

Embargoed! [www.embargoed.org](http://www.embargoed.org) Speech to the OSCE  
HDIM Human Rights Conference WARSAW,  
Wednesday 28th September 2011

Session 4 – THE RULE OF LAW

I represent a group called Embargoed! and we are extremely honoured to have this opportunity of addressing this gathering of OSCE members and respected fellow NGOs. We are a multi-ethnic NGO campaigning for an immediate and unconditional end to the international isolations placed upon North Cyprus, which forces all Turkish Cypriots to exist as second class citizens in their own homeland.

As an NGO we really need to get the message across about the decades of complacency and denial about what is going on in Cyprus, and above all misleading propaganda espoused about this problem.

I want to examine what the Rule of Law in Cyprus means for Turkish Cypriots and it is worth reminding ourselves at this point that the most important application of the Rule of Law is the principle that governmental authority from start to finish is legitimately exercised and enforced in accordance with ethical, transparent and established

procedural steps that are referred to as due process. The principle is intended to be a safeguard against arbitrary governance.

However, this concept cannot even begin to be asserted when every single law passed in the Republic of Cyprus since 1963 affecting or directed at Turkish Cypriots is made without their participation in the process and their consent. The creation and enforcement of these laws cannot therefore be anything other than arbitrary and furthermore Turkish Cypriots and others living in North Cyprus cannot even begin to challenge their indiscriminate application. This is the very opposite of the definition I just described for what the Rule of Law should represent.

This Rule of Law exercised in the Republic of Cyprus seeks to outlaw all political, social and economical contact with North Cyprus and Turkish Cypriots, and in the most discriminatory manner unlawfully legitimises the international isolation we have endured since 1964.

The arbitrary application of this Rule of Law in Cyprus means that the regime there has legitimised a situation where all direct trade is blocked for Turkish Cypriots, it means we have no right to a political discourse or representation on the international stage, it means we have no access to direct communications and even our sports men and women cannot

compete abroad. According to laws there Turkish Cypriots who live in North Cyprus can't even travel to their home on an island in the middle of the east Mediterranean legally unless they first set foot in the South; how ridiculous is that.

You should know the application of the Rule of Law in the Republic of Cyprus is in breach of international law as it violates the treaties which founded the Republic in 1960 and is in common language simply wrong on so many levels!

OSCE calls for commitments from its member states to have an inclusive and open law making process. That means that the process must allow mechanisms for ensuring that the views and input of those directly affected by the law are taken into account.

OSCE calls for safeguards against the imposition of special interests and to help better implementation of human dimensions commitments.

Whilst the Republic of Cyprus has signed up these commitments she only plays lip service to them. There are no checks and balances and no Turkish Cypriot Judges to scrutinise what is done in our name.

As for application and ensuring independence of the judiciary or the rights of Turkish Cypriots to a fair trial, the Republic of Cyprus does not even get off the starting blocks. The rules of the game are so rigged that we can't even begin to believe there is any integrity in the due process for the application of a proper Rule of Law.

I would like to highlight in particular how the laws in the Republic of Cyprus affect education. No-one here will doubt that Education is a fundamental human right. It is also the key to developing the human personality and the strengthening of respect for human rights and fundamental freedoms. It is therefore extremely sad that the Republic of Cyprus continues to deny Turkish Cypriots the same access to opportunities for education as enjoyed by students in South Cyprus and in fact insists on actively lobbying for our students to be excluded from exchange schemes such as ERASMUS and the Bologna process.

You heard it here the Republic of Cyprus uses its interpretation of the Rule of Law to actively stop Turkish Cypriots from enjoying opportunities in Education.

Embargoed and the people of North Cyprus would be very grateful if you could give me some hope in terms of beginning a process which can reverse this unjustified position and perhaps due consideration could be given to the setting up of a special commission to investigate these matters.

What we have in Cyprus since 1963 is an official policy of prejudice and victimisation which leads to racial intolerance more akin to the segregation formerly practiced in the Republic of South Africa, which also involved political, legal, and economic discriminations.

I find it deeply disturbing that since the two votes of 2004, and the huge gesture of goodwill demonstrated by the Turkish Cypriots accept reunification of the island by voting to accept the plan co-ordinated by His Excellency Kofi Annan, some 7 years later every single embargo is still in place today.

I thank you for listening to me.