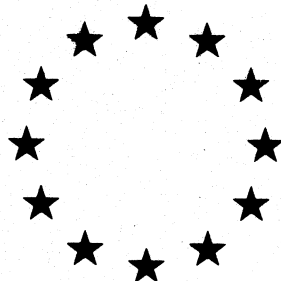


COUNCIL
OF EUROPE



CONSEIL
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Committee of Ministers
Comité des Ministres

Strasbourg, 10 January 1991

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Addendum
Item 8

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CONCLUSIONS OF THE 445TH MEETING
OF THE MINISTERS' DEPUTIES

(held in Strasbourg from 15 to 18 October 1990)

ADDENDUM

8.

SITUATION IN CYPRUS
(Concl(90)443/12)

The Representative of Cyprus made the following statement:

"You may recall, Mr. Chairman and distinguished colleagues, that the Committee had the opportunity to be briefed on certain aspects of the "Situation in Cyprus", the agenda item before us now, by way of the views exchanged on the matter, in the course of last month's Committee meetings. Since then, while, on one hand, the well-known deadlock still persists, on the other, certain developments and trends have evolved, which, I feel, should be brought to the Committee's attention. To this effect, Mr. Chairman, I should, very briefly, stress the following:

- Firstly, in a momentum seeking move, there appears to be emerging a renewed effort of the U.N. Secretary-General, in pursuance of his good office Security Council mandate, with a view to eliminating the obstacles blocking the negotiating process, namely the Turkish claim to separate "right of self-determination" and "the idea of two peoples" in Cyprus, which had led the talks to the present impasse. The objective is, as we see it, to achieve a genuinely meaningful and result-oriented dialogue. The Secretary-General is expected to report to the Security Council on the outcome of his renewed efforts by the end of this month.

- Secondly, on the negative side of events, there remains, still unabated, the Turkish intransigence, as it is shown not only by active pursuance of international recognition for the bogus state, but also by a new series of further partitionist - not to say annexationist - activities being pursued. Most alarming among these illegalities are: the renewed threats for the colonisation of the deserted new Famagusta city, the purported abolition of Passport and Customs' control between the occupying Power and the occupied part of the Republic of Cyprus, the contemplated issue of separate Turkish Cypriot currency, the ever increasing flow and settlement of Anatolian Turks in the occupied territories, and last, but not least, the accelerated destruction, as of late, of centuries' old archaeological monuments of religious and cultural heritage of Cyprus.

- Thirdly, in the face of these overt or covert unacceptable faits accomplis - some of which have been contrived during the illegal visit of the Prime Minister of the occupying Power to the legally invalid secessionist entity, while Cyprus was marking its thirtieth anniversary of Independence - one wonders, Mr. Chairman, and distinguished Representatives, as to what the Turkish side think should be left to be determined at the negotiating table. Endorsement, perhaps, of Partition! Instead of reunification of the Country and its People? Well, Mr. Chairman, it is high time, we sense, that the World should see aggression in Cyprus the way it sees aggression in Kuwait.

- Fourthly, as to opening prospects, whereas no clear idea or high expectations could emerge under the adverse impact of the aforesaid inflexible policies and negative trends, the Cyprus Government had pledged its full support to the Secretary-General's new drive, as, indeed, it had done so in the past. It will continue, therefore, to sustain, in the exploratory consultations to come on the relevant soundings, the same firm political responsibility, good faith and good will, consistent with the objective of securing a genuinely meaningful and result-oriented dialogue. It is I feel pertinent, finally, to quote, in this respect, President Vassiliou himself, who had this to say, very recently, from the General Assembly rostrum:

Despite the many difficulties, we are resolute in our determination to move out of the impasse. Particularly, in today's climate which favours implementation of UN Resolutions and the overcoming of divisions, Cyprus cannot be the only exception ... Let me state in no uncertain terms that we shall continue to afford the Secretary-General our full support and co-operation in his efforts to achieve breakthrough, by way of result-oriented negotiations. Cyprus must not be left to suffer any longer from the catastrophic consequences of the maxim "might means right".

The Representative of Turkey, referring to the developments in the situation in Cyprus as described by the Representative of Cyprus, said that some of these developments had been mentioned previously, and that he considered that the way in which they had been described was part of a disinformation campaign. His delegation was used to hearing Cypriot propaganda in the international arena. The Cypriot delegation's objective was not to find a political solution but to make propaganda in order to influence public opinion. The Representative of Cyprus had referred to the mission of the Secretary General of the United Nations. It was common knowledge that a solution to the Cyprus problem was being sought through his good offices. What was being sought, in particular, was a federal solution, and this meant that the communities in Cyprus should be on a politically equal footing. In order to reach a solution, the parties had therefore first to agree that the two communities were politically equal. Otherwise there were no grounds for referring to the efforts made by the Secretary General of the United Nations and no point in doing so. There were two communities in Cyprus which had been recognised under a system approved as far back as 1960, whereby independence and sovereignty had been given simultaneously to the two communities. The communities were governed separately. In his opinion, the Cypriot Government was in fact "merely a Greek administration" protecting the interests of the Greek Cypriots. The Government was therefore not empowered under public international law to act on behalf of the Republic of Cyprus. It was the "Turkish Republic of Northern Cyprus" which acted on behalf of the Turkish Cypriots. He reiterated that if a political solution was to be found, the Greek Cypriots needed to proceed on the basis of political equality between the two communities. In over two years at the Council of Europe, he had never heard the Greek Cypriots put forward a constructive approach. All one heard was a monologue criticising the Turkish Cypriots and the Turks. He wondered whether the Greek Cypriots would be prepared to invite the Turkish Cypriots to the Council of Europe to exchange views on all the issues the latter

CM/Del/Concl(90)445
Item 8
Addendum

- 4 -

wished to raise. The situation in Cyprus in recent months gave no cause for optimism. As for the version of events given by the Representative of Cyprus, he underlined that the latter's administration was spending a million dollars a day on rearmament, a total of 365 million dollars a year. One wondered how long this was going to go on, and against whom it was intended.

He reiterated that it had to be recognised that the two communities in Cyprus were politically equal. In March Mr Triantafyllides had said that the National Council had never taken a decision acknowledging the political equality of the two communities. According to Greek Cypriot sources, a decision which did not recognise such equality had been taken in 1988 and made public in 1989. In place of the exchanges of views at the Council of Europe, which were becoming routine and pointless, he invited the Greek Cypriots to agree to allow the Turkish Cypriots to come to the Council to put their case. Referring to the comments by the Representative of Cyprus on the cultural heritage and on the Turks who had settled in the Northern part of the island, he drew attention to the newspaper reports of a Greek Cypriot who had stolen works of art. There had also been a visit to Athens by the Cypriot Minister of the Interior for the purpose of arranging for Greeks who were already in Cyprus to be given Cypriot nationality. He reserved the right to comment further on these matters.

The Representative of Cyprus repeated that what he had just described was the actual situation in Cyprus. He left it to the Committee of Ministers to judge the Turkish delegation's allegations that the Government of the Republic of Cyprus was making propaganda. He also reiterated that his Government was determined to co-operate fully with the Secretary General of the United Nations. Equality between the two communities in Cyprus would be recognised in the framework of a federal constitution when such a constitution was adopted. The two communities would then have the same status within a federal structure. On the other hand, it was not possible to demand political equality between the Government of the Republic of Cyprus and a secessionist body that had been declared null and void by the Security Council of the United Nations. Moreover, as Greek Cypriots accounted for 82% of the population of Cyprus and Turkish Cypriots 18%, there was, in any event, an arithmetical inequality. Consequently, in his opinion, no country would be prepared to interpret democratic principles in the way suggested by the Representative of Turkey. As for the assertion by the Representative of Turkey that there were two peoples in Cyprus, there were not, as he had said at a previous meetings, two peoples in Cyprus. He added that, the international community did not recognise the existence of two peoples in Cyprus. There was a State belonging to the international community and recognised by it: the Republic of Cyprus. The Cypriot people was composed of two communities, as was recognised in the London Agreement. What the Turkish side wanted to have recognised, however, was the existence of two separate peoples with a separate right to self-determination. It was this attitude that had caused the negotiations under the aegis of the United Nations to fail. That was why the Secretary General of the United Nations had decided to go to the Security Council, and that was also why Security Council Resolution 649 (1990) mentioned the basis for a federal solution, excluding union in whole or in part with any other country and any form of partition or secession. What the Turkish side wanted was

partition. This would never be accepted. As for the allegation by the Representative of Turkey that the delegation of Cyprus was indulging in a monologue, he underlined that everyone had been able to hear the views of the Turkish Cypriots, since they were those expressed by Turkey. He added that the illegal regime in the north of Cyprus was acting on instructions from Turkey. As for the allegation by the Representative of Turkey that the Republic of Cyprus was rearming, he wondered whether one could seriously say that Cyprus, with light arms, could do much against an army comprising half a million men. He added that such an allegation was, in his opinion, a joke. All the Government of Cyprus was doing was to defend the free territory of Cyprus from the Turkish threat and the illegal expansionist regime in the northern part of the island. It was Cyprus' right as a sovereign State to defend itself. Lastly, he added that he did not know the Cypriot Minister of the Interior had gone to Athens to arrange for Greeks to be given Cypriot citizenship. In any case, every country had its own nationality laws. People in Cyprus who fulfilled the conditions laid down by law, in particular the residence conditions, could obtain Cypriot citizenship. The award of Cypriot citizenship was based on the law.

He recalled that the Turkish Prime Minister had visited Cyprus on 1 October, when Cyprus had been celebrating the anniversary of its independence. On that occasion he had signed a so-called declaration with the secessionist regime. The declaration reiterated, inter alia, Turkey's claim to pursue its intervention in Cyprus. This was a permanent claim on Turkey's part, allegedly based on the guarantee treaty.

He referred to Articles 2 (4) and 103 of the United Nations Charter, which read as follows:

"Article 2 (4). All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations."

"Article 103. In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreements, their obligations under the present Charter shall prevail."

It could not, therefore, be concluded that under public international law a country could interfere in the affairs of another country on grounds other than those indicated under the provisions of the United Nations Charter.

The Representative of Turkey said he was shocked to hear that, because they represented 18% of the population in Cyprus, Turkish Cypriots were not entitled to demand equality. In his opinion, this was the whole issue: were Turkish Cypriots and Greeks Cypriots equal in Cyprus? The fact that Turkish Cypriots represented 18% of the population did not mean that they could be treated as second-class citizens. This was contrary to any legal system and also to international practice. He could not understand that such a mentality could persist, and considered that it had, for years, been at the root of the problem. Turkey was not seeking partition in Cyprus. Turkey was in favour of the establishment of a federation, bi-communal as regards the constitutional aspects and bi-zonal as regards the territorial aspects. Yet the Greek side had wanted to annex the whole of Cyprus in 1974. He rejected the allegation that his delegation was speaking on behalf of the Turkish Cypriots. This was not the case, and the debate between the island's two leaders was continuing. As for rearmament, he underlined that he had not said it was directed against a particular community or country: he had simply said that the rearmament taking place was substantial, and that the Turkish Cypriots had every reason to be afraid since they had nearly been exterminated by the Greek Cypriots between 1960 and 1963. As for the joint declaration to which the Representative of Cyprus had referred, he wished to underline that the Turkish Prime Minister was entitled to go wherever he pleased whenever he wanted. It so happened that he had been in the north of Cyprus on 1 October 1990. Furthermore, treaty law could not be overlooked. The Treaty on security in Cyprus entitled the four Parties to the Treaty to defend the security of the people. It was therefore not just Turkey but the three other Parties that possessed this right. Lastly, as regards the presence of the Cypriot Minister of the Interior in Athens he wished to underline that he had read this information in the Greek Cypriot newspaper "Fileleftheros".

The Representative of Cyprus said that his country was obliged to rearm since there were 35,000 Turkish soldiers in Cyprus who were ready to force a passage to the free zones of the Republic of Cyprus. As for the alleged extermination in 1963, it was not the Greek side who had sparked off the fight between the communities, but the Turkish Cypriots, who had done so on orders from Ankara in order to bring about a partition.

The Representative of Greece said he had nothing to add to the excellent description by the Representative of Cyprus of the misfortunes of the island - the State - of Cyprus. He noted that at the very time when reconciliation in Europe was being celebrated and when the world was hoping for a lasting peace and the establishment everywhere of genuine democracy, Cyprus was weighted down with misfortunes. The Security Council of the United Nations had been quick to tackle the serious crisis in the Gulf and other crises in that part of the world. All the States and peoples had fully supported both the moral and military aspects of the Security Council's decision. In the case of Cyprus, where the problem was similar to that of the Gulf, the Security Council and the General Assembly of the United Nations had adopted Resolutions to settle this important problem that had arisen

in a very sensitive part of the Mediterranean. Virtually everyone had welcomed these Resolutions with joy, but they had had no chance of succeeding. They had remained a dead letter because of the stand taken by Turkey. He added that it was the policy of force that prevailed in Turkey and the wretched island of Cyprus, a member State of the Council of Europe, was partly occupied by the army of another Council of Europe member State. It was time people woke up to this fact, became fully aware of it and showed a more tangible interest in the problems. The Secretary General of the United Nations had recently embarked on another initiative in the hope of providing his support for an understanding. His delegation hoped with all its heart that this initiative would succeed, but past experience was not very encouraging. The time had come, however, to forget past experience and see how this island, this State, could be helped to enjoy, again, all that nature and its inhabitants had offered it. Referring to the allegation that Greece had wanted to annex Cyprus, he recalled that this was an argument that had been used from the outset by Turkey, and one which was without foundation. Greece and its Government had tried to help Cyprus to become independent. It was up to the Cypriots themselves to decide what should be done in Cyprus. This had always been the case. Unfortunately, it was not the case on the other side.

The Representative of Turkey, referring to the accusations against his delegation, said that the events of 1974 were the result of Greece's attempt to annex Cyprus. The Greek authorities had wanted to annex the whole island and he was prepared to discuss the issue in detail. The current situation in Cyprus was the result of Greek designs which had always existed. As to the extermination of the Turkish Cypriots, he recalled that all the atrocities that had taken place had begun after 1960, under the Akritas plan. There were also the Christmas events of 1963, when it had been a question of exterminating all the Turkish Cypriots on the island. The Turkish Cypriots had been driven from their own country; they had even been turned out of hospital beds. Villages had been burned and communities massacred and thrown into common graves. The Turkish Cypriot population had had to withdraw to enclaves, where it had been besieged. He recommended, in this connection, that the Committee read the report of the Secretary General of the United Nations of 10 December 1964 (reference S/5950). He reiterated that the real issue was to find a political solution to the problem instead of swapping arguments here and there.

The Representative of Cyprus, referring to the comments by the Representative of Turkey on the Akritas plan, said that he, for his part, could refer to the plans of the TMT.

He could also, for his part, refer to the paragraphs of a report in which the Secretary General considered that the Turkish Cypriot leaders were applying a form of self-segregation aimed at the partition of Cyprus. He was prepared to discuss the historical background and Turkey's aggressive policy.