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LETTER DATED 28 APRIL 1964 FROM THE PERMANENT REPRESENTATIVE OF CYPRUS
ADDRESSED TO THE SECRETARY-GENERAL

... I have the honour to enclose herewith a letter in reply to the letter dated 15 April 1964, addressed to Your Excellency by the Permanent Representative of Turkey to the United Nations and reproduced as Security Council document S/5663.

I would be grateful if this letter could be circulated as a Security Council document.

Please accept, etc.

(Signed) Zenon ROSSIDES
Permanent Representative of Cyprus
to the United Nations

PERMANENT MISSION OF THE REPUBLIC OF CYPRUS
TO THE UNITED NATIONS

Ref. 108.B

28 April 1964

Excellency,

I have the honour to refer to document S/5663 reproducing a letter dated 15 April 1964 and addressed to the Secretary-General of the United Nations by the Permanent Representative of Turkey. This letter contains a long list of unfounded charges and allegations, half-truths, and unwarranted legal interpretations, which cannot remain unanswered. I therefore find it necessary to deal at some length with the distortions propounded by the Turkish Representative and to call attention to the concerted anti-United Nations campaign waged by the Turkish Cypriots.

1. In his letter, Mr. Eralp speaks of "mass attack by Greek Cypriots on Turkish quarter", on 7 March 1964 in Paphos. This statement is totally untrue. The real and indisputable events are as follows:

For three days after the adoption of the Security Council resolution on Cyprus (4 March 1964), calm and order prevailed throughout the island. Then suddenly on Saturday, 7 March 1964, Turkish Cypriot terrorists launched in Paphos a pre-meditated and unprovoked attack against a crowd of innocent Greek Cypriot weekend shoppers, most of them women and children. The Turkish Cypriot fire came from the minaret of a mosque and from other fortified Turkish positions. This slaughter of defenceless people resulted in 7 dead, 30 wounded and over 200 taken as hostages. In a report to The New York Times dated 8 March 1964, its correspondent, W. Granger Blair, admits that the Greek Cypriot casualties were, "by a British count, 6 dead and 23 wounded, of whom 6 are said to be in an extremely critical condition. The Turkish casualties were put at 1 dead and 7 wounded". An Associated

His Excellency
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Secretary-General
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New York, N.Y.

Press cable published in the same newspaper confirms that "... about 200 Greek Cypriots were taken hostage by the Turks on Saturday (7 March 1964) at Ktima (Paphos)".

The Turkish Representative therefore correctly says that there was an unprovoked attack on 7 March 1964 in Paphos, and that this attack was a violation of the spirit and letter of the Security Council resolution on Cyprus. His slight error lies in converting the ruthless attackers from Turkish Cypriots into Greek Cypriots.

Sporadic firing from Turkish Cypriot posts against the Greek section of the town continued on the following day (Sunday, 8 March 1964). When the Security Forces arrived, in fulfilment of their duty to protect the citizens of the area, they found it necessary to embark upon a clearing operation with the limited objective of silencing the firing posts of the terrorists. In the ensuing fighting, which took place on Monday, 9 March 1964, inevitably casualties were suffered by both sides. However, the Turkish casualties consisted mostly of terrorists from other districts who had obviously come into Paphos to instigate and direct the attack.

After the mopping-up operation of the Security Forces and the subsequent cease-fire, calm returned to, and still prevails in, the Paphos area.

These facts were fully reported in my letters dated 9 and 10 March 1964, respectively, to the President of the Security Council (circulated as documents S/5584 and S/5589).

The Turkish Representative, employing the same technique, lists an attack on the Turkish village of Gazivera, but fails to mention that the clash there was the result of firing started from fortified Turkish positions against the Security Forces. The latter had gone there to ask the Turkish Cypriots to remove a roadblock which was for days obstructing the economically vital Morphou-Xeros road, an artery indispensable to the working of the mines of the area. The Turkish Cypriot rebels manning the roadblock requested time in order to reply. However, shortly thereafter, the reply abruptly came in the form of a barrage of gunfire. The Security Forces had no choice but to defend themselves. They responded to the attack and finally succeeded in their constructive objective of dismantling the roadblock and restoring communications.

This sequence of events was reported in the New York Herald Tribune of 14 March 1964 and in several other newspapers. It was also the subject of my letter dated 19 March 1964 to the President of the Security Council (document S/5615).

It is shown from the above that the Turkish Representative, by reversal of roles in the one instance, and by omission of crucial and important facts in the other instance, tries to spread confusion and to build a case against the Government and the people of Cyprus. Misrepresentation of facts in this fashion has in recent weeks become a regular practice. We believe, nevertheless, that such tactics, although they may create temporary impressions, never yield more lasting results. The truth cannot for long be concealed, no matter what the means and the power used to suppress it.

Another case where Turkish responsibility for fighting has been deliberately bypassed is that of Ayios Sozomenos on 7 February 1964. In that instance Turkish terrorists ambushed a group of technicians who were on their way to repair a water pump near the village. Two Greek Cypriots were killed and two more were wounded in that ambush. Shortly thereafter the Security Forces which arrived at the scene were in turn attacked by the terrorists shooting from village houses. The fighting which followed thus became inevitable by the aforesaid murderous ambush laid by the Turkish Cypriots.

As to the sweeping and entirely unsubstantiated assertions pertaining to alleged misconduct on the part of the Cyprus Government, it must by now be evident that they do not deserve serious attention. Fabrications of this nature have become all too familiar and indicate the weakness of the position of those who resort to them.

2. Mr. Eralp accuses the Government of Cyprus of an attempt "to flaunt the endeavours of the United Nations to bring peace, security and conciliation to the strife-torn island". The facts show, on the contrary, that military provocations and attacks against unarmed Greek Cypriot civilians, as well as against the United Nations Forces in Cyprus, have been committed or carried out by the Turkish Cypriot terrorists. Thus:

- 13 April 1964 Kyrenia Pass - Turkish Cypriots seized a strategic unoccupied hill and proceeded to fortify it with machine-guns, mortars and bazookas, thereby provoking new fighting. United Nations Canadian patrols and British paratroopers, in separate attempts, called upon them to withdraw from the hill. The Turkish Cypriots refused.
(Dispatch to The New York Times by W. Granger Blair dated 13 April 1964:
Associated Press dispatch dated 14 April 1964)
- 14 April 1964 Turkish terrorists occupying strong points behind the Green Line in Nicosia started firing indiscriminately against unarmed citizens in the Greek shopping quarter of the city and surrounding suburbs -
Casualties: 2 Greek Cypriots killed, 2 wounded, of whom one was a woman.
One of the terrorists' targets was a medical clinic.
(Associated Press dispatch dated 14 April 1964; facts reported in my letter to the President of the Security Council dated 14 April 1964 and circulated in document S/5660)
- 14 April 1964 Turkish rebels in Kyrenia Range resume their attack against the Greek villages of Karmi and Dhikomo.
(Associated Press dispatch dated 15 April 1964)
- 15 April 1964 Canadian United Nations patrol of three armored cars fired upon from Turkish fortified positions in the Kyrenia mountains north of Nicosia.
(Associated Press dispatch dated 15 April 1964)
- 15 April 1964 United Nations headquarters reports Canadian troops shot back after Turkish Cypriots fired on them in Trahonas, a Nicosia suburb.
(Associated Press dispatch dated 15 April 1964)

From the above it can be seen that it is the Turks who are deliberately precluding the return of peace and the normalization of the situation in Cyprus, in disregard of the relevant Security Council resolutions.

3. The Turkish Representative maintains that the Turkish Cypriot Vice-President and the Turkish Cypriot Ministers have been forcibly prevented from participating in the Government. This is untrue. The facts are that they had deliberately placed themselves outside the Government since the start of the rebellion in order to lend support to it and in an effort to disrupt the State.

The legitimacy of the Government of Cyprus, however, could not conceivably be affected by any unlawful boycott by the Turkish Cypriot office holders. The authority of the Government of Cyprus cannot be disputed, either within or without the United Nations.

1. Mr. Eralp further asserts that Mr. Rauf Denktash has been banished or excluded from the territory of the Republic of Cyprus. The position, as officially stated, is that the Government has in its possession sufficient evidence of criminal activities on the part of Mr. Denktash, which would make him liable for prosecution. No question of banishment or exclusion from Cyprus is involved.

5. With regard to the termination of the Treaty of Alliance, the Turkish Representative, at one point in his letter, contends that, because of the provisions of the Cypriot Constitution, the Government of Cyprus can in no case declare the Treaty of Alliance as having been terminated. This contention is illogical and runs counter to the basic concepts of international law and justice. Such an argument implies that Turkey would be entitled persistently to violate the Treaty without being subject to the consequences of violation prescribed by the Law of Nations. Such absurd interpretation would amount to a guarantee of perpetual protection for acts of international illegality. International law emphatically rejects it.

6. The cause for the termination of the Treaty of Alliance by the Government of Cyprus has been the flagrant violation and breach of it in its essence by Turkey through the deployment of the Turkish contingent and its occupation of strategic positions on the main Nicosia-Kyrenia road for the purpose of facilitating Turkish schemes of invading the northern part of the island.

The Turkish Representative is now putting forth the claim that the move of the Turkish contingent referred to above does not constitute a violation of the Treaty of Alliance and its Application Agreement. He implies, in his letter, that the Turkish contingent is currently encamped in a different location which fulfils the requirements of the said Treaty and Agreement. Before entering into an examination of the validity of this latest Turkish claim it would be useful to review, briefly, the series of inconsistencies and contradictions in the official Turkish pronouncements and documents dealing with the excuses which were at different times furnished for the strategic deployment of the Turkish military unit.

It was first said that the arbitrary move of the Turkish contingent was made in order to protect and strengthen the positions held by the Turkish minority. When the invalidity of this excuse became obvious (inasmuch as, under the provisions of the Treaty and the Agreement, the contingent, forming part of a

Tripartite Headquarters, could not legally be used otherwise than by order of the Tripartite Commander endorsed by a unanimous decision of the Committee of Foreign Ministers of Greece, Turkey and Cyprus - article V, paragraph 2 of the Application Agreement), a new justification was devised. This time it was contended that the Turkish contingent had moved by permission of the British Commander, General Young, who by the arrangements of 26 December 1963 had taken over the command of the Greek and Turkish contingents. In this connexion, this is what was said by the Turkish Representative at the Security Council, Ambassador Menemencioglu:

"General Young, Commander of the British-Turkish-Greek Peace-keeping Forces in Cyprus, has given a written statement to the effect that the Turkish units have acted and continue to act entirely under his orders as agreed by the three Guarantor Powers" (S/PV.1095, page 77).

The arrangements of 26 December 1963 and the British command automatically lapsed upon the assumption of the peace-keeping task by the United Nations Forces on 27 March 1964. From that moment the Turkish contingent could no longer have any possible reason or justification for its continued deployment and occupation of a strategic position on an important communications artery. Such occupation clearly and undeniably became a naked and aggressive violation of the territory of Cyprus and of the Treaty of Alliance and its Application Agreement. It was therefore incumbent on the Government of Cyprus to perform an imperative duty by requesting, as it did, on 29 March 1964, that the Government of Turkey withdraw its contingent to its barracks, and thus not hamper the work of the United Nations Peace-Keeping Force.

The Government of Turkey peremptorily refused to comply with this request (in contrast to the response of the Greek Government to an identical request). The excuse invented this time directly contradicts Ambassador Menemencioglu's statement previously referred to. Apparently ignoring what his Ambassador had earlier said, Mr. Inonu, the Turkish Prime Minister, wrote on 31 March 1964 that -

"... The Turkish contingent has not been deployed [emphasis added] in its present position in conformity with the arrangements made on 26 December 1963. The Turkish contingent had already taken its present position for security reasons prior to the above arrangements of 26 December 1963. Therefore, there being no relationship between the arrangements of 26 December 1963, and the present position of the Turkish contingent, the termination of the said arrangement should in no way affect the position of the Turkish contingent.

In the light of these considerations the withdrawal of the Turkish contingent from its present secured position can be taken up only after security and order are completely restored throughout the island."

It is significant to note that, in addition to the inconsistency between Mr. Menemencioglu's and Mr. Inonu's statement as to the grounds for the deployment of the Turkish military unit, the Turkish Prime Minister makes use of the sentence "withdrawal ... from its present secured position", thus admitting by inference that the Turkish contingent currently finds itself in a state of strategic occupation and not mere peaceful encampment.

Mr. Inonu's letter to Archbishop Makarios, dated 6 April 1964, offers another example of Turkish vacillation with regard to the reasons for the aggressive move of the Turkish forces stationed in Cyprus. Conceding that the Turkish contingent is now deployed and not simply garrisoned, Mr. Inonu writes:

"The fact that the Turkish contingent had to deploy [emphasis added] itself out of its camp is the result of the unconstitutional and unlawful acts as well as the assaults that were and are still being perpetrated by the Greek Cypriots against the Turkish community over a period of several months."

The patently unsupportable and untenable nature of the allegations forming part of the preceding quotation has already been dwelled upon and will be further demonstrated hereinafter.

In the letter under reply, the Turkish Representative directly contradicting the express admission as to deployment contained in the letters of Mr. Inonu referred to above, denies that any violation of the Treaty has been committed by professing in effect that the Turkish contingent is not in any sense militarily deployed or in occupation of any strategic point, but has simply changed the location of its barracks. It is further asserted that this change satisfies the requirements of the provisions of the Treaty of Alliance and the Application Agreement.

It will be recalled that the Turkish Representative advances the novel theory that the only requirements that must be met by the Turkish contingent according to the Application Agreement of the Treaty of Alliance are -

- (a) that the contingent be garrisoned within the Nicosia limits, and
- (b) that it be stationed no farther than five miles from its Greek counterpart.

With regard to this claim, it must be observed that the distance and space limitations referred to by the Turkish Representative pertain to the designation of the original site of encampment of the Turkish contingent. Once fixed, this site can in no way be moved or changed without following a procedure requiring the consent of the Government of Cyprus. It is preposterous to maintain that, as long as they are stationed within 5 miles from each other, the two guest contingents can deploy themselves or even change the location of their camp arbitrarily anywhere within the Nicosia area.

Be that as it may, the actual present location of the Turkish contingent, contrary to what the Turkish Representative maintains in his letter, falls outside the Nicosia town area in violation of article VI, paragraph 2 (b), of the Application Agreement. Specifically, the present unauthorized deployment of the Turkish contingent extends over an area of 2 miles between Ortakioyu and Mintzelli, on both sides of the Kyrenia road. This space is not part of the Nicosia town area.

As to the implication that the Turkish contingent is "garrisoned" at its present position, it is undeniable that the functions which the said contingent has assigned to itself differ radically from the kind of peaceful encampment envisaged by the Treaty of Alliance and the Application Agreement thereof.

Currently, the Turkish contingent is not routinely encamped. It is fortified and battle-ready. The area, which the Turkish unit has taken over without authorization and in violation of the (now defunct) Treaty of Alliance and the Application Agreement, is covered with trenches and has been rendered a centre of aggression by the setting up of 18 firing posts at the perimeter. In short, the Turkish force is conducting itself like an army of occupation, is manning fortifications and occupying battle stations, and is holding and controlling the vital Nicosia-Kyrenia road. It thus constitutes a hindrance to the pacification of the island and is violating in a conspicuous and intolerable fashion the very territorial integrity of the Republic which it is supposed to defend. Its conduct is not that of an ally and guest of the Government of Cyprus but that of an army of invaders.

7. Mr. Eralp's reference to the earlier opinion of the United Nations Mediator that the Treaty of Alliance is valid, is misleading. Mr. Tuomioja had ventured this thought prior to his assumption of his duties in Cyprus and prior

to the violation of the Treaty through the refusal of the Turkish contingent to comply with the request of the Government of Cyprus that it return to its barracks. It was this refusal which caused the Government of Cyprus to exercise its right to declare the Treaty of Alliance terminated vis-à-vis Turkey, the defaulting party.

8. Very little need be said about the question of self-determination, a matter with which the Turkish Representative deals in his letter. This principle is inherent and implicit in the concept and exercise of unfettered and unrestricted sovereignty and independence. The right of self-determination, which is the cornerstone of the United Nations Charter (Article I, Section 2), is based on the democratic and universally accepted principle of majority rule. When the minority is able to frustrate the legitimate will and aspirations of the majority in determining and shaping the form of its Government (as is the case with the existing Constitution of Cyprus) then the right of self-determination is negated. Such state of affairs must be rectified. The people of Cyprus are entitled to the full exercise of their democratic rights. These rights are inalienable and undeniable.

9. My Government wished to go on record as having absolute confidence in the value of the contribution of the United Nations to the effort to solve the problem of Cyprus. The President of the Republic, Archbishop Makarios, has more than once promised and actively given full co-operation and support to the officials and forces of the United Nations.

The President's determination to do his utmost to facilitate the task of the United Nations and to re-establish peace and normal conditions is evidenced by his offer, made on behalf of the Government of Cyprus, to

take all appropriate steps to normalize the situation by the removal, under United Nations supervision of all fortifications made necessary by the Turkish Cypriot terrorism and rebellion, on condition that the Turkish Cypriots do the same;

grant general amnesty, thus allaying the fears of being prosecuted, which are now felt by many Turkish Cypriot rebels who are guilty of violations of the law;

help in the resettlement in their villages of all those who, having been forcibly uprooted, wish to return to their homes, and to give them every protection for their lives and property, thus contributing to the restoration of normal conditions, in accordance with the pertinent Security Council resolution.

The complete text of a statement of Archbishop Makarios incorporating the above offer is contained in my letter dated 24 April 1964 to the President of the Security Council (document S/5667).

It is regrettable and indicative of Turkish Cypriot intentions that the extremist Turkish Cypriot leadership rejected outright this sincere and conciliatory initiative of the President of the Republic, describing it as "propaganda".

10. In conclusion, it should be pointed out that the Government of Turkey is indeed illcast in the role of an aggrieved party contemplating recourse to the United Nations Security Council, in connexion with the problem of Cyprus, as Mr. Eralp intimates in his letter. It is well known that Ankara fought a resolute battle to prevent the Organization from discussing the issue of Cyprus for fear that the Turkish aggressive designs would be exposed, as they ultimately were. It was the Government of Cyprus which placed its faith in the United Nations Security Council from the very beginning and worked against overwhelming odds and formidable opposition to bring the matter under the control of the Security Council and within the sphere of its responsibilities.

Now that the United Nations has become active and has assumed peace-keeping duties in Cyprus, Turkey, having by necessity abandoned its objections to the Organization's involvement, has instead embarked upon a course of deliberately misconstruing the pertinent Security Council resolutions and of encouraging its agents in Cyprus to place the United Nations peace-keeping mission in the island in serious jeopardy.

Consequently, Turkey cannot appear before the United Nations Security Council in any capacity other than that of the accused.

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Your Excellency is kindly requested to have this letter circulated to all Members of the United Nations.

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

Zenon Rossides
Ambassador of Cyprus to the
United Nations

