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Letter dated 25 January 1979 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 25 January 1979 addressed to you by Mr. Nail Atalay, the representative of the Turkish Federated State of Cyprus.

I should be grateful if this letter were circulated as a document of the General Assembly, under the item entitled "Question of Cyprus", and of the Security Council.

(Signed) Orhan ERALP
Ambassador
Permanent Representative

ANNEX

Letter dated 25 January 1979 from Mr. Nail Atalay to the
Secretary-General

On instructions from my Government, I should like to refer to the appointment of Mr. Andreas Mavrommatis as "Permanent Representative of the Republic of Cyprus to the United Nations", and to bring to your kind attention the following vital considerations with regard to the representation of the Republic of Cyprus abroad:

1. As Your Excellency is no doubt aware, the Republic of Cyprus is a bi-national State based on the existence of two ethnic communities in the island and the 1960 Constitution of the Republic envisages the participation of these two communities in the administration of the State and in all its organs. Lawful authority in Cyprus, therefore, has to be based on the will of both the Turkish and Greek communities and this authority can neither be assumed nor exercised by either community without the consent of the other.
2. In 1963, when the first onslaught was launched against the Turkish community by the Greek side for the purpose of uniting the island to Greece, the Turkish Cypriot officials were ousted from the executive, legislative and judicial organs of the State by force of arms and were never allowed to resume their duties. Their positions were subsequently filled in with Greek Cypriot officials and the Government of Cyprus became a Greek Cypriot monopoly.
3. The continuous violation of the Constitution by the Greek side since 1963 and the forcible ejection of the Turkish officials from the Government in that year, had rendered this Government illegal and unconstitutional. Yet, owing to its de facto superiority over the Turkish community, which was achieved by force of arms, the Greek Cypriot Administration managed to pose to the world as "the Government of Cyprus" until 1974. It is clear, however, that the claim of the Greek Cypriot Administration to governmental authority in Cyprus was neither based on the Constitution nor on the will of both communities in Cyprus. Therefore, such an entity or authority as the Government of Cyprus has not existed since 1963.
4. The Greek coup d'état of 15 July 1974 represents the final blow to the Constitution and the independence of the Republic. It was the timely intervention of Turkey that saved the independence of Cyprus and eliminated the danger of total annihilation of the Turkish Cypriot community. The Turkish Peace Operation also put an end to the de facto superiority of the Greek Cypriot Administration and, as a result, two autonomous administrations, each exercising control over its respective region in the island, were established. The existence of two communal administrations in Cyprus was

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recognized by the three guarantor States - Turkey, Greece and the United Kingdom of Great Britain and Northern Ireland - by their declaration at Geneva on 30 July 1974. a/ Furthermore, subsequent resolutions adopted by the General Assembly recognized the existence of two communities in Cyprus and stressed, inter alia, that the constitutional system of the Republic of Cyprus was the concern of both the Turkish and Greek communities, which should be decided through negotiations held on equal footing.

5. At the summit meeting of 12 February 1977 between H.E. Mr. Rauf R. Denktas and the late Archbishop Makarios, in the presence of Your Excellency, the establishment in Cyprus of an independent, bi-communal, bi-zonal, federal republic was agreed upon. To this end, the Turkish Cypriot side has since been showing every effort to resume the intercommunal talks and submitted new peace proposals in April 1978 for the resumption of those talks, which were described by you as "concrete" and "substantial". Upon the rejection of these proposals by the Greek Cypriot side, the Turkish Cypriot side also made it known that it is prepared to start the talks on an open agenda.

In the absence of a central authority in Cyprus capable of representing both communities of the island and at a time when intensive efforts are being made for the resumption of the intercommunal talks with a view to determining, inter alia, the constitutional system of the Republic, it is obvious that the Greek Cypriot Administration does not have the right or authority to represent the country unilaterally, either at home or abroad. It is also obvious that, if passed off as the Government of Cyprus, the Greek Cypriot side would have no reason to sit at the negotiating table with the Turkish Cypriot side to talk peace terms, and the present state of stagnancy would continue no matter how much goodwill was shown by the Turkish Cypriot side as regards the resumption of the intercommunal talks and an over-all peaceful solution.

In view of the recognition of the bi-communality of Cyprus both at the intercommunal as well as at the international level at a time when efforts are being made to reactivate the intercommunal dialogue to determine the future constitutional system of the Republic of Cyprus, the Greek Cypriot Administration's continued attempts to act as the sole representative of Cyprus as a whole is obviously devoid of any legal basis. I should also like to point out that the recognition of Mr. Andreas Mavrommatis as the representative of Cyprus as a whole would amount to allowing the Greek Cypriot Administration to consolidate its constitutional status as the so-called Government of Cyprus and to affording it an opportunity to continue its policy of discrimination against the Turkish community. It would also encourage this Administration to continue on its present intransigent policy as regards the intercommunal talks and would thus hamper prospects for a just and lasting solution of the Cyprus problem.

a/ Official Records of the Security Council, Twenty-ninth Year, Supplement for July, August and September 1974, document S/11398.

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For reasons stated above, the appointment, at the present stage, of Mr. Andreas Mavrommatis as the Permanent Representative of the Republic of Cyprus to the United Nations is both illegal and inappropriate. Anything said or done by him will not, therefore, be binding on the Turkish Cypriot community.

I should be grateful if this letter were circulated as a document of the General Assembly, under the item entitled "Question of Cyprus", and of the Security Council.

(Signed) Nail ATALAY
Representative
