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Cyprus: collapse of the Zurich Agreement

NANCY CRAWSHAW

At the time of the Cyprus settlement in 1959 many Cypriots were relieved that the emergency had ended and did not inquire too closely into the provisions of the Zurich and London Agreements. But a small group of Greek Cypriots, the fanatical followers of the EOKA leader, General Grivas, was bitterly opposed to Archbishop Makarios for having accepted these Agreements and regarded them as an interim arrangement to be rejected at the earliest opportunity.¹ By 1963 the demand for the revision of the Constitution had become almost unanimous on the part of the Greek Cypriots.

The Turkish Foreign Minister, Mr Erkin, recently described the Republic of Cyprus as a form of federal State without the geographical separation usually associated with this system of government.² The inherent complexity of the Constitution has contributed to the breakdown of the settlement, but the main reason for its collapse must be sought in the lack of goodwill between the Greek and Turkish communities which has persisted since the communal fighting of 1958. The Greeks, on occasions, discriminated against the Turks, and much tactlessness was shown by President Makarios and certain Greek Ministers in their treatment of the Turkish Vice-President, Dr Kutchuk; the Turks, for their part, made excessive and imprudent use of their wide constitutional powers.

The twenty-seven permanent articles, drawn up by Greece and Turkey at Zurich, which form the basic structure of the Republic,³ fell short of Turkey's original demands. Nevertheless, they gave the Turkish Cypriots strong safeguards, powers, and advantages which were disproportionate to their numbers in the population. This has been a source of mounting resentment among the Greeks. Trouble arose from the outset of independence. The Constitution requires that 30 per cent of the posts in the civil service and the security forces should be allocated to

¹ For further background see articles by the present writer in *The World Today*, April 1959 and December 1960.

² B.B.C., 29 January 1964.

³ See Cmnd. 679.

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Turks. At times the Cyprus Government ran into genuine difficulties over this provision, which presents obvious problems irrespective of racial complications. On occasions, however, the Greeks blocked the appointment of Turks to posts which they were qualified to fill. Controversy also arose over the Cyprus army, scheduled under the basic articles to number 2,000 men, 60 per cent Greek and 40 per cent Turkish. The Turks demanded separate units, and Dr Kutchuk vetoed legislation passed by the House of Representatives for the formation of mixed units. The Greeks, who always objected to the army plan on the grounds of expense and the high proportion of Turks, welcomed the deadlock, and the strength of the army has remained at about 300 men, mainly officers.

The first major constitutional crisis came in December 1961. Exasperated by the failure of the Greeks to implement certain clauses affecting Turkish interests, the Turks refused to vote for the budget. Since that date, therefore, the Republic has been compelled to operate three systems of tax collection at different rates; foreigners are taxed by means of legislation passed by the House of Representatives, Greeks and Turks through their own Communal Chambers. The island's economy has, in consequence, suffered from the lack of a co-ordinated fiscal policy directed by the Central Government. The second major crisis arose at the end of 1962 over the municipalities. Separate municipalities had existed *de facto* since 1958 and provision was made at Zurich for their legalisation, with the right of the President and Vice-President to review the position at the end of four years. After two and a half years, the Mixed Municipal Commission still could not agree on the final boundaries. In December 1962 the Greek members in the House of Representatives refused to renew the municipal law and the President abolished the municipalities. Special legislation was introduced to meet the problem of local government. The Turks immediately enacted legislation through their Turkish Communal Chamber setting up separate municipalities. Both actions were declared illegal by the Supreme Constitutional Court.

Proposed amendments to the Constitution

The political situation sharply deteriorated after the summer of 1963. In August President Makarios announced his intention to seek the revision of the Constitution. In September an Afro-Asian conference was held in Nicosia under the chairmanship of Dr Vassos Lyssarides, a prominent Leftist, the personal physician and unofficial political adviser to the President. Statements made there by several speakers, including Greek Cypriots, could not fail to alarm the Turks and were generally discouraging for the prospects in Cyprus of Western interests as a whole. The Turkish leaders now adopted a more belligerent line. Touring the districts, they warned their compatriots to be ready to fight and hinted

at the possibility of intervention by Turkey in accordance with the Treaty of Guarantee.⁴

In November the President submitted thirteen proposals to Dr Kutchuk for the amendment of the Constitution, with a view to removing 'some at least of the obstacles to the smooth functioning and development of the State'.⁵ The recommendations included the abolition of the right of veto granted to the President and the Vice-President and of the provision for separate majorities for the enactment of certain legislation; the unification of the Judiciary and of the municipalities; the amalgamation of the police and the gendarmerie; and the participation of Greeks and Turks in the civil service and the security forces in ratios proportionate to their numbers in the population. Several proposals held advantages for the Turks as well as for the Greeks; others were purely technical in character; the rest went right to the core of Turkish interests. Nothing at this stage impinged upon the wider interests of Turkey covered by the Treaties of Guarantee and of Alliance. The Turkish Government, however, immediately rejected the proposals which, as an attempt to amend the permanent basic articles, were seen as a dangerous precedent likely to be followed up by a whole series of changes harmful to Turkish interests. Thus the last opportunity was lost for a negotiated settlement within the framework of the Zurich Agreement with its numerous advantages for the Turks.

The Greek campaign against the Turks

In spite of political difficulties, the Republic has made striking progress in the economic field since independence. The desire for high living standards and the energy and efficiency which distinguish many aspects of Cypriot life are impressive. Greek frustration, especially in financial matters, is understandable. Many Western diplomats, particularly the British, have been ready to support reasonable demands for constitutional changes. The subsequent decline in sympathy for the case of the Greek Cypriots is due to their reckless policy of trying to impose such changes by force, in total disregard for the Republic's obligations under existing treaties and for the international consequences, and to the ruthlessness with which they have persecuted Turkish civilians.

The Christmas fighting last year opened the first stage in the Greek campaign to settle the problem by force. Both communities had been stockpiling arms since Zurich, and the President's proposals merely pre-

⁴ For details of the Treaties of Establishment, Guarantee, and Alliance, see Cmnd. 1093. Article 3 of the Treaty of Guarantee stipulates that, should common or concerted action prove impossible, each of the three guaranteeing Powers (Britain, Greece, and Turkey) reserves the right to take action 'with the sole aim of re-establishing the state of affairs established by the present Treaty'.

⁵ *Cyprus Today*, November–December 1963, Vol. 1, No. 6, Supplement, p. 1 (Publications Dept., Greek Communal Chamber, Cyprus).

precipitated a clash which was bound to come sooner or later. The major offensive launched against the Turks in Nicosia was sanctioned by President Makarios and his Cabinet, but he and certain Ministers were taken aback by the excesses committed. Bands of former EOKA members and other irregulars, in groups of about a hundred usually led by police, took part in the operation; 700 hostages,⁶ including women and children, were seized in the northern suburbs, and Turks were murdered in their homes. The Greeks aimed at subjugating the Turkish community in Nicosia with a swift knock-out blow, thereby securing the automatic surrender of the small Turkish communities in the rest of the island. Before the fighting started, many of the Turkish police and gendarmerie had been disarmed as the result of a ruse on the part of the Greek Minister of Interior, Mr Polycarpus Georgatzis. The Turkish leaders underestimated the strength of the Greek forces and placed too much faith in Turkey's early intervention; the Greeks, on the other hand, made a serious error of judgment in ignoring the possibility of strong reaction from Turkey. On Christmas Day Turkish fighter aircraft from the mainland flew low over Nicosia, and the Turkish army contingent, stationed in Cyprus under the Treaty of Alliance, left its normal barracks and took up strategic positions in the Turkish villages of Ortakeuy and Guenyeli north of the capital.

The Greek Cypriots feared that this action was the prelude to a Turkish landing. After some hesitation, Makarios agreed that a Joint Truce Force, composed of British troops and members of the Greek and Turkish army contingents, should be set up under Major-General Young.⁷ Troops were moved up from the Sovereign Base Areas and the first British patrol became operational on 27 December. Permanent cease-fire lines, known as 'Green Lines', were established in Nicosia and Larnaca, and by the end of the year the tactical positions formerly held by Greeks and Turks were taken over by British troops. Britain's speedy action, made possible by the presence of troops in the bases, averted much bloodshed at the time and staved off Turkey's intervention. Political tension rose, however, with the President's statement on 1 January that he wished to terminate the Cyprus Agreements, but the crisis abated temporarily pending the outcome of the abortive London Conference held by Britain with representatives from Greece, Turkey, and Cyprus.

Once the immediate danger of Turkish intervention had passed, the Greek Cypriots came to look upon the British soldiers as defenders of the Turks and the last remaining obstacle to a total Greek victory. By the

⁶ The release of over 500 was later secured through the personal intervention of Mr Duncan Sandys.

⁷ The brunt of the peace-keeping operation was borne by the British troops. But Greek and Turkish officers did useful liaison work and acted as interpreters with the joint patrols.

middle of January the press started to accuse the British of favouring the Turks, and early in February an incident near the 'Green Line' in Nicosia unleashed an anti-British campaign of exceptional ferocity. Greek antagonism was also fanned by reports that Mr Duncan Sandys, during the London Conference, had gone back on promises of support given to the Greek Cypriot leaders at the time of his visit to the island. The 'Green Line' in Nicosia, which roughly corresponds to the natural ethnic division of the capital, has been a major cause of resentment. No significant outbreak of fighting has taken place in Nicosia since Christmas, and British officers made it clear from the outset that any attack across the 'Green Line' by either side would be resisted by the peace force. The Greek Cypriots claim, however, that the 'Green Line' is facilitating partition and that it alone prevents normal intercourse between the communities. In fact, Greeks and Turks are as free as foreigners to cross from one sector to the other; only fear of attack or abduction prevents them from doing so. It is significant that in towns where no formal cease-fire lines exist each community remains in its own quarter.

By February the objectives of the British Force and the Greek Cypriot authorities were completely at variance. The Greek Cypriots had made full use of the January lull to import arms on a massive scale. The Turks, although hopelessly outnumbered and poorly equipped, sometimes provoked incidents at the risk of heavy casualties in the attempt to obtain the intervention of Turkey. The second round of violence opened on 4 February with the battle of Ghaziveran. Greek operations may be divided into those with some military purpose and those which are mainly punitive or designed to reduce the morale of the civilian population. The mass attack against the Turks in Limassol during February dislodged them from key positions dominating the port, but was followed by wanton destruction of Turkish domestic and commercial property. A large part of the Turkish quarter of Ktima was destroyed in a spirit of vengeance after an incident believed to have been started by the Turks. Greek tactics against Turkish villages follow a set pattern. Greek forces, police and irregulars in overwhelming strength, attack with heavy weapons from safe range, wear down an ill-defended community, finally occupy the village, and complete the action with mopping-up operations. At Limassol and elsewhere British troops were compelled to stand aside. Any attempt to protect the Turks would have led to an open clash with the Greek Cypriot police. In fact, British troops met with increasing hostility and were subjected to humiliating incidents in the course of their routine duties.⁸

Proposals for an enlarged peace-keeping force, possibly composed of troops from the United States and other NATO countries, met with the

⁸ See 'Cyprus: Britain's security role' by Anthony Verrier in *The World Today*, March 1964.

President's refusal. Makarios is committed to the policy of non-alignment in international relations; moreover, Greek Cypriots are convinced that their objectives can best be reached through the machinery of the United Nations. Britain, supported by Turkey, finally abandoned her earlier objections to a U.N. Force and, seizing the political initiative from the Greeks, appealed to the Security Council on 16 February. The U.N. Force was slow to materialize, however, and in the middle of March Turkey threatened to exercise her right of intervention unless all fighting ceased forthwith. Urgent appeals to Turkey from the United States and from the U.N. Secretary-General, combined with assurances that progress in the dispatch of the U.N. Force had at last been made, forestalled this action; and the U.N. Force became operational on 27 March. By this time much of the fighting was over. The situation in Nicosia had been contained by the effective manning of the 'Green Line'; the Turks had suffered serious defeats in Limassol, Ktima, Polis, and many small villages. Thousands of Turks had uprooted themselves from mixed villages and the smaller Turkish hamlets, either spontaneously or on orders from the TMT (Turk Mudafa Teskilat, Turkish Defence Organization), and had now concentrated in larger groups. In the absence of daily contact between the communities, the risk of sporadic incidents, which marked the early stages of the conflict, was considerably reduced.

The U.N. Force

The U.N. Force has met with difficulties similar to those of the British. Both have functioned with the consent of the Makarios Government and on the principle of minimum force. Without powers to carry out arrests, searches, and disarmament, the contribution they have been able to make to the restoration of law and order has been very limited. The need for a stronger mandate is widely recognized, but, in the last resort, the activities of the U.N. and the effectiveness of its control must be determined by the small size of its own forces compared with the vast numbers of armed men circulating in the Republic.⁹

The U.N. presence reduced tension in Greek Cypriot circles for a short time. The Greek Cypriots immediately made a sharp distinction between the functions of the U.N. and the previous British Force. The role of the British, they claimed, was to keep Greeks and Turks apart, whereas the task of the U.N. was to assist 'the legal forces of the State' to restore law and order. The U.N., in fact, was expected to disarm the Turks; this convenient interpretation is based on paragraphs 2 and 5 of the Security Council's resolution of 4 March setting up the Force.¹⁰

⁹ On 7 July, after months of negotiations, it was reported that the Cyprus Government and Turkish leaders had agreed to a neutral zone in the area of the 'Green Line' in Nicosia, which would be patrolled and policed solely by U.N. forces now empowered to search and make arrests.

¹⁰ U.N. Doc., S/5575.

The initial enthusiasm of the Greek Cypriots for the U.N. was soon replaced by criticism. Their disillusionment sprang primarily from the inability of the international Force to take over control of the Nicosia-Kyrenia road from the Turks. This is an explosive issue which many diplomatic observers regard as best left alone for the time being, but the danger persists that the Greek Cypriots may try to recover the road by force. Such a move would almost certainly mean a clash with the Turkish army still firmly entrenched at Guenyeli and Ortakeuy, and Turkey has already issued a warning that any attack on the Turkish army in Cyprus will be treated as an attack on Turkey herself.

The United Nations has not received the co-operation which was expected from the Greek Cypriots. President Makarios abrogated the Treaty of Alliance the day the U.N. Mediator, Mr Tuomioja, arrived in the island and, even before he had a chance to start work, the President hinted at the possibility of his failure by announcing the Cyprus Government's intention in this event to raise the question at the U.N. General Assembly. At the end of April, while General Gyani, the Commander of the U.N. Force, was negotiating a cease-fire on the eastern side of the Kyrenia Pass, Greek Cypriot leaders were planning a large-scale attack against the Turkish stronghold of Hilarion on the western side. The attack, personally led by the Minister of the Interior, came as a surprise to the U.N., and indicated that the Greek Cypriots only intended to co-operate when it suited them to do so. In his report to the Security Council of 29 April, U Thant condemned the senseless shootings which were taking place in Cyprus and the action at Hilarion, which he stated was especially serious 'since it was clearly a planned and organized military effort'.¹¹

The United Nations rapidly lost the confidence of the Turks. The first anti-U.N. Turkish demonstration took place early in April during Dr Bunche's visit to Ktima; the second at the end of the month, when General Gyani was confronted by crowds of angry Turkish women, who accused the U.N. of partiality towards the Greeks and demanded effective action for the return of Turkish hostages. No easing of political tension can be expected until the Turks are able to live in safety, and here the U.N. has failed. In fact, some of the measures adopted by the U.N. only serve to intensify the Turkish sense of injustice and insecurity. Measures against arms smuggling, for instance, discriminate against the Turks, so long as the Cyprus Government and private individuals on the Greek side are allowed to import vast quantities of arms with complete freedom. Plans for dismantling Greek and Turkish fortifications, although ostensibly impartial, merely weaken Turkish defences, so long as the U.N. cannot provide adequate security and 30,000 or more Greek Cypriots remain armed and often out of control. A recent decision by the

¹¹ U.N. Doc. S/5671.

U.N. to withdraw escorts for Turkish convoys came shortly after a wave of large-scale abductions of Turks.

Except for the Hilarion action, however, the first three months of the U.N. mandate were free from major outbreaks of fighting. The general security situation nevertheless continued to deteriorate. In May, the peace-keeping force suffered its first fatal casualty when Turks in a village north of Nicosia attacked a patrol of Finnish soldiers at night, mistaking them for Greeks. The same month two officers from the Greek army contingent and a Greek Cypriot policeman were shot dead by Turks inside the Turkish quarter of Famagusta. Revenge came quickly; within three days thirty-two Turks in the area had been seized as hostages. The arrest of Senior Aircraftsman Marley and his wife on 26 May on a charge of gun-running for the Turks precipitated a fresh wave of anti-British incidents and an intensification of the hostile press campaign.¹² Early in June two British members of the U.N. Force, Major Macey and his driver Corporal Platt, disappeared in the Famagusta district.

Warlike preparations on the part of the Greek Cypriots have intensified during the period, with the purchase of heavy arms and the introduction of conscription; and the Turks have managed to obtain arms and reinforcements clandestinely. The Greeks insist that their measures are exclusively directed against Turkish invasion, and refuse to recognize that it is such activities which may make Turkish military intervention unavoidable. The over-confidence of the Greek Cypriots in their present belligerent mood is one of the most dangerous facets of the present crisis; in the event of a war between Greece and Turkey over Cyprus, foreign military observers take the view that the odds are heavily in favour of Turkey.

The military and economic position of the Turkish community in the island is precarious, however. The Greeks control the main points of entry, the public services, and most of the roads. Deprived of normal postal and telegraphic facilities, unable to enter or leave Cyprus without the risk of arrest or abduction, the Turks see their position as a struggle for survival. Since Christmas they have lived in isolated groups in a state of siege; nearly 17,000 have left their homes, and 60 per cent of these refugees are now living in congested conditions in the Nicosia and Kyrenia districts; approximately 55,000 members of the Turkish community rely largely on food and medical supplies shipped from Turkey.¹³ With the exception of the judges, no Turkish public servants have been paid their salaries since Christmas. The withdrawal early in the New Year of the Turks from the Government, on the ground that they no

¹² On 6 July, Marley was found guilty and sentenced by a Nicosia court to fifteen years' imprisonment and his wife fined £100 for acting as an accessory.

¹³ U.N. Doc. S/5764, 15 June 1964.

longer recognized its legality, has facilitated Greek efforts to eliminate them from positions of importance and has weakened their status for most practical purposes in the eyes of the U.N.

In his report to the Security Council on 15 June,¹⁴ the U.N. Secretary-General stressed the seriousness of the situation owing to the build-up of arms and the fact that both sides had used the comparative lull to strengthen their military position in Nicosia and to improve their capacity for future operations. He deplored 'the universally recognized war crime' of killing hostages—one of the most serious causes of tension and distrust between the two communities. The total number of Turks reported missing on 8 June was 483, and that of Greeks 52. U Thant renewed his appeal to Turkey to place her contingent in Cyprus under the U.N. command, a step which Greece was willing to take if Turkey would do likewise. Greece has nothing to lose by such an arrangement, but, so long as lawlessness and violence prevail in the island, Turkey is not likely to concede to this request which would mean the return of the Turkish army from Ortakeuy and Guenyeli to Nicosia and, as a result, an increase in the sense of insecurity felt by the Turkish Cypriots. U Thant was able to report progress in the collection of the harvest under U.N. auspices; he emphasized, however, the serious consequences of the crisis in other sectors of the economy. As yet the Turkish Cypriots were the greater sufferers, but the economic pinch would soon be felt by the Greek Cypriots as well.

The political deadlock

Early in June a renewed threat of invasion by Turkey prompted American intervention. After narrowly obtaining a vote of confidence in the National Assembly, the Turkish Prime Minister, Mr İnönü, went to Washington at the invitation of President Johnson to discuss the Cyprus question. A similar invitation was issued at the same time to the Greek Prime Minister, who followed close on his heels. On Mr İnönü's return journey he obtained assurances in London from the British Government that it still recognized the validity of the Cyprus Agreements. Intensive diplomatic efforts have since been made to try and bring Greece and Turkey together for bi-lateral talks. But since Greece has aligned herself with Makarios in refusing to recognize the validity of the Zurich settlement, the prospects of an early reconciliation between the two countries seem remote.

In Cyprus itself the attitude of both sides has hardened. The Turks insist on a federal form of government and are convinced, after their recent experiences at the hands of the Greeks, that, short of partition, this system alone can give them adequate physical security. The Greek Cypriots are determined to set up a unitary State in which the Turks have

¹⁴ U.N. Doc. S/5764.

minority rights and return to their original villages. In the absence of effective international action or a Turkish landing, the Greek Cypriots now have the military strength to impose a settlement on their own terms. Greek objections to a federal State are based on the fear that this will pave the way to partition, and also on the fact that, amongst other social and economic disadvantages, about 40,000 Greek families would have to leave the new Turkish area.

The situation is complicated still further by the reappearance in the island of General Grivas. Pledged to the irreconcilable objectives of early *Enosis* and friendship with the Turks, the General embarked on an intensive political campaign shortly after his presence in Cyprus became known. Since many influential groups of Greek Cypriots no longer support *Enosis*, the General's refusal to compromise may well eventually lead to dissension and bloodshed amongst the Greeks themselves.

Basic facts on the U.N. Force in Cyprus

ROSALYN HIGGINS

THE creation of UNFICYP was recommended by the Security Council in its resolution of 4 March 1964; the authority to determine the composition and size of the Force was, however, given to the Secretary-General 'in consultation with the Governments of Cyprus, Greece, Turkey, and the United Kingdom'. After the establishment of the U.N. Force in the Congo, the Soviet Union had contended that the Secretary-General was exceeding his authority under the Charter in determining the participating States and the size of their contingents. The Soviet Union argued before the International Court of Justice¹ that these powers were reserved to the Security Council alone. The Court rejected this contention, and the 4 March resolution on UNFICYP confirms the Court's view of the proper role of the Secretary-General. However, in the case of the Yemen Force, the Soviet Union successfully insisted that the actual establishment of a Force (even one requested and paid for by the disputing parties) should be subject to Security Council approval. Under the 4 March reso-

¹ Case of Certain Expenses of U.N., *I.C.J. Reports*, 1962.

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