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Point 2 de l'ordre du jour

**Rapport annuel du Haut-Commissaire des Nations Unies
aux droits de l'homme et rapports du Haut-Commissariat
des Nations Unies aux droits de l'homme et du Secrétaire général**

Note verbale datée du 16 juin 2011, adressée au Haut- Commissariat des Nations Unies aux droits de l'homme par la Mission permanente de Turquie auprès de l'Office des Nations Unies et des autres organisations internationales à Genève

La Mission permanente de la République de Turquie auprès de l'Office des Nations Unies à Genève et des autres organisations internationales en Suisse présente ses compliments au Haut-Commissariat des Nations Unies aux droits de l'homme et a l'honneur de lui faire tenir ci-joint copie de la lettre de M. Hüseyin Özgürgün, Ministre des affaires étrangères de la République turque de Chypre-Nord, qui reflète les vues des Chypriotes turcs sur la lettre du Représentant permanent de l'Administration chypriote grecque, distribuée au titre du point 2 de l'ordre du jour (A/HRC/16/G/18) à la seizième session du Comité des droits de l'homme.

La Mission permanente de la République turque serait reconnaissante au Haut-Commissariat de faire distribuer la présente note et l'annexe* en tant que document officiel de la seizième session du Conseil des droits de l'homme.

* L'annexe est reproduite telle qu'elle a été reçue, dans la langue originale seulement.

Annexe

Your Excellency,

I would like to refer to the letter of the Greek Cypriot Representative to the United Nations in Geneva dated 18 May 2011, which was circulated as a document of the Human Rights Council (A/HRC/16/G/18) and to bring to your kind attention the following facts and considerations.

At the outset, I wish to express our concern about the continued deliberate efforts of the Greek Cypriot side to distort the realities pertaining to the legal and historical facts of the Island. It is disappointing to see that the Greek Cypriot side is creating artificial agendas aimed at diverting attention from the gross human rights violations that have long been endured by the Turkish Cypriot people due to the discriminatory policies and restrictions applied by the Greek Cypriot administration.

In the said letter the Greek Cypriot side falsely claims that the “Government of the Republic of Cyprus” is legitimate, totally ignoring the fact that the legitimacy of the “Republic of Cyprus” which was established in 1960 laid in the joint presence of both Turkish Cypriot and Greek Cypriot peoples in all organs of the State. It should be reiterated at this point that since December 1963 there has not been a joint administration on the Island capable of representing the whole of Cyprus, either legally or factually. Soon after the forcible eviction of the Turkish Cypriot people from the 1960 partnership Republic in 1963, their posts were immediately replaced by Greek Cypriots, thus, turning the partnership State into an exclusively Greek Cypriot set-up. In fact, by referring to the Security Council Resolution 186 (1964), in which the Council, inter alia, decided to deploy peacekeeping forces on the Island, the Greek Cypriot side actually acknowledges the very fact that the Cyprus problem started not in 1974 but in 1963, therefore confirming that there has not been a joint administration on the Island since 1963.

As for the oft-repeated claim of the Greek Cypriot side that Turkey has “invaded” and “occupied” Cyprus, it needs to be stressed that the timely intervention of the Turkish Peace Forces in 1974 in accordance with the rights and obligations of Turkey arising from the 1960 Treaty of Guarantee, prevented the annexation of the Island to Greece in the wake of a bloody coup d’etat orchestrated by the Greek Junta in Athens. Contrary to the claims in the Greek Cypriot letter, none of the Security Council resolutions on Cyprus refer to the Turkish intervention in Cyprus as “invasion” or its subsequent presence in Cyprus as “occupation”. Thus, the term “Turkish occupation and invasion” is legally and factually incorrect.

In line with the usual practice, the Greek Cypriot letter conveniently omits to mention the agonies suffered by the Turkish Cypriot people during the fateful years preceding the Turkish intervention. Thus, it needs to be reiterated that between 1963 and 1974, Turkish Cypriots endured the agonies of the Greek Cypriot armed attacks, were confined to small enclaves, and subjected to gross violations of human rights. Thousands of Turkish Cypriot civilians lost their lives, were maimed or wounded under the eleven years long Greek Cypriot oppression aimed at annexing the Island to Greece (ENOSIS). It was the Turkish intervention which saved the Turkish Cypriot people from total annihilation and brought peace to the Island.

Even Archbishop Makarios had put it on record that it was Greece who invaded Cyprus in his speech delivered before the UN Security Council on 19 July 1974. In this statement he stressed that “The military regime of Greece has callously violated the independence of

Cyprus. Without trace of respect for the democratic rights of the Cypriot people, without trace of respect for the independence and sovereignty of the Republic of Cyprus, the Greek junta has extended its dictatorship to Cyprus.... It (the coup) is clearly an invasion from outside, in flagrant violation of the independence and sovereignty of the Republic of Cyprus”.

Another Greek Cypriot distortion relates to the number of troops that Greece and Turkey currently station on the Island. While the letter inflates the number of Turkish troops in the Island, it makes no mention whatsoever to the number of the Greek military forces stationed in the South which is far beyond the numbers envisaged in 1960 Treaties. The letter also fails to mention that had the Annan Plan not been rejected by the Greek Cypriot side in 2004, today there would have been 650 Turkish and 950 Greek soldiers stationed on the Island in accordance with the numbers foreseen in the 1960 Treaties.

In fact, the Annan Plan is not the only comprehensive settlement document rejected by the Greek Cypriot side in almost half a century of negotiations conducted under the good offices mission of the UN Secretaries-General. While the Turkish Cypriot side always participated in the UN led negotiations in good will in order to create a peaceful future for younger generations, the Greek Cypriot policy vis-à-vis the talks doomed each and every effort to failure. This is evidenced by its rejection of the 1985-86 Draft Framework Agreements, the UN-sponsored Set of Ideas of 1992, the package of Confidence Building Measures of 1994 and the 2004 Annan Plan.

Against this background, despite the very fact that it is the Turkish Cypriot and the Greek Cypriot sides who are conducting the ongoing negotiations under the auspices of the UN, the Greek Cypriot side claims that it is the sole representative of the Island and continues its attempts to portray Turkey as its counterpart at the expense of the vested rights of the Turkish Cypriot people. Thus, it needs to be stressed that Northern Cyprus is neither the “subordinate local authority of Turkey” nor under “occupation”. It is the Government of the Turkish Republic of Northern Cyprus which has full jurisdiction and authority over Northern Cyprus.

Moreover, contrary to the claims in the said letter, Turkey has not pursued a policy of “colonization” in Cyprus. There has been a movement of seasonal workers from Turkey in line with the requirements of our relevant economic sectors. The issue of seasonal workers has always been governed by economic considerations, and not by political considerations as claimed by the Greek Cypriot side. Naturally, because of factors such as proximity, cultural affinity and common language, most of the seasonal workers have come from Turkey. Most of these workers return to Turkey when the company they work for no longer requires their services. Some workers, however, remained on the Island and got married to Turkish Cypriots, consequently becoming entitled to Turkish Cypriot citizenship. Similarly, there have been intermarriages between Turkish Cypriots and Turkish citizens who were staying in the Island as tourists or students enrolled in the Turkish Cypriot universities. The Greek Cypriot policy of branding the Turkish Cypriot citizens originating from Turkey and their descendants as “settlers” is a clear discrimination on the grounds of ethnicity and place of birth. It should also be noted that the procedure through which citizenship is acquired in Northern Cyprus is similar to those widely applied throughout the world.

Moreover, the said Greek Cypriot letter conveniently ignores most of the issues raised repeatedly by Turkish Cypriot side, such as the increasing trend of xenophobia and racism, and in this context, the attacks perpetuated against the Turkish Cypriots and Turkish citizens in South Cyprus. It is all the more disturbing that the perpetrators of such incidents never face a proper trial in the courts of law.

The Greek Cypriot letter also attempts to distort the motivations behind the recent demonstrations in the Northern Cyprus and attempts to mislead the world as if the Turkish Cypriot people are against Turkey. The fact is that the said demonstrations were held after certain austerity measures were announced by our Government in the wake of the global economic recession. Our Government is currently pursuing some reforms aiming at restructuring the economy and sustaining the fiscal balance, with the financial support of Turkey. Reactions to economic measures are common in democracies and TRNC has a well-functioning democracy in which even the most marginal groups can freely express their views. As a matter of fact, the unjust restrictions imposed by the Greek Cypriot side upon the Turkish Cypriot people, which have no legal or legitimate basis, are the main cause of their economic problems.

If the Greek Cypriot side is sincere in defending the universal principles of human rights, it should, as a first step, immediately stop hindering efforts aimed at lifting the isolation of the Turkish Cypriot people in line with the expressed will of the international community. Such an approach would also pave the way for a comprehensive settlement as duly underlined by the Secretary General of the United Nations, H.E. Mr. Ban Ki-moon in his latest report to the Security Council on UNFICYP dated 31 May 2011 (S/2011/332) in which he stated inter alia that “greater economic and social parity between the sides will make the eventual reunification not only easier but also more likely. In the context of an internationally sanctioned peace process, efforts in the opposite direction can only be counterproductive” (para.39).

In concluding, I would like to reiterate that the Turkish Cypriot side remains fully committed to the comprehensive settlement of the Cyprus issue in the shortest possible time under the UN Secretary General’s mission of good offices and on the basis of established UN parameters; namely, political equality, bi-zonality, equal status of the two Constituent States and the establishment of a new partnership. Furthermore, the bitter experiences of the past proved that the continuation of the system of guarantee is crucial for the Turkish Cypriot people.

I should be grateful if the text of the present letter could be circulated as a document of the Human Rights Council.

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

Hüseyin Özgürün
Minister of Foreign Affairs