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**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR
THE PROTECTION OF NATIONAL MINORITIES**

**COMMENTS OF THE GOVERNMENT OF CYPRUS
ON THE SECOND OPINION OF THE ADVISORY COMMITTEE ON THE
IMPLEMENTATION OF THE FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES
BY CYPRUS**

(received on 27 November 2007)

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(DGII)

**CYPRUS' REMARKS ON THE SECOND OPINION REGARDING
THE FRAMEWORK CONVENTION FOR THE PROTECTION OF
NATIONAL MINORITIES**

The Republic of Cyprus would like to express its disappointment over the Opinion's content. The Opinion disregards the actual facts with reference to the recent history of the Republic of Cyprus.

The Government of the Republic of Cyprus would also like to express its dissatisfaction over the fact that the nomenclature and terminology used in many instances is inappropriate and might lead to misinterpretations pertaining to the international status of the Republic of Cyprus. Furthermore, this erroneous terminology is not based on the relevant Treaties in force, such as those upon which the Republic of Cyprus was founded and those which regulate its accession to the European Union, nor does it abide with the relevant Security Council Resolutions, namely, UNSCR 541 (1983) and 550 (1984).

The aforesaid Opinion completely disregards the fact that since 1974 Cyprus has been a victim of an illegal military invasion and ongoing occupation by Turkey. Moreover, it overlooks the fact that it is the Republic of Cyprus which is the Contracting Party to the Framework Convention.

In the aforementioned Advisory Opinion, reference is made to "northern part of the island" (para 9, 63, 144, 145, 159, 162 and 167), "north and south" (para 62), "outside this area" (para 146), "Government-controlled zone" (para 146), "villages which are at present inaccessible" (para 147), as well as "conflict", whereas, any reference to "occupied area" is avoided.

In the respective Report/Opinion of the Committee of Experts on the European Charter for Regional or Minority Languages, [document of September 2006, E.C.R.M.L. (2006) 3], it is clearly stated that the Republic of Cyprus is under military occupation by Turkey, i.e. "Turkish occupation in 1974" (para 26, 58), "the de facto division of Cyprus in 1974" (para 58),

"government controlled area" (para 28), and "non government controlled area" (para 28, 39, 40, 59 etc). Those facts and references are omitted in the aforementioned Advisory Opinion.

When referring to the areas under Turkish military occupation, the terms «occupied areas» or «the areas of the Republic of Cyprus not under the effective control of the Government» should be used. The latter terms are used in the respective Report/Opinion as regards the European Charter for Regional or Minority Languages. Likewise, when referring to the free areas of the Republic, the term «government controlled areas» could be used. References in the Opinion to «northern part of the island», «Government - controlled zone», and «north and south» should, therefore, be amended accordingly.

The attempt to examine issues that deal with aliens (para 19) is unacceptable, and in essence constitutes an effort to extend the provisions of the Convention beyond its scope. The aforesaid Framework Convention binding the Republic of Cyprus regulates matters that deal with Traditional Ethnic Minorities and not issues concerning aliens, who occasionally or periodically reside in Cyprus.

The reference in paragraph 16, namely the alleged discrimination and hostility against the Turkish Cypriot Community is inadmissible and should be deleted, since, despite the existing de facto division of the island due to the Turkish invasion and occupation, the Turkish Cypriots continue to benefit and enjoy all the rights deriving from being citizens of the Republic of Cyprus.

In view of the foregoing, the Government of the Republic of Cyprus fervently hopes that the Advisory Committee on the Framework Convention for the Protection of National Minorities will examine its Opinion with the attention it deserves, and make the necessary corrections and amendments.