

INTRODUCTION

The 1960 Constitution of the Republic of Cyprus was based on the Zurich and London Agreements of 1959 between the Turkish and Greek Cypriot communities and to which the U.K., Turkey and Greece were also parties as guarantors of the sovereignty and independence of the Republic of Cyprus. Although these agreements were also signed by the Greek Cypriot leaders, and Greece, Makarios lost no time in declaring publicly that he had no intention of honouring them. The Greek Cypriots and their leaders had always claimed that their true goal was Enosis, the union of Cyprus with Greece, and to achieve their aim they prepared the notorious "Akritas Plan", which was put into action in 1963. It was pursuant to this preconceived plan that they systematically ignored the 1960 Constitution and the Turkish Cypriots were subjected to all forms of deprivation and degradation including armed attacks and economic siege.

In 1974, the Greek Junta staged a coup in Cyprus to overthrow Archbishop Makarios, whom they considered too slow in attaining Enosis, and proceeded to massacre both their Greek Cypriot opponents and innocent Turkish Cypriot civilians. As a result, Turkey intervened in exercise of her rights and obligations as a guarantor power under the 1960 Treaty of Guarantee and put an end to the bloodshed and insecurity which had run wild on the island since 1963.

Against this background of intercommunal conflict are the intriguing legal issues which make Cyprus a unique study in Constitutional Law.

Dr. Heinze witnessed at first-hand the sequence of events leading up to the total collapse of the Cyprus Republic. Dr. Heinze's objective legal assessment of the Cyprus dispute firmly brings home the truth which the Greek Cypriots have sought to hide by presenting the Cyprus problem as one which suddenly began in 1974 with a 'groundless invasion by Turkey'. It becomes thoroughly evident from these three articles exactly how, when, and by whom the partnership Republic of 1960 was actually shattered beyond repair.

The articles printed here, written by Dr. Heinze at various stages of the Cyprus dispute, are all highly valid today in understanding the root of the problem; particularly in the quest for its final solution.

The first article originally published in German in the 'Europa Archiv' (1964) examines the question of Cyprus in the wider context of regional politics as well as the role of the United Nations in the face of such disputes.

The second article is an examination of the Cyprus Constitution of 1960 and discusses in detail the provisions included therein for the intended just distribution of power between the two communities.

The third and final article, written in 1985, is both a general appraisal of the overall situation in which the Turkish Republic of Northern Cyprus now finds itself, as well as a thorough analysis of all the legal justifications for the declaration of independence; and stresses that the ultimate recognition of the TRNC will be a major step towards achieving a lasting and final solution to the long standing Cyprus dispute.

“Declaration of Independence” and “The Letter of the Secretary-General of the United Nations” together with “The Draft Framework Agreement on Cyprus” have been added to the book as Appendices I, II, & III to assist the reader to have a clear picture of the present state of the Cyprus problem.

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