



Resolution 1628 (2008)¹

Situation in Cyprus

Parliamentary Assembly

1. The Parliamentary Assembly refers to its resolutions and recommendations that have been adopted since the outbreak of the conflict in Cyprus in the 1960s, and regrets that Cyprus remains one of the last divided countries in Europe, the only one in the European Union, with its northern part occupied by Turkey since 1974.
2. It reaffirms its strong commitment to reaching a fair, lasting and comprehensive solution for a peaceful and united Cyprus which would guarantee the legitimate rights of both Greek and Turkish Cypriots, in full compliance with the values and principles of the Council of Europe.
3. In this context, the Assembly welcomes the renewed political process between the two Cypriot parties, which started in March 2008 and has already produced encouraging results for the benefit of all Cypriots, including the opening of the Ledra street crossing in Nicosia and agreements on practical co-operation between the two communities in a number of areas. It commends the political will and determination shown by the leaders of the two Cypriot communities, President Christofias and Mr Talat, and fully endorses their efforts. The Assembly encourages all parties and countries that are directly or indirectly linked to the Cypriot question to develop and maintain a climate of reconciliation, confidence and mutual respect, as well as to avoid all action or declarations that could harm the ongoing constructive dialogue and accentuate tensions.
4. The Assembly further welcomes the resumption of fully fledged negotiations between the leaders of the two Cypriot communities under the auspices of the Secretary-General of the United Nations (UN). It hopes that the appointment of Mr Downer, former foreign minister of Australia, as Special Adviser on Cyprus, will contribute to maintaining positive dynamics in the talks and making progress towards a comprehensive settlement.
5. The Assembly encourages the UN to take full advantage, in the negotiation process, of the Council of Europe's expertise in the areas of its core competences. Furthermore, it believes that any future settlement agreement must comply with Council of Europe standards in the fields of human rights (including the case law of the European Court of Human Rights), democracy and the rule of law.
6. The Assembly is aware that, even with a new and more positive climate between the two communities, mistrust between them is still deep. New efforts are needed to reactivate intercommunity contacts, encourage dialogue, promote reconciliation and restore confidence. Ongoing Council of Europe activities aimed at confidence building in Cyprus, namely the European Forum Cyprus and the co-operation in history teaching programmes, must be given full political support.
7. Furthermore, the Assembly believes that Council of Europe expertise could be of practical value for the two Cypriot communities in the areas where they have already agreed to set up co-operation, such as the environment, cultural heritage, health and criminal matters, as well as in other areas (for example, protection of human rights, combating intolerance, protection of minorities, the fight against trafficking in human beings, education, gender equality, contacts between young people, etc.).

1. *Assembly debate* on 1 October 2008 (32nd Sitting) (see [Doc. 11699](#), report of the Political Affairs Committee, rapporteur: Mr Hörster, and [Doc. 11727](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Čilevičs). *Text adopted by the Assembly* on 1 October 2008 (32nd Sitting).



8. The Assembly stresses once again the importance of resolving the humanitarian issues of the Cyprus problem. Against this background, it commends the recent progress in the work of the Committee on Missing Persons (CMP), and calls all the parties concerned to grant full support to its activities. In this context, the Assembly welcomes the financial contributions to the CMP made by several Council of Europe member states, as well as by the European Union and the United States, and calls for new donations in order to increase the efficiency of the CMP's work.

9. The Assembly takes note of, and welcomes, the efforts made by the European Union and by the Republic of Cyprus aimed at improving the situation of Turkish Cypriots. However, more needs to be done in order to facilitate Turkish Cypriots' integration into Cyprus and Europe. The Assembly therefore calls for new goodwill steps to be taken to allow increased international trade as well as educational, cultural and sporting contacts for the Turkish Cypriot community, it being understood that these activities are consistent with United Nations Security Council Resolutions 541 (1983) and 550 (1984) on Cyprus and cannot be misused for political ends incompatible with the aim of reunifying the island.

10. The Assembly is hopeful that, despite deep-rooted differences between the parties on a number of key issues to be negotiated, and the need to find difficult compromises and to secure their public support, the current situation offers the best opportunity in many years to reach a settlement. President Christofias and Mr Talat are conscious that they cannot afford to fail. All the internal and external actors involved must do their utmost to maximise the chances of success for this process.

11. The Assembly therefore:

11.1. calls upon political forces, civil society and non-governmental organisations (NGOs) in both Cypriot communities to:

11.1.1. provide full support to the ongoing settlement process, and refrain from any action which could undermine it;

11.1.2. multiply and facilitate bi-community activities as a means of re-establishing mutual trust and developing a sense of partnership and shared responsibility for the future of a reunified Cyprus;

11.1.3. use fully, for that purpose, the opportunities offered by Council of Europe activities in various fields;

11.2. calls upon the authorities of the Republic of Cyprus:

11.2.1. to lift objections to the adoption of the Council of the European Union's Direct Trade Regulation put forward by the European Commission allowing free direct trade between Turkish Cypriots and the European Union through their own ports;

11.2.2. not to oppose increased international contacts of Turkish Cypriots in the areas of culture, education, sport and youth exchanges, as long as these contacts are not misused for political purposes or incompatible with the reunification of the island;

11.2.3. to make full use of Council of Europe experience and assistance as regards history teaching for reconciliation, and to review history textbooks in such a way as to avoid hate speech and inflammatory language with regard to painful events of the past;

11.2.4. to seek actively the establishment of good-neighbourly relations with Turkey;

11.3. calls upon the authorities of the Turkish Cypriot community to:

11.3.1. confirm their commitment to reunifying Cyprus, and to refrain from insisting on the existence of a "separate state" in the north of the island;

11.3.2. put an end to the sales of Greek Cypriot properties, and to any construction on land belonging to Greek Cypriots, in the northern part of Cyprus;

11.3.3. consider specific aid to help the Turkish settlers to leave the northern part of the island;

11.3.4. respect point 5 of UN Security Council [Resolution 550](#) by placing the city of Famagusta under UN administration;

11.4. calls upon the authorities of the Republic of Cyprus and of the Turkish Cypriot community to protect all religious monuments and allow restoration work to take place whenever necessary.

12. The Assembly urges Greece, Turkey and the United Kingdom, as the guarantor states of the 1960 Constitution of Cyprus, to use fully and actively their influence to support the ongoing political process in Cyprus.
13. In particular, the Assembly calls upon Greece to use, on the one hand, its traditional ties with the Greek Cypriots, and on the other hand, its experience of building normalised relations with Turkey, in order to facilitate dialogue between the Republic of Cyprus and Turkey.
14. Furthermore, the Assembly calls upon Turkey to:
 - 14.1. respect the UN Security Council's resolutions on Cyprus and contribute to creating a more constructive climate in the negotiations by reducing, as a confidence-building measure, its military presence in the occupied part of Cyprus;
 - 14.2. seek actively the establishment of good-neighbourly relations with the Republic of Cyprus, including lifting the ban against entering ports in Turkey imposed on vessels registered in the Republic of Cyprus and on vessels sailing under other flags which enter the ports of the Republic of Cyprus, and to sign a trade agreement with the Republic of Cyprus in accordance with the commitment made by Turkey to the World Trade Organization and its obligations under its customs union agreement with the European Union;
 - 14.3. co-operate effectively in the efforts to ascertain the fate of missing persons in Cyprus and to implement fully the judgment of the European Court of Human Rights in the case of *Cyprus v. Turkey* (2001) pertaining to the tragic problem of the missing persons and their families, and abide by and fulfil, without any further delay, its obligations and duties stemming from the aforementioned judgment, as well as from the Court's other judgments concerning citizens of the Republic of Cyprus, namely the *Loizidou* and *Xenedis-Arestis* cases.
15. The Assembly calls upon the United Kingdom to confirm its previous offer to transfer part of the territory of its military bases in Cyprus to Greek Cypriots in order to facilitate territorial adjustments to be negotiated between the two parties in the framework of a comprehensive settlement.
16. The Assembly asks its committees, when holding meetings in Cyprus, to associate as much as possible representatives of the Turkish Cypriot political forces, as well as representatives of civil society and NGOs from both communities.