

**Address by the Attorney-General of the Republic of Cyprus, Mr George L. Savvides, on “Challenges for Cyprus and International Law: A conversation with Professor Sir Malcolm Evans”**

It is with great pleasure that I deliver these opening remarks on behalf of the Attorney-General of the Republic of Cyprus, whose apologies I have been asked to convey for not being able to attend due to other prior pressing engagements. At the same time, as an international law practitioner and head of the International Law Section of the Law Office of the Republic of Cyprus, I feel privileged to take part in what will surely be a most interesting discussion with Professor Malcolm Evans on the “Challenges for Cyprus and International Law”.

Let me first extend a warm welcome to Professor Evans – it is such a great pleasure and privilege, Sir, to have you in Cyprus – and to congratulate the Cyprus Bar Association, and especially its Committee on International and European Law, for organising this seminar, providing all of us with the unique opportunity to interact with a distinguished member of the international legal community on pertinent issues of international law, with particular focus on the challenges that Cyprus and the contemporary world are facing today.

Since its inception, the Republic of Cyprus has truly been an international law case study. The Turkish invasion of 1974 and the continuing occupation of more than one third of its sovereign territory brought into play a longer list of serious issues of international law; for example, the rules pertaining to the illegal use of force and unlawful military occupation, mass and continuing human rights violations by the occupying power and the rules of international criminal law and international humanitarian law. “The case of Cyprus” has indeed been the subject of extensive study by international law experts and practitioners, as well as the focus of the United Nations, both at the level of the Security Council and the General Assembly and other international bodies and Courts, such as the Council of Europe, the European Court of Human Rights, and the Court of Justice of the European Union.

The ongoing Turkish military occupation in the north of Cyprus since 1974 constitutes a long-standing violation of international law. It is a long-standing violation of the sovereignty and territorial integrity of the Republic of Cyprus; a long-standing violation of the relevant United Nations Security Council Resolutions, a long-standing violation of international human rights law and the list goes on. All these years, the Law Office of the Republic of Cyprus has been assisting the Government of the Republic of Cyprus to expose these violations in the framework of international organisations and has led Cyprus’ legal battles before international courts aiming to hold Turkey accountable for the continuing mass violations of human rights. I note most importantly the Judgments of the European Court of Human Rights (Merits of 2001 and Just Satisfaction of 2014)

in the fourth inter-state case of Cyprus against Turkey, which deal with violations of human rights as a result of the Turkish invasion and continuing occupation, and, in particular, in relation to the clusters of missing persons, the enclaved and the property rights of the displaced. It is important and, I must say, quite relevant in the context of today's event to remind ourselves that the Court's just satisfaction judgment in the fourth inter-state case was the first of its kind in the history of the Court. I shall come back to it at the end of my remarks.

The Attorney-General of the Republic of Cyprus, like all his predecessors, attaches particular importance to providing legal support to the President of the Republic of Cyprus and the Government in all matters relating to the legal implications of the Cyprus problem for which our advice and guidance is requested. Recent examples include advising the government on the actions by Turkey and its subordinate local administration to open the fenced-up area of Varosha and regarding the criminal prosecutions brought before the Assize Courts for offences under the Criminal Code pertaining to fraudulent transactions in immovable properties situated in the occupied areas.

Despite bitter disappointments, Cyprus has always believed in the force of law and it has been paving its way on the basic premise that the rules of international law constitute a powerful tool to combat Turkish actions both against the sovereignty and sovereign rights of the Republic of Cyprus in its territory, airspace, and sea, and against the rights of its citizens. As you, Professor Evans, simply and clearly stated in your keynote speech at the Conference organised by the Cyprus Bar Association in July 2024 commemorating 50 years from the Turkish invasion, international law counts. International law is there to ensure that even long-standing violations are **not** being forgotten or forgiven. International law has provided a clear sense of the continuing illegality of violations of the international legal order.

I share your sentiment, Sir, as to the importance of international law today and how international law has evolved through time. No one could say today that international law could be written off as something of little significance anymore; it is rather a force to be reckoned. And we can all see that the International Court of Justice (ICJ) has, in the past few years, taken a firm stance towards this. From the ICJ's Advisory Opinions on the *Chagos Archipelago* and on the *Policies and Practices of Israel in the Occupied Palestinian Territory* to recent contentious cases with the imposition of interim measures, States, no matter how powerful, are now being held accountable under international law and pressured, thus, by the international community to comply with the law.

In this vein, let us again remind ourselves of the Cyprus v. Turkey (just satisfaction) case and how through that, the Court pioneered new ground for long standing mass violations. In the opening sentence of their joint separate

concurring opinion, Judges Pinto de Albuquerque and Vučinić state that the Cyprus v. Turkey (just satisfaction) case is the most important contribution to peace in Europe in the history of the European Court of Human Rights. And they go on by stating the following: “The message to member States of the Council of Europe is clear: those member States that wage war, invade or support foreign armed intervention in other member States must pay for their unlawful actions and the consequences of their actions, and the victims, their families and the States of their nationality have a vested and enforceable right to be duly and fully compensated by the responsible warring State. War and its tragic consequences are no longer tolerable in Europe and those member States that do not comply with this principle must be made judicially accountable for their actions, without prejudice to additional political consequences”.

Very recent developments we have all seen bring into central focus a cardinal question: Is international law where we would want it to be? To this, I would respond with your own words, Professor Evans, and with this I shall conclude: “[International law] has ensured that serious violations of the international order are unlikely to be marginalized over time, as might have been the case in the past, and it has helped create a web of obligations through which the implications of such illegalities can be challenged. Has it done enough? Does it provide a clear path to a remedy? Does it right wrongs? Possibly not to the extent we might like, but it is now beginning to do that too. And so, is international law contributing to the resolution of longstanding conflicts in the contemporary world? Oh yes. It is not letting them ‘go away’ – and it is more and more providing of the means through which they can be addressed”.

Thank you for your attention.

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*On behalf of the Attorney-General, the address was delivered by Mrs Mary-Ann Stavrinides, Attorney of the Law Office of the Republic of Cyprus.*