

Unconstitutional, Anti-Democratic and Illegitimate “Republic of Cyprus”

The main principle that the 1960 Constitution of the Republic of Cyprus is based on is power-sharing between the two communities. According to this principle, the president of the Republic would be a Greek Cypriot, while the vice-president would be a Turkish Cypriot and they would be elected by the Greek and Turkish communities of Cyprus respectively. 30% of the members of the House of Representatives and of the Council of Ministers would be Turkish. The High Court of Justice would be composed of two Greek, one Turkish and one neutral judge. 30% of all civil servants, 40% of the police force and 40% of the army would be Turkish.

As it is clearly seen from the percentages, according to the Constitution, it was intended that the power in the Republic of Cyprus should be shared between the two communities. But since 1964, those regulations in the Constitution haven't been exercised at all. Since that date, the Turkish Community has not been represented in any of these organs.

The negotiations for a settlement of the Cyprus problem started in 1968 between the leaders of the two communities but there was no solution until 1974. After 1974, the negotiations continued and in 1977 and 1979, two summit agreements were signed by the leaders. According to these agreements, the new settlement in Cyprus would be based on a bi-communal and bi-zonal solution and this new state would be a federation. But the leaders of the two communities couldn't reach this aim and the status quo was preserved.

Since 1974 the status quo in Cyprus is based on two states. Today, one of these states is the “Republic of Cyprus” where the Turkish Cypriots have no representation whatsoever in any organ in spite of the regulations in the Constitution and the other state is the Turkish Republic of Northern Cyprus. The composition of the legislative, executive, judiciary and administrative organs of the “Republic of Cyprus” is completely unconstitutional. But this *de facto* state is recognized by the United Nations and other international organizations and it is a member of the European Union while the TRNC is recognized only by Turkey.

Until 2004, the propaganda line of the Greek Cypriot Administration was that the abnormal situation in Cyprus which forced the state to act unconstitutionally wasn't their fault, so although this state was unconstitutional it had to be accepted as legitimate. But after the referenda in 2004 which were held to find a comprehensive settlement in Cyprus, this so

called legitimacy must also be discussed. 65% of the Turkish Cypriots said “yes” in the referendum while over 75% of the Greek Cypriots said “no”. So, now the Greek Cypriot Administration who encouraged the Greek Cypriots to reject the Annan Plan is an unconstitutional administration where the Turkish Cypriots aren’t represented at all although they strongly supported the comprehensive settlement. Even though the Greek Cypriot Administration was unconstitutional, it was accepted as legitimate because everyone thought that it was the Turkish Cypriots and their Leadership who don’t want a comprehensive settlement and who want to preserve the status quo in Cyprus. But after the referenda, it is now clear that it is the Greek Cypriots who said “no” to the Plan and it is their Leadership who doesn’t propose any alternative for a comprehensive settlement in line with the principles designated by the United Nations. It is also clear that the leaders of the Greek Cypriot Community called on their citizens to say “no” in the referendum. Under these circumstances, it can easily be argued that since April 2004 the administration in South Cyprus which isn’t showing any effort to prevent the exclusion of the Turkish Cypriots from the legislative, executive, judiciary and administrative organs is not only unconstitutional but also illegitimate.

Today, the Greek Cypriot Administration, by encouraging its citizens to reject the chance of a comprehensive settlement in Cyprus and by failing to propose an alternative to the Annan Plan in line with the principles designated by the United Nations is clearly the only side which is responsible for the abnormal situation on the island. So, since 2004, it is not possible to argue that the abnormal situation on the island can justify the unconstitutionality of the Greek Cypriot Administration.

The so called Republic of Cyprus today, based on the principle of complete exclusion of the Turkish Cypriots from the state organs is not only unconstitutional, but anti-democratic and illegitimate as well.