

## **WHERE TO NOW?**

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With the beginning of the negotiations on 15 May 2015 between the Greek Cypriot leader, Nicos Anastasiades, and the Turkish Cypriot Leader, Mustafa Akinci, who both favor a settlement of the Cyprus problem, a period of great expectations set in unlike in any prior negotiations. From the very outset of their talks the two leaders (supported by the efforts of the Special Adviser to the Secretary-General on Cyprus, Espen Barth Eide) showed an exemplary positive attitude through numerous goodwill measures such as the Greek Cypriots providing the Turkish Cypriots with the coordinates of 28 minefields laid by the national guard in the north and the Turkish Cypriots lifting the need for administrative forms at crossing points. Perhaps even more dramatic was the joint decision of the two leaders on 23 May 2015 to cross the buffer zone together and walk together in the northern and southern part of the old town of Nicosia during which they emphasized their common vision for a united Cyprus and their joint commitment to reach a solution. This feeling of euphoria continued through 2015 and into early 2016.

The report of the United Nations Secretary-General of 7 January 2016 (S/2016/15) brings out clearly that during the second half of 2015 the two leaders "...have shown great determination and political will to pursue their common desire of reaching a comprehensive settlement as soon as possible." In their joint new year's video, the two leaders, speaking in both Greek and Turkish, expressed their common wish to see Cyprus united in 2016. Expectations could not have been higher. And, as the saying goes, a picture is worth a thousand words. The photographs of the two leaders together, published in local newspapers, showed them clearly delighted to be together. On May 16, 2016, the first anniversary of the beginning of their talks, the two leaders issued a joint declaration pledging again a timeframe to achieve a settlement in 2016.

The talks continued, frequently at an intensive pace. The two leaders made every effort to put the best face on the progress made. But gradually the atmosphere started to fade. Although both leaders maintained their determination to achieve a settlement, including by attending five-party meetings in Switzerland focussing on security and guarantee, as time passed, the pressure felt by both leaders was increasingly reflected in statements drawing red lines and criticizing the other side. Both leaders had to work under the relentless opposition of a significant portion of their political systems. With the dissipation of the optimism that had prevailed during much of the first year of the talks, Mr. Anastasiades, no doubt recalling that 75% of the Greek Cypriots had rejected the Annan plan in 2004, was under increasing pressure from the rejectionist political

parties who represent about 40% of the seats in the parliament. Similarly, Mr. Akinci was also under great pressure from the rejectionist political parties which represent 50% of the Turkish Cypriot Assembly, and from Turkey.

With the benefit of hindsight, one must conclude that it was a serious mistake to allow the talks to drag on for so long. With the euphoria that accompanied the beginning of the talks on May 15, 2015, every effort should have been made to reach an agreement by the end of 2015. Such a brief timeframe should have been possible. All the issues have been hashed over ad nauseam for decades. As we have seen, it was not possible to maintain the positive atmosphere endlessly. It was also a mistake to leave the most difficult issues for last, because the atmosphere needed to solve the most problematic issues had dissipated.

Yet, the determination of both leaders to persevere made them press on for another year to the present. Through ups and downs, during very difficult moments in 2017 which led to the suspension of talks for two months, the two leaders pushed on and have now agreed to go to Crans-Montana in Switzerland on 28 June, 2017 for an open-ended five-party meeting to cover all outstanding issues beginning with security and guarantees.

Since the talks first began some forty years ago, the two communities have not been brought into the process and have not been prepared for a settlement. It has never been explained to Greek Cypriots and Turkish Cypriots what the implications and benefits of the elements of a settlement would be. This made the process much more challenging and made overcoming the unrealistic opposition positions much more difficult.

If the current process does not succeed, one cannot escape asking a fundamental question: If the current two leaders, who are much more committed to finding a solution than any prior two leaders over the past forty years, do not succeed, will a solution on the basis of the parameters of the 1977 and 1979 High Level Agreements ever be found? – with all the implications this entails.

One must hope against all odds that the current effort will succeed. One must hope that Mr. Anastasiades and Mr. Akinci will have the wisdom and the courage to work towards a fair arrangement, one that will be supported by most Greek Cypriots and Turkish Cypriots. If the two leaders succeed in reaching an agreement, I would urge the leaders to allow sufficient time before scheduling the referenda to enable the two communities to be involved in a full discussion of the implications of the agreement, as well as the implications if the agreement were to be rejected.