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Letter dated 10 July 1982 from the Permanent Representative of  
Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letters dated 9 June (A/36/878-S/15191) and 16 June 1982 (A/36/881-S/15227) circulated at the request of the Representative of Turkey, the representative of the country which, in 1974, invaded and still occupies, contrary to United Nations resolutions, approximately 40 per cent of the territory of Cyprus. The purpose of these communications was, *inter alia*, to challenge the representative capacity of the delegation of Cyprus to the second special session of the General Assembly devoted to disarmament, and they are but a repetition of falsities advanced by Turkey, either directly or through her instruments in Cyprus, in a succession of letters addressed to Your Excellency at the beginning of every regular or special session of the Assembly.

It suffices to recall that the General Assembly, in as many sessions, has given the appropriate replies that these Turkish allegations deserve, namely, it has ignored them; furthermore, the Assembly has not only confirmed the legality and representative capacity of the delegation of Cyprus, but has also repeatedly elected its representatives to chairmanships and vice-chairmanships of United Nations committees - posts of considerable honour, some of which they still hold. It is therefore futile and ridiculous to dispute the legality of the President of the Republic of Cyprus and of his Government, which has consistently and exclusively been recognized by the United Nations, all international organizations and by all international forums. What is equally ridiculous is the talk about "peoples of Cyprus". There is only one indivisible people of Cyprus, no matter how deeply the foreign interests and their segregationist policies may have succeeded by force of arms to separate temporarily and artificially the Greek Cypriots from the Turkish Cypriots. This people, composed of Cypriots of Greek, Turkish, Armenian, Maronite and Latin background, has lived in the land of its forefathers in peace and harmony for centuries, and can do so again, if left alone. Our people know that there can be freedom and justice for all. They know also that the problem of Cyprus is neither "complex" nor a religious or community difference. It is an international

problem involving the invasion and occupation of the territory of a small country Member of the United Nations by a powerful and expansionist neighbour seeking to suppress the demands of its citizens for freedom, social and economic justice with foreign adventures and conquests.

In the first of these communications (A/36/878-S/15191), reference is also made to the "Geneva Declaration" made by Turkey, the United Kingdom of Great Britain and Northern Ireland and Greece on 30 July 1974, a period between the first and the second phases of the Turkish invasion of Cyprus.

It is not my intention to analyse at great length the above "Declaration" which was issued in the absence of the Government of the Republic of Cyprus and which has no binding force whatever, not only because, being part of a "cease-fire" arrangement, it was violated by Turkey itself, a few days later, on 14 August 1974, by carrying out the second round of the invasion, but most importantly because of subsequent events, declarations and resolutions of the United Nations and other international bodies. This "Declaration" has been superseded by subsequent resolutions of the General Assembly and of the Security Council, ending with resolution 510 (1982), adopted by the Security Council on 15 June 1982, reaffirming once again the existence and the legality of the Government of Cyprus, which is recognized as the sole and legitimate Government of Cyprus by all countries except Turkey.

Another allegation advanced in the same misguided communication is that an agreement was reached in 1975 on a "voluntary exchange of populations" in Cyprus. It is ironical for the Turkish side to put forward such a falsity, or rather a contradiction in terms, when it is known that the agreement of 31 July 1975 provided that the Greek Cypriots, who were enclaved in the occupied area, had the right to stay there under conditions of safety and, furthermore, that the right of Greek Cypriot displaced persons to return to the occupied area was purportedly advanced.

It is another thing, of course, and also characteristic of the way the Turkish side honours its signature, that the agreement was flagrantly violated by them to such an extent that today very few Greek Cypriots remain in the occupied area.

The same scorn for truth, amounting to an actual distortion of facts, is exhibited by the writer of the communication regarding the contents and the meaning of the four guidelines agreed to in 1977 by the late President of Cyprus, Archbishop Makarios, and Mr. Denktash.

Nowhere in these four points can be found any reference to "bi-zonality" to which the acute imagination of the spokesman of the occupying Power refers.

The claim put forward in the second communication (A/36/881-S/15227) that the Turkish military invasion of Cyprus is justified under the provisions of the Treaty of Guarantee is baseless and a distortion of reality.

Article 4 of the Treaty of Guarantee provides that "in the event of a breach of the provisions, the guarantor powers undertake to consult together with respect to the representations of the Treaty. In so far as common or concerted action may not

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prove possible, each of the three guaranteeing powers reserves the right to take action with the sole aim of re-establishing the state of affairs created by the present Treaty".

Turkey has never complied with the above provisions because:

(a) The word "action" does not refer to military action.

(b) Turkey invaded Cyprus on 20 July 1974 - three days before an agreed meeting of the three guarantor Powers was to take place in London.

(c) Turkey, as the facts show, did not invade with the sole aim or the aim of re-establishing the constitutional order in the island, but rather with the sole aim of destroying the independence, territorial integrity and the constitutional order of Cyprus. To this date, Turkey does not accept the 1960 constitutional order.

But more importantly, Turkey, by militarily invading the island, acted contrary to Article 2, paragraph 4 of the Charter of the United Nations, which prohibits the use of armed force for the settlement of international disputes. If we assume that article 4 of the Treaty of Guarantee gave Turkey the right to use force (which it does not and could not) this article of the Treaty would be contrary to Article 2, paragraph 4, of the Charter of the United Nations and thus null and void, in accordance with Article 103 of the Charter.

Turkey exploited the anomalous situation caused by the coup of the Greek junta against the elected President of the Republic, Archbishop Makarios, and invaded Cyprus on the pretext of protecting the interests and welfare of the Turkish Cypriot community.

The ferocity of the Turkish aggression, the unprecedented loss of lives and the material destruction, the uprooting of almost half of the population of Cyprus from their ancestral homes and lands, and the grave socio-economic problems facing the Turkish Cypriot community for the past eight years as a result of the situation brought about by the invasion and the continuing occupation prove beyond any doubt that the aim of Turkey was not, and is not, the protection of the Turkish Cypriot community, but the partition of Cyprus and, ultimately, the annexation of part of its territory to Turkey. In this context it should be added that the Treaty of Guarantee did not bestow on Turkey the right to "protect" any specific community.

I should be grateful if this letter were circulated as a document of the General Assembly, under agenda item 35, and of the Security Council.

(Signed) Constantine MOUSHOUTAS  
Ambassador  
Permanent Representative of Cyprus  
to the United Nations

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