



# General Assembly

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## Human Rights Council

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Agenda item 2

### Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

## Letter dated 18 May from the Permanent Representative of Cyprus to the United Nations Office at Geneva addressed to the President of the Human Rights Council

In accordance with instructions received from my Government, I wish to refer to the note verbale dated 25 March 2011 from the Permanent Mission of the Republic of Turkey addressed to the Office of the United Nations High Commissioner for Human Rights (A/HRC/16/G/15) and to emphasize that the Government of the Republic of Cyprus firmly rejects the unfounded allegations and subjective interpretation of the state of affairs in Cyprus, as expressed by the occupying Power in the said note.

Even though by the said note verbale Turkey implicitly assumes responsibility for the situation in Cyprus and admits its key role and involvement in the continuation of the 36-year-old Cyprus problem, it is still regrettable that Turkey consistently insists on ignoring the position of the United Nations towards the Republic of Cyprus and the Cyprus issue, refuses to comply with relevant United Nations resolutions, and pursues a policy of legitimizing the status quo that it has imposed on Cyprus through the use of military might and the presence of 43,000 heavily armed troops on the island. It is all the more discouraging that Turkey prefers to ignore the fact that the sovereignty, independence, territorial integrity and unity of the Republic of Cyprus and the legitimacy of its Government are also embodied in the Treaty of Accession of the Republic of Cyprus to the European Union, and in relevant judgements of the European Court of Human Rights.

The United Nations has had a clearly established position towards Cyprus since the early years of the establishment of the Republic of Cyprus when, following the regrettable events of 1963, the Security Council unanimously adopted resolution 186 (1964), in which the Council affirmed, inter alia, the sovereignty of the Republic of Cyprus and the legitimacy of its Government, and called “upon all Member States, in conformity with their obligations under the Charter of the United Nations, to refrain from any action or threat of action to worsen the situation in the sovereign Republic of Cyprus or to endanger international peace”. Claims that there exist in Cyprus two “peoples”, that the Government of the Republic of Cyprus does not legally represent the whole of the island, and that a State Member of the United Nations ceased to exist in 1963 are nothing else but the familiar Turkish allegations used in justification of a long-term policy of geographical

segregation of the two Cypriot communities and of the eventual division of Cyprus into two ethnically cleansed parts.

Following the illegal Turkish military invasion and occupation of one third of the territory of the Republic of Cyprus in 1974, the international community reiterated, through several General Assembly and Security Council resolutions, its demand that all States respect the sovereignty, independence, territorial integrity and unity of the Republic of Cyprus, and for the speedy withdrawal of all foreign armed forces and foreign military presence and personnel from the island. The purely political arguments constantly repeated by Turkey are totally subjective in that they are detached from historical realities and lack any valid legal basis.

It should be noted that there exists no international instrument that provides for the stationing of 43,000 Turkish heavily armed troops on the island until the present or that can provide any moral or legal justification to the full-blown Turkish military invasion of 1974 and the consequent 36-year Turkish military occupation of one third of the territory of the sovereign Republic of Cyprus.

Furthermore, the illegal unilateral declaration of the so-called “Turkish Republic of Northern Cyprus” was immediately and explicitly condemned by the international community through Security Council resolutions 541 (1983) and 550 (1984). The Security Council declared this action legally invalid, called for its withdrawal, and being “gravely concerned about the further secessionist acts in the occupied part of the Republic of Cyprus”, condemned “all secessionist actions, including the purported exchange of ambassadors between Turkey and the Turkish Cypriot leadership”, called upon all States “not to recognize the purported State of the “Turkish Republic of Northern Cyprus” set up by secessionist acts” and called upon them “not to facilitate or in any way assist the aforesaid secessionist entity”.

In closing, I consider it pertinent to note that, among others, the European Parliament, in its recent resolution on Turkey’s 2010 progress report of 9 March 2011, called on Turkey and its subordinate local administration “to refrain from any new settlements of Turkish citizens on the island, as this would continue to change its demographic balance and reduce the allegiance of its citizens to a future common State based on its common past” and to “address the issue of the settlement of Turkish citizens on the island, in accordance with the Geneva Convention and the principles of international law”.

It should be also recalled that this problem was raised by the Turkish Cypriots themselves during the recent massive demonstrations that took place in the occupied part of Nicosia on 28 January and 2 March 2011. Becoming increasingly more vocal in their criticism of Turkey’s colonization policy, which endangers their Cypriot identity, many of the demonstrators expressed, inter alia, their opposition to the continued influx of settlers in the occupied part of Cyprus.

I should be grateful if you could arrange for the text of the present letter to be circulated as a document of the Human Rights Council.

(Signed) Andreas Hadjichrysanthou

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