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**The Cyprus Dispute: What is the Cause for an Unachievable Reunification?**

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***Abstract***

Cyprus has become a diplomatic graveyard having frustrated generations of negotiators. It has now been exactly 53 years since Cyprus became a politically separated nation and for 43 years it has been a physically divided country. A permanent solution to end these divisions still proving to be elusive. There have been numerous, unsuccessful rounds of U.N.-sponsored direct and indirect negotiations to achieve a settlement in Cyprus. Negotiations focused on reconciling the two sides’ interests and re-establishing a central government. They foundered on definitions of goals and ways to implement a federal solution, yet talks have failed to yield any concrete agreement acceptable to both parties. The most intensive and “optimistic” negotiations which had been ongoing for the last three years achieved no progress, not only at the leaders’ level but also at the negotiators’ level. Turkish Cypriot Leader Mustafa Akıncı and the Greek Cypriot leader Nicos Anastasiades held their last planned leaders meeting, on 17 May 2017, at the UN building reserved for the negotiations in the buffer zone in Lefkoşa produced no result. A new round of talks over reunification of Cyprus enforced by the UN in Switzerland’s Crans-Montana on 28 June also ended in failure on 7 July 2017. There are numerous books and articles published regarding the Cyprus dispute, each expressing various views of opinions regarding the history, the dispute and the talks to find a lasting solution for the divided Island. This paper aims to point out the matters making Cyprus reunification unreachable. It gives an outline of the historical account of the events that led to the political and physical division of the Island and then analyses the most recent mediations and negotiations aimed at finding a lasting solution to reunite Cyprus as a political entity. The paper also attempts to answer the following questions: What are the roots and causes of the Cyprus dispute and what explains the reasons behind failed attempts at settlement negotiations? Why has there been no solution for the Cyprus dispute for such a long time and what makes it so difficult to achieve a set of agreements acceptable to both Cyprus Communities? What is the possible strategy for achieving a lasting, just, solution for the Cyprus reunification and what reduces the scope for conflict resolution in Cyprus? What should the dispute resolutions focus more on? What is the impact of history on the conflicting parties and on the dispute resolution process?

**Keywords:** *Cyprus dispute, Greek cypriots, Turkish cypriots, UN, negotiations, reunification.*

**Kıbrıs Anlaşmazlığı: Ada’nın Yeniden Birleştirilmesi Neden Mümkün Değildir?**

***Öz***

Kıbrıs, 53 yıldan beri siyasi olarak birbirinden ayrılmış iki halkı, 43 yıldır de fiziksel olarak bölünmüş bir ülke olarak sayısız müzakere kuşaklarını tüketerek adeta diplomatik bir mezarlık haline geldi. Bu bölünmeleri sona erdirmek için kalıcı bir çözüme ulaşmanın hâlâ zor olduğu kuşkusuz. Bununla birlikte, Kıbrıs'ta kalıcı bir anlaşmaya varmak için BM tarafından doğrudan ya da dolaylı olarak düzenlenen ve hepsinin de başarısız sonuçlandığı müzakerelerin birçok turu yapıldı. Müzakerelere katılan taraflar belirledikleri amaçlar etrafında tanımlamalar yapıp federal bir çözüme varmak için çeşitli yollar aradılar, ancak görüşmelerde taraflarca kabul edilebilir somut bir anlaşma sağlanamadı. Son üç yıldır sürmekte olan en yoğun ve "olumlu" görüşmeler sadece liderler düzeyinde değil, aynı zamanda müzakereciler düzeyinde de ilerleme kaydetmeyi amaçlamasına rağmen, beklenen olumlu hava sonuç vermedi. Bu bakımda, bu makale, Ada'nın siyasi ve fiziksel bölünmesine yol açan olayların tarihsel hesabının bir özetini vererek, Kıbrıs'ı politik bir varlık olarak yeniden birleştirmek için kalıcı bir çözüm bulmaya yönelik düzenlenen en son arabuluculuk görüşmelerine ve müzakerelere odaklanıp Kıbrıs'ın yeniden birleştirilmesini ulaşılamaz hale getiren sebepleri belirtiyor.

**Anahtar kelimeler**: *Kıbrıs anlaşmazlığı, Kıbrıs Yunan toplumu, Kıbrıs Türk toplumu, Birleşmiş Milletler, yeniden birleştirme, Müzakereler.*

**1. Introduction**

The Cyprus Island was divided along ethnic lines between a Greek south and a Turkish north when Turkish military intervened in 1974 under the terms of the 1960 Treaty of Guarantee in response to an Athens-backed military coup aiming to unite the Island with Greece. The “Cyprus problem” however, did not actually start in 1974, on the contrary, it started on 1 April 1955, when the Greek Cypriot underground organisation EOKA (Ethniki Organasis Kypriou Agonistonal) controlled by the obsessive Colonel George Grivas launched a Greek guerrilla fighters organisation in favour of *enosis*, (union of the island with Greece). EOKA recruited terrorists to act against the British and the Turkish Cypriots. It developed further when the Greek Cypriots launched massive armed attacks in 1963 against the Turkish Cypriots, in line with their extermination plan (the Akritas Plan). The primary purpose of the military coup backed by the Greek colonels in Athens in 1974 was to ‘Helenize’ the island by disposing of the Turkish Cypriots and to remove the Greek Cypriot supporters of Makarios. The purpose of the Turkish intervention was to protect the ‘Helenization’ of the island and the Turkish Cypriot people. The Greek Cypriots never wanted independence. They fought for *enosis*. It was the Turkish Cypriots’ struggle against this which brought to Cyprus a compromise partnership republic in 1960. The republic was not formed by a majority and minority; but by two national entities, (Greek and Turkish Cypriots) in partnership.[[2]](#footnote-2) Following the Athens-backed military coup and the subsequent intervention of Turkey in 1974, Cyprus was physically divided between Greek Cypriots and Turkish Cypriots. In May 1983, when the then UN Secretary-General Javier Pérez de Cuéllar, initiated a resolution passed by the United Nations General Assembly calling for the withdrawal of all occupation forces from Cyprus while negotiation were continuing, the Legislative Assembly of the Turkish Federated State of Cyprus (TFSC) approved the establishment of the Turkish Republic of Northern Cyprus (TRNC), and the Declaration of Independence on 15 November 1983. However, at the same time they had continued to participate in negotiations for a federal government but the negotiations did not achieve a great deal.

At present, the international community recognises South Cyprus as the sole representative of the whole of Cyprus, though it is clear that the Greek Cypriot administration do not represent the Turkish Cypriots nor control the Northern part of the island. There is no legal basis for the Greek side’s claim to be the Government of the whole of the island. Their case could, at first sight, rest on a general International Law. When Cyprus became independent, its government derived its authority from the constitution, and that gave the Turkish Cypriot people the right to jointly govern Cyprus. However, they have been deprived of this right by the Greek Cypriots, so desecrating the original constitution. The Turkish Cypriots were excluded from their legal positions, and the vice-president had been denied the right to exercise his constitutional power. “Cyprus” Ambassadors are all Greek Cypriots. They occupy the Cyprus chair at the UN and at meetings of all the major international organisations. EU rewarded the Greek Cypriot side full membership on 1 May 2004, even though 65% of Turkish Cypriots approved, but 76 % of the Greek Cypriots rejected the UN sponsored Annan Plan to reunite the Island.

Assessing on the election of Christofias in 2008 together whilst sitting Turkish Cypriot leader Talat ushered in a period of higher expectations for a settlement than at any time since 2004, when both Cypriot communities considered the Annan Plan. The personal relationship between Christofias and Talat and their public commitments to finding a solution to the problem suggested that if these two leaders did not achieve a negotiated settlement, then it would take a long time before two like-minded leaders would again find themselves in a position to bring together the people of Cyprus. With the April 2015 election of Mustafa Akıncı as leader of the Turkish Cypriots, many believed that the right time had arrived once again. However, the United Nations sponsored latest intensive peace talks between Greek Cypriot leader Nicos Anastasiades and Turkish Cypriot leader Mustafa Akıncı in Swiss resort of Mont Pèlerin in late November 2016 to reunite Cyprus, despite making “significant” progress in 2015 on political power-sharing, have ended without striking a deal. Immediately after the unsuccessful talks, President Akıncı’s Spokesman Bariş Burcu said that the Cyprus summit in Mont Pèlerin had collapsed.[[3]](#footnote-3) He blamed the Greek Cypriot side for its extremist attitude, also accused the Greek Prime Minister of undermining endless hours of work by his intransigent attitude to security and guarantees. On his part, the Greek Cypriot government’s spokesperson, Nikos Christodoulidis, following the talks, tweeted the following: “Unfortunately there was no deal on the territorial criteria… After the breakdown in talks, the Turkish-Cypriot side was quick to lay blame on the Greek-Cypriot side, claiming that President Nicos Anastasiades adopted a maximalist approach in the talks…” Nikos Christodoulidis stated that it was not possible to reach a deal due to the stance of the Turkish-Cypriot side.[[4]](#footnote-4) While Greek and Turkish Cypriots sides blamed one another for the stalemate, the UN said in a statement that “…despite their best efforts, both sides have not been able to achieve the necessary further convergences on criteria for territorial adjustment that would have paved the way for the last phase of the talks.”[[5]](#footnote-5) Even though the negotiators left highly sensitive questions unanswered, surrounding the property and territory exchanges and the security guarantee issues until the end of the process, neither side could agree on refugee numbers, percentages of territory, coastline and the security guarantee issues. Yet, the negotiations restarted on 9-12 January 2017 and later included a Five-Party Conference held in Geneva on 18-19 January 2017, but these also have failed to find a lasting just solution acceptable to both sides. Although the UN has put pressure on both sides to continue with the talks, the Greek Cypriot and Turkish Cypriot leaders are unlikely to agree on, a meaningful peace settlement, at least up until 2020. What is yet to happen after 2020, does not promise a lot either. This paper argues that the most common reasons why negotiations on Cyprus reunification fail, boil down, not so much to the mistrust between the parties and the key stakeholders with competing agendas, but more to do with the Greek Cypriot and Turkish Cypriot Communities being self-assured and independent from one another for so long. The religious, cultural and linguistic distinctiveness of the two communities reduces the scope for negotiations further. The two communities are more powerful than the state. It is these with which individuals identify and to which they give their loyalty. The Turkish Cypriots have been independent and organised their affairs free from the Greek Cypriot Administration for such a long time and thus won’t surrender to the will of the Greek Cypriot Administration. The Greek Cypriots are the majority and thus do not wish to cede any authority to the Turkish Cypriots. The Greek Cypriot side control the relationship with the world, the EU rewarded them full membership and strengthened their status and thus Greek Cypriots adopt an uncompromising approach toward the Turkish Cypriots.

 **2. The Historical Background**

The island of Cyprus is not important in territorial terms. It is the location which makes it significant. As a result of this unique position it has been a magnet for all the imperial powers which have ruled the region. Ethnically Greek since the Second Millennium BC, Cyprus has been subject in turn to the empires of Assyria, Persia, Macedonia, Egypt, Rome, Byzantium, the Franks and Venice.[[6]](#footnote-6) Cyprus was taken over from Venice by the Ottomans in July 1571 and was part of the Ottoman Empire for over 400 years. After a long term of Turkish rule, the Ottoman Empire agreed to hand over the administration of the island to the British on a provisional basis, under the agreement Britain was to send her naval force to the Ottoman Empire’s aid to be based in Cyprus in case of a new Russian attack on Ottoman lands. When Ottoman Empire sided with Germany in World War I, the British annexed Cyprus. This move was later formally acknowledged by Greece and Turkey, in the Treaty of Lausanne in 1923 and two years later the island became a British Crown Colony.[[7]](#footnote-7)

In fact, the Cypriot Greek movement for *enosis* (union of the island with Greece) goes back more than a hundred years, but the present “Cyprus problem” began in 1931 when the residence of the British Governor was burnt by Greek Cypriots devoted to *enosis*. Britain reacted to this with firm punitive measures but after World War II agitation for *enosis* was resumed. Makarios, Archbishop of the Orthodox Church of Cyprus became the leader of the struggle[[8]](#footnote-8) and the Greek Cypriots renewed their claims with rigor in the anti-colonial climate which prevailed after World War II and the campaign for *enosis* gained ground. This was rather resented in Turkey. In 1955 the Organisation of Cypriot Fighters was launched, a Greek guerrilla organisation in favour of *enosis*, EOKA (*Ethniki Organasis Kypriou Agonistonal*) and headed by the fanatical Colonel George Grivas. They advanced their demands under the banner of self-determination, this for a majority was a code word for union. On three separate occasions, in 1948, 1954 and 1955, the British proposed forms of representative government for the island under continued colonial rule, but all these proposals were rejected by Makarios.[[9]](#footnote-9)

In September 1955, British, Greek and Turkish Foreign Ministers met at London Conference, but failed to agree on a solution for the problem. Negotiations with Makarios broke down, and the British government was refused. Then Makarios was deported to the Seychelles in March 1956. Following this terrorism prevailed on the island, a number of British nationals were violently killed. EOKA offered to suspend terrorism activities if Makarios was released from exile and although his released led to improvements in British-Greek relations, the Archbishop did not abandon his claim for the so called self-determination for Cyprus which was the code word for union.[[10]](#footnote-10) The Turkish Cypriot Community had consistently opposed the Greek Cypriot’s *enosis* movement but had generally abstained from direct action, whenever needed, it took action with the British, because under the British rule the Turkish Community status and identity were so far protected.

After 1954 the Turkish government became increasingly involved as the Cyprus problem enlarged and became an international issue. On the island an underground political organisation known as *Volkan* (Volcano) was created, later changing its name to *Türk Mukavamet Teşkilatı – TMT* (the Turkish Resistance Organisation); a guerrilla group ostensibly defensive that lent weight to the anti- *enosis* struggle.[[11]](#footnote-11) However it never became as organised and disciplined as the groups under Grivas.[[12]](#footnote-12) Meanwhile the unrest intensified, as the Greek Cypriot EOKA terrorist group confined itself to attacking British forces; but the colonial authorities recruited a large number of Turkish Cypriots as auxiliary police. EOKA’s terrorist campaign escalated, turning into a civil war.[[13]](#footnote-13) Consequently the Turks insisted that *Taksim*; the partition of the island between Turks and Greeks, was the only acceptable solution to the unrest.[[14]](#footnote-14)In June 1958, the British Prime Minister Harold MacMillan proposed a seven year partnership scheme of separate communal legislative bodies and separate municipalities, which became as the “MacMillan Plan.” This too was rejected by Greece and Greek Cypriots Unionists who saw it as the first step along the road towards partition.[[15]](#footnote-15) The British Government came to the conclusion that trying to hold the whole of the island was an impossible task to maintain. So to guarantee its defence interests, it was considered unnecessary to keep Cyprus as a base, but only to keep bases in Cyprus.[[16]](#footnote-16)

In February 1959, in Zurich the Greek and Turkish Prime and Foreign Ministers eventually managed to negotiate an agreement which would establish a new republic. This was signed by Britain, Greece and Turkey in London. The agreement consisted of three treaties (establishment, Guarantee, and Alliance) plus a power-sharing constitution confirmed by the U.K.[[17]](#footnote-17) These Zurich and London Agreements created an independent republic. Although the Cypriot Community leaders signed on behalf of their communities and attended the London talks, Makarios claimed not to have been consulted about certain basic elements of the constitution. Cyprus reluctantly became an independent state on 16 August 1960.[[18]](#footnote-18)

The Treaty of Establishment provided two British Sovereign Base Areas. The treaty of Guarantee excluded partition or union with any other state and included undertakings by Greece, Turkey and the U.K. to ensure maintenance of the independence, territorial integrity and security of the Republic, in respect of its constitution. In the event of a violation of any of these conditions, the guarantor powers were to ‘consult together with respect to the representations or to take measures necessary to ensure observance’ and if concerted action was not possible, each reserved the right ‘to take action with the sole aim of re-establishing the state of affairs created by the present Treaty.’ Under the Treaty of Alliance, Greece and Turkey were to establish a tripartite headquarters in Cyprus and for the stationing of prescribed numbers of Greek and Turkish troops. The function of these troops was to train the Cyprus army and to act as an assurance for the two communities, for future security and as a deterrent from attempts to renew the conflict.[[19]](#footnote-19)

Makarios feared that the 1960 constitution left the door open to partition through the formation of Turkish Cypriot cantons built round the separate municipal authorities. Perpetual friction in government coupled with intense pressures on Makarios from disappointed pro-*enosists*, prompted Makarios in November 1963 to propose extensive constitution amendments. This however would have removed all Turkish Cypriot safeguards against domination by the Greek Cypriot and ‘reduced them virtually to second class citizens.’[[20]](#footnote-20) Consequently these were rejected by the Turkish Cypriots. On 21 December 1963 fighting broke out between communal militias, and at least 500 people were killed in the first few days, thousands injured with atrocities committed on both sides.[[21]](#footnote-21) Many Turkish Cypriots fled their homes and took refuge in the defended enclaves, and Turkish jets flew over Nicosia and Ankara, threating an invasion by sea. Then British troops moved out of the sovereign bases and established a ceasefire line in Nicosia, known as the “Green Line” which has divided the city ever since.[[22]](#footnote-22) Turkish Cypriots argued that the fighting had showed the need for physical separation of the communities and proposed for either a partition and a separate state or partition and double *enosis*. However the fighting continued until August 1965. During this period an estimated 25,000 Turkish Cypriots left their homes for the enclaved areas. Greek Cypriots cut off communications to them and kept a blockade of all materials, this situation continued until 1968.[[23]](#footnote-23)

The administration provided under the constitution had collapsed. Then during the initial fighting the Turkish Cypriot ministers had withdrawn from the government. When they wanted to return, they were told first to accept the constitutional amendments proposed by Makarios in November 1963, they refused, This led to an opportunity for the Greek Cypriots to introduce the substance of their constitutional amendments as a series of laws which included the cancellation of the majority of the 1960 constitution as well as the Cyprus Supreme Constitution Court. As a result of a bill passed by the Greek Cypriot members of the House of Representatives, the National Guard was formed. Officers were seconded from the Greek contingent under the overall command of a mainland general, General Grivas, and they and the police became the only Greek Cypriot males legally entitled to bear arms. Initially Grivas was only supposed to command the Greek troops but later he also took over command of the Greek Cypriot forces. He considered himself only subject to orders from the General Staff in Athens and not from those of the Cyprus government. Therefore a number of National Guard actions took place without authorization from Makarios.[[24]](#footnote-24) The Turkish Cypriots established a parallel hierarchy to govern in the enclaved areas. The political arm known as the leadership, consisted of 13 men general committee based in Nicosia, including the former members of the government. On 28 December 1967 the leadership became the autonomous provisional Cyprus Administration, government conducted by the executive decree of Mr. Küçük and the district officers. The communal chamber however continued to function in Nicosia with Mr. Denktaş, the president.[[25]](#footnote-25) The talks began in June 1968 and continued albeit intermittently, for the next six years between Glafkos Clerides and Denktaş, who acted as representatives for their respective community leaders. Meanwhile Makarios set aside the pursuit of *enosis* and agreed instead to inter-communal talks for the creation of the new constitutional order for an independent republic. However the Turkish Cypriots mistrusted him, believing that *enosis* remained his fundamental goal. Certainly his pronouncements at the time did not suggest a great of commitment to independence.[[26]](#footnote-26) Indeed on 15 July 1974, Greek Colonels backed by Athens overthrew Makarios with a military coup, and Makarios fled from Cyprus and a former assassin Nikos Sampson became president.[[27]](#footnote-27) The island was in a state of chaos. Therefore the Turkish Government’s position was that the lives of the Turkish Cypriot was in danger, and Turkey decided to intervene in 1974 to protect them. In September 1974 the Turkish Cypriot provisional administration re-formed itself as the Autonomous Cyprus Turkish Administration. Then following February the Northern Territory was declared to be the Turkish Federated State of Cyprus (TFSC). However, at the same time they had participated in negotiations for a federal government but the negotiations did not achieve a great deal.[[28]](#footnote-28)

On Tuesday, 15 November 1983, the Legislative Assembly of the Federated State of Cyprus, approved the establishment of the Turkish Republic of Northern Cyprus (TRNC), and the Declaration of Independence. It stated that the only President entitled to speak on behalf of the Turkish Cypriot people was the president empowered to do so through democratic elections by the Turkish Cypriot people themselves, the only government that could represent them was the government responsible to the parliament that the people had elected. At the same time, a declaration was made by the Legislative Assembly, stating that, “developments which have taken place in Cyprus for the last 20 years, and the critical stage which these developments have reached at present, necessitated the placing of certain facts with clarity before world public opinion. We expect all those who desire peace and fundamental human rights to prevail on earth, who reject discrimination among human beings on grounds of race, national origin, language or religious belief and who are against colonialism and racism, to give serious consideration to these indisputable facts free from prejudice and preconception. The aim of the Turkish Cypriot Declaration was not to destroy the unity of Cyprus, but to restore the destroyed unity, by creating a genuine and lasting federation.”[[29]](#footnote-29) The proclamation stressed that the Republic would adhere to all Treaties and Agreements binding on it, including the Treaty of Guarantee. It would follow a policy of non-alignment, remain faithful to the principles of the United Nations Charter and endeavour to facilitate the establishment of a bi-zonal, bi-communal federal republic where Turkish Cypriots and Greek Cypriots could co-exist in peace and harmony. It was also stated that, one of the reasons for the proclamation of the TRNC was that the state had belonged to the two peoples. It was because of this that the Independence had been guaranteed to prevent a single people, the Greek Cypriots who wanted to unite the state to Greece and destroy the Turkish Cypriot people’s political will. A coup was staged in 1963 against the partnership by the Greek Cypriots and it was this, which have led to the events in Cyprus over the past two decades. The Assembly declared that they, “upon all these, the Turkish Cypriot people extend, once again, their hands in peace and friendship to the Greek Cypriot people for the partnership state.”[[30]](#footnote-30)

The Turkish Republic (Turkey) has recognised the TRNC, proclaimed on 15 November 1983, but so far it is the only country to do so. The Turkish Government’s position on the Cyprus dispute is that; it supports the efforts made by the TRNC to adhere to the principles of democracy and free elections. It also supports the continuing social and economic development of Northern Cyprus under security conditions, and its peaceful policy open to constructive dialogue, for the establishment of peaceful order between the peoples on the island. Indeed Turkey has told the Council of Europe that it has recognised the TRNC with the objective of ending division in Cyprus.[[31]](#footnote-31) Turkey has agreed to give its wholehearted support to every effort made by the TRNC for its recognition, as the Turkish people of Cyprus with their separate ethnic origin, religion, language, culture, territorial administration, established through historical processes. Turkey argues that essentially a political solution is required for the Cyprus problem. What is needed is a republic based on the political equality and partnership of the two peoples and Turkey’s active guarantee, which would create much better conditions than those prevailing. It accused the Greek Cypriot Administration of ignoring the reality of the TRNC, and of evading peaceful resolution of the dispute by refusing to negotiate a solution. It argued that they had created serious obstacles to a solution. The TRNC and Turkey stated that they had made the necessary representations in good faith and will continue to do so. The Turkish Government argued that the Greek Cypriot Administration have not right to determine the future of the whole island and speak on behalf of the Turkish people of Cyprus in the international arena when it has not been sanctioned by them. This fact has to be acknowledged by all the relevant parties for the sake of all future efforts, and in finding settlement to Cyprus question. Hence Turkey and the Turkish Cypriot Authorities strongly support the UN Secretary General’s good-will mission and the Security Council Resolution 649, which calls for the political equality of the two peoples on the island, and urged Greece and the Greek Cypriot Administration in southern Cyprus to do likewise in order to make progress towards opening the way for progress and possibly a future settlement.[[32]](#footnote-32) Since 1974 there have been numerous meetings and negotiations between the parties involved to find a lasting solution for the political division of Cyprus.

**Figure 1. Map of Cyprus**



Source: Adapted by TRNC.

**3. Mediations and Negotiations to Reunite Cyprus**

Long under the auspices of the United Nations, unification talks have been ongoing, between 1974 and 2002 there were numerous unsuccessful rounds of U.N.-sponsored direct and indirect mediations and negotiations to achieve a settlement in Cyprus.[[33]](#footnote-33) Negotiations focused on reconciling the two sides’ interests and re-establishing a central government. They foundered on definitions of goals and ways to implement a federal solution. Turkish Cypriots emphasized bi-zonality and the political equality of the two communities, preferring two nearly autonomous societies with limited contact. Greek Cypriots emphasized the freedoms of movement, property, and settlement throughout the island. The two parties also differed on the means of achieving a federation: Greek Cypriots wanted their internationally recognized national government to devolve power to the Turkish Cypriots, who would then join a Cypriot republic. For the Turkish Cypriots, two entities would only join in a new federation. These differences in views also affected the resolution of issues such as property claims, citizenship of mainland Turks and mainland Greeks who had settled on the island since 1974, and other legal issues.

On 11 November 2002, the then U.N. Secretary-General Kofi Annan presented a draft of “The Basis for Agreement on a Comprehensive Settlement of the Cyprus Problem,” commonly known as the Annan Plan.[[34]](#footnote-34) Negotiations for a final solution to the Cyprus issue appeared to take a dramatic and positive step forward. The plan called for, among many provisions, a “common state” government with a single international legal personality that would participate in foreign and European Union relations. Two politically equal component states would address much of the daily responsibilities of government in their respective communities. The Annan Plan was a comprehensive approach and of necessity addressed highly controversial issues for both sides. In spite of this, the Annan Plan itself was revised several times in an attempt to reach compromises demanded by both sides.[[35]](#footnote-35) On 16 April 2003 complicating the matter even more, the Greek Cypriot side signed an accession treaty with the European Union (EU) to become a member of the EU on 1 May 2004, whether or not there was a settlement and a reunited Cyprus. Finally, on 29 March 2004, after numerous meetings and negotiations and despite a lack of a firm agreement and sensing that further negotiations would produce little else, Secretary-General Annan released his “final revised plan” and announced that the plan would be put to referenda simultaneously in both north and south Cyprus on 24 April 2004. The Turkish Cypriot leadership split, with Denktash urging rejection and Talat urging support. Greek Cypriot President Papadopoulos, to the dismay of the U.N., EU, and United States, urged the Greek Cypriots to reject it. Thus, on 24 April, what remaining hope existed for a solution to the crisis on Cyprus was ruined as 76% of Greek Cypriot voters rejected the Annan Plan, while 65% of Turkish Cypriot voters accepted it.[[36]](#footnote-36)

Following this, however, from June 2004 to 2008, roughly the four years, achieved little though Cyprus muddled through a series of offers and counter-offers to restart serious negotiations, but the Greek Cypriots strengthened their new status as a member of the EU and thus adopted an uncompromising approach toward the Turkish Cypriots. The, then Greek Cypriot Leader Demetris Christofias, reaffirmed that the 2004 Annan Plan, which he himself opposed at the time, was null and void and could not be the basis for any future settlement. Turkish Cypriot leader Denktash was replaced as chief negotiator by a more pro-settlement figure, newly elected “prime minister” Mehmet Ali Talat on 20 April 2005. The Greek Cypriot President Glafkos Clerides was replaced through an election with, a more sceptical president, Tassos Papadopoulos and from 2005 to 2008 hardly any useful talks were held between the two sides. Starting from 2008 up until 2014 more than 60 meetings and intensive dialogues were held between the Greek and Turkish Cypriots leaders, but the talks have reached a standstill with the gap between the respective positions of the two sides on many of the tougher issues became unsurmountable.[[37]](#footnote-37)

These differences in views continue to impact the negotiations even today, but for most of the time the negotiations had gone through periods of stalemate, suspension and missed opportunities up until 2015. Although both sides insisted that “consensus” on several issues such as EU affairs, property, governance, economics, and citizenship had been reached, no ostensible actual agreement acceptable to both sides was forthcoming in 2014 and right into 2015. This resulted in a sense of pessimism surrounding the stalled negotiations and at the time led some to question the ability of the two community leaders; Greek Cypriot President Nicos Anastasiades and Turkish Cypriot President Derviş Eroğlu, to reach a broad agreement. At a second round of national elections in the Turkish Republic of Northern Cyprus, on 19 April 2015, Mustafa Akıncı of the small, centre-left, Communal Democratic Party (TDA) won the election and became the new leader of the Turkish Cypriots, defeating Eroğlu with 60% of the votes. Akıncı, a three-time mayor of the Turkish Cypriot-administered Nicosia, immediately announced that the negotiations would resume as soon as possible in May and that it was his goal to conclude a settlement agreement by the end of 2015. In congratulating Akıncı on his election, Anastasiades confirmed that he, also, looked forward to restarting the negotiations as soon as possible. After a brief August recess, Akıncı and Anastasiades have begun an intense period of at least seven sessions of negotiations, between September and October 2016, to achieve as much progress as possible on the extremely sensitive chapters of territory and security guarantees. On 7 November 2016 the Greek Cypriot leader Nicos Anastasides and the Turkish Cypriot leader Mustafa Akıncı with their negotiating teams engaged in what was called to be a five-day intensive negotiation in Mont Pèlerin, Switzerland under auspices of the United Nations Special Adviser Mr Espen Barth Eide. They concentrated on the chapter of territory and some other unresolved issues interdependently. It was widely hoped by so many political observers and analysts that the meeting was going to produce a lasting settlement of the issues dividing the island before the end of 2016. Since it was the first time the two leaders were negotiating also the issue of territory directly this was described as significant progress by the UN. However, each time these issues have been formally discussed they have always agreed to disagree. Akıncı declared his intention to reach a settlement by the end of 2016, so that a referendum on the agreement could be held on the island by spring 2017, but then on 12 November 2016 following five days of the United Nations-brokered reunification talks that produced “significant progress,”[[38]](#footnote-38) upon request of the Greek Cypriot leader, Anastasiades, the two leaders took a break in the summit to reconvene on 20 November to continue their discussions. The two leaders returned back home to consult with their community and political party leaders for the issues still subject to big differences. The meeting reconvened on 20 November 2016, but on 21 November ended without any deal. An actual five-party conference was held with UN initiative in January 2017 that also failed to resolve the final issue of territory and security guarantees, clearly making the timetable for a referenda in 2017 unworkable.

Since the election of Akıncı, a new energy has been seen among the negotiators, and an atmosphere of “optimism” has been maintained throughout the continuous “productive” negotiating sessions that have taken place, due to both leaders having developed a close personal relationship that has produced the reported “positive” atmospherics surrounding the meetings. Both sides have also pursued “positive” confidence-building measures as additional signs of a renewed commitment to a successful settlement. Although the recent reports from Cyprus have suggested that perhaps close to 90% agreement has been reached on most issues, in reality not enough has yet been reached to achieve a comprehensive solution.[[39]](#footnote-39) And while both sides continued to suggest that 2017 may become the year that a solution could be achieved, what has typically characterized these negotiations is the fact that the optimism referred to by many is often tempered with political realities and the understanding that difficult times still lie ahead.

Among several others, the three big differences are; the property issue, the issue of guarantees/security and the question of overall territory that should come under the jurisdiction of the two equal states. The financial aspect of the property issue is the other aspect which will determine whether a solution will be found. The property issue relates to the possessions Greek Cypriots lost on the Turkish Cypriot side, and Turkish Cypriots lost on the Greek Cypriots side. The issue will probably be resolved through compensation, exchange of alternative property, or reimbursement. The guarantees refer to the role of larger countries such as Turkey, Greece and the United Kingdom in case the independence, territorial integrity and security of Cyprus would be at stake. Turkey referred to the 1960 Treaty of Guarantees between Turkey and the Republic of Cyprus, intervened in 1974 to protect the Turkish Cypriots following a coup d’état in Cyprus ordered by the military junta in Greece.

Along with the property issue, the issue of security guarantees continues to be one of the most difficult bridges to cross. The Greek Cypriots argue that all Turkish military forces must leave the island and they saw no reason for guarantees from third countries, such as Turkey, Greece, or the United Kingdom. Turkish Cypriots and Turkey maintain that the 1960 Treaties of Guarantee and Alliance must be reaffirmed in any settlement, and Turkish security guarantees should not be lifted because, without guarantees, the Turkish Cypriots would feel insecure based on their history with ethnic violence on the island in the 1960s. Turkish Cypriot side had stated on several previous occasions that the security guarantees with Mainland Turkey could not be changed and that Turkish troops would not leave the island.[[40]](#footnote-40) During his consultation with Turkish Cypriot political party leaders Akıncı, reiterated that Turkey must continue to play a role in the security of the north. Anastasiades has made it clear that he will not accept any guarantees and nor will the Greek Cypriots vote for any solution that contains any. Furthermore, both sides continued to differ over how a new united Cyprus would be created. The Greek Cypriots assumed that the new unified state would evolve from the existing Republic of Cyprus. The Turkish Cypriots wanted the new state to be based on two equal founding states. The Turkish Cypriots also wanted the new entity referred to as something other than the Republic of Cyprus. The joint statement agreed to by Anastasiades and Eroğlu in 2014 only referred to a “united” Cyprus, not a “United Republic of Cyprus,” and seemed to suggest two relatively separate constituent states united under a federal government that would have limited authority relative to the power of the two states. The Anastasiades/Akıncı talks initially seemed to suggest that the new entity could be referred to something such as the Federal Republic of Cyprus, but it is unclear how the two sides would get there. The presidency and the vice president issue is also still a contested issue. Turkish Cypriots are opposed to a single list of Greek Cypriot and Turkish Cypriot candidates to be elected by all of the people of Cyprus mainly because Greek Cypriots, by virtue of their majority, would in effect elect the Turkish Cypriot candidate. Although the idea of a rotating presidency is not new, but opposition to the proposal is, and continued to be, vocal on the Greek Cypriot side as many Greek Cypriots apparently will not accept the idea of being governed by a representative of the Turkish Cypriot “minority”. The population issue is also another core issue where serious disagreements exists. The Greek Cypriot side proposed to set the Turkish Cypriot population at 220,000 and refuses to accept many of those who came from mainland Turkey and settled in Northern parts of Cyprus for the last 30 to 40 years, majority of whom are now citizens of TRNC, but insists on the Greek Cypriot population to be set as approximately 800,000. This ratio also includes the Greek population who came and settled in Southern Cyprus from mainland Greece after 1974.

The territorial negotiations are based on the same territorial ratios that were presented in the Annan Plan while both leaders have a similar understanding on the creation of special status zones and federal areas in places such as the villages of Koruçam/Kormakitis, Karpaz, the towns of Guzelyurt/Morphou and Maraş/Varosha. The Turkish Cypriot side of the “green line” includes approximately 37% of the island which includes some areas that had been inhabited almost entirely by Greek Cypriots before the 1974 division. The core issue here is how much of the 37% of the territory which the TRNC retains at the moment be given to the Greek Cypriot Administration? In other words, to what extent should the TRNC to be shrunk in favour of the Greek Cypriots? The Turkish Cypriot side wants to reach an agreement by making as less compromises, as possible, from the land acquisitions achieved by the Turkish Cypriots in 1974. The Greek Cypriot side wants all the territory acquired in 1974 returned. Turkish Cypriot side however insists that no land except for the fenced-off city of Maras/Varosha should be returned to the Greek Cypriots.[[41]](#footnote-41) The heart of the matter is, if there is going to be a just final settlement agreement, then neither the Turkish Cypriots would retain forever all the Greek Cypriots property in the North, which they left after the 1974 intervention, nor all the Greek Cypriots would be allowed to return to their properties in the North. Both sides have to find an agreeable compromise on this issue and show some courage to explain the realities on the ground and tell the truth to their respective communities that some, but not all, will have to be moved out of their properties and be replaced somewhere else. On the other hand, there is an agenda under the Greek side’s negotiations which the observers seem to be, intentionally or unintentionally, disregarding. Namely the Greek Cypriot side does not want the Turkish Cypriots to be part of a united Cyprus unless the Greek Cypriots get much of the land they lost in 1974. In addition to this, the Greek Cypriot side also wants to lay the foundations for returning to pre-1974 conditions. Thus, the Greek Cypriot side wants to make sure that Turkish Cypriots will neither have the population nor the land majority forever in the North when and if a bilateral, bi-zonal “Federal United Cyprus” is established. Before the agreement achieved and if there is going to be one, the Greek side wants to make sure that the Greeks settle freely in the Turkish territory, work and establish businesses and have larger population in the future not only in the South, but also in the North and therefore, they would form the majority, but the Turks to remain a minority in the island for ever. This idea forms the heart of the Greek side’s negotiations on land, territory and the population issues for a united Cyprus. Unless the Greek side is certain of this, they would not agree on any final settlement agreement. This, however, means a *de facto* elimination of bi-zonal bi-communal essentials and the political equality of the two sides in a federation and therefore will not be accepted by the Turkish side.

**4. Conclusion**

As it has been stated in the introduction part of the paper, the most common reasons why negotiations on Cyprus reunification fail, boil down, not so much to the mistrust between the parties and the key stakeholders with competing agendas, but more to do with the Greek Cypriot and Turkish Cypriot Communities being self-assured and independent from one another for so long. The religious, cultural and linguistic distinctiveness of the two communities reduces the scope for negotiations further. The two communities are more powerful than the state. It is these with which individuals identify and to which they give their loyalty. The Turkish Cypriots have been independent and organised their affairs free from the Greek Cypriot Administration for such a long time and thus won’t surrender to the will of the Greek Cypriot Administration. The Greek Cypriots are the majority and thus do not wish to cede any authority to the Turkish Cypriots. The Greek Cypriot side control the relationship with the world, the EU rewarded them full membership and strengthened their status and thus Greek Cypriots adopt an uncompromising approach toward the Turkish Cypriots.

The most recent negotiations have once again confirmed that Anastasiades and Akıncı, for vastly opposing reasons are also unable to find enough common ground or make critically necessary concessions to craft an acceptable agreement to both sides despite many regular leadership meetings, technical level discussions, and numerous meetings that have taken place under the mediation of the United Nations Special Advisers, the EU, the USA, Turkey, Greece and other parties involved. As a result of their last meeting in January 2017, both sides agreed to establish a working group to continue to overcome the differences and set the stage for further negotiations between Turkish and Greek Cypriot leaders. However, the last planned leaders meeting between Anastasiades and Akıncı which was held at the UN building reserved for the negotiations in the buffer zone in Lefkoşa on 17 May 2017 also ended in failure. This means that, all issues will remain untouched, at least up until 2020. As there are due presidential elections in February 2018 in South Cyprus, the Parliamentary elections in Greece in 2019; the presidential and parliamentary elections are to be held in Turkey in 2019 and planned presidential elections for 2020 in the Turkish Republic of Northern Cyprus. What will happen after that, does not promise a lot either. As an important round of talks over reunification of Cyprus enforced by the UN in Switzerland’s Crans-Montana on 28 June also ended in failure on 7 July 2017. Also drilling for natural gas explorations by the Greek Cypriots in Southern Cyprus’ exclusive economic zone which is in progress since July 2017 is going to complicate the dispute further.

The procedure and the conditions to be followed for a Cyprus solution, and any future mediations and negotiations on the settlement of the problem to achieve success, must take into consideration the historical process, the realities of four decades of separation, the religious, cultural and linguistic distinctiveness of the two communities and the existence of the two-equal people residing separately for the last 43 years on the island. Options for a lasting just solution to the Cyprus problem is; either the formation of a partnership state by the two sides, covering the fundamentals of bi-zonal, bi-communal and the political equality of the two sides based on the harsh realities of four decades of separation, or the maintenance of the two separate political entities and acceptance of the two states. Subsequently, bearing in mind the present conditions, the demands and stiff disagreements between the two sides, the harsh realities of the last 43 years on the ground and the contradictory attitude of the Greek Cypriot side towards the issues; on one hand shows to be too willing to find a final settlement for the reunification of Cyprus, on the other hand pursues an agenda to lay the foundations for returning to pre-1974 conditions denying the Turkish Cypriots most of the rights and the gains they have achieved for the last 40 odds years thwarts the mediations and the negotiations efforts.

The Cyprus dispute reveals that the longer the disputes take, the more complicated they become and thus, less resolvable the issues become. The more multiple external stakeholders with competing agendas influence the mediation and negotiation process the more difficult the tasks for achieving any meaningful agreement become. The more historical events are politicized, the deeper the distrust of the main conflicting parties goes. The parties’, not only mistrust, but also being self-confident and independent from one another hinders the efforts towards achieving a solution acceptable to the parties. The religious, cultural and linguistic distinctiveness of the two communities in the conflict reduces the scope for negotiations further. Dispute resolutions should focus more on restoration than compromise. Strategies to gain more lasting peace can only be initiated as both sides make and these have to be based on the social, political and economic realities on the ground. The importance of the history may be emphasized during the negotiation process, but what happened in the past should be taken as reference in the peace process not to repeat the past nor return to the past.

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