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Note verbale dated 24 March 2010 from the Permanent Mission of the Republic of Turkey to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

The Permanent Mission of the Republic of Turkey to the United Nations Office at Geneva and other international organizations in Switzerland presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to transmit herewith the copy of the letter* of Hüseyin Özgürgün, Minister for Foreign Affairs of the Turkish Republic of Northern Cyprus which reflects the Turkish Cypriot views on the **report of the Office of the United Nations High Commissioner for Human Rights on the question of human rights in Cyprus** (A/HRC/13/24).

The Permanent Mission of the Republic of Turkey would appreciate it if the present note verbale and its annex could be duly circulated as a document of the thirteenth session of the Human Rights Council.

* Reproduced in the annex, as received and in the language of submission only.

Annex

TURKISH REPUBLIC OF NORTHERN CYPRUS
MINISTRY OF FOREIGN AFFAIRS
(Lefkoşa, via Mersin-10 Turkey)

22 March 2010

Excellency,

I have the honour to refer to the report on the “Question of human rights in Cyprus” (A/HRC/13/24) which has been submitted on 2 March 2010 under agenda item 2 to the 13th session of the UN Human Rights Council held in Geneva, pursuant to decision 2/102 taken at its 29th meeting on 6 October 2006 and to bring the following considerations to your kind attention:

At the outset, I would like to underline the fact that the references to the so-called “Government of Cyprus” reflect neither the realities nor the legal position in Cyprus. Ever since the forcible expulsion of the Turkish Cypriot co-founder partner from all organs of the 1960 partnership Republic by the Greek Cypriot partner, there has not been a single constitutional government representing both peoples of the island. The Turkish Cypriots did not accept the forceful takeover of the partnership State by the Greek Cypriot side and, through their decisive resistance, prevented the Greek Cypriot side from extending its authority over the Turkish Cypriot people. Hence, since December 1963, there has not been a joint central administration in the island, capable of representing the whole of Cyprus, either legally or factually. Each side has since ruled itself, while the Greek Cypriot side has continued to claim that it is the “Government of Cyprus”.

In view of the repetitive references in the report to the term “Cypriot”, it should be stated that there exists in Cyprus no such national identity. It should be recalled that the 1960 Agreements had created a State, albeit a short-lived one, but not a nation. Cyprus is comprised of two peoples, namely the Turkish Cypriots and the Greek Cypriots, who are negotiating on an equal basis to reach a just and viable settlement of the Cyprus issue. It should also be noted that even the Constitution of the now defunct 1960 Republic of Cyprus states that there exists in Cyprus two communities who are of Greek and Turkish origin. Article 2 of the Constitution reads “*the Greek Community comprises all citizens of the Republic who are of Greek origin and whose mother tongue is Greek or who share the Greek cultural traditions or who are members of the Greek-Orthodox Church; the Turkish Community comprises all citizens of the Republic who are of Turkish origin and whose mother tongue is Turkish or who share the Turkish cultural traditions or who are Moslems*”. As it would be untenable to claim that a “Cypriot” nation had emerged during the troublesome three years which led to the collapse of the Republic in 1963, any reference to a “Cypriot” nation is factually wrong and misleading.

H.E. Mr. Ban Ki-moon
Secretary-General of the
United Nations
New York

The remarks in the prologue to the effect that “*in the absence of OHCHR field presence in Cyprus, or of any specific monitoring mechanism, OHCHR has relied on a variety of sources with particular knowledge of the human rights situation on the island*” are duly noted. It is rather inappropriate, however, if not a serious shortcoming on behalf of the UN, that the present report is mainly based on court decisions and documents of European bodies in spite of the fact that the operations of UNFICYP include the facilitation, monitoring and reporting of humanitarian issues in Cyprus. As a result, the European institution documents have been extensively utilized as regards the issues of property and missing persons, which gives the fallacious impression that Turkey is to be held accountable on these issues and that, therefore, Turkey and not the Turkish Cypriot side is the counterpart of the Greek Cypriot administration. The repeated references to the Turkish Authorities rather than the Turkish Cypriot Authorities and to the so-called “Government of the Republic of Cyprus”, is not only erroneous and misleading but also in contradiction with the established UN parameters. It is most disappointing that such an approach prevails in a UN document which seriously undermines the principle of political equality of the two peoples and the principle of equal footing, on which the ongoing UN negotiation process rests.

As regards the “**Human Rights Concerns**” section (**paragraph 6**) of the report which states that “*the persisting division of Cyprus continues to have consequences in relation to a number of human rights issues on the whole island ...*”, the report should have qualified that the history of human rights violations in Cyprus goes back to 1963 when the Greek Cypriots launched an organized armed attack against the Turkish Cypriots throughout the island in order to realize their dream of annexing the island to Greece (ENOSIS). Furthermore, the report fails to put the onus on the Greek Cypriot side for the creation and perpetuation of the Cyprus question, and, thus, its grave responsibility vis-à-vis the said human rights issues. It is an undeniable reality that the Greek Cypriot side has repeatedly rejected comprehensive settlement plans, most recently the internationally supported Annan plan, and, thereby, prevented the global solution of the human rights issues cited in the present report.

As regards the **freedom of movement**, the present report does not address the issue of trade between the two sides within the context of the Green Line Regulation. The report fails to mention the difficulties encountered by the Turkish Cypriots in the area of intra-island trading due to the Greek Cypriot side's obstructionist policies. Contrary to the Turkish Cypriot practice of allowing unhindered access to all Greek Cypriot vehicles and the EU Commission's view that unless restrictions were lifted the Green Line Regulation would be meaningless, the Greek Cypriot administration is still preventing Turkish Cypriot commercial vehicles from transporting goods and people across the Green Line on the pretext of refusing to recognize driving licenses issued in Northern Cyprus. Limited in both scope and value, the Green Line trade, which the Greek Cypriot administration farcically claims to be an adequate tool for the development of Turkish Cypriot economy, is totally inadequate for both reducing the economic disparity between the two sides and progressing towards trade convergence. Furthermore, the Green Line Regulation covers only the movement of goods and people from North to South Cyprus while the services dimension remains underdeveloped. What constitutes bigger urgency for the Turkish Cypriot people is the adoption of the Direct Trade Regulation which would be a positive step towards eliminating the restrictions imposed upon them, and creating the necessary conditions for the economic and social development of North Cyprus.

Beyond doubt, it is the Greek Cypriot administration which hampers freedom of movement throughout the island by preventing third country nationals who enter the island via TRNC to cross to South Cyprus. It should be recalled that the said prohibitions were imposed upon all third country nationals including EU citizens when the crossing points were first opened in 2003 but was only removed due to the strong reaction of the EU which stated that it will not tolerate restrictions on the movement of its nationals. At present, the

Greek Cypriot administration continues to violate the rights of other third country nationals and prohibits their free movement from North to South.

Regarding the subsection on the **“Human rights pertaining to the question of missing persons”**, the report gives the impression that the humanitarian issue of missing persons is only affecting the Greek Cypriot side. This is totally misleading as the tragic saga of missing persons begun affecting the Turkish Cypriot people well before the Greek Cypriot side. It all begun when the Greek Cypriot side launched an armed onslaught on its Turkish Cypriot partner in 1963 which only came to an end due to the Turkish intervention in 1974. In the eleven year period, around 502 Turkish Cypriots went missing after being abducted or detained by the armed elements of the very Greek Cypriot administration, accepted as the “Government of Cyprus” by the international community. It is recently coming into light that the Turkish Cypriot missing, all of whom were innocent civilians, were massacred and thrown into wells or mass graves following their abduction from their homes, work places, hospitals or roads by the Greek Cypriot police and militia. Apart from the Turkish Cypriot missing, there are hundreds of Turkish Cypriot civilians massacred by the Greek Cypriot armed forces, the remains of which were discovered in mass graves in 1974.

The report refers to the work of the UN Tripartite Committee on Missing Persons (CMP) but fails to underline the paradox in the Greek Cypriot recourse on the missing persons issue to European institutions such as the European Court of Human Rights or the Council of Europe, despite the existence of an internationally accepted and successfully working Committee dealing with the matter. This approach can only help contribute to the efforts of the Greek Cypriot side to politicize the missing persons issue and lessen the effectiveness of the CMP. Furthermore, the references in the report to the details of its recourse to European institutions provides the Greek Cypriot administration with a medium for publicizing its unjust blame-game against Turkey and bypassing Turkish Cypriot authorities, thereby, creating an unfavourable atmosphere for the settlement of the missing persons issue as well as the Cyprus question.

It is also most disturbing, in this context, that the report which repeatedly quotes European resources, falls short of referring to the decision of the European Court of Human Rights dated 1 December 2009, which concluded that 49 applications submitted by the relatives of the missing Greek Cypriots against Turkey were not admissible. The aforementioned decision corroborate the fact that the issue of missing persons in Cyprus can only be resolved within the framework of the CMP and not through such platforms as the European Parliament, the Council of Europe or the European Court of Human Rights.

As you will recall, the Committee on Missing Persons (CMP) was established in 1981 as a Tripartite Committee composed of a Turkish Cypriot, a Greek Cypriot and a Third Member appointed by the UN Secretary-General, to address the problem of the missing. As such, it must be evident that Turkey is not a party to the issue of missing persons in Cyprus.

In view of the above, the present report not only fails to give an accurate account of the facts governing the issue of missing persons in Cyprus but overshadows the dedicated efforts to solve this humanitarian subject within the framework of the very body it has established, namely the Committee on Missing Persons.

It should also be noted, in this context, that the TRNC has been doing its utmost to facilitate the work of the CMP and, as of December 2009, has given information regarding the location of 162 grave sites and also allowed the excavation activities to be carried out in 8 military areas which were not among the said sites. Furthermore, the Turkish Cypriot side, in good will, has accepted to consider the proposals for excavations of the possible grave sites within certain military areas. To this date, 111 Greek Cypriot and 51 Turkish Cypriot remains have been exhumed, identified and returned to their families owing to our full cooperation regardless of any political considerations.

Moreover, regardless of the fact that the financing of the CMP does not fall within the scope of the EU funds earmarked for the economic development of the Turkish Cypriot people, we have announced in August 2009 our acceptance to allocate €2,000,000 from the abovementioned funds for the work of the CMP as a gesture of goodwill. It is unfortunate that the report does not reflect this earnest gesture on the part of the Turkish Cypriot side.

As regards the subsection on the “**property rights**”, I wish to underline that one of the most fundamental issues regarding the Cyprus question is the property issue and it affects not only the Greek Cypriot people but also the Turkish Cypriot people. In fact, many Turkish Cypriots were forced to abandon their homes at gunpoint as early as late 1950’s and three or four times over during the period between 1963 and 1974, leaving considerable amount of property in South Cyprus. As known, the reciprocal property claims of the two sides constitute one of the major subjects of discussion at the ongoing negotiations between the leaders of the two sides conducted under Your Excellency’s auspices.

As for the property rights of Greek Cypriots, the Turkish Cypriot side never denied the unalienable right to property, and, thus, established the “Immovable Property Claims Commission” (IPC) to deal with the claims of Greek Cypriot individuals regarding immovable property located in the North. As known, just recently, on 5 March 2010, the European Court of Human Rights concluded on *Demopoulos v. Turkey and 7 other cases* that the IPC is “*an accessible and effective framework of redress in respect of complaints about interference with the property owned by the Greek Cypriots*”. The Court further decided that those who choose not to apply to the IPC can await a political solution.

On the other hand, the Greek Cypriot policy on Turkish Cypriot property rights has always been one of utter contempt. Until 1991, the Greek Cypriot administration used “requisition” as a means to deny possession to all Turkish Cypriots and they were not paid any form of compensation for the requisitions. For those Turkish Cypriot properties which were allegedly subjected to compulsory acquisition, there was neither an order of compulsory acquisition about which the Turkish Cypriots were informed nor were Turkish Cypriots paid any compensation for such compulsory acquisition. In 1991, Law 139/1991 entitled “*Administration of Turkish Cypriot Properties in the Republic and Other Related Matters*” vested the administration of all Turkish Cypriot properties in South Cyprus, except for those belonging to Turkish Cypriots who have their “normal permanent residence” in South Cyprus, with the Greek Cypriot Minister of Interior as the “Custodian” (also referred to as the “Guardian”).

In essence, the abovementioned Law constitutes nothing but a flagrant violation of the unalienable right to property by all standards. Firstly, the residence requirement in Law No. 139/1991 denotes that any Turkish Cypriot who resides in North Cyprus or abroad cannot exercise any proprietary rights in respect of their immovable property in South Cyprus as the “Custodian” has stepped into their shoes. Secondly, Law No.139/1991 requires those Turkish Cypriots who are not permanent residents in South Cyprus to fulfil the residence requirement before they can even commence any legal proceedings in South Cyprus regarding their property rights, including their right to free possession, let alone use of property. Thirdly, even if the Greek Cypriot authorities decided in favour of the Turkish Cypriot claimant, the Law does not foresee payment of any compensation for loss of use until the settlement of the Cyprus issue. It is of uttermost importance to note, however, that those Turkish Cypriots who could manage to file complaints with the Greek Cypriot courts regarding their property rights or directly challenging the Law No. 139/1991 have all been rejected by Greek Cypriot Courts. [*Ali Kamil and others v. The Minister of the Interior as Guardian of Turkish Cypriot Properties* (Case No. 133/2005, 19 January 2007); *Solomonides v. the Republic and the Ministry of Interior acting as the Guardian of Turkish Cypriot Properties* (Case No. 113/03); *Ahmet Mulla Suleyman v. the Republic* (Case No. 99/2005); *Ozgun Ahmet Mumtaz (Soyer) v. the Republic*, (Case No. 5825/05), and *Meryem Kaya v. the Police and the Ministry of Justice and Public Order of the Republic* (Case No. 61/2008)].

It is another established fact that the Greek Cypriot administration is also pursuing a policy of destroying Turkish Cypriot houses and simply razing Turkish Cypriot villages to ground. A noteworthy case in this regard is the Yağmurlan (Vroisha) village in South Cyprus. Yağmurlan Village came to attention as a result of the legal struggle initiated by the former Turkish Cypriot residents of the village against the Greek Cypriot administration. The Association of Yağmurlan, which was established in the UK by its former residents, filed a complaint against the Greek Cypriot administration on the grounds that their houses and hundreds of acres of vineyards and orchards have been plundered, demolished and turned into forest areas. The members of the Association made an application to the so-called “Ministry of Interior of Cyprus” via the self-styled “Cyprus High Commission” in London seeking to be compensated for their loss. In response, the Greek Cypriot administration referred to the law 139/1991 which has been mentioned hereinabove.

In conclusion, the Greek Cypriot stance regarding the property rights in Cyprus has been one of denial for the Turkish Cypriots and, for the Greek Cypriots, it has been a hypocritical three legged course of unrealistic demands at the negotiating table; promoting legal action at international courts; and utilizing the end results for propaganda purposes. In other words, the Greek Cypriot administration only concentrated on prolonging and internationalizing the property issue with a view to prejudging its settlement in its favour. The ECHR judgements cited in the present report constitute the main pillars of this policy which is pursued at the expense of a comprehensive, fair and final settlement of the property issue.

As regards the *Orams v. Apostolides* case mentioned in **paragraph 6**, the Greek Cypriot administration added a whole new dimension to its efforts to destroy the established UN parameters regarding the settlement of property, in particular, and the Cyprus question in general. The fact that redress for the plaintiff’s claim to his property was sought through the application of the Brussels I Regulation, makes it amply clear that the Greek Cypriot administration is seeking to impose upon the European countries its own parameters for the solution of the property issue in Cyprus.

It should be stated, in this context, that both the European Court of Justice and the UK Court of Appeal should have declared inadmissible a highly political issue. Due consideration should have been given to what was rightly put by the European Commission in its written observations to the ECJ, to the effect that: “*EU wide recognition of judgments on property issues could be seen as further jeopardizing diplomatic efforts to bring about reconciliation and a negotiated settlement ... and that could undermine the common commitment of EU Member States under Protocol 10 to support UN efforts to bring about a comprehensive settlement of the Cyprus problem and the wish expressed in Protocol 10 that EU accession would promote civil peace and reconciliation on the island.*” Furthermore, the rulings on this case have dealt a serious blow to the ongoing negotiation process by turning a blind eye to the established UN parameters for a comprehensive settlement, in particular, to bi-zonality, and causing further hardening of the Greek Cypriot position. Ever since the *Orams* ruling, the Greek Cypriot official position has been to reject the negotiation of the property issue.

It was interesting to observe, however, that following the aforementioned decision of the ECHR on the effectiveness of the Turkish Cypriot Immovable Property Claims Commission, the Greek Cypriot leader, Mr.Christofias, not only admitted to a state policy in this regard by criticizing their “overloading” the ECHR, but declared that the issue of property needs to be solved at the negotiating table.

Under the subsection on **Discrimination**, the report refers to the UN Committee on Economic, Social and Cultural Rights expressing deep concern on the de facto discrimination persisting against Turkish Cypriots but fails to address the 47-year-old inhuman isolation imposed on the Turkish Cypriot people by the Greek Cypriot administration. By omitting any reference to the isolation imposed upon the Turkish

Cypriot people, the report fails to cover the most blatant, systematic and all-encompassing violation of human rights on the island and, therefore, does not reflect the full perspective on the question of human rights in Cyprus. As well known, the ongoing restrictions imposed by the Greek Cypriot side ranges from denying the Turkish Cypriot people the right to representation in international fora; to preventing or restricting their travel abroad and their communication with the outside world; to curtailing the trade and tourism between the TRNC and the outside world, and to hampering all academic, cultural and sporting relations of the Turkish Cypriot people with other countries, even with Turkey. However, if even the UN acts blissfully oblivious to the said isolations and not point a finger at the Greek Cypriot administration, the international community will have a share in the grave violation of human rights of the Turkish Cypriot people.

Another serious shortcoming of the report in connection with discrimination and racism against Turkish Cypriots has been the failure to mention the repeated cases of maltreatment of the Turkish Cypriot people visiting South Cyprus by the Greek Cypriot inhabitants, which have intensified in the last couple of years. The most appalling dimension of the matter is that the Greek Cypriot authorities condone these incidents by failing to take action against the perpetrators.

A glaring case has been the racist attacks perpetrated by thousands of APOEL Football Club supporters who, on 19 January 2009, attacked Turkish Cypriots passing by the Club in their cars. Many cars were damaged, their windscreens were smashed and, in fact, a child was badly injured during this serious incident. When a number of Turkish Cypriots complained to the Greek Cypriot police present in the area, they were told that the area where the incident took place was not within their scope of responsibility. Far worst is the fact that the Greek Cypriot authorities, namely the Greek Cypriot leadership, the judiciary and the police, did not take any action against the perpetrators.

Many other incidents are frequently being published in the Greek Cypriot and the Turkish Cypriot media. The Greek Cypriot daily, *Fileleftheros*, reported on 9 February 2009 that 15 tombs at the Turkish Cypriot cemetery in Limassol were vandalized; the English language daily, *Cyprus Mail*, also published in South Cyprus, reported on 29 December 2009 that during demonstrations held by the National People's Front slogans such as "We'll come at night and find you, traitor" and "We are Greeks and Cyprus is a Greek island" were utilized; Turkish Cypriot daily newspaper, *Kıbrıs*, reported on 9 December 2009 that the word "EOKA" (name of the Greek Cypriot terrorist group which subjected Turkish Cypriots to ethnic-cleansing during 1963-1974) was painted on the door of a Turkish Cypriot visitor's parked car.

As regards the cases referred to in paragraph 24 under the subsection of **right to life**, it should be noted that as evident by the decisions taken at the Ministers' Deputies' 1059th meeting on 5 June 2009 and at the 1072nd meeting on 3 December 2009, the TRNC authorities work in cooperation with the Council of Europe Committee of Ministers' Deputies and provide extensive information.

It is disappointing that the report addresses the issue of **right to education** in a misleading manner, evoking the impression that the Greek Cypriots living in North Cyprus are denied of their rights to education. The Turkish Cypriot side has always adopted a constructive approach towards the Greek Cypriots residing in North Cyprus and, in line with this understanding, in addition to the existing primary school which has been functioning in Karpaz for over three decades, opened a secondary school in September 2004 for the Greek Cypriot students residing in that area, thus, enabling students to complete their education uninterrupted, without having to move away from their families while studying.

Furthermore, the reference in same section to the so-called denial of permission to 8 teachers is uncalled for and misrepresents the situation. For the current academic year, 5 Greek Cypriot teachers and a headmaster have been appointed by the Greek Cypriot

administration to lecture the 19 students in the Greek medium primary school, whilst 15 students in the Greek medium secondary school are under the instruction of 18 teachers and 1 headmaster, also appointed by the Greek Cypriot side. It should also be noted that in order to enable the Greek Cypriot authorities to appoint teachers and headmasters and to elaborate and supervise the curriculum of Greek medium schools in North Cyprus, the Turkish Cypriot side made exemptions from the legislations which regulate the minimum number of students required to open schools; the number of teachers and classes to be allocated according to the total number of students and the curriculum of public and private schools.

As regards the school textbooks, it is stated that “the delivery of five [...] books was not allowed because of what the authorities in the north perceived as objectionable content”. There is no mention of the fact, however, that books with chauvinist content which poisons the minds of young children and provokes enmity towards the Turkish Cypriot people should not have been in the school textbooks in the first place.

I would also like to articulate our concern that the present report fails to give adequate attention to the right of the Turkish Cypriot children to education in their mother tongue. In this connection, it should be reiterated that the Greek Cypriot leadership has been refraining for years from fulfilling its commitment to open a Turkish medium primary school in Limassol to meet the educational needs of the Turkish Cypriot children living in South Cyprus, whose number is well over the Greek Cypriot children living in Northern Cyprus. Needless to say, the right to education in one’s mother tongue is a fundamental human right which is enshrined in international human rights instruments. It is disappointing to see that the report only states that “there have been no new developments regarding the establishment of a Turkish language primary school in Limassol” and fails to give a strong message to the Greek Cypriot administration to honour its decade-old commitment regarding the establishment of a separate Turkish Cypriot school in Limassol.

It is most unacceptable that despite the solid evidence discovered by UNFICYP in the interviews it carried out in 2004 amongst the families of Turkish Cypriot children residing in Limassol that there is considerable demand among the Turkish Cypriots for a separate Turkish medium school, the report fails to mention this vital fact and rather refers to the falsified allegation of the Greek Cypriot administration that “*it was by choice of the families themselves that [Turkish Cypriot] children are attending a joint and not a separate primary school*”. The results of the said interviews further suggest that there are a considerable number of Turkish Cypriot children who are not attending primary school at all. It is also established that these children who are home tutored in Turkish language, would be happily attending state schools if there was a Turkish medium school in South Cyprus.

Furthermore, the report fails to address the fact that the Greek Cypriot administration continues to block Turkish Cypriot students’ access to the European Union exchange and educational programs. This, no doubt, constitutes a violation by the Greek Cypriot administration of the fundamental right to education of the Turkish Cypriot students whose plight continues despite efforts to rectify the situation. Of particular concern, in this context, is the need to find the modalities to allow the participation of the Turkish Cypriot higher education institutions in the Bologna process. Otherwise, the diplomas issued by TRNC universities will no longer be recognized in Europe once the Bologna process is completed at the end of this year.

Under the subsection of **freedom of religion**, it is stated that “*the Greek Cypriot pilgrims were unable to cross through [the Yeşilirmak crossing] to attend a religious service at Saint Mamas church following a disagreement between the sides regarding crossing modalities*”. With its reference to a so-called “disagreement”, the report unfortunately fails to reflect the realities on the ground and gives the impression that the two sides are equally responsible. It must be emphasized that, in order to facilitate the said pilgrimage, the Turkish Cypriot side has acted within the framework of the crossing

modalities agreed by the leaders and made clear that the crossings would take place following an ID check, and requested that a list of names and plate numbers of the vehicles be submitted in advance in order to facilitate smooth crossings. However, the pilgrims arrived later than the agreed time which indicates that the mass was not scheduled at the time it was announced to take place. Furthermore, contrary to the modalities agreed by the two leaders, there were people among the pilgrims whose names were not on the list and they did not carry identification documents with them. After these people were requested to leave the busses so that the crossings would take place, the Greek Cypriot pilgrims decided not to hold the mass in the morning and made no request to attend a mass in the afternoon, which the Turkish Cypriot side was ready to facilitate as conveyed to the UN. I would like to emphasize, in this context, that as the Turkish Cypriot side we consider the issue of pilgrimage within the framework of freedom of religion which we deem a fundamental human right. Accordingly, we have been facilitating the pilgrimage to Saint Mamas since 2004 and there have been no problems until this year.

As the party which has demonstrated its firm commitment to the resolution of the Cyprus issue on the basis of political equality, we welcome the observation in the “**Conclusion**” section of the report that “it is hoped ... the new momentum to achieve a comprehensive settlement of the Cyprus problem will provide avenues to improve the human rights situation on the island ...”. However, for reasons that are evident from our foregoing observations, it is clear that there is disparity between the content and conclusion of the present report. It is obvious that such reporting which does not uphold the UN principle of political equality of the two sides and fails to hold the Greek Cypriot side responsible for its application of inhuman restrictions, will not contribute to the search for a comprehensive settlement.

We hope and trust that the foregoing considerations will be taken into account and that the UN shall pay due attention to the rights and interests of the Turkish Cypriot people in the future reports as well as to upholding the delicate balance in reflecting the human rights realities on the island in order to avoid its exploitation by the Greek Cypriot administration.

In conclusion, I would like to reiterate that, as the Turkish Cypriot side, we remain fully committed to the comprehensive settlement of the Cyprus issue under Your Excellency's mission of good offices and on the basis of the UN established parameters and body of work. I would like to take this opportunity to express my hope and trust that, under your able guidance, efforts to find a comprehensive settlement would bear fruit in the near future.

Please accept, Excellency, the assurances of my highest consideration.

(signed) Hüseyin Özgürün
Minister of Foreign Affairs