Note to the Secretary-General

Subject: Your meetings in Ankara

1. It is assumed that your meetings in Ankara, while focusing on the Middle East, may provide a good opportunity to touch on the Cyprus issue.

2. The pattern in the discussions I have had with the two sides over the past several months, and reinforced in the way meetings have evolved after 31 July, give a clear indication, if one was needed, that Ankara’s hand is heavy and persistent in the trajectory of our process.

3. As you know, we are again faced with an impasse as we have been trying to operationalize the 8 July agreement. While there is broad convergence on what issues need to be discussed and in what fora, a difference of approach has emerged in the past couple of weeks. The Turkish Cypriot side now favours the immediate start of a full-fledged negotiating process within the framework of your good offices and want the two leaders to meet immediately, even prior to the start of the work of the expert working groups and technical committees. The Greek Cypriots are sticking to their interpretation of the 8 July agreement and, while also wanting an early resumption of full-fledged negotiations, insist on a proper preparatory process prior to its formal launching. I am drafting a bridging proposal that will be submitted to both sides by Mr. Gambari in the next few days.

4. It would seem that Ankara feels that Mr. Talat went too far on 8 July and signed an agreement that opens up opportunities for much broader negotiations than they would be comfortable with, i.e. the possibility of diluting the gains provided to them in Annan 5. If this interpretation is correct, then one can assume that Mr. Talat has been instructed to meet with Mr. Papadopoulos at the earliest opportunity in order to rectify what they consider a flawed agreement. This would explain their insistence for the two leaders to meet as soon as possible to “negotiate”. It is worth noting here that the Greek Cypriot side is comfortable with the agreement, find it balanced and a solid basis for moving forward.
5. While Mr. Talat and his colleagues go to great lengths to convince us that Ankara does not interfere in the process we have embarked on, there is not a single informed observer of the Cyprus problem, on or off the island, that believes that. It is common wisdom that Ankara exerts great influence on the course of events in the north in general and on the conduct of our negotiations in particular. This is borne out by several, otherwise inexplicable, u-turns in the Turkish Cypriot position in the course of the process.

6. In view of the above, it would be extremely useful if you were able to impress on your Turkish interlocutors the need for them to allow the process to move forward as agreed on 8 July. Once the process is launched, we can move relatively quickly but it needs to have a minimum of preparation. You do not want a repeat of 2003/04. When stripping down the different positions to their essence, both sides want the same thing: they both want the resumption of a full-fledged process leading to a comprehensive settlement; they both agree that the status quo is untenable; they both agree that time is against a solution; they both profess that they want a solution based on a bi-zonal, bi-communal federation and political equality; and they both want this process to be conducted under your auspices. Some of the impasses can be attributed to procedural wrangling but, in essence, we are not moving because of continued deep seated suspicion on either side of their opponents' true intentions. The only way to overcome that is to talk and to test their respective intentions through a well structured process.

7. The second issue which is a constant irritant and which it would be useful if you could put to rest once and for all, is the Turkish perception of my lack of impartiality. While I was under the impression that this matter had gone away, it has been resuscitated recently by the Turkish Cypriots (in a public statement by Mr. Soyer and in a telephone conversation between Messrs. Talat and Gambari). It is a tactic often used in the past when they did not get what they want at the negotiating table. It is a very distracting and time consuming element. The irony, in this instance, is that the Greek Cypriots often accuse me of leaning too much towards the Turkish Cypriot positions. They have as yet to do that publicly, however. I have explained to the Turkish Cypriot side on several occasions and so has Mr. Gambari, that, given the present
heavy agenda before you and the Organization and their own inability to move forward on even a simple procedural agreement, no other UN involvement at the senior level than the one they are getting on the ground will be forthcoming until there is tangible and concrete progress in the present process. A firm reiteration of that position and of your support to and confidence in the SRSG and the current process will hopefully put an end to this distracting element.

Michael Møller
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1. The establishment and start of the work of X number of Expert Working Groups (EWG) and Technical Committees (TC) is announced, with their subjects and Terms of Reference. The decision by the two Leaders to meet on .......(7 days after the start of the work of the EWGs and TCs) is also announced.

2. X number of EWGs and TCs start their work.
   a. EWGs are tasked with: 1. consolidating the lists exchanged by both sides, it being clearly understood that all issues submitted by either side will be subject to discussion/negotiation; 2. organizing their work plans, incl. indications of the possible need for sub-groups or additional EWGs and indication of time frame needed for first, preparatory, phase of their work; 3. give preliminary indications of resource needs (e.g. outside experts, substantive/secretarial support, etc); It is understood that this is a preparatory negotiating process aimed at facilitating the Leaders’ decision-making on the way forward.
   b. The TCs are tasked with examining the day-to-day aspect of, and provide recommendations for solutions on, the issues assigned to them.

3. The Leaders meet in order to approve the preliminary work of the EWGs, incl. the consolidated lists, work plan and overall approach to the tasks given to them, and give them the green light to continue their work and report back to them (within 2 weeks), through the Coordinating Committee (CC), on progress in establishing the time, resource and structural needs of a full-fledged negotiation within the context of the SG's Good Offices. The Leaders will also review progress made by the TCs and provide comments and guidance on the direction and content of their work.

4. The EWGs and TCs continue their work and provide daily progress reports to the CC. (It is understood that the work carried out by the EWGs, TCS and the CC at this stage continues to constitute a preparatory negotiating process between the parties)
5. The CC compiles and provides coherent summary of progress made to the Leaders after 2 weeks.

6. The Leaders meet to review progress, negotiate differences and issue guidance and instructions for further work. At this stage, they may decide that progress is satisfactory, that enough trust has been restored between them and that a sufficiently strong basis for starting a full fledged, formal, negotiating process exists, to jointly call on the Secretary-General to fully resume his Good Offices.
   a. If there is a joint call on the SG for the full resumption of his Good Offices then the EWGs and TCs are immediately transformed into formal technical negotiating fora in support of the overarching negotiations to be undertaken by the Leaders.
   b. In case the decision for a joint call to the SG is deemed premature at this stage, the EWGs and the TCs will continue their preparatory work, reporting with regular intervals to the CC. The Leaders will continue to meet at regular, bi-monthly intervals to review progress, adjudicate differences and negotiate forward movement.
   c. It is understood that, should the Leaders not be able to agree on a joint call to the SG within X months of the start of this process, and in order not to prolong this preparatory phase indefinitely, a meeting between the two Leaders and a senior Representative of the Secretary-General will take place in order to decide on the future viability of the negotiating process.

7. Concurrently and in parallel to this process, under the auspices of the UN, negotiations will be undertaken on a series of Confidence Building Measure