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QUESTION OF CYPRUS

Report of the Secretary-General

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I. INTRODUCTION

1. This report is submitted in pursuance of General Assembly resolution 33/15 of 9 November 1978 on the question of Cyprus. In paragraph 9 of the resolution, the Assembly requested the Secretary-General to follow up the implementation of the resolution and to report on all its aspects to the Assembly at its thirty-fourth session.

2. In the second and fourth preambular paragraphs of resolution 33/15, the General Assembly recalled its resolution 3212 (XXIX) of 1 November 1974 and its subsequent resolutions, and deeply regretted that the resolutions of the United Nations on Cyprus had not yet been implemented. In paragraph 2, the Assembly demanded the immediate and effective implementation of resolution 3212 (XXIX), unanimously adopted by the Assembly and endorsed by the Security Council in its resolution 365 (1974) of 13 December 1974, and of the subsequent resolutions of the Assembly and the Council on Cyprus, which provide the valid basis for the solution of the problem of Cyprus. Having in mind that certain provisions of resolution 33/15 and of the earlier resolutions were addressed to the parties, I requested the parties concerned to provide information available to them with regard to the implementation of resolution 33/15. The information provided in response to my request is reproduced in the annexes to this report.

3. In paragraph 8 of resolution 33/15, the General Assembly recommended that the Security Council should examine the question of the implementation, within a time-frame, of its relevant resolutions and consider and adopt thereafter, if necessary, all appropriate and practical measures under the Charter of the United Nations. Accordingly, on 28 February 1979, I sent a note to the President of the Security Council (S/13123), drawing the Council's attention to paragraph 8 of that resolution.

II. GOOD OFFICES OF THE SECRETARY-GENERAL

4. I have continued to provide my good offices for the negotiations between the representatives of the two communities, as requested by the General Assembly in paragraphs 4 and 6 of resolution 33/15, and in its earlier resolutions on this subject. 1/ The necessary contacts and negotiations have been conducted within the framework of the mission of good offices entrusted to me by the Security Council in its resolution 367 (1975) of 12 March 1975. In its subsequent resolutions,

1/ Resolution 3212 (XXIX), paras. 4, 6 and 9; resolution 3395 (XXX), paras. 5 and 7, and resolution 31/12, para. 4.

including most recently resolution 451 (1979) of 15 June 1979, paragraph 3, the Council requested me to continue my mission of good offices. I have submitted regular reports to the Security Council on my activities in pursuance of these resolutions. 2/

5. Following the developments outlined in my report to the General Assembly at its thirty-third session (A/33/343, sect. II), certain specific suggestions, intended to provide a framework for the settlement of the Cyprus problem and to contribute to the resumption of intercommunal negotiations, were submitted to the parties and to myself on 10 November 1978. From 14 to 18 December I held detailed discussions in New York with Foreign Minister Rolandis, who suggested that I might undertake a new initiative in devising an agreed basis and agenda for the resumption of the negotiating process, taking account of various proposals and suggestions that had been put forward. I indicated my readiness to make a renewed effort along these lines. In this connexion, I suggested that a high-level meeting might be held in due course, under my personal auspices, with the object of adopting the agreed document and referring it to the interlocutors as a basis for their work.

6. On 19 December 1978, I submitted to the parties the first of a series of tentative working papers. Further papers were submitted in an effort to bridge the wide differences which remained between the parties on major issues. These efforts continued until March 1979. On 4 April, Mr. Rolandis visited me in Geneva and indicated to me that the Greek Cypriot community would welcome it if I would convene a high-level meeting in order to break the impasse which had developed. On behalf of the Turkish Cypriots, Mr. Atakol, whom I met in Zurich on 9 April, reaffirmed his community's position in favour of such a meeting.

7. The high-level meeting began under my personal auspices on 18 May at the headquarters of the United Nations Peace keeping Force in Cyprus (UNFICYP) in Nicosia. On 19 May, after intensive negotiations, agreement was reached on a 10-point communique setting forth the agreed basis, priorities and procedures for the resumed talks (see annex V below).

8. As provided in the 19 May accord, the intercommunal talks resumed in Nicosia on 15 June 1979 under the auspices of Mr. Pérez de Cuéllar, Under-Secretary-General

2/ Official Records of the Security Council, Thirtieth Year, Supplement for April, May and June 1975, documents S/11684 and S/11717, paras. 49-53 and 66-68; ibid., Supplement for July, August and September 1975, documents S/11789 and Add.1 and 2; ibid., Supplement for October, November and December 1975, document S/11900, paras. 44-56 and 66-69; ibid., Thirty-first Year, Supplement for January, February and March 1976, documents S/11993 and S/12031; ibid., Supplement for April, May and June 1976, document S/12093, paras. 41-55, 68-70 and annexes; ibid., Supplement for October, November and December 1976, documents S/12222 and S/12253, paras. 59-61 and 74-76; ibid., Thirty-second Year, Supplement for April, May and June 1977, document S/12323, paras. 42 and 43 and 56-59; ibid., Supplement for October, November and December 1977, document S/12463, paras. 50-54 and 69-71; S/12723, paras. 47-59 and 72-80; S/12946, paras. 55-59 and 69-71; and S/13369, paras. 46-52 and 61-64.

for Special Political Affairs. The Greek Cypriot interlocutor, Mr. George Ioannides, took the position that in accordance with point 5 of the 19 May accord, the talks should give priority to reaching agreement on the resettlement of Varosha under United Nations auspices. The Turkish Cypriot interlocutor, Mr. Umit Suleyman Onan, considered that before taking up point 5 the interlocutors should engage in a comprehensive discussion of point 2 with a view to reaching agreement on the principles of the Makarios-Denktash guidelines of 12 February 1977 and of the United Nations resolutions relevant to the Cyprus question. In this connexion, the Turkish Cypriot interlocutor asked the Greek Cypriot interlocutor to acknowledge that the agreement on the 1977 guidelines, in addition to their published text, comprised also the concepts of "bi-zonality" and of the "security of the Turkish Cypriot community". On 22 June, after consulting the two interlocutors, Mr. Pérez de Cuéllar announced that the talks were being recessed and that, following an assessment of the situation by the Secretary-General, his Special Representative would announce the date and time of the next meeting.

9. During the recess, which still continues, I and my representatives, both at United Nations Headquarters and in Nicosia, have engaged in intensive consultations with the parties with a view to resolving the difficulties that had arisen in the talks.

10. On 30 July, Mr. Denktash put forward a proposal for resuming the intercommunal talks in which he asked the Greek Cypriots to reconfirm publicly the statement made in the Security Council on 31 August 1977 by the then Foreign Minister of Cyprus, Mr. Christophides, to the effect that the Greek Cypriot proposals of April 1977 were based on a bi-zonal solution of the territorial aspects (S/PV.2026, para. 11). Mr. Denktash also called for the talks to reconvene for the purpose of establishing four committees - on Varosha, on point 6 of the 19 May agreement, on constitution and on territory. On 2 August Mr. Denktash reconfirmed the validity of the 19 May accord and stated that his proposal was in the framework of that accord.

11. On 2 August Mr. Ioannides published an aide-mémoire reconfirming the position of his side including acceptance of "bi-zonality" in the sense of a federation of two constituent parts, but not in the sense of accepting the Turkish Cypriot position concerning the relationship between those parts. He stated that any matters, including "bi-zonality" and "security", could be raised at the talks; the setting up of committees could also be raised and agreed by the interlocutors at the proper stage.

12. Having examined the above documents, I noted that both parties had reaffirmed the 19 May agreement, which in its point 2 sets forth the basis for the talks as being the Makarios-Denktash guidelines of 12 February 1977 and the United Nations resolutions relevant to the Cyprus question. Both parties had in the past submitted proposals which they had described as providing a "bi-zonal" territorial arrangement for a bi-communal federal system, and both had indicated that the matter of security could be dealt with in the intercommunal talks. It therefore appeared to me that there might be sufficient common ground to leave the substance of these points to be negotiated by the interlocutors in the context of the concrete aspects of a settlement based on the 19 May accord. Finally, I noted that both parties had appealed to me for the continuation of the intercommunal talks.

13. Turning to an examination of the 19 May agreement, I arrived at the conclusion that this document plainly indicated the matters with which the talks were to deal: namely:

(a) Reaching agreement on the resettlement of Varosha under United Nations auspices, in accordance with the provisions of point 5 of the 19 May agreement;

(b) Initial practical measures by both sides to promote good will, mutual confidence and the return to normal conditions, in accordance with the provisions of point 6, which states that special importance will be given to this matter;

(c) Constitutional aspects;

(d) Territorial aspects.

14. Concerning procedure, I considered that the two sides might reasonably agree that the four items listed above should be dealt with concurrently, subject to the priorities mentioned in the 19 May accord. At an appropriate early stage committees or working groups could be set up by the interlocutors.

15. My Special Representative sounded out both sides on 13 and 14 August about the approach outlined in the above three paragraphs, which, if it had been accepted, could have served as the basis for a working paper. Further soundings were undertaken on 22 and 23 August, but this approach was accepted by neither party. During the last days of August and in September, it became apparent that no meeting of minds had been achieved.

16. In view of the difficulties encountered in securing agreement on a continuation of the intercommunal talks on the basis agreed upon on 19 May, I sounded out the parties in September about their willingness to have the two interlocutors come to New York in October for informal consultations with Mr. Pérez de Cuéllar. As no agreement could be reached in this regard, I did not pursue the idea further.

17. During this period, both sides repeatedly expressed to me and to my representatives their profound concern over the negotiating positions and tactics of the other side. The Greek Cypriots stated that the Turkish Cypriot position at the talks in June and thereafter amounted to making the implementation of the 19 May 1979 accord and of the 12 February 1977 guidelines subject to extraneous pre-conditions. According to the Greek Cypriots, the Turkish side had in effect reneged on Mr. Denktash's agreement to give priority to the resettlement of Varosha. In the Greek Cypriot view, the Turkish Cypriot position was designed to legalize the partition of Cyprus and to achieve the dismantling of its Government. The Turkish Cypriots expressed increasing concern over Greek Cypriot initiatives at international gatherings, including Colombo (4-6 June 1979), Lusaka (1-7 August), Havana (3-7 September), and the Universal Postal Union Congress in Rio de Janeiro in September-October. In the Turkish Cypriot view, Greek Cypriot actions in these forums were in violation of point 6 of the 19 May accord and demonstrated that the Greek Cypriots were not interested in a negotiated settlement of the Cyprus problem but were again seeking to achieve a unitary rather than a federal system.

18. The thirty fourth session of the General Assembly provided me with the opportunity for consultations with President Kyprianou and Mr. Rolandis, with Foreign Minister Pallas of Greece, Foreign Minister Okcun of Turkey and Dr. Atakol, Spokesman for Foreign Affairs of the Turkish Cypriot community. On 27 September Mr. Okcun informed me that Mr. Denktash might be prepared to resume the intercommunal talks without delay on the basis of the suggestions on which my Special Representative had sounded him out on 23 August (see para. 15 above). On 1 October Mr. Denktash informed Mr. Galindo-Fohl of his acceptance of these suggestions as a basis for resuming the intercommunal talks in Nicosia.

19. I promptly brought this new development to the attention of the Greek Cypriots. The response of Mr. Kyprianou, who was then in New York to address the General Assembly, was critical as to the substance and especially the timing of the change of position by the Turkish side. On 6 October, Mr. Kyprianou handed to Mr. Pérez de Cuéllar some tentative counter-suggestions: these were confirmed by him in Nicosia on 17 October as representing the position of the Greek Cypriot side. The Turkish side, with which I explore these counter-suggestions, insisted on the suggestions of 22 and 23 August.

III. OTHER PROVISIONS OF GENERAL ASSEMBLY RESOLUTIONS

20. As requested by the General Assembly, I have endeavoured to follow up the implementation of those provisions of the Assembly resolutions which deal with the withdrawal of foreign troops (resolutions 3212 (XXIX), para. 2, 3395 (XXX) and 33/15), changes in demographic structure and return of refugees (resolutions 3212 (XXIX), para. 5; 3395 (XXX), paras. 4 and 6; and 33/15, para. 5) and humanitarian assistance (resolution 3212 (XXIX), para. 7).

21. With regard to foreign armed forces and foreign military presence and military personnel, the situation remains as described in my previous reports (A/32/232, para. 20, and A/33/348, para. 15). In supervising the cease-fire and providing security for civilians in the buffer zone, the United Nations Peace-keeping Force in Cyprus (UNFICYP) continues to deal on a regular basis with the Cyprus National Guard and with the Turkish forces in Cyprus (see S/13369, para. 13), which are deployed south and north of the cease-fire lines respectively. As UNFICYP does not have independent sources of information on this matter, accurate figures on the numbers of Greek national military personnel and Turkish forces in Cyprus are not available.

22. In my report to the General Assembly of 2 November 1978, I gave an account of the magnitude of the refugee problem in Cyprus (A/33/348, para. 16). According to records compiled by the United Nations High Commissioner for Refugees in his capacity as Co-ordinator of United Nations Humanitarian Assistance for Cyprus and by UNFICYP, 210 Greek Cypriots moved south during 1978 and 69 did so during the first 10 months of 1979. The procedure introduced by UNFICYP in 1977 in order to monitor and control the departure to the south of Greek Cypriots residing in the north (S/12723, para. 27) continues to be applied. The number of Greek Cypriots who were able to return to the north following the Vienna Agreement of 2 August 1975 ^{3/} remains at 366. As at 22 October 1979, 1,482 Greek Cypriots

^{3/} See Official Records of the Security Council, Thirtieth Year, Supplement for July, August and September 1975, document S/11789.

remained in the north in 11 villages. On 31 May 1979, I reported to the Security Council on the living conditions of the Greek Cypriots in the north (S/13369, paras. 28-30 and 32-34). There has been no further improvement in this regard during the past five months. Greek Cypriot school children from the north who are attending secondary school in the south have been unable in 1979 to visit their families in the Karpass as they had during the summer of 1978. The Turkish Cypriot authorities took the position that, upon entering the north, the children must sign an entry request on forms of the "Turkish Federated State of Cyprus". The Government authorities in the south informed UNFICYP that in these circumstances the Greek Cypriot children would not proceed to the north. Despite intense efforts by my Special Representative, the stalemate could not be overcome.

23. During the second half of October, the Turkish Cypriot authorities banned Red Cross messages to and from the Greek Cypriots in the Karpass. The reasons given were that the International Committee of the Red Cross (ICRC) no longer functions in Cyprus, that the Red Cross message forms carry a reference to the Tracing Agency which does not now exist in Cyprus, and that there is no emergency in the island. My representatives' appeals to have this decision rescinded have not so far been heeded; however, Red Cross parcels containing certain emergency items (such as medicines and baby food) continue to be shipped to the north by UNFICYP facilities. On 24 October the Turkish Cypriots announced that mail from the south bearing regular Cyprus stamps would be delivered to the north; mail to the south from Greek Cypriots in the north, which hitherto went through Red Cross/UNFICYP channels, would have to bear Turkish Cypriot stamps. In view of the legal problems involved relating to postage stamps in the north, I have asked my Special Representative to consult with both sides with a view to devising an agreed practical solution of this matter in all its aspects.

24. In my report of 2 November 1978 to the General Assembly (A/33/348, para. 17), I provided information about the humanitarian situation of Turkish Cypriots. This information remains valid. Some 206 Turkish Cypriots remain in the south. There has been no movement to return to the south by Turkish Cypriots who moved to the north. The Turkish Cypriot population in the island, according to Turkish Cypriot estimates, stood, before the events of 1974, at some 120,000. Since those events, according to Turkish Cypriot sources, a number of Turkish Cypriots who had previously left the island and had settled in Turkey or in certain other countries have returned to Cyprus. The Cyprus Government, for its part, has accused the Turkish Government of organizing massive immigration of Turkish nationals into Cyprus. In 1978, authoritative Turkish Cypriot figures estimated the population of their community as being 150,000. UNFICYP has no reliable information on civilian immigration from Turkey or on the return to Turkey of persons who came to Cyprus for short-term employment.

25. The efforts of the United Nations High Commissioner for Refugees in his capacity as Co-ordinator of United Nations Humanitarian Assistance for Cyprus have continued, with the support of UNFICYP. Detailed information about these activities is contained in my semi-annual reports to the Security Council on the United Nations Operation in Cyprus, most recently in my report dated 31 May 1979 (S/13369, paras. 40-45).

26. I have continued my efforts with a view to arriving at a solution of the problem of setting up an investigatory body for the tracing of and accounting for missing persons of both communities in Cyprus pursuant to General Assembly resolution 33/172 of 20 December 1978. On the occasion of the Kyprianou-Denktaş high-level meeting held in Nicosia on 18 and 19 May 1979 under my auspices, I suggested a formula to facilitate agreement on the implementation of resolution 33/172. At the conclusion of the high-level meeting, it was announced that "an agreement was reached on a proposal put forward by the Secretary-General of the United Nations regarding the Committee on Missing Persons. Mr. Denktaş will submit this agreement to his appropriate authorities". During the summer of 1979, my Special Representative in Cyprus was advised that the Turkish Cypriot authorities, to which Mr. Denktaş had submitted the above agreement, continued to have difficulties with it. In September 1979, I was informed that the Turkish Cypriot community stood by its acceptance of Assembly resolution 32/128. Since the readiness of both parties to appoint their representatives as provided in resolution 33/172 has not materialized, I have not been in a position to proceed further with the implementation of that resolution.

IV. OBSERVATIONS

27. As outlined in the above paragraphs, the year that has passed since the adoption by the General Assembly of resolution 33/15 of 9 November 1978 has seen intense diplomatic activity aimed at achieving the objectives of the United Nations in relation to the problem of Cyprus. In pursuance of the mission of good offices entrusted to me by the Security Council, and in the framework of the negotiating process called for by the General Assembly, I have endeavoured to promote a freely negotiated, just and lasting settlement of the Cyprus problem based on the legitimate interests of the two communities.

28. Developments relating to the substantive provisions of General Assembly resolution 33/15 and of the preceding resolutions of the Assembly on this subject are outlined in section III above; additional information may be found in the communications of the parties that are annexed to the present report. The United Nations Peace-keeping Force in Cyprus has continued to carry out the tasks assigned to it by the Security Council. Thanks in great part to its vigilance, and to the co-operation of the parties, the situation in Cyprus has remained quiet. Humanitarian assistance has continued to be provided by the United Nations High Commissioner for Refugees in his capacity as Co-ordinator of United Nations Humanitarian Assistance for Cyprus.

29. The search for a solution of the Cyprus problem through negotiations between the representatives of the two communities produced at one stage distinct progress. The agreement reached under my auspices at the conclusion of the high-level meeting in Nicosia on 19 May was a considerable advance. However, this opportunity, like so many others before, was not fully seized and great difficulties have been encountered in sustaining the momentum that had been created.

30. When the intercommunal talks resumed on 15 June, the interlocutors did not address themselves to the substance of the Cyprus problem in accordance with the priorities laid in the 19 May accord. Whereas one side pressed for a discussion of the basis for the talks and of the question whether certain concepts were agreed upon at the Makarios-Denktash meeting of 12 February 1977, the other side considered that these matters should be dealt with in the context of the concrete negotiations pursuant to the 19 May 1979 accord. While I would not question the importance of problems such as bi-zonality and security, it seemed evident to me at the time and has since been borne out by events - that an abstract debate about them was bound to be unproductive.

31. The suggestions on which I sounded out the parties in August-September of this year were designed to dispose of the difficulties that had brought the intercommunal talks to a standstill in June; if accepted at that time they might have made it possible for the parties to negotiate the concrete elements of a settlement for Cyprus as provided in the 19 May 1979 agreement and in the 1977 guidelines. It is indicative of the gulf that separates the parties, and of their mistrust of one another, that they unanimously rejected this approach when it was put forward. More than a month later, one of the parties decided to accept my approach. I considered this to be a constructive step. However, by that time the General Assembly was in session, and the other party resisted a move the motives and timing of which it questioned. On the other hand, it would be regrettable if considerations of this kind were allowed to affect substantive positions.

32. Having in mind all the circumstances, I am convinced that the approach I have outlined in this report has lost none of its validity. Indeed, I consider that the chances of reviving the intercommunal talks will depend on keeping it alive and pursuing the path of concrete negotiations. To this end, I have approached the parties with the object of recording my understanding of the present status of the talks and my readiness to reconvene the intercommunal talks on the basis of the 10-point agreement, if possible no later than January 1980.

33. There is no alternative to a concrete and effective negotiating process if a mutually acceptable, just and lasting settlement of the Cyprus problem is to be achieved. It is up to the parties to pursue that process or face the prospect of an indefinite continuation of the status quo, with all the instabilities, frustrations and potential dangers implicit in it. As in the past, I and my representatives are prepared, within the framework of my mission of good offices, to extend all possible assistance to the parties in reviving concrete and effective negotiations in the framework of resumed intercommunal talks.

ANNEX I

Letter dated 24 September 1979 from Mr. Rauf R. Denktas
addressed to the Secretary-General

/Original: English/

With reference to your request for information available to the Turkish Cypriot Community with regard to the implementation of the relevant provisions of General Assembly resolution 33/15 adopted at the thirty-third session, I have the honour to inform you that the Turkish Cypriot Community, having been given no right of hearing at that session, does not consider the said resolution binding. Nevertheless, the Turkish Cypriot Community, which has been showing every sincere and concrete effort to bring about an early and just solution of the Cyprus problem, considers it a requisite of good will to respond to Your Excellency's request with the following information:

1. During the time that has elapsed between the adoption of resolution 33/15 on 9 November 1978, and now, absolute peace and tranquility have prevailed between the two communities on the island. As also indicated in paragraph 59 of Your Excellency's most recent report to the Security Council (S/13369 of 31 May 1979), "There have been no serious breaches of the cease-fire by shooting or movement forward". In the light of this, the Turkish Cypriot Community, which, as recorded in the Secretary-General's reports from December 1963 to July, 1974, suffered immense hardships while defending itself in all Turkish areas, and having to care for nearly 30,000 refugees for 11 years, feels that the description of the present situation in Cyprus in the preambular paragraphs of resolution 13/15 as constituting "a serious threat to international peace and security," is hardly an apt description. It is a fact that with the creation of two separate zones on the island and the establishment of the security of life and property of the Turkish Cypriots since 1974, the main sources of intercommunal friction have been removed, and Cyprus ceased to be a threat to international peace and security.

2. If there is still no final solution in Cyprus today despite the prevailing peaceful atmosphere, the responsibility for this does not rest with the Turkish Cypriot side. Your Excellency is well aware that following the 10-point framework agreement reached between myself and Mr. Kyprianou, at the summit meeting of 19 May 1979 held under your auspices, the intercommunal talks were resumed on 15 June 1979 in Nicosia. However, the Greek Cypriot side's negative attitude, manifested in their refusal, in contravention of point 6 of the 19 May agreement, to lift the economic embargo imposed on the Turkish Cypriot Community since 1974; their refusal to admit, under point 2 of the same agreement, even the basic principles relating to the constitutional and territorial aspects of the Cyprus question, i.e. the question of bi-zonality of the federation to be formed and security of the Turkish Cypriots, both of which are basic and agreed features of the previous rounds of talks and agreements reached between the two community leaders; and their lack of good will and genuine faith in the negotiating process, reflected in their public statements and attempts to internationalize the problem of Cyprus at the expense of the intercommunal talks, prevented the achievement of

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any progress at these talks. The statement of Mr. Spiros Kyprianou on 20 August 1979 that the international campaign would be "intensive, more intensive than ever before" (Cyprus Mail newspaper, 21 August 1979) is most revealing in this context. In fact, Mr. Kyprianou had made a similar statement immediately after the birth of the 19 May agreement, in which he denied even the existence of an economic embargo on the Turkish Cypriot Community, and declared that the international propaganda campaign to ostracize the Turkish Cypriot Community would continue, in spite of point 6 of the said agreement, which states that the two sides would "abstain from any action which might jeopardize the outcome of the talks, and special importance will be given to initial practical measures by both sides to promote good will, mutual confidence and the return to normal conditions". Below are the relevant parts of Mr. Kyprianou's press conference of 19 May 1979, which, in spite of its deliberate euphemism, was a clear admission of Greek Cypriot intentions as regards the embargo and the propaganda campaign:

"to another question whether abolition of the so-called 'economic embargo' is included in these measures, Mr. Kyprianou replied in the negative ...
Mr. Kyprianou added: 'The position of the Cyprus Government is clear. There is no economic embargo ...'

"In reply to a remark that paragraph 6 of the agreement lets it be understood that the Greek Cypriot side will stop enlightening world opinion on the Cyprus problem, President Kyprianou said: 'Far from it. The obligation we have both undertaken is to try not to aggravate the atmosphere, at least as long as the talks will be going on, but enlightenment will naturally be carried out ..."

(Press Release No. 9, dated 19 May 1979, published by the Public Information Office of the Greek Cypriot Administration).

As a result of this attitude the talks, which, as Your Excellency stated in your report on the work of the Organization, circulated on 13 September 1979, "were resumed amid high hopes," were "recessed" on 22 June 1979, a mere week after their commencement. My subsequent proposal on 30 July 1979 for the setting up of four committees to deal simultaneously with:

- (a) The territorial question,
- (b) The question of Varosha,
- (c) Measures suggested by point 6 of the 19 May agreement, and
- (d) Constitutional matters,

was turned down by the Greek Cypriot side, which has always preferred international propaganda to serious talks.

3. The Turkish Cypriot side believes that the substance and the spirit of the United Nations resolutions, including 33/15, is the settlement of the Cyprus problem through the intercommunal talks, and firmly stands by the agreements

reached at various stages of these talks - namely, the population exchange agreement reached at the third round in Vienna on 2 August 1975, which paved the way for a bi-zonal federal settlement of the Cyprus problem; the four-point framework agreement reached between myself and the late Archbishop Makarios on 12 February 1977, in Your Excellency's presence, which envisages the establishment of an independent, non-aligned, bi-communal, bi-zonal, federal republic in Cyprus; and the 10-point framework agreement, reached between myself and Mr. Kyprianou on 19 May 1979, under Your Excellency's auspices, for the resumption of the intercommunal talks and a settlement of the Cyprus problem.

In view of the progress cited above towards a settlement of the Cyprus problem, certain clauses embodied in the United Nations resolutions on Cyprus have clearly become no longer relevant. The call for the return of all displaced people to their former homes, for instance, would clearly contradict the population exchange agreement and utterly destroy the foundation of the agreement for a bi-zonal federation and prejudice the security of the Turkish Cypriot Community in no uncertain way. Resettlement and rehabilitation have taken place in both communities, each side tackling its own displaced persons problem internally, within its own State. The Turkish Cypriot side, which has had to deal with a refugee problem repeatedly and since 1958, and had to accommodate nearly 30,000 refugees with its own limited means between 1963-1974, has achieved tremendous success in resettling and rehabilitating its displaced people, whose number had risen to over 90,000 after the events of 1974. In the resettlement process, the Turkish Cypriot Community has spent, and continues to spend, millions of pounds on repair work and the rehabilitation of 65,000 of its people who moved north during and after the events of 1974 in order to escape injustice, harassment, physical violence and terror meted out to them by the Greek Cypriot Administration for 11 years. Greek Cypriot press reports, on the other hand, indicate that similar resettlement and rehabilitation have taken place in the South, which included the utilization of Turkish Cypriot houses and property abandoned by the Turkish Cypriots when they fled or moved to the North under the exchange of population programme.

Having gone through the bitter experience of the past, no Turkish Cypriot wishes to be uprooted for the second, third and in some cases even fourth time, and expose himself to the same ordeal once again by moving to the South. However, the Turkish Cypriot side has, time and again, expressed its readiness to take up any outstanding matter relating to the displaced persons problem, within the framework of the bi-communality and bi-zonality of a future settlement and the security of the Turkish Cypriots, as agreed between myself and Archbishop Makarios on 12 February 1977, and later endorsed by the agreement of 19 May 1979 between myself and Mr. Kyprianou.

As regards the call for the withdrawal of foreign troops from the island, which clearly implicates the Turkish Peace Force (and unjustifiably so, for it is a known fact that the Turkish troops are in Cyprus under the Treaty of Guarantee, 1960, in order to protect the Turkish Cypriots from mass elimination and preserve the independence of Cyprus), the Turkish Cypriot side wishes to reiterate that the realization of this clause is possible only when a final solution is found to the Cyprus problem establishing effective, physical guarantees for the security of the

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Turkish Cypriots. An untimely or premature withdrawal of this Force from Cyprus, before a final solution is found to the Cyprus problem, coupled with the return of all displaced people to their former homes, far from bringing peace to the island, would create utter chaos and cause renewed bloodshed, and is totally unacceptable from the Turkish Cypriot point of view. It should not be forgotten that the Greek Cypriot side can call up 45,000 men under arms within a matter of a few days and its standing army of 15,000 is aided and commanded by personnel from Greece. In addition to this fact, private armies under various leaders continue to exist as a serious potential threat to the Turkish Cypriots the moment the Turkish Army withdraws prematurely!

However, parallel to the improvement in the situation on the island and as a manifestation of the good will of the Turkish Cypriot side with regard to the resumption of the intercommunal talks and the finding of a peaceful solution, there has been a phased withdrawal of the Turkish troops from the island. Thus far about 19,000 Turkish troops have been withdrawn, and Turkey has repeatedly declared at the highest level that it would withdraw all its troops from Cyprus when a final solution is found to the Cyprus problem.

4. As has been touched upon before, the period under review witnessed an unprecedented intensification in the propaganda campaign of the Greek Cypriot side together with their efforts to internationalize the problem of Cyprus. In doing so, the Greek Cypriot Administration continued, in utter denial of the legitimate partnership rights of the Turkish Cypriots in the Republic of Cyprus, to usurp the "Government of Cyprus" status and use it to its maximum advantage in the international arena as a means of aggression against the Turkish Cypriot Community, not desisting even from manoeuvring its way to securing resolutions against all the basic human rights of the Turkish Cypriot Community. In the face of this all-out political and economic aggression and the refusal of the Greek Cypriot Administration to annul the standing resolution in the Greek Cypriot "House of Representatives" that "no matter what the adversities, the Greek Cypriot fight for union with Greece shall continue", the Turkish Cypriot Community struggled to defend its existence as an equal party in Cyprus, while at the same time vesting its hopes in and working for the resumption of the intercommunal talks.

It is noteworthy that the Greek Cypriot House of Representatives, which came out with a resolution on 20 September 1979 in order to hoodwink world public opinion, failed:

(a) To abrogate the Enosis decision of 26 June 1967;

(b) As indicated by the following quotation from the Greek daily Mesimvrini of 22 September 1979, the question of Enosis was safeguarded by refusing to mention it in its proper context in the aforesaid resolution:

"Before the adoption of the resolution ... heated arguments took place in the lobbies ... when Lyssarides stressed that even a renunciation of Enosis in a

House resolution would mean bowing to Turkish demands, and at the same time would constitute an insult to a national goal (in spite of the fact that its materialization is not considered possible for the time being), nationalist M.P.'s realized what kind of a trap they had been led into by AKEL, and eliminated the word 'Enosis' from the said resolution."

In the absence of a final settlement, the Turkish Cypriot Community has continued to administer itself in the North in full compliance with its Constitution and the rule of law. The Legislative Assembly of the Turkish Federated State of Cyprus enacted, during the past legislative year, 23 laws and passed 8 resolutions, and performed its function of control over the Executive while the Executive, Judicial and other organs of the State performed their functions in accordance with the rule of law.

Unlike the position in the South, there exist no private armies or terroristic groups in the North. The constitutional and legal security forces of the Turkish Federated State of Cyprus, viz. the Police Force and the Security Forces, performed their duties with zeal. The Turkish Cypriot Security Forces of the Federated State, assisted by the Turkish Peace Force, maintained peace within the area of the State. In the meantime the upsurge of economic activity continued, only hampered by the inhuman measures of embargo, harassment, etc., which the Greek Cypriot authorities have imposed on the Turkish side. The decision taken at the Universal Postal Union Congress on 19 September 1979, in Rio de Janeiro, now imposes a new problem on the Turkish Cypriot population of the bi-communal State of Cyprus. It is the belief of the Turkish Cypriots that this inhuman resolution will not be implemented, because if it is, the human rights chapter of the United Nations principles will have been flouted, with serious internal problems. It is hoped that the Secretary-General will be able to prevent the implementation of this resolution with all the authority at his command.

In conclusion, I wish to reiterate that the Turkish Cypriot Community regards the intercommunal talks as the only avenue leading to a solution of the Cyprus problem and is prepared to co-operate with Your Excellency fully, as it has hitherto, for the resumption of these talks and for an ultimate solution.

(Signed) Rauf R. DENKTAS
President of the
Turkish Federated State of Cyprus

ANNEX II

Note verbale dated 3 October 1979 from the Permanent Representative
of Greece to the United Nations addressed to the Secretary-General

/Original: French/

The Permanent Representative of Greece to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour, in reply to his note dated 13 September 1979, to inform him of the following:

General Assembly resolution 33/15 of 9 November 1978, inter alia, reaffirms resolution 3212 (XXIX) of 1 November 1974 and the subsequent resolutions of the Assembly on the question of Cyprus. The Hellenic Government regrets to note once again that not one of the provisions of those resolutions has been implemented. In fact, the violation of the territorial integrity, sovereignty and independence of the Republic of Cyprus has not ceased, and the foreign occupation forces are still in place.

Moreover, the approximately 200,000 refugees continue to live far from their homes, while there has never been a halt to the installation of settlers brought from Turkey with the aim of changing the demographic structure of the island, which indeed appears to have been stepped up recently.

In these circumstances, hopes for a just and lasting solution of the problem are fading.

The Hellenic Government continues to support the search for a settlement of the question of Cyprus through the intercommunal talks, under the auspices of the Secretary-General and in accordance with the resolutions of the Security Council and the General Assembly. Nevertheless, it must note with regret that the Turkish Cypriot side persists in ignoring the United Nations resolutions and finds a variety of pretexts for not implementing the agreement on resumption of the talks signed in May 1979.

ANNEX III

Note verbale dated 5 October 1979 from the Permanent Representative
of Cyprus to the United Nations addressed to the Secretary-General

/Original: English/

The Permanent Representative of Cyprus to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to his inquiry contained in the note verbale of 14 September 1979 concerning the implementation of General Assembly resolution 33/15, has the honour to state the following:

In its above-mentioned resolution, the General Assembly reiterated once again its full support for the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus and called once more for the cessation of all foreign interference in its affairs. Furthermore, the General Assembly demanded the immediate and effective implementation of its resolution 3212 (XXIX), unanimously adopted and endorsed by the Security Council in its resolution 365 (1974), and of the subsequent resolutions of the General Assembly and of the Security Council on Cyprus.

Turkey, however, chose to ignore the above calls of the United Nations and has been contemptuously violating resolution 3212 (XXIX), voted for by Turkey itself, as well as all subsequent resolutions of the General Assembly and of the Security Council demanding, inter alia, the immediate withdrawal of the foreign forces of occupation from the Republic of Cyprus and the return of all refugees to their homes under conditions of safety.

For five years now the tragedy of the people of Cyprus caused by the Turkish aggression continues undiminished. By the force of arms 200,000 Greek Cypriots, representing 40 per cent of the Greek Cypriot population of Cyprus, are prevented from returning to their homes, which are being distributed together with their lands and other property to alien population massively imported from Turkey. In an era when the last remnants of colonialism are rapidly vanishing, Turkey is materializing its premeditated design to change the demographic structure of the island. At the same time, Turkey has condemned the enclaved Greek Cypriot population to a miserable life in the hands of its forces of occupation, whose crimes and atrocities were recently officially revealed in their magnitude by independent international organs.

Moreover, the humanitarian problem of the missing persons was kept by the Turkish side unresolved in violation of the United Nations resolutions and, in addition, against the relevant agreement of 19 May 1979. The result is untold agony for the relatives of those unfortunate people.

As stated by the Secretary-General in his report of 31 May 1979 (S/13369), "it was evident that implementation of resolution 33/172" (concerning the missing persons) "would depend in the first instance on the readiness of both parties to appoint their representatives to the investigatory body, as called for in

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paragraph 2 of the resolution. One of the parties was not prepared to do so. The Secretary-General raised the question of the Committee on Missing Persons in the course of the high-level meeting held in Nicosia on 18 and 19 May 1979, and agreement was reached on a proposal put forward by him for the solution of the problem. Mr. Denktash undertook to submit this agreement to his appropriate authorities."

The focal point of the problem concerning Cyprus is the occupation of part of the territory of this small and undefended non-aligned country by a big neighbouring country, the international crimes committed against Cyprus and its people, and the non-implementation of the United Nations resolutions. The prolongation of the Cyprus crisis, which continues to pose a serious threat to international peace and security, constitutes a problem as well as a challenge to the United Nations. The need for the implementation within a time-frame of the relevant resolutions, as well as the need for the taking by the Security Council of all appropriate and practical measures under Chapter VII of the Charter for ensuring the implementation of the United Nations resolutions, render the item entitled "Question of Cyprus" one of the most serious concerns for the General Assembly in its present session, as affecting the validity and effectiveness of the Security Council resolutions, as well as the authority and prestige of the United Nations as the world instrument of international peace and security.

Resolution 33/15 called for the urgent resumption of intercommunal negotiations. The Government of Cyprus responded favourably to the efforts of the Secretary-General and it accepted his relevant proposal of 22 December 1978. However, the position of the Turkish side on this proposal was tantamount to rejection of the Secretary-General's plan.

The intercommunal talks were resumed in Nicosia on 15 June 1979 on the basis of the 10-point agreement reached on 19 May 1979 between the President of the Republic of Cyprus, Mr. Spyros Kyprianou, and the Turkish Cypriot leader, Mr. Rauf Denktash, in the presence of the Secretary-General of the United Nations.

Regrettably, the Turkish side advanced, soon after the talks had resumed, unacceptable pre-conditions for the continuation of the talks, which would in effect nullify the 10-point agreement of 19 May 1979 as a whole and divert the talks from meaningful negotiations on the essence of the problem to an endless unproductive discussion. Moreover, the Turkish demand for a public statement from the Greek Cypriot side accepting the pre-conditions, inconceivably arrogant in itself, is an obvious attempt to shift onto the Greek Cypriot side the blame for the standstill in the talks, which is a direct result of the refusal of the Turkish side to abide by the 10-point agreement.

If any side were justified in the setting of pre-conditions, it would be the Greek Cypriot side, which is willing to negotiate even under the pressure of the presence of the Turkey army of occupation. The Greek Cypriot side suggested that the Turkish side should come back to the negotiating table in accordance with the 10-point agreement providing that the talks "will be carried out in a continuing and sustained manner, avoiding any delay" and proposed that the Turkish side may raise

at the negotiating table any matter which may be pertinently discussed in the intercommunal talks. However, the Turkish side refused and instead of coming back to the negotiating table, resorted once again to its familiar policy of faits accomplis, threats and intimidation.

It is regrettably obvious that the Turkish side has not changed in the slightest the attitude adopted by it in the past; it is not willing to negotiate with a view to reaching agreement on a just solution of the Cyprus problem. Whilst it loudly professes adherence to the process of negotiation and whilst it enters into agreements - such as the guidelines and the 10-point agreement - in order to appease and mislead international public opinion, it soon after proceeds to find avenues of escape from such agreements by putting forward new and unacceptable conditions. This pattern can be traced over a long period of fruitless attempts to negotiate with the Turkish side. Thus, the Turks receded from "federation" to "federation by evolution", whilst their proposals were in fact for the creation of two separate States. When the Greek Cypriot side presented concrete proposals for the creation of a federation composed of two regions, the Turkish side invented the term "bi-zonality" which it invests with a meaning that would, by interaction with the notion of "security for the Turkish Cypriots", have the effect of legalizing the de facto situation brought about by Ankara's invasion and continuing aggressive occupation.

If the Turkish side held a true desire to negotiate meaningfully for a solution of the Cyprus problem and was not just using the talks for other ends, it would have been willing to enter into a discussion on the substance: the territorial and the constitutional aspects with priority on the resettlement of Varosha, as provided in the 10-point agreement.

In concluding, the Government of Cyprus wishes to reaffirm its full commitment to the 10-point agreement and to meaningful and constructive talks. It wishes also to reaffirm that faith in the United Nations is the corner-stone of its policy and to express its confidence that the implementation of the United Nations resolutions on Cyprus would result in a just solution of the problem, in conformity with the Charter of the United Nations, thereby restoring the rights of the people of Cyprus as a whole.

It may be recalled that, in order to facilitate the implementation of these resolutions, the Government of Cyprus has been in constant contact and close co-operation with the Secretary-General, his Special Representative in Cyprus and other United Nations officials.

In this respect, reference may be made to the proposal submitted by the President of Cyprus to the special session of the General Assembly devoted to disarmament held from 23 May to 30 June 1978. This proposal provides for the total disarmament and demilitarization of the Republic of Cyprus in connexion with the implementation of the United Nations resolutions, and for the establishment of a mixed Greek Cypriot-Turkish Cypriot police force, in accordance with the population ratio, under the guidance and control of an international United Nations Police Force.

ANNEX IV

Note verbale dated 8 October 1979 from the Permanent Representative
of Turkey to the United Nations addressed to the Secretary-General

/Original: English/

The Permanent Representative of Turkey to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to his note of 13 September 1979 concerning the implementation of General Assembly resolution 33/15 on the question of Cyprus, adopted on 9 November 1978, has the honour to bring the following to his attention.

As will be recalled, the Turkish Government noted with deep regret that, even though the United Nations recognizes the bicomunal character of the Cyprus question, the Turkish Cypriot community was not allowed to participate in the debate proper in the plenary during the thirty-third session of the General Assembly. This, in itself, did grave injustice to the Turkish Cypriot side, thus making it impossible for the Turkish community and the Turkish Government to accept General Assembly resolution 33/15, adopted at the thirty-third session, as it failed to contribute in substance to the search for a solution.

The Secretary-General must be familiar with the Turkish Government's views on the manner in which a just and lasting solution to the problem can be attained. The Turkish Government has always maintained that it is only through intercommunal negotiations on an equal footing that a comprehensive settlement of the Cyprus problem can be achieved. The Turkish Government has, therefore, supported and continues to support the mission of good offices of the Secretary-General of the United Nations and has always done everything that was in its power to encourage the two sides to proceed with the intercommunal talks. It is with this approach to the problem that the Turkish Government welcomed the convening of the summit meeting between the leaders of the two communities, in Nicosia, on 18 and 19 May, under the auspices of the Secretary-General of the United Nations, and the 10-point agreement resulted from it. In the view of the Turkish Government, the 19 May agreement, which confirmed the Denktas-Makarinos four-point guidelines of 12 February 1977 as the basis for the intercommunal talks, provides the necessary framework for the solution of the Cyprus question based on the fundamental and legitimate rights of the two communities within an independent, sovereign, territorially integral, non-aligned, bi-communal and bi-zonal federal republic. It is the hope of the Turkish Government that the intercommunal talks conducted with the spirit of political truce between the two communities, as provided for in point 6 of the 19 May agreement, would lead to early progress towards a comprehensive solution of the Cyprus question. However, the Turkish Government is compelled to note with regret and reluctance the fact that, despite the restraint demonstrated by the Turkish Cypriot side, the record of the Greek Cypriot leadership between 19 May and now has not been compatible with the spirit of political truce between the two Cypriot communities. In fact, the Greek Cypriot side has continuously acted in violation of point 6 of the 19 May agreement by

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perpetuating its economic blockade imposed on the Turkish Cypriot community and by having recourse to various international forums immediately after the conclusion of the 19 May agreement, in an attempt to take the peace-making efforts out of their natural track, namely the intercommunal talks.

As to the procedure to be followed by the General Assembly on the consideration of the agenda item relating to the Cyprus question, the Turkish Government would like to reiterate its well-known view that such a procedure is totally inadequate for a valid and constructive discussion of the Cyprus question at the General Assembly, since it deprives the Turkish Cypriot side from taking part in the debate proper on the basis of political equality with the Greek Cypriot community. It is to be hoped that the future sessions of the General Assembly will contribute to rather than hamper the continuing efforts to find a solution to the Cyprus question through intercommunal talks by making necessary arrangements to ensure that its debates on the question may be conducted on the basis of political equality between the two Cypriot communities as direct parties to the dispute and as future co-partners in the framework of an independent, sovereign, non-aligned, bi-communal and bi-zonal federal State.

ANNEX V

Communiqué issued at the conclusion of the high-level
meeting held at Nicosia under the auspices of the
Secretary-General on 18 and 19 May 1979

/Original: English/

1. It was agreed to resume the intercommunal talks on 15 June 1979.
2. The basis for the talks will be the Makarios/Denktash guidelines of 12 February 1977 a/ and the United Nations resolutions relevant to the Cyprus question.
3. There should be respect for human rights and fundamental freedom of all citizens of the Republic.
4. The talks will deal with all territorial and constitutional aspects.
5. Priority will be given to reaching agreement on the resettlement of Varosha under United Nations auspices simultaneously with the beginning of the consideration by the interlocutors of the constitutional and territorial aspects of a comprehensive settlement. After agreement on Varosha has been reached, it will be implemented without awaiting the outcome of the discussion on other aspects of the Cyprus problem.
6. It was agreed to abstain from any action which might jeopardize the outcome of the talks, and special importance will be given to initial practical measures by both sides to promote goodwill, mutual confidence and the return to normal conditions.
7. The demilitarization of the Republic of Cyprus is envisaged, and matters relating thereto will be discussed.

a/ The guidelines agreed upon by His Beatitude Archbishop Makarios and His Excellency Mr. Denktash at the high-level meeting held in Nicosia under the auspices of the Secretary-General on 12 February 1977 read as follows:

1. We are seeking an independent, non-aligned, bi-communal Federal Republic.
2. The territory under the administration of each community should be discussed in the light of economic viability or productivity and land ownership.
3. Questions of principles, like freedom of movement, freedom of settlement, the right of property and other specific matters, are open for discussion, taking into consideration the fundamental basis of a bi-communal federal system and certain practical difficulties which may arise for the Turkish Cypriot community.

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8. The independence, sovereignty, territorial integrity and non-alignment of the Republic should be adequately guaranteed against union in whole or in part with any other country and against any form of partition or secession.

9. The intercommunal talks will be carried out in a continuing and sustained manner, avoiding any delay.

10. The intercommunal talks will take place in Nicosia.