The Illegal Declaration of the "TRNC" in 1983 An ACT OF AGGRESSION BY TURKEY AGAINST THE REPUBLIC OF CYPRUS

The Republic of Cyprus

Cyprus became an independent Republic on 16 August 1960 on the basis of the 1959 Zurich and London Agreements negotiated by Greece, Turkey and the United Kingdom. The Greek and Turkish Cypriot communities had no substantial role in their drafting or in the drafting of the constitution and were entirely dependent on them. In effect, both the agreements and the constitution of the nascent republic were imposed on the people of Cyprus. The constitution emphasized differences between Greek and Turkish Cypriots thereby encouraging divisive rather than integrative tendencies between the two communities. Greek Cypriots were determined to strengthen the unity of the state but the Turkish side sought ethnic segregation and geographic separation. There were sporadic inter communal clashes in 1963-1967 and air attacks and threats to invade by Turkey. Turkish Cypriots ceased to participate in the government. UN sponsored inter communal talks to reach a settlement were held during 1966-1974; inter communal hostilities subsided and violence visibly disappeared during this period. Progress was reported in the talks but the process came to an end due to the tragic events in the summer of 1974.

Steps towards secession

Turkey's moves that followed the invasion of Cyprus were also indicative of its partitionist intentions. It forced the movement of the Turkish Cypriots from the south part of the island to the northern area under its military occupation, giving them homes and properties of Greek Cypriots who were driven away from their land. It has increased the population in the occupied areas with over 160,000 colonists from Turkey in a clear attempt to change the demographics and population ratio on the island. In 2004 alone, 40,000 new settlers came illegally from Turkey. It has driven out of the occupied areas the 20,000 Greek Cypriots who remained there after the invasion. The denial of their fundamental human rights, massive colonization and their subjection to constant harassment by illegal settlers from Turkey gave them no alternative but to leave. Only 535 Greek Cypriots remain in the occupied areas.

A Turkish Cypriot state

Even though the northern occupied part of Cyprus was the richest and most developed part of the island at the time of the invasion, Ankara's policy of integrating the area with Turkey has brought economic ruin, forcing thousands of Turkish Cypriots to emigrate to other countries. New illegal settlers now outnumber the Turkish Cypriots by almost two to one. There are only about 88,000 Turkish Cypriots compared to the more than 160,000 Turkish settlers. There are also 43,000 Turkish occupation troops.

Over the years, the illegal regime set up in the occupied area has been erasing all evidence of Helenic heritage in the northern part of the island. Greek place names that had survived Ottoman rule, were given Turkish Cypriot names; Churches and mosques were converted into stables or put to other uses. Ancient monuments were left unprotected, while works of art were illegally removed and sold on the international market. The systematic destruction of cultural heritage is further proof that Turkey's partitionist designs for Cyprus were designed to be permanent.

The occupied area has increasingly taken on the character of a province in Turkey. The area is economically divided totally as Turkey; the Turkish lira and not the Cyprus pound is the legal tender; the postal code for the occupied area is "Mersin, Turkey"; and Turkish troops are sent there on a regular basis.

A dangerous precedent

Through UN Security Council resolutions 541 of 1981 and 550 of 1984, the international community strongly condemned the unilateral declaration of an independent state by the Turkish side, declared it illegally valid, and called for its immediate withdrawal. As a result, no country in the world has recognized the illegal regime; except Turkey; which funds it and exercises virtual control over it.

A series of other UN General Assembly and Security Council resolutions, as well as resolutions adopted by other international organizations, reflect the universal condemnation of Turkey's aggression against Cyprus; demand the return of the refugees to their homes in safety and the tracing of the missing persons; and call for respect for the human rights of all Cypriots as well as for the independence, sovereignty and territorial integrity of Cyprus. Moreover, the European Court of Human Rights has found the government of Turkey responsible for gross and systematic violations of human rights in occupied Cyprus.

Eforts to solve the Cyprus problem

Successful rounds of UN-sponsored talks since 1974, between the Greek and Turkish Cypriot communities to resolve the Cyprus problem and reunite the country, have been undermined by the Turkish side, which has sought a settlement that in effect would leave Cyprus permanently divided and hostage to foreign interests. The Greek side, on the other hand, have been insisting on the genuine reunification of the island and its people.

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The latest UN effort resulted in the presentation of a plan by the Secretary-General for a comprehensive settlement of the Cyprus problem. On 24 April 2004 the people of Cyprus were asked to approve or reject, through separate, simultaneous referenda by the two communities, the Secretary-General's proposal (Annan Plan V). A clear majority of 75.8% Greek Cypriots rejected the proposed Annan Plan because they felt that the finalised text, which incorporated arbitrarily many last minute demands by Turkey, was not balanced and did not meet their main concerns regarding security, functionality and stability of the solution. By their vote the Greek Cypriots obviously did not reject the solution to the Cyprus problem which remains their primary objective. They only rejected the particular plan which was put before them. Moreover, they have not turned their backs on their Turkish Cypriot compatriots who approved the plan by 64.9%, with thousands of illegal Turkish settlers voting with them in the referendum. On the contrary, they have been working towards a solution that will meet the expectations of both communities.

The "no" vote is a legitimate expression of the real concerns for a satisfactory solution which can be workable and lasting in order to serve the interests of displaced Greek Cypriots who were forced from their homes in 1974, and a property compensation arrangement that did not require Greek Cypriots to fund their own restitution; and adequate guarantees to ensure that the commitments undertaken by the parties involved would be carried out; and a functional government without deadlocks or voting restrictions based on ethnicity.

In an age when barriers elsewhere in Europe have been dismantled, the forcible division of Cyprus is an anachronism maintained by Turkey for purely expansionist reasons to the detriment of all the people of the island, who lived peacefully together for centuries and should be allowed to do so again. Their future lies in a united, independent, bicommunal, federal republic where human rights and fundamental freedoms will be safeguarded, as stipulated in all the relevant UN resolutions and envisaged by the European Union, to which Cyprus was admitted on 1 May 2004.

As the President of Cyprus, Tassos Papadopoulos, said: "What we are demanding is very reasonable and what we are aiming at is self-evident. We are demanding and aiming at the reunification of our country and our one republic where human rights and fundamental freedoms will be safeguarded, as stipulated in all the relevant UN resolutions and envisaged by the European Union, to which Cyprus was admitted on 1 May 2004."

The Security Council, having heard the statement of the Foreign Minister of the Government of the Republic of Cyprus,

Concerned at the declaration by the Turkish Cypriot authorities issued on 15 November 1983 which purports to create an independent state in northern Cyprus, considering that this declaration is incompatible with the 1960 Treaty concerning the establishment of the Republic of Cyprus and the 1960 Treaty of Guarantee, considering furthermore that the attempt to create a "Turkish Republic of Northern Cyprus", is invalid, and will contribute to a worsening of the situation in Cyprus,

Reaffirming its resolutions 365(1974) and 367(1975),

Aware of the need for a solution of the Cyprus problem, based on the mission of good offices undertaken by the Secretary-General,

Affirming its continuing support for the United Nations Peace-Keeping Force in Cyprus,

Considering that this declaration is incompatible with the 1960 Treaty concerning the establishment of the Republic of Cyprus and the 1960 Treaty of Guarantee,

Concerned at the declaration by the Turkish Cypriot authorities issued on 15 November 1983 which purports to create an independent state in northern Cyprus,

Taking note of the Secretary-General’s statement of 17 November 1983,

1. Deplores the declaration of the Turkish Cypriot authorities of the purported secession of part of the Republic of Cyprus;

2. Considers the declaration referred to above as legally invalid and calls for its revocation;

3. Calls for the urgent and effective implementation of its resolutions 365(1974) and 367(1975);

4. Requests the Secretary-General to pursue his mission of good offices in order to achieve the earliest possible progress towards a just and lasting settlement in Cyprus;

5. Calls upon the parties to cooperate fully with the Secretary-General in his mission of good offices;

6. Calls upon all States to respect the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus;

7. Calls upon all States not to recognise any Cypriot state other than the Republic of Cyprus;

8. Calls upon all States and the two communities in Cyprus to refrain from any action which might exacerbate the situation;

9. Requests the Secretary-General to keep the Security Council fully informed.

RESOLUTION 541 (1983)
Adopted by the Security Council on 18 December 1983

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