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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 من البعثة الدائمة لجمهورية تركيا لدى مكتب الأمم المتحدة في جنيف إلى مفوضية الأمم المتحدة السامية لحقوق الإنسان

تهدي البعثة الدائمة لتركيا لدى مكتب الأمم المتحدة في جنيف والمنظمات الدولية الأخرى في سويسرا تحياتها إلى مفوضية الأمم المتحدة السامية لحقوق الإنسان، وتشرف بأن تحيل إليها طيه مذكرة تتعلق باعتماد مشروع تقرير الفريق العامل المعني بالاستعراض الدوري الشامل (A/HRC/WG.6/6/L.6) في ٤ كانون الأول/ديسمبر ٢٠٠٩، الذي سيصدر في وثيقة تحمل الرمز A/HRC/13/7، وتتعلق كذلك بالوثائق A/HRC/WG.6/6/CYP/1 وA/HRC/WG.6/6/CYP/2 وA/HRC/WG.6/6/CYP/3 التي قُدمت إلى الفريق العامل في دورته السادسة في ٣٠ تشرين الثاني/نوفمبر ٢٠٠٩.

وستكون البعثة الدائمة لجمهورية تركيا ممتنة لو أمكن تعميم هذه المذكرة وضميمتها حسب الأصول بوصفهما وثيقة من وثائق الدورة الثالثة عشرة لمجلس حقوق الإنسان في إطار البند ٦ من جدول الأعمال.

* ترد مستنسخة في المرفق بالصيغة التي وردت بها وباللغة الأصلية فقط.

The Delegation of the Republic of Turkey makes the following statement in connection with the adoption of the draft report of the Working Group on the Universal Periodic Review (A/HRC/WG.6/6/L.6) on 4 December 2009 which will be issued under symbol number A/HRC/13/7 as well as the documents A/HRC/WG.6/6/CYP/1, A/HRC/WG.6/6/CYP/2 and A/HRC/WG.6/6/CYP/3 submitted to the Working Group session on 30 November 2009.

The Republic of Cyprus was established in 1960 in accordance with international Treaties, on the basis of a partnership between the two peoples of the Island. The international Treaties were based on the equality of political rights and status of the Turkish and Greek Cypriot peoples of the Island. This state of affairs and therefore "the Republic of Cyprus" 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 the Turkish Cypriots ousted out of the State mechanisms. The Turkish Cypriot side and Turkey have never accepted this illegal and illegitimate 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.

Thus, the Greek Cypriots who organized themselves under their own constitutional order and within their boundaries cannot be the legitimate government representing the whole of Cyprus. Turkey will continue to regard the Greek Cypriot authorities as exercising authority, control and jurisdiction only in the territory south of the buffer zone, as is currently the case, and as not representing the Turkish Cypriot people and will treat the acts performed by them accordingly.

There is no single authority which in law or in fact is competent to represent jointly the Turkish Cypriots and the Greek Cypriots, consequently Cyprus as a whole.

Turkey remains committed to finding a political settlement of the Cyprus issue and has clearly demonstrated its resolve in this regard. Accordingly, Turkey will continue to support the ongoing efforts of the UN Secretary-General towards achieving a comprehensive settlement which will lead to the establishment of a new bi-zonal partnership State. Pending a comprehensive settlement, the position of Turkey on Cyprus will remain unchanged.

Turkey declares that its participation in the proceedings of the Working Group on the Universal Periodic Review neither amounts to any form of recognition of the "Republic of Cyprus"; nor prejudice Turkey's position regarding the Cyprus issue.