



**Opening Statement and Press Conference by Secretary-General's
Special Adviser on Cyprus, Alvaro de Soto,
Ledra Palace, Nicosia: 20 April 2004**

Thank you for coming. I haven't seen you for a while, at least not collectively, and I thought I should bring you up-to-date on what the United Nations has been doing in the past days following Bürgenstock. As you know, there is a lot of activity that is necessary in order to address the points that need to be carried out in the course of the month of April under Appendix F of the plan, and we are also addressing the matter that needs to be put to the Security Council, also under the plan. And that is really the highlight of what I want to talk to you about today. The Secretary-General has now submitted a report to the Security Council in which he proposes that the Council should take a certain number of steps pursuant to the plan that will come before the people on the 24th April. Those steps, as you probably by now know, are essentially three: the endorsement of the Foundation Agreement, the adoption of a binding arms embargo and thirdly the establishment of a new peacekeeping operation, which would supersede and subsume the existing operation of UNFICYP. Now, I should point out in this regard that there has been some concern expressed about the idea that the Security Council should endorse the Foundation Agreement before the people of Cyprus have a chance to pronounce on it. This is a perfectly legitimate concern and the Secretary-General has therefore, after submitting his report, approached members of the Security Council and asked them to put off consideration of this matter until after the referenda are adopted, so as to allay the fears the Security Council might be trying to influence or in some other way prejudice the opinion of the Cypriots who have to take their decision independently.

However, the Secretary-General has asked the Security Council to take action on the two other points, and I would like to explain why this is necessary and go a little bit beyond what is actually spelled out in the Secretary-General's report. It is necessary because there are substantial concerns amongst many Cypriots that there will not be guarantees or security that the provisions of the plan will actually be complied with. And it is therefore important that the Security Council, which will play a very important role, a crucial role, will indeed send a signal to the Cypriot people that in fact they will be taking the necessary action and that they will be ready from the first moment to take the steps that are provided for in the plan to ensure that it is verified and to also send a message to the parties to the settlement that they expect full compliance with the settlement. And that is why we believe, and in this I think we interpret the wishes of the Cypriot people, that it is important that the Security Council act quickly in advance of the referendum so that people have this assurance as they go to vote.

Now I should underscore that this does not mean that the Security Council is jumping ahead of the Cypriot people. On the contrary, in the draft resolution that has been prepared and that is being considered by the Security Council today, it has been stipulated

that should the people - either or both sides - not accept the plan that is put to them, the actions taken conditionally by the Security Council will be null and void. Now these are the matters that I wanted to bring to your attention today. I wonder if you have any questions I would be happy to address?

Q: Mr. de Soto, the fact that the UN and others are scrambling to get assurances that the plan will be implemented and increase the security for people points perhaps to a UN failure to have done so during the negotiations. Would you comment on that?

A. No, not at all. I mean there was no possibility at all that the Secretary-General could possibly have gone to the Security Council in advance of a finalized plan. What we have done is spent the last few days following the Bürgenstock meetings in finalizing the proposals that would go to the Security Council. We could hardly ask the Security Council to act before there was a finalized text.

Q. Maybe I should rephrase my question. Why were these concerns not addressed during the negotiations so that the final product would be given enough assurances and would be given increased security so that this would not be necessary now?

A. They are addressed in the plan. The plan provides for the important role by the Security Council. But it was always subject to the Security Council actually acting on what was requested of it. If you look at the Appendix, I think it's Appendix E, it is titled "Matters to be submitted to the Security Council for decision", and obviously the Security Council, which is the highest body of the international community responsible for the making of international security, has to take its own decisions. In other words, it's all provided for in the plan. But what is essential is that there be action in order to do what the parties, through the Secretary-General, are asking the Security Council to do.

Q. Sir, it is obvious that what you are looking for is two "yesses", and it is also obvious that what concerns the Greek Cypriot side points mainly to two issues, one is security and the other is the guarantee that the plan would be implemented. And it is also more than obvious that should be there some modulation on those two points, perhaps we would have a different picture as far as the prospects are concerned. Do you think that the fears and concerns expressed around these two particular points are legitimate and justified?

A. We at the United Nations for our part believe that the parties will comply with the commitments that would be undertaken as a result of the approval in the two referenda of the settlement plan and the endorsement by the guarantors. We have every reason to believe that they will comply. So that is our starting point and our presumption. However I recognize, as you point out, that some fears linger in this area. We believe that action by the Security Council should go a long way to allay those fears.

Q. I am from the Turkish press association. I would like to rephrase the question of my colleague there a little bit. You gave a very procedural answer to my colleague. It is clear that you were listening to security concerns addressed by the Greek Cypriot

side, especially the AKEL party. Don't you think that the UN missed the chance to influence the technical teams especially on the Greek side to go along with these guarantees much earlier than a few days before the referendum?

A. Well the procedural answer is not entirely irrelevant, because it was always foreseen that we would approach the Security Council shortly after negotiations ended, and that once there was a finalized text - that's been provided for in the plan since the first version of November 2002 - we are asking the Security Council to move ahead as quickly as possible because some fears have arisen.

Now on the more substantive political aspect of your question, I should point out that it is not for the United Nations to engage in proselytism or advocacy. We rather hope that the leaders will do that, or at the very least, present the plan impartially, emphasizing the pros as well as the cons in order to let the people decide. But obviously, because of a failure of this to be done or at least not as we would have liked, some fears have arisen, some of them having been somewhat stoked I would say. Therefore the urgency and the need of addressing these problems as soon as possible has become more accentuated.

Q. Sir, would it be possible for the Security Council to pass this report before the referendum?

A. Oh, that is possible, it is possible. The Council I believe is meeting today, meeting at the experts level in the morning. The morning is just about ending in New York now. I understand that the informal consultations at the ambassadors level will take place in the course of the afternoon, and that it will be possible to go and to vote on the resolution even as early as tomorrow, that is if the members so desire.

Q. There are many reports about discussions in the south of Cyprus, especially in the AKEL party in the south. They say it should be postponed, at least on their side. Mr. de Soto, what do you say about this?

A. Well, I had heard indeed that there was such an idea a few days ago. But a lot of water has flowed under the bridge since then and I haven't heard this request formulated lately. And in any case, the agreement to come to a conclusive end of this process in advance of 1 May was taken by the four parties who were involved in the 13 February talks. And the date was set in consultation with the same four parties who were represented at Bürgenstock and none of them have requested a postponement.

Q. So it's technically impossible?

A. I haven't gone into the technicalities. But the fact is that we were not faced with such a proposal and obviously it would not be enough for one of the parties to request such a proposal.

Q. Sir, you said earlier we believe action by the Security Council should go a long way to allay those fears. The wording we have seen on the draft resolution doesn't seem to be strong enough. It's not construed as being strong enough. It's just a call on the parties to guarantee and to comply with. Do you expect something stronger or is that just a call?

A. You've actually seen the wording of the draft resolution. I would draw your attention, not just to the wording of the draft resolution, but also to the widespread practice of the United Nations in peacekeeping operations that operate in a similar framework. While the wording of the resolution is cautious, what counts I think is the interpretation on the ground by the United Nations personnel, and I can assure you that the United Nations will be active, even proactive, and some might even call it intrusive. And that makes a difference, especially when there is a strong political commitment to carry out such a settlement, especially if you add to it the fact that the Security Council has expressed a great interest, in at last, a settlement to this dispute and will make sure that it does not go off the rails.

Q. According to some reports, Mr. Papadopoulos sent you a letter asking for some changes in the plan with regard to political equality. Why did you [inaudible] the date for the referenda and what is your response?

A. I am not aware of any request to make changes in the plan – that is obviously too late. What we are doing is we have actually concluded the phase of the technical corrigenda to the report, and that has been conveyed to all concerned. But obviously not making substantive changes in the plan that was substantially finalized on the 31st March. What is going on still is work of a different nature, which is essentially geared toward making sure that everything is in place at the very moment that the settlement enters into force, particularly the federal structures. For instance, there are intensive discussions regarding the personnel who would be involved in the federal structure. And incidentally in that regard, I should mention in passing that we have seen very disturbing reports about something that would amount almost to scare-mongering amongst civil servants, that they would lose their jobs or their rights or their benefits or their pensions. We are very, very disturbed about that and we have raised this in the appropriate quarters.

Q. Mr. de Soto, if there is a "yes" vote on both sides, what would it be like on day one of the solution? Freedom of movement for everybody? Will the Turkish troops be here illegally? Will they be able to move around?

A. I think that you will find the answer to those questions spelled out very clearly in the plan that makes a lot of provisions. I suppose I could rehearse that now for you, but I don't have the text with me. If you look at the plan, it's all spelled out. That's the marvel of this proposal that the Cypriots have before them. If you look around in the last few years, at the different peace agreements that have been signed, a lot of them are very Jerry-built essentially and have raised enormous questions that create for somewhat chaotic situations. Whereas here it is all spelled out, that there aren't any questions regarding what laws apply and what will happen. Everybody knows what will be

happening on day 1, on day 2 and so on and so forth. There is a fairly clear calendar of implementation. That's part of the enormous effort that has gone into that. And incidentally, Mr. Papadopoulos gets a lot of credit precisely for having insisted with such tenacity that everything be in place at the time that it enters into force.

Q. Mr. de Soto, is it correct that the United Nations Force in Cyprus, UNFICYP, would be tripled if the Annan plan goes through the referenda and can you tell anything to the public concerning what they should do in the moment of the new state of affairs because there is no buffer zone any more, for example?

A. You mean other than to celebrate hopefully? Yes, the military will double, police personnel will be multiplied by a factor of ten, as I understand, so we considerably enlarge and the police will not only be police observers, but there will also be formed units as back-up. And, of course, it will have a mandate that is considerably more, that goes far beyond what it does now, which is essentially to monitor the buffer zone and make sure that the cease fire that exists is held. It will have a mandate that goes throughout the island, with the capacity, for instance, as I have pointed out to your colleague who had some questions, as regards visiting military establishments for instance, on both sides, for purposes of monitoring and verification. As to what people should do, well they should certainly carry on with their lives. I am not suggesting that everything will be absolutely neat and tidy and I particularly do not want to mislead Maria Myles who had a question on this. Transitions of this type are not easy, in fact they can be a little bit messy. Ask the Germans, when German reunification happened. This one, I think is a little bit better planned. I think the Germans would totally agree with that.

Q. The assessment of many people is that the referenda, the Greek Cypriot community is negative. The decision of the United Nations [inaudible] they are looking for two "yeses". In that respect, isn't there a vested interest on the part of the United Nations to try and avoid this certain death of the plan and to try and get some postponement or try and see whether there is reason behind this phenomenon and perhaps get the chance to improve on things? Wouldn't it be a failure on the part of the UN to take the plan to referenda, knowing that it will get a "no"?

A. Well, taking the plan to referenda was a commitment that was made by the leaders. It is not the United Nations that is taking the plan to referenda. And I repeat, despite my personal hope that the Cypriots will approve the plan, agree that as a compromise solution it is essentially a good one, and that it satisfies the core interests of the two sides. We are not engaged in advocacy but we do hope that the Cypriots will consider it objectively, that they will read the plan or at least read the Foundation Agreement, pages 7 to 16 I think, which gives the essence of what it contains, of what is involved. It gives the minuses, of course, the areas in which sides had to compromise, but it also spells out the benefits – benefits that would be foregone if the plan is not accepted. But are we to proselytize or are we to advocate?

Q. No, what I mean is, why doesn't the United Nations ask for the postponement since it knows how things are going? I mean, it has a vested interest in avoiding a "no".

A. I am not sure what we should try to do. Throughout this process we have tried to interpret the wishes of the Cypriots and to try to build bridges between them where they did not agree. I don't think that the United Nations has any stake itself in this and of course we, like everybody else, respect the wishes of the Cypriots. As to the date, the postponement, this is a very long, drawn-out process, over four years of negotiations with some interruptions since late 1999. And the results stand on the shoulders of almost forty years of efforts by the Cypriots with the assistance of the United Nations. The plan, on the basis of which the parties agreed to negotiate, was put before not just the leaders but also the people in February of last year. It's been a year, 13 months to study it, perhaps even 14 months to study it. That's a long time. This is a plan that was considered a well balanced and a unique basis for a solution and strongly supported by the United Nations Security Council. It is a plan that the European Union has agreed to accommodate and since then, since February 2003. The plan has been much improved from the perspective of both sides, with the work of both sides going into it. So it follows that this plan is considered by, at least the plan 14 months ago was considered, fair and reasonable, as a compromise by the international community. It follows that it considers this one as even more fair and reasonable. It's up to the people to decide if it's a reflection of their needs. Actually, if you look at it carefully, it has been the vision of the Security Council for a settlement in Cyprus for a long time. And therefore, well, we hope that the people will consider that and take their decisions.

Q. The UNSG had a phone call with Mr. Papandreou. Did he speak also to the Prime Minister Mr. Karamanlis and what did George Bush overall say about Mr. Karamanlis' response?

A. The Prime Minister has been quite circumspect in his presentation after the meeting of the political leaders with the President, but I thought that he was also clear in saying that while the plan has good points, it also has difficulties and he has expressed his opinion that the good points outweigh the difficulties and that the difficulties, as Cyprus proceeds into the European Union, can be smoothed out or ironed out. But of course, like everybody else, he leaves it to the Cypriots to make their choice.

Q. Mr. de Soto, you just answered a technical question what would happen to the UN when there is a "yes-yes" vote. In case there is "no" vote on the Greek part of the island, how would this look like and what would be the consequences for the UN? And my second question is, looking back at the whole process, do you think it was very helpful to reach an agreement in the future that the Greek side was already secured from the EU membership for Cyprus in Europe?

A. Well, as to your first question, of course a rejection of the plan by one or the other side is tantamount to the maintenance of the status quo, the status quo remains. As to

your second question – very speculative – I’ll give an answer to that some time in the future.

Q. What would the UN peacekeeping force do if there is a “No”?

A. I see what you mean, let’s say that the situation, as concerns what is now the buffer zone, the de facto dividing line, presumably is what will be treated as an external border of the EU. Is that the point you are making?

Well, we have lived through a variety of years regarding the status of the possibility to cross that line. I understand that under the European Union law, under the *acquis communautaire*, certain steps will have to be taken. But I don’t think I’m properly qualified to answer your question. As far as United Nations is concerned, our responsibilities would remain unchanged.

Q. So its tasks would stay the same?

A. Until the Security Council decides to change the mandate, which it has an opportunity to do, every six months it remains unchanged.

Q. Mr. de Soto, you referred before to something about scare mongering and I presume that it is about all the concerns of the Greek Cypriot side on some gray areas on aspects involving the public service, the army, the police, Central Bank. There are lots of concerns that the plan does not provide for these people. And another thing, how do you see the whole process of getting people informed about the plan?

A. Well, first of all, I should make it clear that the principle that is well established that people aren’t going to lose jobs and that all their rights that they now have are going to be grandfathered into the arrangements, into the federal arrangements, and there should be no misunderstanding in that regard and no one should be insinuating the contrary. It is simply not correct and I hope that it will be clarified. But this is one of the points that is being discussed, the practical way to address this problem is being discussed now between officials of the Greek Cypriots and Turkish Cypriots as well, with the United Nations. We have made some bridging proposals in order to address this precise question. So nobody should feel that they are insecure in their jobs or that if they move to the federal sector they will be insecure in a way.

Q. What about getting the people informed about the plan?

A. Well, the United Nations can’t do much more than it has already done. The plan is on our website for those who have access and in case you have forgotten, www.annanplan.org or the United Nations website and the appropriate links. But I understand that the plan has been divulged in the past, is being divulged now. I understand that some considerable effort is being made in order to explain to the people and to explain it in an impartial way. It is after all a long and complex plan. It does require some study. A referendum, I understand, is not in the traditions of Cyprus, Cyprus

as a whole, north or south, and they are now having – perhaps for the first time in their lives – to pronounce on something that doesn't involve the political parties or let's say a political figure. They actually have to examine issues. That is difficult. It requires certain discipline on the part of the people and it requires a high degree of responsibility and leadership by leaders.

Q. Mr. de Soto, if we think that maybe in the south there is a “no” and in the north there is a “yes”, Mr. Verheugen already said that people in the north shouldn't be punished for that. Is there an opinion in the United Nations? If this outcome, we will see it Sunday?

A. Well, I heard Mr. Verheugen making this point standing next to me at a press conference in Brussels. He said there also that he will be making some proposals within the European Commission on this subject. This is really not in my hands, nor do I think that it would be appropriate to speculate on what will actually happen.

Q. Is there an opinion of the United Nations or not?

A. Well, let me put it this way. Over the years, or even past decades, the Security Council has gradually cobbled together a set of parameters for what it would see as a settlement of the Cyprus problem. The Security Council's vision of a settlement involves, and please don't parse me word by word because I do make mistakes once in a while, I apologize for them. It involves a bi-zonal, bi-communal federal solution, including a single international personality, sovereignty and citizenship – a prohibition on partition, secession or union with any other country in whole or in part. Now, this has been the model and the standard laid down by the Security Council which comprises other elements such as political equality between the two sides and other such considerations. But taken together, this is sort of the vision of the Security Council, which has been supported certainly more strongly by the Greek Cypriot side. Now what you have, what the Cypriots now have before them, is a plan that provides precisely for all of those elements. The people now have before them a plan that provides for what, at least on the Greek Cypriot side, has been strongly advocated over the years. A bi-zonal, bi-communal federation with all of these characteristics: well here is what it looks like. Certainly, we in the United Nation Secretariat, and I'm sure in the Security Council, and in capitals elsewhere will evaluate what is the meaning of rejection by one or the other side of the model that was precisely advocated by the Security Council. What will be the result of that evaluation, I don't know but all of you understand that one has the right, following such a development, if it does happen, to ask a certain number of questions.

Q. As far as I know, the 1960 guarantees, the security agreements, are placed in Annan plan. In case there is a “no” from either side, I know it is not good to make speculations, but in case there is a “no”, can you say that these guarantee agreements shall be in place technically and legally for the United Nations?

A. The plan does not as such incorporate the 1960 treaties. The 1960 treaties are, as it were, independent. What the plan does provide for is a treaty that would make the 1960

treaties applicable to the new state of affairs in Cyprus. And it provides also for certain adjustments in order to take account of the new situation that would also include two constituent states. But if the plan is rejected, it is null and void and there would be no change under international law. The treaties will be as they were approved in 1960.

Q. Mr. de Soto, going back to informing the public in an objective and impartial manner about the plan, I know it's only a few days before the referendum, but over the past few weeks there has been information and there has been rumours that the UN, assisted by others, have in a way, if you like, acted in contravention of the UN Charter, a specific article in it, which calls for non-intervention in the domestic jurisdiction of countries, and there is even rumours that the "yes" campaign, and I repeat these are only rumours that the "yes" campaign has been or is being funded by the UN through UNOPS. How do you answer to this?

A. Well, I am well aware of course of the provisions of the Charter regarding the non-intervention which I have made clear and we are not proselytizing or in any other way advocating the adoption of the plan, which I will repeat is up to the Cypriots. It is up to the Cypriots to measure the consequences of saying "yes", the consequences of saying "no" and whether they believe that their core interests are respected. It's up to them entirely. We do not push them to vote "yes" or to vote "no". What we do, however, is make ourselves available as I am doing today in order to answer questions, provide clarifications, explanations as necessary. After all, it is a complex plan. And naturally we are alarmed when it becomes, for one reason or another, difficult for us to do this clarification and explanation because we are worried that there is quite a bit, and I am being very, very mild, I am indulging in understatement, there has been quite a bit of distortion of the plan and a certain tendency, which I find difficult to understand, to downplay the benefits that would ensue because of the adoption of the plan and that would be forgone if it is rejected.

Q. Mr. de Soto, do you feel the UN has been given a fair hearing by the media in Cyprus?

A. Well, let's say I had been looking forward to one particular opportunity for a TV appearance. I had been approached for quite a while about an interview and I made myself available on one particular occasion, which in fact was last night, Monday night. But it turns out that this was not possible. I regret it.

Q. [Inaudible]

A. I have spent over four years, again, with some breaks involved in these negotiations, and others of the United Nations, also. We really believe that the efforts, which are largely Cypriot with United Nations help, have gotten pretty much as close as it is possible to get to a compromise. I don't have any evidence, any reason to believe that given more time, the parties could come up with something that is significantly better than this. I don't think it would be right to criticize us for interpreting a decision to reject this as something that raises questions about a real desire to come to such a compromise. Forgive me for being so convoluted but I am being criticized for interfering or

threatening. I am not threatening at all. But all I am saying is that this is the opportunity. If you want to seize it, seize it.

Q. Will you come back? [Inaudible]

A. The status quo is very tempting, particularly if one's predicament is comfortable, and it is perhaps the most prudent course because any change is difficult and disturbing and disquieting. And it takes a certain amount of courage to leap into something that is not known. And it does require a certain impulse and possibly even leadership. But let me just say, and forgive me for being so wordy, but last week I was in Brussels and I met a number of very senior officials from the European Union and from countries that were attending the Donor Conference, and the question on everybody's lips, if I can summarize, is, "is it understood in Cyprus what the European Union is all about"? And I was given a bit of a history lesson. The European Union has evolved over several decades of building on a project which has as its underlying purpose to build networks between former enemies, mortal enemies, and to create out of those networks, the basis for reconciliation in order to avoid and prevent forever the wars that tore Europe apart in the course of the twentieth century. So it's all about reconciliation. You have France and Germany working hand in hand, and the idea of a war between them is unthinkable. The walls came down. Germany was reunified. Eastern Europe is now entering the European Union *en masse*. They wonder whether it is understood in Cyprus that Europe is about reconciling, reaching out, being tolerant, and being generous, and expressing understanding. I probably strayed very far from your question, but I wanted to get those ideas off my chest.