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QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO
ANY FORM OF DETENTION OR IMPRISONMENT

QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES

Letter dated 10 March 1989 from the Permanent Representative of Turkey
to the United Nations Office at Geneva addressed to the Chairman of the
Commission on Human Rights

I have the honour to enclose herewith a message addressed to you on behalf of one of the two main parties to the Cyprus dispute, i.e. the Turkish Cypriot Community, by H.E. Mr. Kenan ATAKOL, Minister of Foreign Affairs and Defence.

As will be recalled, a statement was made under item 10 of the agenda, on 20 February 1989 in the Commission on Human Rights on the question of missing persons in Cyprus by one of the two main parties to the Cyprus dispute, in the absence of the other, namely the Turkish Cypriot Community. Under these circumstances, the Turkish Cypriot Community has been left with no alternative but to submit its views in writing, so that its views could at least appear on the records.

It will be appreciated if the present letter and the attachment thereto would be issued, in line with practice as before, as a document of the Commission on Human Rights under agenda item 10.

(Signed) Ercüment Yavuzalp
Ambassador
Permanent Representative

Annex

Mr. Chairman,

In his address to the Commission on Human Rights on 20 February 1989, the representative of the Greek Cypriot Administration, repeated the orchestrated allegation of his side with regard to the issue of missing persons in Cyprus. He represented the problem as one of affecting the Greek Cypriot community only and repeated the allegation that the Committee on Missing Persons in Cyprus (CMP) has not made any substantial progress, so far, due to its failure to secure what is described as convincing evidence and, partly, due to its terms of reference. Nothing can be further from the truth.

The Greek Cypriot representative refrained, for some reason, from expanding on his allegations and to define in greater detail what he meant by convincing evidence and to state what in his opinion were the alleged shortcomings of the Committee's terms of reference.

The Greek Cypriot representative did not mention in his statement to the Commission that over 800 innocent Turkish Cypriot civilians were abducted by Greek Cypriot uniformed police and soldiers between 1963 and 1974 and that cases also are awaiting investigation by the Committee. A glaring example of the unparalleled hypocrisy of the Greek Cypriot side in this respect was displayed by Mrs. Rina Catselli, the Greek Cypriot parliamentarian, who, in answer to a question at the Parliamentary Assembly of the Council of Europe on 26 September 1984, had the audacity to reply that her so-called Government did not know officially of the existence of Turkish Cypriot missing persons since 1963.

It has become abundantly clear that the Greek Cypriot side views the problem not as a humanitarian one to be resolved as soon as possible according to humanitarian principles in the interest of the relatives concerned whose distress and agony can only be brought to an end by the expeditious discharge of its mandate by the Committee. It seems that in the view of the Greek Cypriot side, the political advantages of prolonging the problem for political exploitation, seem to far outweigh the humanitarian disadvantages that are involved.

It is not true that the Committee has failed to make progress because of failure to secure sufficient evidence or because of shortcomings in its terms of reference.

When the Committee was reactivated in March 1984, following President Denktas's peace proposals of 2 January 1984, 169 cases (60 Turkish Cypriot and 109 Greek Cypriot) were submitted to it for investigation. It concluded since then 32 working sessions and held 152 meetings. Considerable progress appears to have been made in the investigations especially of the Greek Cypriot cases which would allow the finalization of most, if not all, of the cases that have been under investigation since 1984. Progress was made as early as 1985 which was recorded in the Committee's press release dated 19 November 1985. The Greek Cypriot side's negative reaction to that press release, because it stated that progress had been made, accompanied by the swift replacement of the Greek Cypriot representative in the Committee, was a dramatic indication of the real intentions of the Greek Cypriot side which have become clearer over time. If "sufficient progress" has not been made,

it is due to the Greek Cypriot side's insistence on "identifiable bodily remains" which the Greek Cypriot representative prefers to refer to as convincing evidence and, of course, the Greek Cypriot side knows that such physical evidence is not available on either side so many years after the event.

Insistence on physical evidence of death is one of the stumbling blocks put up by the Greek Cypriot side in the way of progress by the Committee. The second stumbling block is the Greek Cypriot side's insistence on preventing the Committee from issuing more informative and more meaningful communiqués concerning its activities, progress or difficulties. Ever since its press release dated 19 November 1985 which because it spoke of progress, provoked unfavourable reaction from the Greek Cypriot side, the Committee's press releases have been very short and uninformative. The latest one dated 24 February 1989 which stated that "the Committee will undertake an in-depth review of the 169 cases, with a view to preparing for conclusions in connection therewith" is an exception which may mean that the Greek Cypriot side has, at last, decided to allow the Committee to make the long-overdue breakthrough in its arduous task.

The Greek Cypriot representative's claim that the Committee's terms of reference is inadequate is also unfounded. The fault lies squarely in its own negative attitude. The Committee appears capable of working well and effectively with its present agreed terms of reference. All that is required is political will on the Greek Cypriot side to allow it to complete its task.

(Kenan ATAKOL)
Minister of Foreign Affairs
and Defence