

UNCERTAINTIES AT THE CYPRUS NEGOTIATIONS

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In Cyprus, which has been divided since 1974 as a result of the occupation of the northern part of the island by Turkey, a new set of the intercommunal negotiations have been going on since mid-May 2015 between President Anastasiades and Turkish Cypriot leader Akıncı, in order to reunite the island under a federal umbrella, but there are some uncertainties, which draw attention as follows:

1. The two sides have agreed that the constituent federal states shall have the right to enter into agreements with foreign governments and international organizations on matters falling within their jurisdiction. These areas cover culture (including arts, education and sports), tourism and economic investment (including financial support).

According to the information given to the Turkish Cypriot press, the constituent states may only want the Federal Foreign Office to be in operation, if they need it! But the Greek Cypriot side said the Federal Ministry of Foreign Affairs will not need to ratify, as the agreements will involve the entire state in a cooperative effort with the constituent state.

Since the education is left to the powers of the constituent states, it is a matter of debate how federal state citizens will be educated in a federalist and unifying manner, whereas the nationalistic prejudices have been strong for many years. This issue is important in the context of the dependencies of the Turkish Cypriot statelet on Turkey in all aspects since 1974.

2. The Turkish Cypriot side has accepted in the past that the proportion of the territory of the constituent federal state in the north could fall from today's 36% to 29% +. The Greek Cypriot side has prepared two maps, which envisage that 28.5% of the territory will be left to the Turkish Cypriot side, but the talks on territory have not yet ended.

The Greek Cypriot side suggested that if the establishment of cantons in the areas of Karpasia and Maronite villages were accepted, Morfou could also be a special administrative area for the central government.

The Turkish Cypriot does not accept the creation of special territories, mass population migrations and the reduction of the coastline. (According to official data of the Central Command of the British Sovereign Base Areas, 316.19 km of the coastline of Cyprus is controlled today by Southern Cyprus and 420.55 km by Northern Cyprus.) Moreover, it insists that the borderline between the two constituent states must be flat!

3. According to the agreement reached on the population, there will be 800,000 Greek Cypriots in the south and 220,000 Turkish Cypriots in the north. However, the Turkish side wants to add 30,000 Turkish Cypriots living abroad to this 220,000.

An interesting point is that Mr. Anastasiadis, in response to the question put by the Chairman of the Citizens' Alliance, Georgos Lillikas, about the source of the number of accepted 220,000 Turkish Cypriot citizens, answered that the number of Greek Cypriots registered in the Statistical Office of the Republic of Cyprus was deliberately increased from 667,000 (2011 Census) to 800,000 in order to provide legitimacy to the 100,000, who are Turkish citizens!

According to the latest official census, conducted in 2011 in the occupied territory, the number of permanent residents is 286,257. The number of those born in Cyprus ("TRNC" and Southern Cyprus) was 160,207 (56.0%) and 104,641 (36.6%) were born in Turkey. As it is known, after 1974, Turkey moved population to the occupied territory in order to change the demographic structure of the island and this is contrary to the 1949 Geneva Convention. It is a fact that these settlers, who were granted citizenship of the "TRNC", also voted for the Annan Plan, but this does not mean that they are legally located in the island.

On the other hand, President Anastasiades said that the number of Turkish Cypriots registered as Cypriot or have a passport or ID card is 117,544 and that there are at least 12,500 Turkish Cypriots, who did not apply or did not sign up, and thus the number of Turkish Cypriots reached 130,000.

Anastasiades said that the total number of Turkish nationals, formed by mixed marriages and their born children, did not exceed 90,000, but later he said that this figure was "a wrong number spelled out" and led to reactions. Anastasiades told that about 40,000 Turkish settlers will stay in the island and that this figure is much less than the Greek Cypriots had accepted in the past.

In addition, Anastasiades noted that 25,000 Turkish Cypriots living in the United Kingdom have not applied to the Republic of Cyprus and that the number of Turkish Cypriots, included in the figure of 220,000, has increased to 155,000. It was estimated that the total number of mixed marriages and their children was 25,000 this time, making a total of 180,000 Turkish Cypriot population. Thus, he reduced the number of Turkish settlers, who would gain legitimacy, to 40,000.

Akıncı stated that the number of Turkish Cypriot citizens is taken as 220,000 persons, instead of 286,257 as mentioned above and he explained that all the "TRNC" citizens will be citizens of the new federal state and the EU in the future without difference of origin. Underlining that

the work permits of the non-citizens will be renewed and they will continue to work, Akinci emphasized that the work-force required by the economy will continue to be in Cyprus. He stated that the wish of the Turkish Cypriots is that the needed workforce should remain in the island.

The New Birth Party, formed by the settlers from Turkey, directed the following questions to Akinci: "Anastasiades said 90,000 people will stay. Who are meant by the words, those who originate from Turkey? How are they determined? What is the status of the spouses in mixed marriages and what will happen to the children born in "TRNC"?"

According to the Greek Cypriot press reports, it is estimated that between 90 and 120 thousand citizens of the Republic of Turkey will remain in the island. If it is the case, the Turkish Cypriots will be a minority in their own constituent state. In order to find out the real composition of the population, it is necessary to have a census, monitored by UN or another reliable organization.

This issue is important also for the EU. Because, if the composition of the population in the northern federal state is dominated by the settlers of Turkish descent, the impact of Turkey, which is not a member of the EU, may be decisive in Cyprus's foreign policy issues and this will cause dispute within the EU. Already, many bureaucrats in Brussels have asked "Will Erdogan step on to the territory of the EU through Cyprus? Will Cyprus be Erdogan's Trojan Horse?" Moreover, Turkey has demanded that four freedoms should be valid for its citizens in Cyprus that will remain to be a EU country after the solution.

4. The number of Greek Cypriots, who will live in the federal state in the north, has been constrained in terms of four freedoms and the ethnic cleansing after the 1974 war has also become permanent. The Turkish Cypriot side explained that there is difference between the legal domicile and the right of abode, which has no political or other right. Moreover, for any person, who would apply for "internal citizenship", s/he should be able to know and to use the native language in the North perfectly. Apart from the right to stay, for example, there will be no political right to vote. "Domestic citizenship", i.e. legal residence will be entitled maximum up to 20% of the population of the Turkish Cypriot constituent state. It is thought that thus, the majority of the Turkish Cypriot population in its own state will not be threatened in any way.

MORE DISPUTES

There are 183 topics, which have not yet been agreed upon, as reflected in the minutes of the negotiations. Among these are some of the demands of the Turkish Cypriot side:

1. Although there has already been a rapprochement in the idea of a "single ticket" for the election of the President and the Vice-President, the

Turkish Cypriot side has clearly indicated during the process of negotiating the subject of "Governance" that "Cross voting" is a package with the subjects of "Rotating Presidency" and the choice of the ministers to be preferred by both communities. Thus a cleavage was formed.

2. The Turkish Cypriot side believes that the subject of Primary Law is not yet closed. However, Peter van Nuffel, EU Commissioner in Charge of the Negotiations, said that the Final Agreement must be approved in the national parliaments of the EU member countries, which is a very difficult argument.

3. The Turkish Cypriot side insisted on the FIR for having two separate air traffic control centres. The Greek Cypriot side did not discuss this and suggested that there should be two control towers for approaching 20 km to the airport.

4. It was agreed that the casinos would be under federal jurisdiction. However, according to the convergence reached, the operating conditions and rules will not be applied to the existing casino facilities in the occupied area.

5. The Turkish Cypriot side has not yet provided the required data for organizations such as the IMF and the World Bank that are examining the economic aspect of the solution.

FINAL UNDERTAKINGS

After the political agreement is reached there are technical issues that need to be discussed and resolved. Some of them are: The writing of the constitutions of the constituent states and the federal state, which should be in harmony with each other, the list of international agreements, the federal laws and even the detailed writing of the coordinates of the territory. Besides the ones mentioned above, it has been reported that the UN provided a list of 103 items, including flag, anthem, civil servants, demining, etc., which should be realized before the agreement. Of course, once the internal aspects of the Cyprus dispute are resolved in this way, securing the newly established order, if necessary, by the UN or the EU, will be discussed at an international meeting.