

## **Cyprus Issue: the UN Role in Mediation and Conflict Negotiation**

Declaration: I hereby declare that I am the intellectual property owner of this article and I further confirm that the article may be uploaded to the website <http://www.worldmediation.org>, run by World Mediation Organization - Daniel Erdmann, for the benefit of mankind.

*This page uses [X] US or [ ] UK English (for spelling, punctuation rules and formatting of references)*

### **1) Introduction**

The modern ethnic conflicts in the Eastern Mediterranean and Middle East (and beyond it) provide severe challenges to the whole international order and stability. Any time they could erupt into conventional wars. Numerous ethnic clashes and tensions, particularly in Syria, Iraq, and Afghanistan, between Syria and Turkey, Israel and Lebanon, etc. are the good examples of such a possibility. In these circumstances, the role of the United Nations (UN) in the sphere of international mediation and conflict resolution is vital. It is well known, that according to the UN Charter, the maintenance of international peace and security is a primary responsibility of the UN and its bodies.

Recognizing its role and the need for a more professional approach to mediation, the UN has enhanced recently its operational readiness to implement and support mediation efforts across the world. A key innovation in this regard was the establishment of a Mediation Support Unit within a Policy and Mediation Division of the UN Department of Political Affairs and, within a unit, creation of a Standby Team of mediation experts with a goal of supporting relevant actors of the international relations to achieve a just and sustainable peace through a settlement of disputes. Within this context, the so called "Cyprus Problem", which is the issue of political and economic reunification of the island, should remain among the main targets of the UN.

This conflict report "Cyprus Issue: the UN Role in Mediation and Conflict Negotiation" has become of a vital importance for the moment for many

reasons. Particularly, in April 2016, the *Telegraph* featured a cover story on Cyprus Problem entitled "Cyprus may Be Small, but its Reunification could Have Huge Global Ramifications"<sup>1</sup>. Thus, resolving Cyprus Dispute under the auspices of the UN could be seen as a key step to lessening the historic enmity between Turks and Greeks and, therefore, enhancing co-ordination among the countries of the region which, in turn, would help to extend democracy, stability and free market to a zone of current turmoil in general. From the other hand, resolving Cyprus Problem as soon as possible could be a clear test to see whether the current bodies of the UN can work effectively to mediate and, to the end, to solve the global ethnic conflicts and disputes across the world.

## **2) Historical Review of the Conflict**

Cyprus, owing to its strategic position, was throughout its history colonized by some of the most influential colonial powers in the Eastern Mediterranean. In 1878 Britain was the last power to occupy Cyprus, taking over the island from the Ottoman Empire.

The Republic of Cyprus became an independent state on August 16, 1960, and a member of the United Nations (UN) one month later. The Constitution of the Republic, which came into effect on the day of independence, was intended to balance the interests of both the Greek Cypriot and the Turkish Cypriot communities. In 1960, Cyprus, Greece, Turkey and the United Kingdom entered into a Treaty to Guarantee, the basic provisions of the Constitution and the territorial integrity and sovereignty of Cyprus. The application of the provisions of the Constitution, however, encountered difficulties from the very beginning and led to a succession of constitutional political crises. The accumulated tension between the two communities resulted in the outbreak of violence on the island on December 21, 1963. On July 15, 1974, the Greek military junta and its Greek Cypriot collaborators carried out a coup against the democratically elected President of Cyprus Archbishop of Cyprus Makarios III. Using this criminal act as a pretext (necessity to re-establish the state of affairs

---

<sup>1</sup> The Telegraph, <http://www.telegraph.co.uk/finance/economics/12050149/Cyprus-may-be-small-but-its-reunification-could-have-huge-global-ramifications.html>.

under the Treaty of Guarantee<sup>2</sup>), Turkey invaded Cyprus 5 days later. In a two-phase military intervention in July and August, 1974, Turkey occupied 36,2% of the sovereign territory of the Republic and forcibly expelled about 180 000 Greek Cypriots from their homes. Another 20 000 Greek Cypriots, who remained in the occupied areas, were also forced to eventually abandon their homes and seek refuge in the safety of the government controlled areas<sup>3</sup>. The Turkish Cypriots were forcibly displaced as well. On November 15, 1983, in order to consolidate their hold over the occupied area, the Turkish Cypriot leadership unilaterally declared the occupied area of northern Cyprus an independent state by the name of "Turkish Republic of Northern Cyprus"<sup>4</sup>, that today lacks international recognition with the exception of Turkey.

Following the UN Security Council resolution no.: 1250 of June 29, 1999, which requested the UN Secretary-General to invite the two leaders of the communities on Cyprus to negotiations<sup>5</sup>, on November 11, 2002 a comprehensive plan for the resolution of the Cyprus issue was presented to the both communities in Cyprus, which was widely known as Annan Plan (named after the UN Secretary-General Mr. Kofi Annan) officially entitled "Basis for a Comprehensive Settlement of the Cyprus Problem"<sup>6</sup>. The separate simultaneous referenda held in Cyprus on April 24, 2004 resulted in the majority Greek Cypriot population voting down this UN Plan (75.38% against), whereas the minority Turkish Cypriot population voted for the Plan (64.91% in favor). The turn-out was high: 89.18% for the Greek Cypriots and 87% for the Turkish Cypriots<sup>7</sup>. In 2004, Cyprus joined the European Union as a de facto divided island but it was decided that the whole of Cyprus would be the EU territory. However, in the northern part of the island, in the areas in which the Government of Cyprus does not exercise effective control, EU legislation is suspended in line with Protocol 10

---

<sup>2</sup> See Treaty of Guarantee.

<sup>3</sup> Press and Information Office of the Republic of Cyprus

<http://www.moi.gov.cy/MOI/pio/pio.nsf/All/6F5DD418DD053ED1C2256D6D001E7571?OpenDocument>

<sup>4</sup> Ministry of Foreign Affairs of the Republic of Turkey, <http://www.mfa.gov.tr/cyprus-issue-summary.en.mfa>.

<sup>5</sup> See Resolutions and Statements of the United Nations Security Council (1946-1989). A Thematic Guide, edited by K.Wellens (1990).

<sup>6</sup> Ministry of Foreign Affairs of the Republic of Turkey, <http://www.mfa.gov.tr/un-comprehensive-settlement-plan-of-the-cyprus-question.en.mfa>.

<sup>7</sup> See Hoffmeister (2006).

of the Accession Treaty 2003 until the final comprehensive settlement of Cyprus Issue and the re-unification of the island<sup>8</sup>.

Hence, the international complications of the Cyprus dispute stretch far beyond the boundaries of the island itself and involve the guarantor powers under the Zurich and London Agreements (Turkey, Greece, and the United Kingdom), the UN, the European Union and the Council of Europe, along with the permanent members of the UN Security Council including the United States, China and Russia.

### **3) UN Role in Managing Cyprus Problem**

Due to that fact, that during the process of negotiations the leadership of the Greek Cypriot and Turkish Cypriot communities was not able to reach an agreement without third party assistance, the UN played a vital official role in mediation of Cyprus Issue since the independence of the Republic of Cyprus in 1960. The accumulated tension between the two conflict parties resulted in the outbreak of violence on the island in 1963. On December 27, 1963 the UN Security Council met to consider a complaint by Cyprus charging intervention in its internal affairs and aggression by Turkey. Turkey maintained that Greek Cypriot leaders had tried for more than two years to nullify the rights of the Turkish Cypriot community and denied all charges of aggression. On February 15, 1964, after all attempts to restore peace on the island had failed, the representatives of the United Kingdom and of Cyprus requested urgent action by the UN Security Council. On March 4, 1964, the Council unanimously adopted resolution no.: 186 (1964), by which it recommended the establishment of the United Nations Peacekeeping Force in Cyprus (UNFICYP). The Force became operationally established on March 27, 1964. The mandate of UNFICYP was originally defined in the following terms: "...in the interest of preserving international peace and security, to use its best efforts to prevent a recurrence of fighting and, as necessary, to contribute to the maintenance and restoration of law and order and return to normal conditions."<sup>9</sup> Following the hostilities in

---

<sup>8</sup> See Protocol No 10 on Cyprus, OJ L 236, 23.9.2003, p. 955–955.

<sup>9</sup> Council of Foreign Relations, <http://www.cfr.org/cyprus/un-security-council-resolution-186-cyprus/p24241>

---

1974 in Cyprus, the UN Security Council adopted a number of resolutions which have affected the functioning of UNFICYP and have required the Force to perform certain additional functions relating, in particular, to the maintenance of the ceasefire. Following the de facto ceasefire, UNFICYP inspected the deployment of the Cyprus National Guard and the Turkish and Turkish Cypriot military forces, and ceasefire lines and a buffer zone were established between the areas controlled by the opposing forces. The ceasefire lines extend approximately 180 kilometers across the island. The buffer zone between the lines varies in width from less than 20 meters to some 7 kilometers, and it covers about 3% of the island, including some of the most valuable agricultural land<sup>10</sup>.

The UN Secretary-General was first asked to use his good offices in Cyprus by the above mentioned the UN Security Council resolution no.: 186 (1964). After the events of 1974, the Security Council, by its resolution no.: 367 (1975) of March 12, 1975, requested the UN Secretary-General to undertake a new mission of good offices in Cyprus with the representatives of the two communities<sup>11</sup>. Since then, the successive UN Secretaries-General and their Special Representatives have tried to find a formula acceptable to both the Greek Cypriots and the Turkish Cypriots.

The latest attempt to find a comprehensive settlement of the Cyprus problem was launched under the UN auspices in September of 2008. The end goal of the talks has been agreed between the parties and endorsed by the UN Security Council: a bizonal, bi-communal federation, with political equality and a single international personality.

The last for this time meeting of the President of the Republic of Cyprus Mr. Nicos Anastasiades with the Turkish Cypriot leader Mr. Mustafa Akinci was held under the auspices of the Special Adviser to the UN Secretary-General on Cyprus Mr. Espen Barth Eide on April 19, 2016 at the UN's Good Offices in Nicosia, Cyprus. According to a Greek Cypriot leader, the aim of the negotiations is "a solution which answers to the concerns of the Greek Cypriots but also does not ignore those of the Turkish Cypriots. The concerns of one side

---

<sup>10</sup> See Butler (2009)

<sup>11</sup> See Resolutions and Statements of the United Nations Security Council (1946-1989). A Thematic Guide, edited by K.Wellens (1990)

must not affect the rights of the other.”<sup>12</sup> The UN-lead mediation and conflict resolution process in Cyprus is going on...

#### **4) Conclusion**

The Conflict Report was set out to explore the role of the UN and its bodies in the process of mediation and conflict resolution between the Greek-Cypriot and Turkish-Cypriot communities involving third parties. It showed the vital role and responsibility of the UN to deal with the issue, applying all available instruments, techniques and mechanisms of mediation.

Since December 2006, when the UN Secretary-General Kofi Annan proposed the appointment of a high-level mediator for Cyprus, there were only two Special Advisers to the Secretary-General on Cyprus appointed: Mr. Alexander Downer (2008-2014) and the above mentioned Mr. Espen Barth Eide. Unfortunately, despite of the fact, that Mr. Alexander Downer was introduced by the UN Secretary-General as “a highly respected diplomat, who expected to play an impartial role in helping resolve the Cyprus problem”<sup>13</sup>, he had failed his mission as a mediator. On January 11, 2014, the President of the Republic of Cyprus and a leader of the Greek-Cypriot community Mr. Nicos Anastasiades stated that “Mr. Downer has lost the confidence of the vast majority of the political parties and society. His unfortunate actions and regrettable statements have created distrust regarding his objectivity and ability to contribute”<sup>14</sup>. The above mentioned outcome clearly testifies the importance of the mediation activity in the international scene as well as necessity for the mediators to be experienced and well trained for this very sensitive and complicated job. There is a strong hope that Cyprus mission of Mr. Espen Barth Eide, who has necessary mediation skills, specializing in peacekeeping, peacebuilding and regional and global security issues, will be more successful.

---

<sup>12</sup> Cyprus Mail Newspaper, <http://cyprus-mail.com/2016/04/19/anastasiades-says-progress-made-in-talks>

<sup>13</sup> UN Meetings Coverage and Press Releases, <http://www.un.org/press/en/2008/sga1144.doc.htm>

<sup>14</sup> Cyprus Mail Newspaper, <http://cyprus-mail.com/2014/01/11/downer-has-to-decide-has-he-been-useful-the-past-five-years/?s>

---

## 5) Works Cited - Bibliography

1. Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded - Protocol No 10 on Cyprus, OJ L 236, 23.9.2003, p. 955–955, 2004.

2. Butler, Michael. *International Conflict Management*. London & New-York: Rutledge Taylor and Francis Group, 2009.

3. Hoffmeister, Frank. *Legal Aspects of the Cyprus Problem. Annan Plan and EU Accession*. Boston: Martinus Nijhoff Publishers, Leiden, 2006.

4. *Resolutions and Statements of the United Nations Security Council (1946-1989). A Thematic Guide*, edited by K.Wellens. Boston: Martinus Nijhoff Publishers, Leiden, 1990.

5. Treaty of Guarantee. United Nations, Treaty Series, vol. 382 (1960), No. 5475.