

Aide-memoire from the Turkish Republic of Northern Cyprus to the British High Commission in Nicosia (26 March 1998)

Caption: On 26 March 1998, the Turkish Republic of Northern Cyprus forwards to the British High Commission in Nicosia an aide-memoire in which it deplores the application for accession to the European Union of the Greek-Cypriot part of the island.

Source: Aide-Memoire By The TRNC To The British High Commission In Nicosia, 26 March 1998. [ON-LINE].

[Ankara]: Ministry of Foreign Affairs-Republic of Turkey, mise à jour 29.07.2004 [15.06.2005]. Available on [http://www.mfa.gov.tr/MFA/ForeignPolicy/MainIssues/Cyprus/Aide-](http://www.mfa.gov.tr/MFA/ForeignPolicy/MainIssues/Cyprus/Aide-Memoire+By+The+TRNC+To+The+British+High+Commission+In+Nicosia+26+March+1998.htm)

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http://www.cvce.eu/obj/aide_memoire_from_the_turkish_republic_of_northern_cyprus_to_the_british_high_commission_in_nicosia_26_march_1998-en-df8fa591-8c3b-4603-a0bd-afbcf283502c.html

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Aide-memoire from the TRNC to the British High Commission in Nicosia, 26 March 1998

The Turkish Cypriot opposition to the EU membership of "Cyprus", on the basis of the unilateral and unlawful application made by the Greek Cypriot administration, on 3 July 1990, purporting to act for and on behalf of the whole of Cyprus, has been repeatedly made known to the EU and the international community. It should be underlined once again that under international law, Cyprus, in the present circumstances, can not join the EU. Cyprus as such is not the applicant. The applicant is the Greek Cypriot administration.

The Zurich and London Agreements, which had established the bi-communal 1960 Republic of Cyprus, on the basis of absolute equal partnership, prohibit the membership of the Republic in international organizations and pacts of alliance in which both Turkey and Greece are not members.

The Foreign Ministers of Turkey, Greece and the United Kingdom, only a few days before the signing of the Zurich and London Agreements on 19 February 1959, had agreed that the parties should "avoid the possibility of either Greece or Turkey securing a more favorable economic position in Cyprus than the other of Greece, for example, establishing a kind of economic enosis", i.e. union with Greece.

The clear intention of the parties to the Zurich and London Agreements and the mandatory provision of the second paragraph of Article 1 of the Treaty of Guarantee of 1960, which states that the partnership Republic established in 1960 under the said Treaties "undertakes not to participate, in whole or in part, in any political or economic union with any state whatsoever," can not be disputed and proves the intention to maintain an equitable balance between the respective interests of the two constituent communities and the Guarantor Powers on Cyprus. The EU membership process should not be allowed to upset the external balance between the two Motherland Guarantor Powers, Turkey and Greece, established by the 1960 Treaties.

The unilateral and unlawful application of the Greek Cypriot regime for EU membership is, therefore, void ab initio and cannot be binding on the Turkish Cypriot people or on Cyprus as a whole. The Greek Cypriot administration has no lawful authority under the 1960 Treaties or at all to make such an application on behalf of the Turkish Cypriot people or the whole of Cyprus. Consequently, the EU should not have processed it as if it were a valid application.

The underlying consideration of and the "state of affairs" created by the 1959-1960 international Treaties are still in full force and effect. These are the fundamental rights and status the Turkish Cypriots have been defending at the negotiating table over the years and which the Greek Cypriot side now aims to destroy by accession to the EU.

The suggestion in the Luxembourg decision that "the Turkish Cypriot community" should take part in the EU membership process initiated by the unilateral and unlawful Greek Cypriot application has led Mr. Clerides to make a call to the "Turkish Cypriot community" to join the "Cyprus" delegation that will be conducting "accession negotiations" with the EU. This call made by Mr. Clerides at the London conference on behalf of the so-called "Government of Cyprus" and in his purported capacity as the "President of Cyprus", clearly demonstrates that the Greek Cypriot side believes that it has already achieved the ability to impose its political will on us through EU membership and become the supreme ruler of the island.

The statements by the Presidency that the accession talks shall continue with the "Government of Cyprus", "whether the Turkish Cypriot community joins in or not" is further proof to us that the EU has no intention whatsoever of taking into account Turkish Cypriot side's vested interests as a co-founder partner and that without Turkey's presence in the EU there is no one to stand up for our vested rights. Turkish Cypriot side will in no way become a party to destroying all the vestiges of the "state of affairs" created which has been the ultimate aim of the Greek Cypriots side since the signing of those Agreements.

The Turkish Cypriot side is ready to continue the talks for setting the Cyprus problem on the basis of absolute equality with the Greek Cypriot side which means putting an end to the farce of telling us that the talks are on the basis of political equality while allowing one of these equals to roam the world as "the

Government of Cyprus" and to do everything which it deems necessary in order to advance its own national political aim. Hence our call that the talks from now on should be conducted between two equals, namely the Greek Cypriot Republic in the South (called the Government of Cyprus) and the Turkish Cypriot Republic in the North (called the TRNC).