

BRIEFING ON THE 37<sup>TH</sup> ANNIVERSARY OF THE  
TURKISH INVASION OF CYPRUS

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Rayburn House Office Bldg.

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Last fall we celebrated the 50<sup>th</sup> anniversary of the independence of the Republic of Cyprus, while the Smithsonian hosted a remarkable exhibit on the 11,000 year long history of Cyprus. In a few days we will be commemorating the 37<sup>th</sup> anniversary of the Turkish invasion of the Republic of Cyprus. Since 1974, the Cyprus problem has been a problem of invasion, occupation, documented and continuing violations of internationally guaranteed human rights. The past 37 years have been marked by Turkey's disregard of American and international law, of unanimous Security Council resolutions, and decisions of international and national courts.

Even though our country has consistently supported Turkey's European aspirations, it has opposed any sanctions against Turkey for its documented violations of American and international law. In contrast, Turkey has regularly blackmailed our government, undermined our Middle East policies and, over the last three years, has taken steps to undermine Israel's security by strengthening its ties to Iran and to radical Palestinian groups in the name of Islamic solidarity and leadership.

Through a massive public relations campaign starting months before the inauguration of the Obama administration, Turkey promoted its indispensability to Western interests. It claimed that our government and the EU had "neglected" Turkey and demanded their full economic and political support so that Turkey could pursue its role as a regional superpower. Turkey has used Cyprus as leverage for its European vocation without actually meeting its legal obligations towards the EU or the Republic of Cyprus.

In the limited time available I would like to address:

- Recent developments in the UN sponsored talks on the resolution of the Cyprus problem and the prospects for a solution in the aftermath of the July 7 Geneva meeting;
- The challenges facing our policy on Cyprus, and
- Recent political developments in Turkey, in Cyprus and in the United Nations.

I will be happy to elaborate on any of these points and respond to questions you may have.

The 22 May 2011 Parliamentary elections in Cyprus produced few surprises. The electoral outcome reflected the public frustration with economic issues and the deadlocked UN sponsored talks. The latter point was clearly highlighted by the election for a new Speaker of the House of Representatives, the second highest official in the Republic.

In Turkey's June 12 Parliamentary elections Prime Minister Erdogan carried the day with a reduced but significant Parliamentary majority, one that will prevent radical constitutional changes without broad public support. Ankara will continue to define and control the Turkish Cypriot negotiating positions in the UN sponsored talks on Cyprus, much as it has done since 1974.

Earlier last month, UN Secretary-General Ban Ki Moon was reelected for a second term, strengthening his hand in the UN sponsored talks on Cyprus. In the aftermath of his reelection and the 7 July Geneva meeting, we can expect a more active engagement by Alexander Downer, the Secretary-General's Special Representative on Cyprus, with the intent of reaching an agreement between the President of the Republic of Cyprus and the Turkish Cypriot leader before the end of the year. Despite slogans about a Cypriot owned and driven solution, Alexander Downer is poised to perform another binding arbitration maneuver much as former Secretary-General Kofi Annan did in 2004 to bridge the gap separating the two sides on core issues. The intensified negotiation process will seek a solution before the assumption by the Republic of Cyprus of the EU presidency on 1 July 2012.

Following the rejection of the 2004 Annan Plan by the overwhelming majority of the Greek Cypriot public, the UN decided to change the process but not the substance of the UN sponsored talks on Cyprus. Since the resumption of these talks in March 2008, our government supported the appointment of former Australian Foreign Minister Alexander Downer as the Secretary-General's Special Representative on Cyprus. We have also supported the unprecedented constitutional abstraction of a "bi-zonal bi-communal federation" as the only constitutional formula for the resolution of the Cyprus problem.

This Anglo-American formula first appeared in ideas presented by Henry Kissinger in 1975 and in 1977 by Clark Clifford. Since then, this constitutional abstraction has become the Bible for the solution of the Cyprus problem and has been endorsed by Anglo-American sponsored UN Security Council resolutions. It is characterized by constructive ambiguity intended to gain bi-communal support, in a country unfamiliar with federal or confederal constitutional models. Once the Greek Cypriot public became aware of the pitfalls of this confederal model, it overwhelmingly rejected it in the 2004 referendum.

The rejected Annan Plan appears to have been resurrected in the present UN sponsored talks. This plan would have legitimized the outcome of the Turkish invasion by creating a confederation of two largely autonomous states on Cyprus based on discrimination on the basis of religion, language and ethnicity. I want to stress that such discrimination is strictly prohibited by the European Convention on Human Rights which is part of the fundamental law of the EU. Few days ago, the Department of State welcomed the outcome of the Geneva meeting between the UN Secretary-General, the President of the Republic of Cyprus and the Turkish Cypriot leader and reiterated our support for the “bi-zonal bi-communal federation” model.

What has changed in the UN sponsored talks since the rejection in 2004 of the “Anan Plan” is the style of the negotiations but not the substance of the proposed solution. The new round of talks is presented as “Cypriot led and owned.” This reflects the experience with the heavy handed tactics employed in 2002-2004 by British and American negotiators which included intimidation tactics, bribes and attempts at imposing a solution through binding arbitration.

Secretary General Ban Ki Moon, following the assessment done in Geneva a few days ago, has now set a new deadline and a new meeting in New York next October with the expectation that the two sides will have reached convergence on all outstanding core issues with the active engagement of his Special Representative. While claiming that the talks are still “Cypriot led and Cypriot owned” it is clear that the UN is actively engaged in the

preparation of proposals to close the Cyprus issue. The hope is that a convergence of views will allow the convening of an international conference to deal with issues of security, guarantees and any other outstanding issues. Much as he did in his earlier meetings with the President of the Republic and the Turkish Cypriot leader, Ban Ki Moon called on the “two leaders” to begin to build public support for the upcoming comprehensive agreement and to prepare their “respective communities for the compromises required for a settlement”. However, the question is how can they do so when the talks are shrouded in secrecy. So far there are only rumors and calculated leaks about concessions made by the Greek Cypriot side without any reciprocity on the part of Turkey. This is what happened before the referendum on the 2004 Annan Plan. Once the Greek Cypriots realized that their concessions legitimized the outcome of the Turkish invasion, they overwhelmingly rejected that plan. This will happen again if the details of the proposed solution are those emerging daily in leaks to the press.

Let me close with some comments about our role in the resolution of the Cyprus problem. Despite our rhetorical commitment to the rule of law, democracy and human rights, we have tolerated and even encouraged Turkey’s intransigence and misconduct in Cyprus. We have opposed any sanctions on Turkey for its documented and continuing violations of international and American law in the name of regional security. Turkey has paid us back with contempt subverting our credibility and interests. No administration until now has had the resolve to address Turkey’s misconduct. We do not expect our government to “abandon” Turkey, but we cannot reward and tolerate a documented case of aggression. Our government still has time to endorse a functional and viable solution based on the principles on which the EU is founded on. Failure to do so will undermine our credibility at a critical time in the Eastern Mediterranean. Having excluded the EU from any constructive role in the resolution of the Cyprus problem, we remain the only country that can and must influence Turkey’s Cyprus policy. In doing so, our government must not endorse:

- A solution that destroys the internationally recognized Republic of Cyprus under the guise of “reunification”.
- A dysfunctional confederation on Cyprus based on the outcome of the 1974 Turkish invasion;
- A solution that includes Turkish guarantees, Turkish intervention rights and Turkish troops on the soil of an EU member state;
- A Dayton style international conference that led to the Bosnian partition;
- Turkish proposals on the lifting of the mythical Turkish Cypriot “isolation”, proposals aiming to the de facto recognition of the illegal regime of the occupied area;
- Proposals that violate the European Convention on Human Rights;
- Proposals seeking the limitation of the Cypriot rights on its exclusive economic zone, and
- Proposals legitimizing the demographic change of occupied Cyprus. Illegal Turkish settlers now outnumber native Turkish Cypriots by a 3:1 ratio. These settlers are not economic or political refugees They have been introduced in occupied Cyprus under Turkey’s deliberate policy to change the demography of the Republic of Cyprus and of the Turkish Cypriot community.

There is still time for the Obama administration to put into practice its commitment to democracy, the rule of law and human rights in the case of Cyprus.

Thank you.