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**ANNUAL REPORT OF THE UNITED NATIONS HIGH COMMISSIONER
FOR HUMAN RIGHTS AND REPORTS OF THE OFFICE OF THE
UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS
AND THE SECRETARY-GENERAL**

**Letter dated 16 May 2008 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 instructions received from my Government, I have the honour to refer to the note verbale dated 28 March 2008 from the Permanent Mission of Turkey addressed to the Office of the United Nations High Commissioner for Human Rights, transmitting in an annex the text of a letter of the so-called “Deputy Prime Minister and Minister of Foreign Affairs” of the legally invalid “Turkish Republic of Northern Cyprus” (A/HRC/7/G/16).

My Government’s well-known position is that Turkey’s practice of abusing its rights as a State Member of the United Nations by circulating letters of the so-called officials of the purported State of the “Turkish Republic of Northern Cyprus” as annexes to documents of the organs of the Organization is in violation of the stipulations set forth in Security Council resolutions 541 (1983) and 550 (1984). It should be noted that, in these resolutions, the Security Council considered, inter alia, the declaration which purported to create “an independent State” in northern Cyprus legally invalid, called for its withdrawal, and called upon all States not to recognize the purported State of the “Turkish Republic of Northern Cyprus” set up by secessionist acts and not to facilitate or in any way assist the aforesaid entity.

In so acting, the Government of Turkey attempts to evade its responsibilities and obligations as envisaged by the human rights instruments and international humanitarian law for its actions in Cyprus since 1974. The continuing and massive violations of human rights

committed by Turkey in Cyprus are well documented in relevant judgements of the European Court of Human Rights. These violations still remain to be remedied and constitute the sole and only reason for the issue to remain on the agenda of the Human Rights Council.

The legal basis for the preparation of the report of the Secretary-General on the situation of human rights in Cyprus is in fact resolution 4 (XXXI), adopted by the Commission on Human Rights on 13 February 1975, that is seven months after the Turkish invasion in Cyprus, and subsequent Commission resolutions, the most recent being resolution 1987/50. In these resolutions, the Commission called for the “full restoration of all human rights to the population of Cyprus, and in particular to the refugees”; expressed alarm at the “changes in the demographic structure of Cyprus” with the continuing influx of settlers; and called for the “accounting for missing persons in Cyprus without any further delay” and the “restoration and respect of the human rights ... of all Cypriots, including the freedom of movement and the right to property”, on which action continues to remain operative.

The mandate of the report of the Secretary-General, as explicitly stated in the aforementioned resolutions, is to examine the violation of human rights of all Cypriots - be they Greek Cypriots or Turkish Cypriots - as a result of the actions of Turkey since 1974 in the fields of freedom of movement, freedom of settlement and right to property, issues related to missing persons, and the illegal influx of settlers from Turkey in the occupied areas of Cyprus. This is clearly manifested by the preamble of these resolutions, where reference is made, among others, to General Assembly resolution 3212 (XXIX) of 1 November 1974, and Security Council resolutions 541 (1983) of 18 November 1983 and 550 (1984) of 11 May 1984.

Turkey should therefore assume its responsibilities and obligations as the respondent Government under this mandate, instead of trying to undermine the relations between the two communities in Cyprus through the circulation of documents containing unfounded allegations, distortions of history and erroneous, unsubstantiated or irrelevant information. It is high time for Turkey to abandon the practices and rhetoric of the past and adopt a forward-looking approach by genuinely supporting the ongoing political process in Cyprus, following the promising meeting of the leaders of the two communities on 21 March 2008, pursuant to the agreement of 8 July 2006.

I should be grateful if you would arrange for the text of the present letter to be circulated as a document of the Council.

(Signed): Andreas HADJICHRYSANTHOU
