

London, March 29th, 1988 H/k

The Case for Political Parity of Turkish Cypriot vis-a-vis
Greek Cypriot Governments.

Ladies and Gentlemen,

according to a good habit of talk-makers, let me begin with a quotation from Shakespeare (Othello, Act II, Scene 1, Cassio):

"Give renewed fire to our spirits
And bring all Cyprus comfort !"

It is in this spirit that I should like to be understood what I have to say now:

1. We are looking for a solution to end the conflict about Cyprus. We are very well informed about background and aspects of our problem.

It is important to grasp the center of it. "Peace for our time" cannot be achieved by ambiguous make-believe agreements subject to different interpretations by both sides suitable to their wishes but incompatible with each other. A fake solution would create more evil than good, even if it held for awhile and gave momentary credit to its authors. To propose such fake solution would be unjustified, if not undignified.

A problem as huge as small Cyprus cannot afford vagueness, inconstancy, or genteel reserve. It needs truth, even if truth is bitter. Truth must be pronounced at moments like this even at the risk of discomfort. To put it clearly, the center of the problem to be covered by a permanent settlement is defined by three points:

- First: Political equality and co-determination of both communities in Cyprus must be ensured in the sense of all important decisions concerning the whole of Cyprus being basically agreed upon by separate majorities of all Greeks and all Turks of Cyprus.

- Second: Vast majorities of both communities must get accustomed to the idea of co-determination. They must honestly and sincerely decide never again to strive for domination over the other or for Enosis or union or Anschluß of Cyprus with Greece or Turkey by any means whatsoever.

- And third: Effective sanctions and guarantees to ensure realization of the two points just mentioned must be devised. They prerequisite readily available Turkish help for Turkish Cypriots against new pogroms.

It doesn't seem worth while to me on this level to discuss the merits of any of these points any further because (apart from permanent complete partition which we do not want to discuss either) there isn't going to be any peaceful permanent settlement about Cyprus "for our time" outside of these three points. I should, however, like to ask for your attention for some remarks mainly on one of these points, namely: the principle of equality and co-determination.

2. What justifies a contention of such a principle ?

It is based on historical and political fact as well as upon law.

a) The fact is that Cyprus belonged to Turkey for 300 years, this being at the same time the reason for the existence of a Turkish Community of 18 % in the island, living in all parts of the island intermingled with the Greeks of Cyprus before 1974. These Turks were never ruled by Greeks. So they are entitled to political equality and co-determination.

This title was reinforced by hundreds of Turks from Cyprus and from Anatolia having shed their blood between

1963 and 1974 for the defence of identity, self-government and self-respect of the Turkish Community in Cyprus against usurpatory colonialist Greek aggression.

This sacrifice weighs heavily because it was rendered while this Turkish Community was in a desperate position, by far inferior in numerical strength, in armament, and in all other relevant resources, except morale, to their prospective conquerers. It weighs heavily, because the Turks of Cyprus were, in addition to these disadvantages, spread all over a territory full of an usurpatory, well-armed and well-organised, determined, and aggressive enemy, who enjoyed much support from the international world.

b) The legal basis for contending co-determination, notwithstanding the weakness of legal points in general, combines the strength of youth with the wisdom of democratic ages which began in Greece twoandahalfthousand years ago.

aa) It consists, first of all, in the treaties of 1959/1960, which are less than 30 years old. They are good and binding, no matter what those say who claim to have concluded them only in order to deceive England and Turkey and everyone in the world including even Greece about oaths having been taken for Enosis.

I quote from the Akritas plan (from Reddaway, Burdened with Cyprus, 1986, p. 201): "The people

would have definitely approved the Agreements in the atmosphere that prevailed in 1959". And by people Greeks always mean Greek people exclusively when they speak of Cyprus.

bb) The other factor contributing to the legal basis for claiming co-determination is the right of self-determination, which rules out domination of one community over the other.

Self-determination implies the democratic principle. But this principle of majority rule is applicable to homogeneous entities of people only, and definitely not to an entity formed by two different peoples. Where there is no such homogeneity, co-determination is the only way to realize self-determination and must therefore be accepted as the principle governing relations between these groups. Otherwise, one of two inhomogeneous groups is either excluded from democracy, like the slaves in ancient Greece or the Turks according to traditional Greek devices for Cyprus. There is no third possibility.

Short of partition, co-determination is therefore the only democratic way towards life, liberty, and the pursuit of happiness of both unhomogeneous communities required to form one body politic.

c) Some might not want to call the democratic idea old, because its resurrection cannot be dated back much further than the French Revolution. But even they

would have to recognize a legal notion much older than the French Revolution, which is the notion of State, implying effective permanent exercise of all functions of government in a defined territory over a defined population.

No matter what modern theories or the United Nation's General Assembly or the organization's lawyers say - this principle is still valid as far as most practical consequences of the notion of a State are concerned. This notion constitutes a completely sufficient reason for the existence in law of a Turkish Republic of Northern Cyprus.

Ladies and Gentlemen: There is more wisdom in constitutional law than sometimes realized, and even more than in some parts of the United Nations Charta. There is, in particular, deep wisdom in the notion of a State. By means of this notion the Law of Nations and Constitutional Law achieve peace in cases where the United Nations Organization fails.

In the case of Cyprus we have been made witnesses how disregard for constitutional law in 1963 caused ten years of fierce civil strife, brought two nations to the brink of war, and cumbered international diplomacy to a large extent until this very day. Since 1983 we have become witnesses of another paradox: how the United Nations, an organization for Peace, by denying this notion of State to the Turkish Republic of Northern Cyprus, serve peace badly, encouraging the Greeks to insist on their

agressive claim for domination over the whole of the island and over the Turkish Community in it, regardless of Contracts and Constitutions, and to rearm for its achievement. This is so important because Greeks of Cyprus have shown that they are ready, whenever circumstances permit, to realize their aggressive claim by one-sided, forceful action and that, by chosing their means, do not shrink back even from pogroms and massacres.

Let me just mention in parentheses that anyone advocating a federal solution for Cyprus admits, by implication, the necessity of the existence of a Turkish Republic of Northern Cyprus, because the notion of federation derives from the latin "foedus" meaning sort of a contract, and contracts can only be concluded ~~by~~^y legal personalities and not by non-existing entities.

Then I should like to make an excursion, in parantheses as well, concerning the election of Mr. Vassiliou. Three factors seem important. First: he was elected by a third of the Greeks of Cyprus only, second: the parties representing the other two thirds are trying to make him look incompetent, and third: he owes his position to the communists. These factors - in addition to his initial failure to realize his claim for sovereignty over all Cyprus (which did obviously not correspond with the wish of the people as expressed in elections) - make it improbable

that he will bring about the Cyprus solution. On the other hand, there seems to be no way to replace him as President with the sole power to act for the Greek Republic of Southern Cyprus, before the end of his term of office in five years.

3. My other remark about the principle of equality and agreement concerns the institutional prerequisites and consequences for and of its realization.

a) These consist in the necessity of two political entities, that is to say corporate organizations of the two communities carrying their "raison d'etre" and their right to exist in themselves, instead of deriving it from any other source including a Republic of Cyprus. Whether these entities are called States or sovereign or not is less material. Decisive importance is vested, however, with the equality of original legitimacy of political existence of the two communities of Cyprus, including their equality of rank and political status.

b) This equality does not, by any means, prerequisite or necessarily involve economic or even social equality of both communities or their members. It doesn't even necessitate their equal political weight in all decisions or in outward relevance if a Federal Republic is formed. But equality means that each community is entitled to self-government insofar as federal decisions have not been

arrived at and insofar as federal organs and their rules of competence and procedure have not been agreed upon.

4. Let me finally suggest not to overlook that a realistic approach cannot deny the merits of a certain separation of the Communities of Cyprus, or even of temporary partition of Cyprus.

a) Those merits are

- full self-determination for both communities, including even the possibility of Greek Enosis, had Enosis really been desired under the circumstances,
- a considerable reduction of problems of constitutional or international functions or law, other than created by the non-recognition of the Turkish Republic of Northern Cyprus,
- clear shares for the parties concerned,
- each community is responsible for and keeps the results of their economic and other achievements,
- considerably reduced security problems.

The merits of separation consist in clarifying better than ever the political entity and legal personality and equality of the Turkish Community of Cyprus. To

deny equal status to it would amount not only to injustice to the members of this brave and patient community but would also amount to a grave political mistake.

b) Separation is, at the same time, paradoxical though it may sound, the best basis for growing back together: on the basis of free negotiation and reconciliation step by step. It is true that the price to be paid in terms of the resettlement that took place in 1974 is very, very high, and higher on the Greek side. But three aspects must be taken into account:

- first, that resettlement ~~refuge~~ of two- or three-hundredthousand Cypriots is a result of the historical fate of Greeks and Turks having been, in all their cultural difference, distributed and mixed all over the island for centuries, and a result of the failure of the Greeks to accept co-determination as devised in 1959/60,
- second, that the failure to solve the task of reconciling very different religious and cultural communities in one government of one territory is shared by Cyprus with many other quarters of the world,
- and third, that a modern world has made it more common and more easy for resettled people to continue decently and well. This is made possible by technical development and economic possibilities and compensation as well as by the development of a more modern psychological and social approach to the notion of home and to the desire-

ability of migration. One should be inclined to consider possible that Greeks and Turks should be able to settle for federal equality on a basis of a certain territorial separation in Cyprus, and to tackle the problem of reconciling, and healing the wounds of, the people affected.

All these aspects gain weight under the circumstances of Cyprus, because separation and refuge is a 14-years-old fact, and in many instances even a 25-years-old fact. Temporary separation is a very good basis for a new start towards unity if both parties have an equal stand in such a start, because anything developing under such circumstances in the way of agreement and unification is definitely wanted by both sides and therefore carries in itself the assurance of stability. And if separation develops towards cooperation, it may prove the only peaceful and secure way even for an eventual and permanent resettlement of some of the refugees of Cyprus in their old homelands.

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These are the remarks I liked to make on my subject, and I thank you very much for generously listening to me.

PROGRAMME

Political, Economic, Strategic and Constitutional Aspects

- 09.00 - 09.15 Coffee
- 09.30 - 09.50 Formal opening:
By H.E. President Rauf Denktas
Turkish Republic of Northern Cyprus
- Introduction:
By the Chairman of the Conference,
Keith Speed, RD MP
- Session I**
Chairman : Andrew Faulds, MP
- 09.50 - 10.15 A Background To The Cyprus Problem
By H.E. Dr. Kenan Atakol
Minister for Foreign Affairs and Defence
Turkish Republic of Northern Cyprus
- 10.15 - 10.30 Tea / Coffee
- Session II**
Chairman: Bruce George, MP
- 10.30 - 11.30 Strategic and Constitutional Aspects of
Cyprus in Eastern Mediterranean :
Prospects for a settlement
- Contributors : ~~Mehmet Ali Birand~~
Dr. Jed Snyder (+)
Bruce George, MP
Nancy Crawshaw
- 11.30 - 11.45 Discussions
- Session III**
Chairman: Michael Knowles, MP
- 11.45 - 12.30 Constitutional Aspects and The Case For
Political Parity:
Turkish Cypriot vis-a-vis Greek Cypriot
Governments.

- Contributors : Dr. Christian Heinze
Prof. Mumtaz Soysal
Prof. Wolfe
Andrew Faulds, MP
- 12.30 - 12.45 Discussions
- 13.00 - 14.30 Lunch (Informal)
- Session IV**
Chairman: Tansel Fikri
- 14.45 - 15.15 Economic Prospects in Northern Cyprus:
Outlook for foreign trade, investment and
entropot to Turkey
- Introduction:
Lord Broxbourne, QC
- Contributors : ~~Bulent Semiter~~ Prof. Werner Gumpel
Prof. Erol Manisali
Cef Kamhi
Nirj Deva, DL
- 15.45 - 16.00 Tea
- Session V**
Chairman: John Cartwright, MP
- 16.45 - 18.30 Northern Cyprus Today: The findings of
the Foreign Affairs Select Committee.
- Contributors : Sir Anthony Kershaw
Ivan Lawrence, MP
Prof. Wolfe
Michael Stephen +
- 18.30 - 18.45 Discussions
- 19.15 for 19.45 Reception and Dinner
Key note speech: H.E. President Rauf Denktas
Introduction :Keith Speed, RD, MP