

MEMORANDUM

SUBMITTED TO

United Nations Educational,
Scientific and Cultural Organization

The continued systematic and deliberate cultural destruction by Turkey and its agents in the occupied areas of the Republic of Cyprus

SUBMITTED BY

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MEMORANDUM

Submitted to
THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

For the attention of
The Director-General and the Representatives of all Member States

The continued systematic and deliberate cultural destruction by Turkey and its agents in the occupied areas of the Republic of Cyprus

1. **Introduction and historical background**

It is well established and recognised that since the illegal Turkish invasion of the Republic of Cyprus in 1974 that, Turkey, its military forces and agents in the occupied areas, for political reasons have been guilty of a systematic and deliberate policy of destruction and devastation of the island's heritage in the northern part of the island, in an attempt to "Turkify" that part of the island.

The purpose of this short report is to highlight the continuing actions by Turkey and its agents to destroy the cultural heritage in the Turkish occupied areas of Cyprus and to make various recommendations of UNESCO in that regard.

2. Attached to this memorandum are the following documents:

i) **Lobby for Cyprus' summary of the historical background to the Cyprus issue following Turkey's illegal invasion in 1974**, which includes a summary of Turkey's numerous and continuing breaches of international law and of all civilised behaviour including in respect of:

- The illegal activities of its occupying forces;
- The ethnic cleansing of 200,000 Greek Cypriots forcibly expelled from their homes and cultural heritage in the occupied northern area;
- More than 1,000 missing persons;
- The inhumane and degrading treatment of enclaved Greek Cypriots in the occupied areas in flagrant violation of international law, including the Vienna III Agreement of 2 August 1975;
- The illegal and systematic importation of more than 160,000 colonists from Turkey to colonise the occupied area and to alter the demographic structure of the island;

(ii) **The Law Library of Congress Report for Congress dated April 2009 entitled "Cyprus : Destruction of Cultural Property in the Northern part of Cyprus and Violations of International Law"**

(iii) **Human rights violations by Turkey in Cyprus;**

This booklet contains substantive information on the documented and continuing violations of international and protected human rights committed by Turkey in Cyprus.

3. **The continuing destruction and attempted annihilation of Greek Cypriot cultural heritage in the occupied areas of Cyprus**

In addition to its actions to cleanse the occupied areas of its indigenous Greek Cypriot population, in violation of all international norms and laws, Turkey is also guilty of the systematic destruction and annihilation of Greek Cypriot culture in the occupied areas which began in 1974 following Turkey's illegal invasion and which continues to this day. It is notable that there was more cultural destruction by Turkey in the occupied area of Cyprus in the immediate aftermath of its illegal invasion than there was during the 300 year or so years during which the Ottomans administered Cyprus. This clearly demonstrates Turkey's real objective from the outset which is to destroy the pre-existing cultural heritage in the occupied areas of Cyprus.

The evidence for this destruction and devastation has been well documented, including more recently by Dr Claus Gallaf, Byzantine Expert and Art Historian, Dr Charalampos G Chotzakoglou, Professor of Archaeology at the Hellenic University, and Michael Jansen, correspondent and author of the book "War and Cultural Heritage: Cyprus after the 1974 invasion."

All of the above testified before the US Helsinki Commission on the findings of their extensive research on the cultural and religious desecration of the Cypriot heritage in the northern Turkish occupied part of Cyprus. Their research and investigations run in parallel with the release of the report by The Law Library of Congress entitled "*Cyprus : Destruction of Cultural Property in the Northern Part of Cyprus and Violations of International Law*" which clearly set out Turkey's continuing and systematic efforts to destroy the millennia-long rich (and predominantly Greek) heritage in the occupied areas in an attempt to Turkify and partition the island to create a purely Turkish northern part.

4. In its opening summary The Law Library of Congress's Report sets out the basic principles of international humanitarian law (otherwise known as the *Law of War*) which govern the activities of Turkey's occupying forces. For example, the report states that:

"The basic principle is that cultural property must be safeguarded and protected, subject to military necessity only when such property has been converted to a military objective. Pursuant to the major international agreement on this subject, the 1954 Hague Convention for the protection of cultural property during armed protocols, as well as the legal regime and occupation, Turkey's facility as a state party, is required to refrain from damage against cultural property located in the northern part of Cyprus; to prohibit and prevent theft; and to establish criminal jurisdiction to prosecute individuals who engage in acts of destruction, desecration and pillage ... such violations of conventional and customary international rules on the protection of cultural property may give rise to legal responsibility of the part of Turkey as the occupying power before an International Court or Tribunal provided that other requirements are met."

It is important to note that the Rome Statute of the International Criminal Court consider the destruction of cultural property to be a war crime. It is also clear that Turkey's actions in Cyprus equate to ethnic and cultural genocide.

It also worthwhile to recall the preamble to the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, which states, amongst other things, that..."

"Recognizing that cultural property has suffered grave damage during recent armed conflicts and that, by reason of the developments in the technique of warfare, it is in increasing danger of destruction;

Being convinced that damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world;

Considering that the preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection..."

There are two other international conventions governing protection of cultural property and which apply to the issue of illicit traffic and exportation of cultural property from the northern part of Cyprus:

- a) The 1970 UNESCO (United Nations Educational, Scientific, and Cultural Organization) Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership; and
- b) The 1995 UNIDROIT (International Institute for the Unification of Private Law) Convention on Stolen or Illegal Exported Cultural Objects.

5. As are set out in The Law Library of Congress's Report under the 1970 Convention (ratified by Cyprus and Turkey), its signatories are required to take steps to prevent illicit traffic through the adoption of legal and administrative measures and the adoption of an export certificate for any cultural object that is exported. Whilst Cyprus has complied with these requirements, it is clear that for its own irredentist and purely military and political objectives that Turkey has flouted this requirement and continued to allow the exportation from the occupied areas of many thousands of historic and important archaeological artefacts. It is clear that Turkey wishes to eradicate the occupied areas of Cyprus of any evidence of its rich and predominantly Greek and Cypriot identity. However, it does not just relate to Cyprus' Greek heritage but also to the heritage of other ethnic groups such as the Maronites, Armenians and Latins.
6. UNESCO has previously evidenced the continuing devastation caused by Turkey's military forces on the culture and heritage of the occupied areas of Cyprus, including in its 1984 report (December 1984) that:

"Unfortunately the area occupied by the Turkish Army, museums and monuments have been pillaged or destroyed. The Government of Cyprus has repeatedly applied to UNESCO and asked the mission of observers to report on the condition of the monuments. So far this mission has met with the refusal of Turkish Authorities."

The data made available to The Law Library of Congress by the Ministry of Foreign Affairs of Cyprus clearly illustrates the extent of destruction and pillage of cultural property in the northern part of Cyprus including:

- 500 Greek Orthodox churches (including a rich and Byzantine heritage) and chapels have been pillaged, vandalised or demolished;
- 133 churches, chapels, monasteries and cemeteries have been desecrated;

- The whereabouts of 15,000 paintings are unknown;
- 77 churches have been turned into mosques, 28 are being used by the Turkish military forces as hospital or camps, and 13 are used as agricultural barns. (The Ministry of Foreign Affairs of the Republic of Cyprus Destruction of Cultural Heritage July 2006).

7. In contrast, the Republic of Cyprus in the free areas in the south continues to preserve mosques and the other heritage of the Turkish Cypriots. For example, as the Ministry of Foreign Affairs currently sets out on its web site "*the Government of Cyprus during the period 1989-1990 proceeded with general restoration works of 83 mosques all over the government controlled area. These projects, which cost €206,120, were completed in 1990 and since then, a considerable amount of money has been provided for the cleaning and preservation of mosques, cemeteries and other Muslim monuments. The following table for the years 2000-2006 is indicative of the consistent interest for the preservation of the Muslim places of worship on behalf of the Cyprus Government:*

Expenses provided by the Turkish Cypriot Properties Management Service of the Cyprus Government for the restoration and maintenance of Muslim places of worship since 2000

District	€2000	€2001	€2002	€2003	€2004	€2005	€2006	Estimation 2007 €
Nicosia	3433	2565	17173	32585	151803	158874	98767	141819
Limassol	9786	6349	14040	16023	131000	139131	124693	221754
Larnaca	48373	35577	81833	23811	124222	126332	121431	206391
Paphos	41457	30493	4719	34946	181424	61462	62629	164486
Total	103020	75011	117681	107307	587976	485512	407255	737837

- *The Department of Antiquities of the Ministry of Communications and Works of the Republic of Cyprus, which is the competent authority for any works including antiquities carried out in the entire territory of the Republic of Cyprus, is responsible for the declaration of Muslim monuments situated in the area under the control of the Cyprus Government as Ancient Monuments. These monuments are separated into two categories: (a) the first deals with Ottoman baths, Turkish coffee shops, schools etc and (b) the second category deals strictly with mosques declared Ancient Monuments, which today number 17 throughout the government controlled areas.*
- *These 17 monuments today are in an excellent condition due to an elaborate scientific restoration program conducted in 1995 on behalf of the Department of Antiquities. Within the framework of this program, which is expected to be completed in 2010 all 17 mosques will be fully restored and preserved."*

8. In short, The Law Library of Congress Report finds that:

"During 35 years of occupying the northern part of Cyprus, Turkey has engaged in acts of destruction, desecration, and pillage of religious and archaeological sites which constitute the religious and cultural heritage of the peoples of Cyprus, and the preservation of which is essential for the interests of humankind in general. The Government and The Church of Cyprus, as the claimants of ownership of cultural property located in the northern part of Cyprus, have been actively pursuing the repatriation of stolen religious objects and cultural artefacts. Under convention and customary international law, Turkey, as an occupying power, bears responsibility for acts against cultural property. Responsibility also arises based on legal instruments addressed

in the illicit export and transfer of ownership of stolen cultural objects from the occupied northern part of Cyprus."

It is notable that in the numerous cases brought by the Church of Cyprus since the 1980s against those dealing in the illegal trade of stolen religious objects and cultural artefacts from the occupied areas of Cyprus that there is always clear and incontrovertible evidence leading to Turkey and its agents in Cyprus.

9. **Recommendations**

For all the above-mentioned reasons, the signatories appeal to UNESCO and to all concerned authorities to take further immediate and below-mentioned effective steps to call upon the Republic of Turkey to finally fulfil its international obligations for the protection of cultural and historical heritage in the occupied areas of Cyprus.

Furthermore, the signatories urge UNESCO:

- i) To condemn in no uncertain terms the wilful destruction of the cultural sites and heritage of the occupied areas of Cyprus in which Turkey attempts to irreversibly annihilate and eradicate the ancient heritage and long standing cultural identity of those areas;
- ii) To denounce the ethnocidal nature and context of the continuing destruction of the occupied areas;
- iii) To demand a formal international investigation in this area, co-ordinated by UNESCO, aimed at preparing an accurate report about the destruction and what can be done to stop it;
- iv) To publish a multi-disciplinary study (archaeological, architectural, ethnographic, etc.) into the occupied areas of Cyprus to be undertaken by international experts and overseen by UNESCO;
- v) To ensure that appropriate safeguard mechanisms are put in place for the protection of the heritage destroyed and/or damaged in the occupied areas of Cyprus, including converting appropriate areas into international historical and cultural sites;
- vi) To establish with the Turkish occupying forces the setting up of more effective systems for the protection of the existing remains of Cypriot heritage in the occupied areas;
- vii) Should the Republic of Turkey refuse to abide with the above recommendations we call on UNESCO to sanction the Republic of Turkey for having violated all international conventions on the protection of historical and cultural sites to which it is a signatory in respect of the occupied areas of Cyprus. In this case a suspension of UNESCO membership should also be taken into consideration as one of the logical options.

Signed by the following:

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Cyprus history and background information

CYPRUS BACKGROUND

The Republic of Cyprus is an independent island state located in the eastern Mediterranean. It is the third largest island in the Mediterranean and a popular tourist destination.

A highly developed country, Cyprus is a member of the United Nations, Council of Europe, Commonwealth, Organisation on Security and Cooperation in Europe (OSCE), World Trade Organization (WTO), The World Bank, International Monetary Fund and European Union.

The population is estimated at 877,600 with 76 percent belonging to the Greek Cypriot community, 10 percent to the Turkish Cypriot community and 14 percent are foreign nationals. Armenians, Maronites and Latins make up one percent of the population and have opted to join the Greek Cypriot community. These figures exclude the illegal Turkish colonists sent to the island by Turkey. (Source: Government of Republic of Cyprus, December 2007.)

Cyprus is a presidential republic. The head of state and of the government is the president, who is elected for a five-year term.

HISTORICAL BACKGROUND

Cyprus has a rich culture and history. The island acquired its Greek character since the 13th century BC when it was settled by Mycenaean-Achean Greeks. It was part of the Greek speaking Byzantine world from 330AD to 1191. Due to its strategic location the island has been occupied by several major powers, including the empires of the Hittites, Assyrians, Phoenicians, Egyptians, Persians, and Arabs. During occupation by the Ottomans from 1571 to 1878 the island fell into a period of economic decline.

Despite centuries of rule by foreign powers, Cyprus retained its Greek culture and language.

In 1878 the island was ceded to the British Empire and in 1923, under the Treaty of Lausanne, Turkey relinquished any claim to Cyprus. In 1925 Cyprus was declared a British Crown Colony.

The Greek Cypriots engaged in an anti-colonial liberation struggle against British rule from 1955 to 1959 and in 1960 the island attained independence.

Independence was initially seen as a compromise solution to *enosis* (union with Greece), or *taksim* (partition of the island into Greek and Turkish portions with racial segregation).

Independence was the outcome of agreements reached between Greece, Turkey and the United Kingdom without the participation of either the Greek or Turkish Cypriot communities.

According to the Zurich-London agreements Britain, Greece and Turkey pledged to ensure the independence and territorial integrity of Cyprus as well as to respect its constitution.

Britain retained military 'Sovereign Base Areas' on the island totalling 1,158.5 sq km (covering 2.7 percent of the island) for its own strategic purposes.

Political power was to be shared disproportionately between Greek and Turkish Cypriots on a 7:3 ratio. This is despite the fact that the Turkish Cypriots constituted only 18 percent of the population at the time.

The frequent use by the Turkish Cypriots of extensive powers of veto gave rise to deadlock and inertia in the functioning of the state. In November 1963, in response to President Makarios putting forward proposals to amend the constitution to facilitate the smooth functioning of the government, Turkish Cypriot ministers withdrew from their positions. The ensuing constitutional deadlock gave rise to intercommunal clashes and threats by Turkey to invade Cyprus. Since then, and despite the fact that some normality had gradually returned to the island, the aim of the Turkish Cypriot leadership, acting on instructions from Turkey's government, was the partitioning of Cyprus on racial grounds and its annexation to Turkey.

Turkey's precursor to division was the withdrawing of the Turkish Cypriots into illegal armed enclaves. These strategically positioned enclaves were later used as bridgeheads for the Turkish invasion of 1974.

A United Nations peacekeeping force (UNFICYP) was dispatched to Cyprus in March 1964, with the consent of the government of Cyprus, because of intercommunal clashes and threats of a Turkish military invasion.

TURKISH INVASION

On 15 July 1974 the military junta then ruling Greece carried out a short-lived coup to overthrow the democratically elected government of Cyprus. On 20 July 1974, Turkey, using the coup as a pretext, launched a massive military invasion, purportedly to restore constitutional order. Despite the collapse of the coup, restoration of the legitimate government of Cyprus, and a ceasefire agreement, Turkey launched a second invasion on 14 August 1974. Turkey seized 36.2 percent of the territory of the Republic of Cyprus and it maintains an illegal military occupation in the northern areas of the island to this day.

In its invasions, Turkey conducted mass systematic human rights abuses against the Greek Cypriots, ethnically cleansing them from their ancestral lands.

Human rights violations have been and continue to be directed against Greek Cypriots because of their

ethnicity, religion and language. Such discrimination is explicitly prohibited under the European Convention of Human Rights (article 14) and the Charter of Fundamental Rights of the EU (article 21).

“...The Commission has found...that the acts violating the Convention were exclusively directed against members of...the Greek Cypriot community...Turkey has failed to secure the rights and freedoms set forth in these articles without discrimination on the grounds of ethnic origin, race and religion as required by article 14 of the Convention...”

Council of Europe, European Commission of Human Rights, Application Nos. 6780/74 and 6950/75, Cyprus v. Turkey

The European Commission of Human Rights and the European Court of Human Rights have found Turkey guilty of gross violations of several key articles of the European Convention. Turkey is obligated to comply with all decisions of European human rights institutions.

CONSEQUENCES OF THE TURKISH INVASION

• Area under occupation

36.2 percent of the Republic of Cyprus is under illegal Turkish occupation.

• Occupying forces

More than 43,000 Turkish occupation soldiers, equipped with modern weaponry and supported by the Turkish air force and navy are illegally stationed in the occupied area.

“...the northern part of the island is one of the most highly militarized areas in the world in terms of the ratio between numbers of troops and civilian population”.

Report of the UN Secretary-General to the Security Council on the United Nations Operation in Cyprus S/1994/680 7 June 1994

• Refugees /displaced persons

200,000 Greek Cypriots – approximately one quarter of the total population were forcibly expelled from the occupied northern area. They are still denied the right to return and reclaim their homes and properties on the basis of ethnicity.

The ethnic cleansing of occupied Cyprus affected nearly 28 percent of the Greek Cypriot population, and about 70 percent of the population of the areas that came under Turkish occupation.

Most Greek Cypriots were expelled by the occupation forces. Others fled to the safety of the government controlled areas having witnessed the brutality of the occupation forces.

The techniques utilised by the occupation authorities to bring about this ethnic cleansing included: forcible eviction; deportation across the ceasefire line; forced evacuation and transportation to other sections of occupied Cyprus; intimidation; looting; indiscriminate

bombing; killing of civilians in cold blood; separation of families; illegal detention; terror; torture; rape, assault and battery; forced labour.

The ethnically cleansed Greek Cypriots have the right to voluntarily return to their habitual homes and properties in peace and safety. This right has been upheld by:

- Provisions of contemporary international law
- Resolutions by the UN Security Council and the General Assembly
- Resolutions of the European Parliament and by the Parliamentary Assembly of the Council of Europe
- Decisions by the European Commission of Human Rights and by the European Court of Human Rights.

European institutions have found Turkey guilty of violations of various articles of the European Convention because of the denial of the right to return to Greek Cypriot displaced and refugees and because of the absence of effective local remedies. These institutions have concluded that the restoration of the rights of the refugees and the displaced cannot wait for a political settlement.

“...the intercommunal talks cannot be invoked in order to legitimate a violation of the Convention... the Court concludes that there has been a continuing violation of article 8 of the Convention by reason of the refusal to allow the return of any Greek Cypriot displaced persons to their homes in northern Cyprus...”

Council of Europe, European Court of Human Rights, Cyprus v. Turkey, Application No. 25781/94, Judgment, 10 May 2001

• Rape and forced prostitution

The Turkish army, during and in the aftermath of the invasion, committed large numbers of documented cases of rape of Greek Cypriot women and children from the ages of 12-71. This was part of a tactic to humiliate, intimidate and terrorise Greek Cypriot civilians in occupied Cyprus. Rape and dishonoring women is a particularly heinous crime in a conservative and close knit society such as that of Cyprus.

“...rapes were committed by Turkish soldiers and...even by Turkish officers, and this not only in some isolated cases of indiscipline... the incidents of rape...as established constitute “inhuman treatment” in the sense of article 3 of the Convention...”

Council of Europe, European Commission of Human Rights, Applications 6780/74 and 6950/75, Cyprus against Turkey, Report of the Commission, 10 July 1976

• Missing persons

More than 1,000 persons including civilians are still missing. Turkey refuses to cooperate in ascertaining their fate despite evidence showing many persons captured by the Turkish military prior to their enforced disappearance. Evidence from testimonials, media accounts, and records of the International Red Cross show that missing persons were in Turkish custody under life threatening circumstances at the time of their disappearance.

Of the persons missing:

- 61% are military personnel
- and 39% are civilians, including 116 females and 27 persons under the age of 16.

A decision of the European Court of Human Rights on 10 May 2001 found Turkey guilty of major violations of the European Convention including:

- A continuing violation of article 2 of the Convention (right to life), because of the failure of the Turkish authorities to conduct an effective investigation on the fate of the missing
- A continuing violation of article 5 (right to liberty and security)
- A continuing violation of article 3 (prohibition of inhuman or degrading treatment).

The original number of 1,619 missing has declined as the remains of have been identified by the forensic anthropology team working on behalf of the United Nations and the Committee on Missing Persons (CMP).

• **The enclaved Greek Cypriots**

At the end of 1974 20,000 Greek Cypriots remained enclaved in the occupied area. Following terrible intimidation and harassment by the occupying forces they were forced to abandon their homes, effectively becoming refugees in the government controlled areas. The inhuman and degrading conditions were a flagrant violation of the The Vienna III agreement of 2 August 1975, which stipulated, *inter alia*, that the enclaved would be free to remain in their homes and that efforts would be made to allow them to lead a normal life and enjoy their rights of religion and education, medical care and free movement. The enclaved numbered 11,319 on 1 June 1975 – two months after the signing of the agreement. On 31 July 2007 their number was reduced to 496, a decrease of 95,62 percent. Approximately 500 Greek and Maronite Cypriots are still enclaved in their villages in the occupied area under oppressive conditions.

The European Court of Human Rights has held Turkey responsible for the violations against the enclaved whether committed by its agents or those of its subordinate local administration, because Turkey is in effective control of the occupied areas. Both the European Parliament and the Parliamentary Assembly of the Council of Europe have condemned Turkey's practices against the enclaved. These violations continue while Turkey aspires to become an EU member.

• **Turkish colonisation**

162,000 colonists from Turkey have been transferred illegally to colonise the occupied area and to alter the demographic structure of the island. Colonists with Turkish soldiers now outnumber the Turkish Cypriots by two to one. This colonisation is in violation of the Geneva Convention and UN resolutions.

“...The Assembly is convinced that the presence of settlers constitutes a process of hidden colonisation and an additional and important obstacle to a

peaceful and negotiated solution... [the Assembly]... calls on Turkey as well as its Turkish Cypriot subordinate local administration...to stop the process of colonisation by Turkish settlers...”

Council of Europe, Parliamentary Assembly,
Recommendation 1608 (2003), 24 June 2003.

• **The Turkish Cypriot population**

The Turkish Cypriots were moved by the Turkish Cypriot leadership to the occupied areas as part of Turkey's long term policy of ethnic segregation.

58,000 Turkish Cypriots have emigrated from the occupied areas since the Turkish invasion, according to Turkish Cypriots sources due to the prevalent social, moral and economic decline. The Turkish Cypriots, as citizens of the Republic of Cyprus enjoy equal rights with Greek Cypriots, Maronites, Armenians and Latins. Thousands of Turkish Cypriots applied for and were issued official documents of the Republic of Cyprus, such as birth certificates, identity cards and passports and are now considered European citizens. After the partial lifting of the restrictions on movement across the ceasefire line by the occupation regime, more than 3,000 Turkish Cypriots were employed in the government controlled areas. The Cyprus government has spent several million pounds on social insurance pensions, social benefits and medical health care for the benefit of Turkish Cypriots. This is despite the seemingly deliberate policy of self-segregation by the Turkish Cypriot leadership.

Number of Turkish Cypriots with Republic of Cyprus documentation

Official figures up to May 2007:

- 90,920 Turkish Cypriots with Republic of Cyprus birth certificates
- 79,497 Turkish Cypriots with Republic of Cyprus identity cards
- 49,156 Turkish Cypriots with Republic of Cyprus passports

DESTRUCTION OF CULTURAL HERITAGE IN OCCUPIED CYPRUS

The illegal occupation powers in the northern part of Cyprus are methodically applying a long-term plan to eradicate the cultural and historical heritage of the occupied territories. This cultural genocide has been perpetrated largely by the Turkish army and Turkish nationals.

- 500 Greek Orthodox churches and chapels have been pillaged, vandalised or demolished
- 77 churches have been converted into mosques.
- 133 churches and monasteries have been desecrated.
- 28 churches are used as depots, barracks or infirmaries by the Turkish occupation forces.
- 13 churches are used as storage rooms or hay barns.
- 1 church has been converted into a hotel.
- 1 church has been rented out as an art school.
- The cemeteries of at least 25 villages have been desecrated and destroyed.
- Innumerable icons, religious artefacts and all kinds

of archaeological treasures have been stolen and smuggled abroad.

- Illegal excavations and smuggling of antiquities is openly taking place with the involvement of the occupying forces.

“...The vandalism and desecration are so methodical and so widespread that they amount to institutionalized obliteration of everything sacred to a Greek...”

J Fielding, 'The Rape of Northern Cyprus', *Guardian* (London), 6 May 1976

Greek place names in the occupied areas have been arbitrarily converted into Turkish names to perpetrate the myth that the occupied north is Turkish.

“...Points out that the cultural heritage of each people must be preserved and condemns the systematic policy of expunging the past and the Hellenic and Christian culture pursued by Turkey in the part of Cyprus occupied by its troops, as regards both the imposition of place names and the disappearance or transformation of the island's cultural heritage...”

European Parliament, Resolution, 10 March 1988

RESOLUTIONS OF THE INTERNATIONAL COMMUNITY

The United Nations recognises the sovereignty of the Republic of Cyprus over the entire island of Cyprus and nothing in international law affects the jurisdiction of the Republic of Cyprus over the whole of the island.

The Turkish invasion has been condemned by a series of United Nations General Assembly and Security Council resolutions, as well as decisions by international Courts. UN General Assembly and Security Council resolutions 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 culpable for gross and systematic violations of human rights in Cyprus.

Turkey formally attempted to partition Cyprus by creating and recognising a secessionist political entity in occupied Cyprus. This entity has been declared illegal and its actions null and void by the international community and condemned by United Nations and Security Council resolutions such as UN Security Council Resolutions 541 of 18 November 1983 and 550 of 11 May 1984.

The Security Council [is]... Concerned at the declaration by the Turkish Cypriot authorities issued on 15 November 1983 which purports to create an independent state in northern Cyprus... the attempt to create a “Turkish Republic of Northern Cyprus”, is invalid, and will contribute to a worsening of the situation in Cyprus... Deplores the declaration of the Turkish Cypriot authorities of the purported secession

of part of the Republic of Cyprus... Considers the declaration referred to above as legally invalid and calls for its withdrawal ... Calls upon all States to respect the sovereignty, independence, territorial integrity... of the Republic of Cyprus... Calls upon all States not to recognise any Cypriot state other than the Republic of Cyprus...

United Nations and Security Council resolution 541, 18 November 1983

In the case of Cyprus, human rights have been downgraded in the name of political expediency. Turkey has not been subjected to pressure to comply with its obligations under the numerous international conventions it is signatory to.

PROPERTY

During the course of and aftermath of the invasion, Turkish forces and their surrogates engaged in systematic looting, pillage, wanton property destruction and seizure of private property. This unprecedented usurpation is a further flagrant violation of human rights.

The illegal regime in the occupied north produced bogus title-deeds in an attempt to create new ownership to unilaterally and illegally expropriate the lands and homes of Greek Cypriots by either giving the land to illegal colonists from Anatolia, Turkish Cypriots or to sell the land to non-Cypriots, including thousands of Britons who illegally bought land cheaply.

As the occupation regime has been deemed an illegal secessionist entity under United Nations Security Council resolution 541 and 550 and by the European Court of Human Rights, the occupation regime does not have jurisdiction to perform valid transfers of property ownership.

The ethnically cleansed Greek Cypriots remain the legitimate holders of title-deeds, as affirmed by numerous cases, in particular the landmark European Court of Human Rights *Loizidou v Turkey* case (1996) which compensated displaced Greek Cypriot owner Titina Loizidou for loss of use – not loss of ownership, as she remains the legitimate owner.

Only those with title-deeds registered at the Land Registry of the Republic of Cyprus are owners of property in Cyprus, including in the occupied areas.

According to official Cyprus government statistics more than **82 percent** of property in the occupied area prior to the Turkish invasion of 1974, was either owned by Greek Cypriots (**60.6 percent**) or by the government of the Republic of Cyprus itself (**22.82 percent**).

IMPACT ON THE CYPRUS ECONOMY FOLLOWING THE TURKISH INVASION

The Turkish invasion resulted in a loss of:

- **70%** of gross output.
- **30%** of the population became unemployed.
- **65%** of tourist accommodation capacity.

- 87% of hotel beds under construction.
- 83% of general handling at Famagusta port.
- 40% of school buildings.
- 56% of mining and quarrying output.
- 41% of livestock production.
- 48% of agricultural exports.
- 46% of industrial production.
- 20% of state forests.

EFFORTS FOR REUNIFICATION

Successive rounds of UN-sponsored talks between the Cyprus government and the Turkish Cypriot leadership to resolve the Cyprus issue have been undermined by the Turkish side which has sought a settlement that in effect would leave Cyprus permanently divided. Greek Cypriots have been insisting on the genuine reunification of the island and its people.

However, the Turkish Cypriot leadership does not have the ability to take decisions independently of Turkey's strategic interests as it is Turkey that controls occupied Cyprus.

In 1977 and 1979, High Level Agreements were imposed on Greek Cypriots forcing them to concede that a genuinely united Cyprus would not reappear and that instead a bizonal, bicomunal federation would be created. Throughout the 1980s and 1990s constitutional concessions were sought, and obtained from Greek Cypriot negotiators with no concessions from Turkey or the Turkish Cypriots.

In April 2003 the occupation regime in the north opened a crossing point in the line of occupation for the first time since the island was divided, allowing Greek and Turkish Cypriots to view their property for the first time since their forced separation by the Turkish military. In order to visit their own lands, Greek Cypriots are requested by the occupation regime to present their passports though they are not leaving the borders of the Republic of Cyprus.

On 24 April 2004 Greek and Turkish Cypriots were asked to approve or reject, through separate referenda in the free and occupied areas the UN Secretary-General's Annan Plan proposal.

However, the UN permitted the illegal Turkish colonists to participate in the referendum in the occupied north. In 2004 some 40,000 Turkish colonists entered occupied Cyprus.

In the occupied area 64.9 percent approved the Annan Plan. A clear majority of 75.8 percent of Greek Cypriots rejected the proposed plan because they felt it incorporated arbitrary last minute Turkish demands, was not balanced and did not meet their main concerns regarding security, functionality and viability.

The "no" vote in the referendum was as a legitimate expression of the real concerns that led to the rejection of a seriously flawed plan which did not provide for:

- The removal of all Turkish troops and colonists and the

- elimination of the right of foreign powers to unilaterally intervene in Cyprus;
- Adequate guarantees to ensure that the commitments undertaken by Turkey would be carried out
- A property recovery system that appropriately recognised the rights and 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;
- The right of all Cypriots to acquire property and to live wherever they chose without restrictive quotas; and
- Functional government without deadlocks or voting restrictions based on ethnicity.

Cyprus formally joined the European Union as a full member on 1 May 2004 without achieving the desired goal of acceding as a reunited country. The application of the EU *acquis communautaire* has been suspended in the area of Cyprus under Turkish occupation.

In February 2008 Mr Demetris Christofias became the sixth president of the Republic of Cyprus.

In March 2008, a barrier that for decades had stood at the boundary between the government controlled area and the UN controlled buffer zone was demolished. The wall had cut across Ledra Street in the heart of Nicosia and was seen as a strong symbol of the island's 32-year division. On 3 April 2008, Ledra Street was reopened.

A new round of talks was initiated in 2008 between President Dimitris Christofias and Mehmet Ali Talat, the leader of the occupation regime.

CONCLUSION

The Cyprus issue remains one of invasion, continuing occupation and violations of internationally recognised human rights. It challenges the principles of democracy, the rule of law and human rights that are the foundation of post-Cold War Europe.

For a solution to be viable and to withstand the test of time, it must be democratic, just, workable, financially viable and compatible with the EU principles, laws and democratic norms, the Convention on Human Rights and key UN resolutions; Cyprus must remain a unified state and enjoy full sovereignty, territorial integrity and independence and there should be no foreign intervention or interference in the internal affairs of Cyprus.

Turkey, which is an aspiring member of the European Union still stands guilty of international aggression against a member state of the European Union and United Nations. This is an unacceptable state of affairs, an affront to international legal order and an ongoing threat to regional stability that must be urgently redressed.

About Lobby for Cyprus

INTRODUCTION

Lobby for Cyprus is a non-party-political human rights NGO based in the UK with the aim of reuniting Cyprus.

Lobby was formed in 1992 and since its inception has campaigned against the invasion, occupation, ethnic cleansing and destruction of the cultural heritage of 37 per cent of the Republic of Cyprus by Turkey.

Lobby was founded by the UK-based Greek Cypriot refugee organisations Ayios Amvrosios UK, Anglo Akanthou, Lapithos & Karavas UK and a number of concerned individuals, who believed that any settlement of the Cyprus issue should not legitimise Turkey's illegal occupation of the northern part of the island and that all refugees must have the right to return.

Being independent and non-aligned has enabled Lobby to maintain its policies and freedom to evaluate developments concerning the Cyprus issue and to campaign accordingly without influence and pressure from external political forces.

It is for these reasons that Lobby has remained focused on its goals and objectives and has been successful in delivering its policies and campaign material clearly and concisely to decision makers.

Lobby has evolved into the voice of the Greek Cypriot refugees in the UK. It is an umbrella organisation and its membership has grown to include many individuals and UK-based refugee organisations which it represents, such as Famagusta, Rizokarpasso, Leonariso-Vasili, Yialousa & suburbs, Lefkoniko and Eptakomi amongst many others.

Lobby is a founder member of the European Union of Exiles and Expelled People (EUEEP), a European-wide organisation formed in 2007 which campaigns for the rights of exiled, expelled, internally displaced and forcibly transferred people in Europe to be respected. EUEEP sets out to pressure EU governments to recognise refugees' right to return.

WHAT LOBBY STANDS FOR

As a cornerstone of Lobby's campaign policy are the 3Rs:

- Removal of all Turkish troops
- Repatriation of all colonists
- Return of all refugees to their homes and lands without restriction or precondition.

Lobby strongly believes that any settlement that does not guarantee the implementation of these minimum principles will lead to a bizonal confederation ie two distinct self-governing bodies on the island of Cyprus. Lobby for Cyprus will never accept a settlement that will create an apartheid state in Cyprus.

Lobby calls for a free and reunited Cyprus with the

return of lands and properties to their legitimate owners rather than imposing land exchanges or compensation on the ethnically cleansed Greek Cypriots.

WHAT WE DO

Lobby organises political campaigns targeted at the UK government, British Members of Parliament and Members of the European Parliament and other decision makers. We regularly organise seminars and debates on various themes relating to the Cyprus issue. Lobby has been heavily involved in the preparation of cases before the European Court of Human Rights, such as the Loizidou v Turkey property rights case.

We are also involved in grass roots campaigns. Lobby organises and participates in vigils and demonstrations, in particular at the House of Commons and at Cypriot community events. We attend or picket property exhibitions in order to counter the promotion of the illegal sale of Greek Cypriot owned land and properties by unscrupulous property developers. Lobby has successfully disrupted such shows and has alerted the UK media to the theft and fraud being committed. In 2007 this resulted in a BBC television undercover documentary exposing such illegalities.

MEDIA

Lobby issues information bulletins to the press and media on a regular basis and our letters have been published in the national press including the Financial Times, The Independent and Guardian amongst many others newspapers and magazines.

OUR PUBLICATIONS

Lobby produces newsletters with in-depth analysis of the Cyprus issue and has written and published the books 'Cyprus – origins of the present crisis' and 'The Case Against the Annan Plan'. We recently commissioned the book 'Cyprus: The Post Imperial Constitution'.

THE FUTURE

Lobby for Cyprus will continue its struggle with determination for as long as part of Cyprus remains under Turkish occupation.

We will continue to campaign for a solution to the Cyprus issue that guarantees that the Cypriots enjoy the fundamental human rights, legal rights and privileges enjoyed by all European Union citizens.

For further information visit www.lobbyforcyprus.org

About Ayios Amvrosios (St Ambrose)

The town of Ayios Amvrosios is situated at the foot of the Pentadactylos (five finger) mountain range, reaching as far as the northern coastline of Cyprus.

Ayios Amvrosios is surrounded by green valleys, apricot orchards and olive groves.

The inhabitants of the town numbered approximately 3,000 and are all of Greek Cypriot origin and are Orthodox Christians. They were mainly employed locally in agriculture and small businesses, with some commuting to Kyrenia, or to the capital Nicosia. The land owned by the people of Ayios Amvrosios was extensive, covering an area of almost 20 miles radius around it.

The town was bustling with life, tourism was beginning to reach the area and the future seemed very promising. However all this came to an abrupt end when Turkey began its brutal invasion in 1974.

For those of us who were unlucky to be there at the time of the two invasions, this was a traumatic experience. The Turkish military machine was mercilessly pounding the area from land, sea and air. We evacuated Ayios Amvrosios on 14 August after the commencement of Turkey's second and most brutal and devastating invasion. All the inhabitants of Ayios Amvrosios were ethnically cleansed by the Turkish invaders. They became refugees and were scattered around the free part of Cyprus and all over the world. Many people lost loved ones and twelve young members of the St Ambrose community, the youngest 17-years-old and the oldest 26, are still missing and unaccounted for. Turkey continues to deny the relatives any information about their whereabouts, even though there is overwhelming evidence that many of them were seen alive after the end of hostilities.

Free Ayios Amvrosios Association (Free Saint Ambrose Association) is a refugee association based in the free part of Nicosia, Cyprus, the only divided capital in Europe. It represents all the organisations and individuals originating from the town of Ayios Amvrosios that are based on the island of Cyprus.

Ayios Amvrosios Association UK is a refugee organisation based in London. All of its members are former inhabitants of the town of Ayios Amvrosios, 20 miles east of Kyrenia, on the northern coast of Cyprus, which is currently under Turkish military occupation. The members of Ayios Amvrosios Association now live in London and other major UK towns. Many of them arrived in the UK immediately after the invasion of Cyprus by Turkey in 1974 and some came earlier in the 1950s and 1960s.

Ayios Amvrosios Association UK is a founding member of Lobby for Cyprus.

Both St Ambrose Associations, in Cyprus and in the UK are very active in campaigning against the injustices committed against their members, the evicted inhabitants of St Ambrose and organise and/or participate in many events and activities in Cyprus, Europe and throughout the world to highlight the plight of the refugees of Cyprus. One of their main aims is to keep alive the traditions and cultural identity of their town until the day a settlement will be reached that will allow all their members to return to their homes and resume their lives in peace and security.