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CYPRUS TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Republic of Cyprus presents his compliments to the Secretary-General of the United Nations and has the honour to call the latter's attention to the so-called "referendum" which took place on 8 June 1975 in the occupied territory of the Republic of Cyprus.

This arbitrary and unilateral Turkish action, aiming at the destruction of the independence, sovereignty and territorial integrity of the Republic of Cyprus, is the direct result of the aggression of Turkey and the illegal occupation by the use of its armed force of 40 per cent of the territory of the Republic of Cyprus and of the forced expulsion of 80 per cent of the population of that territory from their ancestral homes.

The Government of the Republic of Cyprus considers the above Turkish action as null and void. A "referendum" in an area where 80 per cent of the population has been forcibly expelled by a foreign occupying country is intolerable and, indeed, inconceivable. According to basic theory and logic, "referendum" is a democratic process and not a tool for racial discrimination against the overwhelming majority of the population. This action is not only against the Greek Cypriot population, who have been living in this island for thousands of years but also against the Armenian and Maronite communities who chose long ago to make Cyprus their home; furthermore, it is against the real interests of the Turkish Cypriot community, which has been used by Turkey in the last decade or so as its tool against the independence of Cyprus.

The holding of a "referendum", as well as the provisions of the so-called "Constitution" which the Turkish Cypriot leadership, in collaboration with Turkey, intends to apply in the area under foreign occupation, held by 43,000 troops from Turkey, flagrantly violates the Charter of the United Nations, all resolutions of both the Security Council and the General Assembly of the United Nations on Cyprus and all relevant resolutions of the non-aligned and Commonwealth countries. Turkey is heavily responsible for the above violations, as well as for completely ignoring its responsibilities under international law and the human rights conventions generally, and the Geneva Conventions particularly. It should be remembered that Turkey guaranteed the status of Cyprus through international treaties, the validity and the provisions of which they invoked when they decided to invade Cyprus last July.

The above illegal actions constitute a further step to the materialization of old plans of Turkey for the partition of the island of Cyprus, through a camouflaged annexation of the occupied part. The provisions of the "Constitution" are eloquent. As it is stated in its preamble, "The Turkish Cypriot community constitutes the inseparable part of the great Turkish nation". That the "Constitution" aims at linking the occupied part with Turkey also becomes clear from the affirmation of the "speaker" and "members" of the Assembly to respect the "principles of Ataturk" and not the principles of the Constitution of Cyprus. It should be noted, as well, that the "Constitution" in all relevant provisions calls the members of the Turkish Cypriot community "Turkish citizens". One can clearly see behind this reference to "Turkish citizens" the sinister aims of Turkey for the colonization of Cyprus by transportation of Turks from Turkey. Such colonization has already started, and Turks from Turkey are given houses belonging to the expelled 200,000 Greek Cypriots. Thus, in an era when the last remnants of colonialism are rapidly disappearing, Turkey is altering the demographic conditions of Cyprus in the most abhorrent way.

Furthermore, the "Constitution" provides for ratification of "treaties", "martial law", fully independent "judiciary" and "aliens". The Greek Cypriots, together with all non-Turkish communities in the territory under occupation by Turkey, are defined as "aliens" and will not enjoy the fundamental human and political rights, as do the Turks, and the rights of the "aliens" are left to be determined by a "special law for aliens". Further, the right of ownership of Greek Cypriots is not protected. On the contrary, the "Constitution" contains provisions whose application presupposes the expropriation and allocation of property belonging to Greek Cypriot displaced persons, such as houses, fields, factories, hotels etc., to Turkish Cypriots and Turks from Turkey. The equality before the law provided in the "Constitution" refers to Turks only.

The resulting conclusion is that the said "Constitution" aims at abandoning almost every link of the occupied part with the rest of Cyprus; thus, Turkey once again contradicts her own solemn declarations that she will respect the independence, sovereignty and territorial integrity of the Republic of Cyprus.

Generally, the "Constitution" contains provisions that prejudice the constitutional structure of the Cyprus State. The fact cannot be ignored that all this takes place while negotiations are under way for the solution of the Cyprus question and, particularly, the constitutional problem, to which the Turkish Cypriots are a party. The holding, therefore, of a "referendum", and the provisions of such a "Constitution" reveal lack of good faith on the part of Turkey and the Turkish Cypriot side in the talks and in no way contribute to the necessary climate for fruitful talks. On the contrary, these Turkish actions constitute a serious provocation against the talks, as well as against the international community and all efforts for a just and peaceful solution.

The Permanent Representative of the Republic of Cyprus has the honour to request that his note be circulated as a document of the Security Council.
