

19 February 2015

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Sir Nigel Rodley  
Chairperson of the Human Rights Committee,  
Geneva

Dear Mr. Chairperson,

I would like to refer to the 113<sup>th</sup> Session of the Human Rights Committee to be held in Geneva between 16 March - 2 April 2015 under which fourth report of Cyprus will be elaborated within the scope of the International Covenant on Civil and Political Rights. I would like to take this opportunity to bring to the attention of the Committee the current difficulties faced by the Turkish Cypriots within the context of the Green Line Regulation with a hope that they will be taken up during the discussions.

It will be recalled that, following the “yes” vote of the Turkish Cypriots to the simultaneous referenda on the Comprehensive Settlement Plan for Cyprus proposed by the then United Nations Secretary-General, Mr. Kofi Annan in 2004, the European Union Council of Justice and Home Affairs Ministers approved the Council Regulation (EC) No 866/2004 of 29 April 2004 (Green Line Regulation GLR) in order to regulate the intra-island trade with an overarching objective to build confidence between the two communities and converge both economies. However, the crossing of goods and passengers through the Green Line remains problematic since the entry of force of the Regulation.

The Greek Cypriot authorities continue to decline the crossing of Turkish Cypriot commercial vehicles across the Green Line and to date all the goods and passengers crossing through the Green Line have to be carried by Greek Cypriot commercial vehicles. The justification that was put forward by Greek Cypriots is that technically the Turkish Cypriot vehicles are not eligible to cross due to their incompatibility with the road worthiness standards of the European Union. The European Commission (EC) argues that the EU acquis does not preclude the crossing of Turkish Cypriot commercial vehicles and regards the Greek Cypriot application as not in line with the purposes of the Green Line Regulation and thus has taken an initiative to settle this controversy since 2011. In 2013, the EC proposed a mechanism

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for the inspections and authorisations of Turkish Cypriot commercial vehicles so as to enable their crossing through the Green Line. The Turkish Cypriot side has adopted a very positive approach towards the Commission proposals and provided with concrete proposals and suggestions in order to address the concerns of the Turkish Cypriot commercial vehicle sector. However, the Greek Cypriot side still keep reservations and refrain from putting the proposed mechanism in place.

In parallel to the ongoing discussions for a mechanism, the Greek Cypriot side argued that the commercial vehicles which have gotten their road worthiness and the drivers who have the required driving licence in the Greek Cypriot side can operate in the South.

However a Turkish Cypriot transportation company informed the Turkish Cypriot authorities that their attempt to transport tourists carrying EU passports to the South had been repeatedly refused, even though all the road worthiness and driving licence requirements of the Greek Cypriots are fulfilled. Such complaint has been proved to be true when the said company made another attempt on 26 February 2014 to transport a group of German tourists through the Green Line via Metehan (Agios Dometios) crossing point. The Greek Cypriot authorities once again refused entry of the bus despite its compliance with the Greek Cypriot transport regulations. Furthermore, the Greek Cypriot authorities refused to provide evidence to their action, which is merely against the free movement of EU citizens' principle. The driver and the owner of the transport company lodged complaint to the European Commission together with the evidence that the company was in possession of the necessary documents, provided by the Greek Cypriot authorities at the first place, which should normally have enabled the bus to cross.

From the above mentioned instance, it is obvious that the problems that are faced by the Turkish Cypriot commercial vehicles are rather political than technical. Despite the Greek Cypriot side's unclear position on this issue, the Turkish Cypriot authorities have not yet sought a reciprocity principle vis-à-vis the crossing of commercial vehicles across the Green Line. However, unless the problems encountered by the Turkish Cypriot commercial vehicles are not resolved, this will further distort the Turkish Cypriot commercial vehicle sector and will increase criticisms among the vehicle owners towards the good will of the Turkish Cypriot side. On the other hand, resolving this issue promptly will solidify the overarching objectives



of the Green Line Regulation which is to boost trade relations between two communities and thus increase the confidence and rapprochement between them.

The Greek Cypriot side also bans the crossing of the processed food produced by the Turkish Cypriot producers into South Cyprus. This is another obstacle for the economic development of the Turkish Cypriot people as more than half of our members are in the manufacturing of processed food industry. Moreover when looked into our trade statistics, more than %54 of our exports are agro-industry products. Therefore in order to develop Turkish Cypriot economy and sustain economic growth, processed food must be included in the Green Line Regulation.

In addition to psychological barriers, there are physical barriers as well. The Turkish Cypriot tradesmen still cannot advertise their products in the Greek Cypriot media and supermarkets in the South refuse to display the Turkish Cypriot products on their shelves. On the other hand Greek Cypriots products are freely sold in the North Cyprus and advertisement are allowed by the Turkish Cypriot media.

One of the other issues affecting the industry sector in North Cyprus is the fact that our members have to import raw materials – inputs through Turkey as direct trade is not allowed. This has been putting pressure on the prices of the goods produced in North Cyprus as the extra transportation cost is decreasing Turkish Cypriots producer's competitiveness and therefore hampering the economy. Direct Trade Regulation needs to be considered to increase the competitiveness of Turkish Cypriot producers and loss of wealth of Turkish Cypriots due to higher prices.

I sincerely hope that these difficulties are taken into consideration during the examination of the fourth periodic Report of Cyprus.

Yours sincerely,

  
Ali CİRALI  
President

Cyprus Turkish Chamber of Industry