

June 22, 2005

The Honorable Condoleezza Rice
Secretary of State
State Department
2201 C Street, NW
Washington, DC 20520

Re: State's web on Cyprus false and misleading

Dear Madame Secretary:

I bring to your attention that the State Department's web site on Cyprus is false and misleading with serious errors of fact and omission. It amounts to a rewrite of history and a cover-up of the State Department's unlawful conduct in 1974 and its continuing efforts to mislead the public and Congress on the Cyprus problem. These are serious charges which are justified by the content of the web site.

The web site states that:

“In July 1974 the military junta in Athens sponsored a coup led by extremist Greek Cypriots against the government of President Makarios... Turkey, citing the 1960 Treaty of Guarantee, intervened militarily to protect Turkish Cypriots. In a two-stage offensive, Turkish troops took control of 38% of the island. Almost all Greek Cypriots fled south while almost all Turkish Cypriots fled North.”

The web site fails to state that Turkey invaded Cyprus in violation of the UN Charter article 2 paragraph 4 and international law and that the UN Security Council and General Assembly in November and December 1974 called for the removal of all Turkish troops from Cyprus and supported the sovereignty, independence and territorial integrity of Cyprus.

The web site fails to state that Turkey illegally used American supplied planes, bombs and arms in violation of U.S. laws, the Foreign Assistance Act of 1961 and the Foreign Military Sales Act, in its invasion of Cyprus.

The web site fails to state that Turkey violated the agreements under those acts that state that U.S. supplied arms and equipment can only be used for defensive purposes.

The web site fails to state that the State Department, under Secretary of State Henry A. Kissinger, violated those U.S. laws by refusing to halt immediately all military arms and equipment to Turkey as required by those laws.

The web site fails to state that Kissinger refused to denounce the Greek military junta's coup against President Makarios on July 15, 1974, when most of the democracies of the world, including Britain, a guarantor power, did denounce the coup. If the State Department had

denounced the coup the junta would have fallen and there would have been no invasion of Cyprus.

The web site fails to state that Kissinger, in addition to violating U.S. laws by refusing to halt arms to Turkey, also refused to denounce the invasion by Turkey on July 20, 1974.

The web site fails to state that Turkey “invaded” Cyprus on July 20, 1974 and committed aggression against Cyprus. Instead of invasion it uses the term intervention.

The U.S. Ambassador to Cyprus, Michael Klosson, in meetings with American Hellenic Institute delegations to Cyprus, has stated he was not authorized to use the word invasion. He used the word intervention.

The *New York Times* in a series of editorials in September and October of 1974, condemned Kissinger’s failure to apply the law mandating the cutoff of military aid to Turkey in response to its invasion of Cyprus. The editorials state in part:

New York Times, Sept. 14, 1974, at A28, col. 1

“Turkey is Ineligible

Cutting off American military aid to Turkey may, as Secretary of State Kissinger contends, be ‘ineffective and counterproductive’ so far as getting the Turks to roll back their occupation of Cyprus is concerned; but it is mandatory under the law. In pretending for nearly a month to be studying this question, the State Department is clearly stalling, as it has stalled at every point since the outset of the Cyprus tragedy when action was called for to demonstrate this country’s disapproval of aggression.”

New York Times, Sept. 26, 1974, at A28, col.1.

“Toward Cyprus Peace

The overwhelming (307 to 90) approval by the House of a binding cutoff in military aid to Turkey until ‘substantial progress’ is made toward a Cyprus settlement dramatizes American revulsion against the massive Turkish aggression on the island. The action was also aimed at forcing Administration compliance with laws that mandate such a cutoff when a recipient country misuses American military assistance.”

New York Times, Oct. 13, 1974, at A16, col. 1.

“Turkey: Still Ineligible

The virulent White House opposition to efforts by decisive majorities in both houses of Congress to suspend military aid to Turkey has no basis in

either law or logic. President Ford's repeated threats to veto a bill requiring such a cutoff can only be seen as an attempt to block Congress from a meaningful role in the shaping of foreign policy and a move to fend off a blow at the prestige of Secretary of State Kissinger.

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[T]he law is clear and it should be obeyed. Congress should stick to its guns on the military aid issue – veto or no veto.”

The web site fails to state that the Treaty of Guarantee, cited by Turkey, does not authorize “force” when it authorized “action.” There is no mention of the word force in the Treaty. If the Treaty of Guarantee is interpreted to mean the use of force, it is in conflict with article 103 of the UN Charter and consequently void *al initio*.

The web site fails to state that the Treaty of Guarantee, on its face, only authorized action to restore the status *quo ante*. Sir David Hunt, former British High Commissioner in Cyprus, has written that “neither in 1974 nor at any time since” has Turkey “either professed or practiced” the “sole aim of re-establishing the state of affairs created by the treaty.”

The web site fails to state that Turkey did not consult with Greece as required by the Treaty of Guarantee.

The web site fails to state that the UN Security Council preempted Turkey on March 4, 1964 when it passed Resolution 186 following the outbreak of intercommunal fighting in December 1963. Resolution 186 led to the creation of the UN Peacekeeping Force in Cyprus.

The web site fails to state that the Treaty of Alliance only allowed Turkey a force of 650 on Cyprus.

The web site fails to state that the second stage of Turkey's invasion from August 14 to 16, 1974 occurred three weeks *after* the legitimate government of Cyprus had been restored on July 23, 1974.

In the first stage of the invasion Turkey had control of 4% of Cyprus. In the second stage Turkey grabbed another 34% of Cyprus and was responsible for the killings of innocent civilians, rapes of women from 12 to 71, enormous destruction of properties and churches and forced 180,000 Greek Cypriots to flee to the south. All this has been documented by the European Commission on Human Rights in its report of July 10, 1976.

There are a number of other inaccuracies and omissions in State's web site on Cyprus. I urge you in the interests of accuracy and fairness to correct State's web site on Cyprus.

Sincerely,

Gene Rossides

cc: Deputy Secretary of State Robert Zoellick
Under Secretary of State for Political Affairs Nicholas Burns
Assistant Secretary of State for European and Eurasian Affairs Dan Fried
Chief of Staff Andrew Card
Deputy Chief of Staff Karl Rove
National Security Advisor Stephen Hadley
U.S. Ambassador to Cyprus Michael Klosson
The Congress