

Congress of the United States

House of Representatives

Washington, D.C. 20515

July, 1978

THE EMBARGO AND THE LAW

Dear Colleague:

You will soon have an opportunity to cast a vote in favor of a foreign policy based on principle and in accord with the rule of law.

The Carter Administration's proposal to remove the limited arms embargo now in effect against Turkey is, in our view, an ill-conceived move that violates fundamental legal, moral and security principles of U. S. foreign policy. We ask your help in defeating this effort, and we hope to set forth, in this and subsequent letters, the considerations which have led us to our position on this important matter.

The Turkish arms embargo is required as a matter of law.

It is important to remember that the arms embargo was voted by Congress only after Turkey, in clear violation of American laws and bilateral agreements already in effect, used American weapons for offensive purposes in its second -- August, 1974 -- invasion and occupation of Cyprus.

Unlike Turkey's Cyprus action of the previous month, which was mounted in response to a coup instigated on the island by the Greek junta, this August invasion took place at a time when hostilities had ended, the junta had fallen, a ceasefire was in effect and the interested parties were engaged in peace talks at Geneva. It was at that moment that Turkey employed 40,000 troops, armed with American weapons, to occupy forty percent of Cyprus, and it was in response to this second, clearly offensive, operation, that Congress acted.

Provisions of both the Foreign Assistance Act and the Foreign Military Sales Act required that further military aid to Turkey be terminated. The embargo was voted, therefore, not to enact new law but rather to insure that existing laws were enforced.

Secretary of State Vance has conceded in his recent testimony before the House International Relations Committee that the Turkish occupation of Cyprus was carried out in violation of American laws and bilateral agreements. He has conceded, further, that the imposition of the embargo was the appropriate response to those violations.

Precisely the same considerations which justified imposition of the embargo now require its continued support.

Nearly four years after its invasion of Cyprus, Turkey still occupies forty percent of the island. Nearly 30,000 troops of that occupying army, still equipped with American weapons, remain there. And Turkey has taken no actions to improve the situation substantially.

The continued presence of these Turkish troops of Cyprus, therefore, constitutes nothing less than a continuing violation of American laws. So long as the violations continue, the embargo must remain in force.

It should be noted that the embargo provision itself permits President Carter to end the embargo in a moment, if he is willing to certify to Congress that Turkey is now in compliance with the Foreign Assistance Act, the Foreign Military Sales Act, and its bilateral agreements with the United States, and that substantial progress has been made toward an agreement regarding military forces on Cyprus. We would welcome actions by Turkey substantive enough to permit President Carter to make such certifications to Congress; clearly, however, Turkey has taken no such actions.

In his policy statements on this very issue during his campaign for the Presidency, Jimmy Carter declared that "The United States must pursue a foreign policy based in principle and in accord with the rule of law." We ask that you join us in supporting those sentiments by voting to maintain the arms embargo against Turkey.

Sincerely,

