

PERCEPTIONS
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**STATEMENT BY THE TURKISH MINISTRY OF FOREIGN AFFAIRS ON 14 DECEMBER
1997, CONCERNING THE PRESIDENCY CONCLUSIONS OF THE EUROPEAN
COUNCIL HELD ON 12-13 DECEMBER 1997 IN LUXEMBOURG**

At the Luxembourg meeting of the Heads of State and Government of the member states of the European Union, held on 12-13 December 1997, a decision was taken to commence accession negotiations with "Cyprus" on the basis of the unilateral application of the Greek Cypriot Administration of Southern Cyprus.

Turkey deems it useful to bring the following to the attention of EU members and the international community regarding the aforesaid decision and the repercussions that will ensue:

1. The 1959-60 Agreements regarding Cyprus were concluded among five parties, namely, Turkey, Greece, the United Kingdom and the Turkish Cypriot and Greek Cypriot communities. These agreements have established a balance not only between the two national communities in the island, but also between Turkey and Greece, with a view to preserving peace and stability in the region. The aforementioned agreements have stipulated the political and legal equality of the two sides in Cyprus, and designated the Turkish Cypriot and Greek Cypriot communities as the co-founders of the 1960 Republic. In this context, in addition to the United Kingdom which has maintained bases on the island, Turkey and Greece, as Guarantor Powers and motherlands, were given equal rights and obligations for the maintenance of the internal and external balance established over Cyprus. Ever since 1963 when the partnership state established in 1960 was destroyed by force of arms by the Greek Cypriots, there has not been a single state, government or parliament competent to represent the whole island. Currently, there exists in Cyprus two distinct, sovereign peoples, two democratic systems, two distinct legal structures and two separate states.

2. The administration in Southern Cyprus is only the Government of the Greek Cypriot side. The claim of the Greek Cypriots to possess the title and attributes of the partnership, which they themselves have destroyed, cannot confer legitimacy on them. The Greek Cypriot side's attempt to perpetuate its illegal title and claims is the main reason why a solution has not been found to the Cyprus question for the last 34 years. Until a mutually acceptable political solution is freely reached between the two sides in Cyprus, it is not possible for either side to undertake any action which has international legal and political consequences for the whole of Cyprus.

3. The decision taken at the Luxembourg Summit constitutes a violation of the 1959-60 Agreements. For;

- The 1959 Zurich and London Agreements stipulate that Cyprus cannot join international organisations or pacts of alliance of which both Turkey and Greece are not members; and

- The 1960 Treaty of Guarantee contains the provision that Cyprus cannot participate, in whole or in part, in any political or economic union with any State whatsoever.

4. Turkey has supported the efforts directed towards finding a just and lasting solution to the Cyprus question, under the UN Secretary-General's mission of good offices. These efforts reached an impasse as a result of the rejection, by the Greek Cypriot side, of the UN Set of Ideas in 1992. It has been envisaged in the UN Set of Ideas that EU membership should be negotiated between the two sides after a comprehensive solution is found to the Cyprus question and should be submitted to the approval of the two peoples through separate referenda. During the time that has elapsed, however, the opening of the door, by the European Union, to the Greek Cypriot side for full membership has had a destructive effect on the negotiating process for the solution of the Cyprus question. As a result, the Greek Cypriot administration has had no other aim but to join the European Union without reaching a solution with the Turkish Cypriot side, and achieving union with Greece indirectly. The decision taken at the Luxembourg Summit serves such a one-sided objective.

5. With the decision it has taken at the Luxembourg Summit upon the unilateral application of the Greek Cypriot administration, the European Union ignores the existence of two politically equal sides in Cyprus. The European Union thus destroys the very basis of the bi-communality on which the independence of the Island was based, and the parameters for a federal settlement while eliminating the chances of finding a solution on a communal basis.

6. In the Concluding Document of the Summit, with regard to the membership of the Greek Cypriot Administration it is stated that such an accession would benefit all communities on the Island.

This approach that ignores the existence of the two equal co-owner peoples on the Island and aims at destroying the principal of equality which is the basis of the Cyprus issue is totally unacceptable.

The Government of the TRNC has made a statement concerning the Luxembourg Summit conclusions. We support the views expressed in the statement of the TRNC.

7. Ever since 1990, Turkey has at every stage brought to the attention of the EU organs and member states as well as the United Nations that the illegitimate application of the Greek Cypriot administration was in contravention of the 1959-60 Agreements. Furthermore, Turkey has registered its legal and political objections with regard to the decision of the EU Council of 6 March 1995, and had stated that it does not accept this decision. It is Turkey's considered view that the decision recently taken at the Luxembourg Summit, apart from being in contravention of international law, is also contrary to the basic principles of the European Union.

8. The European Union, as a requisite of international law, has to respect the international agreements. It does not have the right to take unilateral decisions and create international obligations regarding the future of the island of Cyprus in violation of these agreements. For the legal and political reasons stated above, Turkey does not accept this decision of the EU and holds the view that it can not be implemented.

9. Turkey and the TRNC, through the Joint Declaration of 20 January 1997 adopted by their Presidents, and endorsed by the Turkish Grand National Assembly on 21 January 1997, have stated the joint approach they would follow in the event that the EU opens accession negotiations with the Greek Cypriot side. Turkey as a guarantor power will continue to maintain its rights and obligations

arising from international agreements, and will exercise its contractual responsibilities towards the Turkish Cypriot people.