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## مجلس حقوق الإنسان

الدورة الثالثة عشرة

البند ٦ من جدول الأعمال

الاستعراض الدوري الشامل

### مذكرة شفوية\* مؤرخة ٢٣ كانون الأول/ديسمبر ٢٠٠٩ موجهة إلى مفوضية الأمم المتحدة السامية لحقوق الإنسان من البعثة الدائمة لجمهورية تركيا لدى مكتب الأمم المتحدة في جنيف

تهدي البعثة الدائمة لجمهورية تركيا لدى مكتب الأمم المتحدة في جنيف والمنظمات الدولية الأخرى في سويسرا تحياتها إلى مفوضية الأمم المتحدة السامية لحقوق الإنسان، وتتشرف بأن تحيل طيه آراءها بشأن الوثيقة A/HRC/WG.6/6/CYP/1 التي قُدمت إلى الفريق العامل المعني بالاستعراض الدوري الشامل المنعقد في دورته السادسة، في ٣٠ تشرين الثاني/نوفمبر ٢٠٠٩.

وترجو البعثة الدائمة لجمهورية تركيا ممتنة أن تعمم هذه المذكرة والمرفق بها حسب الأصول بصفتها وثيقة من وثائق الدورة الثالثة عشرة لمجلس حقوق الإنسان تحت البند ٦ من جدول الأعمال.

\* ترد مستنسخة في المرفق، كما وردت وباللغة التي قُدمت بها فقط.

## Annex

### **Views of Turkey on the document “A/HRC/WG.6/6/CYP/1” Submitted to the Working Group of the Universal Periodic Review**

- The national report submitted in accordance with Paragraph 15 (A) of the Annex to Human Rights Council Resolution 5/1 by the Greek Cypriot Administration includes some biased and incorrect information which should be amended.
- First and foremost, The Republic of Cyprus was established in 1960 in accordance with international Treaties, as a partnership between the two peoples of the Island. This was based on the equality of political rights and equal status of the Turkish and Greek Cypriot peoples, under the guarantees provided by Turkey, Greece and the UK. This state of affairs and therefore the Partnership Republic has ceased to exist as such after its constitution has been unilaterally abrogated in 1963 by the Greek Cypriot side by use of force and after the copartner Turkish Cypriots were ousted out of the State mechanisms. The Turkish Cypriot side and Turkey as a guarantor power have never accepted this situation which amounted to the deprivation of the Turkish Cypriot people of the use of their rights as equal partners of the state established in 1960. Since then there is no single authority which in law or in fact is competent to jointly represent the Turkish Cypriots and the Greek Cypriots, consequently Cyprus as a whole. The Turkish Cypriots, deprived of their equal partnership rights, organized themselves under a democratic constitutional order within their boundaries and govern themselves freely.
- The allegations made against the Turkish Cypriot side as well as Turkey, especially at the second and third pages of the report do not reflect the facts as regards the history of the island. The report has been drafted in a biased manner, trying to obscure the realities.
- Moreover, the report fails to give a clear picture on the issues of missing persons in the island. It disregards the plight of the Turkish Cypriots suffered in enclaves corresponding to %3 of the island and their missing persons during the 11 years between 1963 and 1974. Furthermore, the Greek Cypriot authorities fail to provide satisfying information as regards the freedom of thought, conscience and religion of the Muslims living under their administration and property and education rights of the Turkish Cypriots living in Southern Cyprus. The report minimizes the increasing tendencies of ethnic hatred directed against the Turkish Cypriots by the Greek Cypriots. Indeed according to a recent EU report, the Greek Cypriot side is the most xenophobic member of the EU.
- The approach adopted by the Greek Cypriot Administration in drafting the report also raises doubts about the sincerity of the Greek Cypriot side especially at a time when UN comprehensive negotiation process is underway to establish a new Partnership in the island.
- Lastly, the report tries to portray the division of the island as the sole basis of human rights problems in Greek Cypriot side, rather than trying to reveal the real causes of the problems. The Greek Cypriot side should focus on solving the grave human rights problems under their administration instead of trying to put the blame elsewhere.