

An abstract painting featuring a bridge structure with white and blue trusses. The background is composed of horizontal bands of color: yellow, red, and blue. The bridge spans across the top and middle of the image, with a white and blue band below it.

# REPORT

## ON THE USEFULNESS OF THE PIECE-MEAL MODEL IN THE CASE OF CYPRUS

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# **Report On the Usefulness of the Piecemeal Model in the Case of Cyprus**

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## Introduction

“The sides will seek to create a positive atmosphere to ensure the talks succeed (...). They also commit to efforts to implement confidence building measures that will provide a dynamic impetus to the prospect for a united Cyprus.”

The above is part of the joint declaration between the two community leaders (dated 11 February 2014), set out as a basis for the most recent round of negotiations to reach a comprehensive settlement to the Cyprus dispute. Although the two Cypriot leaders repeated their commitment to a “comprehensive solution”, no dynamic impetus has been cultivated, partly because they “put the cart before the horse”; in other words, they insisted on achieving a “comprehensive solution” in order to take steps for peace. This report is an attempt to understand the methodological problems of the peace process. It is based on six premises:

**1) We are not close to a solution:** Although the two sides have always emphasized their commitment to a comprehensive solution, there are important difficulties towards achieving such a solution in Cyprus in the near future.

**2) The “comprehensive settlement” catchphrase feeds political inactivity:** It seems that the notion of a “comprehensive settlement” has ended up as an “all or nothing” ideology that justifies political inactivity, preventing positive steps towards a solution.

**3) Mutual distrust is still prevalent:** There are strong fears among the Greek Cypriot political elite that the Turkish Cypriot side has a secessionist tendency, aimed at dividing the common homeland.

There are strong fears among the Turkish Cypriot political elite that the Greek Cypriot side has a hegemonic tendency, aimed at controlling the common state through marginalizing Turkish Cypriots.

**4) We need social capital:** We need to foster a tradition of collaboration among the communities of Cyprus before meaningful progress can be made towards solving common problems and, thereafter, sustaining an agreed solution.

**5) The status quo is alive on both sides:** The two communities have become resigned to the status quo, in the absence of incentives to break the stalemate.

**6) There is no painless unilateral exit from the peace process:** If the Turkish Cypriot side tries to exit the process unilaterally, it may experience further negative effects related to the current status quo.

If the Greek Cypriot side tries to exit the process unilaterally, this may result in the permanent partition of the island.

## *Introduction*

Considering the premises summarized above, this report suggests that:

- Small steps in the form of goodwill gestures would prepare the ground for a solution.
- Such goodwill gestures should be in harmony with the agreed parameters of a comprehensive solution.
- When a proposal for a comprehensive settlement is ready, the piecemeal model will make its acceptance and subsequent implementation easier – since it would have meanwhile aided in improving the relationship between the two communities.
- Although there are potential risks, these are small-scale and, thus, controllable.

## **I. What is meant by a “comprehensive solution to the Cyprus dispute”? And to what extent are the conflicting sides in Cyprus committed to this model?**

By Constantinos Adamides and Sertaç Sonan

In the framework of the Cyprus negotiations, the term “comprehensive settlement” has become a buzzword. However, recently it has come to be used in a rather vague manner since, on the face of it, everyone, including the Greek and Turkish nationalists, claims to be committed to the idea of a comprehensive settlement – as long as it is achieved in their own terms. So, it may envisage a confederal structure on the one extreme and a unitary state on the other. Therefore, from the outset, it is imperative to highlight the distinction between commitment to the settlement of the Cyprus problem and commitment to a particular approach towards reaching a settlement. In a similar vein, it should be emphasized that the “piecemeal approach,” as we present it in this report, is not an alternative to comprehensive settlement but rather an alternative method towards reaching it. In other words, in practice, there are two alternative approaches or models to reach a comprehensive settlement: (1) the “all or nothing” approach, and (2) the piecemeal approach. Having said that, given the fact that in public discourse the first model is equated to the comprehensive settlement, we will herein use the expressions “comprehensive settlement” and the “all or nothing” approach interchangeably.

As it is stated in the Joint Declaration of the two leaders, dated 11 February 2014, the current “negotiations are based on the principle that nothing is agreed until everything is agreed”; by everything, what is meant is the seven dossiers on governance and power-sharing, EU matters, security and guarantees, territory, property, citizenship, and economic matters, which all together constitute the core of the Cyprus problem. A comprehensive solution, therefore, requires an agreement on all these issues. In other words, current negotiations are based on the all or nothing principle. A comprehensive solution is also understood as something that is not a provisional agreement, but rather a final, unchangeable one.

There seems to be a consensus over the use of this approach and both sides have become fixated on the notion of a comprehensive settlement. Yet, the fact that a comprehensive settlement has the abovementioned connotations also means that the cost of failure is particularly high, hence the preferred and alternative option tends to be the support of the status quo. This is not surprising, as people facing decision-making dilemmas tend to overestimate possible losses relative to comparable gains, thus opting for risk-averse behavior.<sup>1</sup> With this in mind, we argue that, among other things, the piecemeal approach may contribute towards resolving these dilemmas by effectively reducing the cost of failure.

Historically the aim for a comprehensive settlement has been idealized and, indeed, may have become a trap. Since 1974, rounds of talks between the leaders



have only led to agreements at the lowest common denominator – such as the 1977-79 High Level Agreements and more recently (after months of haggling and foot-dragging) the Joint Statement – or balking altogether at a final settlement. A drive for the “tightest” possible agreement obviously has the perverse effect of provoking resistance on both sides. This policy paper aims to contribute to the settlement efforts by offering a healthy measure of realism in the form of achievable, concrete goodwill measures.

### ***1. How committed are Greek Cypriots to the “comprehensive” approach?***

In principle the current and all past Greek Cypriot leaderships have been committed to and are in favour of a comprehensive solution to the Cyprus problem. The Greek Cypriot political elite seem to agree on the areas that ought to be negotiated, but to disagree on the content of this settlement; there are in other words disagreements on fundamental positions, thus making the conflict intractable and challenging for negotiators and external actors to bridge the gap in various positions.

It should be noted that not all Greek Cypriot political elites seem to be equally committed to making compromises that are sufficient to allow for an agreement. Those less ready stress the need for the survival of the Republic of Cyprus and of the Greek Cypriot (or Hellenic) identity, and subsequently consider the status quo as the “lesser of two evils”. They consider the idea of a bizonal, bicomunal federation acceptable only as long as it includes the “correct content” or “correct framework” (“ορθό περιεχόμενο” ή “ορθό πλαίσιο”), without however providing a very clear picture as to what or how feasible the proposed “correct content” is. Supporters of this view come mostly from the four smaller parties, namely the Democratic Party (DHKO), the Socialist Party (EDEK), the Greens (Oikologoi) and the European Party (EVROKO).

The two biggest parties, the leftist Progressive Party of the Working People (AKEL) and the rightist Democratic Rally (DHSY), support the view that the status quo is far more dangerous than an agreed solution and thus seem more eager to seek a settlement that would lead to ending the stalemate. It is worth noting that DHSY is the only major party that supported the Annan Plan, while AKEL, which has traditionally been the party closer to rapprochement, rejected it under the rationale that it wanted a number of minor yet vital improvements which would have made the play more acceptable among Greek Cypriots, and thus lead to “solidifying a ‘yes’ vote”. That said, the four aforementioned smaller parties express their concerns that the governing elite may be too soft in accepting the other side’s positions.<sup>2</sup>

The public, just like the political elite, have diverging opinions regarding the details of the problem and in general do not have particularly high expectations that there will be a settlement to the problem. Prior to the Greek Cypriot suspension of the negotiations due to the Turkish violations of the EEZ, the latest developments with the visits of the Greek and Turkish Cypriot negotiators to Ankara and Athens

respectively led to a modest positive public reaction. In a recent survey (2013) approximately 56% of the GC population viewed this as a positive development as opposed to 37% that considered it negative; the latter group feared / worried that this approach would open the door for Turkish Cypriots to promote the recognition of the currently internationally unrecognized regime in the northern part of the island. Perhaps more important was the response to a question of whether Greek Cypriots believe that a unified Cyprus – without foreign armies – would be beneficial to all Cypriots: 87% of Greek Cypriots registered a positive view. While this could be evidence of a positive trend, in reality it would be highly unlikely that such a general question would generate any other result, as it does not pose any dilemma to the responders. A subsequent question that is perhaps more indicative of how Greek Cypriots feel was one that asked whether they would prefer a two-state solution; 74% responded that they do not, yet two things should be noted regarding this response: the first is that 24% responded that the two sides cannot live with each other and that separation would be a better option – and this is not an insignificant percentage. Furthermore, such responses are usually registered without a specific proposed alternative settlement in mind, meaning that respondents with similar views would reject any proposal if it involved a form of federation and thus power-sharing and co-existence. Finally, the number could be significantly higher if the proposed plan was perceived as problematic. The second issue to be noted is that the option of the status quo was not available; obviously, the presence of such an option could have yielded different results, enlarging the numbers of those unwilling to move towards a federal solution.

In sum, it is difficult to assess public opinion when it comes to perceptions regarding a comprehensive solution. Overall, there seems to be a change in the political environment so that where Greek Cypriots seem to be more ready than they were in 2004 to make concessions (if Turkey and Turkish Cypriots do so as well), it would not be safe to assume that any proposal for a comprehensive solution would be accepted, even if the two major parties accepted it. A lot will depend on the content of the proposal and whether some major issues, such as the removal of any provisions for Turkish guarantees, are addressed in a satisfactory way, or not. Similarly, a lot will depend on how much the proposed plan will be presented as a threat by key actors, including the religious leaders.

## **2. *How committed are Turkish Cypriots to the “comprehensive” approach?***

Among the Turkish Cypriot political elites, there seems to be a commitment to the comprehensive or the “all or nothing” approach, yet, to a large extent this is because the alternative method, i.e. the “piecemeal” approach, to reach a comprehensive settlement is not seriously discussed, and, at least among certain circles, it can be said that it has been completely discredited.

Negative connotations attached to the piecemeal approach by those on the right of the political spectrum can be explained by reference to the legacy of the former

Turkish Cypriot leader Rauf Denktash. Denktash categorically dismissed any alternative or supplementary approach to a comprehensive settlement as a “salami policy”, arguing that if adopted, such a policy would lead to the slice- by-slice gobbling up of the Turkish Cypriots by the Greek Cypriots. In a recent interview, Turkish Cypriot leader Dervis Eroglu resurrected the term “salami policy” to express his opposition to taking any steps regarding the opening of the fenced-off town of Varosha prior to a fully-fledged settlement to the Cyprus problem.<sup>3</sup> It is no wonder, therefore, that the right-wing political parties, the National Unity Party (Ulusal Birlik Partisi, UBP) and the Democratic Party- National Forces (Demokrat Parti-Ulusal Güçler, DP-UG), which have traditionally adhered to Denktash’s hardline stance, are committed to this position.

It is more difficult to account for the exclusive commitment of the traditionally pro-reunification Republican Turkish Party-United Forces (Cumhuriyetçi Türk Partisi- Birleşik Güçler, CTP-BG), the senior partner of the ruling coalition, to the “comprehensive” approach. Unlike the UBP and DP-UG, CTP was a staunch advocate of the confidence building measures in the 1990s. Yet, in the run up to the latest round of the negotiations, senior party figures including the minister of foreign affairs have expressed their concerns about big steps such as the returning of Varosha to its legal owners, even if this would be done simultaneously with the opening of Ercan/Tymbou Airport to international flights.

To somewhat simplify, the main argument behind this reluctance is the conviction that if, say, Varosha is given back to the Greek Cypriot side, they will lose their motivation to carry on the negotiations to reach a comprehensive settlement.” Furthermore, it is argued that taking such steps requires painstaking negotiations, which will divert the leaders’ attention and energy away from the ongoing negotiation process towards reaching a “comprehensive settlement”. In other words, a trade-off between a comprehensive approach and a piecemeal approach is taken for granted, which in turn is used to oppose the adoption of a piecemeal approach.

The only political party represented in parliament which is supportive of the idea of implementing concrete confidence building measures before an overall settlement is the Social Democratic Party (Toplumcu Demokrasi Partisi, TDP). At the civil society level, however, there is much more support for such an alternative. For instance, the Famagusta Initiative is strongly in favour of Varosha being returned to its legal owners. A recent poll conducted by this initiative among Turkish Cypriots showed that 73% of those who participated were supporting the return of the town to its lawful inhabitants.<sup>4</sup> Recently, the presidents of the Chamber of Commerce and the Chamber of Industry also expressed their support for this idea, as long as the Turkish Cypriot community receives something in return.<sup>5</sup>

### **3. What are the merits of the “piecemeal” approach, as an alternative to the current “all or nothing” approach?**

The piecemeal approach is, by definition, supportive to and not a substitute for the comprehensive solution. The main distinction is that this approach envisages and highlights the taking of concrete steps in the direction of settlement before “everything is agreed”. Therefore, the goal of a piecemeal approach is to contribute to the achievement of an eventual comprehensive settlement, and thus it may take place concurrently with any other efforts for an overall resolution to the problem.

#### *3.1 Primary impact*

The primary potential impact of such an approach revolves around the development or enhancement of confidence between the two sides. Specifically, any successful action is expected to allow both sides to feel that they have gained something from the process and creates the positive perception that collaboration and win-win outcomes are indeed possible. Subsequently, it allows for the further enhancement of the piecemeal approach with the setting of new goals. Additionally, it makes it clear that trust is concession-based and relies on a “give and take” methodology.

#### *3.2 Spillover effects and lessons from European integration*

A piecemeal approach can become self-sustained, and can continue to be empowered, by successful actions, which create spillover effects of much greater significance. The most remarkable success story achieved this way is none other than the European Union (EU) where the very first steps were limited to collaboration in a “functional” area i.e. coal and steel production, among just six states, which had experienced war and distrust in the recent past, and the development of the European Coal and Steel Community in the early 1950’s. The spillover effects of this first step were so significant that, in time, it has gradually led to the current political structure of the EU with 28 members. European countries were, and continue to be, willing to hand over political sovereignty to EU institutions because there is trust and confidence among the member states that has developed over past decades through small integration steps, i.e. a piecemeal approach. We know therefore that as the success rate of small collaborative acts increases, so does trust, thus increasing the potential for bigger and more important overall agreements. Cyprus can be another success case: small success stories can have a much bigger spillover impact and contribute to an agreement for a comprehensive settlement.

#### *3.3 Other benefits of piecemeal approaches*

Besides the aforementioned primary impact, there are a number of other benefits, as compared to options that focus solely on an “all or nothing” approach.

### 3.3.1 Less risk of failure

The first benefit is that the possibility of failure is relatively much smaller compared to that of an “all or nothing” model. The reason is that a piecemeal approach focuses on only one issue at a time. Thus, if there is room for “give and take”, as in the case with Apostolos Andreas and the Hala Sultan Tekke, then the relevant negotiations are less likely to fail because of obstacles or disagreements on other irrelevant issues (e.g. guarantees, power-sharing, and settlers).

Furthermore, the chances for success are further increased, particularly at the initial stages, because both sides can pick and choose the areas that are most likely to be successful. Both sides can choose issues that are less sensitive to political disagreements, entailing a more cultural, environmental or humanistic element, thus allowing both sides to be more accommodating without feeling that there is significant political cost. Relevant examples include the restoration of cultural monuments and the missing persons committees. Such projects are less likely to face serious objections either by the elite or the public on either side of the island, therefore increasing the chances for success. It also makes it easier for leaders to accept proposals regarding such issues, precisely because they do not potentially have a heavy political cost. Once a few issues are resolved and more trust/confidence has been built, there will be more readiness for taking on more politically sensitive issues.

### 3.3.2 Minimization of cost of failure

In the event that an issue is not resolved for any reason, the cost of non- resolution is not the same as the cost entailed by failed attempts at reaching comprehensive settlement – as was the case with the rejection of the Annan Plan. Failure in a small issue does not eliminate the possibility for a comprehensive solution as it does not hold the overall efforts, nor does it stop the efforts for negotiation on another issue in another area. Given the fact that there is an overall failure to resolve the problem in its entirety, the cost of failure in one specific issue is not as high, as any failure could be attributed to the overall existing lack of trust. In other words, the negative impact would not be particularly high, compared to the positive impact in case of a success, as the latter would indicate that collaboration is indeed possible.

### 3.3.3 Concrete evidence of success

Lastly, a benefit of this approach is the fact that success stories are easily observable by the general public. Unlike negotiations and potential success stories on all fronts (as is the case involving overall settlement efforts, that frequently remain behind closed doors until the two sides are ready to present a compressive proposal), piecemeal efforts tend to receive a lot of publicity, especially if they are successful. An indicative example is the case of the protection of cultural heritage.

**4. *As an example of a comprehensive solution, can the 1959-60 accommodation be useful? (external initiative with minimum internal input)***

The 1960 settlement is outdated and carries with it significant drawbacks as well as negative perceptions on both sides of the buffer zone. Subsequently, any reference to the 1960 settlement could potentially create “defensive reactions” by one or both sides. This does not mean that there are no elements in that arrangement that could be either utilized or avoided in order to promote a more workable proposal; however, details regarding the legal aspects of any proposed constitution are beyond the scope of this study.

What should be noted regarding the 1960 constitution is how it was perceived, namely as a “reluctant republic”,<sup>6</sup> a “quasi-state”,<sup>7</sup> and, as former President Glafcos Clerides called it, an “unwanted child”. These perceptions, which to a large extent were shared by the Turkish Cypriots too, have remained unchanged over the decades, not least because it is believed that the 1960 constitution was “given” or “imposed” by external powers, and more specifically by the UK and the US. Similarly, the so-called “Annan Plan” was also perceived by the Greek Cypriots as an Anglo-American “device” that was to be imposed on Cypriots. In a similar vein, the right-wing circles in the Turkish Cypriot community stigmatized the UN blueprint as an “imperialist plan”, full of “pitfalls”.

Therefore, what should be learned from the 1959-1960 model and the Annan Plan is that any proposed settlement must not be seen as an externally imposed solution, but rather one that has been developed by Cypriots themselves. Any imposition, or perceived imposition, is most likely to be rejected by one or both communities; it is worth recalling that, as underlined by the “Joint Declaration”, any settlement at this stage will have to be approved by simultaneous referenda, unlike the 1960 constitution.

Similarly, the public is particularly sceptical of any external arbitration; it is not a coincidence that the Joint Declaration, to alleviate these fears, rules out arbitration, arguing that “only an agreement freely reached by the leaders may be put to separate simultaneous referenda”. While the absence of arbitration would be welcomed, as any settlement would, by definition, be a product “made in Cyprus”, it is questionable whether, without any external intervention, it will be possible to reach an overall agreement. Interestingly, while both sides argue against arbitration, they welcome any third-party involvement for as long as it is seen to be in their own favour. This is implicitly acknowledged by the decision-making elite that frequently ask for more active involvement of external actors such as the UN, US, UK and the EU; however, they acknowledge and celebrate such involvement only if it supports their respective positions, and if it ‘pressures’ the other side to make concessions. Given that external intervention is to some extent inevitable, at the end of the day the prevailing perception must be one that views the intervening actors as “honest brokers” who serve the interests of

Cypriots and not their own – unlike as was the case in 1960, when the foreigners were perceived to be biased and dishonest.

Finally, an important shortcoming of the 1959-60 model was that it did not address the problem of absence of a culture of co-operation and problem solving in day-to-day affairs. A piecemeal approach, on the other hand, may create “micro cases”, or “laboratories”, where practical difficulties in the functioning of the state apparatus can be spotted and addressed in a timely manner before poisoning the whole process, while the successful cases can be adopted and copied elsewhere.

## II. Can the “piecemeal” model be successfully implemented in Cyprus?

By Nicos Peristianis and Yücel Vural

Since the territorial division of Cyprus in 1974, there have been a number of goodwill gestures which constitute examples of the piecemeal model for moving towards peace / resolving the conflict on the island. A goodwill gesture is a short- or long-term (provisional or permanent) measure whose initiation and implementation is easier and simpler than a comprehensive resolution of a complex problem. A goodwill gesture may be associated with a comprehensive solution to a problem, or it may aim at resolving a particular issue(s) unconnected to the larger problem in a direct way (e.g. practical or humanitarian considerations), but which may have positive spillover effects, aiding the resolution of the problem in indirect ways – such as through increasing trust between the warring sides, and, hence, creating a more conducive milieu for conflict resolution negotiations.

### 1. *Classification of goodwill measures*

Goodwill gestures may be classified on the basis of a number of features, such as: the actors involved in the initiation of the measure; the intended reasons or the expected outcomes of the initiative; the type of goodwill measure introduced; the degree of acceptance/legitimacy of a measure by the parties involved; and the overall outcome, which may emerge independently of the intended reasons for the initiative.

Considering the actors that undertake responsibility for a particular initiative, goodwill gestures could be classified into three sub-categories on the basis of whether the initiative was undertaken jointly or unilaterally, and in relation to the expectations of the actors involved (see Appendix I).

The first sub-category includes *unilateral initiatives by one of the parties without the expectation of reciprocal moves by the other party*. In this case, the initiation and the successful implementation of goodwill measures do not necessarily require the explicit support of, and/or reciprocation by, the other side. This is often the case when the expectations of the two sides vary significantly, since they rest on conflicting perspectives or definitions of the situation. Thus, while the initiator tends to emphasize the necessity of a measure and/or the expected positive results, the receiving party may be suspicious of the intended objectives and/or may doubt the positivity of the expected results. It follows that such initiatives by one of the sides may be considered dangerous or politically risky by the other side – hence, the latter would tend to be indifferent both to the initiation and the implementation of the measure. Similarly, the legitimacy bestowed to the measure on the side which initiated it may be high, but much lower on the opposite side.

The second sub-category includes *unilateral initiatives by one of the parties, positively received by the other party*. In this case, the intended aim/objective of



the measure may vary, and the receiving party may question the motives of the initiating side. Nevertheless, the receiving party may maintain a positive attitude towards the goodwill gesture of the other side on account of a number of reasons – including external or internal incentives, legal realities, or political/ideological commitments. Expectedly, the two sides tend to develop diverse perceptions as to the nature or possible contribution of the goodwill action. In such cases, legitimacy is usually higher on the side which initiated the goodwill action.

The third sub-category of goodwill action includes *reciprocal initiatives, based on cooperation and coordination between the two sides*. In this case, the two sides tend to agree on the objectives and expected outcomes of the initiatives. Not only the official sides but also the wider public tend to be supportive of the initiative. Hence, the overall results of the commonly agreed initiatives are generally positive and may contribute towards the normalization of the relations between the parties, as regards specific areas, or more generally.

In the case of Cyprus, the above three possibilities are fleshed out below:

### *1.1 Unilateral or mono-communal steps, without negative reaction from the other side*

The best example of this category of goodwill actions is the partial restoration of citizenship rights to the Turkish Cypriots, by the Greek Cypriot controlled Republic of Cyprus. The rationale behind this action was primarily the perceived necessity of the state to act and/or to be seen to act responsibly towards all its citizens. Hence, the Republic's policy of providing the Turkish Cypriots with passports and IDs (upon their written request), irrespective of whether the same were in possession of similar documents issued by the authorities of the "TRNC". This measure has been maintained for several years after the territorial division of the island in 1974, reaching its apogee after the opening of the checkpoints in April 2003. Although the Turkish Cypriot side has remained skeptical and sometimes unsympathetic<sup>8</sup> towards this policy, it did not publicly attempt to prohibit Turkish Cypriots from applying for citizenship rights<sup>9</sup> to the Republic of Cyprus authorities. Moreover, this policy has yielded practical benefits to thousands of Turkish Cypriots holding the ID and/or the passport issued by the Republic of Cyprus, including the right to free movement in the EU. Equally important, this measure demonstrated that a future common "Cypriot state" is still possible. Nevertheless, these limited citizenship rights created skepticism among the Turkish Cypriot elite, while also causing some negative reaction within a section of the Greek Cypriot community – without, however, undermining this policy.

Another example of a goodwill action in this category is the establishment of the Immovable Property Commission (IPC) by the Turkish Cypriot side, in an attempt to address the decision of the ECHR towards providing a remedy for property rights in the northern part of Cyprus.<sup>10</sup> Although the Greek Cypriot side avoided officially questioning the legality of this judgment by the ECHR<sup>11</sup> (that

IPC decisions constitute a remedy to property rights violations in the north of Cyprus), it did consider this an attempt at justifying and deepening the political division of the island, consolidating a mono-communal territorial zone in the northern part of Cyprus in the process. On the other hand, the importance of this development lay in the fact that Turkey was forced to officially accept the property rights of Greek Cypriots and to thereby address their associated claims through employing three different mechanisms – restitution, exchange and compensation. Although the Greek Cypriot side remained unconvinced by this development, the ECHR decision implied that there could be an effective remedy to Greek Cypriot property rights in the north. Consequently, the importance of the piecemeal method as a supplementary tool towards a comprehensive solution to the Cyprus dispute became more apparent. Overall, the establishment of the IPC represents a step towards a partial solution of the property rights of Greek Cypriots forced to abandon their property in the north in 1974. At the same time, the IPC helped to reduce pressure on the Turkish Cypriot side and Turkey, strengthening their demands for a bicomunal, bizonal future political settlement.

The revision of the Turkish Cypriot history textbooks by the CTP-led government, between 2004 and 2006, is a third example of unilateral goodwill action aimed at helping to construct a positive psychological atmosphere useful in bringing about a durable intercommunal peace on the island. The revisions introduced provided an alternative understanding of the historical events on the island, attempting to eliminate one-sided, ethnocentric and militaristic accounts in Cyprus history textbooks. The historical narratives in the previous textbooks depicted Greek Cypriots as the eternal enemies of Turkish Cypriots. The removal of offensive narratives demonstrated political goodwill towards encouraging peace, reconciliation and the reunification of the island. The Greek Cypriot side, however, was unable to institute similar changes, contributing to a reversal of policies in the north, and a return to a more conservative policy in history teaching.

### *1.2 Unilateral (mono-communal) steps, with positive reaction from the other side*

The most prominent example of this category of goodwill action is the opening of the Ledra Palace checkpoint on the Green Line, by the Turkish Cypriot side, in April 2003. The Greek Cypriot side reacted positively, initiating the necessary steps which allowed massive crossings between the two sides. Subsequently, new crossing points were opened through minimal cooperation between the two sides.

Yet, overall, these steps lacked a bicomunal philosophy, which resulted in conflicting approaches on the status of the crossings. The Greek Cypriot side regarded the crossings as movement between the legitimate, government-controlled areas and the areas under the illegitimate control of the Turkish army. On the other hand, the Turkish Cypriot side viewed the crossings as the movement of persons between two separate states. Hence, although the crossings helped to

normalize the daily relationships between the members of the two communities, they did not reduce political tensions and the military confrontation between the two sides.

### *1.3 Reciprocal, bicommunal initiatives, supported officially by the two sides*

The prominent example in this category is the establishment of the Committee on Missing Persons (CMP) in 1981, with the humanitarian aim “to return the remains of missing persons to their families in order to arrange for a proper burial and close a long period of anguish and uncertainty.”<sup>12</sup> Although “a number of inter-communal meetings on the problem of the missing persons were held”, the two sides could not achieve “significant progress”.<sup>13</sup> The positive development in this issue emerged when the UN General Assembly adopted several resolutions, between 1977 and 1981, encouraging the two sides to establish the CMP. The activities undertaken by the CMP could potentially uncover unknown/hidden facts connected to the tragic events in Cyprus which occurred during both the intercommunal crisis in 1963-64 and the Turkish military onslaught in 1974.

A second example is the Nicosia Master Plan, initiated in 1979 by the Turkish Cypriot and Greek Cypriot mayors of Nicosia, under the coordination of the United Nations Development Programme (UNDP). The aim of this initiative was “the improvement of the existing and future habitat and human settlement conditions of all the inhabitants of Nicosia.”<sup>14</sup> The project was successfully implemented, with a high degree of acceptance by the two sides, which created a degree of interdependence in a divided city. The project also provides for future cooperation between the two sides towards unifying local public services in the city.

The “provisional arrangement” signed by the football associations of the two sides (CFA and CTFA) constitutes a third example of a bicommunal initiative. Through this, the two legal authorities representing football in Cyprus agreed on a number of principles towards overcoming various practical difficulties created by the territorial division of 1974. The provisional arrangement received the support of public opinion on both sides. This bicommunal initiative can be seen as unique, in the sense that its basic principles both confirm the 1960 bicommunal constitutional order and foreshadow the future federative relationship between the two sides in a particular social area. This basic philosophy has largely differentiated it from all other mono-communal and bicommunal initiatives.

**2. Under which conditions can a “piecemeal” model contribute towards achieving a [comprehensive] solution to the Cyprus dispute?**

Although all examples elaborated above have been relatively successful in achieving a particular objective, their contribution to a comprehensive solution has been limited. A careful analysis of the philosophy and overall results of the various goodwill gestures helps to identify a number of potentially limiting factors in this domain:

- 2.1 The first limiting factor is the false expectations promoted by certain official and non-official circles; that the two sides are about to achieve a comprehensive solution. When this fails to materialize, the two sides tend to retroactively play down the possible contribution that goodwill gestures may have towards an overall settlement. At the same time, the excessive emphasis on the need to move directly to a “comprehensive solution”, even though no clear federal model has been agreed upon and the necessary psychological readiness for moving towards a compromise is lacking, leads to an ideological dogma, preventing creative contributions to a solution. We thus end up with a paradox: the two sides pay lip service to the need for a radical transformation of the status quo, which requires extensive commitment and massive mobilization, yet they fail to accept goodwill measures towards achieving even a small step in that direction! *The two sides’ acceptance of the importance of small steps to be initiated prior to a comprehensive solution constitutes a necessary psychological move and a vital political mechanism for achieving an overall settlement.*
- 2.2 A second difficulty derives from the political strategies of the two sides to the Cyprus dispute. Although the two leaderships have agreed many times on the parameters of a comprehensive solution, the lack of a common philosophy on what such a solution should achieve constitutes one of the main obstacles for implementing piecemeal measures as a supplementary element towards a comprehensive settlement. Hence, despite its official position regarding its readiness to move towards an agreed solution, the Turkish Cypriot side (and Ankara), through its excessive stress on the importance of “realities”, has created the image that it is constantly trying to prove that an agreed settlement is not possible and, thus, separation is the de facto solution. This policy has also been fostered by Ankara’s longstanding position, which regards the Cyprus dispute as (solely) a problem between Turkish Cypriots and Greek Cypriots. This pro-status quo orientation lends justification to Greek Cypriot skepticism and inactivity in the search for a solution. In any case, the Greek Cypriot side seems to be content with the international recognition of the Republic of Cyprus; while it recognizes that it does not, at present, have enough power to “push” a solution in the desired direction – it thus prefers to wait until it can mobilize strong international political support

against Turkey. *The result is a vicious cycle which needs to be broken, either through mono-communal or bicomunal initiatives, aiming at transforming the status quo into a new federal partnership. Turkey and Greece could support this process through their own goodwill gestures.*

- 2.3 The third difficulty derives from the interpretations of each side to the reactions of the international community. The Turkish Cypriot side and Turkey do not seem to accept the fact that the international community consistently rejects separation and a two-state solution. *In fact, any goodwill gestures by Turkey or the Turkish Cypriot side should be premised on the international recognition of the Republic of Cyprus, and hence the corollary of avoiding the demand for separate statehood.* On the other hand, the Greek Cypriot side does not fully account for the international community's intention to normalize the relationship between the external world and the Turkish Cypriot community. *Therefore, any goodwill gesture by the Greek Cypriot side should be premised on accepting the Turkish Cypriot side as an equal constitutional actor and avoiding the demand for a majoritarian state.*
- 2.4 The fourth limiting factor is the lack of a common philosophy on the method of transforming the status quo into a federal settlement. *The Turkish Cypriot side and Turkey should accept the fact that the 1960 constitutional order needs to be transformed into a federal system and the Greek Cypriot side should accept the fact that this transformation requires the effective participation of the two communities through the institutional cooperation of the two leaders.*

### **III. Perceptions of Cypriot political elites of the piecemeal approach as a supplementary tool towards a comprehensive solution**

By Yücel Vural and Nicos Peristianis

A number of political opinion makers associated with political parties, civil society organizations and official institutions from the Greek Cypriot and the Turkish Cypriot communities were contacted and interviewed during May-June 2014, in order to ascertain the main attitudes towards the piecemeal model as an instrument for preparing the ground towards achieving a comprehensive solution. In most cases, the basic model for gathering the views on the issue was face-to-face interviews, which were recorded. In addition, when deemed necessary, the respondents clarified and confirmed their arguments through written responses to the interviewers.<sup>15</sup> The survey data were also enriched through findings obtained from focus group discussions. In all cases, the respondents were clearly informed that the survey aimed at producing a policy paper on the possibility of implementing “a number of confidence building measures as complementary elements of a comprehensive solution” in Cyprus. The interviewers presented four issues as the first wave of such goodwill gestures: “the restoration of institutional religious rights”; “normalizing international air transportation to and from the northern part of Cyprus”; “the opening of Varosha”; and “unifying the administration of football in Cyprus”.<sup>16</sup>

From the analysis of the survey data, it became obvious that the responses, reactions and arguments of the various respondents towards the possibility of implementing goodwill measures in Cyprus are affected and shaped by a number of beliefs and assumptions, as described below:

#### ***1. Beliefs and assumptions of the Greek Cypriot opinion makers towards the implementation of goodwill gestures***

##### *Greek Cypriot Belief 1:*

- Most of the Greek Cypriot opinion makers, especially those who are closer to the official decision-making organs, share the common belief that the political/geostrategic preconditions have not been supportive of a comprehensive solution in Cyprus. This belief is justified by the assumption that the “asymmetric balance of power has increased the politico-military influence of Turkey in the region since 1974”. Thus, “since the international community has failed to deter Turkey to bring the fait accompli created in 1974” to an end, “Turkey has been freed to impose its own solution on the basis of the 1974 geostrategic status quo”. Based on such arguments, most Greek Cypriot opinion makers conclude that “the success of any goodwill measure requires a kind of fair balance of power and the constructive involvement of Turkey in the peace process.”

The belief of Greek Cypriot opinion makers that *geostrategic conditions are not supportive of goodwill gestures and that Turkey has been in a position to impose its own solution* do not sufficiently take into consideration a number of geostrategic developments since 1974. Among others, it is necessary to stress two major developments preventing Turkey from turning military gains into political ones: (a) the UN Security Council decisions, which confirmed the existence of a single legitimate Cypriot state on the island; and (b) Cyprus' membership in the EU. Such developments make it possible to implement goodwill measures with minimal politico-military influence by Turkey.

*Greek Cypriot Belief 2:*

- Greek Cypriot opinion makers seem to share the view that “the implementation of any goodwill gestures would require the demonstration of positive will by Turkey towards accepting and promoting a solution in Cyprus. This would entail at least two different, yet interconnected steps: The first step is for Turkey to demonstrate its willingness to loosen the *fait accompli* of 1974”; the second is for Turkey to agree to take part directly in the negotiation process.

Although one may sympathize with the above “requirements”, they seem somewhat unrealistic, given that politics is guided by material and ideal interests – and not by principles of fairness and justice. It could thus be argued that any steps by Turkey, demonstrating its willingness to contribute to the peace process, could be mobilized through conscious counter-steps (though not necessarily of the same import) by the Greek Cypriot side. The insistence on unilateral attempts by any political actor could lead to a “chicken and egg” situation.

*Greek Cypriot Belief 3:*

- Most Greek Cypriot opinion makers expressed a common fear regarding the piecemeal model – that “possible deadlocks in the process of implementing goodwill gestures would probably culminate in an extremely negative consequence, namely ‘the legalization of the *fait accompli* of 1974’ or ‘the recognition of TRNC’”. They seem to believe that the Turkish Cypriot leadership would be exploiting such steps towards maintaining the status quo. This fear seemed to be widely shared, especially by those who are ideologically closer to the smaller political parties (and which seem to adopt a “harder” line on ethno-national issues).

The fear that deadlocks in the implementation of goodwill gestures could culminate in the “recognition of TRNC” is theoretically correct, especially when goodwill measures are not associated with a general framework for a comprehensive solution.

## **2. Beliefs and perceptions of Turkish Cypriot opinion makers towards the implementation of goodwill gestures:**

### *Turkish Cypriot Belief 1:*

- Most Turkish Cypriot opinion makers (except the representatives of some civil society organizations and smaller liberal/social democrat/socialist circles) have expressed the persistent belief that piecemeal attempts are a “waste of time”, or that they could “add new problems to the Cyprus dispute”, when in fact “the conditions for a comprehensive solution are available” and therefore this should be the focus of all efforts.

Since 1974, the two sides have committed themselves to a comprehensive settlement with limited attempts to resolve particular aspects of the dispute; such commitments have not produced any meaningful contribution towards resolving the Cyprus dispute. Conversely, the various goodwill measures already implemented (unilaterally or jointly) have contributed substantially towards improving the relationship of the two communities, providing a better basis for a future comprehensive solution.

### *Turkish Cypriot Belief 2:*

- A group of Turkish Cypriot opinion makers expressed the fear that the implementation of the piecemeal model could weaken the Turkish Cypriot position on the negotiation table through creating pressures towards reestablishing the authority of the “Republic of Cyprus” in the north. This belief was associated with the fear of “returning back to the pre-1974 conditions”.

The fear that goodwill gestures could culminate in pressures towards reestablishing the authority of the “Republic of Cyprus” in the north is unfounded, so long as goodwill measures are not seen in isolation, but rather in relation to parallel movement towards a comprehensive solution.

### *Turkish Cypriot Belief 3:*

- A group of Turkish Cypriot opinion makers argued that the implementation of piecemeal measures could erase the “sovereignty of TRNC” and create the danger in the negotiation process of discouraging the Greek Cypriot side from making serious efforts towards a comprehensive solution to the Cyprus dispute.

The argument that goodwill gestures could discourage the Greek Cypriot side in supporting a comprehensive solution does not take into consideration the persistent deadlock on the negotiating table. The Turkish Cypriot side has always raised the argument that the Greek Cypriot side has no incentive to support a comprehensive solution.



## **IV. An example of how a goodwill measure could be successfully implemented: Restoring institutional religious freedoms**

By Nicos Peristianis and Yücel Vural

### ***1. The Problem***

Two major problems regarding institutional religious freedoms in Cyprus are apparent. The first concerns the restrictions in place by the political authorities of both communities on the use of religious sites by members of the other community. The use of Apostolos Andreas and the Hala Sultan Tekke, by Greek Cypriots and Turkish Cypriots, respectively, is of paramount importance because of their historical and religious status. The major reason for any limitations is the de facto situation in Cyprus (the division), which enables the political authorities on each side to challenge the legitimate demands and expectations of the other side. Such limitations have persisted since the territorial division of 1974. For example, Greek-Cypriots willing to visit the religious sites in the north are required to apply for prior permission by the Turkish Cypriot political authorities, in order to organize ceremonies at their religious sites. Similar limitations exist for Turkish Cypriots in using religious sites located in the south. Such limitations seem to be the remnants of the pre-2003 period, and are not consistent with the new realities on the ground.<sup>17</sup>

The second problem concerns the lack of an appropriate model of administration for the religious sites located on the “other side”. After the territorial division of 1974, the legal authorities of the two communities lost administrative control of the religious sites located on the “other side”. In the Republic of Cyprus, the Department of Antiquities has been given responsibility to administer the religious sites which belong to the Turkish Cypriot community. In the north, there is no single unit with administrative control over religious sites originally owned and administered by the Orthodox Church of Cyprus. Instead, Turkish Cypriot authorities allowed several units, persons and institutions to variously use Christian religious sites located in the northern part of Cyprus. Although a technical committee consisting of representatives from both sides undertook responsibility towards making urgent restorations of some religious sites, its limited jurisdiction could not stop the violation of institutional religious rights and freedoms.

### ***2. The importance of the issue***

Historically, the dominant ideological values and political practices in Cyprus helped to foster a tradition of communal autonomy in several areas of social life, such as the educational and religious domains. As a result of this tradition, the functioning of the educational and religious institutions has been well respected

by the political actors in the two communities, excepting during specific periods of political tensions.

Despite the existence of diverse and conflicting views on the desired political system on the island, there has been a mutually legitimized political understanding that the religious rights and freedoms of the 'other community' are inviolable and that the exercise of such rights and freedoms shall be under protection.<sup>18</sup>

During the intercommunal conflicts (between 1963 and 1967) and especially after the territorial division of the island in 1974, however, the religious institutional freedoms and the exercise of religious rights met with important practical obstacles. Almost all Greek Cypriot and Turkish Cypriot opinion makers interviewed in the context of this survey unconditionally supported the survey's premise that steps towards restoring institutional religious freedoms in all parts of Cyprus are necessary and crucial in the peace process. Beyond their daily functions and the degree of practical importance to the believers, educational and religious institutions have become the most important and sensitive community structures because of their historical culture-making and identity-bearing status. It is for this reason that the breach of, and limitations on, religious institutional freedoms through political actions/decisions/measures creates one of the persistent sources of intercommunal distrust – which weakens the ground for a peaceful solution.

The religious and educational institutions are isolated from the peace process in Cyprus and find it difficult to contribute towards it. As institutional structures, they are affected by the influence of the prevailing view that the resolution of the Cyprus dispute is next to impossible. This has led to an attitude of inactivity, preventing any positive initiative towards the peace process. Thus, any step aiming at restoring institutional religious freedoms could not only mobilize ideological support for the peace process, but could also create practical momentum towards resolving the Cyprus dispute.

### ***3. The content of mutual goodwill measures: The restoration of institutional religious rights***

With regard to their functions and historical status, the Orthodox Church and the Office of the Mufti and the Vakfs are the relevant authorities which should be entitled to reestablish their administrative and religious authority on the island. As provided by the Constitution of the Republic of Cyprus (Article 110, Para. 1 and 2), the authority of these institutions is undeniable as regards the religious sites which were originally under their control before 1974. To this end, a meaningful step could be taken through restoring institutional religious rights regarding the Apostolos Andreas Monastery and the Hala Sultan Tekke,<sup>19</sup> according to the following principles:

- 3.1 Regarding the administration of the abovementioned holy religious sites, the two leaders could take in common and separately all necessary decisions to change the status quo and enable the relevant institutions to reestablish their administrative authority in Apostolos Andreas Monastery and the Hala Sultan Tekke.
- 3.2 The main buildings and the areas adjacent to the main buildings of these religious sites should come under the administration of the relevant community authority.
- 3.3 All technical and administrative decisions and actions (relating to such activities as the maintenance and the utilization of the sites, ceremonies, and visits for religious purposes, within the original boundaries of the aforementioned holy religious sites) shall be taken and implemented by the relevant authority, without any limitations.
- 3.4 The two leaders should undertake in common or separately all necessary measures to maintain a peaceful atmosphere outside the aforementioned holy religious sites.
- 3.5 The following actors shall be responsible for the implementation of the goodwill gestures described above:
  - The Cyprus Orthodox Church, Vakfs and the Office of the Mufti
  - The two political leaders
  - An Advisory Committee consisting of legal representatives of the Orthodox Church of Cyprus and the Vakfs/Office of the Mufti
- 3.6 The two leaders shall also announce that any religious site, building or area which belongs to the other side, is not to be used by any person or authority for any purpose, without the written authorization of the relevant institution (the Orthodox Church of Cyprus or the Mufti of Cyprus).
- 3.7 The two leaders shall take joint initiatives to allow the relevant authorities (the Mufti of Cyprus and the Cyprus Orthodox Church) to visit any religious site without any limitations, and to report any administrative or political misconduct to the Greek Cypriot and Turkish Cypriot leaders.

## **V. Can international air transportation to and from Tymbou (Ercan) Airport be normalized before a comprehensive solution?**

By Nicos Peristianis and Yücel Vural

### ***1. The problem***

Direct international flights to and from Tymbou (Ercan) Airport, located in the northern part of Cyprus, are not allowed as a result of restrictions implemented by the Greek Cypriot-controlled Republic of Cyprus.<sup>20</sup> These restrictions constitute as a reaction to the military presence of Turkey in the northern part of Cyprus.<sup>21</sup> Moreover, almost all other airline companies (besides those registered in Turkey) consistently refuse to fly to and from Tymbou (Ercan) Airport. Conversely, air traffic between Tymbou (Ercan) Airport and a number of airports located in Turkey is treated as if related to domestic flights by ICAO.<sup>22</sup> Another recent parameter concerns the indirect connection established by some airline companies between the northern part of Cyprus and the external world via stop-overs at airports in Turkey. As such, restrictions established on air transportation between northern Cyprus and the external world have been bypassed by Turkey and the Turkish Cypriot side, without permission from the Republic of Cyprus. It is also pertinent to mention that since July 1974, Turkey has maintained a similar “counter-policy” by closing its airspace to Greek Cypriot aircraft.

Although Turkey and the Turkish Cypriot side have managed to find a way to bypass restrictions on international flights to and from the northern part of Cyprus, the de facto status of Tymbou (Ercan) Airport has generated two important problems, involving both political and economic challenges to all related actors, including the two communities on the island.

The first problem is political, which is to say that the de facto status of Tymbou (Ercan) Airport and the abovementioned restrictions and counter-measures constitute an important obstacle to the normalization of intercommunal relations on the island. The second problem is economic, in the sense that air transportation to and from Tymbou (Ercan) via a stop-over at a Turkish airport increases the travel costs involved, while planes taking off from the Republic of Cyprus in the direction of Turkey are routinely routed around Turkish airspace, expending more fuel than otherwise necessary.

### ***2. The importance of the issue: Arguments of political elites on the idea of normalizing air transportation to and from Tymbou (Ercan) Airport***

The Greek Cypriot and Turkish Cypriot respondents were presented with a specific proposal, with minimal details, regarding the normalization of international flights to and from Tymbou (Ercan) Airport. The proposal was composed of two elements: a) aircraft with Tymbou (Ercan) Airport as their destination will be able

to use the FIR controlled by the Republic of Cyprus, while accepting that the international rules and norms of ICAO will be applied by the relevant authorities of the Republic of Cyprus; b) the Turkish Cypriot community will be able to continue to administer Tymbou (Ercan) Airport. The reactions of the Turkish Cypriot and the Greek Cypriot respondents to this proposal, and other relevant views, are summarized below.

### *2.1 Reactions by Turkish Cypriot respondents*

#### *Turkish Cypriot reaction 1:*

- Except for some left-wing political activists, most Turkish Cypriot respondents argued that the air transportation to and from Tymbou (Ercan) Airport should be normalized unconditionally, without any change in the current status quo. This position is grounded on the official argument that the restrictions on air transportation to and from northern Cyprus constitutes a violation of Turkish Cypriots' human rights, in general, which lead to a violation of the right to free movement of the Turkish Cypriots in particular.<sup>23</sup>

The above argument does not consider the fact that the current status quo has not been accepted by ICAO and that legal international regulations can hardly be altered through unilateral actions towards normalizing international flights to and from Tymbou (Ercan) Airport without the consent of the Republic of Cyprus.

#### *Turkish Cypriot reaction 2:*

- Air transportation to and from Tymbou (Ercan) Airport can be normalized on the basis of permission issued by the relevant authorities of the Republic of Cyprus.

This argument deviates radically from the conventional Turkish Cypriot position on the issue and represents a positive approach towards correcting an anomaly regarding the direct flights to and from the Tymbou (Ercan) Airport. It first addresses the fact that any temporary arrangement shall be consistent with the principle of a single sovereignty, which satisfies mainstream expectations on the Greek Cypriot side. Secondly, it has the potential of partially ending the isolation of the Turkish Cypriot community through vital services, including legal access to the international community, which satisfies mainstream expectations on the Turkish Cypriot side.

#### *Turkish Cypriot reaction 3:*

- An argument which received the support of most of the right-wing and some left-wing respondents was that the restrictions imposed on direct flights to and from Tymbou (Ercan) Airport demonstrate the lack of willingness on the Greek Cypriot side to be active in the peace process and to work towards a peaceful solution of the Cyprus dispute.

Holders of this argument need to take into consideration the fact that the Greek Cypriot position on this issue is not vindictive, given that the Greek Cypriot-controlled Republic of Cyprus has already declared that the aim of this restriction is not to penalize the Turkish Cypriots, but rather to establish a mechanism of dealing with the *fait accompli* established after 1974.

## *2.2 Reactions by Greek Cypriot respondents*

### *Greek Cypriot reaction 1:*

- There is a common argument reiterated by most of the Greek Cypriot respondents that enabling direct flights to and from Tymbou (Ercan) Airport would mean the acceptance of the *fait accompli* of 1974, constituting a violation of the sovereignty of the Republic of Cyprus.<sup>24</sup>

The supporters of this argument can also take into account the following counter arguments: a) an appropriate model is possible towards normalizing international air traffic to and from Tymbou (Ercan) Airport without abandoning the principle of single sovereignty; b) the current status of Tymbou (Ercan) Airport aids in maintaining secessionist tendencies in the Turkish Cypriot community; c) granted that there is a *fait accompli* by Turkey, such restrictions have not worked towards putting an end to the *post-1974 “realities” on the ground*.

### *Greek Cypriot reaction 2:*

- Another argument by the Greek Cypriot respondents was that “ERCAN cannot be included in the RoC FIR nor can its functioning be normalised, even on a temporary basis, as long as it remains outside the effective control of the RoC”.

This argument does not consider the fact that through employing the suggested formula, the status of Tymbou (Ercan) Airport will be transformed on the basis of internationally accepted policies and practices, rendering it consistent with the external sovereignty of the Republic of Cyprus.

### *Greek Cypriot reaction 3:*

- The third argument expressed by some Greek Cypriot respondents was that the proposal of the research team about normalizing international flights to and from Tymbou (Ercan) Airport is “impossible to be accepted by both sides and be implemented (...)” since “Turkey does not recognize the Republic of Cyprus”.

The official position of Turkey with regards to the issue of the recognition of the Republic of Cyprus is problematic. Although Turkey holds the view that the Republic of Cyprus does not exist, at the same time it argues that the Turkish Cypriot community is not represented in the organs of the Cypriot state, underlining an anomaly that transformed the Republic of Cyprus into a “Greek

Cypriot Administration”. More importantly, as the recent crisis over the EEZ of the Republic of Cyprus has demonstrated, Turkey often goes out of its way to stress the right of the Turkish Cypriot community to participate in the sovereignty of the Republic of Cyprus.<sup>25</sup>

*Greek Cypriot reaction 4:*

- A Greek Cypriot respondent made the following proposal: Direct flights to and from Tymbou (Ercan) Airport can be allowed provided that the “jurisdiction in the airport area is transferred to the UN or the European Union”.

This proposal, which deviates from conventional Greek Cypriot views on the issue, has great potential towards resolving the problem since it addresses two important issues. First, it satisfies the Greek Cypriot expectations that any arrangement should not encourage separatism on the island. Second, it has the potential to satisfy Turkish Cypriot expectations that such arrangements should not mean the restoration of the 1960 order in the northern part of Cyprus.

**3. *The content of the goodwill measure towards normalizing international flights to and from Tymbou (Ercan) Airport***

Considering the political significance of the issue to the two sides, the following suggestions are offered in an attempt to normalize international flights to and from Tymbou (Ercan) Airport. The suggestions take into consideration the following facts: a) that the two leaderships have already agreed to transform the status quo into a federal system based on a single sovereignty, with political equality of the two sides; b) that after a solution there will be a single FIR, and that international flights to and from any airport in Cyprus will be a federal competence; c) that without intercommunal cooperation prior to the solution, it would be very difficult to overcome the problems deriving from mutual distrust in Cyprus; and d) that the status quo cannot be altered overnight, even if all parties agree to this, since such a change requires time, suitable models and the appropriate psychological milieu.

- 3.1 The two leaders shall announce that they agree on making provisional arrangements for organizing international flights to and from northern Cyprus through the FIR of Cyprus registered with ICAO.
- 3.2 Effective control of the Tymbou (Ercan) Airport by the Turkish Cypriot community will continue through an ad hoc Autonomous Airport Administration (AAA), established jointly by the Turkish Cypriot Municipal Administration of Nicosia and the Turkish Cypriot Chamber of Commerce.
- 3.3 The Greek Cypriot and the Turkish Cypriot leaders shall appoint the members of an *ad hoc* Autonomous Airport Coordination Committee (AACC), which will be responsible for coordinating the activities of the AAA and other

relevant units. The Committee will be chaired by a person appointed by the EU Commission.

- 3.4 The Tymbou (Ercan) Airport, with all its buildings in and around the airport, plus the surrounding areas used for air transportation purposes and other related activities in and around the airport, will come under the control of the ad hoc Autonomous Airport Administration.
- 3.5 All staff, including the technical, security and administrative personnel of the *ad hoc* Autonomous Airport Administration, shall principally be composed of Turkish Cypriots. The representatives of the relevant units of the Republic of Cyprus shall regularly take part as observers in all technical and administrative processes and activities, and will also be represented in the decision making mechanisms of the *ad hoc* Autonomous Airport Administration.
- 3.6 The EU's *Acquis communautaire* shall be implemented in all processes and activities conducted in the airport, including entry to and exit from the airport. Regarding entry to and exit from the airport, a technical committee appointed by the EU Commission will actively take part in performing all daily activities.
- 3.7 The Turkish Cypriot leader shall undertake all necessary measures to maintain a peaceful atmosphere in the areas surrounding the airport.
- 3.8 After a federal government is established, the AAA and AACC will be abolished and their powers will automatically be transferred to the relevant units of the central-federal state.



## **VI. Immediate goodwill gestures**

By Nicos Peristianis and Yücel Vural

Considering the fact that the two leaders have already agreed that the status quo in Cyprus is not acceptable, the following immediate goodwill gestures could be taken jointly or separately, aiming at reducing the negative effects of the current situation and aiding the process of transforming the status quo into a federal union. The following goodwill initiatives could constitute the initial steps of broader goodwill gestures in Cyprus, on relevant issues.

### ***1. Citizenship***

- In accordance with the relevant legal provisions/regulations of the Republic of Cyprus, the Greek-Cypriot leader shall take the initiative of providing Cypriot citizenship status to persons who are married to Turkish Cypriot citizens of the Republic of Cyprus, provided that such persons have continuously resided in the northern part of Cyprus for a period of at least five years.
- To this end, three Turkish-Cypriots shall temporarily take part in the required administrative processes in the relevant office(s) of the Minister of Internal Affairs of the Republic of Cyprus, after a relevant joint decision of the two leaders.

### ***2. De-militarization and de-confrontation***

- The two leaders shall agree to demilitarize the area between the Ledra Palace Hotel and the Ledra Street checkpoints and to establish a “Temporary United Police Force” (TUPF), to provide security for and control of the crossings at these checkpoints, until a comprehensive settlement is reached.
- The two leaders will thus take the initiative to dissolve the separate checkpoints at Ledra Street and Ledra Palace.
- The two leaders shall agree to remove all flags, signs and symbols in the area controlled by the TUPF, except the flag of the EU.

### ***3. Crossings at the Ledra Palace and the Ledra Street checkpoints***

- The two leaders shall take all necessary measures to enable the citizens of the Republic of Cyprus, regardless of their current place of residence, to cross the Ledra Palace and Ledra Street checkpoints easily, without any formal procedure of registration except the usual security check.

#### **4. *The property issue***

- The Turkish Cypriot leader shall announce a memorandum towards postponing any new physical development on the properties left by their Greek Cypriot legal owners in the areas subject to territorial adjustment in the north of Cyprus – until such time as a comprehensive solution is reached.
- The Greek-Cypriot leader shall announce that the decisions of the Immovable Property Board established in the north are legally valid for the Republic of Cyprus, provided that all legal transactions concerning the immovable properties left by their legal owners are conducted purely between Cypriot citizens – until such time as a comprehensive solution is reached.

#### **5. *History teaching***

- The two leaders shall establish a Committee, consisting of educationalists, academics, history teachers and representatives of relevant civil society organizations, with the aim of ensuring that the narratives in school history textbooks do not foster aggressiveness, intolerance and enmity against any community in Cyprus.
- The Greek-Cypriot leader will appoint 3 Greek-Cypriot and 2 Turkish-Cypriot members, and the Turkish-Cypriot leader will appoint 3 Turkish-Cypriot and 2 Greek-Cypriot members, to this Committee.

#### **6. *New visa regulation for entry and exit via Ercan/Tymbou Airport***

- The Greek Cypriot leader shall take initiatives towards allowing holders of a visa to the Republic of Cyprus who enter Cyprus via the Ercan/ Tymbou Airport, to cross the checkpoints and to stay in any part of Cyprus, on the basis of the visa regulations of the EU and of the Republic of Cyprus.
- The two leaders shall take joint initiatives to start coordinating the technical activities of Tymbou/Ercan Airport and other relevant units of the Republic of Cyprus. The Ercan/Tymbou Airport will continue to be administered by the Turkish Cypriot community. The two leaders shall take initiatives to establish a temporary administration at the top level in the Ercan/Tymbou airport, with full administrative responsibility.

**7. *Granting immediate access to Varosha by its legal inhabitants***

- The two leaders, along with UNFICYP, shall take joint initiatives to enable the legal owners of the property located in the fenced town of Varosha to visit their property freely.
- A new crossing point shall be established connecting Dherynia and Famagusta

**8. *Support for Unifying the Football Administration in Cyprus***

- The two leaders shall take joint initiatives to encourage CFA and CTFA to organize football matches between mixed teams from Famagusta, Kyrenia, Larnaca, Limassol, Nicosia and Paphos.
- The two leaders shall take joint initiatives to encourage CFA and CTFA to work together on the basis of the arrangement they have signed, so as to enable the participation of Turkish Cypriot football referees in the activities of UEFA and FIFA, as part of the CFA delegation.

**9. *Facilitating traveling to both sides of the Green Line***

- The two Chambers of Commerce can liaise in order to reduce the insurance cost for cars traveling across the buffer zone. To this end, insurance companies may cooperate to extend their coverage to both sides, eliminating the need for more expensive ad hoc insurance coverage typically bought at the crossing points. This would be particularly useful for drivers who do not frequently cross the Green Line and are deterred from doing so by the insurance cost.
- Bicommunal insurance schemes would potentially facilitate more traveling across the divide and, thus, more interaction between Greek Cypriots and Turkish Cypriots. At the same time, it would increase opportunities for business collaboration between Greek Cypriot and Turkish Cypriot companies.

**10. *Compulsory language skills for the new public recruitments***

- The two leaders shall announce that from 1st of June 2015 onwards, new public recruits for federal jobs will be required to have special language skills; Greek Cypriots and Turkish Cypriots recruited into specific public positions would be required to have a fair knowledge of the other community's language.

- The two leaders shall take necessary initiatives to start implementing the aforementioned policy in their respective communities.

***11. Incentives for forging bicomunal parties, civil society organizations and NGOs***

- The two leaders shall provide necessary incentives for all Cypriot political parties and NGOs willing to form political alliances between existing parties and organizations for any peaceful purposes. Several examples of such civil society alliances have already been established, including the Famagusta Initiative, the Cyprus Academic Dialogue, the Cyprus Academic Forum and the United Cyprus Platform.<sup>26</sup>
- The two leaders shall encourage the formation of new parties, civil society organizations and NGOs, which will be comprised of members from both communities from their inception.
- Once established, the EU and other related international institutions shall provide specific representation for the abovementioned alliances.

## Appendix I: Types of goodwill measures implemented in Cyprus

Types	Practical Examples	Expected Outcomes	Description of the Goodwill Measures	Legitimacy of the Goodwill Measures	Overall Results
<p><b>Mono-communal initiatives with no positive reaction from the other side</b></p>	<ul style="list-style-type: none"> <li>• Limited restoration of the citizenship rights of Turkish Cypriots, by the GC side</li> <li>• The establishment of IPC by the TC side</li> <li>• Revisions of Cyprus history textbooks by the TC side</li> </ul>	<p>Usually conflicting expectations</p>	<p>Usually conflicting descriptions of the initiative</p>	<p>Usually high on the side which initiates the step, and low on the other side</p>	<p>Usually limited positive results and counter actions</p>
<p><b>Mono-communal steps with positive reaction from the other side</b></p>	<ul style="list-style-type: none"> <li>* The opening of the checkpoints by the TC side</li> </ul>	<p>Usually diverse expectations</p>	<p>Diverse descriptions of the initiative</p>	<p>High on the side which initiated the step and low on the other side</p>	<p>Limited contribution to normalization of intercommunal relations and reconciliation</p>
<p><b>Bicommunal Initiatives</b></p>	<ul style="list-style-type: none"> <li>• The Nicosia Master Plan</li> <li>• The establishment of CMP</li> <li>• Restorations in Apostolos Andreas Monastery and Hala Sultan Tekke</li> <li>• The agreement between CFA and CTFA</li> </ul>	<p>Humanitarian or non-political</p>	<p>Usually common descriptions</p>	<p>High on both sides</p>	<p>Contribution towards normalizing intercommunal relations in the relevant area</p>

## Appendix II: Questionnaire

Mr/Ms .....  
00/00/2014

Nicosia Cyprus

We are a group of researchers conducting a research project titled “Goodwill Measures in Cyprus”. The research project focuses on the application of a piecemeal model in the format of synchronized steps by the two sides, as a supplementary element of negotiations towards a comprehensive solution in Cyprus. The project consists of four components, as outlined below:

- a. Restoring institutional religious freedoms in Cyprus,
- b. Unifying the administration of Cyprus’ football
- c. Opening of Varosha before a comprehensive solution
- d. Normalizing international air transportation to/from the northern part of Cyprus, on the basis of domestic and international law

This research project has two dimensions. The first dimension is academic as the research team will add to current knowledge and enhance our understanding on how piecemeal measures can contribute to a comprehensive solution of the Cyprus problem. The second dimension is political in the sense that the research team will contribute to the peace process with suggestions to both sides outlined in four policy papers, one for each of the four issues under examination.

It is acknowledged that although the two sides have always emphasized their commitment to a comprehensive solution to the Cyprus dispute, there are important difficulties towards achieving it in the near future. Foremost among such difficulties is the lack of progress towards cooperation, which tends to deepen mutual distrust and augment the fears of the two sides. On the one hand there are strong fears among the Greek-Cypriot political elites that the Turkish-Cypriot side has a secessionist tendency, aiming at dividing the common homeland. On the other hand, there are strong fears among Turkish Cypriot political elites that the Greek-Cypriot side has a hegemonic tendency, aiming at controlling the common state through marginalizing Turkish-Cypriots. The negative impact of these fears can be alleviated both through the independent actions of each side and through synchronized steps commonly supported by the two leaderships. As stated in the Joint Declaration of the two leaders any step towards resolving a particular aspect of the problem based on the logic of confidence building measures will create

a “positive atmosphere to ensure the talks succeed” and will help to create an appropriate ground for a comprehensive solution.

One such step has been the efforts towards the reunification of football in Cyprus.

The positive stance of the Turkish-Cypriot leadership ensured that the agreement between CFA and CTFA does not diminish the authority of CTFA towards regulating football activities in the northern part of Cyprus. The positive stance of the Greek Cypriot leadership ensured that the agreement between the CFA and the CTFA does not diminish the authority of the CFA and therefore does not allow any misinterpretation against the future unity of the state and of its people.

The agreement signed by the CFA and the CTFA highlights that a small step can be useful towards resolving a persistent problem, once the parties in conflict are willing to accept a political ideal based on the mutual understanding of the fears of all sides. However, it is still necessary that further arrangements take place before consolidating the cooperation between the two football associations.

Considering your possible constructive impact on the peace process in Cyprus, our research team would be grateful to have your valuable input, through your responses to the questions below:

## **PART I: RELIGIOUS FREEDOMS**

- a) What is the status of religious sites in the government-controlled areas of the Republic of Cyprus including the Hala Sultan Tekke? / What is the status of religious sites in the north including the Apostolos Andreas Monastery?
- b) What are the main obstacles that hinder the Turkish Cypriot side from restoring institutional religious rights – including the right of the Cyprus Orthodox Church to reestablish its control on and use of the religious sites for religious purposes? / What are the main obstacles that hinder the Greek Cypriot side from restoring institutional religious rights – including the right of the Office of the Mufti-Vakfs to reestablish its control on and use of the religious sites for religious purposes?
- c) Does the Greek Cypriot or the Turkish Cypriot side have any moral, legal and/or political right to maintain its control on the religious sites, without the consent of the relevant institution (Orthodox Church / Vakfs-Office of Mufti)?
- d) Do the two leaders accept the establishment of a Coordination Committee, including the representatives of religious authorities to initiate a number of confidence building measures on religious freedoms?

## **PART II: AIR TRANSPORTATION**

- a) How do you evaluate the current status of the Ercan/Tymbou airport?
- b) What are the basic reasons for the Greek Cypriot side to maintain the current status of international air traffic to/from Ercan/Tymbou airport?
- c) Can Ercan be included in the Larnaca FIR, with effective participation of the Turkish Cypriot community?
- d) Which type of administrative/political participation can the Turkish Cypriot side obtain, as a result of normalizing international air traffic to/from Ercan?
- e) Can a provisional arrangement be possible that would normalize the international air traffic to/from Ercan on the basis of domestic law (Cypriot laws and community laws) and/or international law?

## **PART III: UNIFYING FOOTBALL**

- a) What are the basic obstacles to the implementation of the agreement between the CFA and the CTFA?
- b) Which kind of cooperation between the CTA and the CTFA do you think is necessary?
- c) Can institutional reforms be initiated to enable members of the CTFA to be represented in the CFA directly?
- d) Can the existing provisional organizational arrangements help unify Cyprus football before a comprehensive solution is reached?
- e) What else is necessary in order to implement the agreement successfully?

## **PART IV: THE OPENING OF VAROSHA**

- a) How do you evaluate the current status and stalemate regarding Varosha?
- b) How does the current status of Varosha affect the prospects of a comprehensive solution?
- c) What do you believe are the main reasons for the Turkish Cypriots to maintain the current status of Varosha?
- d) Can Varosha be included in a new “Wider Famagusta Municipality”, on the basis of the cooperation between the two Mayors?
- e) Which model do you find more appropriate for the re-opening of Varosha to its legal inhabitants?



*Appendix II*

Model 1. Re-opening of Varosha to its legal inhabitants, under T/Cypriot administration

Model 2. Re-opening of Varosha to its legal inhabitants, under UN/EU administration

Model 3. Re-opening of Varosha to its legal inhabitants, under G/Cypriot administration

Model 4. Re-opening of Varosha to its legal inhabitants, as a part of a “Wider Famagusta Municipality”, under a provisional arrangement by the two leaders

We will greatly appreciate your assistance in responding to the above, which will help us with our research and eventual policy proposals.

Best Regards,

**Project Leaders**

**Nicos Peristianis**

**Yücel Vural**

## Notes

1. Levy, J. S. (1992). *Prospect theory and international relations: Theoretical applications and analytical problems*. *Political Psychology*, 283–310.
2. It must be noted however that these were the positions prior to the incidence with the activities and actions of Turkey in the Republic of Cyprus Exclusive Economic Zone. Currently all political parties support the President's decision to suspend the talks and it is unknown what their positions will be if and when this new status quo changes.
3. <http://www.kktcb.org/print.aspx?id=2683> (Accessed on 5/5/2014).
4. <http://www.euronews.com/2014/07/18/the-ghost-town-of-cyprus-after-forty-years-of-division/>(Accessed on 21/11/2014).
5. [http://www.kpdailynews.com/index.php/cat/35/news/1044/PageName/CYPRUS\\_LOCAL\\_NEWS](http://www.kpdailynews.com/index.php/cat/35/news/1044/PageName/CYPRUS_LOCAL_NEWS) (Accessed on 21/11/2014).
6. Xydis, S. G. (1973). *Cyprus: Reluctant Republic*, The Hague: Mouton.
7. Constantinou, M. (2006). Reasons of state and the constitutional logic of quasi-stateness: the post-colonial contradictions of Cyprus's integration in the European confederation. *Postcolonial Studies*, 9(3), 295-310.
8. Turkish Cypriot leader Mehmet Ali Talat stated in 2007 that he “wished that Turkish Cypriots organize themselves to return Cypriot passports to the Greek Cypriots”. Available at: <http://www.milliyet.com.tr/2007/01/04/dunya/dun01.html> (Accessed on 17/2/2014).
9. Dervis Eroglu stated in 2010 that his party prepared a draft law on prohibiting Republic of Cyprus' Passport. See <http://www.kibrispostasi.com/index.php/cat/35/news/33504> (Accessed on 17/2/2014).
10. The Immovable Property Commission describes its aim on its official website as follows: “The purpose of the Immovable Property Commission North Cyprus is to establish an effective domestic solution for claims relating to any abandoned properties in the (TRNC) Turkish Republic of Northern Cyprus after the troubles in 1974”. See <http://immovablepropertycommission.org/default.aspx> (Accessed on 17/2/2014).
11. See the statement by president Demetris Christofias, Cyprus News Agency, News in English, 28 April 2010. Quoted by HR-NET: [http://www.hri.org/news/cyprus/cna/2010/10-04-28\\_1.cna.html](http://www.hri.org/news/cyprus/cna/2010/10-04-28_1.cna.html) (Accessed on 17/2/2014).
12. See official Website of CMP: <http://www.cmp-cyprus.org/about-the-cmp/origins/> (accessed on 26 February).
13. See official Website of CMP: <http://www.cmp-cyprus.org/about-the-cmp/origins/> (accessed on 26 February).
14. [http://www.undp-pff.org/index.php?option=com\\_content&task=view&id=80&Itemid=140](http://www.undp-pff.org/index.php?option=com_content&task=view&id=80&Itemid=140) (Accessed on 19/2/2014).
15. There were also cases in which the respondents from some official circles did not directly express their views on the issues but the research team members collected the necessary data through interviews with lower level bureaucrats.
16. A letter explaining the aim of the survey with introductory remarks was sent to the respondents before conducting a face-to-face interview. For the whole text of the letter see Appendix II.
17. The 11 February 2014 Joint Declaration by the two leaders explicitly questions and rejects the status quo.
18. During the interviews the research team observed no exception to this understanding.
19. It is important to note that these two religious sites do not only have crucial importance for the members of the two communities but also to the wider Christian and Muslim civilizations.
20. The Republic of Cyprus has been accepted by the international community as the only legitimate authority over the territories of Cyprus which has no de facto authority in the northern part of the island. For the position of the EU, for example, see the Treaty of Accession of Cyprus-Protocol 10.
21. According to the official views of the Republic of Cyprus, “The ‘airport’ of Tymbou (so-called ‘ERCAN’) is an illegally operating airport situated in the occupied part of the Republic of Cyprus. The Government of Cyprus, as the sole competent authority to designate airports in Cyprus that are open to international

## Notes

- air traffic has not requested the International Civil Aviation Organization (ICAO) to include so-called “Ercan” in the ICAO Regional Air Navigation Plan. This illegal “airport” is therefore non-existent in the eyes of international law and practice and its potential use amounts to an illegal entry into and exit from the Republic of Cyprus.” See <http://www.mfa.gov.cy/mfa/mfa2006.nsf/1/6D3B1CF27246CCB8C22572510031F0C1?OpenDocument&highlight=tymbou+airport> (Accessed on 10/10/2014).
22. Talmon, S, “Air traffic with non-recognised states: the case of northern Cyprus”, Available at: [http://users.ox.ac.uk/~sann2029/FCO\\_Paper%20by%20Dr%20Stefan%20Talmon.pdf](http://users.ox.ac.uk/~sann2029/FCO_Paper%20by%20Dr%20Stefan%20Talmon.pdf) (Accessed on 10/10/2014).
  23. See the statement made by Osman Ertug, (the spokesperson of the TRNC Presidency) <http://www.turkishny.com/headline-news/2-headline-news/163032-kktc-cumhurbaskanligi-sozcusu-ertug-rum-kesimi-ayak-suruyor#.VF8NtRgcRMs> (Accessed on 15/10/2014).
  24. This argument is consistent with the official line of Greek Cypriot side which sees Tymbou (Ercan) Airport as “an illegally operating airport situated in the occupied part of the Republic of Cyprus”. See for example, <http://www.mfa.gov.cy/mfa/mfa2006.nsf/All/6D3B1CF27246CCB8C22572510031F0C1?OpenDocument&highlight=tymbou+airport> (Accessed on 15/10/2014).
  25. Turkey issued a Navtex for seismic surveys in the Cyprus’ EEZ – in an area which cannot be linked to the TRNC- from 20 October to 30 December 2014 on the basis of the treaty signed between TRNC and Turkey implying that the absence of Turkish Cypriot side in the exercise of the sovereign rights of the Republic of Cyprus is an anomaly.
  26. The other possible alliances of political parties and political clubs may include the following: the Confederation of the Greek Cypriot and the Turkish Cypriot Conservative Parties, the Federation of Socialist Parties of Cyprus, the United Green Movement of Cyprus, Federation of Cyprus Tourism Organizations, United Local Governments and the Federation of Cypriot Liberals.

This Report is produced as part of a joint project titled “Linking Intracommunal and Intercommunal Efforts towards Promoting Elites’ and Civil Society’s Awareness on Contested Issues”. The project was conducted by researchers who are members of two citizen groups in Cyprus; namely, Politeia and Choice. It was sponsored by the Friedrich Ebert Foundation.

