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Foreign and Commonwealth Office

London SW1A 2AH

14 April 1986

Now submitted
encl 14/16.

Dear Charles,

Cyprus: Prime Minister's Meeting with President Kyprianou

In your letter of 7 April you said the Prime Minister wished us to consider certain points made to her by President Kyprianou.

First, President Kyprianou asked the Prime Minister whether she thought that the Secretary-General could be persuaded to call "a high-level meeting" to discuss troop withdrawals, guarantees and the three freedoms without requiring explicit acceptance or signature of the present documentation. You said that the Prime Minister saw something in this and considered such a procedure preferable to breakdown.

As you will have seen from UKMis telegram no 346 (attached) the problem - certainly in our eyes and clearly in those of the Secretary-General too - is that Kyprianou believes he is signing a treaty. In fact, there is no reference to signature in the present documentation or in the Secretary-General's covering letter to the parties. In the latter he merely talks of a need for the parties "to formalise acceptance of the framework agreement", but does not specify how this should happen. Sir John Thomson asked him how he envisaged "formalisation". He replied that he was open-minded and suggested that he might make a public statement that both sides were prepared to proceed on the basis of his paper. He admitted that this would need careful drafting but clearly there is a degree of flexibility in the Secretary-General's position if Kyprianou wishes to avail himself of it.

The problem is that anything less than clear acceptance by the Greek Cypriots - whether in the form of signature is not really important - will cause problems for the Turkish side. As John Wilberforce has pointed out, Denktash would be perfectly entitled to argue that the constitutional safeguards were a key element in judging what security Turkish Cypriots could expect to enjoy in future: he could not move on to discuss the Turkish troop withdrawals until the constitutional safeguards had been determined (Nicosia telegram no 118, attached). You will have seen that Mark Russell shares these reservations (Ankara telegram no 200 attached).

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In short, to follow the suggestion made by the President to the Prime Minister might avoid a breakdown due to Greek Cypriot refusal. But it would court a serious risk that the Turks could then balk. The result would be to shift the international opprobrium for failure onto the Turks (who do not in fairness merit it) while - to the extent that we were seen as having encouraged this ploy - putting at risk our relations with Ankara.

We therefore believe that our first objective must continue to be to get Kyprianou to signal his clear acceptance of the present documentation. The exact way in which he should do so is a matter for him and the UN Secretary-General. We may at some later stage need to spell that out to him. You will also have seen from UKMis telegram no 352 (attached) that the Secretariat may be considering asking the Prime Minister to put various ideas - very possibly on this key point - to Kyprianou. We may hear no more about this. But if we are approached, we will want to respond positively whilst avoiding risks to our interests by any implied acceptance of a role as mediator.

Meanwhile, we plan to instruct posts to make further approaches, coordinated with the French, Italians and Germans, in Ankara, Athens and both parts of Nicosia. Our aims will be to secure early acceptance of the UN documentation. It is encouraging that after many years of foot dragging the initiative for this should come from the French. Since we have seen Ozal, Papandreou and Kyprianou so recently, we plan to delay our demarche in Nicosia (which will include a call on Denktash) until after the return of Kyprianou from his meeting with Papandreou on 16 April. This may need to be modified if the Secretary-General asks for the Prime Minister's help as suggested above.

You also commented that the Prime Minister had noted what Kyprianou had said about the unworkability of the Constitutional arrangements now proposed. We have consulted our Legal Advisers. Their view is that if the Turkish Cypriots were determined not to make them work, their extensive veto gives them ample opportunity to sabotage the arrangements. But, if the political will were there, the arrangements as currently formulated could be made to work. They believe them fairly balanced. They do not accept Kyprianou's assertion that they amount to a confederation. Confederation implies two separate entities coming together mainly for the purposes of foreign and defence affairs: the powers proposed for the federal government in the current documentation are considerably wider than that. In short, in the circumstances of trying to get the parties to work together, these arrangements seem the best that could reasonably have been developed.

Yours ever
Colin Budd

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PS/10 Downing Street

(C R Budd)
Private Secretary

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YOUR TELNO 177 AND NICOSIA TELNO 118: CYPRUS

SUMMARY

1. THE SECRETARY-GENERAL IS STICKING TO HIS 21 APRIL DEADLINE, BUT IS FLEXIBLE ABOUT 'FORMALISING' ACCEPTANCE. HE IS EXTREMELY GRATEFUL TO THE PRIME MINISTER FOR HER SUPPORT.

DETAIL

2. I SAW THE SECRETARY-GENERAL TODAY TO CARRY OUT THE INSTRUCTIONS IN YOUR TUR. HE BEGAN BY ASKING ME WARMLY TO CONVEY HIS GREATEST APPRECIATION FOR THE EFFORTS OF THE PRIME MINISTER AND YOURSELF WITH KYPRIANOU: IT HAD BEEN RIGHT TO STRESS THAT THIS WAS THE LAST CHANCE. I THEN SPOKE AS INSTRUCTED, MAKING CLEAR THAT WE DID NOT SHARE THE GREEK CYPRIOT VIEW THAT THEY HAD BEEN BADLY TREATED BY THE SECRETARY-GENERAL. WE THOUGHT HE SHOULD CARRY ON. I ADDED ON A PERSONAL BASIS THAT, WHILE THE TURKISH CYPRIOTS SEEMED DECIDED UPON ACCEPTING BUT ONLY AFTER THE GREEK CYPRIOTS HAD REPLIED, THE LATTER WERE ON A KNIFE-EDGE ABOUT THEIR DECISION.

3. PEREZ DE CUELLAR REMARKED THE TROUBLE WAS KYPRIANOU THOUGHT HE WAS SIGNING A TREATY: I AGREED ENTIRELY AND ASKED ABOUT THE SECRETARY-GENERAL'S IDEAS ON 'FORMALISING ACCEPTANCE' OF THE AGREEMENT, AS HE PROPOSES IN HIS COVERING LETTER TO THE TWO SIDES (NICOSIA TELNO 118). HE REPLIED HE WAS OPEN-MINDED, AND SUGGESTED THAT FOR EXAMPLE HE MIGHT SIMPLY MAKE A PUBLIC STATEMENT THAT BOTH SIDES ARE PREPARED TO PROCEED ON THE BASIS OF 'HIS PAPER'. (PICCO INTERVENED TO WARN ABOUT THE UNACCEPTABILITY OF THE WORD 'BASIS' FOR THE TURKISH CYPRIOTS, AND IT WAS AGREED THAT ACTUAL WORDING WOULD HAVE TO BE CAREFULLY CONSIDERED.)

4. I REPLIED THAT HIS ANSWER COULD PROVE TO BE A GREAT HELP. THE GREEK CYPRIOTS, IN ADDITION TO BEING WORRIED ABOUT HAVING TO SIGN, DISLIKED THE WORD 'AGREEMENT' AND PREFERRED 'MEMORANDUM OF UNDERSTANDING' OR PERHAPS SOMETHING LIKE 'PAPER'. PEREZ DE CUELLAR REMARKED WITH FEELING: WHY HAD THEY NOT SAID SO BEFORE?

5. I REMARKED THAT KYPRIANOU HAD BEEN CRITICAL IN PARTICULAR OF THE PROVISIONS IN THE DRAFT FRAMEWORK AGREEMENT ON THE TURKISH CYPRIOT VETO POWER IN THE COUNCIL OF MINISTERS (PARA 4-3). WE AGREED THAT OUR STAFFS WOULD FOLLOW THIS UP.

6. I THEN SOUNDED HIM OUT ON THE GREEK CYPRIOT PREFERENCE FOR A PRIOR HIGH LEVEL MEETING ON TROOP WITHDRAWALS, GUARANTEES AND THE 3 FREEDOMS (PARA 11 OF FCO TELNO 178). HE REPLIED THAT HE INTENDED TO STICK TO HIS DEADLINE OF 21 APRIL FOR ACCEPTANCE, BUT WAS WILLING

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TO CONVENE A HIGH LEVEL MEETING, FOR EXAMPLE AS EARLY AS JUNE AND IN WHATEVER MANNER THE PARTIES WISHED. I OBSERVED THAT THE TURKISH CYPRIOTS WOULD NOT AGREE TO ATTEND UNLESS THE AGENDA WERE BALANCED BY SOME OF THEIR CONCERNS.

7. PEREZ DE CUELLAR SAID HE WAS GLAD ABOUT THE NEW FRENCH WILLINGNESS TO ACT: HE HAD ASKED THEM TO USE THEIR INFLUENCE ON PAPANDREOU (REDUCED THOUGH IT NOW WAS). PICCO TOLD US AFTER THE MEETING THAT IN THE FOUR DAYS BEFORE THE PAPANDREOU/KYPRIANOU MEETING ON 16 APRIL THE SECRETARIAT WOULD BE 'TURNING ALL THEIR GUNS' ON THE LATTER, BUT GAVE NO DETAILS. HE ADDED THAT THE GREEK CYPRIOT WISH FOR A PRIOR HIGH LEVEL MEETING (PARA 11 OF FCO TELNO 178) COULD PROBABLY BE MET, BUT NOT IN THE NAKED MANNER KYPRIANOU SUGGESTED.

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YOUR TELNO 117 TO UKMIS NEW YORK: PRIME MINISTER'S
MEETING WITH PRESIDENT KYPRIANOU

1. YOU WILL RECALL THAT ON 27 MARCH (MY TELNO 107) KYPRIANOU TOLD ME THAT HE WOULD HAVE PREFERRED THE NEW UN DOCUMENT NOT TO BE CALLED 'FRAMEWORK AGREEMENT' BUT SOMETHING LIKE, SAY, A 'MEMORANDUM OF UNDERSTANDING'.

2. THERE IS ACTUALLY NO REFERENCE TO 'SIGNATURE' IN THE NEW DOCUMENT OR IN THE SECRETARY GENERAL'S COVERING LETTER. THE EXACT METHOD THAT WOULD BE USED 'TO FORMALISE THE PARTIES' ACCEPTANCE OF THE FRAMEWORK AGREEMENT' IS NOT SPECIFIED. BUT KYPRIANOU CLEARLY OBJECTS TO THE TERM 'AGREEMENT' AS GIVING TOO DEFINITIVE A CHARACTER TO WHAT IS AN INCOMPLETE FRAMEWORK AND I AM SURE HE DISLIKES THE IDEA OF PEREZ DE CUELLAR ARRANGING FOR ITS ACCEPTANCE TO BE FORMALISED WITH GREAT FANFARE, WHEN THE GREEK CYPRIOTS SEE IN IT NO REASON FOR CELEBRATION AT ALL.

3. I DO NOT KNOW WHETHER, HAVING PRESENTED THE NEW DOCUMENT IN ONE FORM, PEREZ DE CUELLAR COULD NOW CONTEMPLATE PRESENTING IT IN ANOTHER. BUT IT WOULD CERTAINLY BE A GOOD DEAL EASIER FOR KYPRIANOU IF IT COULD BE PRESENTED AS A MEMORANDUM OF UNDERSTANDING. WHAT I ENVISAGE BY THIS IS THAT THE PARTIES WOULD BE ASKED TO EXPRESS THEIR ACCEPTANCE OF THE CONTENTS OF THE NEW DOCUMENT, AS A MEMORANDUM OF UNDERSTANDING OF THE STAGE REACHED IN THEIR DISCUSSIONS, AND ON THE BASIS THAT THE CONTENTS WOULD NOT BE INCORPORATED INTO A DEFINITIVE AGREEMENT THAT WOULD BE BINDING ON BOTH SIDES UNTIL THEY HAD BEEN ABLE TO NEGOTIATE TO THEIR MUTUAL SATISFACTION THE MATTERS ON WHICH AGREEMENT HAS YET TO BE ACHIEVED.

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4. SOME MONTHS AGO I WAS TEMPTED TO FAVOUR THE IDEA OF THE SECRETARY GENERAL USING THE TACTIC OF SECURING THE PARTIES' TACIT ACQUIESCENCE (AS OPPOSED TO EXPLICIT ACCEPTANCE) IN HIS OWN SUMMARY OF THE STAGE REACHED, AS THE BASIS FOR MOVING ON TO THE NEXT STAGE. BUT I AM AFRAID THAT NOW, AS THINGS HAVE DEVELOPED, KYPRIANOU COULD NOT BE ABSOLVED FROM GIVING EXPLICIT ACCEPTANCE OF THE CONTENTS OF THE NEW DOCUMENT (EVEN IF ONLY IN THE FORM SUGGEST IN PARA 2 ABOVE) WITHOUT PEREZ DE CUELLAR RUNNING A SEVERE RISK OF LOSING THE COOPERATION OF THE TURKISH SIDE. FOR ONE THING, DENKTASH WOULD CERTAINLY ARGUE THAT THE CONSTITUTIONAL SAFEGUARDS WERE A KEY ELEMENT IN JUDGING WHAT SECURITY TURKISH CYPRIOTS COULD EXPECT TO ENJOY IN THE FUTURE, AND THAT HE COULD NOT MOVE ON TO DISCUSS THE TURKISH TROOP WITHDRAWALS UNTIL THE CONSTITUTIONAL SAFEGUARDS HAD BEEN DETERMINED.

5. AS WE HAVE REPORTED THERE IS INCREASING AND WIDESPREAD GREEK CYPRIOT CONCERN THAT THE PROPOSED CONSTITUTIONAL ARRANGEMENTS WOULD PROVE UNWORKABLE AND WOULD ONLY PROVOKE FURTHER CONFLICT LEADING TO FURTHER TURKISH INTERVENTION. (SOME EVEN SEE THE CONSTITUTIONAL ARRANGEMENTS AS PURPOSELY DESIGNED TO PROVIDE THE EXCUSE FOR THIS.) THE LOGIC OF A CONCERN FOR WORKABLE ARRANGEMENTS WOULD LEAD ONE STRAIGHT IN THE DIRECTION OF AN EVEN MORE MARKEDLY CONFEDERAL SYSTEM, WITH THE MEREST FIGLEAF OF A CENTRAL FEDERAL STRUCTURE. I HAVE ALWAYS REGARDED THIS AS THE SAFEST ARRANGEMENT AND MANY GREEK CYPRIOTS WOULD ACCEPT IT, BUT NOT YET KYPRIANOU AND HIS BEVY OF LEGALISTIC ADVISERS. NOR COULD WE EXPECT PEREZ DE CUELLAR TO MAKE SUCH A BIG CHANGE OF TACK AT THIS POINT. BUT EVEN IF THE PRESENT CONSTITUTIONAL DRAFT FRAMEWORK IS ACCEPTED THERE WILL STILL BE SOME SCOPE (TO THE EXTENT THAT BOTH SIDES AGREED) FOR MAKING IT MORE WORKABLE THROUGH THE GUIDANCE WHICH IT IS ENVISAGED THAT FUTURE HIGH LEVEL MEETINGS WOULD GIVE TO THE WORKING GROUP CHARGED WITH FLESHING OUT THE CONSTITUTION.

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YOUR TELNO 177 TO UKMIS NEW YORK

SUMMARY

1. DISCUSSION WITH LOGOGLU (MFA) SHOWS TURKS BELIEVE THAT KYPRIANOU IS LIKELY TO ACCEPT SECRETARY GENERAL'S PROPOSALS WITH A STRING OF CONDITIONS. LOGOGLU GAVE THE IMPRESSION THAT TURKISH ACCEPTANCE WAS LIKELY TO BE FAVOURABLE BUT POSSIBLY ALSO WITH CONDITIONS. MOST UNLIKELY TURKEY WOULD ACCEPT ANY NEW FORMULA FOR DISCUSSION IN ADVANCE OF 21 APRIL. OUR EFFORT SHOULD THEREFORE BE CONCENTRATED ON SECURING ACCEPTANCE OF SEC GEN'S PROPOSALS. ALTERNATIVES SHOULD BE CONSIDERED ONLY IN THE LIGHT OF RESPONSES TO THE PRESENT PROPOSALS.

DETAIL

2. AS AGREED WITH THE DEPARTMENT, MY COUNSELLOR, IN MY ABSENCE, ARRANGED TO SEE THE HEAD OF THE CYPRUS DEPARTMENT IN THE MFA, LOGOGLU, THIS MORNING. BACHE JUDGED THAT IT WAS NOT IN OUR LOCAL INTEREST DIRECTLY TO REFER AT THIS STAGE TO ANY POSSIBILITY OF A MODIFIED GAME PLAN. HE THEREFORE CONFINED HIMSELF TO SEEKING A VIEW OF THE GENERAL TURKISH OUTLOOK. HE ALSO GAVE A BRIEF RESUME OF THE PRIME MINISTER'S DISCUSSION WITH KYPRIANOU, STRESSING THE EFFORT MADE TO PERSUADE KYPRIANOU TO ACCEPT THE SECRETARY GENERAL'S PROPOSAL AND REFERRING ONLY TO THE CONSTITUTIONAL DIFFICULTIES THAT KYPRIANOU HAD SAID THIS WOULD CAUSE FOR HIM IN CYPRUS AND THUS THE NEED TO CONSULT POLITICAL CIRCLES FURTHER BEFORE DECIDING HOW TO RESPOND.

3. LOGOGLU ADMITTED THAT HE WAS UNDER INSTRUCTIONS NOT TO DISCUSS THE SECRETARY GENERAL'S PROPOSALS UNTIL DENKTASH HAD GIVEN HIS RESPONSE. NEVERTHELESS DURING THE DISCUSSION VARIOUS POINTS EMERGED. THE TURKS, AS A RESULT OF WHAT FEISSEL HAS TOLD THE TURKISH CYPRIOTS IN NEW YORK, UNDERSTAND THAT 21 APRIL MAY NOT BE AN ABSOLUTE DEADLINE BUT THAT SOME RESPONSE, WRITTEN OR ORAL, WILL BE EXPECTED BY OR SHORTLY AFTER THAT DATE, CERTAINLY BEFORE THE END OF APRIL. THE TURKISH EXPECTATION IS THAT THE GREEK CYPRIOTS WILL ACCEPT THE PROPOSAL IN SOME WAY, PROBABLY WITH A STRING OF CONDITIONS. BACHE DERIVED THE IMPRESSION THAT A FAVOURABLE RESPONSE COULD STILL BE EXPECTED FROM THE TURKISH CYPRIOTS BUT THEY WOULD HAVE NOW TO CONSIDER WHETHER THEY TOO SHOULD ATTACH CONDITIONS. IF THE RESPONSES ARE ULTIMATELY FAVOURABLE THE TURKS EXPECT THE SECRETARY GENERAL'S REPRESENT-

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ATIVE TO VISIT NICOSIA. WORKING GROUPS WOULD THEN BE SET UP AND A HIGH LEVEL MEETING ARRANGED AT WHICH GUIDELINES WOULD BE ISSUED TO THE WORKING GROUPS AND THE FRAMEWORK AGREEMENT FORMALISED.

4. FROM THE DISCUSSION IT WAS CLEAR THAT THE TURKISH SIDE WOULD NOT EXPECT THE SECRETARY GENERAL NOW TO HAVE ANY FURTHER CONTACT WITH EITHER SIDE BEFORE HE RECEIVES THEIR RESPONSE AND THAT ANY FURTHER INTERVENTION WOULD BE IMPROPER. THE TURKS SEE THIS AS AN IMPORTANT STAGE IN THE PROCESS AND BELIEVE THAT IF IT BREAKS DOWN IT COULD MARK THE END OF THE SECRETARY GENERAL'S INITIATIVE.

COMMENT

5. THIS REINFORCES MY VIEW THAT WE SHOULD NOT SEEK TO INFLUENCE THE PROCESS IN NEW DIRECTIONS UNTIL THE TWO SIDES HAVE GIVEN THEIR RESPONSE TO THE SECRETARY GENERAL. IF WE DID, THE TURKS WOULD BE LIKELY TO REACT VERY UNFAVOURABLY. ALL THE EVIDENCE (SEE OUR TELNOS 099 AND 193) SUGGESTS THAT THEY ALREADY CONSIDER THAT THE WEST HAS PUSHED THEM TO THE LIMITS LAST YEAR AFTER DENKTASH'S ACCEPTANCE OF THE JANUARY DOCUMENT. THEY ARE IN NO MOOD AT PRESENT TO MAKE ANY FURTHER CONCESSIONS TO THE GREEKS WHOSE INTRANSIGENT APPROACH TO THE PROCESS HAS, THEY CONSIDER, ALREADY SINCE JANUARY 1985, BEEN UNJUSTLY REWARDED. THEY THEMSELVES ARE NOT OVER-ENTHUSIASTIC ABOUT THE SECRETARY GENERAL'S PROPOSAL AND HAVE RESERVATIONS, FOR INSTANCE OVER THE ROLE WHICH THE SECRETARY GENERAL HIMSELF WOULD PLAY. NEVERTHELESS I STILL EXPECT THEM TO PERSUADE DENKTASH TO ACCEPT THE AGREEMENT IF WITH SOME RESERVATIONS. THEREAFTER THERE MAY BE OPPORTUNITIES FOR US TO INFLUENCE TURKISH THINKING BUT BEFORE THIS POINT IF WE TRY TO INSERT NEW IDEAS WE SHALL LOSE CREDIBILITY HERE WITHOUT MAKING ANY GAIN. IN ANY CASE, ANY SUGGESTION OF A HIGH LEVEL MEETING WITHOUT AGREEMENT ON THE DOCUMENTATION, IF IT IS EVER PROPOSED, WOULD HAVE TO COME FROM THE SECRETARY GENERAL AND NOT FROM THE BRITISH SIDE.

6. TURKISH SENSITIVITIES ON TROOP WITHDRAWAL AND GUARANTEES, POINTS WHICH THEY KNOW WILL CAUSE THEM REAL DIFFICULTIES IN THE FUTURE, NEED NO UNDERLINING. THE MORE I LOOK AT IT THE LESS LIKELY DO I THINK THAT THEY WILL ALLOW THEMSELVES TO BE DRAWN INTO THE SORT OF DISCUSSIONS KYPRIANOU SUGGESTED IN LONDON.

7. SEEN FROM HERE THEREFORE, OUR TACTICS SHOULD BE TO GO NO FURTHER IN ANY DEMARCHE IN ANKARA (PARA 4 OF FCO TELNO 083 TO NICOSIA) AT THIS STAGE THAN TO URGE ACCEPTANCE OF THE DOCUMENTATION. HOW WE PLAY THE HAND THEREAFTER WILL DEPEND ON THE RESPONSES OF THE TWO SIDES. BUT ASSUMING NEITHER REJECT THE SECRETARY GENERAL'S PROPOSALS OUTRIGHT, IT MIGHT BE POSSIBLE TO SUGGEST SOME COMPROMISE WHICH WOULD ALLOW FOR CLARIFICATION OF HIS PRESENT PROPOSALS AND MOVE ON TO DISCUSSION OF THE OUTSTANDING ISSUES. BUT THE TIME FOR THAT, I SUGGEST, IS NOT NOW. OUR PRESENT EFFORT SHOULD BE AIMED AT PREVENTING EITHER SIDE FROM DUCKING THE DECISION WITH WHICH THE SECRETARY GENERAL HAS CONFRONTED THEM.

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