

POLITICAL GUIDE

# Security & Guarantees

Shared Knowledge Resources



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# Chapter

## Security & Guarantees

### Framework for security

This infographic presents the Framework for Security that was presented to the sides in Geneva, during the 2015-17 negotiations. The mapping is based on the Press Conference held by Espen Barth Eide, Special Advisor to the UNSG on Cyprus on 13 January 2017.

### Security of implementation

This infographic presents the proposal for an Implementation Monitoring Framework as part of the negotiations on security, during the 2015-17 negotiations. The mapping is based on a non-paper tabled by the UN on the 6 July 2017 which was leaked in the press.

### External security & guarantees

This infographic presents a mapping of the External Security Arrangements in successive negotiation periods. It considers the main provisions, structures, management and implementation of security arrangements as these have been negotiated in the 1992 Ghali Set of Ideas, the 2004 Annan Plan, the 2008-2012 Convergences as well as the 2014-2017 negotiations. As most negotiations on the issue relate to the Treaties of Guarantee and Alliance, the factsheet also maps the relevant provisions from these Treaties that form part of the 1960s agreement.

*The infographics form part of the Shared Knowledge Resources of the Cyprus Dialogue Forum.*



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Anastasiades-Eroğlu



Anastasiades-Akinci

2015-2017

## Security Negotiations.

### New Framework for Security.\*

#### Layers of Security.



#### LAYER 1 CONSTITUTIONAL SECURITY

- The first layer of security is the deal itself, the ability to say that the constitution is credible, that it will work, that it will last, that people are created equally and that their rights are protected under the constitution.



#### LAYER 3 SECURITY OF IMPLEMENTATION

- The third layer is security of implementation, whether people believe the deal will be implemented.



#### LAYER 2 INTERNAL SECURITY

- The second layer of security is internal security including everything from a legal system, a judiciary that works and is effective and is fair and implements the rule of law, the police that implements the rule of law and which is important in the prospect of a reintegration of the communities.



#### LAYER 4 EXTERNAL SECURITY

- The last layer is external security dealing with the way a united federal Cyprus deals with its security and related aspects of foreign policy in a volatile region.

\*Note: The framework for security was presented to the sides in Geneva. The above is mapped from the press conference held by Espen Barth Eide, Special Adviser to the UN Secretary-General on Cyprus, on 13 January 2017.



2015-2017

# Security Negotiations.

Implementation Monitoring Framework (Non-paper).\*

## Elements

Implementation by the parties of the following elements of the agreement based on their respective responsibilities.

- Constitutional aspects of settlement.
- Territorial adjustments.
- Policing provisions.
- Withdrawal of foreign troops, demobilisation of domestic forces.
- Implementation of property settlement.
- EU acquis compliance (monitoring by EU).



## LAYER 1 GROUND LEVEL OPERATION MONITORING

- Ground level operation monitoring, including of troop withdrawal and demobilization, performed by the UN mission. Reports to the UN Security Council every 3 months on all aspects of the agreement. Other actors may also play a role (e.g. EU for acquis compliance related issues).



## LAYER 2 COMMITTEE OF THE PARTIES

### Composition

- 1 UN Chair + 1 Greek + 1 Turkish + 1 UK representative + 2 federal government representatives (1 GC/ 1 TC) + 1 from each constituent state.
- Responsibilities for assessing overall implementation by reviewing draft reports prepared by the UN mission, providing input over content of reports where relevant but with no editorial role (chance to explain). Addressing any issues on implementation through consultation (problem solving).



## OPTIONAL LAYER 3 ADVISORY GROUP

- Group of eminent persons. Eminent or trusted Cypriots and/ or international personalities. Provide advice, support, and recommendations in relation to implementation, receive input from implementing parties present on Committee of the Parties, advising the UNSG and/ or the implementing parties on progress made in implementation.



## LAYER 4 IMPARTIAL CERTIFICATION OF IMPLEMENTATION

- Performed by the UNSG. Based on reports prepared by the UN Mission, the UNSG pronounces on himself/ herself on whether or not implementation of the settlement is on track. The UNSG could also receive inputs directly from the implementing parties.



## LAYER 5 UN SECURITY COUNCIL

- As an additional measure, Turkey, Greece and Cyprus could be invited to attend sessions of the Security Council when the implementation reports are tabled and considered.

\*Note: The source of the above mapping concerns a non-paper tabled by the UN on the 6 July 2017 which was leaked in the press.



1960

# Treaty of Guarantee.

## Signatories

- Republic of Cyprus
- Greece
- Turkey
- United Kingdom

## Principles Underpinning the Treaty

- The recognition and maintenance of the independence, territorial integrity and security of the Republic of Cyprus (RoC), as established and regulated by the Basic Articles of its Constitution, are in [signatory parties'] common interest.
- [The signatory parties] desire to co-operate to ensure respect for the state of affairs created by the Constitution.



## PURPOSE OF THE TREATY & RESPONSIBILITIES OF SIGNATORY PARTIES

### Guarantor RoC's Independence, Territorial Integrity & Security

- Greece, Turkey and the United Kingdom recognise and guarantee the independence, territorial integrity and security of the Republic of Cyprus and also the state of affairs established by the Basic Articles of its Constitution.
- The RoC undertakes to ensure the maintenance of its independence, territorial integrity and security as well as respect for its Constitution.

### Prohibiting Union or Partition

- Greece, Turkey and the United Kingdom undertake to prohibit, so far as concerns them, any activity aimed at promoting, directly or indirectly either union of Cyprus with any other State or partition of the island.
- The RoC undertakes not to participate in whole or in part in any political or economic union with any state whatsoever. It accordingly, declares prohibited any activity likely to promote, directly or indirectly either union with any other State or partition of the island.



## RIGHTS OF THE PARTIES IN THE EVENT OF BREACH OF THE TREATY

### Consultation Among Guarantor Powers

- Greece, Turkey and the United Kingdom undertake to consult together with respect to the representation or measures necessary to ensure observance of [the Treaty's] provisions.

### Right of Each Guarantor Power to Take Action

- In so far as common or concerted action may not prove possible, each of the three guarantor powers reserves the right to take action with the sole aim of re-establishing the state of affairs created by the present Treaty.



Makarios-Denktaş

1960

# Treaty of Alliance & Additional Protocols I & II.

## Signatories

- Republic of Cyprus
- Greece
- Turkey

## Principles Underpinning the Treaty

- [The signatory parties'] common desire is to uphold peace & to preserve the security of each of them.
- [The signatory parties'] efforts for the preservation of peace & security are in conformity with the purposes and principles of the UN Charter.



## PURPOSE OF THE TREATY & RESPONSIBILITIES OF SIGNATORY PARTIES

- The parties undertake to cooperate for their common defence and to consult together on the problems raised by that defence.
- The parties undertake to resist any attack or aggression direct or indirect against the independence or territorial integrity of the Republic of Cyprus (RoC).



## MILITARY CONTINGENTS KNOWN AS THE TRIPARTITE HEADQUARTERS

**950**  
Greek  
Contingent

**650**  
Turkish  
Contingent

**2000**  
RoC Army

**60:40**  
Ratio of  
GC:TC

### Mandate

- Shall provide for the training of the army of the RoC.
- Shall be responsible to the Committee of Ministers in the performance of its functions.

### Command of the Tripartite Headquarters

- Shall be assumed in rotation, for a period of 1 year each, by a Greek, Turkish and Cypriot General Officer who shall be appointed respectively by the governments of Greece and Turkey and by the President and Vice-President of the RoC.



## POLITICAL BODY OF ALLIANCE KNOWN AS THE COMMITTEE

- ✦ Greek Minister of Foreign Affairs
- ✦ Turkish Minister of Foreign Affairs
- ✦ RoC Minister of Foreign Affairs

### Mandate

- May take cognizance of any question concerning the Alliance which the Governments of the three Allied countries shall agree to submit to it.

### Decision-Making

- Presided over in rotation, and for a period of 1 year, by each of the 3 Foreign Ministers.
- Decisions of the Committee of Ministers shall be unanimous.



Vassiliou-Denktaş



Clerides-Denktaş

1992

## Ghali Set of Ideas.

### Principles and Purpose of Security Arrangements.

- The security of the federal republic and of the Greek Cypriot and Turkish Cypriot federated states will be guaranteed.
- The demilitarization of the federal republic remains an objective.

#### Treaty of Guarantee

- The 1960 Treaty of Guarantee continues to be in force and will be supplemented in a document to be appended as set out on this page.



#### PURPOSE OF THE TREATY

##### Mandate

- To ensure the independence and territorial integrity of the federal republic and exclude union in whole or in part with any other country and any form of partition or secession.
- To ensure the security of the Greek Cypriot and the Turkish Cypriot federated states.
- To ensure against the unilateral change of the new constitutional order of the federal republic by either community.



#### GUIDING PRINCIPLES

- The federal republic will affirm its commitments to the principles of the Conference on Security and Cooperation in Europe (CSCE) which include: (1) Sovereign equality, respect for the rights, inherent in sovereignty, (2) Refraining from the threat or use of force, (3) Inviolability of frontiers, (4) Territorial integrity of States, (5) Peaceful settlement of disputes, (6) Non-intervention in internal affairs, (7) Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, (8) Equal rights and self determination of peoples, (9) Co-operation among States, (10) Fulfilment in good faith of obligations under international law.



#### SUPERVISION & VERIFICATION COMMITTEE

- ✦ Greece
- ✦ Turkey
- ✦ President of Federal Republic
- ✦ Vice-President of Federal Republic
- ✦ Supported by UN

##### Mandate

- Responsible for investigating any development which in the view of either the federal president or vice-president or any guarantor power is a threat to the security of either community or the federal republic through on-site inspection and other methods [it] deems necessary.
- Make recommendations for rectifying any situation it has established to be in contravention of the arrangements covered by the Treaties of Guarantee and of Alliance. The parties will be obligated to implement these recommendations promptly and in good will.
- The United Nations Security Council will be requested to revise the mandate of UNFICYP, including support of the supervision and verification committee.

1992

# Ghali Set of Ideas.

## Treaty of Alliance

- The 1960 Treaty of Alliance continues to be in force and will be supplemented in a document to be appended as set out on this page.



## MILITARY CONTINGENTS

### Greek & Turkish Forces

- Numerical balance of Greek and Turkish troops and equipment.
- Stationing in Cyprus of Greek and Turkish contingents of equal size and equipment. The Greek and Turkish contingents will be stationed in the GC and TC federated states respectively and cannot enter the other federated state.

### GC & TC Forces

- Federal force consisting of GC and TC unit of equal size and equipment (not exceeding the size of the Greek and Turkish contingents).
- GC and TC units stationed in the GC and TC federated states respectively. The units are under the joint overall command of the President and Vice-President who jointly decide on their locations.
- The GC and TC units will promote mutual respect, friendship, and closer relations between the two communities and foster their welfare by carrying out joint social service activities throughout the federal republic.
- There will not be any reserve force and any military or paramilitary training of civilian groups.

### Reduction of Military Contingents

- Further reduction to an agreed level of GC and TC units and withdrawal of all non-Cypriot forces not provided for under the Treaty of Alliance based on an agreed timetable.
- The timetable to be fully implemented prior to the establishment of the federal republic and in phases parallel to the implementation of the programme of action.



## INTERIM MONITORING COMMITTEE

- ✦ Greece + Turkey + UK
- ✦ GC Community + TC Community
- ✦ UNFICYP

### Mandate

- Monitoring the achievement of the agreed numerical balance of Greek, Greek Cypriot, Turkish and Turkish Cypriot troops and equipment to be implemented.
- Monitoring the achievement of further reduction of Greek Cypriot and Turkish Cypriot units and the withdrawal of all non-Cypriot forces not provided for in the Treaty of Alliance prior to the establishment of the federal republic.



2004

# Annan Plan.

**Treaty between Cyprus, Greece, Turkey and the United Kingdom related to the new state of affairs in Cyprus.**

## Intended Signatories

- Republic of Cyprus
- Greece
- Turkey
- United Kingdom

## Principles Underpinning the Treaty

- [The signatory parties] welcome the comprehensive settlement of the Cyprus problem [...]
- [The parties] desire to contribute to a peaceful and harmonious future for Cyprus and for Cyprus to be a bridge of friendship between Greece & Turkey within a peaceful environment in the Eastern Mediterranean.
- [The parties] are committed to international law and the principles of the United Nations Charter.



## FUTURE OF THE TREATIES OF GUARANTEE & ALLIANCE

### Treaty of Guarantee

- The Treaty of Guarantee shall apply mutatis mutandis\* to the new state of affairs [...], with the changes outlined in the Additional Protocol to Treaty of Guarantee (see next page).

### Treaty of Alliance

- The Treaty of Alliance shall apply and operate mutatis mutandis in accordance with the new state of affairs [...], with the changes outlined in the Additional Protocol to Treaty of Alliance (see p.104).

### Transitional Security Arrangements

- Dissolution of Greek Cypriot and Turkish Cypriot forces and timeline (see p.104).
- Adjustment of foreign troops and timeline (see p.104).



## MONITORING COMMITTEE FOR IMPLEMENTATION

- ✦ 1 UN (Chair)
- ✦ 1 Greek + 1 Turkish + 1 UK
- ✦ 2 Federal Government (hailing from each CS)
- ✦ 1 GC constituent state + 1 TC constituent state

### Mandate

- Shall monitor the implementation of the Settlement, and may make recommendations regarding any development which may endanger their implementation.
- The parties undertake to cooperate with the UN operation in Cyprus and to act in good faith on the recommendations of the Monitoring Committee.
- Shall request the UN to bring to its attention any significant change the UN may wish to make in its peacekeeping operation.

\*mutatis mutandis: making necessary alterations while not affecting the main point at issue.



Papadopoulos-Talat



Christofias-Talat



Christofias-Eroğlu

2004

# Annan Plan.

## Status of the Treaty of Guarantee.

### Treaty of Guarantee

- The Treaty of Guarantee shall apply *mutatis mutandis* to the new state of affairs [...], thereby covering, in addition to the independence, territorial integrity, security and constitutional order of the United Cyprus Republic, the territorial integrity, security and constitutional order of its constituent states.



### PROVISIONS OF ADDITIONAL PROTOCOL TO TREATY OF GUARANTEE

#### Mandate

- "Constitutional order" shall mean the Constitution of the United Cyprus Republic and [...] the Constitution of each constituent state, including any amendments to any of them [...].

2004

# Annan Plan.

## Status of the Treaty of Alliance.

### Treaty of Alliance

- The Treaty of Alliance shall apply and operate mutatis mutandis in accordance with the new state of affairs [...], taking into account in particular the demilitarisation of Cyprus.



### PROVISIONS OF ADDITIONAL PROTOCOL TO TREATY OF ALLIANCE

#### Military Contingents

- There shall be no Tripartite Headquarters.
- The provisions of the Treaty shall apply to commanders of the Greek & Turkish contingents who shall consult and cooperate in the performance of their functions [...] They shall exchange liaison officers, conduct exchange visits, and invite each other to observe military exercises.
- The Greek & Turkish contingents shall be permitted to be stationed [...] in the GC and the TC constituent states respectively.

#### Transitional Arrangements for Troops

- Greek and Turkish contingents shall [...] not exceed 6,000 all ranks until 1 Jan 2011, and 3,000 all ranks thereafter until 1 Jan 2018 or Turkey's accession to the European Union, whichever is sooner.
- Thereafter, Cyprus, Greece and Turkey shall review troop levels every 5 years with the objective of total withdrawal.

#### Revision Clause

- Cyprus, Greece and Turkey shall review [the Additional] Protocol and, in particular, the permissible number of troops to be stationed under the Treaty of Alliance no later than 1 June 2010. Thereafter, they shall review the question every 3 years with the objective of total withdrawal.



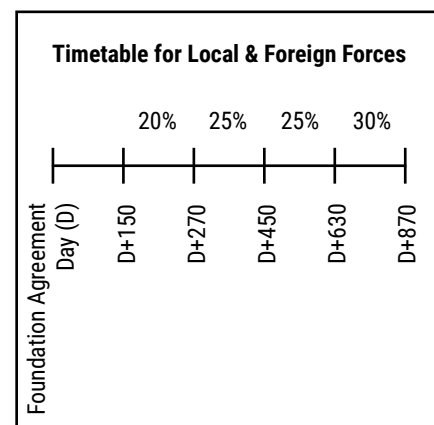
### TRANSITIONAL SECURITY ARRANGEMENTS FOR REDUCTION OF MILITARY

#### Dissolution of GC and TC Forces

- All Greek Cypriot and Turkish Cypriot forces, including reserve units, shall be dissolved, and their arms removed from the territory of the United Cyprus Republic, [on the agreed] timetable.

#### Adjustment of Foreign Forces

- Greek and Turkish forces and armaments shall be redeployed to the locations and facilities designated in accordance with the Codicil to the Additional Protocol to the Treaty of Alliance and adjusted to agreed levels. Any excess forces and armaments shall be withdrawn, [based on the agreed] timetable.





Papadopoulos-Talat



Christofias-Talat



Christofias-Eroglu

2008-2012

## Convergences.

### Status of the Treaty of Guarantee & Treaty of Alliance.

#### Treaty of Guarantee

- No agreement exists among the parties on the future status of the Treaty.

#### Treaty of Alliance

- No agreement exists among the parties on the future status of the Treaty.



#### POSITIONS ON THE STATUS OF THE TREATY OF GUARANTEE

##### GC Position:

- The Treaty of Guarantee must be terminated.

##### TC Position:

- The Treaty of Guarantee must continue mutatis mutandis. The treaty is necessary to protect the independence, territorial integrity, security and constitutional order of federal Cyprus and constituent states.



#### DEMILITARISATION OF FOREIGN TROOPS

##### GC Position:

- All Turkish and Greek military forces must withdraw.

##### TC Position:

- Greek and Turkish forces would draw down to an agreed level. This would mean a continuation of the Treaty of Alliance provisions.



#### POSITIONS ON THE STATUS OF THE TREATY OF ALLIANCE

##### GC Position:

- The Treaty of Alliance must be terminated.

##### TC Position:

- The Treaty of Alliance must continue mutatis mutandis. The treaty is necessary to protect the independence, territorial integrity, security and constitutional order of federal Cyprus and constituent states.



#### DEMILITARISATION OF GC & TC TROOPS

- Agreement that the Greek Cypriot National Guard, Turkish Cypriot Security Force and all reserve forces should be demilitarized.



Anastasiades-Eroğlu



Anastasiades-Akıncı

2015-2017

# Security Negotiations.

## Guterres Framework.

### Security Principles\*

- Recognising the need for mutually acceptable solutions that address the concerns of both communities.
- With the overarching principle that the security of one community could not come at the expense of the security of the other.
- The solutions envisaged need to address both communities' traditional security fears, while developing a security vision for the future.

### System of Security\*

- The current system of guarantees, in particular article IV of the Treaty of Guarantee, containing the unilateral right of intervention, is "unsustainable".
- A new system of security is needed for Cyprus, as well as a credible framework for monitoring the implementation of the agreement in which the current guarantors would play a role.



### POSITION OF THE SIDES

#### GC Interpretation:

- We must recognise that what we need is a new security regime, and not the continuation of the old.
- The termination of the unilateral right of intervention and the end of the Treaty of Guarantee is needed.
- The current situation will be replaced with a solid system of assurances where the whole of Cyprus and all Cypriots of both communities will feel secure through robust implementation and oversight mechanisms that will include an international dimension (United Nations/ multilateral - international framework/ friendly countries). Current guarantor powers cannot implement and monitor themselves.

#### TC Interpretation:

- The framework says that the unilateral intervention right of guarantors is not sustainable. It doesn't say that this right should be scrapped from day one. Contrary to what GCs claim, the framework does not talk about 'zero troops, zero guarantees'.
- The framework envisions switching to a new security arrangement that the sides will agree on. It talks about mechanisms that will be accepted by both sides and that will include the guarantor countries.
- The framework mentions the creation of an arrangement in which one side's security will not pose any threats to the other side's security.

\*Note: The above mapping concerns the Security component of the framework presented to the sides by the UNSG in Crans-Montana, what has come to be known as the 'Guterres Framework'. While the framework itself was never officially published, multiple 'versions' of the framework were circulated in the public domain. The above mapping has been based on the Sept 2017 UNSG report on Cyprus. The GC interpretation is based on a version of the 'Guterres Framework' made public by Nicos Anastasiades, during a televised press conference on 10 July 2017. The TC interpretation of the framework is based on Mustafa Akıncı's comments on the 'Guterres Framework', as reported in the media on 3 May 2018.



Anastasiades-Tatar

2015-2017

# Security Negotiations.

Guterres Framework.

## Security & Troops\*

- On the question of the presence of Greek and Turkish troops in Cyprus, it was agreed that any outstanding issues regarding troops would best be addressed at the highest political level involving the Prime Ministers of the three guarantor powers.



## POSITION OF THE SIDES

### GC Interpretation:

- There should be a rapid reduction from Day One of the implementation of a solution, and subsequently, the number of forces should be reduced to 1960 levels, while at the same time, a timetable for their withdrawal and oversight mechanisms need to be agreed.
- In relation to the sunset clause versus review clause, this would need to be discussed in the presence of the Prime Ministers of the three guarantor powers.

### TC Interpretation:

- The framework does not talk about 'zero troops, zero guarantees'. Decisions regarding the timetable and conditions for troop withdrawal should be made at a higher level, perhaps with the participation of Prime Ministers.

**\*Note:** The above mapping concerns the Security component of the framework presented to the sides by the UNSG in Crans-Montana, what has come to be known as the 'Guterres Framework'. While the framework itself was never officially published, multiple 'versions' of the framework were circulated in the public domain. The above mapping has been based on the Sept 2017 UNSG report on Cyprus. The GC interpretation is based on a version of the 'Guterres Framework' made public by Nicos Anastasiades, during a televised press conference on 10 July 2017. The TC interpretation of the framework is based on Mustafa Akinci's comments on the 'Guterres Framework', as reported in the media on 3 May 2018.