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Conflict Intervention and Protracted Settlements: Policy *(Un)*Learning and the

Cyprus – EU Debacle

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Abstract

The article examines why a comprehensive settlement to resolve the Cyprus problem has yet to be reached despite the existence of a positive incentive structure and the proactive involvement of regional and international organizations, including the European Union and the United Nations. To address this question, we draw evidence from critical turning points in foreign policy decision-making in Turkey, Greece and the two communities in Cyprus. We emphasize the role of hegemonic political discourses arguing that the latter have prevented an accurate evaluation of incentives that could have set the stage for a constructive settlement. However, despite the political debacle, success stories have emerged, such as the reactivation of the Committee for Missing Persons (CMP), a defunct body for almost 25 years, to become the most successful bi-communal project following Cyprus' EU accession. We evaluate contradictory evidence in the Cypriot peace process and identify policy lessons to be learned from the CMP 'success story'.

Keywords: framing; political learning; Cyprus problem; Greece; Turkey; European Union; Annan Plan; Committee on Missing Persons

Introduction

The article explains why peace negotiations in Cyprus problem have failed in the past decade despite the proactive involvement of prestigious international clubs, such as the European Union (EU) and the United Nations (UN). It examines the role of external agents and considers how international mediators have attempted to transform the incentives for the main actors in the negotiations of the past decade. The article combines insights gleaned from the study of elite framing and political learning with a rational choice perspective, identifying how external actors, political elites, and leaders have conceived major issues in the Cypriot negotiations, and how they have communicated compromises to their local constituencies. We argue that although it could be assumed that all players would have been better off with a settlement, well-entrenched domestic political discourses prevented an accurate reassessment of new incentives that could have set the stage for a solution. The Cypriot stalemate is relevant in understanding how societies either manage to mitigate protracted conflicts or alternatively fail to deal with intractable patterns of confrontation; in fact, knowing why peace processes fail in the Middle East and elsewhere can be just as valuable as understanding why they succeed.

When we take into consideration the vigorous involvement of international institutions and the ‘stagnant’ status of the conflict over the last 35 years, the fact that the Cyprus problem has yet to be resolved is puzzling. Since the first inter-communal wave of violence on the island (1963-1967) and the *de facto* partition of Cyprus in 1974, the

UN has developed a proactive agenda, ranging from peacekeeping (UNFICYP) to brokering peace settlement initiatives. More recently (in the past two decades), the EU emerged as a new player able to use soft power to ‘catalyze’ a peace settlement. Still, despite the involvement of these influential international institutions the island remains divided. Furthermore, the Cyprus conflict has been labelled as a ‘frozen conflict’ (Nugent 2000; Heraclides 2006) with virtually no human casualties for almost four decades. The absence of physical violence should have been conducive for a peace settlement since unlike other deeply divided societies, a generation of Cypriots has grown up with almost no direct exposure to violence. But despite the existence of conditions favourable for a solution, a peace settlement has yet to be reached.

Nonetheless, a number of surprising ‘success stories’ in the island offer relevant lessons to other post-conflict societies, highlighting the agency of local actors in shaping successful transformation. The most remarkable success story concerns the Committee on Missing Persons (CMP). Defunct for almost 25 years, it resumed its activities in 2004 to become the island’s most successful bi-communal project. By contributing to the exhumation of 663 human remains by June 2010 (CMP 2010), the CMP has been described not only as a success story for Cyprus but also as an example for other societies in the Middle East specifically Lebanon (Jaquemet, 2009). As its recent developments show, a successful resolution of prickly issues is possible despite the absence of an overall political settlement. Examining positive transformations is central in understanding what leads societies away from decades-long stalemates and intractable conflicts. More specifically, the ‘success story’ of the CMP provides an instructive example of how conflict mediation can be also effective in addressing humanitarian

issues in post-conflict settings even in situations where a political settlement has not been reached. These external normative stimuli are often critical in empowering local agency; they are frequently better suited in designing flexible grassroots strategies to address intractable human rights problems (see Rishmond's contribution in this issue). Although the dichotomy between humanitarian and political issues could be criticized for downplaying interlinkages between the two levels of analysis, it could be argued that regional or international organizations frequently prioritize issues of major humanitarian concern over political issues.

The article evaluates the Cypriot peace process by focusing on three distinct periods in the past decade: the pre-2002/3 period preceding the decision of the EU to confirm Cypriot accession; the abortive Annan referendums in 2004 (outvoted by the Greek Cypriot community) and their immediate aftermath; as well as the renewed post-2008 talks led by former Australian Minister of Foreign Affairs Alexander Downer under UN auspices. These three periods have significant differences in incentives and disincentives facing major actors in the negotiations and in leadership styles and preferences, in both Cyprus and the two 'motherlands', Greece and Turkey. This variation in background conditions could help analyze the complex interplay between incentives and framing as well as the role of political learning in post-conflict societies. The article justifies its conclusions by drawing evidence from several turning points in critical decision-making processes in the past decade among all relevant actors.

We begin by highlighting the broader theoretical issues before turning to the pre-2003 period, explaining the positions adopted by the two motherlands and the two Cypriot communities. We then engage with the failure of the Annan Plan and its

immediate aftermath, explaining why the EU ‘catalyzing’ effect failed to bring about a solution. We argue that EU policies not only depended on the incentive structure offered to the parties in conflict but on how these incentives and challenges were framed in the mainstream political discourse of Greece and Turkey and the two Cypriot communities. We argue that rational choice approaches emphasizing institutional change and incentives could fruitfully be enhanced by the insights offered by studies into political learning and elite framing which focus on how leaders make compromises acceptable to the broad membership of their constituencies. We end by looking at the transformation of the CMP from a previously inoperative body into the most successful bi-communal project in Cyprus. This ‘success story’ offers policy and theory insights into how the normative influence of the EU has the potential to transform local ownership into a catalytic force of grassroots rapprochement.

Institutional Incentives and Framing

In their attempt to demonstrate the conditions for cooperative play, rational choice theorists provide conceptual approaches, theories, and models that shed light on the outcomes of interactions among the goal-directed, rational behaviours of actors (Fearon 1995; Posen 1993). Conventional wisdom assumes that cooperation will occur when the rewards for cooperation are high, when sanctions for non-cooperation are steep, and when it is not beneficial to outmanoeuvre an ‘adversary’ with whom one expects to deal over a prolonged period. We argue that the logic of EU engagement in Cyprus, especially the decisions made at the Helsinki Summit for Cyprus and Turkey in 1999, appear to be grounded on this reasoning. Yet explanations focusing exclusively on incentives have

failed to convincingly account for the central paradox, namely, that rational actors should have already reached a settlement rather than maintaining a costly conflict with unknown consequences for the future of the island.

Cognitive approaches supplement the study of incentives by focusing on discourses, frames or simplified mental representations of reality that decision-makers use to interpret events and to choose among multiple courses of action (Tetlock 1998:876). By rendering events or occurrences meaningful, frames organize experience and guide action, whether individually or collectively. According to Bert Klandermans, framing is a process in which social actors, media, and members of a society jointly interpret, define, and redefine states of affairs (Klandermans 1997:44). The evolution of new cognitive habits determines what is considered possible or impossible, natural or unnatural, problematic or inevitable (Lustick 1993:36). As in the case of ordinary picture frames, cognitive frames reflect existing public perceptions of reality but restrict certain realities from people's public attention. Like picture frames, they focus attention "by bracketing what in our sensual field is relevant and what is irrelevant, what is 'in frame' and what is 'out-of-frame' in relation to the object of orientation" (Snow, forthcoming). Cognitive frames also rely heavily on the use of analogies from the past. Jervis maintains that analogies provide a useful shortcut to rationality by making accessible insights derived from previous events (Jervis 1976:220).

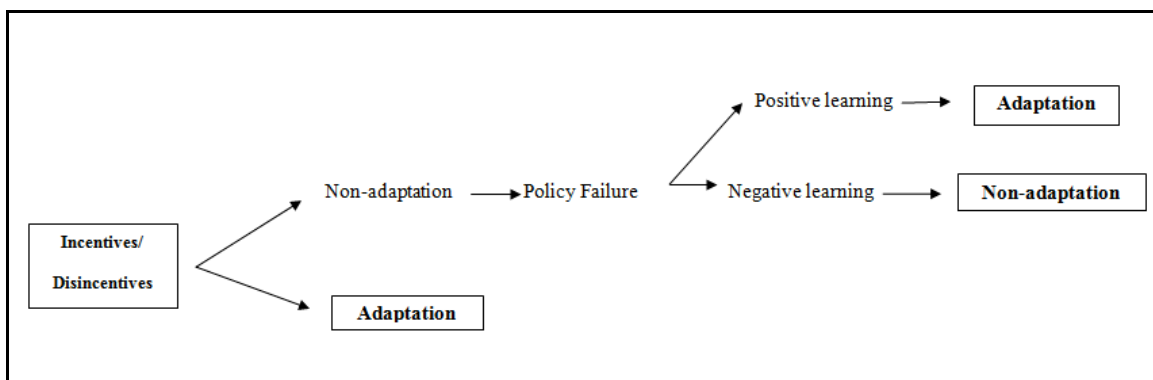
In the study of protracted peace processes, non-adversarial frames that support cooperative policies compete openly with confrontational frames (O'Leary and McGarry 1993). On the one hand, the latter assume that a community in conflict should fight against an unjust situation and is capable of doing so. On the other hand, the former focus

on the lack of sustainability of confrontational policies, the presence of social, economic, and political alternatives, and the value of negotiated compromises. Peacemakers and hardliners compete through their framing on the value, efficiency, and legitimacy of proffered policies, whether confrontational or conflicting.

Failures of confrontational frames in foreign policy, frequently open windows of opportunity for the introduction of cooperative frames in the domestic political discourse (see diagram I). The new cooperative frames rely on past analogies, political learning from recent crises, and dissatisfaction resulting from the costs and consequences of confrontational politics. According to the definition of political learning, offered by Nancy Bermeo, learning ‘is the process through which people modify their political beliefs and tactics as a result of severe crises, frustrations, and dramatic changes in environment’ (1992:274). Taking into consideration that major ‘crises force people to re-evaluate the ideas that they have used as guides to action in the past’, failures in foreign policy act as turning points which frequently lead to changes in the priorities, tactics and strategies deployed by a ‘critical mass’ of learners (ibid: 276). The new frames, emerging as a product of this learning process, are ingrained in mainstream discourse, first, by legitimizing public discussion of cooperative alternatives as a credible and sensible choice, and second, by marginalizing threats to the regime’s stability if cooperative shifts in foreign policy take place (Lustick 1993:46). An overlapping argument has been put forward by the emerging literature on EU’s ‘normative means’ in conflict resolution, where the concept of learning is pivotal in transforming perceived interests or even collective identities (Diez et al 2006:569-575; Rumelili 2004; Tocci 2008:15-16 and 2007:15). Learning experience, particularly the ability to identify cause-and-effect

relationships, is the key to assessing the expected consequences of alternative courses of action proffered by conflicting confrontational and cooperative frames (George 1991). Intra-group competition and preferences of individual leaders and coalitions might have also a strong impact on the framing of certain policy issues.

Graph I: *Schematic presentation of adaptation process*



‘Framing Cyprus’ in the pre-EU Accession Era

In the pre-2002-2003 period it was expected that an external powerful peacemaker, similar to the role of the US in the Northern Irish peace process in mid-1990s (see Guelke’s contribution), would have had a similar catalyzing effect to the solution of the protracted Cyprus problem. In essence, EU engagement in Cyprus was based on the expectation that all actors would collaborate in reaching a settlement without one side being held hostage to the intransigence of the other. For instance, although it was an

extremely important ‘carrot’, Cyprus’s accession to the EU was not conditional (i.e., made subject to a settlement), since such a precondition would have disproportionately empowered the Turkish side with a veto right, making the Greek Cypriot community pay the cost of potential Turkish intransigence.¹ More importantly, during pre-accession negotiations Greece had threatened to veto the accession of Central and East European countries, if Cyprus’s accession was put on hold (Nugent, 2000: 134). Although the cooperation of Ankara was also essential, the solution of the Cyprus problem *per se* was not a precondition for Turkey’s accession. In accordance with this logic, as negotiated in Helsinki in 1999, all parties should have had enough incentives to cooperate without being penalized on outsiders’ intransigence. More importantly, the political costs for any party perceived to block the UN Secretary General’s efforts to broker a solution should have been substantial.

Discourse in ‘Motherlands’

In any discussion of cooperative play in the above scenarios, it is important to examine how international factors played out in political discourse. For example, the question of whether the EU logic offered a promising opportunity structure is irrelevant if one of the two sides did not perceive it as promising. How the EU framed the incentives and challenges of enlargement had to be compatible with how they were absorbed by the political discourses of Greece and Turkey, since countries both had the capacity to influence (even determine) the actions of their kin communities in Cyprus.

¹ For the relevant EU enlargement documents see: <http://europa.eu.int/comm/enlargement/intro/criteria.htm>; http://europa.eu.int/comm/enlargement/turkey/pdf/ap_turk_en.pdf.

More specifically for Greece, the framing of policies depended on the learning experiences of previous crises, either with Turkey or within the European Union. We argue below that despite the prevalence of confrontational politics in Greece through the 1990s, its pre-2002-03 political discourse was increasingly in line with the shared norms of fellow EU members. This same tendency entered the Greek Cypriot discourse just before Cyprus' accession to the EU. Greek and Greek Cypriot adaptation to EU norms during this period was set in motion, to some extent, by a gradual process of political learning which began with Greece's accession to the EU.

We stress the word 'gradual', as the process of political learning in Greece did not take place immediately after the country's accession to the EU. Despite its early European membership, Greece did not translate its membership into successful negotiation outcomes in its Turkish or Balkan foreign policy issues. Rather, in the years following its EU accession, Greece suffered repeated failures in the Cypriot negotiations and faced major near-war situations with Turkey in 1987 and 1996 in the Aegean. In the mainstream Greek political discourse, these crises and policy failures were addressed by pointing to Turkey's intransigence and aggression, along with the 'preferential' position the latter enjoyed in 'Western eyes' (Heraclides 2001). Greek policies also minimized EU solidarity and helped antagonize Ankara, while Greece's own responsibilities were underemphasized in the mid-1990s. In line with this cognitive frame, Greece followed policies of limited cooperation, not only on Greek-Turkish issues but on Turkey's Kurdish question and the new challenges emerging after the dissolution of Yugoslavia, particularly the Macedonian issue.² The presence of a vibrant nationalist constituency in

² For a dedicated database analyzing domestic and foreign policy crises involving Greece and Turkey with their neighbors and ethnic minorities see <http://www.qub.ac.uk/research->

Greece, the maintenance of victimization narratives, and the confidence in the efficacy of nationalist politics helped maintain this confrontational frame until the end of the 1990s (Heraclides 2001; Millas 2001).

Nonetheless, this confrontational cognitive frame began to crumble when Greece did not achieve positive policy outcomes in a number of crises. Two episodes in the 1990s demonstrated the pitfalls, contradictions, and counterproductive nature of confrontational framing. In the first episode, Greece failed to prevail in its dispute with the nascent Macedonian/FYROM Republic. Despite being a member in prestigious international forums, such as the EU and NATO, Greece received only short-term support from its allies and partners; more importantly, it was subject to intense disapproval over its lack of moderation. In the second episode, the failure by certain branches of the Greek state to protect Abdullah Öcalan, the PKK leader, in 1998-1999 showed the dangers of confrontational politics for Greece. Antagonizing Turkey during extensive public protests of what was perceived as outside support for terrorism proved to be extremely risky. Ironically, these episodes facilitated the effort to marginalize nationalist frames (and framers), as they were threatening not only for the national interests of Greece but for the incumbency of existing political actors.

The growing public debates on the advantages of disengagement from confrontational politics, paved the way for a new cognitive paradigm of cooperative politics in Greece. Gradually it became conventional wisdom that unless Greece cooperated and coordinated its policies with fellow EU members' principles and interests, it would never enjoy the full political advantages of being a member state. Soon after the

Öcalan crisis, George Papandreou, an advocate of Greek-Turkish cooperation, was appointed to the Ministry of Foreign Affairs and enjoyed high levels of popular support in the Greek polls leading to his election as Prime Minister in 2009 (To Vima 2001). The change towards cooperative politics was subtly supported by the main opposition party as well (Couloubis 1998). The general adoption of cooperative frames facilitated landmark decisions, such as the historic reversal in Greek policies to support Turkey as an EU applicant member, the improvement of minority relations in Greece, and the ongoing rapprochement between Greek and Turkish governments.

The evolution of political discourse in Greece matched and reinforced similar tendencies in the Greek Cypriot community. Following the events of 1974, the Greek Cypriot community established strong economic and democratic institutions while trying actively to seek the reunification of the island within the framework of the 1977-79 agreements which set parameters for federalizing Cyprus. During this period, all major political parties gradually consented to a general peace framework, despite some disagreements on how exactly a federation would be established. The shift towards cooperative politics in Greece facilitated the emergence of reconciliatory voices in the Greek Cypriot community, especially as all political parties recognized the importance of reaching consensus with Greece.

Finally, once Greece realized the importance of securing EU solidarity, the country lobbied for Turkey's accession. The argument was that the more plausible and attractive its entry, the more likely Turkey was to comply with its Greek-related obligations. It was also anticipated that given Greece's status as an EU member state, with the admission of Cyprus into the EU, the Greek Cypriot community would be in an

advantageous position in peace negotiations (Nugent, 2000: 138). This fact should have alerted Turkey and the Turkish Cypriots to exploit the opportunities of cooperation before 2003.

Turkey and the ‘Politics of Antagonism’

The situation in Turkey was more complex than in Greece in terms of its adaptability to EU norms in the years preceding Cypriot accession. To begin with, consecutive Turkish governments failed to decode clear signals in the 1990s of a forthcoming Cypriot accession or (as in the case of Greece) it accredited any Cypriot progress in EU negotiations to the ‘preferential’ position Greece enjoyed in the ‘Western’ eyes. Turkey and the Turkish Cypriots did not engage in negotiations until the very last minute in late 2002; even then, the general perception was that they were ambivalent about making constructive moves in the negotiation process, violating the agreed-upon federal framework and demanding confederation instead (Demsey 2002; Nugent, 2000: 135; Turkish Daily News 2002b). These policies convinced European leaders that Greek Cypriots could not be penalized in their accession prospects because of Turkish Cypriot intransigence. Such positions further consolidated a European consensus in favour of Greek Cypriot accession even without a peace settlement. Moreover, before and even during the negotiations, Turkey threatened to annex the northern part of Cyprus (BBC 2002; Kohen 2001; Manisali 2001). The argument of annexation was an unsuitable negotiation tool for Turkey, however, as the threat lacked credibility and caused enduring harm to Turkey’s own accession prospects.

What explains the predominance of non-cooperative policies in Turkey? First, Turkey did not fully appreciate the overly high cost of confrontational policy-making in the evolving European context. In fact, because of a number of ‘successful’ experiences of confrontational politics in the past, the use of escalatory rhetoric regarding Cyprus (or elsewhere) remained entrenched in the country’s mainstream political discourse. On several occasions in the 1990s Turkey successfully deployed an antagonistic profile with friends and foes alike (Barkey and Gordon 2001). For instance, in 1998, a Turkish ultimatum forced Syria to give up its decade-old support for the Kurdish PKK and its leader Abdullah Öcalan. On other occasions, by triggering popular nationalist mobilizations, Turkey prevented US Senate resolutions on the Armenian genocide issue (2000) and Italian support for the PKK-leadership (1998). In addition, Turkey ‘successfully’ convinced Greece that actions such as the installation of Russian-made missiles in Cyprus (1998) and the expansion of Greek territorial waters could provoke or justify war (*casus belli*). Finally, in the 1996 Imia-Kardak crisis, Turkey successfully challenged Greek sovereignty over two uninhabited Aegean islets. Hence, the annexation threat mentioned above was preceded by several episodes of ‘successful’ confrontation, consolidating a dominant frame where Turkish threats against the Greek Cypriots were seen as normal, justifiable, and credible.

Leaders’ legacies, party preferences, and the political structure in Turkey favoured the maintenance of this frame until 2002. While in Greece, the political system allowed stable single party governments, forming governments in Turkey involved as many as three parties, and required the subtle consent of the military. PM Bulent Ecevit owed his political legacy to the events of 1974 in Cyprus while his coalition partner, the

Nationalist Action Party (MHP), campaigned openly on confrontational politics, speaking against any concession on ‘nationally sensitive’ issues, including Cyprus (Turkish Daily News 2002a). Meanwhile, the military was torn between its aspiration to make the country more western and European, and the apparent value of Cyprus for the security of the Turkish mainland (Kazan 2002).³

Turkey and the ‘Politics of Cooperation’

Despite these constraints in decision making, a shift towards cooperative politics in Turkey became possible after 2002. Unlike previous crises, it became obvious that on this occasion, Turkey could not lean on the United States or any major European country for support (Barkey and Gordon 2002b). Rather, with the moderate leadership of the early 2000s in Greece – the most cooperative for decades – and with fellow EU members acknowledging this, any crisis in Cyprus would be attributed to Turkey.

Furthermore, since Turkey’s cooperation on Cyprus had become mandatory for its EU accession, a number of influential civic and political groups suggested that the major orientation of the country should not be subordinated to Turkey’s failing policies in Cyprus. These groups enjoyed the backing of a large part of the economic and liberal establishment as well as the overwhelming support the pro-European Turkish public.⁴ Advocates of moderate policies criticized confrontational policies; using methods similar to those employed in Greece, they pointed out the cost and lack of efficacy of such policies in Cyprus. Influential opinion-makers in the media argued that as well as

³For a detailed analysis of Turkish security discourse on Cyprus see Isil Kazan “Cyprus and the Eastern Mediterranean, seen from Turkey” in Thomas Diez Ed. *The European Union and the Cyprus Conflict*.

delaying Turkey's own accession, Turkey's lack of cooperation on the issue made Cyprus' accession to the EU irreversible (Birand 2001; Kohen 2001). Finally, after the August 1999 earthquake, media and civil society networks improved the image of Greece in Turkey, thereby enhancing relations between the two nations. For the first time, the Greek and Turkish ministries of Foreign Affairs set up a Liaison Committee working with NGOs to support joint activities; the civil society network grew rapidly to more than 800 organizations making it impossible for either country's ministry to monitor Greek-Turkish rapprochement.⁵

These developments enabled a shift towards cooperative politics after the 2002 parliamentary elections in Turkey. A gradual process of transformation took place simultaneously in both Turkey and the Turkish Cypriot community, each reinforcing the other. The Justice and Development Party (AKP) of Recep Tayyip Erdoğan launched 'fresh and constructive diplomatic initiatives' on previously dormant issues, such as the Cyprus problem (Abramowitz and Barkey 2009:119). Although a party with origins in Islam, AKP represented a wide coalition of moderate forces in Turkey, including non-radical Islamists, moderate Kurds, and mainstream centre-right and liberal forces who aimed to secure and strengthen the country economically and politically at a global level. Having secured a single-party government in 2002, AKP could invest in its long term-vision, breaking away from dependency on the politics of antagonism.

Closely related to the developments in Turkey, Turkish-Cypriot civil society mobilized massively in the years from 2001 to 2004 in support of the reunification plan

⁴ The Turkish Union of Industrialist was probably the best example of a civic organization thinking and acting in this direction. For popular attitudes in Turkey towards EU at that period see Candidate countries Eurobarometer at http://europa.eu.int/comm/public_opinion/cceb/cceb20011_en.pdf

⁵ See interview advisor to MFA Nikitas Lionarakis, November 2001.

that could enable members of both communities to reap the benefits of EU membership. Disenchantment with the growing dependency of northern Cyprus on Turkey, in combination with the economic prospects of EU membership, resulted in demonstrations in 2002 and the election of political leaders with a clearly pro-EU agenda. More importantly, the *Bu Memleket Bizim* ('this is our own country') [Cyprus] platform successfully mobilized thousands of Turkish Cypriots to protest Denktaş and support opposition parties (Jansen 2000; Smith 2001). Although Turkey and the Turkish-Cypriot authorities failed initially to translate these developments into tangible policy outcomes, a remarkable *volte face* occurred in 2004, culminating in an impressive 65% 'yes' vote in favour of the Annan Plan

Still, in the same referendum, the Greek-Cypriot community voted down the Annan Plan with a resounding 76%. What accounts for this reverse transformation? The EU as a 'catalyst' influenced the previously intransigent parties, namely Turkey and the Turkish-Cypriots while the Greek-Cypriots moved at the same time in the other direction – going from initial cooperation to rejecting the Annan Plan. We point to two factors: the reckless design of the EU incentives structure; and the domination of elite discourse by confrontational frames which effectively narrowed the Greek-Cypriot conception of national interest within the EU.

Design of Annan Plan Referendum Incentives

In the 2002 Copenhagen Summit, the EU decided to accept the Republic of Cyprus as a member-state, even in the absence of an overall solution to the Cyprus problem. Following this decision, the EU could no longer synchronize the EU-orientation of the

Republic of Cyprus with the peace initiatives of the Secretary General, Kofi Annan to enhance the prospects of a successful settlement.

Granting unconditional accession to the EU gave the ‘carrot’ of EU membership to the Greek-Cypriot community without any potential ‘stick’ in the case of their possible disengagement from the political settlement. In rational choice terms, both the rewards for cooperation and the penalties for non-cooperation were minimal for the Greek-Cypriot community in the post Copenhagen period, making the option of ‘non-cooperation’ a tempting alternative (Heraclides 2006; Richmond 2005). EU membership not only improved the security of the Republic of Cyprus against Turkish expansionism but enhanced the international legitimacy of the Republic. Most significantly, in the aftermath of accession, the Greek-Cypriots were in an advantageous position to negotiate with Turkey, given the veto right of EU member-states over any prospective candidate.

A significant number of Greek and Greek Cypriot constituencies remained committed to the politics of cooperation, arguing that with accession, the Greek side would be in better position to pursue a viable settlement. However, these constituencies assumed a minority position when Glafkos Clerides (DISY) and George Papandreou (PASOK) lost the elections in Cyprus (2003) and Greece (2004) respectively. Newly elected Greek President Tassos Papadopoulos felt free to pursue a maximalist agenda, given the negotiating advantage. Meanwhile, Greek PM Kostas Karamanlis lacked the experience or the leadership style to influence Greek Cypriot politics. In the 2004 referendum, he nominally supported the Annan Plan but did little to promote it among Greek Cypriots for fear of damaging his relationship with the conservative grassroots of his own party. Karamanlis also feared that imposing a settlement would lead to

accusations of a ‘second Zurich’, a reference to the failure of his late uncle to achieve a viable settlement over Cyprus in 1959.⁶ The simultaneous change in Greek and Cyprus governments triggered a self-reinforcing process of policy *un*learning in both countries as most influential participants in the accession and Cyprus problem negotiations found themselves in the opposition.

Yet a significant portion of the Greek and Greek-Cypriot leadership campaigned in favour of the Annan plan initially and subsequently remained committed to intensifying bicomunal negotiations. Since 2004 DISY, the main Greek Cypriot opposition party, holds the view that the continuous stalemate in Cyprus brings the island closer to a permanent division, a process that could only be reversed through closer cooperation between the Cypriot government and its European partners.⁷ The post-2002-03 tensions within the Greek-Cypriot community demonstrate that incentives can lead to vastly different learning and policy outcomes. Although for Clerides and his followers, EU incentives constituted a satisfactory basis for negotiation because of the benefits of a settlement for both communities, Papadopoulos saw the same incentives as undesirable.

In his seminal study on the foreign policy of small states, Keohane notes that the latter adapt their policies more easily to their external environment since moderation often secures them from perceived or real threats by larger states (Keohane 1969). Yet the case of Cyprus under Papadopoulos suggests that even in small states, foreign policy may not be primarily influenced by external influences/incentives *per se*, but by the ability of elites to control, frame, and utilize external opportunities for domestic purposes.

⁶ Zurich is the point of reference against negotiating a settlement with Turkey; see for instance, Greek Parliamentary Debates, October 23, 1980, p. 739.

⁷ See main opposition DISY Leader, Nikos Anastasiades (2007). *Republic of Cyprus-Parliament Debates*, July 15.

Moreover, the Cypriot case demonstrates how small state (*mis*)adaptation within the EU might be an inadvertent outcome of accession to the Union (see also Nugent, 2006). Small state policies are of critical importance for European security particularly, if EU security policies prove to be insufficient in securing even the territorial integrity of these member states.

Although strong incentives to cooperate existed even in the aftermath of the failure of the Annan plan, negotiations had no tangible outcome. As will be argued below, the ‘adversarial framing’ adopted by Papadopoulos accounted – to a significant extent – for the failure of 2004. More significantly, its legacy entrapped following leaders who became reluctant to reach a settlement.

Framing Incentives after the 2004 Referendum

National interests are neither fixed nor exogenously given, making it important to investigate the processes by which the conception of ‘interests’ is constructed. Therefore, the study of elite framing and how ‘opportunities’ are framed is of fundamental importance. As Diez et al. have illustrated, the impact of the EU is not automatic; the existence of a positive incentives structure does not necessarily mean positive transformation since ‘the actual use made of integration and association ultimately depends on how these (dis-)incentives by the EU played out in domestic context’ (Diez et al 2008:11). As the experience of other deeply divided societies has shown, a significant challenge of political elites is to convince their population to engage in new consociational/federal arrangements. Frequently, such endeavours are impeded by the tendency to draw false analogies with (failed) experiences from their own past or with unsuccessful contemporary examples of neighbouring countries. Framing such analogies

often shapes common (*mis*)understandings on the fairness and viability of peace compromises particularly controversial federal and power-sharing arrangements, leading to a society's institutional entrapment when such compromises are desirable and necessary.

Hence, a caveat should be highlighted. Rational choice, political learning and framing should not be treated as mutually exclusive approaches. In fact, the study of the 2004 referendum shows that instrumental political learning matters most when the ambiguity in public discourse offers several competing frames in mainstream public discourse. It is primarily under these circumstances that people count most on past experiences in order to make sense of a complex political reality or a pressing dilemma. Subsequently framing is more influential in decision-making, in situations where incentives are framed by different (groups of) people in different ways.

It could be argued that the 'adversarial' framing adopted by the Greek-Cypriot elites in the period preceding the 2004 referendum informed the rejection of the Annan plan. As mentioned above a primary function of adversarial framing is that it narrows the definition of national interests and priorities. Once a specific construction of reality was set in the Cypriot peace process, the room for manoeuvring shrunk, political learning and the evaluation of positive aspects of the Annan plan for the Greek-Cypriot community ceased, and the effort to negotiate for further gains was dismissed. Similarly, the politicization of confrontational frames led to the accusation that dissidents weaken the negotiating position of 'their side' (Anastasiou, 2008). In Cyprus, even AKEL, the member of the coalition with a long tradition in bicomunal activities was silenced; it

decided to follow the government's line until 2008 and subsequently suppressed its desire for a settlement to pacify hardliners within the post-2008 Christofias coalition.

What is even more interesting is that although usually frames emerge out of objective condition and reasonable grievances, they have a long-term impact, influencing decision-making considerations even after these conditions cease to exist or grievances are addressed through novel institutional designs and compromises. In his speech of April 7, 2004, Papadopoulos urged the Greek Cypriots to respond with a resounding 'no' to the Annan plan (AFP 2004). His campaign against the Annan settlement before and after the referendum unleashed an unprecedented wave of nationalism in the island, with Papadopoulos and his allies going as far as to brand 'yes' supporters traitors (Cyprus Mail 2004; Anastasiou 2008). The political legacy of the rejection of the Annan Plan by the Greek-Cypriot leadership made it difficult for any new government to accept a solution based on the same tenets. The general lesson from this period on the Cypriot negotiations is that mobilizing the public for foreign policy purposes, particularly through anti-peace referendums has serious adverse effects in the long term, since it consolidates a domestic audience with unrealistic expectations for the future.

Even in the post 2008-period, when a new window of opportunity opened, the creation and cultivation of a Greek-Cypriot audience negatively inclined towards any 'Annan-type' settlement, prohibited any tangible policy outcome. After 2008, several encouraging developments could have led to a resolution. For one thing, moderate leaders were elected on both sides of the divide; their declared priority was resolving the problem, and they enjoyed the support of governments in Ankara and Athens. Still, the politicization of the 'adversarial framing' raised the expectations of the Greek-Cypriot

public, trapping their leaders in a vicious cycle of maximalist expectations which prevented them from reaching an agreement, despite their genuine intentions to reunify the island. In essence, stamping the Annan plan as a non-satisfactory basis for negotiations on the grounds that it satisfied Turkish-Cypriot demands became a self-fulfilling prophecy; the Greek-Cypriot community abstained from an assiduous study and reassessment of the plan's positives insisting in its complete redrafting in future negotiations.

By way of contrast, moderate Turkish Cypriots remained committed to the peace process but primarily in reference to the Annan Plan parameters, arguing that it was unfair for their side to make additional compromises on a plan previously approved by the international community, including the Greek and Turkish governments. Turkish Cypriot framing of the post-Annan period was equally problematic though. Framing the Annan settlement as the limit to Turkish Cypriot concessions made recognition of any (legitimate) Greek Cypriot grievances more difficult in the bicomunal negotiations and restricted adaptation to new political realities following Cypriot accession to the European Union.

In the end, a recklessly designed incentive structure by the EU, in combination with the rise of the 'spoiler' Papadopoulos who set up an adversarial framing, annihilated – or at least considerably diminished – the EU's intended 'catalyst effect'. Almost a decade after the election of Papadopoulos Cypriot negotiations are at a stalemate. Well-informed observers remark that *de facto* partition is gaining in popularity, and Cyprus has almost reached a point of no return. Both sides in the conflict cling to their respective negotiating assets and are reluctant to make concessions that could disturb this balance.

The Turkish-Cypriot side has the upper hand in demographic and military terms while socio-economic and political advantages remain in the hands of the Greek-Cypriots.

Is there any room for optimism? Albeit cautiously, we argue in the affirmative. Although this well-entrenched balance has led to a stalemate, paradoxically, it creates space for critical linkages and incentives for cooperation. As the next section shows, hope has been rekindled in a totally unexpected area – the problem of missing persons, hitherto one of the most sensitive and intractable aspects of the Cyprus conflict. **The reactivation of the CMP was accompanied by the emergence of a new grassroots bi-communal actor with pro-reconciliation profile.**

The ‘success story’ of the Committee for Missing Persons

During the two waves of violence in Cyprus, the bi-communal hostilities (1963-1967) and the Turkish invasion (1974), approximately 2,000 persons went missing from both communities (Sant Cassia 2006:111-128). In 1981, the UN established the tripartite Committee on Missing Persons (CMP), consisting of a Greek-Cypriot, a Turkish-Cypriot, and a member directly appointed by the Secretary-General; the Committee’s primary objective was to investigate the fate of these missing persons. However, in 25 years, almost no single body was exhumed (Kovras and Loizides 2011).

The CMP’s helplessness stemmed, in part, from its problematic structure; because it was based on the principle of consensus among its members, it failed to make, let alone implement, decisions. It is also important to highlight the symbolic capital that the issue represents in both communities. The social representation of victim groups as ‘moral beacons’ and the subsequent instrumental exploitation of their suffering to construct

‘cultures of victimhood’ constitute central features of most societies emerging from communal violence (Rotberg and Thompson 2001; Smyth 2007:76). It is worth mentioning that the number 1,619 – denoting the number of Greek-Cypriot missing persons – became an emblem of victimhood for the community, complying with the victim status of Greek-Cypriots in the official narrative, and this became very difficult to renegotiate. The Turkish-Cypriot framing of the issue in public discourse is considerably different. The vast majority went missing during bi-communal violence in 1963-1964, and they were perceived as martyrs who sacrificed their lives for the nation. Despite these differences, the Turkish-Cypriot official discourse has also employed a number, in this case 803, denoting the forcibly disappeared, for propagandistic reasons. As Sant Cassia stresses, ‘the case of the Missing has been used as a mirror of the barbarism of the Other, a means whereby each side has constructed an image of victimhood for dubious propaganda purposes, and a justification of the maintenance of an unyielding stance in negotiations’ (Sant Cassia 2006:116). Another factor precluding an earlier solution of the problem is that the case of missing persons attracted much international sympathy for the Greek-Cypriot cause; it became a convenient tool in the legalist strategy deployed against Turkey.

In short, the missing had significant symbolic capital for both communities. Each used the issue to validate its official version of the Cyprus problem. Ultimately, the framing of the missing acquired hegemonic status, inhibiting the resolution of the problem even in cases where an early solution might have been possible.

Despite the decades-long deadlock, in August 2004, just a couple of months after the unsuccessful outcome of the referendums, at a time when bi-communal trust had

reached a nadir, the two Cypriot leaders reached an agreement to resume the activities of the CMP. By June 2010, more than 663 remains had been exhumed, while 235 of those have been had been properly identified and returned to their relatives (CMP 2010).⁸ Most importantly, the CMP has become the single most successful bi-communal project, whose work is cherished by both communities. In a 2007 survey of the UNFICYP, 92% of the Greek-Cypriots and 74% of the Turkish-Cypriots evaluated the presence of the CMP in Cyprus as positive (UNFICYP 2007). What accounts for the transformation of an inoperative body into a success story? Can policy lessons be extracted and applied to the wider peace process?

The resumption of the activities of the CMP was preceded by a radical policy change on the issue of the missing persons on the part of the Republic of Cyprus. By the mid-1990s, a group of bureaucrats in the Ministry of Foreign Affairs realized that the gains from the currently pursued policy were minimal; therefore, they decided to put forward a revised policy to break the stalemate. The new policy had two basic tenets: firstly, the ‘de-linkage’ of the issue of the missing from the wider prospect of a political settlement, and secondly, the strong incentives offered to the Turkish-Cypriot relatives of the missing to cooperate with the Republic. As shown above with regards to Greece and Turkey, political learning at the aftermath of policy failures has been a catalyst of transforming actors’ perceptions and policies.

A similar (learning) process seems to have informed the Greek-Cypriot policy change on the issue of the missing. Among the Greek Cypriots the passage of time discredited the previous policy of internationalization aiming exclusively at isolating Turkey rather than resolving the problem. Greek Cypriots have won a number of relevant

8. Of the 235 identified persons, 184 are Greek-Cypriots and 51 Turkish-Cypriots.

legal decisions at the ECHR on the issue, however, these decisions alone could not secure progress for the issue of the missing. Policymakers who have realized the limitations of their current policies subsequently sought alternatives elsewhere in new arrangements which allowed a de-linkage between the political and humanitarian aspects of the Cypriot question. Although the distinction between humanitarian and political issues may seem problematic in post-conflict societies where human rights issues are heavily politicized, it is analytically important to highlight its policy significance. Most importantly, ‘de-linking’ humanitarian issues like the missing – where the Republic of Cyprus had a moral advantage – was previously considered to weaken or even damage the overarching Greek-Cypriot strategy for the reunification of the island. It was precisely this policy of learning the lessons from past policy failures, in combination with the potential harm to the prospect of EU accession that the pending human rights issues could have triggered that informed a revised policy.

A significant illustration of the new strategy of truth and transparency took place in 1999, when a unilateral policy of exhumations was advanced in cemeteries within the jurisdiction of the Republic. As a result, the bodies of several persons believed missing were identified, bringing (delayed) closure to their relatives. Moreover, some (previously) predominant discourses were delegitimized. It has become a conventional wisdom that these crimes were de facto recognized by the Republic of Cyprus, especially so long as the list of the Turkish-Cypriots missing has been published in the Gazette of the House of Representatives. Hence, to a significant extent, this remarkable development should be directly linked to the lessons learned by a ‘critical mass’ of learners within the ministry of foreign affairs in the RoC, independently of the persistent political stalemate.

This revised policy, in combination with two other developments, explains the resumption of the CMP in 2004. The first development was the consecutive decisions of the European Court of Human Rights (ECHR) condemning Turkey for violating the fundamental human rights of the relatives of the missing.⁹ These decisions were backed by several resolutions of the Committee of Ministers of the Council of Europe, thus exerting a great deal of political pressure on Turkey explaining its own cooperation on a politically sensitive issue. The second, **but equally significant**, development was the unprecedented grassroots mobilization of the two communities in the period preceding the referendums (2002-2004); this put (symbolic) pressure on the leaders of both communities to provide closure to this issue. Several bi-communal initiatives demanding the truth about the missing were established in the aftermath of the opening of the checkpoints in April 2003 and gained public attention. The ‘soft power’ of the EU was pivotal in bringing human rights issues – including the missing – at the centre-stage of the public debates, primarily by legitimizing domestic (bi-communal) actors with a proactive agenda in resolving this issue, which were previously sidelined. The element of learning is equally central in the mobilization of these grassroots initiatives. The previous experience of maximalist demands put forward by the official organization of the missing in both sides of the divide, convinced the nascent bi-communal group on the need to adopt a pragmatist agenda and low profile (bi-communal) activities with primary objective the support of the work of the CMP endorsing *de facto* immunity to those providing information to the CMP, a common international practice drawn from elsewhere. Since then the CMP has become a major building block of bi-communal trust.

⁹ Most importantly, the Fourth interstate application of the Republic of Cyprus vs. Turkey, 10 May 2001. Application no. 27581/94

Paradoxically, the EU indirectly empowered domestic actors which proffered a significantly revised and more inclusive framing on the issue of the missing, thereby legitimizing previously unacceptable solutions to the problem, such as unilateral exhumations. A vocal bi-communal group of relatives has been active in organizing events in an effort to address past human rights abuses and restore fractured social relations. The activities of the group have been oriented towards re-framing the problem of the ‘missing’ from a symbol depicting the impossibility to co-exist peacefully, into a symbol of a joint future based on the mutually painful past. The role of gender is also central in the activities of the group, since airing personal experiences from the ‘motherhood’ perspective overcomes exclusive ethnic experiences.

Frequently there is a tendency in the literature to focus on the elite level, excluding from the analytical picture the agency of local grassroots actors in shaping outcomes (McEvoy and McGregor 2009; Richmond 2010). The experience of the CMP shows that elites’ decisions have better chances of success if they are directed towards empowering local ownership. The CMP although it was originally a top-bottom project, its impact and efficiency greatly benefited only when coupled by the grassroots activities of the relatives. In essence, a more balanced design between the international, the elite and the grassroots levels has the potential to catalyze even intractable human rights problems.

These developments made it also easier for Turkey, as well as the local perpetrators in both communities, to accept the resumption of the CMP. In direct contrast, other issues that could have been also framed in humanitarian terms such as the direct

trade for Turkish Cypriots or the return to uninhabited Varosha for Greek Cypriots have failed to proceed despite an even more intense involvement by the European Commission (Faustmann & Kaymak, 2007; Tocci, 2007, 2008). In 2004, the latter proposed direct trade and financial assistance to reward the Turkish Cypriots for approving the Annan Plan. Previous negotiations, however, have already linked the direct trade issue to the return of Varosha for displaced persons and therefore Greek Cypriots were unwilling to make an unconditional concession on this issue fearing at the same time the gradual ‘recognition’ of the north through internationally legalized trade ties. Overall, failure to draw mutually beneficial linkages for all sides in the negotiations as well as to establish credible distinctions between the humanitarian and political aspects of the Cyprus question could explain the divergent outcomes between the direct trade/Varosha issues and the CMP ‘success’ stories.

Conclusions and Policy Lessons

How can we explain the contradictory experiences of Cyprus in the EU? Since the early 1990s, policy-makers and academics have argued that the EU has the capacity to act as a catalyst, triggering solutions in Cyprus and other troubled societies. This thesis was based on the assumption that the EU provides the ideal forum to change the incentive structures of the parties in the conflict, by creating a win-win framework which can set the stage for settlement. Although in the case of Cyprus we argue that the incentive structure offered by the EU was recklessly designed, we also emphasize that this explanation alone fails to account for the whole picture. We must also consider how incentives were framed in the domestic political discourse as well as the broader process of political learning and

unlearning. We argue that especially when ambiguity prevails in public discourse, people tend to count on past experience to draw lessons for future action. This is particularly relevant in the conflict-ridden environments of the Middle East and the Eastern Mediterranean. When such ambiguities and competing discourses are available in the public discourse, the effects of elite framing become more influential and visible. We also show how frames can trap groups in conflict into maximalist expectations which inevitably lead to policy failures. Confrontational frames likely result from the domestic features of a society; however, incentives and disincentives designed and used at the European level might be also important. Thus, a key policy lesson from the Cypriot case is that the EU should examine and reduce uncertainty and ambiguity when it frames its own policies in contested peace processes.

The EU should also concentrate on triggering change in the handling of humanitarian issues. Here, the resumption of the activities of the CMP and the resolution of the problem of the missing in Cyprus may provide insights on how to deal with humanitarian issues in other post-conflict societies particularly in other areas of the Middle East where the EU is also interested in catalyzing positive change. More specifically, the success of the CMP offers suggestions for addressing the complex interplay between incentives and framing processes in conflict resolution. For one thing, the outside incentives to resolve this issue were important but no more so than in other issues. For another, the issue of the missing has served to frame the ‘other’ in Cyprus for some time – on both sides of the divide. A study of the transformation of the CMP highlights the normative power of the EU to solve intractable humanitarian problems in post-conflict settings. Despite the failure of the rational incentives offered to bring about

a comprehensive political settlement, the ‘soft power’ of the EU legitimized domestic **grassroots** actors – including a group of elected leaders, bureaucrats and a vocal bi-communal movement – who exerted bottom-up **and symbolic** pressure for a solution to the humanitarian issue of the missing in Cyprus.

An overlapping policy-oriented conclusion points to the need to de-link the most sensitive humanitarian issues from negotiations for a wider political settlement, in Cyprus and possibly elsewhere. The success of the CMP was not aimed at social engineering or transforming the ‘other’s’ perceptions. Rather, both adversarial and cooperative frames remained largely intact at the political level as policymakers delinked the issue of the missing from political competition. A catalyst for this linkage was a process of distinguishing and learning on humanitarian issues especially at the aftermath of policy failures. Once actors recognized the limitations of using humanitarian issues for broader political objectives, de-linkage strategies in negotiations became more credible. The story of the CMP in Cyprus could provide an instructive example for other societies on how to address issues of victimhood, reconciliation, and trust without necessarily relying on comprehensive political process.

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