**Missing Persons (Cyprus)**

**4.15 pm**

**Mike Freer (Finchley and Golders Green) (Con):** This is the first time that I have spoken under your chairmanship, Mr Weir, and I look forward to this afternoon’s debate.

I start by saying what the debate is not about. It is not about the politics of the continued division of Cyprus, nor is it about the rights and wrongs of Turkish troops continuing to occupy part of a European Union member state. It is about the humanitarian issue of families seeking closure on the fate of missing relatives.

It is 37 years, almost to the day, since Turkey invaded Cyprus. Cypriots, both Turkish and Greek, were involved in the fighting. Many were captured and never seen again. Even today, about 1,500 people are still unaccounted for. Young army conscripts of the Cypriot national guard, reservists and civilians, including women and children, are among their number.

Families have a right to know what happened, whether their relatives are dead and, if so, where their graves are to be found. If those people are dead, why cannot the location of their remains be disclosed and their remains returned? What about those imprisoned in Turkey? Could they still be alive after 37 years and still be in prison? If those who were imprisoned in Turkey are dead, where are they buried?

What about the missing children, such as Christaki Georghiou, the brother of Mrs Hatjoullis, a constituent of mine? He was last seen alive at the age of five in 1974 being taken away by a doctor at a hospital controlled by the Turkish army, but the press recently reported that he is still alive. Do the families not have a right to know? How many other children might have been placed with Turkish families and still be alive in mainland Turkey?

The tragedy of missing persons is a humanitarian problem with implications for human rights and international humanitarian law. The Cypriot Government comply with efforts to identify the missing on both sides, and it is time that Turkey followed suit. The organisations involved in locating and identifying the missing should have full access to the archives of all organisations, both civilian and military. To date, Turkey has refused to allow the International Commission on Missing Persons access to military bases. That is despite the commission operating under careful supervision under the auspices of the United Nations.

The right of family members to know the fate of their missing relatives, including their whereabouts and the circumstances and causes of their disappearance, is a humanitarian matter. The obligation to carry out an effective investigation into the circumstances surrounding a disappearance is required by international human rights law and international humanitarian law. When focusing on the humanitarian dimension of missing persons in armed conflicts, it is necessary to bear in mind that cases of missing persons can sometimes constitute criminal offences, including war crimes or crimes against humanity. Perhaps that is why Turkey is dragging its feet.

States should ensure the effective investigation and prosecution of all human rights violations linked to missing persons. Turkey continues to flout international

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law. I know that Turkey claims that the Republic of Cyprus is not co-operating, but I do not believe that to be true. Turkey has repeatedly been found in breach of articles 2, 3 and 5 of the European convention on human rights.

In the case of Cyprus *v.* Turkey 10 May 2001, the European Court of Human Rights examined Turkey’s obligation to protect the right to life under article 2 of the convention, reading it in conjunction with the state’s general duty under article 1 to

“secure to everyone within its jurisdiction the rights and freedoms defined in the conventions.”

The court confirmed that

“this requires by implication that there should be some form of effective official investigation when individuals have been killed as a result of the use of force by agents of the State”.

**Jim Sheridan (Paisley and Renfrewshire North) (Lab):** I congratulate the hon. Gentleman on securing this extremely important debate. Will he confirm beyond any shadow of doubt that the campaign for missing persons covers both Turkish and Greek Cypriots and that it is not one or the other?

**Mike Freer:** The hon. Gentleman makes a good point. The Committee on Missing Persons, which the EU generously funds—that is why its effectiveness should be a matter of grave concern for our Foreign Office—investigates the cases of both Turkish and Greek Cypriots who are missing. It makes no distinction between the two, and it is important to put that on record.

**Nick de Bois (Enfield North) (Con):** I congratulate my hon. Friend on securing this debate. This issue affects families right across the island. Does he not think that with the right level of commitment and a speedy resolution, massive confidence-building measures could be delivered for the future?

**Mike Freer:** My hon. Friend makes a good point. This is not specifically about the politics of the negotiations over the reunification of Cyprus. Both sides in that negotiation are looking to build confidence. There could be no better confidence-building measure than the return of the remains of the 1,500 missing people or information on what happened to them.

**Sir Alan Meale (Mansfield) (Lab):** I congratulate the hon. Gentleman on acquiring this debate. He has shown by his knowledge of the Cypriot problem and by his advocacy on this matter, which is heard in the House time and time again, how good a representative he is for the area. I have known about the case of the Georgiou boy for many years. As the hon. Gentleman has said, he is just one of many people who are missing, more than 500 of whom are the relatives of British citizens. Will he comment on how difficult it seems to be for the President of Cyprus to obtain regular meetings in the UK with the British Government? For the life of me, I cannot understand why that should be so difficult, particularly because we are a guarantor power and have bases there and because more than 70,000 British citizens live on the island.

**Mike Freer:** The hon. Gentleman has made an extremely strong point. It is disappointing that the Foreign Office, in seeking to be even-handed, has forgotten that on this particular issue we cannot be even-handed. We wish to see equal treatment, but we have a duty to British

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citizens and the descendants of British citizens lost in the conflict. Indeed, the issue also affects hon. Members. My hon. Friend the Member for Dudley South (Chris Kelly), who has apologised for not being able to attend today’s debate, wanted to speak, because his mother lost four cousins in the conflict. I urge the Minister to take the cross-party views very seriously and try to apply further pressure to resolve this matter.

**4.23 pm**

*Sitting suspended for a Division in the House.*

**4.37 pm**

*On resuming—*

**Mike Freer:** I was talking about the decision in the European Court of Human Rights case of Cyprus against Turkey of 10 May 2001. In fact, the Court’s judgment stated:

“The Court cannot but note that the authorities of the respondent State”—

that is, Turkey—

“have never undertaken any investigation into the claims made by the relatives of the missing persons that the latter had disappeared after being detained in circumstances in which there was real cause to fear for their welfare.”

**Sir Alan Meale:** Bearing that in mind and the fact that Cyprus has the presidency of the Council of Ministers, would it not be appropriate to ask the Minister if he would ask—in his good time—for this issue to be pushed back on to the agenda of the Council of Ministers, to give it more force than it has had in recent times?

**Mike Freer:** The hon. Gentleman makes a good point. I am sure the Minister heard his intervention and will seek to address that point in his remarks.

I want to return to the role—or lack of—of the Turkish forces. The ECHR judgment continued:

“No attempt was made to identify the names of the persons who were reportedly released from Turkish custody into the hands of Turkish-Cypriot paramilitaries or to inquire into the whereabouts of the places where the bodies were disposed of. It does not appear either that any official inquiry was made into the claim that Greek-Cypriot prisoners were transferred to Turkey.”

**Ian Lavery (Wansbeck) (Lab):** Like others, I congratulate the hon. Gentleman on securing such an important and emotive debate. He mentioned Cypriot prisoners in Turkish prisons. Has he any idea what percentage of the 1,500 could still be in prison in Turkey?

**Mike Freer:** The hon. Gentleman makes a good point about the numbers. There is no definitive answer, because the Turkish will not release that information. It is estimated that between 500 and 800 people were imprisoned in Turkey. The whereabouts and fate of those people remain unknown.

We talked about the Court’s determination of article 1. The Court also concluded that there had been a

“continuing violation of article 2, on account of the failure of the authorities of the respondent state to conduct an effective investigation aimed at clarifying the whereabouts and fate of Greek-Cypriot missing persons who disappeared in life-threatening circumstances.”

I appreciate that hon. Members may think that the use of words in some of these articles—2 and 3; and 5, which I will talk about—constitutes shades of grey. However, it is important in establishing a pattern of behaviour that unfortunately, Turkey is repeatedly failing to comply with those various articles.

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In dealing with article 2, the Court stressed at the outset that

“the unacknowledged detention of an individual is a complete negation of the guarantees of liberty and security of the person, that is contained in article 5 of the convention and [is] a most grave violation of that article. Having assumed control over a given individual, it is incumbent on the authorities to account for his or her whereabouts. It is for this reason that article 5 must be seen as requiring the authorities to take effective measures to safeguard against the risk of disappearance and to conduct a prompt and effective investigation into any arguable claim that a person has been taken into custody and not seen since.”

The Court referred to the irrefutable evidence that Greek Cypriots were held by Turkish or Turkish Cypriot forces without keeping appropriate records. From any humanitarian point of view, that failing cannot be excused. Confusion during a conflict is not an excuse. Fighting during a conflict is not an excuse. The absence of information and the deafening silence from Turkey have made it impossible to allay the concerns of the relatives of the missing persons about their fate. There has been no official reaction to new evidence that Greek Cypriot missing persons were taken into Turkish custody. The Court concluded that there has been a continuing violation of article 5, because Turkey has continued to fail to respond or to conduct an effective investigation.

The lack of an investigation by Turkey into the fate of those who went missing has condemned relatives to live in a prolonged state of acute anxiety. Time has not lessened that anxiety, as anyone who has met the relatives can testify. I have many times been to the green line in Cyprus and met relatives, and I can testify to the daily heartbreak that the mothers, fathers, brothers and sisters still endure. No one who has visited and walked up to the buffer zone and met the families, with the pictures around their necks, can fail to be moved by the anxiety and stress the relatives continue to endure. The memories remain vivid in the minds of the relatives, and they endure the agony of not knowing whether family members were killed in the conflict or are still in detention, or, if detained, have since died. The families just want to know what has happened; they want to be able to grieve and to lay their relatives to rest.

The provision of such information is the responsibility of the authorities of the respondent state, and that is Turkey. It has been found to be consistently unco-operative. The silence of Turkish authorities has been classified as inhuman treatment within the meaning of article 3. The Court of Human Rights found no indication that the Committee on Missing Persons is going beyond its limited terms of reference. That committee works under very careful supervision.

It is important to stress that the search for information by the relatives of Greek Cypriot missing persons is not partisan. In fact, the Secretary-General of the United Nations said:

“Determining the fate of missing persons occupies an increasingly prominent role in peace-making...and post conflict peace-building. Handled properly, it can build trust and promote reconciliation…The Committee on Missing Persons in Cyprus has been a model of successful co-operation between the Greek-Cypriot and the Turkish-Cypriot communities.”

This humanitarian issue must be resolved and, although the resolution should not be mired in the political solution, there is inevitably some linkage. If we are to see a re-united Cyprus, both Turkish Cypriots and Greek Cypriots have to have trust and faith in each

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other. If Turkey is to take its place in the EU, it must be seen to be open, transparent and democratic. A transparent return and identification of the missing would be a welcome confidence-building measure. The UK and the EU have significant influence. We contribute handsomely to the work of the Committee on Missing Persons, but Cypriots are EU citizens, and as such, member states have a duty to intervene. We intervene and apply pressure throughout the world; we must do more on our own European doorstep.

Mr Weir, thank you for giving me the opportunity to raise the concerns of many of my constituents. My constituency has a very large Greek Cypriot community, and it has been my privilege to raise its concerns today.

**4.46 pm**

**Mr David Burrowes (Enfield, Southgate) (Con):** Along with colleagues, I congratulate my hon. Friend the Member for Finchley and Golders Green (Mike Freer) on securing what I believe is the first specific debate on missing persons. I welcome that important focus. I am sure the Minister has noted the cross-party involvement in the issue, which is of fundamental importance to all Cypriots, British citizens, parliamentarians and all concerned about basic human rights.

I speak as the chair of the British-Cyprus all-party parliamentary group, which will continue to scrutinise the role of the Government in ensuring progress on the issue. Yesterday, the Organisation of Relatives of Missing Cypriots conducted a lobby outside Parliament. It is a lobby with a difference: it is campaigning not on a one-off issue, but on a matter that has been of concern for 37 years or more. These relatives come year in, year out. They remind us that this issue, which we talk about in terms of human rights, is based in humanity. They hang around their necks pictures of loved ones, some of whom we have heard about today. It is important to realise that we are talking about individuals and loved ones who have been lost for many years.

The attention of Cypriots is rightly focused today on those who were lost in the tragic incident at the naval base in Cyprus, when 12 lives were lost and 62 people injured. We take this opportunity to express our condolences and heartfelt concern. The loss of those loved ones this week is just the same as that of those lost all those years ago. It is still as acute for those who lobbied yesterday outside Parliament. We do not want them to be here next year; we do not want them to say that they still do not know where their loved ones are. We want to ensure we have made progress by this time next year, and that they are no longer in agony.

We would all endorse the robust case made by my hon. Friend the Member for Finchley and Golders Green. Those relatives, who are citizens of this country, feel they are ignored. They feel that these basic issues are not taken as seriously as they should be. They do not want to be tolerated with a “see you next year”. They want to ensure that we and the Government are doing what we can in a number of ways. The contribution through the European Union to the CMP is welcome, as is the important bi-communal work that will now make more rapid progress and receive more funding.

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As can be heard from across the community, the basic issue is that the CMP is not being given access and information. The state that must be held to account is Turkey. Turkish military bases know the whereabouts of missing individuals. We implore the Government to do all they can in their negotiations and contact with the Turkish Government to ensure proper access and the basic answers that the relatives wish to have. That can be ensured in various ways. This country holds the presidency of the Council of Ministers. That is an important opportunity to hold a debate on missing persons. I invite the Government to consider how it can be done.

It is plain that this basic issue of human rights must be dealt with before progress can be made on European accession. The questions of information and access must be answered. It is also an international obligation. The Minister is responsible for international human rights issues; no doubt he is concerned about such flagrant breaches of human rights, which remain unanswered since May 2001. They must be answered. This is happening on European soil. We would not tolerate a divided island with troops from Turkey on it, and we must not tolerate this, nor park the issue while awaiting the outcome of the negotiations. It is an issue of not only European rights but basic human rights.

The relatives of missing Cypriots were campaigning outside yesterday. We do not want to go back to them next year and say that progress has not been made. Yes, it is the province of Turkey, but our Government must also do all they can to ensure basic justice, truth and reconciliation for the relatives of missing Cypriots.

**4.51 pm**

**The Minister of State, Foreign and Commonwealth Office (Mr Jeremy Browne):** It is a pleasure to serve under your chairmanship, Mr Weir. I thank and commend the hon. Member for Finchley and Golders Green (Mike Freer) for initiating this important debate and giving Members from all parties, as has rightly been said, the opportunity to contribute. I also pay tribute to the hon. Member for Enfield, Southgate (Mr Burrowes) for his contribution. Before I start, I ought to mention the terrible explosion of which he rightly reminded us, which happened in the early hours of Monday morning in Cyprus. We now know that it has led to the loss of 12 lives and to numerous injuries, as well as having a major impact on Cyprus’s infrastructure. The sovereign base areas have offered their assistance to the Government in the form of firefighters, ambulances, helicopters and any other help that might be required. Explosives experts from the bases have visited the site of the explosion, and a large number of SBA personnel have donated blood to the local hospital. I am sure that everybody wishes to send the House’s sympathies to all those involved and to their families.

The issue of the missing people of Cyprus is another tragic subject, and one that continues to affect Cypriots from both communities. Many families still do not know the fate of their loved ones, nor have they been able to bury them. We understand that it is an important and sensitive issue for all Cypriots and recognise that it needs to be resolved. Therefore, the work of the Committee on Missing Persons in Cyprus is of great significance. Since its establishment in April 1981, it has been one of the only institutionalised, bi-communal committees in

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Cyprus. The work of the 64 Greek and Turkish Cypriot scientists involved in excavations and anthropological analysis is a shining example of co-operation between the two communities on the island. The committee is all the more remarkable, given the sensitivity of the work that it carries out. Its mandate remains to investigate cases of persons reported missing in inter-communal fighting and the events of July 1974 and afterwards. Once remains have been identified, they are handed over to the family, in an emotional moment that requires and receives sensitive and respectful handling.

The committee does not attempt to establish the cause of death or attribute responsibility for the death of missing persons. I appreciate that that limitation has been criticised, but the committee relies on information to carry out its work, and much of that information is provided by members of the public who might not come forward if there were a threat of a criminal investigation. There are legitimate differences of opinion on the matter, but current practices might be the most likely to reach the desirable objective of bringing the situation to a resolution.

The UK fully supports and welcomes the excellent work of the Committee on Missing Persons. Although the UK has no control over its work, I hope the committee will conclude its work only after the cases of all the missing on both sides have been investigated fully. To achieve that, the CMP must be granted access to all areas where it needs to excavate. I urge all those in control of such areas, including the Turkish military, to co-operate fully with the committee and allow it to complete its vital work. Similarly, I encourage anyone with information that might be of use to pass it on to the committee.

My right hon. Friend the Minister for Europe visited the committee’s laboratory during his recent trip to Cyprus and was impressed by the progress being made. He met the Greek Cypriot and Turkish Cypriot employees and members of the committee, and it was clear that they work together with confidence. He also discussed the committee’s work with the Elders earlier this year just after their visit to Cyprus in February. To date, there have been 797 exhumations, and 286 remains have been identified. Of those 286, 226 were Greek Cypriots and 60 Turkish Cypriots. However, there is still much work to be done before all the families affected finally have a chance to close, in some manner, this tragic chapter in their lives and that of their island.

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**Jim Sheridan:** In the few moments left, will the Minister tell us whether he will make direct representations to the Turkish authorities on behalf of the missing persons?

**Mr Browne:** I have heard the point the hon. Gentleman has made, and I will undertake to see what representations we can make to further the objectives I have just outlined. It is the position of the Foreign and Commonwealth Office and the Government as a whole that we wish to bring the process to a conclusion that will be satisfactory to the families involved.

**Sir Alan Meale:** Perhaps I can help the Minister slightly. He said a few moments ago that he would call on the Turkish authorities in the north of Cyprus and on the Turkish military to give access to all sites that might contain the remains of people who were killed. Perhaps one way is for the Foreign Office to approach the Turkish Government regarding allowing the CMP to access sites on the Turkish mainland, rather than on the island. That might be a way to express our view that the matter should be cleared up.

**Mr Browne:** I am grateful for the intervention. I underline again the point that the British Government wish this unhappy period of history to be resolved to the satisfaction of the families involved. In our view, barriers to that resolution ought to be removed. Where there are obstacles to exhumations and proper investigations, we wish to see progress made.

As a sign of our support, the UK has made four donations to the committee in the last seven years, totalling more than £100,000. The United Kingdom also donates to the committee’s annual budget through the European Union and recognises that contribution as both important and necessary. The UK will continue to support the work of the committee. It is an excellent example of bi-communal co-operation on the island, as Greek Cypriots and Turkish Cypriots work side by side in the laboratory and on the sites being excavated.

I express again my gratitude to everybody who has contributed to this debate and make an open offer. If Members wish to raise concerns about the issue, the Minister for Europe, who leads on the subject in the Foreign Office, will be more than happy to receive those representations as the British Government try to play our part in bringing the matter to a satisfactory conclusion.

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