Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1333 (2003)[1]

Rights and fundamental freedoms of Greek Cypriots and Maronites living in the northern part of Cyprus

Parliamentary Assembly

1. The Parliamentary Assembly once again expresses its serious concern that the island of Cyprus continues to be rigorously and arbitrarily divided into two parts and that this situation has lasted for over thirty years without any improvement.

2. All the people living in Cyprus, in the northern as well as the southern part, have been protected by the European Convention on Human Rights since the Republic of Cyprus acceded to this Convention on 6 October 1962.

3. The Assembly agrees with the opinion expressed by the European Court of Human Rights, clearly stated in its judgment of 10 May 2001 in the case of Cyprus v. Turkey, that Turkey's responsibility under the Convention also extends to acts of the Turkish Cypriot administration: Turkey therefore has a general obligation to secure respect for the human rights safeguarded by the Convention for all persons within the territory controlled by the Turkish Cypriot administration.

4. The Assembly is extremely concerned by the status imposed upon the Greek Cypriot and Maronite communities that have remained north of the demarcation line and by the resulting violations of human rights, as established by the European Court of Human Rights in Strasbourg.

5. The Assembly none the less welcomes the recent positive developments in Cyprus, especially the opening of borders and granting of freedom of movement, which could considerably improve the situation of the Greek Cypriots and Maronites who have remained north of the demarcation line.

6. The Assembly considers that a general settlement of the Cypriot conflict should never be achieved at the expense of the communities that have chosen to stay where they have always resided.

7. The Assembly acknowledges and agrees with the conclusions of the above-mentioned Cyprus v. Turkey judgment, in which the European Court of Human Rights established that there had been violations of the human rights of the Greek Cypriot and Maronite communities living in the northern part of Cyprus.

8. The Assembly is particularly shocked by the imposed division of families, the prohibition on young people returning to their homes, the arbitrary confiscations and expropriations and the general climate of apprehension and uncertainty, even fear, to which members of these communities are deliberately subjected.

9. The Assembly insists that the Turkish Cypriot administration controlling the northern part of Cyprus, as well as Turkey, which assumes de facto legal co-responsibility in this part of the island as indicated in paragraph 3 above:

9.1. cease all humiliation of the Greek and Maronite communities and put an end to the climate of intimidation;

1. Assembly debate on 24 June 2003 (19th Sitting) (see Doc. 9714, report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Marty). Text adopted by the Assembly on 24 June 2003 (19th Sitting).

9.2. end the dispossessions affecting members of these communities by returning to them the property and possessions of which they have been arbitrarily dispossessed, individually or collectively, or failing that offer them just compensation;

9.3. ensure freedom of education and worship for Orthodox Christians and Maronites;

9.4. end all the restrictions on movements across the demarcation line and immediately grant Greek Cypriots living in the northern part of Cyprus at least the same rights as those already granted to Maronites;

9.5. grant all inhabitants the right to an effective remedy;

9.6. ensure equal access to medical care;

9.7. permit the communities to freely choose their own representatives

10. The Assembly urges all the representatives of the civil society of Cyprus, regardless of the community to which they belong, to do their utmost to bring about a climate of mutual understanding, of dialogue and of tolerance between the different social, political, religious, cultural and linguistic constituents present on the island, whose history shows that they are perfectly capable of living together in peace and harmony.