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塞浦路斯问题

# 2021 年 12 月 13 日土耳其常驻联合国代表给秘书长的信

谨随信转递 2021 年 12 月 10 日北塞浦路斯土耳其共和国代表穆罕默德·达纳给你的信(见附件)。*

请将本信及其附件作为大会议程项目 8 和 44 的文件分发为荷。

常驻代表

费里敦·瑟纳尔勒奥卢(签名)

* 仅以来件所用语文分发。

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## 2021 年 12 月 13 日土耳其常驻联合国代表给秘书长的信的附件

At the outset, I would like to congratulate you on your re-election for a second term as the Secretary-General of the United Nations and Abdullah Shahid on his election as the President of the General Assembly at its seventy-sixth session. Availing myself of this opportunity, allow me once again to underline our steadfast support for and commitment to the guiding principles of the Charter of the United Nations, inter alia, the peaceful settlement of disputes, adherence to international law and respect for human rights.

Today, humanity is facing difficult challenges, such as climate change, which requires immediate collective action and firm commitment by the international community in its entirety. We have to make sure that we leave a habitable planet for the next generations. The United Nations is the best-suited international organization, which can and should play a leading role in the fight against climate change. Accordingly, while the decisions that were taken at the recent Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Glasgow, United Kingdom of Great Britain and Northern Ireland, create optimism that the efforts towards limiting global warming to below 1.5 degrees Celsius (2.7 degrees Fahrenheit) are gathering pace with a sense of urgency, we still have a long way to go before we can save the planet from the scourge of climate change.

As a result of the challenges posed by the continuation of the effects of the coronavirus disease (COVID-19) pandemic and the dire humanitarian conditions that befall people living in conflict areas, as well as migrants who have been left with no option but to leave their home countries, those in need look more than ever to United Nations to alleviate their sufferings. It is thus our collective responsibility to assist the efforts aimed at enhancing the capacity and the capability of the Organization in addressing our common problems, which otherwise cannot be resolved through isolated and uncoordinated initiatives. In the fight against COVID-19, it is imperative that vaccines are distributed more fairly throughout the world, bearing in mind that there can be no discrepancy between rich and poor countries in having adequate access to vaccines for their populations and that COVID-19 cannot be defeated until high levels of vaccination are achieved in each and every country. As for tackling the issue of irregular migration, one should not lose sight of the fact that this is, first and foremost, a humanitarian issue and should be dealt with accordingly. A little bit of empathy can go a long way in understanding the suffering of these people, including the elderly, women and children, who should not be sacrificed in the name of regional or global power politics.

Despite its shortcomings, the United Nations remains a unique platform where differences can be resolved and compromises can be achieved through dialogue and diplomacy. For a more effective United Nations system, the Organization should strive to be more inclusive and fair towards all peoples of the world, regardless of their internationally accepted status, cognizant of the fact that such decisions regarding status are generally devoid of any moral or ethical ground, but are only a reflection of subjective political considerations of other actors in line with their perceived self-interest.

In this regard, it is regrettable that the Turkish Cypriot people are still being denied their rightful representation and participation in international forums, including the relevant organs of the United Nations, effectively preventing Turkish Cypriot people, as one of the equal co-owners of the island of Cyprus, from being heard. As a consequence, in the absence of the Turkish Cypriot people, the Greek Cypriot representatives have been able to abuse their participation in international platforms to blatantly distort historical and legal facts about Cyprus. Most recently,

on 24 September 2021, the Greek Cypriot leader, Nicos Anastasiades, during the general debate on the occasion of the opening of the seventy-sixth session of the General Assembly, delivered yet another speech fabricating legal and historical facts about Cyprus, which has compelled us to respond and set the record straight.

The truth of the matter is that the Cyprus problem commenced in 1963 when the Greek Cypriot partner of the 1960 Republic of Cyprus, established under international treaties, tried to impose its political will on Turkish Cypriot people by force of arms and converted the binational Republic into a purely Greek Cypriot entity. This deep-rooted Greek Cypriot policy in Cyprus was also confessed by the then-Greek Cypriot leader, Glafcos Clerides, in volume 3, page 105, of his memoir, entitled Cyprus: My Deposition, in the following words: "the Greek Cypriot preoccupation was that Cyprus should be a Greek Cypriot state, with a protected Turkish Cypriot minority".

As a matter of fact, Turkey intervened on the island in accordance with her rights and obligations under the 1960 Treaty of Guarantee following the Greek/Greek Cypriot coup d'état in 1974, which aimed at annexing the island to Greece (Enosis). It is worth remembering in this regard that the coup itself was described by the then-Greek Cypriot leader, Archbishop Makarios, in his speech before the Security Council on 19 July 1974 as "an invasion" by Greece. Hence, the legitimate and justified Turkish intervention was carried out against the backdrop of an 11-year-long systematic campaign of oppression directed against the Turkish Cypriot people. Clearly, in view of the foregoing, the attempted portrayal of the Cyprus issue as one of "invasion" and "occupation" by Turkey is not corroborated by historical facts. It is also crucial to note in this regard that none of the Security Council resolutions on Cyprus describes the legitimate and justified Turkish intervention of 1974 as an "invasion" or its subsequent presence on the island as an "occupation".

Indeed, this futile effort is aimed at diverting attention from the fact that the Greek Cypriot side is responsible for the creation, as well as the continuation, of the Cyprus problem. It is undeniable that all the settlement efforts undertaken since 1968 have failed owing to the intransigence and maximalist policies of the Greek Cypriot leadership. These facts are well recorded in the annals of the United Nations, as well as the collective memory of the international community. It was the Greek Cypriot side that rejected the 1985–1986 Draft Framework Agreement, the United Nations-sponsored Set of Ideas of 1992, the package of Confidence-Building Measures of 1994 and, perhaps most importantly, the Comprehensive Settlement of the Cyprus Problem (the Annan Plan) in April 2004 after the call made by the then-Greek Cypriot leader for a "resounding no" to the United Nations Settlement Plan. Most recently, it was once again owing to the refusal of the Greek Cypriot side to share power and wealth with the Turkish Cypriot side that the Conference on Cyprus collapsed in 2017 in Crans Montana, Switzerland.

Regarding the efforts to find a freely negotiated and mutually acceptable settlement in Cyprus, the Greek Cypriot leader is, yet again, attempting to disinform the international community and conceal the fact that more than 50 years of negotiations carried out on a federal settlement framework have decisively failed because of the categorical rejection of the Greek Cypriot side to share power and prosperity with the Turkish Cypriot side. The Greek Cypriot insistence to pay lip service to such a settlement is solely aimed at keeping the Turkish Cypriot side trapped in an endless negotiating process while it continues to reap the benefits of the "unacceptable" and "unsustainable" status quo. The Greek Cypriot side should no longer be allowed to consume the resources as well as the time of the international community to further its own anachronistic political agenda. It is unfortunate that, instead of acting in line with your call that "this time must be different", the Greek Cypriot leadership insisted on the said "tried and failed" framework during the

informal 5+1 meeting held in Geneva from 27 to 29 April 2021, preventing a meaningful discussion on a new and realistic basis that could finally yield a positive outcome. The Turkish Cypriot side, on the other hand, tabled a new and a creative proposal on 28 April 2021, envisaging the establishment of a cooperative relationship between the two States on the basis of their inherent sovereign equality and equal international status.

It is, alas, an undeniable fact that, despite the best and sustained efforts for peaceful settlement of disputes, recent international developments point to a significant increase in armed hostilities. The power and identity politics and "zero-sum" approach of many international actors still dominate international relations. In the light of this indisputable truth of the twenty-first century global order, the Guarantee system established in the 1959 London and Zurich agreements is more relevant and necessary than ever, considering the geostrategic location of Cyprus and the competing interest of different actors in our region. In fact, even at a time when the two sides in Cyprus and the entire international community are still trying to cope with the unprecedented challenges posed by the COVID-19 pandemic, the increasing hostile acts of the Greek Cypriot administration, including its ongoing massive armament programme and military constructions along the buffer zone, is yet another indication that the Greek Cypriot side opts for unilateralism rather than cooperation, confrontation rather than diplomacy, and domination rather than peaceful coexistence. Such choices of the Greek Cypriot leadership naturally do not instil confidence in the Turkish Cypriot people that the Greek Cypriot administration is finally ready and willing for reconciliation and building a future together with the Turkish Cypriot side. Similarly, the Greek Cypriot open and persistent hostility towards a deterrent Guarantee system raises serious questions as to the real intentions of the Greek Cypriot leadership within the context of a comprehensive settlement. The question that needs to be answered in this regard is: what would have been the fate of the Turkish Cypriot people at the hands of the Junta regime if Turkey had not intervened in 1974 in line with the Treaty of Guarantee? The answer is clear, but horrifying. The Turkish Cypriot people would have been totally annihilated so that the union with Greece could have been realized. In short, in view of the past experiences and current realities, the Guarantee system is as indispensable as ever for the very existence of the Turkish Cypriot people.

The Greek Cypriot policy of confrontation, unilateralism and domination also manifests itself vis-à-vis the issue of the hydrocarbon resources in and around Cyprus. Instead of choosing the path of diplomacy and cooperation, the Greek Cypriot insistence to disregard the inherent and inalienable rights of the Turkish Cypriot people on these resources and to take unilateral steps around the island is inevitably escalating tensions in the Eastern Mediterranean region. While on the one hand the Greek Cypriot side renders unsuccessful any attempt aimed at reaching negotiated settlement to the Cyprus issue, it also continues to reject even the notion of cooperation on the issue of hydrocarbons, as well as on other areas where cooperation is not just a choice but a must.

The Turkish Cypriot side has always maintained the view that cooperation, dialogue and diplomacy regarding these resources is the only way to de-escalate the tension in and around the island. No doubt, cooperation between the two sides on a variety of issues, including the hydrocarbon resources, would also contribute to building trust and interdependence between them, thus serving as a catalyst to bring about a negotiated agreement in Cyprus. It was in this spirit that the Turkish Cypriot side tabled an updated and expanded proposal on the issue of hydrocarbons around the island in July 2019, which remains on the table. Unfortunately, the Greek Cypriot administration to this day refuses the peaceful path of dialogue and cooperating with

the Turkish Cypriot side regarding all aspects of exploration and exploitation of the natural gas around the island.

In the face of the persistent unilateral acts of the Greek Cypriot side, the Turkish Cypriot side is left with no option but to take equivalent and reciprocal steps to protect the inherent and inalienable rights of the Turkish Cypriot people over the hydrocarbon resources around the island. The Turkish Cypriot side also supports the proposal reiterated by the President of the Republic of Turkey, Recep Tayyip Erdoğan, during his speech delivered on the occasion of the opening of the seventy-sixth session of the General Assembly, for the organization of an "Eastern Mediterranean Conference", in which all actors in the region, including the Turkish Cypriot side, will take part for dialogue and cooperation.

As for the false accusations regarding the fenced-off area of Maraş (Varosha) in the said statement, I wish to underline, once again, that the fenced-off area of Maraş is part of the territory of the Turkish Republic of Northern Cyprus (TRNC), where our Government has sole jurisdiction and authority. In this regard, decisions taken are in line with international law and our steps in the fenced-off area of Maraş, which has become the symbol of the status quo on the island, constitute a positive development that should be supported by the international community. It should be noted that, while taking gradual steps to open the area, the TRNC Government, on every occasion, has made it public that it would fully respect and protect property rights. As a first step, our Government has set up an inventory committee tasked with assessing the condition of immovable properties and infrastructure as well as any potential environmental risks. In October 2020, the TRNC Government rendered another decision to open certain public areas, i.e. two main streets and the beach, for public visits to visitors of all nationalities. In July 2021, the TRNC Council of Ministers lifted the military zone status of a pilot area, which corresponds to 3.4 per cent of the fenced-off area of Maraş, with a view to enabling the Immovable Property Commission to process applications regarding the properties located in that area. It is important to remember that the Commission was established in 2005, in line with the rulings of the European Court of Human Rights, and is recognized as an effective domestic remedy for the settlement of the property claims in the form of restitution, compensation and/or exchange.

Those who oppose the opening of the fenced-off area of Maraş are in fact preventing the applicants from obtaining remedies to their claims. We consider this process as a constructive measure that respects the rights of the former inhabitants of the area in line with the relevant Security Council resolutions. We see this as a humanitarian act that will provide economic benefits to both the Greek Cypriot and the Turkish Cypriot peoples and create a unique area where the Turkish Cypriot and the Greek Cypriot peoples, as well as other foreign nationals, can work together for mutual benefit, thus contributing to the building of trust and confidence.

In his speech, the Greek Cypriot leader also conveniently ignores the gravest human rights violation on the island, namely, the unjust and inhuman isolation imposed on the Turkish Cypriot people at the instigation of the Greek Cypriot administration. This all-encompassing isolation ranges from denying the Turkish Cypriot people the right to representation in the international arena, including in cultural, academic and sporting events, to preventing and restricting their travel abroad and their communication with the outside world, to curtailing trade relations with other countries. I would like to take this opportunity to emphasize that the unjust isolation imposed on the Turkish Cypriot people is the most important element poisoning the relations between the two sides and their peoples, thus undermining the prospects of a negotiated settlement on the island.

With regard to the statements made in relation to the issue of missing persons, I would like to reiterate that the Turkish Cypriot side is doing its utmost on this humanitarian issue, which affects both Turkish Cypriot and Greek Cypriot peoples alike, and contributing to the work of the Committee on Missing Persons so that the Committee can successfully deliver on its mandate. Despite the humanitarian stance of the Turkish Cypriot side, the sole aim of the Greek Cypriot side, unfortunately, is to politicize this humanitarian issue for political propaganda purposes before international platforms, including the United Nations, rather than to engage positively in the work of the Committee.

With a view to supporting the work of the Committee on Missing Persons, the Turkish Cypriot side established an Archive Committee in 2016 composed of military authorities, police authorities, experts from the Ministry of Health and National Archives, as well as other relevant units of the Government, to examine the relevant archives for the information requested by the Committee on Missing Persons regarding the location of missing persons. In this connection, access was given to the Turkish Cypriot Member's Office to check aerial photographs dating from 1974. The Turkish Cypriot side has also established an investigation unit under the TRNC Presidency to examine all relevant archives in order to gather information requested by the Committee regarding the potential locations of missing persons, as well as the Missing Persons Unit, which conducts criminal investigations into the cases of the identified Greek Cypriot missing persons under the supervision of the constitutionally independent TRNC Attorney-General's Office. Furthermore, upon finding evidence on potential burial places, the Turkish Cypriot side accommodates the access of the Committee to any area throughout the TRNC, be it by interrupting the construction of a major road or by granting access to those military areas when requested by the Committee according to its work plan. In this regard, in April 2021, access to five additional suspected burial sites in military areas in North Cyprus was granted, where excavations were done according to the excavation planning of the Committee. It should be also noted that both the TRNC and Turkey continue to support the Committee on Missing Persons financially.

Busy with spreading disinformation about the Turkish Cypriot side and Turkey, the Greek Cypriot side has yet to give any response to the call by the Committee on Missing Persons to search its military or police reports, logbooks, medical reports or any other document that may include information about potential burial sites or remains belonging to missing persons. None of the criminal investigations conducted into the deaths of Turkish Cypriot missing persons resulted in the identification of the perpetrators or the prosecution of those identified. Moreover, to this day, the Greek Cypriot side has failed to reciprocate in terms of facilitating access to all military areas, as well as the archives of the Greek Cypriot police, which was involved at first hand in the mass atrocities against Turkish Cypriot people, particularly during the period 1963–1964.

With regard to the allegations in relation to cultural and religious heritage in the TRNC, I would like to emphasize that the Turkish Cypriot side, despite its meagre resources, protects and preserves the cultural and religious heritage of Cyprus, emanating from the diverse and rich cultures and civilizations that have populated the island throughout history. In addition to its own efforts for the protection and preservation of cultural and religious heritage in its territory, irrespective of its origin, the Turkish Cypriot side has also been actively engaging in and contributing to the work of the Technical Committee on Cultural Heritage, which stands as an outstanding example of what the two sides may accomplish through cooperation for the good of the two peoples.

On the other hand, the Greek and the Greek Cypriot representatives conveniently turn a blind eye to the dire condition of Turkish-Islamic cultural heritage in South Cyprus. The Greek Cypriot administration, since 1963, has been pursuing a policy of eradicating all traces of the Turkish-Islamic heritage of Cyprus. During the period from 1963 to 1974, mosques, shrines and other holy sites in Turkish villages all around the island were destroyed by the Greek Cypriot side. Field studies conducted by our experts and the information gathered from Turkish Cypriot people visiting South Cyprus have indicated that there are more than 130 mosques in South Cyprus, a significant number of which are in extremely poor condition. Furthermore, all the movable cultural objects from these monuments, namely, hundreds of manuscript Holy Qur'ans, prayer rugs, Holy Qur'an reading desks and pieces of Islamic iconography, have been destroyed or looted.

Unfortunately, the Greek Cypriot leader in his speech aims to exploit the Greek Cypriots and Maronites living in the TRNC for political propaganda purposes by referring to them as the "enclaved". The Greek Cypriots and Maronites living in our country themselves deny the claim that they are "enclaved", as was voiced in an interview conducted with the Greek Cypriot residents in Karpaz. As reported in the newspaper Politis on 10 October 2017, when a reporter mentioned that the purpose of his visit was to see the "enclaved people" in the region, the interviewee replied "Enclaved? We are not enclaved!" Furthermore, the Greek Cypriots and Maronites who have chosen to reside in our territory in accordance with the 1975 Voluntary Exchange of Populations Agreement enjoy all rights and freedoms granted to TRNC citizens, including freedom of movement, religion, expression, education, etc. I also wish to underline that the term "enclaved" was first coined by the then-Secretary-General, U Thant, to describe the plight of the Turkish Cypriot people between 1963 and 1974, who had been forced by the Greek Cypriots to live in small pockets scattered around the island, comprising a mere 3 per cent of the territory of Cyprus.

The allegation regarding Turkey altering the "demographic character" of the island is also unfounded and is yet another product of the Greek Cypriot side's ongoing disinformation and defamation campaign. The procedure through which citizenship is acquired in the TRNC is on a par with the standards widely applied throughout the world. In this regard, it should be noted that the Greek Cypriot administration has allowed the settlement of thousands of non-Greek Cypriots in Southern Cyprus, including from Greece, in accordance with its own domestic legislation. It should also be underlined that the Greek Cypriot administration was also subjected to thorough scrutiny by the European Union for its "investor citizenship scheme" that was put in place in 2013, under which a minimum €2 million ($2.2 million) investment could buy a passport and visa-free travel throughout the European Union. The scheme in question, granting "golden passports", has been exploited as a way of money-laundering through offshore companies and by providing a safe haven to fugitives within the European Union. In fact, it was revealed by an esteemed media outlet that prominent Greek Cypriot politicians, who later had to resign, were also involved in aiding and abetting convicted criminals in obtaining European Union passports through the said scheme. Subsequently, the European Commission issued a statement on 13 October 2020 stating that the Commission "watched in disbelief how high-level officials were trading European citizenship for financial gains. President [Ursula] von der Leyen was clear when saying that European values are not for sale. The Commission is currently looking into compliance with European Union law of the Cypriot scheme in view of possible infringement proceedings".

With regard to confidence-building measures, I would like to reiterate that we are ready to work with the Greek Cypriot side on all such measures that aim to enhance the daily lives of all Turkish Cypriot and Greek Cypriot peoples alike, as

long as they respect the equality of the two sides, are mutually beneficial and mutually agreed to and not involve or imply the extension of one side's authority over the other.

In view of the above, we call on the Greek Cypriot leadership to discontinue disseminating false information regarding the legal and historical facts of the island and instead focus on settlement efforts by paving the way for the establishment of a cooperative relationship between the two States in Cyprus on the basis of their inherent sovereign equality and equal international status, as outlined in our creative and constructive proposal dated 28 April 2021, tabled during the informal 5+1 meeting held in Geneva.

I would be grateful if the present letter could be circulated as a document of the General Assembly, under agenda items 8 and 44.

(*Signed*) Mehmet **Dânâ**
Representative
Turkish Republic of Northern Cyprus