**UNIVERSAL PERIODIC REVIEW**

**32nd SESSION**

**STATEMENT BY TURKEY**

**29 January 2019**

Mr. President,

Given the allegations of the Representative of the National Report under review, I just would like to recall that the Turkish intervention on Cyprus which was carried out in the wake of coup d’etat in 1974 was fully legal under 1960 Treat of Guarantee.

Mr. President,

May I take this opportunity to draw your attention to the **human rights situation of Turkish Cypriot people who are one of the equal parties together with Greek Cypriots in Cyprus.**

The issue of the unjust isolation imposed on the Turkish Cypriot side has still not been addressed. Almost fourteen years have elapsed since the report of the then UN Secretary-General in 2004 where it was clearly stated that “there exists no rationale for pressuring and isolating the Turkish Cypriots”.

It is widely accepted that the continuation of these inhuman embargoes, which encompass all walks of life, serves no purpose other than to exacerbate the discrepancies between the two sides and wrongfully disadvantage one of them.

There is an increase in number as well as in frequency of attacks and incidents perpetuated against Turkish Cypriots in South Cyprus and they continue to remain mainly unpunished.

A Turkish school has still not been established in South Cyprus for the past 22 years.

There are still no mosques designated for unrestricted and continuous worship by the Muslim Turkish Cypriots as well as for other Muslim communities in the **Greek Cypriot side**. Only few mosques are open merely during `museum hours` which is not enough to fulfil the requirements of Islamic faith.

Many Turkish Cypriots are prevented from crossing to South Cyprus on the basis of their ethnic origin or the origin of their ancestors, namely Turkey.

I would like to conclude by reiterating Turkey’s strong support for a negotiated settlement in Cyprus.

Thank you.

**THE UNIVERSAL PERIODIC REVIEW**

**COMMENTS OF THE TURKISH CYPRIOT SIDE**

**ON THE GREEK CYPRIOT NATIONAL REPORT**

* **Paragraph** 6 of the national report includes incorrect information. Contrary to the claim in the said paragraph, Turkish intervention on Cyprus was carried out in the wake of a Greek coup d’etat in 1974 in order to prevent the union of the island with Greece and total annihilation of the Turkish Cypriot people. The intervention was fully legal under 1960 Treaty of Guarantee and was carried out in line with the rights and obligations of Turkey under the said Treaty. Moreover, the only occupation in the island is the usurpation of power by the Greek Cypriot administration and its unlawful claim that it is the “Government of Cyprus”.

**ON THE REPORT OF THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (COMPILATION ON CYPRUS)**

* Reference in **paragraph 90** to the so-called “persistent division of Cyprus” as the main impediment for reporting on human rights issues pertaining to North Cyprus is a misrepresentation of the reality of the situation. In fact, the main impediment is the refrainment on the part of the international community to cooperate with the Turkish Cypriot side. The Turkish Cypriot side stands ready to become a part of the international system and has taken unilateral steps towards this end, by incorporating international instruments on human rights into its constitution and legal system. Hence, we hope and trust that the international community will rid this impediment, of which itself is a contributor, and cooperate with the Turkish Cypriot side in this regard.
* Any report on the situation of human rights in Cyprus should include a reference to the unjust and inhuman isolation imposed on the Turkish Cypriots by the Greek Cypriot administration of Southern Cyprus for decades. This is an important omission in the Report. The all-encompassing isolation ranges from denying the Turkish Cypriot people the right to representation in international fora; to preventing or restricting their travel abroad and their communication with the outside world; to curtailing the trade and tourism between the TRNC and the outside world, and to hampering all cultural, educational and sporting relations of the Turkish Cypriot people with other countries.
* The said isolation, which is a grave violation of the human rights of the Turkish Cypriot people, is also the very element reinforcing the deep crisis of confidence between the two sides and peoples on the island, making any kind of negotiated settlement between them difficult to achieve. In fact, this unjust isolation serves no purpose other than to exacerbate the discrepancies between the two sides and wrongfully disadvantage one of them, namely the Turkish Cypriot side.
* It will be recalled that following the overwhelming rejection by the Greek Cypriot side and the favourable vote of the Turkish Cypriot people at the separate and simultaneous referenda in 2004 on the comprehensive settlement plan known as the “Annan Plan”, the then UN Secretary General Kofi Annan, in his Report dated 28 May 2004 (S/2004/437) stated that “*The Turkish Cypriot vote has undone any rationale for pressuring and isolating them.”* Similarly, the European Union General Affairs Council, on 26 April 2004, unanimously stated that “*the Council is determined to put an end to the isolation of the Turkish Cypriot community.”*
* It is high time that the international community takes the necessary steps to end the isolation, which would encourage the Greek Cypriot administration to commence cooperation with the Turkish Cypriot side. This is also in full conformity with the UN Secretary-General’s most recent report of 11 January 2019 (S/2019/37) in which he calls on the sides to cooperate towards *“developing […] their own mechanisms for alleviating tensions*, *be they of a […] civilian nature”* and where it is stated that “*UNFICYP will further increase its efforts to bring the two communities together […] and remains ready to support cooperation in priority areas”.* The need for cooperation was also echoed in the recent discussions amongst the UN Security Council members on the eve of the upcoming UN Resolution on the operations of UNFICYP.
* References, in particular in **paragraph 75** of the report to Turkish Cypriots under the heading “Minorities and indigenous peoples” along with Maronites, Armenians and “other minorities”, and in other paragraphs in general, are erroneous. According to the 1960 Treaties governing Cyprus, there are two politically equal communities in Cyprus, namely Turkish Cypriot people and Greek Cypriot people, and Latins, Maronites and Armenians are religious groups. As further testimony to this fact, the negotiations to find a settlement to the Cyprus issue are also conducted between the said two sides.
* We welcome the recommendation in **paragraph 19** that the Greek Cypriot side should “strengthen its efforts to eradicate racial discrimination against Turkish Cypriots”, as well as the references in **paragraph 21** to “discourses of exclusion, hatred or superiority…noting particular concern about attacks on cultural events, artists and sites”, along with mention of the shortcomings of police records in reflecting the extent of racist crime in South Cyprus.
* We welcome the observations and recommendations in **paragraphs 38-42** of the Report which reflect the recommendations of the Human Rights Committee regarding the restrictions and difficulties with respect to religious freedoms faced by persons wishing to cross from North Cyprus to South Cyprus to carry out their religious practices. Nevertheless, the alarming reality regarding this issue is the fact that some Turkish Cypriot citizens are prevented from crossing to South Cyprus with their Turkish Cypriot ID cards, whether for miscellaneous purposes or in order to fulfil their religious beliefs, on the basis of their ethnic origin or the origin of their ancestors.
* On the other hand, **paragraphs 90 – 99** of the Report do not provide an accurate account of the situation in the TRNC and subjectivelyrefer to so-called “limitations and restrictions that hampered worship”. To clarify, a regulation in the TRNC is only applied for requests from persons *living outside of the TRNC* who wish to hold *mass**ceremonies*. There are no requirements for *individuals* who wish to fulfil their religious beliefs, whether they come from Southern Cyprus or are living in the TRNC. In this regard, it should be highlighted that the TRNC upholds a policy of enabling people from South Cyprus who do not reside in the TRNC to come and practice their religious beliefs in North Cyprus to the greatest extent possible, taking into consideration various logistical issues, such as the safety of the worshippers, as well as other considerations such as the sensitivity of the local residents of the villages where the sites are located, many of whom have lost loved ones at the hands of the Greek Cypriot militia, and where there now exist mass graves. Hence, our policies in this regard are certainly not arbitrary and take into account the greater good of all involved.
* In comparison, while there are only 8 mosques that are open, only during business hours, most without ablution facilities required by the Islamic faith as acknowledged in **paragraph 41**, to worship by Turkish Cypriots in the Greek Cypriot administration of South Cyprus, there are currently 68 churches to which access is granted for worship in the TRNC (6 of which have been opened in 2018 for use for the first time), and this number has been increasing each year.
* The number of religious services conducted *by persons not residing within the TRNC* which have been facilitated by the Turkish Cypriot side have also increased each year. While a total number of 38 religious services were approved in the year 2013, this number was 71 in 2014, 96 in 2015, 109 in 2016 and 83 in 2017. In addition to this, the number of approved requests to conduct religious services in religious sites situated in the Turkish Cypriot side in 2018 reached 116.
* The fact that the TRNC has regularly increased the number of services that are facilitated in North Cyprus has also been acknowledged in the most recent UNFICYP report dated 6 July 2018 S/2018/676, which states that ‘‘*I note and welcome the increase of authorizations to UNFICYP-supported requests provided by the Turkish Cypriot authorities.*’’
* As regards the right to education, while we welcome the reference in **paragraph 65** to the OHCHR Report, which noted that there had been no developments regarding the establishment of a Turkish school in Limassol, the wording employed in **paragraph 75,** downplays the issue by sufficing to recommend the Greek Cypriot side to “consider” establishing the said school. Moreover, the Report should go beyond making this observation, and should make a call on the Greek Cypriot side to remedy this violation, since Turkish Cypriot students’ right to a school providing education in their mother tongue Turkish is non-existent in South Cyprus. In spite of the official recommendation by the then UN Secretary-General and the acceptance by the Greek Cypriot authorities to follow his recommendation stated in the Report of the then UN Secretary-General dated 7 June 1996 ([S/1996/411](http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/1996/411&Lang=E&Area=UNDOC)), a Turkish school has still not been established in South Cyprus for the past 22 years in complete violation of the right to education in one’s mother tongue.
* Certain schools in Limassol in South Cyprus provide courses in the Turkish language, however, these are not Turkish schools where the curriculum, books and teachers are provided by our relevant authorities as is the case in the Greek Cypriot schools in the TRNC. I would like to emphasize that there is a Greek Cypriot school which provides primary, secondary and high education in the Karpaz area in North Cyprus where Greek Cypriot students are taught by Greek Cypriot teachers appointed by the Greek Cypriot Ministry of Education and teaching material and books are sent by the Greek Cypriot Ministry of Education.
* We also welcome the reference in **paragraph 40** that “some mosques, minarets, graveyards, community centres and schools were reportedly neglected, resulting in further damage” and that “in some cases, mosques were reportedly used as barns and graveyards turned into grazing land for animals”.
* **Paragraph 93, 94 and 95** do not reflect the realities regarding the alleged “destruction of cultural heritage” in Northern Cyprus. In this regard, the Turkish Cypriot side perceives the cultural heritage on the island of Cyprus, not only as part of the common heritage of the Turkish Cypriot and the Greek Cypriot peoples but of humanity at large. With this understanding, as the Turkish Cypriot side, we do our best, despite our limited resources, to protect and preserve the diverse cultural monuments in Northern Cyprus irrespective of their cultural or religious origin. Hence, the Turkish Cypriot side has been actively engaged in and positively contributing to the work of the Technical Committee on Cultural Heritage, which was established, on 21 March 2008, with a view to contributing to the restoration of cultural heritage on both sides of the island, including churches and mosques. The said Committee, comprised of Turkish Cypriot and Greek Cypriot members, has been an outstanding example showing that through cooperation much can be achieved for the good of both sides on the island. So far, about 23 monuments have been structurally supported or physically protected or restored, whereas the works on 6 monuments are still ongoing and 15 more are underway. Most recently, the conservation work on the Ravelin Bastion and the Landgate at the ancient Famagusta walls have been completed. Given this cooperative approach of the Turkish Cypriot side, these realities should be reflected in the Report.
* As for allegations of “systematic changing of the names of places, streets and villages in the north” in **paragraph 97,** there is no such policy in Northern Cyprus. However, the Report omits that it is the Greek Cypriot side which attempts to unilaterally change names of places under the guise of “standardization” with the amended Law on the “Procedure for the Standardization of Geographical Names” adopted by the Greek Cypriot administration in July 2013. The Greek Cypriot side seeks to punish anyone who acts against the decisions of the so-called “Cyprus Permanent Committee for the Standardization of Geographical Names”. This is clearly an attempt to reinforce “Hellenization” of the island, using exclusively Greek names and ignoring or rejecting the presence of the Turkish Cypriot identity and all other civilizations in the Island in its long multicultural heritage. On the other hand, no such penalizations exist in Northern Cyprus regarding the use of former Greek names of places. The names are often used interchangeably. Any changes to place names made in Northern Cyprus are subject to the approval of the Turkish Cypriot authorities and are made for the purpose of preserving and upholding the Turkish Cypriot cultural heritage.
* In **paragraph 98,** there is a reference to a call on *both sides* to extend demining activities outside the buffer zone. However, this call should not have been directed at both of the sides on the island, since the Turkish Cypriot side remains committed to cooperation for a mine-free island, as demonstrated by its constructive proposals, which were submitted via the UN in 2014 by the then President H.E Dr. Derviş Eroğlu in line with the UN Security Council Resolution 2135 (2014), echoed in 2015 by the incumbent President H.E Mustafa Akıncı, and finally reiterated on 8 October 2018 by a letter sent to the H.E Elizabeth Spehar, the Special Representative of the Secretary-General and head of UNFICYP in conformity with the Security Council Resolution 2430 (2018) for demining of the entire island, in a comprehensive manner, commencing with the Buffer Zone. It should be noted that the Greek Cypriot side continuously rejected these proposals and has, once again, opted to apply to the Anti-Personnel Mine Ban Convention’s Committee on Article 5 Implementation, and requested an extension until 1 July 2022, to fulfil its obligations to destroy all anti-personnel mines in mined areas under its jurisdiction. This shows the insincerity of the Greek Cypriot side to clear all mines throughout the island when this is in fact possible. Hence, the said call should be directed towards the Greek Cypriot side.
* As regards **paragraph 99** which refers to property rights in the buffer zone, it should be noted that Greek Cypriot farmers often violate the Farming Security Line stipulated by the “1988 Agricultural Area use Principles Agreement” with the UN Peacekeeping Force in Cyprus. In doing so, the Greek Cypriot farmers not only violate the plots farmed by Turkish Cypriots, but also create security concerns and tensions for the military status quo as well. On the other hand, the Turkish Cypriot side acts in full conformity with the abovementioned Agreement. In fact, in the most recent report of the UN Secretary-General dated 11 January 2019 (S/2019/37), there is a reference to *“unauthorized activities by Greek Cypriot farmers”* in the buffer zone which *“resulted in heightened tensions in late November”.*

January 2019,

Lefkoşa.