



General Assembly    Security Council

Distr.  
GENERAL

A/37/802  
S/15722  
22 April 1983

ORIGINAL: ENGLISH

GENERAL ASSEMBLY  
Thirty-seventh session  
Agenda item 37  
QUESTION OF CYPRUS

SECURITY COUNCIL  
Thirty-eighth year

Letter dated 19 April 1983 from the Permanent Representative of Turkey  
to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter dated 19 April 1983 addressed to you by Mr. Nail Atalay, representative of the Turkish Federated State of Kibris.

I should be grateful if this letter were circulated as a document of the thirty-seventh session of the General Assembly, under agenda item 37, and of the Security Council.

(Signed) A. Coşkun KIRCA  
Ambassador  
Permanent Representative

ANNEX

Letter dated 19 April 1983 from Mr. Nail Atalay  
to the Secretary-General

I have the honour to refer to the letter dated 22 March 1983 (A/37/795-S/15652) from the Greek Cypriot Representative, which included allegations and protests against the decision of the Turkish Federated State of Kibris to issue "definitive possession certificates" to its citizens eligible under the Rehabilitation, Ownership and Property of equal value Law, and to draw your kind attention to my previous letter dated 22 February 1983 (A/37/793-S/15620) in this respect, and once again I submit the following statements:

The "definitive possession certificates" are being issued to eligible citizens in an effort to find a solution to the social and economic difficulties encountered by the Turkish Cypriot population, resettled in the North where they sought freedom and safety after being driven from their homes after eleven years of barbaric treatment at Greek hands: from 1963 to 1974, nearly half the Turkish Cypriot population lived in the South, daily facing death and arrest, humiliation and assault in countless incidents related in the press, such as the tragic events that occurred in Aloa, Maratha, Sandallari, Tokhni, and other locations.

The southern Cypriot village of Tokhni, to recall but one example, was deprived of its menfolk in one single sweep of the Greek Cypriot National Guard who, on 14 August 1974, arrested 73 male inhabitants, held them overnight in the local school and drove them off the next day in two buses under military escort. The victims' families have not seen them since that day (Reported in the London Times, 20 June 1977). Other villages, such as Aloa, Maratha, Sandallari, have only mass graves to show for most of their former inhabitants. Unable to break through the road blocks and cordons set up by the Greek Cypriot National Guard, those who survived these exactions were forced to stay and endure their harsh fate.

With the implementation of the Exchange of Population Agreement of 1975, under the supervision of the United Nations Peace-Keeping Force in Cyprus, the survivors of these villages, and 65,000 refugees like them, flowed North, forced to abandon their ancestral homes and go into exile rather than face subjection. Thus all Turkish Cypriots assembled within the boundaries of the Turkish Federated State of Kibris, where the newcomers - half the population - had to be rehabilitated.

/...

They were given tentative certificates after the Exchange of Population Agreement of 1975 between the leaders of the two communities. The tentative certificates have now been converted into "definitive possession certificates" in order to facilitate the process of resettlement in line with the intercommunal summit agreement of 1979.

This action should not in any way jeopardize the rights of any person entitled to equal property in the south, or to compensation in full, which will be one of the subjects discussed at the inter-communal talks.

It should also be stressed that the decision of the Turkish Federated State of Kibris is without prejudice to the final solution of the Cyprus question through the intercommunal talks.

It is clear that the aim of the Greek Cypriot protest and propaganda on this issue is a desire to prevent the establishment of a bizonal federal Republic of Cyprus. They are issuing ownership certificates to their own citizens for houses built on Turkish Cypriot property in the South, and are compulsorily acquiring Turkish-owned property in the South without paying compensation to the Turkish Cypriot owners, while some Greek Cypriot politicians, calling themselves "The Society of Greek Cypriot Refugees" are protesting the Turkish Cypriot action.

The Turkish Federated State of Kibris was established in the North as the result of a legal referendum of the Turkish Cypriot people. To my letter dated 22 February 1983, was attached a statement by the Attorney-General of the Turkish Federated State of Kibris, Mr Zaim Necatigil, retracing the events that have led to the present status, which I would like to recall:

The Constitution of 1960 was implanted by two autonomous administrations, one of the Greek Cypriots in the South and the other of the Turkish Cypriots in the North. This was recognized by the Geneva Declaration of 30 July 1974 issued jointly on behalf of the Governments of Greece, Turkey and the United Kingdom: the Turkish Cypriots have a lawful share in the sovereignty of the Republic of Cyprus.

The partnership rights of the Turkish Cypriots have been assailed and denied for the sake of a "national cause" namely the union of Cyprus with Greece. The Turkish Cypriots have since 1963 administered themselves, in accordance with their partnership rights under the 1960 Constitution.

Having been ejected by force of arms from the "Government of the Republic of Cyprus" by the Greek Cypriot side, they set up the Provisional Cyprus Turkish Administration in 1967, which later became the Autonomous Cyprus Turkish Administration.

In 1974, Turkey intervened by virtue of her right and obligation, under the Treaty of Guarantee, when the steady breach of the Treaty by the Greek side of the same Treaty, starting at the end of 1963, culminating in the coup d'état of 15 June 1974 and in the subsequent events, upset the state of affairs created by the Constitution. Article 181 of which provides that the Treaty guaranteeing the independence, territorial integrity and constitution of the Republic "shall have constitutional force"

/...

In 1975 the Autonomous Cyprus Turkish Administration was placed on a constitutional basis and adopted the title of Turkish Federated State of Kibris, still keeping the re-establishment of the intercommunal partnership open to discussion.

The Attorney-General's statement noted that, under international law, these developments in the North could not be ignored and that, under international law, responsibility for the acts of State of the Turkish Federated State of Kibris could not be imputed to Turkey, as the Greek side had argued.

It is essential to accept the reality that the Greek Cypriot side is attempting to destroy the bi-communal partnership foundation of the Republic of Cyprus, and that the Greek administration in the South has no right to interfere in the internal affairs of the legally constituted Turkish Federated State of Kibris in the North.

I should be grateful if this letter were circulated as a document of the thirty-seventh session of the General Assembly, under Agenda item 37, and of the Security Council.



Nail ATALAY  
Representative of the  
Turkish Federated State of Kibris

-----