

Galo Plaza Report (1965)

Summary

1. INTRODUCTION

On 16 September 1964, UN Secretary General U Thant designated Galo Plaza, a former Equator President, as the UN Mediator on Cyprus. His designation followed the events of 1963 which resulted in the outbreak of the intercommunal fighting in Cyprus.

According to his terms of reference, Galo Plaza was charged with promoting a peaceful solution and a settlement with the representatives of the two communities in Cyprus and with the governments of Cyprus, Greece, Turkey and the UN (the last three being the guarantor powers of Cyprus' independence, according to the constitution). Mr Plaza, who had already acted as the UN Secretary General's Special Representative on Cyprus was familiar with the Cyprus problem.

Although the two communities and the four governments mentioned above were regarded as being parties with an «equal interest» in a Cyprus settlement, Galo Plaza considered that any viable political settlement should be first and foremost sought among the two main communities, «since it is they who must live under the terms of any settlement» .(para 126)

Soon after his designation and having in mind that any lasting settlement of the Cyprus problem should be first and foremost based on the views of the Cypriot people, Plaza moved his headquarters in Nicosia in order to hold consultations with the parties involved and with representatives of the aforementioned governments.

On 23 June 1965, Galo Plaza submitted his report on Cyprus to the UN

Secretary-General. In his 66 page long report, Mr. Plaza sets out principles on the basis of which, a solution to the problem would be feasible. He outlines the two parties' positions and proceeds to the conclusion that direct contacts and regular meetings between representatives of the two parties are an imperative condition in order to reach a peaceful and agreed settlement.

THE GREEK CYPRIOT SIDE'S POSITIONS

Outlining the Greek Cypriot side's positions, Plaza mentions that for Greek Cypriots the Constitution suffered from many fundamental defects, since it did not emanate from the free will of the people but was imposed upon them by virtue of the Zurich and London Agreements. One of its major defects was that its provisions promoted «political, communal segregation», and that its basic articles could not be amended. (para 65)

The Greek Cypriot side supported a number of principles that would lay the foundations of a new Constitution. Those principles envisaged a «completely independent, unitary, integral and sovereign state», unfettered by any treaties and with all powers emanating from the people, who would be entitled to decide on the future of their country on the basis of the internationally accepted principle of self-determination. (para 67)

Self determination meant that the Cypriot people alone, once fully independent could decide their political status and enter into relationship with any other state or states.

This would involve the holding of a referendum in order to establish whether the people wanted continuation of independence or Union (Enosis) with Greece.

The referendum could be carried out immediately or within one to five days. (para 94)

The form of Enosis would be decided under an agreement between the governments of Greece and Cyprus before the people of Cyprus were consulted on the subject.

As regards direct negotiations, the Greek side was opposed to the holding of multilateral talks among all the parties for reasons both of principle and of substance. As the future of Cyprus concerned no other part than the Government and the people of Cyprus, it could be discussed at bilateral talks that would focus on minority rights. The principles of unitary state, majority rule were not negotiable. Any negotiations would end abruptly if the Turkish Cypriots brought up proposals of partition or federation. (para 95). Human Rights and Minority Rights would be safeguarded for all citizens.

Both communities should enjoy broad autonomy with constitutional guarantees. Legislation should be enacted on matters of administration, education, religion and should provide for the nomination of a UN Commissioner, who would supervise the implementation of the aforementioned provisions for a transitional period.

THE TURKISH CYPRIOT SIDE'S POSITIONS

The Turkish Cypriot side presented its positions in a memorandum submitted on 22 February 1965 by the vice-president of the Republic Dr. Fazil Kuchuk.

Invoking concerns over security of life and property of a people who were not «a mere minority but a distinct community in their own right», the Turkish Cypriot side insisted on the geographical separation of the two communities under a federal system of government. (para 97)

Their proposal envisaged a compulsory exchange of population under UN supervision in order to bring about a state of affairs in which each community would occupy a separate part of the island. According to the Turkish Cypriots, the physical separation would alleviate their feelings of insecurity. The dividing line was in fact suggested: It ran from

Yialia village on the north-western coast and Famagusta in the east. The zone lying north of that line covered almost 38 per cent of the total area of the Republic and was claimed by the Turkish Cypriot community. (para 73)

On the political level, the Turkish Cypriots favoured the creation of two separate communal areas, enjoying self-government in all matters falling outside federal affairs. Moreover the two areas would be entitled to maintain cultural and economic relations directly with Greece or Turkey as the case might be. (para 74)

The federal government would be vested with authority over foreign affairs, defence, the federal budget, customs, commerce, banking, currency, nationality, criminal legislation and jurisdiction. (para 75)

The House of Representatives would be composed of 30 per cent Turkish and 70 per cent Greek community representatives and a Senate divided equally between the two.

The Treaties of Alliance and Guarantee would continue to form an integral part of the Constitution. Turkish Cypriots also supported the convening of multilateral talks among all the parties concerned, namely the Greek and Turkish Cypriot communities and the three Guarantor powers.

THE GUARANTOR POWERS

On their part the three guarantor powers adopted the following positions: The Greek Government supported the demand of the Greek-Cypriot community for the unfettered independence of Cyprus and the right of self-determination. They agreed with the principle that the future of Cyprus should be determined by the majority of its people and said that Greece would respect any decision taken by the Cypriot people (independence or Union (Enosis) with Greece).

The Government of Turkey supported that any settlement of the Cyprus problem should exclude Enosis with Greece and include the geographical separation of the two communities under a federal system of government.

The government of the UK, fully supportive of the endeavours of the UN mediator on Cyprus, had stated that it did not wish to put forward any proposals concerning a Cyprus settlement as long as efforts at mediation continued.

INCOMPATIBILITY OF THE PARTIES' VIEWS

The incompatibility and rigidity of the parties' views made impossible the finding of sufficient common ground that could provide a basis for discussion between the parties, that would lead to an «agreed settlement».

In an assessment of his mediation efforts, Galo Plaza reached some conclusions, worthy of consideration. As Mr. Plaza pointed out, «Cyprus continues to be the centre of a dispute which endangers both the safety of its own population and the relationships of the countries most directly concerned-Cyprus itself, Greece and Turkey and therefore the peace of eastern Mediterranean and the world as a whole».

Despite that fact, he observes that «there is no apparent willingness and ability on the part of the leaders of the two communities to offer any substantial concessions to an agreed political settlement. Each side rests its widely differing political ideas rigidly on the amount of the military force at its command. But an uneasy equilibrium is maintained by two other factors: on one hand the possibility of further armed intervention by Turkey in accordance with the rights claimed from the Treaty of Guarantee and on the other hand the presence and activity of the UN Force.» (see para 108)

Pointing to the incompatibility of the positions of the two parties that gave no place for common ground that could serve as a basis for direct talks, Galo Plaza expressed the hope that his examination of their fundamental attitudes and aspirations could assist in the search for an agreed solution.

CONCLUSIONS

The prevailing principle in the search for a solution, according to Galo Plaza was the respect of the aspirations and desires of the two main communities in the first stage, and in the second stage of those of the other parties adhering to the settlement.

This solution, according to Mr. Plaza, should establish an independent, sovereign and unitary state, that would exclude Union with Greece, with all human and minority rights safeguarded. Moreover it should «abrogate or at least modify the Zurich and London Treaties».

Mr. Plaza attributed the origin of the 1963 crisis and the problems in the smooth functioning of the constitution in the difficulties encountered in applying the Treaties.

«It is enough to observe that the difficulties in implementing the Treaties began almost immediately after independence... The events which have taken place since December of 1963 have created a situation which makes it impossible to return to the previous situation». (para 129) .

The restrictions enacted by the Constitution were viewed both by the Turkish Cypriots and the Turkish government as a means to secure the treatment of Turkish Cypriots as a

«community with distinct political rights», and not as a minority. Additionally they intended to secure for Turkey the maintenance of an equilibrium in the eastern Mediterranean, which would be seriously disturbed, in the Turkish government's view should Cyprus become Greek territory.

On the question of Enosis, Mr. Plaza notes that «it is the most divisive and potentially the most explosive aspect of the Cyprus problem». Any attempt to impose Enosis against the will of Turkish Cypriots would possibly result in a new outbreak of violence. «I have been assured by the Turkish-Cypriot leadership and by the successive governments of Turkey that any attempt to bring it about against their will would provoke active and vigorous resistance», he writes (para 137). Moreover it would deteriorate relations between Greece and Turkey and jeopardise the peace as the eastern Mediterranean region, he estimates.

He points out however that the question of Enosis neither enjoyed unqualified support among the Greek Cypriot population nor, there has been a common and clear understanding on either side or on the four governments of the form, effect and implications of Enosis .(paras 138 & 141)

Given the dangers mentioned above, Plaza concludes that «it would be an act of enlightened statesmanship», as well as «a sovereign act of self-determination if the government of Cyprus undertook to maintain the independence of the Republic and to refrain from any action leading to union with another state.»

«To maintain the independence of Cyprus would have to be a free undertaking on the part of the government and people of Cyprus and not a condition imposed upon them», he says.

In this respect both the principle of self-determination as well as the maintenance of international peace and security would be safeguarded. Another step towards the consolidation of peace and security in the region, according to Plaza, would be the demilitarisation of the island.

Another conflicting point was the connotation of the word «community» for the two communities. Plaza explains that for the Turkish Cypriots the «two communities are distinct legal entities recognised as such by the 1960 Constitution and differing in status only in so far as the provisions of the Constitution establish such differences.» He notes that the word does not bear the connotation of «majority community» or «minority community».

For the Greek Cypriots on the other hand, it is fundamental that the organisation of the Republic should be based on a majority capable of governing and a minority protected by a democratic system. «This difference of approach is obviously one that can only be resolved by a settlement of the Cyprus question as a whole», he comments.

Commenting on the form of government, proposed by the Turkish Cypriots, Plaza notes that their idea is «not merely to establish a federal form of government but also to secure the geographical separation of the two communities» (para 150). However, the establishment of a federal regime requires a territorial basis and this basis does not exist, writes Plaza.

The Turkish Cypriot proposal for a federation encountered the strong reaction of the Greek Cypriot side who saw through the proposal an attempt at partitioning the island.

On his part, Galo Plaza considered the economic, social and moral problems that the proposal entailed as serious obstacles that would require a compulsory movement of population, a fact that runs contrary to all the enlightened principles, including those set forth in the Universal Declaration of Human Rights (para 153). The physical division of the island should be considered «a desperate step in the wrong direction», he concludes.

Respect of Human Rights and fundamental freedoms for all citizens constitutes an indispensable prerequisite for the establishment of social peace and the rebirth of mutual confidence between the two communities. To this end Plaza pledged for the establishment of the most rigorous guarantees of human rights and safeguards against discrimination.

Among the most important provisions suggested in his report was the appointment of a UN Commissioner, who would stay on the island as long as required and the granting of a general amnesty and provision for the resettlement of Turkish Cypriots who wished to leave the island and for the rehabilitation of those who would remain.

In his concluding remarks Plaza states that in analysing the parties' positions, he tried to help them explore the directions in the search for a peaceful solution and an agreed settlement.

The means to seek a solution is through intercommunal dialogue-with or without UN interference.

«Should this procedure lead to an agreement on all major issues and should it then be found necessary to refer the terms of a settlement to the people of Cyprus directly, I consider that it would be essential to put to the people the basic settlement as a whole. They should be asked to accept or reject it as a single package and not in its various parts... It seems to me inevitable that it will have to be a carefully balanced series of agreements, each relying on the other and all of them on the whole», he concludes.