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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS.

Report of the Secretary-General in pursuance of resolution 17 (XXXIV) of the Commission on Human Rights

1. This report is submitted in pursuance of resolution 17 (XXXIV) entitled "Question of human rights in Cyprus", which was adopted by the Commission on Human Rights on 7 March 1978. In paragraph 3 of that resolution, the Secretary-General was requested to provide the Commission at its thirty-fifth session with information relevant to the implementation of the resolution. Information provided in this connexion by the Governments of Cyprus, Greece and Turkey and by the Turkish Cypriot community is reproduced in annexes I to IV of the present report.
2. In the third preambular paragraph of resolution 17 (XXXIV), the Commission on Human Rights noted resolution 3212 (XXIX) of 1 November 1974, 3395 (XXX) of 20 November 1975, 3450 (XXX) of 9 December 1975, 31/12 of 12 November 1976, 32/13 of 7 November 1977, 32/15 of 9 November 1977 and 32/128 of 16 December 1977 of the General Assembly. In the fourth preambular paragraph, the Commission recalled its previous resolutions 4 (XXXI) of 13 February 1975 and 4 (XXXII) of 27 February 1976. In paragraph 1, the Commission reiterated its previous calls for "the full restoration of all human rights to the population of Cyprus, in particular to the refugees".
3. Since the circulation of my last report to the Commission (E/CN.4/1275) on 9 February 1978, I and my Special Representative in Cyprus have continued our efforts in respect of the problem of missing persons in Cyprus, as requested by the General Assembly in resolutions 3450 (XXX) and 32/128, and by the Commission on Human Rights in resolution 4 (XXXII). As noted above, these resolutions are referred to in resolution 17 (XXXIV) of the Commission. The General Assembly, in resolution 32/128, had requested the Secretary-General to provide his good offices to support the establishment of an impartial investigatory body for the tracing of and accounting for missing persons of both communities in Cyprus with the participation of the International Committee of the Red Cross (ICRC) "which would be in a position to function impartially, effectively and speedily so as to resolve the problem without undue delay", and both parties had subsequently reiterated their acceptance of such a body (see E/CN.4/1275, paras. 4, 6 and 7; and S/12946, para. 42). Representatives of the ICRC were also contacted regarding their participation in the proposed Missing Persons Committee.

4. Although some progress was made during this period in further clarifying the positions of the parties and narrowing the gap between them regarding the terms of reference of the Missing Persons Committee, it was not possible to resolve all remaining differences. The Cyprus Government took the position that, in the event of disagreement between the Greek Cypriot and Turkish Cypriot members of the Missing Persons Committee, decisions should either be reached by majority vote or the ICRC representative, as the third member of the Committee, should undertake to form an independent opinion, which should be implemented by the Committee. Otherwise, they maintained, the Committee would not be able to function effectively. The Turkish Cypriots maintained that all decisions should be adopted on a "no objection" basis. They pointed out that the established practice of ICRC did not envisage voting in matters of this nature. When I visited Mr. Denktash in Nicosia on 19 April 1978, he indicated that the opinion of the ICRC representative would be given weight and would not be disregarded.

5. ICRC was prepared to exercise the role envisaged for it in General Assembly resolution 32/128, but it believed it essential that such a role be agreed upon by both parties and that there should exist between them an atmosphere of mutual confidence and constructive spirit in order to ensure the effective functioning of the Committee. If such a spirit existed, it felt, the question of voting was not likely to arise.

6. On 2 September 1978, President Kyprianou transmitted to me a proposal that the third member of the proposed Missing Persons Committee be designated by the Secretary-General. ICRC would not participate in the Committee, but its expert advice could be sought by the Committee if and when required. This proposal was conveyed to Mr. Denktash, who reiterated his adherence to the framework provided by General Assembly resolution 32/128, with the ICRC designating the third member of the Committee.

7. On 19 October 1978, Mr. Denktash addressed a letter to the Secretary-General requesting his good offices in arranging a meeting of the representatives of the two communities, "as envisaged in General Assembly resolution 32/128", in order to work out the modalities of the investigatory body. In conveying the request to the Greek Cypriot side, the Secretary-General reiterated his view that a meeting of this kind could be convened only in consultation and with the consent of both parties.

8. In an effort to overcome the impasse over the third member of the Missing Persons Committee, I suggested in my report of 1 December 1978 to the Security Council that that member could be an eminent independent personality appointed jointly by the Secretary-General and the President of ICRC, whose views would be given weight and would not be disregarded by the Committee (see S/12946, para. 68).. The Greek Cypriots announced on 7 December 1978 that they would accept the proposal. The Turkish Cypriots reiterated again that they had accepted the framework for the Committee as envisaged in General Assembly resolution 32/128 and that the responsibility for failure to implement that resolution rested with the Greek Cypriot side.

9. On 12 December 1978, the Third Committee of the General Assembly adopted a draft resolution on the question of missing persons in Cyprus. Subsequently, the draft resolution was adopted without change on 20 December 1978 by the General Assembly (resolution 33/172; for the text of the resolution, see annex V).

10. During the discussion in the Third Committee, my representative stated, in response to a query by the representative of Turkey, that, in the event of the adoption of the draft resolution by the General Assembly, the Secretary-General would consult with the parties concerned on the establishment of the investigatory body envisaged in that resolution. It was evident that the implementation of the resolution would depend in the first instance on the readiness of the parties to appoint their representatives in accordance with paragraph 2 of that resolution. Following the adoption of the draft resolution by the Committee, the representative of Turkey, on 13 December 1978, transmitted to the Secretary-General (see A/33/499 - S/12967) a letter of the same date from the representative of the Turkish Cypriot community. The letter stated that the draft resolution adopted by the Third Committee was not acceptable to the Turkish Cypriot side, which would not consider itself bound by its provisions but continued to be ready to co-operate in the establishment of the investigatory body as provided by General Assembly resolution 32/128.

11. Following the adoption of resolution 33/172 by the General Assembly, the representative of the Turkish Cypriot community has indicated that its position regarding the resolution remains unchanged.

12. As indicated in my last two reports to the Security Council, UNFICYP has continued to discharge humanitarian functions and to promote normalization of the living conditions of the Greek Cypriots remaining in the north as well as to make periodic visits to the Turkish Cypriots living in the south to assess any assistance they may need (see S/12723, paras. 27-33; S/12946, paras. 30-38). In this connexion, I have reported some improvement in the living conditions of the Greek Cypriots in the north, and this has a bearing on the situation regarding the observance of human rights.

13. With regard to freedom of movement, Greek Cypriots in the north have been given permission on an ad hoc basis for temporary visits to the south for family reasons or to obtain medical treatment. Restrictions have also been relaxed with regard to agricultural activities by Greek Cypriots in the north, who have now gained access also to fields at some distance from their villages. Through the good offices of UNFICYP, Greek Cypriot and Maronite children attending schools in the south were permitted to visit their homes in the north during the school holidays. Contacts between members of the Maronite group residing on opposite sides of the cease-fire lines are frequent.

14. Permanent transfers to the south, which had remained at a low level, rose somewhat last autumn. This was due mainly to the fact that, for lack of secondary school facilities, Greek Cypriot children in the north have had to move south to continue their education. All transfers continue to be monitored by UNFICYP to ensure that they have been undertaken voluntarily.

15. There appears to be no restriction on freedom of worship in the north wherever the services of a priest are available.

16. On 3 August 1978, the Committee on the Elimination of Racial Discrimination of the United Nations, after having examined the fifth periodic report submitted by the Government of Cyprus (CERD/C/20/Add.6), adopted by consensus decision 1 (XVIII), the text of which is reproduced in annex VI.

17. Information concerning the implementation of those provisions of the Assembly resolutions which deal with changes in demographic structure and return of refugees (resolutions 3212 (XXX), para. 5, and 3395 (XXX), paras. 4 and 6) is contained in my report of 2 November 1978 to the General Assembly (A/33/348, paras. 16-17).

18. In a letter dated 29 December 1978 (A/34/51 - S/12987), the representative of Cyprus charged that a political party had been formed in the north by settlers "illegally transported from Anatolia, Turkey". The representative of the Turkish Cypriot community, in a letter dated 8 January 1979 and transmitted to me by the representative of Turkey (A/34/57 - S/13012), rejected the charge and stated that the Turkish Cypriot authorities had taken prompt action against the said "party", which was illegal.

ANNEX I

NOTE VERBALE DATED 17 JANUARY 1979 ADDRESSED TO THE SECRETARY-GENERAL  
BY THE PERMANENT REPRESENTATIVE OF GREECE TO THE UNITED NATIONS

The Permanent Representative of Greece to the United Nations presents his compliments to the Secretary-General of the Organization and, in reply to his letter of 28 December 1978, has the honour to bring the following to his notice:

It is not for the Greek Government to apply the measures provided for in operative paragraphs 1 and 2 of resolution 17 (XXXIV) of the Commission on Human Rights on the territory of another independent and sovereign State, particularly since part of the territory of the Republic of Cyprus is still under Turkish military occupation. It should also be noted that between 9 February 1978 - the date of publication of the latest report by the Secretary-General - and the present date, no human rights have been restored in the part of the territory of the Republic of Cyprus controlled by the Turkish military authorities. More specifically, no progress has been made with regard to the return of refugees to their homes in safety, although the report by the Secretary-General (S/12946) dated 1 December 1978 refers to the continued expulsion of Greek Cypriots herded in in the occupied zone.

Furthermore, colonization of the occupied zone continues, as is proved by the establishment of a political party for Turkish immigrants, the so-called Turkish Unity Party led by Air Force Colonel Ismail Tezer. In addition, two new Turkish Cypriot administrative regulations concerning the implementation of Act No. 41/77 on housing, and distribution of land and property of equal value consider, inter alia, "persons whose houses would be useful to the general development of the region of the Federal Turkish Cypriot State" to be refugees.

The Greek Government further wishes to emphasize the need to establish and make operational without delay the investigatory body envisaged in the relevant General Assembly resolutions concerning missing persons among whom there are a number of Greek nationals.

The Permanent Representative of Greece to the United Nations takes this opportunity to renew to the Secretary-General of the United Nations the assurances of his highest consideration.

ANNEX II

Information supplied by the Government of the  
Republic of Cyprus, relevant to the Implementation  
of Resolution 17 (XXXIV) adopted by the Commission  
on Human Rights on 7 March 1978

Turkey, in utter disregard of the provisions of resolution 17 (XXXIV) adopted by the Commission on Human Rights on 7 March 1978, has failed to take any measures to restore human rights in Cyprus.

1. Turkey continues to refuse to allow the Greek-Cypriot inhabitants of the Turkish occupied area, who were forced by the Turkish Armed Forces to abandon their ancestral homes and lands and find refuge in the government controlled area, to return to their homes in safety, contrary to the specific provisions of the decisions of the Security Council, and of the resolutions of the General Assembly, the Commission on Human Rights, the Sub-Commission on the Prevention of Discrimination and Protection of Minorities and the Committee on the Elimination of Racial Discrimination. Specifically, since the adoption by the Commission of its resolution mentioned above by which, inter alia, called "for the full restoration of all human rights to the population of Cyprus, in particular to the refugees":

(a) General Assembly resolution 33/15 (1978) "calls for respect of the human rights of all Cypriots and the instituting of urgent measures for the voluntary return of the refugees to their homes in safety";

(b) Security Council resolution 440/78 in operative paragraph 1 "reaffirms its resolution 365(1974)" by which it endorsed General Assembly resolution 3212 (XXIX) adopted unanimously on 1 November 1974 - calling for the undertaking of urgent measures so that all refugees return to their homes in safety - and calls for the implementation of this resolution and that of its resolution 367/1975 and subsequent resolutions including resolution 410/1977, within a specific time-frame;

(c) The General Assembly at its thirty-third session adopted unanimously on 16 December 1978, a resolution endorsing the decision on Cyprus taken in August 1978 (No. 1 (XVIII)) by the Committee on the Elimination of All Forms of Racial Discrimination, which, inter alia, expressed once again its concern and hope that the General Assembly and other competent organs of the United Nations will take immediate and appropriate measures with a view to putting an end to the conditions which continue to prevent the refugees and other persons in Cyprus from enjoying fully their fundamental human rights without discrimination;

(d) The Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution adopted on 13 September 1978 demanded the full restoration of all human rights to the whole population of Cyprus, expressed its grave concern at the continuing plight of the displaced persons in Cyprus and called for the effective implementation of its resolution 1 (XXVIII) - (which invited the parties concerned to do their utmost for the return of the refugees to their homes in safety).

2. Turkey, instead of taking urgent measures for the voluntary return of the refugees to their homes in safety, has continued, since the last resolution of the Commission and still continues, through various inhuman methods, to force the remaining Greek-Cypriot inhabitants of the occupied area to leave their homes there

and seek refuge in the government controlled area. Thus the Greek-Cypriot population still remaining in the occupied area (i.e. by the end of November 1978) is only 1,572. (See the last report of the Secretary-General to the Security Council, document S/12946 of 1 December 1978, paragraph 32).

The following particulars are given in relation to some of the various inhuman methods mentioned above used by the Turkish authorities in order to force the remaining Greek-Cypriots to leave their homes in the occupied area:

(a) Denial of education:

All Greek-Cypriot secondary schools have been closed and the functioning of the elementary schools is quite inadequate. The Secretary-General in his report of 1 December 1978 (document S/12946) paragraph 32 states as follows as regards the period 1 June 1978 to 30 November 1978 -

"Permanent transfers have increased during the period under review the main reason being that for lack of secondary school facilities, Greek-Cypriot children in the north have had to move south to continue their education. Efforts aimed at setting up a class corresponding to the first year of gymnasium have not materialized."

(b) Insufficient medical treatment and provisions for medicines. Greek-Cypriot doctors are not allowed to visit the enclaved Greek-Cypriots and render their services to them.

(c) Restrictions of movement:

A curfew is in force so far as the enclaved Greek-Cypriots are concerned from about 8 p.m. until 6 a.m. next day. Furthermore the enclaved Greek-Cypriots are not allowed freely to go to their fields and cultivate them or move throughout the occupied area.

(d) The enclaved Greek-Cypriots are not allowed freely to trade or to carry on any profession or business.

(e) In fact the enclaved Greek-Cypriots are denied all their basic human rights and fundamental freedom and live continuously in terror as a result of the intimidation and harassment by the Turkish authorities and the Turks from Turkey who have settled in the occupied area. There are many cases of physical violence against the Greek-Cypriots as well as of psychological pressure e.g. savage beatings and other forms of ill-treatment, breaking into their homes and robbing them, knocking on doors, firing in the air and stoning houses during night. There are also many cases of compulsory cultivation of fields, cleaning of streets, building etc.

(f) The enclaved Greek-Cypriots are threatened on many occasions to be killed if they do not sign "voluntary applications" for their transportation to the government controlled area.

3. Particulars of the cases of continuing crimes and atrocities committed against the enclaved Greek-Cypriots aiming at their expulsion from the occupied area, as above, are given from time to time by the Service for Humanitarian Matters to Dr. R. Gorgè, Deputy Special Representative of the Secretary-General of the United Nations.

There are also reports in the foreign press regarding the matters referred to in paragraph 2 above. For example the American magazine "THE NATION" reported in an article published in its issue of 8-15 July 1978, under the title "Cyprus the battered pawn" --

"... And there are the thousands of Greeks who did not flee their villages after the invasion, but who have been gradually bullied into crossing the border with whatever they can carry. Lawrence Durrell's old village of Bellapais once predominantly Greek, has now been emptied by the "salami tactic" of intimidation and eviction. Turkish officers use it as a weekend retreat."

Also in the Danish magazine "INFORMATION" it was reported on 21 July 1978 under the title "Cyprus - Four years after" -

"... Another method to change the composition of the population was to drive out, slowly and steadily, the 20,000 Greek-Cypriots who were still in the occupied part, by restricting their freedom of movement, by denying them the right to see a doctor, by making it impossible for them to receive education and - last but not least - by nocturnal military house searches which in time made the obdurate ask "voluntarily" for permission to move to the southern part of Cyprus. Out of some 20,000 only about 1,500 Greek-Cypriots have remained in the north. This policy is extensively documented in the report to the United Nations. I myself have talked to quite a few people who have gone through these nightmares, among them a young dentist whose wife gave birth prematurely and whose mother had a heart attack after such a visit."

4. The uprooted Greek-Cypriots mentioned in paragraphs 1 and 2 above, amounting to about 200,000, continue to be displaced, away from their ancestral homes and lands which continue to be distributed by the Turkish authorities to Turkish Cypriots and Turkish settlers. Most of the displaced persons live under unacceptable conditions and depend largely upon assistance by the Government of Cyprus aided by the United Nations High Commissioner for Refugees who acts as co-ordinator of international assistance.

5. Looting by or with the support of the Turkish troops of appreciable quantities of commercial commodities and other movable properties have continued to be taken from houses and other premises in the occupied area especially in the new town of Famagusta. This is confirmed by independent sources such as the United Nations Secretary-General (see the United Nations Secretary-General's reports S/12723 of 31 May 1978, paragraph 24 and S/12946 of 1 December 1978, paragraph 27).

Even Greek Orthodox churches in the occupied area have not escaped looting. For example during 1978 Turks have looted the Greek Orthodox churches of Ayios Sinesios (Rizokarpasso) of Ayios Serghios (Famagusta) and of Ayia Trias (Karpass)

6. Robbery of the agricultural produce, livestock, stocks in commercial and industrial enterprises and other movables belonging to Greek-Cypriots has continued since the adoption by the Commission of its resolution 17 (XXXIV).

7. Seizure, appropriation, exploitation, occupation and distribution of land, houses, enterprises and industries belonging to Greek-Cypriots. Greek-Cypriot owned properties in the occupied area have continued to be distributed illegally by the Turkish authorities to Turkish settlers and Turkish Cypriots. The enclaved Greek-Cypriots are forced to leave their homes so that Turks who are brought from Turkey settle in them. Furthermore Greek-Cypriot owned factories and hotels continue to be exploited by the Turkish authorities.

8. Wanton destruction of property. There are many cases of wanton destruction of properties belonging to Greek-Cypriots. For example the United Nations Secretary-General in his report of 1 December 1978 (S/12946), states in paragraph 37:

"During the period under review (1 June 1978 - 30 November 1978), UNFICYP received complaints that three churches in Trikomo had been razed, allegedly for urban development. UNFICYP humanitarian teams, which regularly visit some 22 Greek-Cypriots still living in Trikomo, have confirmed the razing of the two churches but could not establish when it happened."

9. Colonization: Turkey in furtherance of her policy of colonization of the occupied area, in an attempt to alter the demographic structure of Cyprus, has continued to promote the settlement of thousands of Turks from Turkey. This colonization process continues by Turkey, in utter disregard of the decisions of the Security Council, the resolutions of the General Assembly, the Commission on Human Rights and the Committee for the Elimination of All Forms of Racial Discrimination.

This colonization operation is confirmed by independent sources. For example in the Danish magazine "INFORMATION" it was reported in the same article mentioned above:

"... The first United Nations resolution which called for the withdrawal of foreign troops and the right of all refugees to return to their homes, was passed unanimously with Turkey voting for it. But that United Nations resolution as well as the following ones have been totally ignored by Turkey, during the past four years. Not only ignored, but in violation of three specific United Nations calls on Turkey not to change the demographic composition of the population in the north, the Turks have started a systematic settlement policy bringing in Turks from the mainland in order to change the population ratio."

The Turkish authorities continue, as stated above, to distribute to the Turkish settlers properties belonging to Greek-Cypriots. Most of these settlers are criminals and commit acts of violence both against the Greek-Cypriots and the Turkish Cypriots in the occupied area.

In the Turkish Cypriot newspaper "Halkin Sesi" Dr. Fazil Kuchuk wrote on 24 May 1978:

"... We warned the officials once again. We told them that these newcomers will be a nuisance to our decent citizens. We told them to halt them before it becomes too late. They turned a deaf ear on us and did nothing. On the contrary, the newcomers were given houses, land, food and money.

... However, all demands to expel these castaways were left unanswered. Moreover, new officials emerged who would protect these persons. They said: 'You cannot touch citizens of the Turkish Republic'. It meant that they would not work and we would feed and clothe them and do anything they wanted us to do. It was those who found this protection who started believing that they were perfectly legal and who strangled drivers, robbed houses and exhibited unprecedented skill in theft. The prisons were filled to the brink. The populace was left with no courage to go out into the streets. The situation remains the same today. They just gave the most unabashed example of savagery."

Also, in the Turkish newspaper "Milliyet" of 30 May 1978, it was reported: " ... the real cause behind the present uneasiness and complaints is the bringing of Turkish settlers from Turkey with the aim of obtaining their votes. Turks from Turkey were brought here without any planning. This is the reason why the Turkish Cypriots complain."

10. The General Assembly, on the recommendation of the Third Committee adopted on 20 December 1978 resolution 33/172 on the question of persons missing as a result of armed conflict in Cyprus, which urges "the establishment of the Investigatory Body under the Chairmanship of a representative of the Secretary-General with the co-operation of the International Committee of the Red Cross, which will be in a position to function impartially, effectively and speedily so as to resolve the problem without undue delay; the representative of the Secretary-General shall be empowered, in case of disagreement, to reach a binding independent opinion which shall be implemented." The dissenting vote of Turkey on this resolution is to be regretted. The Government of Cyprus strongly believes that the machinery envisaged by this resolution provides the only method for the tracing and accounting for the missing persons and, therefore, earnestly hopes that such an investigatory body shall be established without any further delay thus, inter alia, alleviating the plight of the relatives of those missing.

To this effect the General Assembly in operative paragraph 2 of the above resolution 33/172 called upon the parties:

- (a) to co-operate fully with the investigatory body, and
- (b) to appoint their representative thereto forthwith.

It is to be hoped that all concerned, in a spirit of humanism and understanding, will comply with the call of the General Assembly and that no one will resort to either a negative attitude or delaying tactics which will negate the wish of the world community as expressed in the said resolution.

It is the view of the Government of Cyprus that this most urgent of all humanitarian problems has been awaiting for its solution for much too long and that the time has come for a concerted effort to resolve it.

11. The situation resulting from the Turkish occupation of the northern part of Cyprus has continued to effect the rights and freedoms of the Turkish Cypriots in particular of those who were shifted thereto from the southern part of Cyprus where they have their homes and properties and are prevented by the Turkish authorities to return there. The Turkish settlers supported by the Turkish Occupation Forces commit various acts of violence and other oppressive acts against the Turkish Cypriots.

The Turkish Cypriot newspaper "Halkin Sesi" reported on 25 May 1978 in an article entitled "They must be sent back": "... They (the Turkish settlers) did not even know our language; they learned it after they came here. As a result of these, those settlers who did not respect law in their original villages made the 400-year old inhabitants of this island vomit blood."

12. Since the submission on 23 January 1978 of the note by the Government of the Republic of Cyprus relevant to the question of human rights in Cyprus, Turkey has continued to occupy through her armed forces and exercise actual and exclusive authority and control over the whole area of the Republic of Cyprus described in paragraph 24 of document E/CN.4/1239, annex A.

The last resolution of the General Assembly - 33/15 of 1978 - deplores the continued presence of foreign armed forces on the territory of the Republic of Cyprus and the fact that part of its territory is still occupied by foreign forces and demands the immediate withdrawal of all foreign armed forces from the Republic of Cyprus.

Turkey, therefore, is accountable for the grave violations of human rights specified above.

Nicosia,  
18 January 1979.

ANNEX III

LETTER DATED 18 JANUARY 1979 ADDRESSED TO THE  
SPECIAL REPRESENTATIVE OF THE SECRETARY GENERAL  
IN CYPRUS BY MR. ATAKOL

I have the honour to refer to Talking Paper dated 2 January 1979 received from your Excellency's Office requesting information relevant to the implementation of resolution 17 (XXXIV) adopted by the Commission on Human Rights on 7 March 1978, which has been referred to me for reply in my capacity as the Minister of Foreign Affairs, Defence and Tourism of the Turkish Federated State of Cyprus.

At the outset I wish to reiterate that the Turkish Cypriot Community does not feel bound by the decisions of the Human Rights Commission, including resolution 17 (XXXIV), since they have all been taken in the absence of the Turkish Community. Nevertheless, the Turkish Cypriot side considers it a requisite of good will to respond in a positive manner to the Secretary-General's request for information concerning the implementation of this resolution, as it has done hitherto. Under the circumstances, however, and in view of the following, the Turkish Cypriot side does not wish to limit its presentation to the resolution alone, but will instead address itself to the question of human rights in Cyprus as a whole.

The Turkish Cypriot Community holds the firm belief that a sound and objective appreciation of the human problem in Cyprus is possible only if the question is taken up in its entirety, with due consideration given to the relationship between cause and effect. A superficial approach concerned only with the post-1974 period without looking into the problem in retrospect can only serve to oversimplify the issue and mislead the people, and is ultimately a futile endeavour.

The following words of an eminent impartial personality, namely Mr. Franz Karasek, the then General Rapporteur of the Political Affairs Committee of the Council of Europe, clearly supports this assessment and sheds light on how the problem has reached its present juncture:

"Economic, social and educational inequality as well as insecurity for personal life, during the last eleven years, were the origins of intercommunity mistrust and fears, of political tension and regional as well as communal isolation between the Turkish Cypriot and the Greek Cypriot populations ... This created in the Turkish Community the feeling of being under-privileged and oppressed. Humanitarian suffering was at the origin of an eleven-year-long Cyprus crisis."

(Council of Europe document 3600 of 10 April 1975, para. 11)

The information presented below deals with the specifics of how the human rights of the Turkish Cypriots were flagrantly violated by the Greek Cypriot Community starting with the onslaught of December 1963, in some cases even before, and explains how unjustified and hypocritical the Greek Cypriots are in their present complaints with regard to the alleged violation of their human rights by Turkey and the Turkish Cypriot side:

1. Violation of the political rights of the Turkish Cypriots:

Simultaneously with the Greek Cypriot onslaught against the Turkish Cypriot Community in December 1963, Turkish Cypriots were expelled from the executive, legislative and judiciary organs of the binational State, and were henceforth

prevented from returning. Their return was made conditional by the Greek Cypriot leaders on their acceptance of the unconstitutional laws enacted in their absence and the abandonment of their constitutional rights (c.f. United Nations Secretary-General's report S/6569 of 29 July 1965, paras.1 through 20).

Even today, the Greek Cypriot Administration continues to violate the political rights of the Turkish Cypriots, through its unilateral use of the usurped title of "the Government of Cyprus," vis à vis the outside world. The Turkish Cypriot Community, the co-founder partner of the Republic of Cyprus, is thus prevented from exercising one of its most fundamental rights, is denied the right to represent itself in international forums and conferences, and the Greek Cypriot Administration, which represent only the Greek Cypriot Community and not the whole of Cyprus, continues to monopolize all international bodies under the guise of "the Government of Cyprus," including most unfortunately, the Commission on Human Rights.

## 2. Deprivation of life and property:

### A. Murders

During the first Greek armed onslaught against the Turkish Cypriot Community in December 1963 hundreds of people were mercilessly murdered and many were wounded or maimed just because they were Turkish (ref. press report by "Daily Express," 28 December 1963). In the village of Ayios Vassilios, these murders took the form of a mass-massacre in which 13 Turkish Cypriots were killed and buried in a mass-grave (ref. press report in "Daily Telegraph", 14 January 1964). As "Il Giorno" newspaper wrote on 14 January 1964, "... the massacre of Christmas" had "spared neither women, nor children". On the other hand, a reporter of "Le Figaro" wrote on 26 January 1964 that he had "seen in a bathtub the bodies of a mother and her three young children murdered just because their father was a Turkish officer ...". In the 1967 attack against the Turkish villages of Kophinou and Ayios Theodoros 29 Turks were killed within a matter of 5-6 hours.

In 1974, mass-massacres took place in the villages of Aloa, Maratha, Sandallaris and Tokhni, as well as Zyvi and Mari. Mass-graves of the Turkish Cypriot victims were opened in the presence of the United Nations troops and impartial observers. Even the Greek Cypriot press admitted the mass-murder at Tokhni ("Kypros" newspaper, 23 October 1974). "In Alaminos village near Larnaca 14 Turks between the ages of 25 and 53 have been killed and buried in the earth by a bulldozer," wrote The Washington Post on 30 July 1974. After the events of 1974, the Turkish Cypriots who could not flee north to escape Greek savagery and oppression, made every attempt to do so at great risks. Many of them were killed along the way by Greek armed elements, the "National Guard" or in some cases by Greek Cypriot taxi drivers whom they bribed in order to be transferred to the north (ref. Greek Cypriot press reports, 13 January 1975 and 15 March 1975).

### B. Refugees and displaced persons:

The refugee problem is not a new experience for Cyprus, contrary to what the Greek Cypriot propaganda machine would have one believe.

It first began in 1958, when EOKA terrorists attacked and destroyed 33 Turkish Cypriot villages rendering 6,000 Turkish Cypriots as homeless refugees.

During the Greek Cypriot onslaught which began in December 1963, 103 Turkish Cypriot villages were attacked and devastated, this time rendering 25,000 Turkish Cypriots as homeless refugees within a few weeks. These people had to live five consecutive winters in tents (cf. para. 126 of the Secretary-General's report S/8286 of 8 December 1964).

Homes, household effects, shops, orchards and farms belonging to some 30,000 Turkish Cypriots in 103 villages were plundered and destroyed by their Greek neighbours. Losses and damages to property amounted to millions of pounds sterling. The extent of this initial damage is indicated by the United Nations Secretary-General at paragraph 180 and 190 of his Report No. S/5950 of 10 September 1964 to the Security Council.

The Secretary-General also refers to the unbearable and inhuman conditions under which the Turkish Cypriot refugees had to live for years, in his reports to the Security Council (i.e. S/5764 of 15 June 1964, para. 93; S/6102 of 12 December 1964, para. 51; S/5950 Add.2 of 15 September 1964, para. 4).

For eleven years all efforts to rehabilitate the refugees in their homes and villages, were frustrated by the obstructionist policy followed by the Greek side, which clearly indicated that it would not agree to the return of the refugees to their homes before a final settlement. It even prevented the United Nations from taking a more active role in the resettlement of the Turkish refugees. (cf. United Nations reports S/7001 of 10 December 1965, paras. 161 and 162; S/10842 of December 1972, para. 48; S/10940 of 1975, para. 67). The outright refusal of the Greek Cypriot Administration to allow the resettlement of the Turkish Cypriot refugees for 11 years was also admitted by the Greek Cypriot press (i.e. press reports in "Deleftea Ora" of July 1969; "Gnomi" of 15 June 1975; "Makhi" of 17 June 1973).

A survey of damaged Turkish Cypriot property was carried out by UNFICYP in 1964, and is embodied in a report known after its author Mr. A. Ortega, as the "Ortega Report". Mr. Ortega states in his report that his survey deals only with housing destruction in 101 villages. Each village was photographed from the air. Nearly 30,000 Turkish Cypriots (almost a quarter of the Turkish Cypriot population) had fled from these villages and lived in tragic conditions for eleven years.

All in all 465 village houses were found to be totally destroyed and 2,000 looted. In Ktima town 38 houses and shops were totally destroyed, 122 partially destroyed; in Omerphita 50 houses were totally destroyed and 240 partially destroyed. In Mr. Ortega's view the repair of all these houses would have necessitated approximately C\$900,000. But that was in 1964. For 11 years Turks were unable to return to their houses in all these villages which had become uninhabitable as time passed.

Financial assistance given to Turkish Cypriot refugees by the Turkish Cypriot Community between the years 1963-1974 was in the region of C\$2,000,000.

On the date of Turkey's intervention on 20 July 1974 the bulk of the some 30,000 Turkish refugees were still without a home and a considerable part of the population of the Turkish Cypriot Community had become refugees three times in the preceding two decades.

It is only in 1974, after the Greek coup d'etat and the events that followed it that the Greek Cypriots became a party to the endless refugee problem which had afflicted the Turkish Cypriot Community for so many years, and only as a direct

consequence of their plots to unite Cyprus with Greece and their oppression of the Turkish Community to that end. During the events of July-August 1974, for which the Greek Cypriots themselves and their collaborators in Greece must bear full responsibility, people on both sides left their homes and took refuge in what they considered as safer areas. This was the natural outcome of years of mistrust and hostility between the two communities, nurtured by the unjust and inhuman policies of the Greek Cypriot Administration against the Turkish population of Cyprus.

Between July 1974 and September 1975 Turkish Cypriots living in the Greek Cypriot controlled region of South Cyprus left some 134 inhabited areas (i.e. towns and villages) and took refuge in the security of North Cyprus. It is estimated that in all some 60,000-65,000 Turkish Cypriots moved from the South to the North since July 1974. Of these, approximately 9,400 were the Turkish Cypriot refugees who had first taken refuge in the British Sovereign Base areas and who came to the North via Turkey in February 1975. Some 8,097 Turkish Cypriot refugees came to the North during August-September 1975 in accordance with the voluntary population exchange agreement reached at the Third Round of the Intercommunal Talks held in Vienna between 31 July and 2 August 1975. The remainder had already moved from the South to the North as a result of their own individual endeavours. Many of these took considerable risks in defying the unlawful Greek Cypriot ban on their movement to the North and some, including a four-month old baby, even lost their lives in the attempt.

Following the concentration of the Turkish and Greek Cypriot populations in two separate regions of the island, which was finalized with the above-mentioned population exchange agreement the Turks did what the circumstances dictated them to do; they engaged in the immense task of resettling and rehabilitating their displaced people some of whom had been refugees, in some cases three times over, for over twelve years. The Turkish Community has spent and continues to spend thousands of pounds on these refugees.

The Greeks on the other hand, did not show the same sincerity in their approach to the refugee problem. Instead, they embarked on a false propaganda campaign, which is still continuing, to exploit the refugee issue with a view to gaining the sympathy of the international public opinion.

As part of this propaganda campaign, they have grossly exaggerated the number of their displaced people, which they claim to be as high as 200,000, and have continuously demanded the return of these people to their homes as a precondition to the settlement of the Cyprus problem.

As regards the number of the Greek Cypriot displaced persons, it has been established that the figure is far below 200,000. The Greek Cypriot press gave this number as only 56,300 on 14 October 1975. On the other hand, Mr. Criton Tornaritis, Attorney-General of the Greek Cypriot Administration, indicated in his pamphlet entitled "Legal Aspects of the Problem of Refugees in Cyprus" that the entire population of the North could not have possibly exceeded 129,000 prior to July 1974.

Although it is difficult to determine the exact number of the Greek Cypriot displaced people, and although the Greek side has been very inconsistent on the matter, a census of evacuated Greek villages and houses has shown that the figure is in the region of 90,000.

That the number of Greek Cypriot displaced persons is grossly exaggerated is also evident from the fact that foreign food aid granted to the Greek side has given rise to stock-piling. The Greek press has more than once reported that this food is being sold on the market at half price (Greek newspapers "Mesimvrini" and "Mabi")

Impartial estimates confirm that the number of Greek displaced persons is around 90,000; approximately equal to that of the Turkish Cypriot displaced persons.

It is true that the displaced Turkish Cypriots have since 1974 been resettled and rehabilitated in the North, in houses and properties abandoned by Greek Cypriots. It is just as true that almost an equal number of Greeks have been similarly resettled and rehabilitated in the South, in Turkish owned houses and properties. This is evident from various articles which appear in the local Greek press from time to time (i.e. "Cyprus Mail" of 14 and 10 November 1975), as well as from official Greek Cypriot sources (e.g. "Briefing Paper" No. 17/76, dated 22 June 1976 published by the Public Information Office of the Greek Cypriot Administration).

If there are today a number of Greek Cypriots still not properly settled and rehabilitated the responsibility for this rests not on the Turkish side, but on the Greek Cypriot leaders who are deliberately delaying their rehabilitation in order to exploit the plight of these people for propaganda purposes and to justify their unrealistic demand for the return of refugees to their original places of abode in disregard of the past and in disregard of the voluntary population exchange agreement reached at Vienna. Apparently it suits much better the purposes of the Greek Cypriot leaders to keep these people in tents as an inexhaustible source of political propaganda. This is all too obvious from an extract from a UPI news report of 24 February 1977, which was written at the time of Mr. Clark Clifford's (the special envoy of the United States President to Cyprus) visit to the island. Mr. Clifford was taken on a "conducted tour" of the Greek Cypriot so-called refugee camps, a practice which is imposed on all foreign visitors who come to Cyprus, by the Greek Cypriot Administration. The UPI report deals in the following manner with the alleged "homeless" Greek Cypriots, and in doing so exposes the show-business involved in the whole affair:

"She and others wailed as Mr. Clifford walked past and climbed into a limousine to leave. Then, her tears drying instantly, she smiled and waved at President Carter's special envoy before rejoining the other women on a government bus that took them home."

It should be reiterated that in view of the bitter experiences of the 11 years of oppression at the hands of the Greek Cypriots, there is not a single Turkish Cypriot refugee who is willing to return to the south and go through the same ordeal once again. On the other hand the return of Greek Cypriots to the North, as demanded by the Greek Cypriots, would not only put the security of life of the Turkish Cypriots in total jeopardy but would also undermine the bizonal solution which constitutes the only basis for the peaceful co-existence of the two communities in the future.

### 3. Atrocities committed against the Turkish Cypriots:

Apart from the murders committed against the Turkish Cypriots after 1963, both individually and on a mass-scale, the following atrocities were also carried out against the island's Turks by the Greek Cypriots in collaboration with Greece:

#### A. Rapes:

Referring to the atrocities committed against the Turkish Cypriots in 1974, The Times of London wrote the following on 22 July 1974:

"... thousands of Turks were held as hostages. Turkish women were raped and Turkish children were killed on the streets ... These incidents have been confirmed by Greek Cypriots."

Illustrative of the rapes committed against Turkish Cypriots is an incident in Larnaca town in November 1976, which involved the raping of a 75-year old Turkish woman, Ayse Hasip, by a Greek Cypriot named Serghios E. Tophis. The incident was reported in the local Greek press.

Innumerable such acts were committed against Turkish women of all ages, not only during and after the events of 1974, but starting all the way back from 1963, when the Greeks had launched their first murderous attacks against defenceless Turkish Cypriot civilians.

B. Inhuman treatment:

Few members of the Turkish Community have been able to escape some form of cruelty or degrading, humiliating and inhuman treatment meted out by the Greek Cypriots from 1963 onwards. The barbaric treatment by the Greek Cypriots of the island Turks ranged from torturing the victims before murdering them at worst (ref. press report in "Daily Telegraph", 14 January 1964) to subjecting them to excessive checks and bodily searches at Greek Cypriot check-points at best (United Nations Secretary-General's report S/5950 of 10 September 1964, para. 103). Following the events of 1974, the remaining Turks in the South who wanted to escape to freedom in the North, were severely maltreated by Greek Cypriots and arbitrarily prevented from doing so. On 25 June 1975, for instance, a group of 48 Turkish Cypriots from Paphos town were intercepted by the Greek Cypriot so-called security forces while trying to escape to freedom in the North, were first fired upon and then savagely beaten and turned back. The incident was protested to the United Nations Secretary-General by the Turkish Cypriot side (i.e. letter dated 27 June 1975 addressed to Dr. Kurt Waldheim by H.E. Rauf Denktas, President of the Turkish Federated State of Cyprus).

C. Arbitrary Detention:

Arbitrary detention of Turks of all ages and both sexes, individually and on a mass-scale, was common practice employed by the Greek Cypriots in and after 1963. In Nicosia 700 Turkish Cypriots, including women and children, were taken hostage on the Christmas Eve of 1963, and after 10 days of detention only 500 were returned. Thirty-four Turkish Cypriots were abducted in May 1964. The United Nations Secretary-General's reports (S/6223 of 11 March 1965, para. 117 and S/7350 of 10 June 1966, para. 76) indicate that 212 Cypriots were missing at that time. This number rose to around 800 in 1974. During the events in 1974 "thousands of Turks were held as hostages," as was also reported by impartial sources (i.e. The Times newspaper, 22 July 1974). The UPI news agency, in one of its reports on 23 July 1974 indicated that "a large crowd" of Turkish Cypriots "was congregated in the courtyard of the Limassol prison," while The Voice of America announced on 26 July 1974 that the 1950 Turkish Cypriot hostages in the hands of the Greek National Guard were being kept in the sun in temperatures around 120°F in the Limassol municipal stadium. In the face of this stage of affairs it adds insult to injury to hear the Greek Cypriot side accuse the Turkish side of arbitrarily detaining Greek Cypriots and of being responsible for the so-called missing Greek Cypriots. It must be recalled that it is the Greek Cypriots themselves that are responsible for arbitrarily detaining and/or killing thousands of their own kinsmen during the bloody coup d'etat of 15 July 1974.

4. Violation of the freedom of movement of Turkish Cypriots:

For 11 years between 1963-1974 Turkish Cypriots lived as virtual hostages in their enclaves around the island under Greek Cypriot siege. The extent of restrictions on their freedom of movement was so severe that the United Nations Secretary-General described it in one of his reports to the Security Council

(S/5950 of 10 September 1964, para. 222) as "veritable siege". The severity and undeniability of this gross violation of human rights is also borne out by numerous other United Nations reports (i.e. S/5764 of 15 June 1964, paras. 49 and 50; S/6102 of 12 December 1965, para. 35; S/7350 of 10 June 1966, para. 100; S/8286 of 8 December 1967, para. 55). On the other hand foreign travel had become a one-way route for the Turkish Cypriots because of the Greek Cypriot policy to artificially deflate the Turkish population of the island. While Turkish Cypriots were discreetly given every facility to leave the island, their return was severely obstructed (ref. Secretary-General's report S/8286 of 8 December 1967, para. 108). Even Mr. Denktaş, the then President of the Turkish Cypriot Communal Chamber, had become a victim of this racist policy and had to live in "de facto banishment" for years (ref. United Nations report S/8286 of 8 December 1967, paras. 87 and 88).

After the events of 1974, around 10,000 of the 65,000 Turkish Cypriots living in the South had not been able to escape to safety in the Turkish zone in the North. When fighting stopped and a cease-fire came into effect, these people started fleeing North, leaving all their belongings behind, in order to escape Greek violence, harassment and oppression, which had reached unbearable proportions. Their movement, however, was prevented by further violence, and other inhuman methods, and many of these Turkish Cypriots lost their lives in the process (ref. Greek Cypriot press reports in "Cyprus Mail", 21 November 1974 and 2 April 1975; "Agon", 21 March 1975; "Mahi", 15 April 1975; other Greek Cypriot press reports on 24 December 1974, 13 January 1975 and 15 March 1975).

In contrast to this treatment of the Turkish Cypriots by the Greek side, the Greek Cypriots staying in the north at present, enjoy the same rights as regards freedom of movement as the other citizens of the Turkish Federated State of Cyprus, subject only to minimum security precautions. Greek Cypriot accusations in this regard, therefore, are totally false and malicious, as will be explained in the following paragraphs.

5. Discrimination against the Turkish Cypriot Community:

In addition to the above crimes and atrocities committed against the Turkish Cypriot Community, severe discrimination in the following spheres was also practised by the Greek Cypriot Administration:

A. Political discrimination:

As it was explained earlier, following the onslaught of December 1963 and the forcible ejection of the Turkish Cypriot Community from the Constitutional Government of the Republic of Cyprus, the Greek Cypriot Administration has systematically hindered Turkish Cypriot representation at international forums and other organizations by posing as the lawful Government of Cyprus with the aim of preventing the Turkish viewpoint from being heard. This policy is still continuing at an increasing rate at the present time.

B. Economic and social discrimination:

Ever since the outbreak of violence in Cyprus in December 1963 the Greek Cypriot Administration, having failed to subjugate the Turkish Cypriot Community by the use of force, adopted the sinister method of financial exploitation and economic discrimination against the Turkish Community with a view to impoverishing it to such an extent that it would be forced to accept the Greek Cypriot political conditions for a settlement of the Cyprus problem. Salaries of the Turkish Cypriot civil servants were withheld on the pretext that these people did not attend their

duties, following the Turkish Community's ejection from the government machinery by force of arms. It was the generous financial and economic aid granted to the Turkish Cypriot Community by Turkey that rendered ineffective this inhuman and politically motivated economic war of attrition.

The financial exploitation of the Turkish Community found expression in the forced payment of both direct and indirect taxes into the budget of the Greek Cypriot Administration without any benefits accruing to the Turkish Community in return. Furthermore, as all ports and airports were under the control of the Greek Cypriot Administration all Turkish importers paid customs duty to the Greek Cypriot authorities which was in turn used exclusively for the betterment of the Greek Cypriot economy. Similarly all purchases by Turks of wines, spirits, and tobacco produced in the island bore excise duties which again accrued to the Greek Cypriot budget. It is estimated that Turkish Cypriots used to contribute something in the region of 15 per cent to the Republic's annual budget without any corresponding benefits accruing therefrom.

Although all Greek villages including even the smallest hamlets of 5-6 inhabitants were provided with electricity supply, 103 Turkish Cypriot villages and settlements were totally deprived of this facility. The Greek Cypriot Administration did not even allow the Turks to import or purchase electricity generating sets for powering their newly established hospitals. Furthermore, electricity supply in the Turkish Quarter of Nicosia was limited to 1963 strength.

The Turkish Cypriots also experienced discriminatory treatment in matters relating to social insurance.

The Social Insurance Scheme of Cyprus came into operation in January, 1957, at first covering employees and later also self-employed people. Those who participated and fulfilled the conditions could benefit whether he was a Turk or a Greek.

Following the Cyprus crisis in December 1963, the Greek Cypriot Administration, without any justification, refused the payment of all kinds of benefits to the Turkish contributors. Contributions to the credit of Turkish participants have been estimated to be in the region of £3 million pounds. Approximately 8,000 Turkish Cypriots employed by foreign banks, mining companies and the Sovereign Base Areas continued to contribute to the fund and their contributions amounted to about £100,000 per annum.

The Turkish side had made repeated attempts through the good offices of UNFICYP for the restoration of this social right of the Turkish members of the Insurance Scheme but were able to secure in March 1966 only partial restoration of the benefits of a very limited number of persons i.e., old-age and widow's pensions.

The Turkish Cypriot Community's applications to benefit from the credit facilities of the State (Loan Commissioners) as well as the Development Bank of Cyprus (share capital of which is 16 per cent Turkish) were also frustrated under the flimsy excuse that the Greek Officials of these institutions could not enter the Turkish-controlled areas. However, when the Turkish Cypriot side made arrangements for such free entry as demanded, the Greek Cypriot Authorities came up with another flimsy excuse saying that the mortgages offered by Turks as guarantee of such loans could not be foreclosed when the payment of installments fell overdue - this was a totally twisted argument - and continued to deny the Turkish Community its rightful share of this facility.

Examples of severe discrimination were also practised in the fields of telecommunications and sound and vision broadcasting.

The following are some of the many instances of discriminatory treatment accorded to the Turkish Cypriots in the field of telecommunications:

- (i) Although all Greek villages of the island (including remote spots) were provided with telephone service, many Turkish villages were deprived of this facility (e.g. Avghalida (Kurtulus), Kivisili (Cevizli), Goshi (Üçşehitler), Armenokhori (Esenköy), Muttakaya (Mutluyaka) and Selamani (Süleymaniye)).
- (ii) With the commencement of inter-communal disturbances in December 1963, the telephones of all Turkish subscribers in towns and villages were disconnected and telephone communication between Turkish villages and towns was cut off.
- (iii) In view of the above discrimination and as CYTA was in a position to disconnect all telephones in the Turkish Sectors any time, the Turkish Cypriot Administration had no alternative but to establish its own telephone services. The Greek Cypriot Administration did everything possible to hinder the establishment of this service. They prohibited the importation into the Turkish Sectors of all kinds of equipment and materials required for telecommunications services. As all the ports of Cyprus were at that time under the control of the Greek Cypriot Administration the Turkish Community was unable to obtain its requirements by direct importation from abroad.
- (iv) The telegraph services to the Turkish Sectors was discontinued after the Greek Cypriot onslaught of December 1963. Delivery of telegraphs sent to Turkish businessmen and other members of the Turkish Community were intentionally delayed causing great inconvenience and on many occasions irreparable losses to the addressees of such telegrams.

In the field of sound and vision broadcasting, it will suffice to state that both these services were used for the furtherance of the Greek Cypriot "national aim", i.e. for bringing about unification with Greece, by inculcating the Greek Community with anti-Turkish sentiments. A glaring as well as revealing example of how Greek Cypriots, particularly the young generation, were incited with feelings of hatred towards the Turks will be given in later paragraphs.

Mention can also be made of several approaches by the Turkish Community through the United Nations to have a joint working arrangement at technical level for the drafting of the third five-year development programme of Cyprus as well as a working machinery for the distribution of foreign aid, including UNDP assistance and aid to Cyprus. All these efforts fell on deaf ears. The emerging picture after 1974 has been much the same. Posing to the world as "the Government of Cyprus", the Greek Cypriot Administration has managed to usurp this aid and utilize it solely for the development of the Greek Cypriot economy.

The discriminatory and unfair distribution of UNDP assistance for Cyprus was, at least partly, responsible for the extremely wide economic gap that had existed between the two communities prior to 1974. It is rather regrettable that even after 1974, this discrimination was allowed to continue by those who sponsored economic assistance for Cyprus.

C. Educational discrimination:

Under the 1960 Constitution of the Republic of Cyprus, education was strictly a communal matter, which should be run by the Turkish and Greek Communal Chambers respectively, with statutory grants from the main budget of the Republic.

Article 88, paragraph 2 of the 1960 Constitution stipulated that a minimum of £400,000 had to be allocated to the Turkish Communal Chamber from the consolidated fund of the State. The payment of this sum which covered only two-thirds of the expenses of Turkish education was arbitrarily stopped by the Greek Cypriot Administration simultaneously with the Greek Cypriot onslaught of December 1963. Later, in 1965 the Greek side, in flagrant violation of the Constitution of the Republic, dissolved the Greek Communal Chamber and unilaterally formed a so-called "Ministry of Cyprus Education" which in fact took over the administration and financial responsibility of Greek Cypriot education only.

With this illegal act, the Greek Cypriot Administration had clearly attempted to transform Greek Cypriot education from a communal matter to a State affair. Greek Cypriot education was hereafter projected as the State's only heritage and concern; and the educational authorities of the Greek Community, who were solemnly devoted to the cause of Enosis, started participating in international conferences and seminars as the sole representatives of Cyprus education.

The following examples will illustrate some of the many cases of discrimination suffered by Turkish education and culture at the hands of Greek Cypriots:

(a) In 82 villages or towns damage to the extent of £1,000,000 (one million Cyprus pounds) was done to elementary school buildings, teachers' lodgings and secondary school establishments as a result of the Greek Cypriot onslaught in 1963.

(b) The educational grant payable annually to the Turkish Communal Chamber under Article 88 of the Constitution was arbitrarily withheld from December 1963. Having regard to the pro rata expenditure incurred from the Republic's budget on Greek Cypriot education, the total amount due to the Turkish Communal Chamber for Turkish education for the years 1963-1974 is in the order of C£15,000,000 (fifteen million pounds).

(c) The Greek Cypriot youth was indoctrinated in schools to hate Turks and everything that was Turkish. The television and radio programmes were similarly used to inseminate seeds of hatred against the Turkish Community.

(d) The Turkish Community was denied for eleven years the use of the Turkish elementary school premises of Larnaca, Omorphita and Paphos and the secondary school premises of Paphos for the education of Turkish pupils aged 7-17; thus forcing pupils to attend make-shift and unhealthy buildings for their education.

(e) Elementary schools in mixed villages and towns were systematically broken into, Turkish flags and pictures were stolen and the word "EOKA" (the name of the Greek terrorist organization fighting for Enosis) was written on the blackboards. Repeated complaints through UNFICYP for effective police measures to stop such provocative actions fell on deaf ears.

(f) The Elementary School of Ayios Georghios (Lefka) was arbitrarily demolished by a Greek Cypriot Mining Company in 1972.

(g) Because of the restrictions placed on the freedom of movement of the Turkish Community -

- (i) some schools were left without teachers;
- (ii) inspectors could not visit schools for guidance or counselling;
- (iii) equipment and other teaching materials could not be sent to schools.
- (iv) Restrictions on the entry of building materials to Turkish sectors prevented the repair of school premises.
- (v) From 1963 to 1968 free movement of Turkish Cypriot students was banned, so that the Turkish students studying abroad were unable to return home to visit their parents.

(h) The Turkish Community was deprived of all the aids, assistance and scholarships given to Cyprus by other countries and by the United Nations Agencies during the period 1964-1968. All such aid and scholarships went to the Greek Cypriots. It was not until after 1968 that the Turkish Community was able to derive some benefit from these aids and scholarships, albeit not adequately, for even then the Greek Cypriot Administration always took the lion's share.

(j) Similarly, all UNESCO aid for Cyprus went to Greek Cypriot educational establishments, the Turkish Cypriot schools receiving nothing. Even the mobile library was allocated exclusively to the service of Greek Cypriot schools.

#### D. Religious discrimination:

Amongst the manifold acts of violence committed in the recent history of Cyprus, some of the most aggravating and brutal were those committed against Moslem religious institutions in the Island. Mosques, shrines and other places of worship belonging to the Moslem religion were attacked, bombed, burned down or otherwise destroyed with bulldozers in almost sacrilegious manner in 103 villages and towns. A BBC commentator describing the persecution of Turkish Cypriots in early 1964 stated that he had never seen such "collective hatred".

The "Bayraktar Mosque" in Nicosia, for instance, was repeatedly attacked with bombs, its minaret and interior sections were destroyed, its carpets and other precious furnishings were looted and, eventually, its precincts were bulldozed and turned into a car park. The "Cami-i Cedit" in Paphos town had met a similar fate. In the early stages of the Greek onslaught, this mosque was attacked with mortars and bazookas and its minaret was destroyed. Later it was invaded, ransacked and set on fire. And at a much later date the charred remains of the mosque were pulled down completely by bulldozers, and its site was turned into a car park. The "Umm Haram Shrine" which is the most important Islamic shrine on the Island, as well as the "Hazrat Omar Shrine" were also among the Islamic holy places on the Island which fell victim to Greek wrath. They both suffered great damage at the hands of the Greeks and were used for military purposes in utter disrespect for the values of Islam.

E. Incitement of hatred:

The Greek Cypriot Administration has utilized the facilities of the State, which it had usurped by force in 1963, to incite hatred against the Turks within the Greek Cypriot Community with the object of keeping alive their policy of ENOSIS. Led by Makarios, the authorities of the Greek Cypriot Administration continuously and consistently declared publicly the notion that the presence of the Turkish Community in Cyprus prevented the realization of ENOSIS, and thereby created in the Turkish Community a feeling of not being wanted in this land. This point was adequately emphasized by Makarios himself in a speech he delivered at Panayia village, his place of birth, on 4 September 1962:

"Unless this small Turkish Community forming a part of the Turkish race, which has been the terrible enemy of Hellenism is expelled the duty of the heroes of EOKA can never be considered as terminated."

All kinds of organizations and associations formed with the object of achieving ENOSIS were encouraged and supported by the State and all means, including arms, were made available to them. These organizations and associations were allowed to pursue their activities freely, to resort to and prepare for violence against the Turks, and those responsible for such discriminatory and terroristic activities were never punished in any way. The Greek Cypriot National Guard, which was unconstitutionally formed by Archbishop Makarios with the object of eliminating Turkish Cypriot resistance to ENOSIS, is still active and present in the Island today under the command of officers from Greece which were invited to the Island by the late Makarios. The broadcasting services and facilities of the State were used for eleven years, and are still being used, solely for the benefit of the Greek Cypriots and also as a medium for disseminating anti-Turkish propaganda. Greek Cypriot children were and still are being indoctrinated by Greek Cypriot educational authorities to believe that the Turks are enemies who should be hated. An episode taken from the pre-1974 years is illuminating and relevant in this context: a former Greek Cypriot Minister of Education in Cyprus, Mr. Petrides, appearing on the Greek Cypriot controlled television in Nicosia as the organizer of a quiz programme for elementary school children, put the following question to the students: "Who crucified Christ?" The immediate reply by one of the children was: "The Turks". Petrides' response was as prompt as it was surprising: "No, he said, "it was not the Turks who crucified Christ, but I shall give you full marks all the same, because you know who your national enemy is".

Today, years after the broadcasting of this programme, the question rises whether there has been a change of heart amongst the Greek Cypriots and their leaders, at least slightly. The following words spoken on a programme on Greek Cypriot television (the so-called Cyprus Broadcasting Corporation) on 10 January 1979, will provide the answer for this:

"It is the duty of the Greek Cypriot Church to continue the Cyprus struggle until the island is totally Hellenized and the Greek flag flies all over Cyprus. The Church must use all its means and indeed sell its last candle stick and, if need be, the clergy must sell their cloaks to buy arms to conduct the struggle."

It is significant to note that this chauvinistic literature was uttered on a programme which is conducted by Mr. Michalakis Triantafyllides, the Chief Justice of the Greek Cypriot Community and one of the advisers to the Greek Cypriot interlocutor at the intercommunal talks. Thus, the contents of the programme, apart from reflecting the feelings of the Greek Cypriot Community, also reflect the official position of the Greek Cypriot Administration.

All the instances of racial discrimination practised by the Greek Cypriot Administration against the Turkish Cypriot Community are too numerous to mention here. Suffice it to say that every conceivable discriminatory treatment was exercised by the Greek Cypriots against their Turkish neighbours, as part of their master plan to bring about the colonization of Cyprus under Greece, i.e. ENOSIS.

#### 6. Colonization:

Greece has always tried to colonize Cyprus through ENOSIS, with the aid of the Greek Cypriots. The innumerable ENOSIS statements of the Greek Cypriot leaders, past and present, and the still standing resolution taken by the Greek Cypriot House of Representatives on 26 June 1967, speak this fact loudly and clearly. Turkey's policy and action has always been to prevent this colonization and save the Turkish Community from being colonized.

Between 1963 and 1974 Greece surreptitiously sent 20,000 troops and officers to Cyprus with the purpose of colonizing the island (c.f. United Nations Secretary-General's reports to the Security Council S/5950 of 10 September 1964, para.41; S/7191 of March 1966, para.24; S/7350 of June 1966, para.19; S/7969 of June 1967, para.22; S/8286 of December 1967, para.25; S/8446 of March 1968, para.25). These soldiers were given "legal status" by the Greek Cypriot Administration in 1967 (ref. United Nations Secretary-General's report S/7969 of June 1967, para.24) and many of them were given Cypriot citizenship. It was these officers and men that staged the coup d'état of 15 July 1974, as also admitted by the late Archbishop Makarios in his speech before the United Nations Security Council on 19 July 1974.

It is ironical that the Greek Cypriot side, having committed the crimes, atrocities, and human rights violations, particular instances of which have been presented above, against the Turkish Community of Cyprus in a most flagrant manner; and having brought about the present state of affairs through their age-long policy of attempting to "Hellenize" Cyprus, should now feel justified in accusing Turkey and the Turkish Cypriot side of human rights violations in Cyprus in a still aggressive frame of mind, instead of feeling remorse for what they have done to the Turkish Cypriots for years, as a first step in the creation of a conciliatory atmosphere between the two communities, so that the past may at least be forgiven, if not forgotten.

It would now be pertinent to turn briefly to some of the accusations levelled against Turkey and the Turkish Cypriot Community by the Greek Cypriot side with regard to human rights in Cyprus, and see if the Greek Cypriots are at all justified in making these accusations.

The question of displaced persons has already been dealt with in considerable length in the preceding paragraphs, with particular reference to the voluntary population exchange agreement reached between the two communities at the third round of the Intercommunal Talks held in Vienna from 31 July - 2 August 1975 which settled this question between the two communities and within the framework of a bi-zonal, federal political settlement. It may be added to this that the four-point framework agreement reached between H.E. Rauf Denktas and the late Archbishop Makarios at the summit of 12 February 1977 also envisaged a bi-zonal solution to the Cyprus problem. In view of these agreements and the fact that no Turkish Cypriot wishes to move to the

South and re-live the bitter experiences of the past again, the Greek Cypriot demand for the return of the displaced people to their former places of residence is obsolete as well as unrealistic.

Nonetheless the Turkish Cypriot Community has always demonstrated its flexibility in respect of this humanitarian question, by expressing its readiness to take up the question within the framework of a final settlement.

As regards the presence of the Turkish Peace Force in Cyprus, it would suffice to state that this presence is the only effective guarantee for the enjoyment of the human rights of the Turkish Cypriots, which were trampled upon and disregarded by the Greek Cypriots for years on end. That this presence is not permanent pending a final solution to the Cyprus problem, has been made amply clear by the officials of the Republic of Turkey at the highest level (e.g. Statement by Mr. Ihsan Sabri Çağlayangil, the former Foreign Minister of Turkey, on 28 September 1976 before the United Nations General Assembly).

The question of missing persons is another humanitarian question, which has been exploited by the Greek Cypriot side for propaganda purposes.

Contrary to what has been claimed by the Greek Cypriot leadership, the question of missing persons is not a new issue which came about as a result of the Turkish intervention in July 1974. The Turkish Community of Cyprus was the first to experience the agony of missing persons. During the Greek Cypriot onslaught of December 1963, and the years of oppression that followed it, many Turks were abducted from the roads, from their places of work and even from the hospitals, where they were receiving medical treatment. Various reports of the United Nations Secretary-General to the Security Council, give authentic United Nations information regarding Turkish Cypriot missing persons prior to 1974 (e.g. S/5950 of 10 September 1964, para.142; S/6102 of 12 December 1964, para.93; S/6228 of 11 March 1965, para.117; S/7350 of 10 June 1966, para.76).

After the Greek coup d'état of 15 July 1974 the number of Turkish Cypriot missing persons rose to about 800. The great majority of these people were civilians which included breastfed babies and 90-year-old elderly people. The Greek Cypriot Administration has to this day declined to account for the fate of these people. About 300 bodies belonging to missing Turkish Cypriots were exhumed from mass-graves at Aloa, Maratha, Sandallaris and other places. Permission for the opening of another mass-grave in the south where the Turkish population of the village of Tokhni is known to have been buried, the existence of which is also confirmed by UNFICYP, has been refused by the Greek Cypriot authorities. It is not, therefore, difficult to guess the tragic fate of the rest of the missing Turkish Cypriots.

The question of missing persons has been the subject of numerous discussions between Mr. R.R. Denktas and Mr. Glafcos Clerides, both locally and during the inter-communal talks held in Vienna. During these discussions Mr. Denktas had made it abundantly clear to Mr. Clerides that there were no "missing persons", "civilian detainees" and/or "prisoners of war" either in the Turkish Federated State of Cyprus or in Turkey who had not been returned to the Greek side. Mr. Denktas even offered to make joint surprise visits to any place within the Turkish Federated State of Cyprus, where Mr. Clerides had claimed there were missing Greek Cypriots. As a matter of fact, later on, Mr. Denktas did accompany Mr. Clerides to a number of places in the Turkish Cypriot North, upon the latter's claim that he had concrete

information as to the existence of missing Greek Cypriots at these places. But naturally no Greek Cypriots were found there, since none existed, and ultimately it became evident that Mr. Clerides' information was supplied by unreliable sources.

It should be categorically stated here that there are no missing persons, civilian detainees, and/or prisoners of war in the hands of the Turkish side, who have not been returned to the Greek side. This fact has also been confirmed by the representative of the International Committee of the Red Cross in Cyprus, on various occasions, at the humanitarian talks held at the United Nations Conference Area in Nicosia in the presence of the United Nations Secretary-General's Special Representative in Cyprus, and the then Greek Cypriot interlocutor Mr. Glafcos Clerides himself.

It will be recalled that a coup d'état took place in Cyprus with the ultimate object of uniting Cyprus with Greece, which triggered the events of July-August 1974. Turkey had to intervene in exercise of her rights and obligations under the 1960 Treaty of Guarantee, in order to prevent the annexation of Cyprus by Greece and save the Turkish Cypriot Community from total annihilation. Because of the attack of the combined Greek and Greek Cypriot armed forces on the Turkish Peace Force, the operation assumed a war-like character. Naturally, many people on both sides unnecessarily lost their lives. In this chaotic atmosphere of war the Turkish side was not even able to bury its own dead. Most of those found, Greek or Turkish, were buried on the spot in order to prevent an epidemic. For example, on or about 22 July 1974, while the fighting was still going on, three truck-loads of dead bodies believed to be Greek were brought to Nicosia for delivery to the Greek side. The Greek Cypriot side was notified through the United Nations Canadian Contingent to take delivery of their dead but half-an-hour later they replied, through the same channel that they were not interested in these dead bodies and said they could be disposed of on the Turkish side. As it was summer and the bodies had already begun to decompose, they had to be buried at once.

It will be appreciated that amidst the confusion of fighting it was not possible to make proper arrangements for the identification and burial of the dead. In view of the health hazards involved in leaving them out in the open in the hot Cyprus summer until a cease fire, they were buried immediately, in most cases by civilian individuals. Consequently accurate or complete information as to the number and identity of the dead is not available.

In addition to those Greek Cypriots killed in action, one must not forget that there are thousands of Greek Cypriots that were killed during the internecine fighting among the opposing Greek Cypriot factions during the Greek coup d'état of 15 July 1974. Greek casualties during this coup were rated to be as high as three to four thousand by the Greek Cypriot press. The revealing disclosures made to a correspondent of the Greek newspaper TANEA of Athens by a Greek Cypriot cemetery priest named Papatsestos about the burial of truck-loads of dead Cypriots in mass-graves without any record and without any attempt to identify the bodies provide ample evidence as to the fate of the so-called "missing" Greek Cypriots. Highlights of Papatsestos's interview with the correspondent of TANEA was reproduced in all local Greek newspapers on 28 February 1976.

It should be emphasized that the question of missing persons would have been settled long ago, had the Greek Cypriot side been sincere about settling it, instead of exploiting it for political propaganda purposes. As mentioned earlier the Turkish Cypriot side also has missing persons, and was in fact the first to experience the agony of this humanitarian question. This is why the Turkish Cypriot side

accepted the establishment of a Missing Persons Committee, within the framework of General Assembly resolution 32/128, even though it was not represented or heard either at the Third Committee or the General Assembly. Unfortunately, however, the Greek Cypriot side has insisted on referring the issue back to the Third Committee in order to keep the issue alive for propaganda purposes, in spite of the existing arrangements for a settlement of the issue, and in spite of the repeated calls of the Turkish Cypriot side for a bilateral meeting to resolve the outstanding differences with regard to the establishment of the Missing Persons Committee.

Relevant in this context is the following statement made by H.E. Rauf Denktaş on 24 October 1978, with regard to this humanitarian question:

"... the Greek Cypriots have resorted to shameful intrigues on the establishment of the joint Committee to trace missing persons. While pretending to favour the establishment of such a Committee, they resorted to all sorts of intrigues to prevent the setting up of such a Committee.

"We immediately agreed to the setting up of a committee with the participation of the International Red Cross as soon as the Resolution was adopted by the Third Committee of the United Nations last year. Regarding the procedures to be followed by the Committee, the then U.S.A. Ambassador Mr. Crawford mediated between the two sides. There was full agreement on every paragraph. The Greek Cypriots, however, were insisting on majority vote for decisions. We argued that this would have drawbacks. In the end, the Americans took up the issue with the International Red Cross Headquarters in Geneva. The Americans brought us and to the Greek Cypriots information from the International Red Cross that they would not participate in voting. Thus the question of voting was also resolved and the agreement was ready for initialling. The Greek Cypriot side did not accept this. Voting has never been an accepted procedure in humanitarian issues. Interested parties act in a spirit of mutual help. Since both communities have missing persons, insistence on voting was a course adopted to impede the establishment of the Committee.

"In April 1978, United States Representatives mediated between Mr. Kyprianou and myself once again. Agreement was reached on every paragraph of the document regarding procedures which was presented to both sides. Upon this I called for a meeting with Mr. Kyprianou to initial this agreement. I extended my call through the intermediary and I also disclosed it to the press. Mr. Kyprianou did not accept the invitation. During my last visit to New York, I repeated my invitation through United Nations Secretary-General Waldheim and also informed the press about it. These are the facts.

"The Greek Cypriot leadership is pretending as if none of these developments took place and as if no agreement has been reached on all aspects, except the question of voting. As a matter of fact the International Red Cross has itself stressed that voting cannot take place. These facts are well known by the United Nations Secretary-General and the American officials who mediated in Nicosia and New York. If the Greek Cypriot leadership feels the need to deceive even its own people despite these facts, this concerns them and does not affect us."

It will appear from the above that the whole difficulty on the matter is due to the efforts of one party to exploit this humanitarian issue for political purposes. This is borne out by the insistence of the Greek Cypriot side that the third member of the investigatory Committee, originally an ICRC representative as envisaged by General Assembly resolution 32/128, should have the decisive vote in the event of disagreement between the Turkish and the Greek Cypriot members of the Committee; whereas the Turkish Cypriot side wants all decisions to be taken by consensus, so as to prevent the exploitation of this humanitarian issue for political purposes. On this point the views of the Turkish Cypriot side and those of ICRC, as also presented in paragraph 43 of the Secretary-General's report S/12946 of 1 December 1978, in the following terms, are identical:

"ICRC, though willing to take on functions conferred upon it by agreement of both sides, was not prepared to be placed in the midst of political controversy."

The justified refusal of the ICRC to be dragged into political controversy over the question meant that the decisions of the Committee would be taken on a no-objection basis, and not by majority vote as the Greek Cypriots wanted, and that the Greek Cypriot side would be unable to use the Committee as a forum where it could disseminate further anti-Turkish propaganda. This is the reason why the Greek Cypriot side has found it necessary to push aside this perfectly logical and constructive arrangement, and take the question back to the Third Committee. As repeatedly stated by the Turkish Cypriot side before, the Turkish Cypriot side is ready to set up the Committee envisaged by Third Committee resolution of 12 December 1977, which was subsequently adopted by the General Assembly on 16 December 1977 (resolution 32/128), with the participation of the ICRC. As regards the resolution adopted by the Third Committee on 10 December 1978 which was later approved by General Assembly resolution 33/172 on 20 December 1978, it should be emphasized that the Turkish Cypriot Community does not consider this resolution as acceptable or binding, as it was made known in a letter addressed to the Secretary-General on 13 December 1978, by the Representative of the Turkish Federated State of Cyprus in New York (United Nations document A/33/499 and S/12967 of 13 December 1978). The clause urging the establishment of an investigatory body "under the chairmanship of a representative of the Secretary-General," who "shall be empowered, in case of disagreement, to reach a binding independent opinion which shall be implemented," is particularly unacceptable, since it does not even conform with established international practice with regard to settlement of disputes of this nature. It is relevant to note here that the legal advice sought from the United Nations in this respect states that in the absence of the explicit consent of both sides, the General Assembly cannot confer upon the Secretary-General, and for that matter, upon his representative, the role of a compulsory arbitrator, that there is no precedent for conferring such a role upon the Secretary-General in the absence of the consent of both parties, and finally that established international practice in the matter of dispute settlement attaches primacy to the consent of the parties. It also states that such consent must be express and not implied.

It is now the ardent hope of the Turkish Cypriot side that the Greek Cypriot side will abandon its policy of keeping this issue alive by constant referrals to the Third Committee, or any other international forum, and agree to the establishment of the Missing Persons Committee with the participation of the ICRC, as envisaged by General Assembly resolution 32/128, so that this humanitarian question can be settled once and for all.

The living conditions of some 1,500 Greek Cypriots in the North is another subject which serves as a constant source of false and misleading propaganda for the Greek Cypriot leadership. One complaint of the Greek Cypriot authorities with regard to these people is that they are being transferred to the South not on their own free will, but by force coming from the Turkish side. This argument is clearly negated by the relevant part of the Secretary-General's report to the Security Council (S/12723 of 31 May 1978, para.27) which states "All transfers are monitored by UNFICYP to ensure that they have been undertaken voluntarily". The very same fact was repeated in paragraph 32 of the Secretary-General's most recent report to the Security Council S/12946 of 1 December 1978.

The Turkish Cypriot authorities have undertaken and continue to undertake all necessary measures to ensure the well-being of the Greek Cypriots in the North. There is absolutely no question of the Turkish Cypriot leadership or Turkey uprooting these people from their homes by force.

That the living conditions of these people is also satisfactory and getting better with the passing of time is also borne out by above-mentioned reports of the Secretary-General to the Security Council. Paragraph 27 of the report No.S/12723 of 31 May 1978 states, for instance, that "the living conditions of these people have improved." The Secretary-General further notes in paragraph 70 of the same report that "the situation in the north ... has improved during the period under review". He also states that he has "every hope that this trend will continue."

On the other hand, in paragraph 15 of his most recent report No.S/12946 of 1 December 1978, he states "UNFICYP continues to have access to Greek Cypriot habitations in the north. Officers making liaison visits, in performance of humanitarian tasks, continue to have the opportunity to speak with the Greek Cypriots there in privacy". With regard to medical care extended to the Greek Cypriots, he states in paragraph 35 of the same report that, "Medical care available to Greek Cypriots in the north is as good as that provided to Turkish Cypriots in the same area ..."

With regard to freedom of movement the report under reference states that "... there are no major complaints about freedom of movement, Greek Cypriots continuing to have access also to fields at some distance from their villages". (para.36).

It is clear from the above that the accusations and recriminations levelled against the Turkish Cypriot side and Turkey by the Greek Cypriot Administration in regard to the Greek Cypriots staying in the north are of a purely propaganda nature, and reveal the ill feelings the latter harbours against the former.

It will be seen from the foregoing that the question of human rights, fundamental as it is, does not exist in a vacuum, and in Cyprus, perhaps more so than anywhere else, human rights questions cannot be taken up in isolation from the other aspects of the question. This is not to say that observance of human rights is or should be subservient to political or other considerations. However, it would be oversimplistic not to admit the complex interrelationship between human rights and other considerations, including political. The Greek Cypriot Administration would have the world believe that the Turkish Peace Force is in Cyprus for a purely political reason, i.e. to effect the partition of the island. It fails to mention, however, that it was their repeated and flagrant violations of the human rights of the Turkish Cypriots for eleven consecutive years that prompted the Turkish intervention in the first place, and overlooks the fact that today, in the absence of a political settlement, the Turkish Peace Force is the only guarantee for the protection of the human rights of the Turkish Cypriot Community.

The cause of human rights should not be treated as a means to an end but as an end in itself. It appears, however, that the Greek Cypriot Administration is using the question of human rights as a means of propagating anti-Turkish sentiments and for its own political ends.

It should be stressed that had the Greek Cypriot Administration really subscribed to the noble principles embodied in the Universal Declaration of Human Rights and the Convention for the Elimination of Racial Discrimination, it would not have violated all norms of human rights and practised racial discrimination against the Turkish Community since 1963. Even today the Greek Cypriot Administration continues to usurp the right of equal representation of the Turkish Community in international forums, and engages in imposing an all out economic embargo against this Community in its illegal capacity as "the Government of Cyprus". Turkish Cypriot ports and airports are declared illegal and closed to international traffic, and those foreign nationals who defy this ban are prosecuted and punished by the Greek Cypriot Administration, whenever the opportunity arises. The sale of citrus and other fruits from the North to foreign countries is disrupted by court actions brought in these countries against Turkish Cypriot companies by the Greek Cypriots. Hotels and touristic installations in the North are similarly declared illegal, and although the Greek Cypriots lose every legal suit they bring against the Turkish Cypriots in this respect in foreign countries, Turkish Cypriot tourism is seriously damaged by the propaganda and legal complications arising from such action. The Greek Cypriot Administration continues to incite international public opinion against the Turkish Cypriot Community and keeps the Turkish zone of Cyprus under a severe economic, social and political embargo.

It will clearly appear from all this that the Greek Cypriot Administration, with its past record and present practice, is the least eligible institution to talk about human rights today!

He who comes to equity must come with clean hands. The world community is well aware that the Greek Cypriot Administration, which pays lip service to justice and human rights today, was busy destroying these rights only yesterday and continues to do so at present. The Turkish Community of Cyprus maintains that human rights is too serious a subject to be entrusted to such an Administration, and hence aspires to a solution in Cyprus that will effectively prevent the Greek Cypriots from repeating their past crimes against the Turkish Cypriot Community.

ANNEX IV

NOTE VERBALE DATED 6 FEBRUARY 1979 ADDRESSED TO THE SECRETARY-GENERAL  
BY THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS

The Permanent Representative of Turkey to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to His Note of 28 December 1978, concerning the report on the "Question of Human Rights in Cyprus" which the Secretary-General will submit to the Commission on Human Rights at its thirty-fifth session, has the honour to inform him that the Government of Turkey has no further information to add to that already provided by the Turkish Federated State of Cyprus in the letter dated 18 January 1979, handed out to His Excellency Mr. Reynaldo Galindo-Pohl, the Special Representative of the Secretary-General in Cyprus.

The Permanent Representative of Turkey to the United Nations avails himself of this opportunity to renew to the Secretary-General of the United Nations the assurances of his highest consideration.

ANNEX V

GENERAL ASSEMBLY RESOLUTION 33/172 OF 20 DECEMBER 1978

Missing persons in Cyprus

The General Assembly,

Recalling its resolutions 3450 (XXX) of 9 December 1975 and 32/128 of 16 December 1977 on the missing persons in Cyprus,

Regretting the delay in the implementation of these resolutions,

1. Urges the establishment of an investigatory body under the chairmanship of a representative of the Secretary-General with the co-operation of the International Committee of the Red Cross, which would be in a position to function impartially, effectively and speedily so as to resolve the problem without undue delay the representative of the Secretary-General shall be empowered, in case of disagreement, to reach a binding independent opinion which shall be implemented;
2. Calls upon the parties to co-operate fully with the investigatory body and, to this effect, to appoint their representatives thereto forthwith;
3. Requests the Secretary-General to continue to provide his good offices, through his Special Representative in Cyprus, to support the establishment of the investigatory body.

90th plenary meeting  
20 December 1978

ANNEX VI

DECISION 1 (XVIII) OF THE COMMITTEE ON THE  
ELIMINATION OF RACIAL DISCRIMINATION

Information submitted by Cyprus relating to  
conditions in Cyprus

The Committee on the Elimination of Racial Discrimination,

Having expressed, in its decision 3 (XVI) of 9 August 1977, its grave concern at the fact that Cyprus, a State Party to the International Convention on the Elimination of All Forms of Racial Discrimination, was being prevented from fulfilling its obligations under that Convention in a part of its territory;

Taking note, on the basis of the fifth periodic report of Cyprus, that the hopes expressed on that occasion that a speedy normalization of conditions in Cyprus will be effected, and that refugees and other persons in Cyprus will be enabled to enjoy fully their fundamental human rights without discrimination, have not been fulfilled;

Alarmed by the fact that changes in the demographic composition of the population, which exclude a considerable part of the population from the enjoyment of their legitimate rights, have been brought about and are continuing;

Bearing in mind the fact that the competence and concern of the Committee are determined exclusively by the provisions of the Convention;

1. Reiterates its expectation and hope that the Government of Cyprus will soon be enabled to exercise its full responsibility for the implementation of all its obligations under the Convention on its whole national territory and that the unacceptable state of affairs in Cyprus will soon be brought to an end;

2. Expresses once again its concern and its hope that the General Assembly and other competent organs of the United Nations will take immediate and appropriate measures with a view to putting an end to the conditions referred to in the foregoing paragraphs.

401st meeting  
3 August 1978