

Federal State of Cyprus Necessary?

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Based on facts and documents, below submitted are the views of this Academy in regard to Cyprus issue in the hope that the historical course of development of Cyprus problem and the legal structure of the Republic of Cyprus as well as the actual circumstances on the Island are made clearer to the world public opinion, thereby contributing to the establishment of peace so longed for.

I — HISTORICAL BACKGROUND

Cyprus, an island in eastern Mediterranean, lying on the natural extension of Anatolia, with an area of 3572 square miles, is only 40 miles distance from Turkey but 500 miles from Greece. Cyprus, never before in its history has it come under the domination of the Greek administration. Under the Turkish rule, however, it had enjoyed a regime of complete equality and justice since 1570 under which great respect had been shown towards all religious beliefs and furthermore ecclesiastical concessions had been brought under legal protection.

In 1878, when the Island was rented by the Turks to the English, the Greek Cypriots being under the delusion that the way to Enosis was opened, started creating troubles and in 1941 went so far as to revolt against the British administration. The English, upon suppressing the revolt, got indemnities from Church and deported the archbishops as well as other responsible bishops. The Church, however, as an ardent follower of the «Megalo Idea» never stopped fermenting disturbances and aiming at nothing less than Enosis flatly rejected the proposals put forward by the English as regards the administrative status of the Island.

On 15th January 1950, the Turks as well as the English regional Government declined to accede to a plebiscite which, with its result already known, was to be used as a tool to declare Enosis.

Makarios made efforts to bring the matter before the United Nations and with the backing of the Greek Delegation the issue was discussed at the Paris meeting of the United Nations. Then it was understood that the Greek Prime Minister, Mr. Sofokles Venizelos, on 16th February 1951, officially demanded ENOSIS, that is, union of the island with Greece.

In 1954, during the debates in the United Nations made in connection with the Cyprus issue, Turkey requested that the right of self-determination should also be granted to the Turks in the Island. Time and again the problem appeared on the agenda of the United Nations, but unfortunately without any tangible result. Under the circumstances, Turkey was officially invited to a conference to be held in London on 29th August 1955. Displeased at this invitation, the Greek Cypriots openly declared that they would massacre the Turks. This notwithstanding, Turkey made it known that she was sure that England would certainly abide by her obligations and that she would never agree to ENOSIS.

Both the Greek Government and Archbishop Makarios, despairing of obtaining a decision for ENOSIS from the United Nations, decided to take concerted action in executing their plan of resorting to terroristic activities to force a solution to their illegal cause. Consequently they

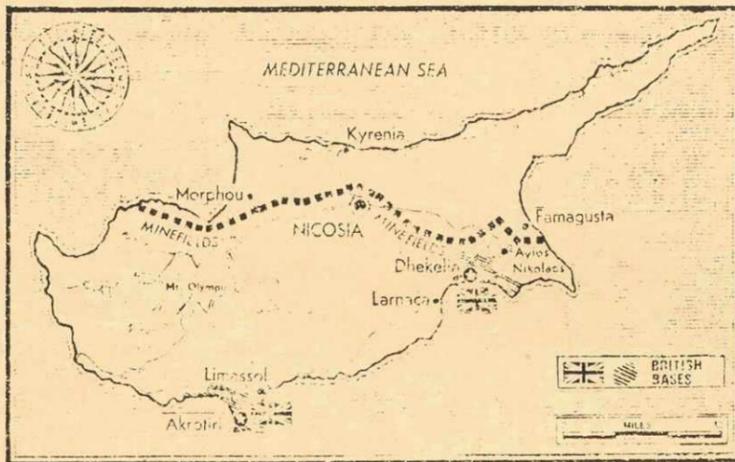
started a bloody war of terror through the EOKA secret organization, already set up and trained by Colonel Grivas who, in 1951, had been sent to Cyprus for the purpose. Grivas first terrified the Greek Cypriots and then engaged in battle against the English and made a declaration in which he said.

«We have two enemies to fight. The English and the Turks. First, we will struggle with the English and expel them from the Island. And then we will exterminate the Turks. It is our duty to reach this goal at all costs.»

Only under these circumstances did the Turks establish the Turkish Resistance Organization (TMT) first known as VOLKAN.

— At all stages of the administration this ratio of representation shall be adhered to as far as practicable. In the regions or districts where either of the communities reaches nearly a hundred percent majority, the local administrative organs of the central government, shall exclusively be composed of the officials of the community concerned. (Article 123 / 3)

— A Supreme Court shall be established, consisting of three judges, one Greek, one Turk and one impartial judge, appointed jointly by President and Vice President. The impartial judge shall preside over the court and shall have two votes. (Article 78 / 1)



The EOKA terroristic actions lasted until 1958. The various plans of form of administration proposed by the English were rejected by Greece as well as by Makarios, because their common cause was to materialize ENOSIS. In 1959, the Foreign Ministers of Turkey, Greece and Great Britain had to sit at negotiation table and decided to sign the 1959 Zurich - London Agreements. It is this decision that gave birth to the Independent Cyprus Republic in 1960.

II — CONSTITUTION OF THE INDEPENDENT REPUBLIC OF CYPRUS

In 15th August 1960 the Independent Republic of Cyprus was declared. Herebelow are some principal Articles of the Constitution of Cyprus:

— President shall be Greek, Vice President a Turk, and they shall be elected by their respective communities. (Article 1)

— Official language shall be Greek and Turkish (Article 3 / 1)

— President and Vice President shall have the administrative power. The Cabinet shall be composed of seven Greeks and three Turks. President and Vice President shall have rights of veto. (Article 46)

— The legislative power shall belong to the House of Representatives who are to be elected for five years by the Turkish and Greek Communities separately. Seventy per cent of the representatives shall be Greeks and thirty per cent Turks. This ratio shall not be affected by statistical data. (Article 65)

— Each community shall have its own Community Assembly consisting of as many members as it will decide. The Community Assemblies shall each have power to impose taxes on their citizens in order to meet the requirements of their own community as well as the needs of the establishments and corporations under their control. (Article 86)

— The administration shall comprise Greeks and Turks on the basis of a ratio of 70 and 30 per cent respectively (Article 123 / 1)

— In five largest cities of Cyprus, Municipalities shall be set up by the Turkish inhabitants. (Article 173 / 1)

— A complete or partial union of Cyprus with any state whatsoever or a system of government which will result in partition of Cyprus shall be considered incompatible with the independence of the Republic of Cyprus. (Article 185)

Most important, as will be clearly understood from the above Articles of the Constitution, the Republic of Cyprus, based on two main communities neither one having a majority or minority status, has a political organization which prevents ENOSIS as well as PARTITION and which allows the two communities to set up their own self-governments.

III — TURKEYS RIGHT OF INTERVENTION UNDER THE CONSTITUTION OF CYPRUS AND THE GUARANTEE AGREEMENTS

Turkey, based on her right to intervene under Article IV of the Guarantee Agreement registered with the United Nations, had to fulfill her legal obligations unilaterally by starting peace operations in Cyprus, in that the British Government flatly rejected to take joint action as stipulated in the Agreement. Through this piece operation of the Turkish Army, not only life and property of the Turkish Cypriots were protected, but also the freedom of the Greek was restored. The Turkish intervention also resulted in the collapse of the Military Junta in Athens as well as in the elimination of Nikos Sampson, thus serving a two-fold purpose.

Subsequent to the 1963 Christmas Massacre perpetrated against the Turks, Makarios proved more cruel than ever towards them and they were made subject to unprecedented sufferings.

Under the circumstances, the Turks had to sever their relations with the Greeks. The Makarios Administration did not give the Turks their due appropriations from the budget and resorted to every conceivable trick to destroy the

economic life of the Turkish Community. Consequently, the Turks had to establish their own administration in order to save and maintain their lives.

The Community Assembly, already arranged in the Constitution of Cyprus with the participation of the members of the House of Representatives, constituted the legislative organ. And thus a provisional Turkish administration was set up, with some new ministries added to the existing ones as necessitated by new functions, in order to create and perpetuate their living conditions. It is under these circumstances that the said administration, later on called «Turkish Administration of Cyprus», generated the Autonomous Turkish Administration of Cyprus.

As a matter of fact, the Makarios Administration itself dissolved the Greek Community Assembly, having preferred ruling only through the House of Representatives. This state of affairs, though unconstitutional too, as it concerns only the internal legal problems of the Greek, was condoned by the Turkish side.

Had Turkey not started the Peace Operation following the unconstitutional declaration by the Greek of «the Hellenistic Republic of Cyprus», no Independent Republic of Cyprus would have existed now.

Both Turkey and the Cypriot Turkish Community have intended in good will to take part in negotiations to seek a peaceful and just and lasting solution, but unfortunately Makarios, through political tricks, has been trying to impose upon the Turks his own conditions, as if no peace operation was ever carried out, probably because he has realized at last that there is no longer any possibility for ENOSIS.

Therefore, the Turkish Cypriots, in view of the eventful developments taking place in the period subsequent to the coup of 15th July, could no longer delay to set up a legal organization, otherwise it would be impossible for them to meet their economic, social, administrative and political requirements, because such problems could not be overcome through their former administration established during a period of time when they were living wide apart. In order to ensure the survival of the Independent Republic of Cyprus as well as to maintain its territorial integrity, the Cypriot Turks had to constitute the Federated Turkish State of Cyprus. This federated Turkish State, established on 13th February 1975 has in fact been a step forward in realizing the formation of the Independent Federal Republic of Cyprus as soon as possible. As it was no longer possible for Turks to live together with the Greek Cypriots in intermingled areas, they had no alternative but to set up their own autonomous administration in a separated geographical region, by exercising their constitutional rights in their connection. Thus both ENOSIS and Partition are to be eliminated with certainty. Such a solution shall do good rather than harm to the relations between Turkey and Greece, and shall no doubt contribute to the restoration of peace in the eastern Mediterranean. Failure to establish a Federal State of Cyprus will unfortunately produce undesirable consequences for both humanity and the world peace. History is full of examples of such happenings.