

## The Sovereign Base Areas: colonialism redivivus?<sup>1</sup>

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*In 1960, following a bitter struggle, the British colonial power, agreed to concede a (qualified) independence to Cyprus. As the price of such independence, however, the UK government insisted on retaining sovereignty in perpetuity over two sovereign base areas, Dhekelia and Akrotiri, the largest Royal Air Force base outside the United Kingdom. These bases cover three per cent of the land area of the island. Such retention of control over part of a former colonial territory is unique in the history of British decolonization and has manifest consequences for the people of Cyprus.*

Although Cyprus became an independent state within the British Commonwealth on 16 August 1960, independence is officially commemorated on 1 October each year. The fiftieth anniversary of Britain's granting of independence to its former Crown Colony, by far the largest of its erstwhile European colonial territories, was duly celebrated at the beginning of October 2010. On 12 November, a new commander of British Forces Cyprus, Air Vice-Marshal Graham Stacey, was sworn in as the twenty-second Sovereign Base Areas Administrator in a ceremony redolent of the island's colonial past. The SBA Chief Officer, who is responsible to the Administrator for the everyday running of the bases, read the Royal Commission, while a bewigged Honourable Mr Justice Teare administered the Oath of Allegiance and the Oath of Service. Another bewigged legal figure and a Church of England clergyman were also in attendance.<sup>2</sup> The fact that this ceremony was carried out on Cypriot soil, albeit in a part of Cyprus that is to remain under British sovereignty in perpetuity, would indicate that the independence of Cyprus is qualified in a way that applies to no other former British colonial territory.

A few months later, in late March 2011, the then President of Cyprus, Dimitris Christofias (a former secretary-general of AKEL, the Cypriot Communist Party, who is on record as referring to the sovereign bases as a 'colonial bloodstain) complained, as

1 This article is the revised text of a paper given at a conference on 'The Republic of Cyprus: Past, Present, Future', held at the University of Cyprus in December 2010 to mark the fiftieth anniversary of Cypriot independence. It is dedicated to the memory of the conference organizer, Dr Rolandos Katsiaounis, a profound student of the history of Cyprus.

2 See the photograph of this ceremony in *The Cyprus Weekly* for 3–9 December 2010.

the Libyan no-fly zone was being established under NATO auspices, that he did not want the bases to be used in its implementation but that he was powerless to prevent Cypriot territory being so used. In the event, combat aircraft were not deployed over Libya from the bases, although if they had been, the British authorities would only have had to issue an advisory to the Cypriot government.<sup>3</sup> Three months later, in May 2011, the British coalition government announced that it had asked Patrick Mercer, a Conservative Member of Parliament and former army officer, and Lord Ashcroft, a member of the House of Lords and a major and controversial donor to the Conservative Party, to review the British military installations on the island. Their remit did not apparently include consideration of whether the bases should be maintained but rather to review, in the words of a Ministry of Defence spokeswoman, 'what we have, how we use it, if we can use it better'.<sup>4</sup> The essential purpose of the review has been the identification of economies in the light of the Conservative/Liberal Democrat coalition government's austerity programme. This envisaged that defence spending would be cut by eight per cent over four years. There was to be no Cypriot input into the proposed enquiry. One consequence of the 2010 Strategic Defence and Security Review would be that, for ten years, Britain would not have an operational aircraft carrier. This is likely to strengthen Britain's resolve to retain the bases on Cyprus in the effort to project 'hard' power in the Middle East.

Rosalyn Higgins, a distinguished authority on international law and subsequently President of the International Court of Justice, remarked in 1963 (soon after the emergence of the independent state of Cyprus) that the various treaties establishing the republic 'would seem to come very close to the borderline of true independence'.<sup>5</sup> What is more, in an exchange of notes on 16 August 1960, the government of Cyprus gave an assurance to the UK government that it would 'not demand that the UK should relinquish their sovereignty or effective control of the SBAs'.<sup>6</sup> It could scarcely have done otherwise. One authority on the status of foreign military installations worldwide, John Woodliffe,

3 After the British parliament voted in late September 2014 for air strikes aimed at Islamic State (ISIS, aka ISIL) targets in Iraq, a squadron of eight Tornado GR4s was flown to the Akrotiri base, whence they were to be deployed in Iraqi airspace. Whether or not the government of Cyprus approves of these missions it certainly lacks the ability to interdict them. The flying of such missions from Cypriot soil certainly lays Cyprus open to retaliatory measures. It should be noted in this respect that the coast of Syria is only 105 kilometres from the island. In connection with these British attacks on ISIS targets, the British Prime Minister, David Cameron, flew out to the Akrotiri base to thank the aircrews concerned. See *The Guardian*, 2 and 3 October 2014.

4 N. Morley, 'Top Tory gets Cyprus base review job', *Cyprus Mail*, 25 May 2011. One might expect the Labour Party, the party traditionally associated with decolonization, to question the future of the bases. However Jim Murphy, at that time the shadow Defence Secretary, while criticizing the appointment of Lord Ashcroft, referred to the bases as 'strategically important'. A request to the Ministry of Defence under the Freedom of Information Act for a copy of the Mercer/Ashcroft report was refused.

5 R. Higgins, *The Development of International Law through the Political Organs of the United Nations* (London 1963) 34, quoted by J. Woodliffe, *The Peacetime Use of Foreign Military Installations under Modern International Law* (Dordrecht 1992) 74.

6 Woodliffe, *The Peacetime Use of Foreign Military Installations under Modern International Law* (Dordrecht 1992) 74.

has written that the 1960 Treaty of Establishment provides 'possibly the most far-reaching and comprehensive regime on access and freedom of movement' of any of the foreign military bases that exist throughout the world. The UK is empowered by provisions in the Treaty of Establishment,

to use roads, ports and other facilities freely for the movement of formed bodies of troops and convoys of vehicles of the land, sea and air armed services of the UK, to and from and between the Akrotiri SBA, the Dhekelia SBA, the sites and other premises and installations referred to [in the relevant annex], Range Areas, Training Areas, localities in which training is carried out, ports and airfields, and with the consent of Cyprus, elsewhere.<sup>7</sup>

The Sovereign Base Areas (SBAs) cover ninety-eight square miles, a smaller area than the UK government had initially sought. These equate to three per cent of the land area of Cyprus, and incorporate nine per cent of the coastline of the island. The Akrotiri airbase, extending to twenty-five square miles, is the largest RAF airbase in the world. The borders of the Akrotiri sovereign base area, to the west of Limassol, adjoin territory under the control of the Republic of Cyprus. Dhekelia, to the east of Larnaca, has borders with territory controlled by the Republic of Cyprus, with the UN buffer zone and with areas under Turkish occupation. The sovereign bases in Cyprus are deemed to be a British overseas territory but, unlike other overseas territories, which are ruled by a Governor, the bases have an Administrator. The Administrator is appointed by the Queen and answers to the Ministry of Defence and not to the Foreign and Commonwealth Office.<sup>8</sup> Although both the United Kingdom and Cyprus are members of the European Union the SBAs do not technically form part of the European Union. Paradoxically, however, the SBAs are the only areas under British sovereignty to use the euro.

Since the 1970s the British military presence in Cyprus has become ever more important from an intelligence-gathering point of view, as the ability to intercept communications has been transformed out of all recognition. The current value of the installations on Cyprus to British intelligence agencies could scarcely have been envisaged when the Treaty of Establishment was signed in 1960. It was in 1974 that US U-2 reconnaissance planes began to be stationed on a permanent basis at Akrotiri. In addition to

7 Woodliffe, *The Peacetime Use of Foreign Military Installations under Modern International Law* (Dordrecht 1992) 144–5. Annex B, Part II, Section 4.2 of the Treaty of Establishment provides for 'the right for UK military aircraft to fly in the airspace over the Republic of Cyprus without restriction other than to have due regard for the safety of other aircraft and the safety of life and property in Cyprus' (cited *ibid.*, 147).

8 A further anomaly in the situation of the SBAs is that, although they are under the control of the Ministry of Defence, the British Freedom of Information Act does not apply to the Sovereign Base Area Administration whereas it does apply to the Ministry of Defence. Further anomalies resulting from the existence of the sovereign base areas were revealed by the experiences of a group of Iraqi Kurdish refugees who came ashore in the Akrotiri SBA in 1998. Arguing that the group had arrived on what Britain deems to be sovereign territory, and that the UK government cannot pick and choose which aspects of sovereignty it chooses to enforce, the Cypriot authorities have declined to accept responsibility for the refugees and a number have been marooned on British territory for the past sixteen years (*The Guardian*, 22 October 2014).

the two sovereign bases, a number of what are termed 'retained sites' were included in the 1960 Treaty of Establishment. These range from boreholes supplying water to British military married quarters in Berengaria village and the Troodos leave camp, to the Agios Nikolaos site, an outpost of the Government Communications Headquarters (GCHQ) situated in the Dhekelia sovereign base area and engaged in electronic surveillance; a radar station on Mount Olympos; an RAF signal station in the Troodos mountains; and a Foreign Office communications centre in Zygi. A few 'retained sites' are not currently in use as they are located in the Turkish-occupied northern part of Cyprus. It would appear that in British and American eyes the value of the 'retained sites' for intelligence gathering is of equal, and possibly greater, importance to the usefulness of the bases as staging posts for military operations in Iraq and Afghanistan.

The creation of the two base areas of Akrotiri and Dhekelia, which are to remain under British sovereignty in perpetuity, was a non-negotiable demand of the Conservative government of Harold Macmillan and was the price of conceding independence to the island in 1960 following the bitter struggle with EOKA, headed by Colonel Georgios Grivas. The importance attached by the British government to the base areas is illustrated by the directive to the first United Kingdom High Commissioner to the Republic of Cyprus, William Clark. Foremost among his objectives was

the maintenance of such friendly relations with the Government of the Cyprus Republic as to ensure they do not dispute

- (i) the continued exercise by Her Majesty's Government of sovereignty over the two areas in the Island of Cyprus known as the Sovereign Base Areas of Akrotiri and Dhekelia;
- (ii) the continued exercise by Her Majesty's Forces of certain rights and the use of certain installations and sites within the territories of the Republic of Cyprus as prescribed under the settlement.

It was declared to be

... essential to the policies of the United Kingdom Government that sovereignty should be retained over the Sovereign Base Areas of Akrotiri and Dhekelia, and that, subject to the provisions of the Treaty of Establishment and the United Kingdom Government's Declaration of the Administration of the Sovereign Base Areas, Her Majesty's Forces should enjoy undisturbed use of the Sovereign Base Areas and of the installations and sites within the territory of the Republic of Cyprus as detailed in Part II of Annex B to the Treaty of Establishment. It will be your first duty to conduct relations with the Government of the Republic of Cyprus in such a way as to ensure, in so far as it is possible, that these major interests of Her Majesty's Government in the United Kingdom are not set at risk.

As Klearchos Kyriakides has pointed out, 'the various rights accorded to the United Kingdom by the Treaty of Establishment together with the guarantee

embedded in the Treaty of Guarantee are unique in the modern history of international relations.’<sup>9</sup>

Indicative of the current official British view of the Sovereign Base Areas is the following passage: ‘In 1960, a treaty of establishment allowed Cyprus to become an independent Republic, free from British control. Within the agreement, two Sovereign Base Areas (SBAs) at Akrotiri and Dhekelia were identified as real estate that would remain as British sovereign territory and therefore remain under British jurisdiction.’<sup>10</sup> ‘A treaty of establishment allowed Cyprus to become an independent Republic’ is a curious formulation in the circumstances, as is the use of the term ‘real estate’ to describe the Sovereign Base Areas. It might be thought that the offending paragraph came from some amateurish Wikipedia entry, but this is how the Sovereign Base Areas are currently described on the official British Army website. Who came up with this particular formulation is not clear, presumably someone in the Ministry of Defence public relations department. The Foreign Office would doubtless have been able to advance a more nuanced account of the Sovereign Base Areas and their origins. But the British Army formulation, with its talk of ‘allowing’ Cyprus to become independent and references to ‘real estate’, does give a good indication of the way in which much of British officialdom tends to look at the Sovereign Base Areas. There is not the slightest hint of any doubts about the propriety of annexing, in perpetuity, territory that rightfully belongs to another country while paying nothing for the privilege.

One might remark that ‘real estate’ is customarily paid for, which is not the case with the SBAs, the paying of rent by the British government having ceased in 1964. An enquiry to the Ministry of Defence about the payment of rent for the use of the Sovereign Base Areas under the terms of the Freedom of Information Act in October 2010 elicited the ‘Alice in Wonderland’ reply from the Ministry of Defence that ‘there is no figure for a “rent” that might be paid for the Sovereign Bases Areas because they are UK sovereign territory and have never been leased from the Republic of Cyprus’.<sup>11</sup> Britain’s financial obligations to the Republic of Cyprus are listed in Appendix R of the 1960 Treaty of Establishment. Appendix R provided for the payment of £12,000,000 during the five years ending on 31 March 1965, with additional payments to be negotiated with the Republic during successive five-year periods. However, this financial subvention was terminated following the inter-communal strife of 1963–4 on the ground that the moneys would not be shared on an equitable basis between the Greek and Turkish Cypriot communities.

9 K. Kyriakides, ‘The Sovereign Base Areas and British defence policy since 1960’, in H. Faustmann and N. Peristianis (ed.), *Britain in Cyprus: Colonialism and Post-colonialism 1878–2006* (Mannheim and Möhnese 2006) 515.

10 Henry Kissinger likewise viewed Cyprus as valuable ‘real estate’ and stressed the importance of keeping it as a ‘British square in the chequer board’: W. Mallinson, *Partition through Foreign Aggression: The Case of Turkey in Cyprus* (Minneapolis 2010) 8.

11 Ministry of Defence reply to Freedom of Information written request PW-27-10-2010-112415-002, 24 November 2010.

The use by the British army of the word ‘allowing’ brings to mind the remarks of Lord Radcliffe in talking of his constitutional proposals of 1956.<sup>12</sup> The Cypriots, he said, are an ‘adult’ people. By what criteria he determined which peoples were ‘adult’ and which others were still growing up is not clear. But presumably an ‘adult’ people can be ‘allowed’ to seek independence. It is worth recalling the context in which Radcliffe used the expression ‘an adult people’. The people of Cyprus, he wrote, ‘are an adult people enjoying an established educational system, fully capable of furnishing qualified administrators, lawyers, doctors and men of business. It is a curiosity of history that their political development has remained comparatively immature.’<sup>13</sup> It is not clear quite what he meant by the opaque statement that the political development of the Cypriots ‘has remained comparatively immature’, especially if one considers that the Cypriots had no opportunity to exercise political control over their lives until 1960.

Over the past half century so many books have been devoted to the Cyprus question that I have sometimes been reminded of a famous saying of the writer and satirist H. H. Munro, better known by his *nom de plume*, Saki. Killed during the First World War, he enjoyed a high reputation in Edwardian England and still has an enthusiastic following today. In one of his short stories, written at a time when the Cretans in their turn were vociferously demanding *enosis* with the Kingdom of Greece, he wrote that ‘the people of Crete unfortunately make more history than they can consume locally’. One might say the same of the Cypriots. The Cyprus question has certainly given rise to a huge literature and yet in most of this there is relatively little reference to the question of the British sovereign bases.<sup>14</sup> A case in point is a book written by a former colonial civil servant, John Reddaway, who served on the island for more than twenty years. In this rather sour volume, *Burdened with Cyprus: The British Connection*, published in 1987, he scarcely makes mention of the issue of the bases. The author simply takes for granted that in any concession of independence Britain’s strategic interests in the eastern Mediterranean must be accommodated, as does, in his introduction to Reddaway’s book, Anthony Parsons, the senior British diplomat and self-proclaimed ‘embodiment of decolonisation man’. Likewise, Claire Palley, in her weighty analysis of the negotiations surrounding the Annan plan for a possible solution to the Cyprus problem, *An International Relations Debacle: The UN Secretary-General’s Mission of Good Offices in Cyprus 1999-2004* (2005), which is favourable to mainstream Greek

12 Radcliffe, a law lord, is principally known for his role in drawing the borders between India and Pakistan before the granting of independence.

13 J. Reddaway, *Burdened with Cyprus: The British Connection* (London 1987) 23.

14 Highly useful for the study of the Sovereign Base Areas, however, are three articles by Klearchos Kyriakides, ‘The Sovereign Base Areas and British defence policy since 1960’, 511–34; ‘The island of Cyprus and the projection of sea power by the Royal Navy since 1878’, in C. Vassallo and M. d’Angelo (ed.), *Anglo-Saxons in the Mediterranean: Commerce, Politics and Ideas (XVII–XX Centuries)* (Msida [Malta] 2007) 219–36; and ‘The Republic of Cyprus, the United Kingdom and HM Forces: A special relationship?’, A working paper presented at the conference entitled ‘Cyprus – 50 Years of Independence: Achievements and Challenges’, London Metropolitan University, 30 June 2010.

Cypriot opinion, has only one paragraph on the Sovereign Base Areas.<sup>15</sup> This concerns the UK's claim to a share of Cyprus' territorial waters. In another recent book, David Hannay, for seven years (1996–2003) the curiously named British Special Representative for Cyprus, scarcely refers to the Sovereign Base Areas. What he does say is that the SBAs 'had been excluded under international law from the 1960 Republic of Cyprus'.<sup>16</sup> This is another curious formulation, for it is difficult to believe that international law makes provision for a colonial power to annex part of a decolonized territory for all time.

While the British government claims complete sovereignty over the base areas, it would appear from the huge mass of US diplomatic documents released not long ago by Wikileaks that it is a sovereignty that has at times been infringed by the United States. The use of the Akrotiri base in 2008 for secret U-2 reconnaissance flights over Hezbollah locations in Lebanon (*Operation Cedar Sweep*) and northern Iraq (*Operation Highland Warrior*), the results of which were communicated to the Lebanese and Turkish governments, is a case in point. The British government was fearful of being associated with unlawful acts if Hezbollah militants were arrested and tortured as a result of *Operation Cedar Sweep* and that the government of Cyprus, if it became aware of the flights, might cause problems. Heated exchanges developed between London and Washington over the issue, and the US chargé d'affaires in London complained that British demands were not only 'burdensome but unrealistic', while David Miliband, the then British Foreign Secretary, called for policy makers to exert control over the military. In attempting to take some heat out of the exchanges, the Foreign Office's Director General for Defence and Intelligence characteristically declared that the British government 'desperately' needed the Cyprus bases for its intelligence-gathering operations, while the Cypriots were hypersensitive about the British presence on the island.<sup>17</sup>

It should be noted that the United Kingdom has, on occasion, denied the United States use of the bases. In 1973, the Conservative Prime Minister Edward Heath rejected a US request for the use of RAF Akrotiri for US planes supplying Israel at the time of the Yom Kippur war. Somewhat later, a defence review commissioned by the Labour Prime Minister, James Callaghan, envisaged the possibility of a complete withdrawal from the Sovereign Base Areas. It was pressure from the US, fearful that British withdrawal from Cyprus would lead the Soviet Union to believe that the Western alliance was reducing its interest in the Eastern Mediterranean, that ensured their continuance. It is interesting to note that even before the independence of Cyprus was formally conceded, a British

15 C. Palley, *An International Relations Debacle: The UN Secretary-General's Mission of Good Offices in Cyprus 1999–2004* (Oxford 2005).

16 D. Hannay, *Cyprus: The Search for a Solution* (London 2005) 37. The United Kingdom, of course, has its own intractable problem of ethno-religious conflict in Northern Ireland. Hannay, in his account of his years as British Special Representative for Cyprus, dispenses judgements about leading personalities involved in attempts to resolve the conflict. One might wonder what would have been the reaction if a Cypriot analyst of the Northern Ireland conflict similarly dispensed comments on some of the protagonists.

17 R. Norton-Taylor and D. Leigh, 'UK demands over spy flights from British airbase rejected by Americans', *The Guardian*, 3 December 2010.

Treasury Minister, Derick Heathcote-Amory, the then Chancellor of the Exchequer, was expressing scepticism as to the strategic value of the bases.<sup>18</sup>

There do not appear to be similar instances in the history of British decolonization where the colonial power has retained sovereignty over a part of the previously colonised territory in perpetuity.<sup>19</sup> The anomaly inherent in the situation has become ever more apparent following the entry of Cyprus into the European Union in 2004. For now we have a thoroughly unsatisfactory state of affairs whereby Britain exercises sovereignty over part of the territory of another EU member for all time. This situation, however, is not quite without precedent. There is also the case of Gibraltar, whose return to Spanish sovereignty has been repeatedly sought by successive Spanish governments. In 2004, on the three hundredth anniversary of the acquisition of Gibraltar by an Anglo-Dutch force during the war of the Spanish Succession (British possession of Gibraltar was formally recognized in 1713 under the terms of the Treaty of Utrecht) the Spanish Foreign Minister, Miguel Angel Moratinos, declared that 'it is very strange that, in the European Union of the 21st century, one member state should be celebrating the military occupation of part of another member state.'<sup>20</sup> Britain shows no inclination to cede sovereignty over the Rock and the question remains deadlocked, but there is surely a distinction to be made between the acquisition of territory three hundred years ago and the acquisition of territory a mere fifty-five years ago. It should be noted that whereas Gibraltar extends to 2.6 square miles in extent, the Sovereign Base Areas extend to some ninety-eight square miles.

It is instructive to compare some parallel situations in the process of British decolonization. In 1921, following years of violent unrest, Britain conceded a form of qualified independence to twenty-six out of the thirty-two counties in Ireland in the form of the Irish Free State through the Anglo-Irish treaty. These were the counties with a predominantly Catholic population, while the mainly Protestant six counties (Ulster) remained part of the United Kingdom. The defence by sea of Great Britain and Ireland was to be undertaken by 'His Majesty's Imperial Forces' until arrangements had been made between the British and Irish governments whereby 'the Irish Free State undertakes her own coastal defence'. To this end, Britain retained what were known as the deep-water Treaty Ports, Queenstown (Cobh), Berehaven and Lough Swilly, the last two situated at the southern and northern extremities of Ireland respectively. Winston Churchill, at

18 Kyriakides, 'The Sovereign Base Areas and British defence policy since 1960', 526, 529.

19 The nearest instance of a similar situation to the SBAs would appear to be the British Indian Ocean Territory, better known as the Chagos Islands. These were purchased in 1965 from the then self-governing colony of Mauritius by the United Kingdom (Mauritius became independent in 1968) and those living on the islands at the time, the Chagossians, were summarily evicted from the territory and have been campaigning to return ever since. Diego Garcia now houses an extensive joint military base of the United Kingdom and the United States. Another parallel is with the US naval base at Guantanamo Bay in Cuba, originally acquired by the US following the occupation of Cuba during the 1898 US-Spanish war. Ironically, this facility was acquired in part to enable the United States to underwrite the independence of Cuba, although the status of the base has been repeatedly challenged by Fidel Castro.

20 *El País*, 3 August 2004.



that time Colonial and Dominions Secretary, argued that it would be almost impossible to feed the British mainland in time of war without these bases to protect the sea lanes. Nevertheless, in 1938, a mere seventeen years after the Anglo-Irish treaty, the Conservative Prime Minister Neville Chamberlain negotiated an agreement with the Irish Prime Minister, Eamon de Valera, to hand over the bases to the control of the Irish government. Churchill alone opposed the agreement in parliament, arguing that it would jeopardize British naval operations in time of war, and calling Chamberlain's decision an 'improvident act of appeasement'.

Although Libya had declared independence in December 1951, Britain and the United States retained military bases at Tobruk and El Adem (British) and Wheelus (American). The Anglo-Libyan treaty of 1953 provided for the British bases to remain for twenty years in return for aid. Following the military coup in September 1969 led by Muammar Gaddafi, however, these were closed in the course of 1970. During the post-war period the British military presence in Jordan, Egypt and Malta was likewise terminated. There is a close analogy between the SBAs in Cyprus and another British colonial outpost, Hong Kong. Hong Kong Island had been ceded by China under the terms of the Treaty of Nanjing 1842, and Kowloon was added in 1860. Both territories, Hong Kong Island and Kowloon, were ceded to Britain in perpetuity. The New Territories were acquired in 1898 on a ninety-nine year lease at a time when British colonialism was at its zenith. But when the lease expired in 1997, the UK returned not only the New Territories, but also Hong Kong and Kowloon, to Chinese sovereignty. Margaret Thatcher, flushed with the success of the campaign to regain the Falkland Islands following the Argentine invasion, was apparently bent on retaining British sovereignty over Hong Kong Island until wiser counsels prevailed and agreement was reached to cede sovereignty over the whole territory to China.

Nor should we forget that, in the run-up to the Iraq war, the Sovereign Base Areas were invoked by the Blair government in the British and American propaganda offensive that was launched to justify the invasion. Whereas, on 9 September 2002, the British Joint Intelligence Committee had identified Bahrain, Jordan, Qatar, Israel, Kuwait and Turkey as possible targets of Saddam Hussein's supposed weapons of mass destruction, the infamous 'dodgy' dossier of 24 September of that year added Cyprus to the list. The British people were assured that Iraq's Al-Hussein missiles, armed with conventional, chemical or biological weapons and with a range of 650 kilometres, were capable of reaching the UK Sovereign Base Areas in Cyprus, the only British facilities that could, with any degree of plausibility, be said to have been threatened by Iraq. Both dossiers were made public. On the day following the release of the 'dodgy' dossier, i.e. 25 September 2002, the tabloid newspaper, *The Sun*, part of the Murdoch media empire, duly took the hint and splashed an alarmist headline: 'Brits 45 mins from Doom ... British servicemen and tourists in Cyprus could be annihilated by germ warfare missiles ... They could thud into the Mediterranean island within 45 minutes of tyrant Saddam Hussein ordering an attack.'<sup>21</sup>

21 The *Evening Standard* on 24 September 2002 likewise claimed that Cyprus was in danger of attack within 45 minutes of an order by Saddam Hussein.

*The Sun*, in its enthusiasm to back the invasion of Iraq, appears to have forgotten about the many people living on the island who were neither British servicemen nor British tourists. Saddam's purported germ warfare missiles would presumably have been no respecters of the SBA boundaries. Moreover, the Blair government seems not to have believed in its own propaganda about the supposed Iraqi threat to the sovereign bases, for it apparently made no effort to alert the government of Cyprus to the danger allegedly posed by Saddam's supposed 'weapons of mass destruction' to those living on the island. The Blair government indeed seems to have had no qualms about involving Cyprus in its disastrous neo-imperialist adventures in Iraq and Afghanistan.

It is now over fifty years since the Sovereign Base Areas and the retained territories were created under the terms of the Treaty of Establishment. Since then the current and future status of the bases has been something of a taboo subject. Clearly the British government has had no incentive to raise such a sensitive issue, while for various reasons successive Cypriot governments have not, by and large, made the question of the bases a major issue in Cypriot domestic politics as might have been expected. In June 2005, however, the Cypriot House of Representatives adopted a resolution on the status of the bases. It was unanimously adopted, reflecting the support of parties across the political spectrum. The resolution referred to 'relevant decisions on the abolition of colonialism as well as the fundamental principles of international law, which forbid the occupation of territory within the domain of any other country'. It made reference to 'the adverse consequences from the operation of the Bases on the human rights and quality of life of the Cypriot citizens residing within the Bases' area, as well as the danger of the Bases becoming involved in aggressive military actions against friendly states in the southeastern Mediterranean'. The resolution further noted 'the contractual obligations of the United Kingdom to pay a financial fee, including rent, for the facilities provided by the Republic of Cyprus for the operation of the bases'. It further maintained that the British bases 'cannot be used for offensive purposes, which will lead to the violation of the sovereignty and territorial integrity of independent states and the undermining of international peace and security'. It supported 'the final settlement of the issue of the British Bases' presence in the context of international law, including the principle of respect of state sovereignty and self-determination of people'.<sup>22</sup>

Although there have from time to time been protests challenging the British presence on the island, the question of the future of the bases has so far not become a major issue at a popular level. The most serious flashpoint was the rape and murder in 1994 of Danish tour guide Louise Jensen by three drunken British soldiers in the downmarket resort area of Ayia Napa near the Dhekelia base.<sup>23</sup> The three were sentenced to twenty-five years

22 Andreas Gross, rapporteur, Committee on Legal Affairs and Human Rights, Parliamentary Assembly of the Council of Europe, 'Situation of the inhabitants of the Sovereign Base Areas of Akrotiri and Dhekelia', Document 11232 (2007) 6–7.

23 It should be noted that the UK government's non-negotiable insistence in 1960 on the permanent occupation of the SBAs occurred a mere two years after British troops stationed on the island had run amok following the murder of British army wife Catherine Cutcliffe by EOKA in October 1958. This gave rise to

imprisonment but were released after twelve years. The outrage occasioned by the murder led to the resort being declared off-limits to British military personnel. This did not, however, prevent the charging in 2008 of nine British soldiers following a drunken rampage in a bar in Ayia Napa. They were subsequently acquitted. How they were able to carouse in the resort in the light of the ban on visits to Ayia Napa was not explained.

Some of the problems associated with the behaviour of British servicemen on, or rather out of, the Sovereign Base Areas, result from their use for the 'decompression' of troops that have been on highly stressful deployments in Iraq and Afghanistan.<sup>24</sup> Other sources of friction have been protests in 1999 against the holding of exercises on the environmentally sensitive Akamas peninsula and in 2001, in a rare instance of a violent demonstration at Akrotiri against the erection of six high-powered 'Pluto' radio masts, which some maintained would present a danger to public health.<sup>25</sup> When a Cypriot MP, Dr Marios Matsakis, occupied one of the masts for a seven-hour protest vigil, he was described by the British High Commissioner at the time as 'a medical monkey stuck up a stick'.<sup>26</sup>

President Glafcos Clerides declared at the time of the Akrotiri rioting, that 'the Government of Cyprus makes it perfectly clear in the most explicit way that for the Government there is no question of raising the issue of the British bases ...'. The government, he emphasized, had no wish to open an additional front while the Turkish army was

*Continued*

'wholesale rape and looting and murder'. For examples of what British troops referred to as 'Cyp-bashing', see R. Vinen, *National Service: Conscripted in Britain, 1945–1963* (London 2014) 339–44. Ian Martin, an interpreter attached to the Special Branch of the Cyprus Police and later to the First Battalion, The Royal Ulster Rifles, has given a graphic account of the mayhem that followed the shooting by EOKA in the summer of 1958 in Famagusta of two members of The Royal Horse Guards in reprisal for the shooting of two villagers from Avgorou by members of the same regiment. He reported this in a letter to his parents, which he concluded by writing of Sir Hugh Foot, the Governor of the island 'either he is unbelievably stupid, if all his underlings have managed to keep such things secret from him, or he is the biggest hypocrite ever, if he knows about it and at the same time harps on his liberalism and his wish for a just settlement': I. Martin, 'The "Cyprus troubles" 1955–1960', *Κόμπος. Cambridge Papers in Modern Greek* 1 (1993) 76–8.

24 In July 2003, Channel 4 broadcast a documentary, 'Squaddies on the Rampage', which alleged an endemic 'drinking culture' in the British army and in the Cyprus bases in particular. This prompted a number of complaints of bias to the regulator, the Independent Television Commission. These were not upheld. The ITC in its adjudication was critical of the Ministry of Defence. The MOD had initially expressed interest in taking part in the programme but in the end limited itself to a written statement. This declared that 'all personnel received briefings about alcohol but that the regulation of the consumption of alcohol by personnel in their free time could raise issues of restricting a person's rights': *Independent Television Commission Complaints Bulletin*, no. 22, 8 September 2003.

25 The only attacks on the Akrotiri and Dhekelia bases involving weaponry (rocket launchers, mortars, assault rifles and hand grenades) occurred in August 1986, but the assailants were acting in apparent retaliation for the US bombing of Tripoli the previous April, and there was no Cypriot involvement: P. Dimitrakis, *Military Intelligence in Cyprus from the Great War to Middle East Crises* (London 2010) 170.

26 *The Guardian*, 5 July 2001.

continuing to occupy the northern part of the island and while negotiations over Cypriot entry to the EU, of which the British government was a strong advocate, were at a critical stage. 'The Government,' he continued, 'appeals to the Cyprus people to turn a deaf ear to those who push them towards unnecessary tensions and to claim their rights in a peaceful and dignified way within the framework of legality.'<sup>27</sup> This was certainly an understandable view at the time. But the issue of Cypriot membership of the EU has long since been resolved. In a report compiled for the Parliamentary Assembly of the Council of Europe, Dimitris Christofias, in November 2006, when he was speaker of the House of Representatives, characterized the Sovereign Base Areas as relics of colonialism, which the British should give up and that, pending their closure, they should pay rent for the use of the base facilities.<sup>28</sup> Whether the question of the future of the bases will move higher up the Cypriot political agenda remains to be seen.

The offer of the return of part of the base areas originally made as an inducement to Greek Cypriots to accept the 2004 Annan plan is not the same as a root-and-branch negotiation of original Treaty of Establishment. David Hannay repeats the 'real estate' analogy when he refers to this offer as including a 'stretch of valuable coastal land'. Whether the land is valuable in 'real estate' terms is entirely beside the point. The offer to return some forty-five square miles, almost half the area of the Sovereign Base Areas, conditional on there being a settlement of the long-running Cyprus problem, was repeated in 2009. At the same time, the Annan plan provided for the revision of Annex A of the 1960 Treaty of Establishment so as to assert complete sovereignty over what in normal circumstances would have constituted part of the territorial waters of the Republic of Cyprus. The convoluted passage reads as follows:

The United Kingdom shall continue to enjoy complete and unimpeded access for any purpose whatsoever to the waters lying between the waters which the United Cyprus Republic shall not claim adjacent to the eastern part of the Dhekelia Sovereign Base Area adjoining the sea ... and the waters which the United Cyprus Republic shall not claim adjacent to the western part of the Dhekelia Sovereign Base Area adjoining the sea ....

It should be borne in mind that if the Greek Cypriots had accepted the Annan plan in the envisaged referendum it would have been subsequently virtually impossible to challenge the status of the sovereign bases. The creation of the SBAs in the 1960 Treaty of Establishment had of course never been legitimized through a referendum.

It might be argued that, after the passage of more than fifty years, the time has come for the renegotiation of the Treaty of Establishment. Despite the intractable nature of the problems arising from the continuing division of the island, the Republic of Cyprus during the past half century has achieved an impressive record of political stability and economic progress. The spectacle of one EU country, the United Kingdom, exercising

27 Kyriakides, 'The Sovereign Base Areas and British defence policy since 1960', 519–20.

28 Kyriakides, 'The Republic of Cyprus, the United Kingdom and HM Forces', 19.

sovereignty for all time over part of the territory of another, the Republic of Cyprus, sits uneasily with the professed principles of the European Union and is an uncomfortable reminder of Britain's imperial past. If the SBAs are not placed under the sovereign control of the Republic of Cyprus, perhaps a finite term could be agreed for the continued exercise of British sovereignty over the base areas and payment resumed for the use of bases which are deemed to be so useful to the western alliance.

The Sovereign Base Areas in Cyprus as they currently stand are a last remnant of British colonialism. In July 1954, Henry Hopkinson, the Minister of State for the Colonies, announced yet another offer of a constitution for Cyprus. This was not well received by Cypriots, for it offered fewer concessions than the constitutional arrangements put forward by the British government in 1948, which were known as the Winster constitution. In announcing the new proposals, Hopkinson notoriously declared that 'there are certain territories in the Commonwealth which, owing to their particular circumstances, can never expect to be fully independent', Cyprus among them. The other colonial territories to which this ruling applied were not specified. For as long as part of the territory of the Republic of Cyprus remains under British sovereignty in perpetuity, while the UK at the same time disdains to pay 'rent' for the facilities afforded by the sovereign bases areas, it would appear that Henry Hopkinson was not merely being provocative. He was also being prescient.