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26 November 2024

Excellency,

Upon instructions from my Government, I am writing in response to the letter, dated 27 August 2024, addressed to Your Excellency by the Greek Cypriot representative in New York that has been circulated as a document of the General Assembly (A/78/992) and of the Security Council (S/2024/635) which, yet again, distorts the realities on the ground. In order to set the record straight, I would like to bring the following to your kind attention.

Regarding the claims of so-called violations of "Cyprus' national airspace", "international air traffic regulations in Cyprus' Flight Information Region (FIR)" and "the territorial waters of Cyprus", I wish to underline that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus (TRNC) are carried out with the full knowledge and permission of its Civil Aviation Authority, as the only competent body to provide air traffic and aeronautical information services within its own national airspace and Notices to Airmen are issued in accordance with Article 3 of the Convention on International Civil Aviation (Chicago Convention). Needless to say, the Greek Cypriot administration of Southern Cyprus has no jurisdiction or right of say whatsoever regarding the territorial waters of the TRNC or the flights within its sovereign airspace.

Ercan State Airport in the TRNC is in full conformity with all standards recommended by the ICAO and necessary upgrades have regularly been made to keep up with developing technology. Moreover, the number of air traffic controllers has been increased in accordance with the growing number of flights over the years and the Ercan Area Control Center is in regular and close cooperation with the Ankara Area Control Center in order to ensure the safe conduct of all flights in the region. In 2023 alone, the number of passengers who used Ercan State Airport stood at 3,990,324 and is expected to reach approximately 4,700,000 passengers in 2024. Moreover, 26,850 planes used Ercan State Airport for arrival and departure and 184,401 planes used the Ercan Advisory Airspace in the same year. In that regard, it is understood that the Turkish Cypriot side is committed to upholding the highest standards in the field of air navigation in full conformity with the Chicago Convention of 1944.

H.E. Mr. António Guterres
Secretary-General of the United Nations
New York.

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Availing myself of this opportunity, I would like to remind the Greek Cypriot side that its counterpart is, and has always been, the Turkish Cypriot side, not Türkiye. The Greek Cypriot side's unfounded claims contained in the said letter go as far as denying the existence of the Turkish Cypriot people and ignoring the fact that today there exist two independent, self-governing States on the Island of Cyprus, each exercising sovereignty and jurisdiction within its respective territory.

The present infringements of international air traffic regulations in Ercan Advisory Airspace by the Greek Cypriot administration as well as Greece not only constitute a blatant violation of the sovereignty of the TRNC, but also endanger the safety of international civil aviation and contravene relevant international rules and regulations. The TRNC has made numerous calls to the Greek Cypriot administration to cooperate on the matter in order to avoid any undesired incident and to ensure the safety of air traffic over the island.

Moreover, the unjust isolation imposed on the Turkish Cypriot people, which the Greek Cypriot side attempts to reinforce by unilaterally claiming that all air and sea ports in the TRNC are "illegal", is in complete violation of international law and is incompatible with the call made by the then Secretary-General, H.E. Mr. Kofi Annan, in his report to the Security Council dated 28 May 2004 (S/2004/437), where he clearly states "*I would hope they [members of the Security Council] can give a strong lead to all States to cooperate both bilaterally and in international bodies to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development...*". The continuation of the Turkish Cypriot isolation at the behest of the Greek Cypriot administration is a gross human rights violation that the Greek Cypriot representatives conveniently forget to mention, instead opting to fabricate allegations of so-called human rights violations by Türkiye.

Furthermore, the Greek Cypriot representative has the audacity to falsely claim "Constant violations to the military status quo on the island and near-daily advances into the buffer zone" by Türkiye at a time when blatant Greek Cypriot violations of the status quo in and around the buffer zone have continued unabated. In this regard, it has been recorded in Your Excellency's latest report on UNFICYP (S/2024/527) that "*The [Greek Cypriot] National Guard has 329 such [prefabricated concrete firing] positions along the southern ceasefire line, 13 of them inside the buffer zone, and during the reporting period it placed 2 additional positions in civilian residential areas in the vicinity of the buffer zone.*" and "*The [Greek Cypriot] National Guard also maintained a trench system comprising 11 concrete bunkers on the southern ceasefire line, in the middle of a civilian photovoltaic park that is partly inside the buffer zone. The mission has not achieved any progress in seeking a halt to the disguising of military positions inside civilian structures along the buffer zone by the Greek Cypriot side, despite repeatedly raising concerns regarding the ethics of such a practice and the danger that it poses to civilians.*"

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Contrary to the claims of the Greek Cypriot representative, it should be emphasized that none of the United Nations Security Council resolutions on Cyprus describe the legitimate and justified Turkish intervention of 1974, undertaken in accordance with the Article 4 of the 1960 Treaty of Guarantee, as “invasion” or the subsequent presence of Turkish troops on the island as “occupation”. Such allegations are nothing but pure Greek Cypriot forgery aimed at distorting the historical facts and realities of the island. In this context, it is important to recall the dramatic statement made before the Security Council on 19 July 1974 by Archbishop Makarios, the Greek Cypriot leader at the time, in which he openly accused Greece, not Türkiye, of invading and occupying Cyprus.

As for the false accusations regarding the fenced-off area of Maraş (Varosha) in the said letter, which are merely based on rhetoric, I wish to remind, once again, that fenced-off area of Maraş is part of the territory of the Turkish Republic of Northern Cyprus (TRNC), where our Government has sole jurisdiction and authority. In this regard, decisions taken are in line with international law and our openings in the fenced-off area of Maraş, which has become the symbol of the status quo on the island, is a positive development that should be supported by the international community. It should be noted that while taking gradual steps to open the area, the TRNC Government, on every occasion, has made it public that it would fully respect and protect the property rights. As a first step, our Government has set up an inventory committee, tasked with assessing the condition of immovable properties, infrastructure and environmental risks. In October 2020, the TRNC Government took another decision to open certain public areas, i.e. two main streets and the beach, for visitors of all nationalities. In July 2021, the TRNC Council of Ministers lifted the military zone status of a pilot area, which corresponds to 3.4% of the fenced-off area of Maraş, with a view to enabling the Immoveable Property Commission (IPC) to process applications in this area. It is important to remember in this regard that the IPC was established in 2005, in line with the rulings of the European Court of Human Rights (ECHR) and is recognised as an effective domestic remedy for the settlement of the property claims in the form of restitution, compensation and/or exchange.

Moreover, the TRNC’s constructive opening, designed in a manner fully respecting and protecting property rights in line with international law, does not contradict the relevant United Nations Security Council (UNSC) Resolutions as well. It should also be noted that when the relevant UNSC resolutions were adopted at the time, there was no ECHR sanctioned domestic mechanism for the property claims in the TRNC. We strongly believe that the opening of the fenced-off area of Maraş will not only serve as an effective tool to satisfy the property claims, but also be economically beneficial to both Turkish Cypriot and Greek Cypriot peoples.

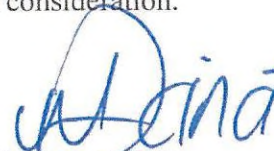
Regarding the efforts to find a freely negotiated and mutually acceptable agreement in Cyprus, the Greek Cypriot representative is, yet again, attempting to distort the international community and conceal the fact that more than fifty years of negotiations carried out on a “federal settlement framework” have decisively failed because of the categorical rejection of the

Greek Cypriot side to share power and prosperity with the Turkish Cypriot people. The Greek Cypriot insistence to pay lip service to such a model is solely aimed at keeping the Turkish Cypriot side trapped in an endless negotiating process while it continues to reap the benefits of the “unacceptable” and “unsustainable” status quo. The Greek Cypriot side should no longer be allowed to consume the resources as well as the time of the international community to further its own anachronistic political agenda. In view of the foregoing, it is unfortunate that instead of acting in line with the call of Your Excellency that *“this time must be different”*, the Greek Cypriot leadership insists on the said tried and failed framework, preventing meaningful discussions on a new and realistic basis that could finally yield a positive outcome. A sustainable and lasting agreement is only possible with the acknowledgement of our inherent rights of sovereign equality and equal international status.

As for the Greek Cypriot representative’s comments regarding the tenure of Your Excellency’s Personal Envoy María Ángela Holguín Cuéllar, which came to an end in July, it must be emphasized that, as it was also underlined in the Readout from your Spokesperson’s Office following Your Excellency’s informal trilateral dinner with the Turkish Cypriot and Greek Cypriot leaders on 15 October 2024, Ms. Holguín Cuéllar’s six-month tenure has also unequivocally corroborated the fact that *“no common ground had been found between the leaders on the way forward on the Cyprus issue”*. As a matter of fact, the only viable option out of the current impasse is the acknowledgement of the realities on the ground and the commencement on that basis of a sincere dialog for a cooperative relationship between the two States on the island.

I should be grateful if the present letter could be circulated, under agenda item 40, as an official document of the General Assembly and of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.



Mehmet Dâna
Representative

Turkish Republic of Northern Cyprus

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