

Questions frequently asked about the “1960 Rights”

1- Is the aim of reclaiming the 1960 rights, a return to the 1960 state of affairs?

This is an argument most frequently used by those who are trying to impede the thought of “reclaiming the 1960 rights”. They are trying to impede this thought by using the anxiety and the hesitance of the community to return to the 1960 state of affairs arising from the 1963 events.

This thought does not foresee a return to the 1960 state of affairs. Main aim of this thought is use of the Republic of Cyprus mechanism by both communities, which it belongs to. It foresees facilitation to a settlement of the communal problems by stopping the Greek Cypriot leadership using this mechanism against and to hinder the economic development of the Turkish Cypriot Community.

2- What is the effect of this thought on the 1977-1979 High Level agreements and UN plans?

The most important agreement binding on both communities is the 1960 Constitution. In addition, the other two agreements, which the community leaders had signed, are 1977 and 1979 high Level agreements. Though not elaborated on, the 1977-79 high Level agreements set the general parameters of a settlement. Settlement shall be bi-communal, bi-zonal and based on political equality. Both sides are not stating any thing in contrary to this view at international arena. There is no return back from this. Parameters of a settlement are set by the UN Security Council resolutions, 1960 Constitution and the 1977-79 High-level agreements. Demanding or attaining the 1960 rights will only facilitate a settlement within this context; in a similar way that Cyprus’ accession process to the EU initiated the Annan Plan!

3- What is the effect of the 1975 exchange of population on this thought?

Although the 1975 exchange of population took place in the heat and the mist of the day, it is not contradictory to the subsequent agreements and the goal of bi-communal, bi-zonal and political equality accepted internationally and by the UN.

4- How will the property issues be solved by this thought?

Claiming the 1960 rights will create a new dimension to the property issue. This sore wound of the members of the both communities will either be solved while claiming the 1960 rights or after its achievement by the community leaders despite the efforts of the sceptics, due to the pressure of the new conjuncture. A similar process put forward in the Annan plan will solve this problem.

5- Is the present Constitution different from the 1960 Constitution that we should reclaim?

Despite the misleading lies for years that “the present Constitution is not the same 1960 Constitution, Greek Cypriots have changed 13 articles and many others” is not true. In fact no part of the 1960 Constitution has been changed. Several attempts on this matter, had been rejected

by the Cypriot High Court and also held that no such changes could be effected without the consent of the Turkish Cypriots. The constitution could not be changed, but several laws were enacted in contrary to it. Since nobody challenged these laws at the High Court they are still in force. All these laws were based on the “Law of Necessity” which it self is contradictory to the constitution.

6- How will the refugee problem be solved?

The refugee problem will be solved as the result of the new dynamics that will evolve by reclaiming the 1960 constitution inline with the internationally accepted standards and in a similar manner as indicated and accepted in the Annan plan based on bi-communality, bi-zonality and political equality.

7- Does reclaiming the 1960 rights nullify the Turkish Cypriots years long struggle?

If Turkish Cypriot’s struggle is perceived as “partition” or “two separate states” yes this struggle will be nullified. But if it is perceived as “bi-communal, bi-zonal and politically equal side” living on an EU member country in peace, prosperity and harmony then this struggle will not be nullified in but on the contrary, it will succeed.

8- Are we to give up TRNC when we reclaim 1960 rights?

This depends on how you perceive the TRNC. If you insist on that “TRNC is an independent, sovereign state and shall integrate with the world as such” then this is impossible. Turkish Prime Minister Erdogan and TRNC President Talat have both expressed that the ECHR “*judgments have precedence over our national legislature*”. ECHR have described TRNC as “subordinate state of Turkey”. EU describes TRNC territory as “the area of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control and the Acquis is suspended” and has based its relations with it on this principle.

There is another aspect of the TRNC. It is a mechanism needed by the Turkish Cypriots to continue its survival as a community. Until it becomes one of the component states of the Republic of Cyprus, Turkish Cypriots do need this mechanism in order to run its essential day to day affairs with ease.