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Human Dimension Implementation Meeting 2012
Republic of Cyprus
Statement delivered by Ambassador Costas A. Papademas
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The Republic of Cyprus attaches the highest importance to the enjoyment of the highest level of human rights by all its citizens, including Turkish Cypriots. This despite the fact that the Cyprus Government is unable to guarantee the human rights of most Turkish Cypriots because most of them reside in the occupied area of Cyprus, where the occupying power and not the legitimate Cyprus Government exercises effective control (see relevant ECHR judgments).

What has been stated here today regarding this issue has failed to mention the following:

Turkey first attempted to invade Cyprus in 1964, perpetrating bombardments and attacks against military, but also civilian, targets.

Turkey invaded Cyprus in 1974 and occupied 37% of its territory, which it continues to occupy to this day. It maintains the occupation by stationing 42.000 soldiers in that area, thus making it the most militarized part of the world with 12 soldiers per square kilometer.

Turkey forcibly displaced the population in the area it occupied, effectively ethnically cleansing it of its lawful inhabitants. They are still displaced, while their properties are unlawfully exploited by the occupying power and its puppet regime.

Turkey subsequently, systematically colonized the occupied area by illegally importing settlers from mainland Turkey in order to change its demographic character.

Four interstate and many more individual cases brought against Turkey at the European Court of Human Rights have

resulted in judgments that have clearly stipulated that Turkey is responsible for violations of human rights in the occupied part of Cyprus precisely because it exercises effective control of that area as a consequence of military action, regardless whether this control is exercised directly, through its armed forces or through a subordinate local administration, such as the one established by Turkey in the northern part of Cyprus.

The International Court of Justice specifically cites Cyprus as a case where there was "unlawful use of force or other egregious violations of norms of general international law, in particular those of a peremptory character (jus cogens)".

Despite the invasion and continuing occupation of Cyprus by Turkey, the Republic of Cyprus safeguards the human rights of all Cypriots. All Cypriot citizens, including Turkish Cypriots, are entitled and have access to the same rights and social services provided both by the Republic (including health, education, pensions, social insurance) and by the European Union. In fact, Turkish Cypriots enjoy these rights and benefits even though they cannot meet their obligations to the Republic, as they reside in an area that its legitimate government does not effectively control.

The rights of any community in Cyprus cannot be used as a pretext to promote the partition of Cyprus. The so-called isolation of Turkish-Cypriots is another manifestation of efforts to partition Cyprus in recent years. No sanctions or embargoes have ever been imposed on the Turkish Cypriot community, either by the United Nations Security Council, by the Government of Cyprus or by any other State. The lack of sufficient economic development of Turkish Cypriots was the result of the invasion, occupation and constant attempts by the occupying power to set up an illegal separatist regime in occupied Cypriot territory, attempts that have been condemned by the UN Security Council.

The Government of Cyprus is committed to addressing the occupying power-inflicted economic underdevelopment of the Turkish Cypriot community, notwithstanding the continuing occupation and its consequences or the fact that most Turkish Cypriots reside in the occupied area of Cyprus. As citizens of the Republic of Cyprus, Turkish Cypriots have equal access to all the rights and benefits enjoyed by all

other Cypriots and have recourse to independent courts if any of their rights are violated. As specific mention was made to trade, I wish to recall that Turkish Cypriots can trade their products through the legitimate ports of Cyprus.

Mention was also made to the 2004 Annan plan for the settlement of the Cyprus problem. This plan was rejected because it did not meet adequate human rights standards, many of which we are discussing in the course of this meeting. Instead, it was guided by political expediencies and was geared more towards satisfying the political demands of the occupying power and not securing a viable settlement that respected the rights and welfare of Cypriots. To suggest that Cyprus should not have joined the European Union for having rejected a bad settlement is tantamount to saying that the Victim State should be victimized a second time and the occupying power should be exonerated.

I would like to remind that the United Nations Security Council has *called upon all States to respect the sovereignty, independence, and territorial integrity of the Republic of Cyprus*. Neither the aggression against and partial occupation of Cyprus nor the unilateral withdrawal of Turkish Cypriots from state institutions of the Republic of Cyprus in 1964 affect the constitutional order of Cyprus in any way or the fact that the Republic of Cyprus is the only subject of international law, which represents all its citizens, and is recognized internationally as such.