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Letter dated 27 August 2010 from the Permanent Representative of Cyprus to the United Nations Office at Geneva addressed to the President of the Human Rights Council

In accordance with the instructions received from my Government, I wish to respond to the erroneous and legally distorted account of the Cyprus problem given by the delegation of Turkey during the review process of the Republic of Turkey by the Working Group on the Universal Periodic Review, on 10 May 2010.

The position expressed by Turkey that the presence of its occupation army in Cyprus is “legitimate and the result of its obligations and rights stemming from the treaties of 1960” is legally unfounded and morally unacceptable. In fact, there exists no international instrument that provides for the stationing of 43,000 heavily-armed Turkish troops on the island from 1974 until the present, or that can provide any legal or moral justification to the full-blown Turkish military invasion of 1974 and consequent 36-year Turkish military occupation of one third of the territory of the Republic of Cyprus. The international community has indeed, over the years, reiterated, through several General Assembly and Security Council resolutions, its demand for respect for the sovereignty, independence and territorial integrity of the Republic of Cyprus and the withdrawal of foreign troops from the island.

It should also be stressed that Turkey’s international obligations in relation to any human rights violations being carried out by its armed forces abroad can in no case be waived simply on political positions based on the alleged legal status of its armed forces in Cyprus or anywhere else around the world.

It is regrettable that the Government of Turkey, consistent with its previous unacceptable behaviour demonstrated during the universal periodic review of Cyprus at the sixth session of the Working Group chose once more to jeopardize the universal periodic review mechanism by using and abusing it as a channel for airing its partisan political allegations concerning the Cyprus problem.

Furthermore, it is all the more regrettable that Turkey decided to arbitrarily reject all the genuine human rights recommendations that Cyprus submitted to the former in accordance and in line with the letter and spirit of the institution-building package (Council resolution 5/1) at the eighth session of the Working Group. In a provocative manner,

Turkey admitted openly that it rejected these recommendations on purely political grounds totally irrelevant to the exercise of the universal period review. By so doing, Turkey has set a worrying, negative precedent for the universal periodic review process in general.

I should be grateful if you could arrange for the text of the present letter to be circulated as a document of the Council under agenda item 6.

(Signed) Andreas Hadjichrysanthou
