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ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Letter dated 26 May 1976 from the Permanent Representative of Turkey
to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter dated 26 May 1976, addressed to you by Mr. Nail Atalay, representative of the Turkish Federated State of Cyprus.

I should be grateful if this letter were circulated as an official document of the General Assembly under item 68 of the preliminary list of items to be included in the provisional agenda of the thirty-first session.

(Signed) Ilter TÜRKMEN
Ambassador
Permanent Representative

* A/31/50.

ANNEX

Letter dated 26 May 1976 from Mr. Nail Atalay to the Secretary-General

I have the honour to enclose herewith a letter dated 6 May 1976, addressed to you by H.E. Mr. Rauf R. Denktas, the President of the Turkish Federated State of Cyprus. The delay in postal services has made it impossible to forward this letter to Your Excellency any sooner than today.

I should be grateful if this letter were circulated as an official document of the General Assembly under item 68 ("Elimination of all forms of racial discrimination") of the preliminary list of items to be included in the provisional agenda of the thirty-first regular session of the General Assembly.

(Signed) Nail ATALAY
Representative of the
Turkish Federated State of Cyprus

APPENDIX

Letter dated 6 May 1976 from Mr. Rauf R. Denktas
to the Secretary-General

I would like to refer to the letter by Mr. Zenon Rossides dated 26 April 1976, which was circulated as Economic and Social Council document E/5813.

I understand that the said letter is meant to constitute a rebuttal to a previous letter by the Acting Representative of the Turkish Federated State of Cyprus in New York, which was annexed to the letter dated 19 April 1976 by the Permanent Representative of Turkey to the United Nations (E/5799). It is obvious that Mr. Rossides, being so used to regarding himself as the one and only representative of Cyprus, is much disturbed by the said letter of our Acting Representative, for the simple reason that it reveals certain realities about the Cyprus problem. While dismissing the existence of the Turkish Federated State of Cyprus, Mr. Rossides completely ignores the fact that such an entity as "the Government of Cyprus" has ceased to exist either in law or in fact ever since 1963 and he himself lacks the legal and constitutional authority to represent Cyprus at the United Nations or anywhere else.

On his part, the dilemma concerning Mr. Rossides' legal position is quite obvious: if he accepts the 1960 Constitution as valid, then he has to have the consent of the Turkish Community for representing Cyprus at the United Nations, which he knows full well he does not have. If, on the other hand, he does not accept the validity of the Constitution, then we seriously wonder where he finds the legal authority to speak for, or act on behalf of the whole of Cyprus.

We recommend, therefore, that before questioning the legality of the Turkish Federated State, Mr. Rossides takes into consideration this practical application of a simple rule of ancient Greek logic, embedded in his own heritage and bestowed upon him by his ancestors. He will then see that the conflict lies not in the position of the Turkish side, but in his own Administration's legal standing.

Regardless of Mr. Rossides' legal status, however, I am compelled to answer his allegations both for the sake of justice to the Turkish Community - something which he does not have any concept of - as well as for the sake of the world community's right to know the facts about this dispute.

It appears that Mr. Rossides prefers to engage in rhetoric regarding the definition of the Cyprus Republic as founded by the 1960 Agreements, accusing the Turkish side of wrongly defining it as "a functional federation". The Turkish side is fully aware of what kind of State Cyprus was, needs no legal advice from Mr. Rossides regarding this matter.

The 1960 Agreements giving rise to the establishment of the Republic of Cyprus, granted the two communities co-founder partner status in this bi-national, bi-communal State, each with equal say in the independence of the country.

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The Constitution, on the other hand, drawn up in full awareness of the national and cultural identities of the two communities and keeping in mind their special needs and aspirations, granted them administrative authority in matters relating to education, religion, cultural affairs as well as in municipal and other matters. Executive, legislative and judiciary authority in relation to such matters was vested in the separate Communal Chambers of each respective community (Part V, articles 86-111 of the Constitution) which were responsible for the running of affairs in the above-mentioned fields.

In an attempt to cover up these practical aspects of the Constitution, Mr. Rossides conveniently deletes the term "functional" from the vocabulary of his letter, and claims that the republic founded in 1960 was "not a federation".

That this kind of demagoguery will serve no purpose is evident. The Turkish Community knows full well what Mr. Rossides and his Administration have in mind when they talk of a "unitary state" for Cyprus. As interpreted by the Greek Cypriot leaders, this concept of a "unitary state" has to be one which is only a stroke away from Enosis - Union of Cyprus with Greece. Archbishop Makarios is on record as having written to the Ex-President of Greece, Ex-General Gizikis, on 2 July 1974:

"The Cyprus state should be dissolved only in the event of ENOSIS. However, as long as ENOSIS is not feasible it is imperative that the state status of Cyprus should be strengthened." (Press Release dated 6 July 1974 published by the Public Information Office of the Greek Cypriot Administration.)

As it is obvious from the above, and as admitted by Archbishop Makarios himself, the strong "unitary state" established in 1963, with much bloodshed and terror, was the closest thing to ENOSIS. The maintenance and strengthening of such a State was indispensable for the realization of this so-called national goal. Mr. Rossides and his leadership can be sure, however, that the Turkish Community will continue to oppose the colonization of Cyprus under Greece, as it has done in the past at grave sacrifices.

If he deems it appropriate to call me "the agent of the invader" just because I did not bow to Greek demands for ENOSIS and revealed their designs for the materialization of this goal, this is a matter which concerns his professional as well as personal etiquette. He should realize, however, that inventing new stigmas will take him nowhere and that he cannot continue forever to deceive the world with propaganda and lies.

The whole world knows who tried to destroy the independence of the country for the sake of an outmoded motto called Enosis, and devised clandestine plans (i.e. the Akritas Plan) for the extermination of the Turkish Community as an obstacle in the way to its attainment. The self-admitted and official Enosis policy of the Greek Cypriot Administration, which found expression in the following resolution passed unanimously by the Greek Cypriot House of Representatives on 26 June 1967, will perhaps help refresh Mr. Rossides' memory:

"Interpreting the age-long aspirations of the Greeks of Cyprus, the House declares that despite any adverse circumstances it would not suspend the struggle being conducted with the support of all Greeks, until this struggle

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ends in success through the union of the whole and undivided Cyprus with the motherland, without any intermediary stage."

When interpreting the 1960 Agreements and the Constitution, we advise Mr. Rossides to note that they expressly envisaged an independent republic closed to Enosis. For this reason they also constituted the main legal obstacle for the materialization of the national aspirations of Greeks; whereas, on the practical side, such obstacle was considered to be the Turkish Community itself. As far as the Greek leaders were concerned both were inadmissible and had to be done away with.

The first task was easy enough. In 1963 Makarios submitted his famous 13-point memorandum to amend the Constitution, a move which would have stripped the Turkish Community of all its basic rights entrenched therein; and when the Turkish side objected to it, the Turkish officials were expelled from the Government never to return.

However, violating the Constitution was not enough to bring about the union with Greece, since it did not erode the determination of the Turkish Community to oppose such union. The Turkish Community simply saw its existence in an independent republic, rather than in a colony of Greece. Thus, it was logical for the Turkish Community to defend the independence of Cyprus; because in doing so it was also defending its very survival.

The years following 1963 witnessed unprecedented cruelty and discrimination by one community against the other. It is useless for Mr. Rossides to refer to the understated "ill-treatment" of the Turkish Cypriot Community as "fictional tales" in an attempt to cover up the past crimes of his Administration. Had he looked at the past 12-year record of the Greek side, he would not have been so apathetic to realities.

I would like to pose the following questions to Mr. Rossides: How can a mentality, which is capable of producing the following statement, plead innocent?

"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." (From a speech delivered by Makarios at Panayia village on 4 September 1962.)

And how can the killing of hundreds of innocent Turkish civilians, the destruction of 103 villages by Greek and Greek Cypriot armed elements, the rendering of 24,000 Turks as refugees, be labelled as "fictional tales", in a half-hearted and superficial analysis of the humanitarian suffering of the Turkish Community, which appears in his letter?

Mr. Rossides should realize that he adds insult to injury and indeed ridicules his own argument when he makes statements to the effect that the misery of the Turkish Cypriots was self-imposed upon them, because of the segregationist policy of their leaders. If he has any insight to human nature he should see that no policy in the world is capable of convincing a people to bring self-suffering upon itself.

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And when it comes to quoting United Nations reports, as someone who has mingled with United Nations records since time immemorial, Mr. Rossides should know very well that I can quote more United Nations reports, as well as other objective sources, than himself, proving the contrary of his allegations:

"When the disturbances broke out in December 1963 and continued in the first part of 1964, thousands of Turkish Cypriots fled from their homes, taking with them only what they could drive or carry, and sought refuge in what they considered to be safer Turkish Cypriot villages and areas." (S/8286 of 8 December 1967, para. 126)

"... the conclusion seems warranted that the economic restrictions being imposed against the Turkish communities in Cyprus, which in some instances have been so severe as to amount to a veritable siege, indicate that the /Greek Cypriot/* Government of Cyprus seeks to force a potential solution by economic pressure as a substitute for military action." (S/5950 of September 1964, para. 222)

"The official list of restricted goods still comprises thirty-one items. Most of these goods, however, have extensive civilian use, such as building materials and automobile replacement parts. In addition, other items which are not on the official list but which qualify under similar headings are often subjected to seizure at Cyprus Police /Greek Cypriot/* checkpoints, giving cause for complaints." (S/7350 of June 1966, para. 111)

I would now like to quote another objective source, an article in the Daily Telegraph of 19 February 1964, which touches the heart of the matter:

"The Greek Cypriots claim that many of the Turks had been driven, under the threat of their own leaders, to form large enclaves which are intended to pave the way for a separate and federal state. It is difficult to find evidence in support of this allegation.

Their motive seems to be more to protect themselves against sudden attack than a calculated attempt to form a separate state."

On the other hand, an editorial in the New York Herald Tribune of 16 September 1964 wrote the following regarding the severity of the Greek Cypriot war of attrition against the Turkish community and the violation of our human rights:

"Blockade sounds like a relatively agreeable substitute for outright war until it is translated into terms of degrading subhuman standards of life and the imminent threat of starvation. These conditions were found by Lt. Gen. K.S. Thimayya, the Indian Commander of the United Nations forces on Cyprus, in the Kokkina region of the island, where, 1,500 Turkish Cypriots have been penned in by the Makarios government."

If Mr. Rossides still thinks that the suffering of the Turkish community in the last 12 years is nothing but "fictional tales", the following statement by Mr. Franz Karasek, the General Rapporteur of the Political Affairs Committee of the Council of Europe, should say the final word on the matter:

* Words in brackets inserted by the writer of the letter.

"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 underprivileged and oppressed ... Humanitarian suffering was at the origin of an eleven-year-long Cyprus crisis." (Document 3600, para. 11 of 10 April 1975)

It is futile for Mr. Rossides to try to present Turkey as an invader and appeal to international organizations for remedy of the prevailing situation. As a lawyer himself he must know that tenet of the law which says: "He who comes to equity must come with clean hands." Yet, had he taken a glance at the bloodstained record of his Administration, so appropriately portrayed in the following quotation, he would have seen that his own hands are far from being clean.

"Last Saturday he (Makarios) was seen receiving journalists and laughing his head off during a whole minute. That day the corpses of massacred Turks were piled up at the other edge of the Island ... He will arrive with his hands pure. And yet all the perfumes of Cyprus ... yes, yes, all the perfumes of Cyprus shall never clean those hands." (Extract from Le Canard enchaîné, Paris, 19 February 1964)

If Mr. Rossides and his leaders have any conscience, they should ask for the forgiveness of the Turkish Community as well as their own people, instead of writing letters and disseminating anti-Turkish propaganda, to complicate matters even more.

Apart from the hundreds of killed and the wounded, 65,000 more Turks have been displaced after the events brought about by the coup d'etat of 15 July 1974. It is these atrocities that were committed against the Turkish Community both since 1963 and after the coup, which brought about the physical separation of the two communities. It is also this reason that makes a bi-zonal federal solution in Cyprus a compelling necessity. I would like to remind Mr. Rossides that the question of federal bi-zonality was settled by agreement with the voluntary population exchange that took place after the third round of the intercommunal negotiations held in Vienna from 31 July-2 August 1975.

His raising of an already settled issue, coupled with his relentless charges and accusations against the Turkish side can only be explained in the context of his efforts to undermine the intercommunal talks by creating the impression that no progress can be achieved through bilateral negotiations, and pave the way for a new Greek Cypriot recourse to the United Nations.

Regardless of Mr. Rossides' and his Administration's negative attitude the Turkish side still holds the firm belief that the intercommunal talks are the only avenue leading to a just and lasting settlement, and is determined to continue with its efforts to achieve this end.

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I should be grateful if this letter were circulated as an official document of the Economic and Social Council under agenda item 3, "Decade for Action to Combat Racism and Racial Discrimination".

(Signed) Rauf R. DENKTAS
President of the
Turkish Federated State of Cyprus
