

Cyprus Under Threat: Erdogan's Revisionism and International Indifference

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Once again, I am writing about Cyprus much as I have done for decades. The Cyprus problem was and remains one of invasion, occupation, and gross violations of international and American law. As this article is being written, Cyprus is surrounded by the Turkish navy, while Turkish research vessels are illegally exploring for hydrocarbons in the Cypriot exclusive economic zone in violation of international and European law. Verbal condemnations by EU and other officials have not deterred Turkey. On the contrary, they have encouraged Erdogan to invade Syria and threaten the EU with a new wave of refugees. Much like Ecevit did in 1974 during the invasion of Cyprus, Erdogan has also described Turkey's invasion of Syria as a "peace operation." Cyprus has taught us well the consequences of Turkey's "peace operations." What is happening at this moment in and around Cyprus is especially troubling given the stark reminders and the parallels to 1974, when Turkey and Kissinger exploited the Nixon impeachment to enable the invasion of Cyprus.

Turkey's tactics are not new. In 1938 Turkey coveted strategic territory in NW Syria. It systematically introduced Turkish settlers in the area and following a poorly supervised referendum by the League of Nations, took from Syria the province of Hatay along with the strategic port city of Alexandretta, now renamed "Iskenderun." Today, Turkey is using the threat of "Kurdish terrorism" as its excuse to acquire new territory in northern Syria and to continue its suppression and destruction of the Kurds. According to CIA estimates, Kurds make up 22-25% of Turkey's population.

Despite the continuing violations of the sovereignty of Cyprus, the UN Secretary General and his representative on Cyprus, Jane Lute Holt, are pressing the "parties" to engage in a new round of talks from where the last round of talks held in Crans Montana ended in deadlock. My question to the UN and to the Cypriot leadership is simple. Why talks now in this dangerous and confusing regional and international setting?

The story of the talks on Cyprus since 1975 is really pathetic. New rounds of talks began from the point the previous talks ended in deadlock. In this manner, Turkey took for granted all prior Greek Cypriot concessions while asking for new concessions as a precondition to open a new round of talks. Opening statements framing these talks were drafted in London and New York. These statements even included principles defining the final resolution of the problem prior to any negotiations! Cypriot governments never asked for zero based negotiations in view of Turkey's tactics. The opportunity to reframe the talks existed following the rejection of the Annan Plan in the 2004 referendum. This was a classic case of the road not taken.

In the course of the interminable talks on Cyprus, foreign mediators, particularly Richard Holbrooke and Lord David Hannay, relied on "constructive ambiguity" to shroud difficult issues. This is how we arrived to the unprecedented constitutional sophistry known as the "bi-zonal, bi-communal federation" which is now considered to be the magic formula for the resolution of the Cyprus problem. What people do not realize is what this constitutional sophistry entails and what its outcome will be if implemented. Having studied the actual documents from these talks let me summarize the ten fundamental aspects of this unprecedented construct:

1. It transforms the Cyprus problem from one of invasion, occupation and ethnic cleansing to a search for a new constitution legitimizing the outcome of the 1974 invasion.
2. It creates a new state to replace the internationally recognized Republic of Cyprus because Turkey, since 1963, considers the Republic of Cyprus to be "defunct".
3. It legitimizes the puppet state created by the Turkish army in occupied Cyprus and all its actions, even though that "state" and its "actions" have been declared illegal by the UN Security Council, all international organizations and European Courts. No foreign country other than Turkey has recognized that "state".
4. It replaces the internationally recognized Republic of Cyprus with a new state, with a new name, a new constitution and new national symbols. The new state is a loose confederation of two ethnically divided and largely autonomous states, even though this model was rejected by 76% of the Greek Cypriot brothers in the 2004 referendum.
5. Despite claims to the contrary, the proposed new state is a confederation and not a federation. There are no federal supremacy provisions in the proposed constitution; the limited "federal" powers derive from and depend on the consent of the two constituent states; the Turkish Cypriot state is granted veto powers in all major policy areas.
6. The proposed new state and its constitution violate the fundamental laws of the EU and the basic principles of the European Convention of Human Rights because the new entity is based on discrimination on the basis of ethnicity, religion and language something prohibited by European law. This is why citizens of the new Republic will not be allowed access to European courts to challenge any aspects

- of the new constitution or actions taken under it that may be in conflict with European law. The same provision had been included in the Annan Plan that was rejected by the Greek Cypriots in 2004! In 1965 UN mediator Galo Plaza issued a forgotten but historic report on the Cyprus problem. Plaza rejected Turkey's federation proposals as unworkable and concluded that they would lead to the partition of Cyprus. Ironically, decades later, Alexander Downer, another UN mediator, also expressed doubts that the bi-zonal model he promoted would work.
7. At the deadlocked Crans Montana talks Turkey demanded not only the continuation of its guarantees but also a military base in the new Republic. Clearly, Turkey considers Cyprus to be part of its strategic space.
 8. The format of the talks excludes the recognized Republic of Cyprus. Instead, the internationally recognized president of the Republic has been downgraded to the level of "head of the Greek Cypriot community" and has been equated with the unrecognized head of the Turkish Cypriot community.
 9. Even though the EU has an immediate stake in these talks, it is present only as an "observer." The EU "observer" is there for the purpose of legitimizing derogations from the *acquis communautaire* that will be part of the agreement.
 10. The agreement mortgages the hydrocarbon wealth of Cyprus in order to cover the costs of reunification. These costs, conservatively, are estimated to be \$35 billion. Turkey also demands that these hydrocarbons be transported to Europe through Turkey, leaving Cyprus open to Turkey's blackmail. Turkey demands a 50-50 split of hydrocarbon revenues, an amount that may need to be adjusted upward as the population of occupied Cyprus grows.

The practical effect of the formula that emerged from the failed Crans Montana talks is the formal partition of Cyprus with the Greek Cypriot economy sustaining the occupied areas and the Turkish army guaranteeing the UN proposed arrangement!

Over the years, foreign mediators and foreign NGO's operating in the free areas of Cyprus have spent time and large amounts of money promoting this unprecedented constitutional scheme. In the referendum on the Annan Plan, the governments of the United States and Great Britain spent millions in propaganda activities and bribes either directly or through the UNDP to assure the passage of the Annan Plan. Thankfully, they failed. If the new talks promoted by the UN materialize, it will be up to the Greek Cypriot public once again to protect the integrity of their Republic. Their approval will be needed in a new referendum on the unprecedented scheme proposed by the UN, Ankara, London and Washington. My hope is that the Greek Cypriot public will once again realize what is at stake and stand up to protect their Republic, the EU, and the rule of law.

Having been involved in the Cyprus problem for so many years I will close with some somber thoughts. We often complain and place the blame for the deadlock on Cyprus on the international community that has tolerated Turkey's continuing violations of international law. I do not dispute that. However, we need to look at what has and has

not been done by successive Cypriot governments and political leaders particularly since the rejection of the Annan Plan in 2004. Following the shock of the Turkish invasion, Cyprus made a remarkable recovery largely on its own. Major diplomatic victories were attained at the Security Council, the UN General Assembly, various international organizations, and international courts protecting the international status of the Republic of Cyprus and the rights of its citizens. Yet, since the Annan referendum in 2004, successive Cypriot governments quietly abandoned these hard won legal and political gains in order to placate Turkey and engage in talks leading to the destruction of the Republic of Cyprus. According to some Greek Cypriot political leaders the illegal settlers, who have changed the make-up of the Turkish Cypriot community, have now become our Cypriot "brother." The European court decisions on confiscated Greek Cypriot properties have been abandoned; and there is hardly any official reaction as the occupation authorities gain international stature and presence; while others have implicitly accepted the Turkish position that the Republic of Cyprus is defunct as manifested by their acceptance of the status granted to the government of Cyprus in recent talks. Moreover, none of the diplomatic documents of the diplomatic documents presented in the recent talks contain find the words "Republic of Cyprus". I can go on and on. The question, therefore. is if we do not care, why should we expect others to do so? Turkey, the US, the UK and the UN mediators have come to expect that the concessions needed for an agreement will once again come from the government of Cyprus. Greek Cypriots as well as the Greek-American community cannot remain silent any longer. The times are critical. Much as we did during the AHI rule of law mobilization in 1974, we need to stand up once again for the rule of law. We did it before. We can do it again.

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