundation Agreement, Article: 8, par.2).

With respect to these, upon the demand of Greek Cypriot government, United Nations shall be responsible of the security all over the island (Efegil, 2003:31). The common state and the constituent states would be able to posses their own police organizations. Common State's police will be formed with equal number of personnel from each constituent state (The Annan Plan, Appendix A: Foundation Agreement, Article: 15, par.3).

3.4.5. Territorial Adjustments:

In the Annan Plan, according to Cyprus Map A: Turkish-held area will be decreased from 37 % to 28 %. Therefore, with the Annan Map, 23% of the TRNC territory shall be given to the Greek Cypriots. The fertile area of Guzelyurt (Morphou) was included too. In addition to this, 10% of the total territorial area or houses, and 20% of municipality or territorial area in villages or 20% of the houses shall be given to Greek Cypriots. Adding up to these, Karpaz region, old Maronite villages and church domains approximately containing 60.000 acre shall be returned to Greek Cypriots. As a result, Turkish Cypriots living in the northern Cyprus would only preserve the territories that are registered with a title deed to Turkish Cypriots.

With respect to the territorial regulations the plan sets a Relocation Board in order to control and coordinate the vacation and replacement of the current inhabitants with respect to keeping a balance the people in charge by the ratios of the population (The Annan Plan, Annex 6, article 7). The Plan aims to provide some financial support for Cypriots who are not capable of meeting the demands of relocation. In addition, for people who are not Cypriots citizens,

again financial support would be supplied for their returns (The Annan Plan, Annex 6, article 5).

Approximately 200.00 Turkish Cypriot and Greek Cypriot immigrant would apply to demand from the Relocation Commission. The Commission will not make a statement till 90% decision is made. (The Annan Plan, p.146. article 13). Therefore trials will start for years. Here it can be argued that this solution would in fact lead to more conflicts.

In short, the lands that Turkish Cypriots shall abandon contain 70% fertile lands and 70% of the water resources. These losses would create a shock on TRNC's economy, since it constitutes 18% of the national income (Hisarcıkoğlu, 2003:6).

3.4.6. Property

With regard to land property claims, a Property Board was mandated to deal with and find a solution to the real owners of the properties before 1974. As an exception, religious sites, areas under military usage and properties used for public benefit were out of question for compensation.

Exchange, reinstatement, compensation, sale, long-term lease were considered as ways out to the problem.

The present users of a property decided for reinstatement would be able to continue to use the property for their own purposes for up to three years.

On the conditions where a Turkish Cypriot built or restored a residence, apartment or an office on an old Greek property or land, in other words on the conditions of *significant improvement*, then the concerned individual shall apply the title deed of the land from the Property Board. If the value of *significant improvement* is more than the land the concerned land will be given to the Turkish Cypriot. However, the Turkish Cypriot shall pay the value of the land to the old owner. On the other hand, according to the Annan Plan, when determining value of *improvement* 'market value' and when determining value of a land, 'current value' measurements will be taken into consideration. In other words, a Turkish Cypriot's *improvement* will be appraised according to Northern Cyprus market, and a Greek Cypriot's old property will be appraised according to the South Cyprus market. Therefore, since the property values are higher in Greek Cypriot market, buying a title deed would be impossible for a Turkish Cypriot. (The Annan Plan, p.101. article 14)

In order to buy equivalent property the value of the Greek property in north, should be 50% more than the value of Turkish property. If this value is higher, it is impossible to buy an equivalent property. (The Annan Plan, p.129, article 12)

Since the evaluation of values of properties was made by ignoring the 1963 and 1974 events (The Annan Plan, p.135), Turkish properties value less than the Greek properties. According to the 'current value' measurement in the Annan plan, a Turkish property in southern part costs 1400% higher than the Turkish properties in northern part. (The Annan Plan, p.135).

Then again, according to the Plan, the number of Turkish Cypriots who would lose their lands is 60.000, and to provide them a settlement in Northern Cyprus would require at least 15.000 constructions of new houses. In addition to those, another 60.000 thousand people would lose their own properties, firms, restaurants and hotels due to the migration of Greek Cypriots to north. To summarize, 120.000 people among 200.000, would face difficulties, become homeless and unemployed (Hisarcıkoğlu, 2003:6).

3.5. What would happen if the Annan Plan was accepted?[13]

If the Annan Plan had been accepted not only by the Turkish Cypriot side, but also by the Greek Cypriots side on the 24th April 2004 referendum what would have happened?

First of all, TRNC would have been abolished and in place "United Republic of Cyprus" would have made its 4th year. So, according to the Plan, on 13th June 2004, two states' federate deputies, senators, and EU deputies would have been chosen for the "United Republic of Cyprus". The presidency committee of the federal parliament would have composed of 9 members in total; 4 Greek and 2 Turkish permanent members who would have also the right to vote and 3 members; 1 Turkish, 2 Greek who would have the right to vote. Since the duty of the presidency committee way to be 5 years, in a year later the elections were going to take place. Stage by stage, return of lands would have continued from Turkish side to the Greek Cypriots. Approximately 20,000 Greek Cypriots would have returned to their previous lands or homes. At the same time, return of the Greek Cypriots who had accepted living under Turkish Cypriot authority would have been started.

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[13] This part consists of information based on a summary of Prof. Ata Atun's book: Kıbrıs Eksenli Siyasete Akademik Alarga. Vol.2

Since Greek Cypriots would have participated in the elections of Senate in North Cyprus, and possibly would have elected a Greek Cypriot, As a result the equality in the Senate would have eventually broken down (The Annan Plan, page 29, article 22)

In addition, only 45,000 of the settlers from Turkey would have been allowed to stay. The rest of them would have been forced to turn back to Turkey.

Greek Cypriots who were the owners of property before 1974 would have had a right to get back their properties in three to five years. Since all of them would not have been able to take back their properties, they would have gained the right to take compensations.

In 4 villages in the Karpaz region, without any limitations, the Greek Cypriots would have settled down and gained political autonomy.

Collaboration between Turkish and Greek Cypriots in all sectors would have been commenced and probably as being more powerful in terms of economic structure. The pressures from the Greek Cypriot state would have been felt. Turkish Cypriots four times being immigrants, when returned to their own properties in the South would have found them as expropriated or ruined. Because of this, and because of not being able to return, and know what to do, disputes between the Greeks coming to North would have been started. In Greek local courts regarding compensations probably decisions against Turks, and in Turkish local courts probably decisions against Greeks would have been taken which would have created chaos uneasiness through the island.

Due to the demilitarization program both RMMO (Greek National Guardsmen Army) and GKK (Turkish Security Forces commandership) would have been dissipated. According to the Annan Plan almost all of the Turkish Troops were going to be withdrawn by now. Only 6000 left.

There would have been a great tension between two communities due to the law trials which were opened against Turks since they used Greeks houses since 1974. According to the last arrangements 1/3 of the Greek property would

have been given back but 2/3 of them would have started to take their compensation back.

Since there were not enough number of Turkish personnel who had taken courses that compatible to EU norms most of the strategic governmental vacancies would have been filled by Greek Cypriots. This means that briefly the new Republic of United Cyprus would have been ruled by Greeks. Because of this situation chaos would have led some Turkish Cypriots to immigrate abroad.

Although the application of the Annan plan would have reduced not only the size of the Turkish land to %28 from holding %37 but also include losing a fertile land Guzelyurt (Morphou), which would have created difficulties for Turkish economy (Dodd, 2006:2), the Turkish Cypriots had accepted the Annan Plan's approval and almost for the first time in its history, materialized very large demonstrations for the acceptance of the Annan Plan.

3.6. Current Developments Aftermath of the Annan Plan

As of today, no efforts have been successful in bringing Cyprus issue to a conclusion yet and the settlement since 1974 continues as it was.

Recently, TRNC government wants to find a solution and tries to persuade the Greek side to come to an agreement. The objective of Turkish side is no more than to come to an agreement providing the equal status that the 1960 treaties envisage. Unfortunately, the negative attitudes of the international community towards Turkish community haven't changed yet.

As of today, after Talat and Christofies met on 21st March 2008, it was decided to set working groups and technical committees. These committees and working groups were planned to be directed by Ozdil Nami, who is a deputy from CTP, and President Talat's assistance on this subject. And by Yakovu from the Greek side.

The working groups and committees got together on the 18th and started meetings on the 22nd of April 2008.

President Talat informed the civilian community associations related with the working groups and committees. The following is a summary of the information giving by President Talat:

1.   One of the basic principles that we mutually agreed with the Greek part are that these working groups will not be able to make negotiations. Only Leaders will be in charge of negotiations.

2.   These working groups will take pictures of the current situation of both Turkish Cypriot and Greek Cypriot sides. After this investigation, the possible alternatives that can be produced will be discussed.

3.   The technical committees will also try to analyse matters about daily life. All discussion and bargaining that takes place between the technical committees, will be applied only after the leaders' approval.

President Talat as an answer to a question explained the red lines of the Turkish Cypriots as having:

1.   Political equality

2.   Two founding states' with equal status. (but he did not explain what kind of a status it will be)

3.   Virgin birth formation. That is to say that new state to be established will not be the continuation of RoC. It will be a new state but at the same time not brand-new. It will carry elements of both of the two states.

On the other hand the red lines stated by the first president Denktaş and shared by the majority of the public include: (according to the latest public surveys %65 of public is in favour of presence of two equal people and two states. And at the same time %98 of people in Turkish side are in favour of presence of Turkish soldiers on the island.)

1.   Two equal, sovereign states

2.   Two sovereign states' equality (even in case of a treaty, TRNC's name, adjective and with its symbols should constitute the Turkish side.

3.   Through law, restriction of undiluted two-sides, freedom of movement, freedom of settlement rights and on these points, taking permanent derogations from EU as undivided whole.

4.   Continuation of Turkey's active and de facto existence. (Including one-sided right of intervention and to update the level of forces of Turkish and Greek soldiers).

5.   In case of a treaty, acceptance of EU law at first hand, an agreement which would not be a trial subject in EU and international law institutions.

6.   Complete realization of the Turkish Cypriot side's EU membership with the same timing of Turkey's full membership (until that time accommodation to EU works should be carried on parallel with Turkey.

7.   Integrity of a solution. (Pieces of solution should be avoided).

8.   The probable agreement should be approved by the referendums which will be hold in both parts.

9.   The proprietorship should be globally taken into hand and solved with compensation and exchanging.

Currently, after several months of working groups and technical committees efforts the leaders got together to start negotiations process on the 3rd September 2008.

It is interesting to ask how an issue can be discussed through generations when international community, international organizations and governments come together periodically make meetings, but the same issue never gets resolved. Sometimes, in some cases where there are international issues, main

parties see some benefit from the status quo, by not solving the problems. Here, in the case of Cyprus, the fact that only one side needs negotiation, whereas the other side has no intention; this fact naturally brought about the result of failure of agreement. This situation has been going on for years.

The Turkish and the Greek Cypriots have been negotiating more than 40 years and no agreement is reached yet. One of the most important reasons for not having any settlement in the process of the UN talks on the Cyprus issue is the resolution 186 taken by the UN Security Council on the fourth of March 1994. By this resolution, the collapsed Republic and the government of Cyprus were presented as if it existed and the Greek Cypriots were given the right to possess this status. Since then, the Greek Cypriots have obtained the status of being the legal owner and the representative of the Republic of Cyprus, whereas the Turkish Cypriots have become the rebellious minority which rose up and separated from the local central government. Being irrelevant to the essence of the Cyprus issue, "Settling down the problem" has become almost impossible on this basis. In other words, the Greek Cypriots' so-called membership to EU as the representative of the 'Republic of Cyprus' has brought the issue to the dead end.

The referendum result indicated two facts: first, without the consent of parties no agreement could be reached, and second if any solution are to be argued, the recognition of TRNC should be at first step, because unless the international community accepts the equality of Turkish Cypriots people with Greek Cypriots, the Greek Cypriot side will never have any incentive for compromising with the Turkish Cypriot people. Thus the future of the island strictly will depend on the international actors concerning the Cyprus Conflict (Balcı, 2004).

CHAPTER IV

SCENARIOS

4.1. A Brief History of Conflict in Kosovo and Its Relevance for Turkish Cypriots

One of the possible scenarios for the future of conflict in Cyprus and its resolution is the unilateral declaration of independence and the universal recognition of the Turkish Republic of Northern Cyprus. One very typical case to discuss such a scenario is that of Kosovo. In the text of Kosovo's declaration of independence that had been signed by the prime minister, Hashim Thaci and the president Fatmir Sejdiu, independence is stressed to be the result of a determination on the part of MPs to "give our people clarity about their future, move beyond the conflicts of the past and realize the full democratic potential of

our society"[14]. In order to analyze why independence in the case of Kosovo is the sole means to reach these goals and to compare it with the case of Cyprus, looking at the history of the region in terms of the existence of self rule and the characteristics of the relations between ethnic groups living in the region, namely the Albanians and the Serbs as well as the motivations of the third parties in either supporting the status quo or proposing change, will be the focus of the following paragraphs. As the sentence above indicates, one of the targets of this unilateral declaration of independence is the actualization of the potential of democracy in the country which makes it necessary to discuss why independence rather than coexistence is the only road to reach this target. This will mainly be related to the literature about the relationship between ethnic conflict and democracy. John Stuart Mill (1951) indicates that a consolidated democracy is "next to impossible in a country made up of different nationalities". Apart from the structural barriers such as the political misrepresentation of one group, in the contexts of 'different nationalities' or ethnic groups that are in conflict, the concreteness of the psychological barrier has to be taken into consideration. Olgun defines this psychological or behavioral barrier in Cyprus as "the amount of mistrust in the Island, the deep crisis of confidence that exists" and argues that the history and effects of these

[14] *Kosovo Declaration,* Retrieved: 25/06/2008 from: http://news.bbc.co.uk/1/hi/world/europe/7249677.stm

barriers "need to be addressed and this cannot be addressed if, for example, one party claims that it represents the whole Island, including the Turkish Cypriots" (Ergun, 2000). What we talk about is a context where democratic cohabitation is decreasing rather than increasing the effectiveness of democracy due to the persistent imbalances in social, political and economic terms between the two communities and the constant violation of the rights of one group by the other. Blaming the suspicions of the party that constantly suffers from these imbalances as the reason for failure of negotiations is a biased argument which in fact does not fit into the democratic premises that are tried to be maintained.

Compared to the case of 'velvet divorce' between these two ethnic groups in conflict, like in the case of Czech and Slovak groups in former Czechoslovakia, Kosovo case is a good example to reveal the legitimacy of the unilateral solutions whenever such a divorce seems to be impossible, which shows significant parallels with the justifications of TRNC for independence. It is necessary to take into consideration that the discourse of peaceful settlement of the conflict through dialogue within the existing status-quo culminates in the systemic discrimination of one side which violates the basic norms of both democracy and human rights. Apart from this ethnic conflict, how the experience of autonomous self government starting with the Ottoman Period,

continuing under the Yugoslavian regime, distinguishes the case of Kosovo from other secessionist cases which is another significant variable to discuss in terms of its relevance for the case of TRNC. The last but not least reason why Kosovo is an interesting case to study for the purposes of this thesis is that despite all the similarities with the case of Turkish Cypriots, in the international arena, most of the countries that refuse to recognize TRNC as a legitimate state for years have immediately acknowledged its legitimate status after its declaration of independence. Thus, after the analysis of the similarities between Kosovo and TRNC, the target is to discuss the paradoxes about the recognition issue with respect to the Turkish Cypriots.

The history of Kosovo with territorial autonomy will be read in terms of the insufficiency of this method to deal with the problems of deeply divided societies and how it carries within itself the seeds of higher instability. With these purposes, the target of the following paragraphs will be having a brief look at the history of Kosovo in terms of its relevance about the Cyprus question and why and how it provides an effective scenario to resolve ethnic conflict there.

In order to analyze the history of conflict in Kosovo, choosing different starting points are possible in accordance with the purposes of analyses. In this thesis, to stress the symbolic importance of the territory of Kosovo, especially for the Serbians, and the possible role of this symbolic importance plays in the road to violent conflict between Kosovar Albanians and Serbians, the starting point will be the Battle of Kosovo in 1389. After the Ottomans conquered Kosovo in 1389, Turkish and Albanian people had started to be placed there and Serbs ceased to make up the majority of the population. As Malcolm (1998:58) indicates:

> It does make sense to regard the battle of Kosovo as an important turning point... And in any case, the significance of this battle to the Serbian people is not to be measured simply in terms of its political-strategic consequences . . . but it has become a totem or talisman of Serbian identity, having a status unlike that of anything else in the history of the Serbs.

As the Ottoman Empire started to control the Balkans, Albanian people replaced Serbs in the territories that are today known as Albania and Kosovo. The battle and such a replacement of the population is what are referred to as 'Kosovo myth' in the hearts and minds of Serbian nationalists. The Albanian-Serbian relations after the Ottoman rule and later on during the Balkan Wars are widely discussed in the literature regarding the history of conflict in Kosovo from different perspectives. The most important dates which culminated in

Albanians' being in majority in Kosovo are 1690 and 1737 when the attacks of

Austria-Hungarian Empire against the Ottoman territories ended up with

failure. The Ottoman rule in the region continued for almost 500 years which

ended up with the redefinition of the borders in the Balkans with the Treaty of

Berlin in 1878. With this Treaty, Serbia and Montenegro and Romania became

independent states. Thus, the reemergence of Serbia with Serbs as a separate

ethnic group with a state of its own took place in 19th century (Klemencic, 1998:

52-61). However, the newly established Serbian state annexed Kosovo only after

the Balkan Wars and until then Kosovo continued to be the part of the Ottoman

Empire. With the breaking of the Balkan Wars in 1912, the Turks started to be

driven out of the region and the province of Kosovo was invaded by the Serbs.

With the London Treaty in 1913, the province of Kosovo became part of Serbia.

At that time, the population of Kosovo was predominantly Albanians who were

Muslims and their dissatisfaction with the idea of being part of Serbia gave birth

to the ideas of independence starting from that time onwards. Therefore, as

Klemencic (1998:52) summarizes,

> Ethnic Albanians were not in favor of becoming part of Serbia and
> the urban classes of Kosovo Albanians had given birth to the idea of
> Albanian independence in the 19th century. They did not welcome the
> territorial arrangements resulting from the Balkan wars which
> resulted in the division of Kosovo from the newly created Albanian
> state by an international border. The Albanian desire to secede from

Serbia is therefore, not an aspiration born in the context of Yugoslavia's breakdown in the early 1990s. The roots of mistrust between Serbs and Albanians run deep. Since 1913, when Kosovo was annexed by Serbia as a result of the Balkan Wars, the Albanians have desired escape from Serbian rule.

After becoming part of Serbia, Kosovar Albanians started to be seen as a threat to the stability in the state which affected the policies of the Serbian state towards them and imprisonment or forced migration were some of the means adopted to deal with this 'problem'. Still, these anti-Albanian policies in the side of the Serbian state did not change the composition of the population in Kosovo significantly and at the period of the establishment of the Yugoslavia, the ethnic balance there was not in Serbs' favor.

After the end of the World War I, some Ottoman and Austrian lands which were inhabited by Croats and Slovenes other then Serbs were added to the Kingdom of Serbs. This territory was renamed as Yugoslavia in 1929. Kosovar Albanians were not content with even their name's being non-mentioned as the constituent populations of the state and they sent a petition to the League of Nations, declaring their demands to be included in Albania, which was rejected. Later during the World War II, Tito was supportive of a unified, autonomous Kosovo in the Yugoslavian state thanks to their contribution to the National Liberation Movement. The hostilities among the Albanian and Serbian part of

the population were not resolved after the World War II; on the contrary, as Kosovo remained to be integral to Serbia and to be governed from Belgrade, the tensions and polarizations amongst the society continued to increase. The Kosovo Albanians were first harshly repressed by the Yugoslav government in 1960s. However, despite of the gradual increase in the autonomy of Kosovo from being acknowledged as an autonomous region in 1946 to an autonomous province, under the 1974 Constitution of Yugoslavia, Kosovo continued to be part of Serbia while de facto being one of the federal units, with provincial authorities and a Federal Assembly.

Finally, Kosovo was granted a Constitution of its own as well as a University and judicial institutions of its own as well as being acknowledged as an equal official unit with the other units in the Yugoslav Federal State. One of the arguments against secession and self determination as a way of managing conflict is the lack of having experienced with the process of governance and state formation which might end up with increasing tensions and violence among the society rather than peace. Significant experience of autonomy and self rule is one of the necessary conditions for declaring independence in order to eliminate such an option which is present in the case of Kosovo which is another relevant and important similarity between the two.

As Hudson summarizes, "Under Tito, Kosovo and Vojvodina were granted greater autonomous status by the Yugoslav Constitution of 1974, with considerable political power and near equality with the six republics that made up the Socialist Federal Republic of Yugoslavia" (Hudson, 1999). However, also, Alexander Rankovic's period of repression until his being taken away from the position of being Yugoslav Interior minister by Tito, Kosovar Albanians again experiences a period of significant violations of human rights, harsh repression and discrimination (Beurmann, 2008:41-44).

Another issue that became instrumental for the Serbian government to adopt repressive measures over Kosovo was the discourse about the bad treatment towards the Serbian minority in Kosovo (Klemencic, 1998:55).

After Tito's death, the demonstration of the Kosovar Albanians ended up with even more increase in enmity towards Albanians in Kosovo in the side of the Serbians. Things started to heat up as the Serbians started to "give notice that Serbs did not intend to be victims any longer, that Tito's polices were going to be reversed, that past "mistakes" such as constitutional accommodations to the Albanians of Kosovo would be erased" (Rogel, 2003:167-182). It was under

these conditions that Slobodan Milosevic became the leader of the Serbian communists in 1987 by adopting such a discourse. Under these circumstances, in 1989, this autonomous status of Kosovo was annulled in order to strengthen the central Serbian control over the region which ended up the proclamation of 'Independent Republic of Kosovo' in 1991.

As Rogel (2003:173) indicates, "on 22 September 1991, when war was already in progress in Croatia, the Kosovars held a referendum on establishing a republic, an effort that met with overwhelming voter support. Thereafter school and university documents were stamped 'Republic of Kosovo'. Of course, none of these developments were acknowledged by Serbia". In fact 1990s were the times of the emergence of the parallel institutions in Kosovo as a resistance to the Serbian rule, such as parliament, education or taxation mechanism, which was called "parallel society".

Therefore, when we come to 1990s, things turned out to be getting even worse in Kosovo since "difficult issues that began to escalate in the 1980s developed into serious problems for the continued stability of the area and, finally, reached the boiling point near the end of the decade" (Ramet, 1999). The Dayton Peace in 1995 after the Bosnian War ended up with worsening of the

conditions of Kosovar Albanians rather than improving since the pacifist and non violent strategy culminated in their status' not being seriously considered by the international authorities. With the recognition of Serbia and Montenegro and Kosovo as its part, the pacifist policies started to be replaced by more militaristic measures with the establishment of Kosovo Liberation Army (KLA) and the National Movement for the Liberation of Kosovo. In fact the establishment of them dates back to the period before the war, not after it but still during the peace talks the indifference about the conditions of Kosovar Albanians itself became one of the reasons that led to the increasing tension and violence. When the potential threat to the civilian lives in Kosovo was finally recognized, the already established conflict management mechanisms were "no longer sufficient to restrain the Serbian and Yugoslav security forces and led to the three month war of the North Atlantic Treaty Organization (NATO) against Yugoslavia, while the Serbian and Yugoslav authorities engaged in a ferocious campaign of ethnic cleansing against the Albanian population" (Bieber, 2003:1). The most commonly known of these events of mass killings is the Racak Massacre of 1999 which finally convinced the international peace building actors about the necessity of taking some measures in the region in order to protect the autonomy of the Kosovar Albanians.

Due to all these reasons, Kosovo can be argued to be providing a significant case about the possible outcomes of sidelining the conditions of a certain group seeking independence in the part of international institutions.

When this is applied to the Cyprus question, especially about the question of European Union membership and UN initiatives for resolving conflict in the region, the Kosovo case provides a 'through the looking glass' (Chesterman, 2001) case which clearly shows the results of a scenario that is written without taking into consideration the sensitivities of the Turkish Cypriots. Kosovo had been under the trusteeship of the United Nations since the 'humanitarian intervention' of NATO in 1999 until the declaration of independence. Thus, it is possible to talk about the existence of a state building experience in Kosovo independent from Serbia which is a case that has a lot in common with the case of Turkish Cypriots. The independence of Kosovo can be read as a case of how the policies of suppression might not end up with the results that are expected. These policies can be traced to the period of Milosevic starting with the Dayton Agreement in 1995. The measures taken in the part of the EU to prevent armed conflict in the region has been weak although the high possibility of such a conflict was acknowledged to be high.

Then, after the war broke out in 1999, the casualties were as such: "Up to 10.000 or so Kosovar Albanians died at Serb hands, mostly innocent civilians, thousands more were raped or otherwise brutalized. Some 800.000 people were forcefully expelled from Kosovo and hundreds of thousands more were displaced within the territory" (Daalder, 2000:2).

In the recognition of Kosovo as an independent European state, the contribution of these scenes of violence experienced by the Kosovar Albanians cannot be rejected. Self determination as the sole solution for managing the conflict among the two ethnic groups thanks to the barriers for coexistence has been recognized in the case of Kosovo at the end of such a historical background, the details of which have been discussed in this chapter. However, the international actors and Western states fail to show such kind of an understanding as they do to Kosovars to the Turkish Cypriots. Such a failure might be the result of their tracing the reasons of conflict to 1974 which means the origins of conflict are attributed to a single third actor rather than being the end result of the internal dynamics of the cleavages among the deeply divided groups.

However, the role of this third party, which is Turkey, was not intervening to an otherwise non-conflictual dialogue between the parties. On the contrary, in 1974, she played the role of the guarantor of security and peace based on non-discrimination of the minority group since "a power-sharing pact in itself is often insufficient for peace: it requires a combination of a power-sharing pact and a third party security guarantee." (Jarsad 2007:229) As Jarsad (2007) indicates, in Cyprus of that time "the majority abolished the power-sharing arrangements, thus spurring a vicious circle of ethnic violence and segregation that resulted in an ethnically divided and de facto partitioned state" (Jarsad, 2007:229). In other words, this failure in adopting the true, not short-sided lenses to analyze the Cyprus issue makes it impossible for the states that do not recognize TRNC to see the parallels between the cases of Kosovo and Turkish Republic of Northern Cyprus.

As the discussion above about the history of conflict in Kosovo and its relevance for the Cyprus case indicates, recognition of Kosovo without doing the same for the Turkish Cypriots can be attributed to such a biased perspective which is already the derivative of the discourses of one side of the conflict. In other words, in Cyprus, there is the same type of the ethnic conflict that we have discussed in the case of Kosovo and the scenario of internationally recognized

independence of TRNC is the most accurate and consistent way of managing conflict in the region. Thus, to sum up, the existence of *enosis* in the case of the Cyprus question and how Kosovo has been argued to be the orbit Serbian nationalists despite of the population's being 90% Albanian, autonomy rather than independence, regardless of the level of autonomy, cannot be considered as a democratic solution where all groups are equally represented. As the events under the rule of Milosevic reveals, under the cases of autonomy, no matter how high this level of autonomy is and no matter how strong or international the guarantors of this autonomy are, especially under the circumstances of such a deep and long division among the groups, there is always the possibility that one group, which is the majority, declares the other as its orbit and resorts to discriminative and violent means towards the other. Under these circumstances, the declaration of independence's being unilateral, as the Kosovo case reveals, is not a sufficient enough reason to refuse recognition for this state and waiting for a 'violent divorce' or looking for democratic ways to manage the conflict might end up with disastrous results. As Denktaş indicates:

> Let us review the declaration of the Greek leadership (Klerides): "Since the world recognizes us as a legal government without the existence of Turkish Vice President, Turkish ministers, Turkish members of the parliament, then why should we make concessions to the Turkish? They either do as we wish or leave". They do not need to compromise. They were somehow afraid because of Kosovo; but when the US and Britain declared that Kosovo would be no example

to Cyprus, and that TRNC would not be acknowledged, they were relieved[15].

As it had been stressed in the words of Denktaş, the solutions without the recognition of independent Turkish Republic of North Cyrus, like in the case of Kosovo, will obviously end up with the 'love or leave' attitude of the Greek Cypriots who are encouraged with the non-recognition policies of other states and international or supranational actors. The particularities of the cases has to be taken into consideration, such as different historical backgrounds to analyze the existing structural or psychological barriers for cohabitation and the methods to be proposed to deal with the conflict should take these particularities into consideration.

In the literature about various ways of managing conflict, there are people who argue that democratic countries have to resort to democratic means to resolve the countries and the solutions proposed by aggressive means cannot be accepted as legitimate since they are suitable for autocratic regimes (Klicperova, 1996). However, the events that led to the Turkish intervention in the case of TRNC and which third party by violation of the international treaties and by

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[15] Denktaş Rauf, from his interview with Sulay Sütcü, (19th March 2008.)

resorting to violent measures made democratic tools insufficient to manage the conflict has to be discussed in detail before ending up with fast conclusions.

The Annan Plan and the non-compromising attitude of the Greek Cypriots, which has been discussed in detail in relevant parts of this thesis, also gives enough reasons to be critical about the argument of Turkey's being the aggressive party in resolving the conflict. Before making such arguments, it is necessary to reconsider why there was a need for guarantor states for the two ethnic groups living in Cyprus and the conditions why Turkey felt the necessity to actualize this role in the region. Moran's description of the deeds of Makarios, the Greek Cypriot leader and the Archbishop of Cyprus in 1950, is very telling in that sense: "Makarios regarded the Turks in Cyprus as a decidedly alien and insignificant minority who should never have been given partnership status with the Greeks, as laid down in the 1960 constitution, a constitution he was determined to destroy." (Moran, 1999:58-62).

Although the sensitivities of the Turkish Cypriots as a derivative of all this historical baggage the effects of which are still very fresh, in fact the denial to act is the general attitude within EU (Neuwahl, 2000) The events in Kosovo which led to its independence that is recognized by the European states except

Serbia as well as USA reveals significant similarities with the Turkish Cypriot case and such a comparison between the two cases provides enough supports about the necessity to acknowledge the independent statehood of Turkish Cypriots. The massacres of the 1960s which are being told from the words of the eyewitnesses in Banamie's article, 'Cyprus's Forgotten Turks' (Nuray: 2002) which again shows parallels with the Kosovo case in terms of the level and characteristics of the relevant ethnic conflict. Thus, comparison of the two states which is recognized and which is not should make it necessary for the Western states to reconsider their biases about TRNC and why its recognition as a state is the sole means to resolve the conflict there.

Also, as Mango indicates, in fact since 1970s, the two ethnic groups are experiencing democratic self rule in their ethnically homogeneous regions and there is no example of a peaceful turning back to a multiethnic unitary state. The case of Kosovo is also relevant here since such an attempt by international institutions have had disastrous conclusions. In his words, "There are no examples of the reconstitution of multiethnic societies, after these have broken up into separate ethnic components. True, the international community is trying hard to reconstruct multiethnic societies in Bosnia and Kosovo. But results have been meagre." (Mango, 2000)

So far, the particularities of the conflict in Kosovo and its dominantly ethnic character have been discussed and what to learn from the case of Kosovo in order to end up with an effective scenario for conflict management in Cyprus have been questioned. For better comprehension of why this scenario should be the one to be adopted in the case of TRNC, discussing why other scenarios adopted in cases with different types of conflict are not appropriate might help. In order to that, the differences of these cases from that of Kosovo and why the applicability of certain scenarios that work in those contexts is not possible for managing conflict in Cyprus should be better analyzed. One of these cases, which are both very similar to and different from Kosovo and which are mostly referred to as cases of smooth separation and peaceful conflict management, is that of Montenegro. The main question to be answered regarding the Montenegro case in terms of the purposes of this thesis is that why independence of Kosovo and its recognition had been characterized with all these difficulties and sufferings when Montenegro that was seeking independence from the same country did not have to face all these burdens.

In the following chapter, this question and the relevance of its answer for the Cyprus question will be discussed.

4.2. Serbia and Montenegro: A Case of Non-Ethnic Conflict and the Right of Self Determination:

Having discussed the resistance against independence of Kosovo by Serbia and its refusing to recognize it as a separate state, a comparison with the case of Montenegro which was seeking independence from the same country and which did not have to face such a resistance might be useful to analyze the determinants that shape the characteristics and level of conflict and hence its resolution. Apart from having seceded from the same country, another similarity between the two cases is that Serbians are in minority in both of the countries which is a factor that increased the tension in the case of Kosovo. To analyze the difference between the attitudes of Serbia towards the demands of Kosovo and Montenegro, one should look at the particularities of the Kosovar and Montenegrin identity and how their relationship with Serbia is characterized. In the literature, there is a consensus about the fluidity of the distinction between Serbian and Montenegrin nationalities and hence it is in sharp contrast with the cases characterized by ethnic polarization and conflict. In other words, Montenegro and Serbia are more similar to each other in terms of their religion, culture and history. Still, leaving the analysis at the level of similarities and differences cannot give enough explanation about why

differences between Kosovo and Serbia turned out to be issues of conflict. At that level, the case of Turkish Cypriots more converge with that of Kosovo since the main problematic is the recognition of these differences and their rights of self determination rather than adaptation of violent or discriminative policies in order to assimilate or subordinate them. In order to clarify this point about the distinction between the cases of Kosovo and Montenegro and to answer which one of the scenarios is more suitable for TRNC, a brief look at the history of Montenegro and its conflict with Serbia might be useful.

After the Battle of Kosovo that ended up with the defeat of the Serbs by the Ottomans, Montenegro declared its independence and it formed an alliance with Russia in case she had to confront Albanians and Ottomans.[16] During the Balkan Wars, she fought against Ottomans as part of the Balkan League in 1912-13 and she also fought with Serbia during the First World War. Later on it became part of the Kingdom of Serbians, Croats and Slovenes which was then known as Yugoslavia in 1929. Still, Montenegrins, although being part of the constituent members of the state, they were not mentioned in the name of the state. During the Second World War, Montenegro was invaded by Italians and in 1946 it became one of the federal, self governing units of Yugoslavia and

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[16] Fur further information see http://www.onwar.com/aced/data/bravo/balkan1912.htm, Retrieved 10th June, 2008

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finally it was recognized as a separate nation. Still, until Milosevic, Montenegro supported Serbia in the wars of 1991-1995. The Republic of Montenegro declared its independence from Serbia on June 2006 which was widely recognized, including Serbia and became a UN member. The primary phases of this road to independence can be traced in 1997 when Montenegro started to adopt more of an independent policy (Clement, 1999: 60) as the pro-Milosevic policies were put to end with the period starting with Djukanovic's presidency. Djukanovic's distancing himself from Milosevic could also be observed in his attitude towards Kosovo and de facto independent Montenegro's receiving refugees from the region. As Milosevic tried to strengthen and enlarge the area of impact of the federal forces which would mean subordination of the Montenegrins who were in minority, Djukanovic attempted to replace federal forces with local ones (Gallagher, 2003:131-157).

The Union of Serbia and Montenegro that was established by the Union Agreement signed in March 2002, was in fact targeting prevention of a further fragmentation of the former Yugoslavian Republics, especially Kosovo. Yet, it was followed by the independence of the Montenegro state and finally with the independence of Kosovo, as it had been discussed above. Still, the two cases are different from each other in terms of a very significant determinant which is the

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existence of an ethnic conflict which plays a role in how peacefully conflict is managed and how easily secession and formation of an independent state is recognized. In the case of Serbia and Montenegro, what is being referred is not two ethnically different groups. Rather, Montenegrins are distinguished from the Serbians not in cultural or religious terms like it is the case for Kosovo and Montenegro is a country that is "peopled by the Serbs but recognized an exceptional Montenegrin character" (Lyon, 2004:53). Hockeno and Winterhagen (2007:39) also stress the same point about this kind of particularity of the 'ethnic' conflict between Serbia and Montenegro by saying that:

> the Serbs and the Montenegrins, are closely linked by religion (Eastern Orthodox), language (Serbian), culture, and history. There is no majority people (Montenegrins 43 percent, Serbs 32 percent, Bosniaks 7 percent, Albanians 6 percent, Muslims 5 percent, Croats 1 percent) and the ethnic Serb leadership, though nationalist, was not in a position to rally its people to go to war with Montenegrins, even if it had wanted to.

Therefore, one of the important characteristics that have an impact on Serbian and Montenegrin relations is that both groups come from South Slavic origin. This means that there are cultural, religious and linguistic commonalities between the two which are important determinants that shape the face of the conflict between the two and the peaceful nature of it resolution. These shared characteristics and the past of friendly coexistence are relevant variables to take

into consideration while discussing the peaceful and mutually recognized independence of Montenegro although it was a unilateral declaration.

Another case which is argued to be the best example of peaceful means to solve conflict is Czechoslovakia. However, the non-applicability of this case to Cyprus question makes it necessary to question the reasons why one party constantly rejects recognizing the independence of the other, which are in fact the same reasons why peaceful means ceased to be an option any more in 1974. To clarify the particularities of TRNC case in question, one method can be comparing the Kosovo case with that of Czechoslovakia. It was the lack of the dynamics that led to violent conflict in the former that allowed for a 'velvet divorce' between Czechs and Slovaks and such a comparison to figure out the specific variables that are in effect in the case of Kosovo but not Czechoslovakia will be the target of the following paragraphs. Then, the relevance of these variables for the TRNC case will be opened to discussion.

4.3. The Case of Czechoslovakia, the Road to the "Velvet Divorce" and Its Divergences from the Case of Cyprus

Czechoslovakia as an independent state has been established in 1918, as the result of an attempt to transform different parts of the Habsburg Empire into democratic modern nation states and this experiment ended in 1992 with the split of the country into two independent states which are Czech Republic and Slovak Republic. During these 74 years experience, violence means to solve the conflicts were not resorted to which is still being discussed in the conflict management literature as an ideal scenario. The term 'velvet divorce' also connotes to the peaceful environment and mutual agreement even at the stage of splitting into two. In the words of Ulc (1996:331), "Without a single nose bloodied, the two former spouses divided common property, hoisted flags, sent ambassadors to each other and took separate seats in the United Nations" (1996:331). The existence of such an example renews the belief in the possibility of peaceful and mutually agreed ways of dealing with ethnic conflicts but this Czech and Slovak case should not be generalized without understanding its particular determinants which might be non-existent in other cases. Therefore, to analyze its propensity towards mutual agreement among ethnic groups both to live together and to separate, it is necessary to study the story of

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Czechoslovakia starting with its establishment to its splitting into two in a comparative manner. In order to discuss its relevance for the Cyprus case, comparing such a history with that of the Kosovar Albanians as it had been indicated above might help.

During the period that is known as the first Czechoslovak Republic, until the time of being conquered by the Nazi forces during the Second World War, which is between the years 1918 and 1938, ethnic or religious identities in the two regions were no counterpart to the political affiliations. However, following the first free elections after the Second World War, in 1946, people in Czechoslovakia started to vote on the basis of their regional or ethnic concerns. This is mainly related to the experience of having an independent state between 1939 and 1945, namely the Second Republic, in the part of the Slovaks (Hilde, 1999:650).

In 1938, to prevent a possible German invasion due to its demands about the German speaking Sudetenland within the borders of the country, Czechoslovakia was forced to give this area to Nazi Germany by UK and French forces, which is known as the Munich Crisis (Ben-Arie, 1990:431-446). It was in this period when the connections between the Czech and Slovak regions started

to be loosened due to the de facto split of the Czechoslovak state into Slovak Republic and Protectorate of Bohemia and Moravia.

In the period of Communism between 1948 and 1989 the post-war distinction was not totally gotten rid of the government of the country was left to a coalition government which became a federal republic, consisting of Czech Socialist Republic and Slovak Socialist Republic, as it is told in the 1960 Constitution. These autonomous republics had many functions and responsibilities related to the issues about their particular regions but like a typical socialist regime, the main decision making organ for both of the groups was the Communist Party. During this period of Soviet domination, the claims for reforms and political liberalization led to the events of 1968 which are generally known as the Prague Spring and which ended with the Soviet and other Warsaw Pact allies' invasion of the country with the purpose of ending these reforms. One significant discussion in this period of reform was about the rights of the different national groups for self determination which can be argued to have a significant effect in the gradual splitting of the country into Czech and Slovak Republics. The Third Republic ended with the infamous non-violent Velvet Revolution in 1989. Then, after the collapse of Communism,

between 1990 and 1992, Czechoslovakia was officially a federal democratic republic with Czech Republic and Slovak Republic as its constituent parts.

In the period of Czechs and Slovaks establishing a common state, what brought them together was geographic proximity, similarities between the two languages and religious background of the people. In other words, compared to Yugoslavia, the linguistic, religious and cultural differences in Czechoslovakia, both being from Slavic origin, was very few. The 1920 Constitution establishing Czechoslovakia was establishing a unitary state with Prague as its center and a limited movement for autonomy took place in 1930s. Even under these circumstances, most of the Slovaks voted for living together (Stein, 2000). Thus, one can talk about the Czechoslovakia state as a 'clean' start, without the historical enmities such as in the case of Kosovo. In other words, in the Czechoslovak history, the territorial ambitions of one over the other or the third parties, which sharply differentiate it not only from the case of Kosovo but also from the case of Cyprus.

Also, despite of the relative homogeneity of the populations in both of the regions, especially after the Third Republic, which is the name given to the post-World War II period, still for example there was a Hungarian minority living in

Slovakia which did not pose a problem at the splitting or redefinition stage. However, in the case of Kosovo, the Serbian states claims and actions about the Serbian minority in Kosovo contributed a lot in the increase of violence in the region, which can be read as the significance of the attitude of the third parties and their territorial claims for the peaceful or violent characteristics of the split up or conflict management. Hence, in fact the origins of conflict between the two groups that finally led to splitting were in fact not ethnic but political and economic.

Czech region was the developed one compared to Slovak one during Czechoslovakia and it was the union that was seen as responsible for this in the part of the Slovaks. The Czech part was biased as the suitable part for investment and for final production due to the high material and human cost in the Slovak part (Bookman, 1994:178) This was ending up with increasing in the level of economic discrepancy between the two regions since as Czech region was seen as more suitable for investment and as the Slovak region was negatively biased in terms of its propensity for development, this was ending up with a self fulfilling prophecy.

Under these circumstances, both regions believed in the benefits of splitting up, Czechs seeing the other as a burden, having to constant subsidize it, (Ulc, 1996:333) and Slovaks seeing the other as the main reason for economic backwardness. This is briefly what is known as the 'Slovak Question' in the literature. Although how to the split the existing state budget as well as the state debts became problematic due this question of who produced or consumed more or less, this never led to a violent conflict among the two groups and peacefully resolved. The level of international support is also a relevant determinant in the case of the redefinition and re-equilibration of the newly independent economies.

In addition to that, compared to the autonomous stages of Kosovo changing from being an autonomous region to an autonomous province, Slovaks within Czechoslovakia were ensured about their separateness much more effectively and consistently than Kosovar Albanians. As Bookman (1994:176) stresses, "In the after- math of both unification in 1919, as well as federation in 1969, Slovaks were appeased with various measures ensuring their 'separateness' within the context of a state". Thus, the violations of human rights and the discriminatory policies that have been discussed in the case of Kosovo

are non-existent in the Czech and Slovak independence, which is a critical point to analyze in order to compare it with the case of Turkish Cypriots.

The difference regarding the attitude towards the communist political elite in the two regions is also one of the issues that are being discussed with respect to the road to the Czech and Slovak divorce, which can be defined as ideological differentiation among the groups. The period after the crushing of the Prague Spring in 1968 is called the 'normalization period' and according to Eyal, this period has significant repercussions on the divorce of the two societies since the Czech part after this crashing of the non-violent revolution ended up with the development of more of an anti-communist sentiments in the part of the elite whereas Slovak elite was "more rooted in communist institutions" (Eyal, 2003).

Hilde argues that such a division of political world views was not only true for the elites put also for the people, which continued after the Velvet Revolution in the shape of conflicts about the characteristics of the democratic institutions (Hilde, 1999:645).

Another political determinant was the deadlocks caused by the veto right of the minority which was put in the 1968 Law on the Federation in order to

prevent the Slovaks from being governed by the Czech majority. Special majority system set with the purposes in question in fact ended up with the possibility of 30 MPs out of 300 to block the amendments which had significant consequences in the perceptions about the future of the Federation (Hilde, 1999:645).

All these economic and political concerns merged together in order to pave the way to the velvet divorce. Therefore, when we look at the national identities of the Czechs and Slovaks, it is possible to argue that it was more of a political rather than an ethnic identity. Hence, the type of nationalism has an impact on the characteristics of the demands of the different groups which also determines whether peaceful political means can be enough to solve the conflict. The Slovak and Czech nationalisms that were mainly consistent of the elements discussed above can be put under this category compared to the cases of other independent states of the post-communist era. Under these circumstances, secessionist nationalism was not a question; on the contrary, it can even be argued that the decision of breaking up was mainly belonging to the elite without being based upon any public support. The nationalism of the groups was defined as 'autonomy nationalism', meaning not necessarily looking after forming an independent state but rather looking for possible ways of reform in

the existent federal state (Hilde, 1999:453). It was the consensus on the failure of these reforms that ended up with the peaceful breakup of Czechs and Slovenes. In other words, "On the one hand there were feelings of solidarity, but on the other hand there was a growing recognition of the incompatibility of the political representatives of both Republics. These practical considerations clearly won out in the end" (Jean, 2003:40). In fact, these characteristics significantly differentiate the 'Slovak Question' from the Kosovo Question and these differences have to be taken into consideration at the stage of recognition. Same is true for the case of Turkish Republic of Northern Cyprus.

To conclude, the peaceful character of the 'velvet' divorce in the case of Czechoslovakia is very much related to the mostly economic and political characteristics of the conflict rather than ethnic as it is the case in Kosovo. In other words, when the two cases are compared, what can be observed is that the challenges that have to be faced are different which ends up with having different outcomes as far as the level of violence in the conflict and whether the final solution is a unilateral or mutual one is concerned.

The ethnic characteristics of the conflict also consists of a particular challenge itself which is the role the ethnic groups outside the borders play and

whether they have any discourses about the territory of the conflicting groups. This variable can be named as 'cross border ethnic affinities' (Alker, 2001). Even the absence of this variable in the Czechoslovak case differentiates it from the case of Cyprus. In fact, even the e*nosis* factor itself that is reincarnated as the negative attitude of the Greek side regarding any possible solutions that acknowledge the rights of the Turkish Cypriots, even at the minimum level, is a sufficient factor to be suspicious about the possibility of a solution based on mutual agreement like in the Czech and Slovak case. This *enosis*, in the words of Denktaş is such a strong determinant that even when it was banned by the international Agreements, it "demolished the partnership republic formed with International Agreements in 1960, acted towards genocide against its Turkish partner, blaming its Turkish partner with rebellion by saying "the constitution is "dead and buried"[17]. Therefore, comparing the Cyprus case with Czechoslovakia and trying to some up with similar mechanisms of conflict management in order to create a peaceful scenario for recognition does not fit the particularities of the region. The Kosovo case and the recognition of its independence despite its being unilateral deserves much more stress to end up with possible scenarios to solve the Cyprus question.

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[17] Denktaş, Rauf. From his interview with Sulay Sütcü, (19th March 2008.)

CHAPTER V

CONCLUSION

In this dissertation, the Cyprus question and the problematic of the recognition of Turkish Republic of Northern Cyprus as an independent state have been discussed in terms of the history of the conflict, and possible scenarios. Through the detailed analysis of historical background of the island and comparing it with three different cases which are the independence of Kosovo, Montenegro and Czech and Slovak Republics, the possible outcomes of the resolution mechanism introduced by the Annan Plan has been questioned. In addition, the viability of other scenarios that may provide a better conflict management technique which can address to the expectations of not a single group but all and that can prevent the repetition of the conflict, perhaps in a more violent manner, has been brought into discussion. In order to answer all these questions, it has been argued that 'ethnic conflict' as a single category to

study the issues of tension between two ethnic groups is not a useful analytical tool without reference to the historical, geographical, social and political particularities of the different contexts of conflict.

In other words, the problems which different inter or supranational institutions have in coming up with an effective conflict management mechanism without recognition of the independence of TRNC is a derivative of their failure of formulating the origins of the problems in the region. The Annan Plan had been put as an insufficient plan that introduced a scenario which failed to take into consideration the particularities of conflict in Cyprus itself is a manifestation of the problematic of proper formulation of the question that is to be resolved. In fact, ironically, although the Annan Plan failed to resolve the conflict, the attitudes of the Greek and Turkish sides regarding the applicability of the plan made the origins of the conflict more and more obvious through revealing how one side is never to be satisfied with a win-win scenario but considers it as a zero sum game and how recognition of independence, like in the case of Kosovo is the most effective and legitimate scenario. As Talat indicates, although Turkish side was aware of the significant problems in the plan, they accepted it by considering it as a starting point for discussing the Cyprus question in an international arena but:

fundamentally, the Greek Cypriots could not accept any power-sharing formula with the Turkish Cypriots on equal terms. They could not tolerate it because they always saw themselves as superior. They are the ones that are rich, powerful, the ones from this planet. The Turkish Cypriots, on the other hand, were the Ottoman remnants, ignorant, incapacitated, poor, ordinary people; population-wise they were the minority. Therefore, they could not bring themsleves to accept a power-sharing formula on equal terms. Greek sociologists have conducted many studies in this field. They have studied the matter themselves , this is what they identify in their scientific researches. Consequently, Mr. Hristofias stated that in 1977, Makarios III made a great concession by accepting an agreement including the Turkish Cypriots' managing the Greeks. Do you comprehend what he means? There is going to be a two-regioned state, the Turkish would manage the Greek living in the Northern part. Even this was a suffering for them. …Even Papadopoulos is someone having an ideology seeing all people as equal and brothers; and even he accepts it as a suffering for Greek Cypriots to be managed by the Turkish Cypriots. This is the reason why an agreement cannot be reached"[18].

Without the analysis of such an attitude of one group towards the other which is not only protected by Greece as a guarantor state but now with the entire EU which has accepted 'Cyprus' as a member, resolution of the conflict in a non biased manner is not possible. In order to come up with a scenario that will most effectively provide a resolution mechanism to manage the conflict in Cyprus, it is necessary to identify the particularities of different contexts and not to enforce one scenario with distinct components as a solution for a conflict that has no components in common with that.

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[18] Talat, M. Ali. From his interview with Sulay Sütcü, (14.03.08)

In all the three cases discussed above, it is possible to observe a conflict

between two ethnic groups but in the cases of Montenegro and Czechoslovakia,

it has been argued that the conflicts were more of an historical, political,

ideological, and/or economic in nature whereas in Kosovo only it is possible to

talk about an 'ethnic conflict'. Therefore, it is necessary to distinguish ethnic

conflict from other types of conflict and to stress that it is not simply any conflict

that takes place between two ethnic groups. Wolff (2004:1,2) gives a detailed

explanation of what ethnic conflict is and what makes it particular:

> …ethnic conflicts are a form of group conflict in which at least one of
> the parties involved interprets the conflict, its causes, and potential
> remedies, along an actually existing or perceived discriminating
> ethnic divide. In practice matters are not that simple. Empirically, it is
> relatively easy to determine which conflict is an ethnic one: one
> knows them when one sees them …because their manifestations
> were/are violent and their causes and consequences obviously ethnic.
> On the other hand, the relationships between the different ethnic
> groups in post-Apartheid South Africa and the complex pattern of
> relationships between different linguistic and religious groups in
> India and Pakistan are also predominantly based on distinct ethnic
> identities and incompatible interest structures, yet their
> manifestations are far less violent, and it is far less common to
> describe these situations as ethnic conflicts. Rather, terms like tension,
> dispute, and unease are used.

Both the case of Kosovo and the Turkish Republic of Northern Cyprus fall into

the first category which makes it necessary to have a better grasp of the process

that led to the declaration of independence for both with the exception that the former was mostly recognized in the international arena which is not the case for the latter. Therefore, the recognition of the independent status of Kosovo immediately after its declaration itself proves the thesis of this dissertation which is that only independence of TRNC can be accepted as an effective conflict settlement strategy under the conditions of 'ethnic conflict'. The convergences with the Kosovo case and the divergences from other cases, as it had been discussed above in detail, reveal that the case of TRNC fits into the category of ethnic conflict where independence is the only way of resolving conflict and prevent the use of violence of one party over the other.

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