

United Nations GENERAL ASSEMBLY

TWENTIETH SESSION

Official Records



FIRST COMMITTEE, 1412th
MEETING

Tuesday, 14 December 1965,
at 3.15 p.m.

NEW YORK

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Chairman: Mr. Károly CSATORDAY (Hungary).

AGENDA ITEM 93

The question of Cyprus (continued) (A/C.1/L.336/Rev.1, L.341 and Add.1 and 2, L.342/Rev.2 and Add.1-3):

- (a) Letter dated 13 July 1965 from the representative of Cyprus (A/5934 and Add.1);
- (b) Letter dated 21 July 1965 from the representative of Turkey (A/5938 and Add.1)

GENERAL DEBATE (continued)

1. Mr. KLUSAK (Czechoslovakia) said that although the situation in Cyprus had recently improved, the deep-rooted causes of tension remained and made the question the focus of United Nations attention as shown by the introduction to the annual report of the Secretary-General^{1/} and by the report of the United Nations Mediator.^{2/} The events at Famagusta, which the Security Council had considered at its 1252nd meeting, on 5 November, confirmed the fragility of the existing truce.

2. His delegation, which had already stated its position on several occasions, thought that the Security Council should try to find a solution which respected the security, independence, sovereignty and territorial integrity of Cyprus. The threat of foreign intervention—always latent—created an atmosphere of tension and nervousness which was preventing the restoration of normal relations between the Greek and Turkish Cypriots. It did not seem that the current situation was due to the nature of those relations. Greeks and Turks had lived side by side in Cyprus for centuries in far more difficult conditions and there was no reason why they should not have done so after the proclamation of independence.

3. It was the aftermath of colonialism that was preventing the settlement of artificial political, legal and economic problems which were affecting not only

the situation in the countries involved but also their relations with the rest of the world, were holding back the development of the former colonies and were often providing a pretext for foreign intervention. Cyprus was a case in point.

4. Matters were complicated by the fact that Cyprus, mainly because of its geographical situation, was of special interest to the strategists of NATO. That well-known fact had been confirmed several times by the threats and attempts at direct intervention by NATO, which had tried to settle questions of vital importance to the Cypriot population. Its aim in doing so was to preserve military bases, gain strategic positions and ease the difficulties encountered by the alliance, even at the expense of a peace-loving country which refused to play the role of an outpost and, on the contrary, wished to pursue a policy of non-alignment. That was why it was essential that there should cease to be any foreign bases and troops in Cyprus, if a just and lasting peace was to be established in that part of the Mediterranean.

5. Foreign interests should not prevail over the inalienable rights of the Cypriot population. The Members of the United Nations had undertaken to observe the principles of the Charter, and it was in that light that his delegation was considering the question before the Committee. It was undeniable that the legitimate Government of Cyprus was the only representative of that country. All the measures taken by the United Nations should be designed to strengthen the sovereignty, independence and territorial integrity of Cyprus, to prevent any pressure or interference in the internal affairs of that State and to facilitate the solution of the problems in a spirit of peaceful co-existence. The internal organization of the State should, of course, respect minority rights, but the settlement of Cypriot affairs was the exclusive responsibility of the island's population. No other solution would be able to guarantee the peaceful coexistence of the communities or promote the maintenance of peace and security.

6. The solution to the problem of Cyprus should be sought along the lines he had indicated.

7. Mr. WELLS (Jamaica) noted that the United Nations had prevented a recurrence of fighting in Cyprus and had contributed to the maintenance of law and order. However, normal conditions had not been restored and no solution to the fundamental political problem was in sight. The task of the General Assembly was to encourage Cypriots, whatever their origin, to seek a just solution to their problems. That was why the Jamaican delegation had joined in sponsoring the thirty-one-Power draft resolution (A/C.1/L.342/Rev.2 and Add.1-3). That text was not intended

^{1/} Official Records of the General Assembly, Twentieth Session, Supplement No. 1A.

^{2/} Official Records of the Security Council, Twentieth Year, Supplement for January, February and March 1965, document S/6253.

to favour any of the parties involved but to recall the principles which the United Nations could not abandon if it was to remain true to its purposes and fulfil the hopes of small States.

8. For generations, the people of Cyprus had regarded themselves either as Greeks or as Turks living on the island. The creation of the State of Cyprus implied that in time the two groups of citizens would come to acquire a loyalty to Cyprus which would prevail over all others. Clearly there had not been time for such a loyalty to develop. The United Nations should encourage its development.

9. All restrictions on the exercise of sovereignty by Cyprus should be removed. Although it fully recognized the sanctity of treaties, Jamaica was obliged to regard some of the provisions of the Zurich and London agreements as an undeniable infringement of the rights of the sovereign State of Cyprus. That did not mean that Jamaica did not appreciate the circumstances in which those restrictions had come to be imposed; but the time had come to remove them. Jamaica did not know whether pressure had been exerted on the Cypriot leaders at the time of the conclusion of the agreements but there was a growing body of opinion which tended to regard as unequal any treaty concluded with an emerging State as a condition for its independence.

10. Since Cyprus had gained its independence, two States had maintained their forces on its territory, and it was difficult to conceive of the 600,000 people of Cyprus exercising a genuine independence under those conditions. Progress on the problem of Cyprus could only begin when the so-called interested parties ceased to promote their special interests in the country and devoted their efforts, instead, to facilitating agreement between the two main communities on the island.

11. Far from bringing peace to Cyprus, the solution and the guarantees offered in 1960 had tended to crystallize the differences and rivalries among the Cypriot people. No attempt had so far been made to operate a system based on national integration with adequate guarantees for the Turkish minority. As a member of the Commonwealth having a Constitution derived from the same institutions as those which had influenced the Cyprus Constitution, his own country was in a position to assess the significance of the restrictions which the 1960 Constitution had imposed on the freedom of action of the Cyprus Government. Some of those restrictions went further than necessary. The guarantees to which all Cypriots, including the Turkish Cypriots, were entitled should not go so far as to enable the latter to bring the whole machinery of Government to a standstill.

12. He was pleased to note that the Cyprus Government was prepared to ensure that human rights were respected, and that it had offered to invite impartial third parties to observe and guarantee those rights. In spite of the financial implications of the proposal, the United Nations should contribute towards the solution of the problem of Cyprus by providing that impartial guarantor element.

13. It was to be hoped that the majority in Cyprus would not press for union with any other State. Since

the Turkish Cypriots were convinced that every act of the Greek Cypriot majority was designed to bring union with Greece nearer, the Greek Cypriot majority could reduce tension in the region by ensuring that any new constitution it devised contained specific provisions concerning alterations in the country's status. Tension would also be reduced if the Greek and Turkish Governments were to declare that they would not contemplate any proposal for union with Cyprus or any part of Cyprus.

14. Declarations to that effect would give a new impetus to the United Nations mediation effort. The draft resolution which his country was sponsoring recommended that mediation under the direction of the Security Council should continue. That was not to say that his delegation was endorsing or attempting to choose any particular mediator. That was the prerogative of the Security Council and, under the Security Council, of the Secretary-General. But, for mediation to be possible, it was essential that the mediator should be acceptable to both parties.

15. What was needed was new initiatives, and a procedural resolution from the Committee was not enough. Past experience had provided no evidence that failure to restate principles, for fear of offending the parties to a dispute, helped to promote the settlements which the United Nations was anxious to achieve. Accordingly, his delegation hoped that the thirty-one-Power draft resolution would be accepted by the Committee.

16. Mr. PANNI (Pakistan) noted that the Cyprus question had been engaging the attention of the United Nations ever since 1954. During the debates in the General Assembly between 1954 and 1958, it had been generally recognized that the Cyprus question was nothing more than the manifestation of a situation created by indisputable historical, cultural and geographical facts. In recognition of that fundamental aspect of the question, the United Nations had rejected consideration of any settlement which would serve to further the objectives of one community to the detriment of a legitimate interests of the other. The principle involved was that of self-determination for each community.

17. In resolution 1287 (XIII) of 5 December 1958, the General Assembly had acknowledged that it was absolutely necessary to arrive at a settlement through negotiations between all interested parties.

18. The Turkish representative had traced in detail the history of the difficult and protracted negotiations leading up to the conclusion of the Zurich and London agreements and the eventual creation, in 1960, of the State of Cyprus whose independence was based on the international Treaties of Guarantee and Alliance between the parties concerned. The present status of the island had been worked out within the framework of the Zurich and London agreements, which had also formed the basis for the Constitution of the State.

19. The agreements had been accepted and signed by the representatives of the Turkish and Greek communities; and there was therefore no basis for the argument that they had been imposed on the Cypriot people. They were statements of solemn

international undertakings, which had been freely assumed and did not constitute any infringement of the sovereignty of the signatories. They should therefore be respected by all the parties concerned.

20. All treaties implied reciprocal commitments between the parties involved and to that extent they defined and delimited the exercise of sovereignty. But no party could denounce a treaty unilaterally, without the consent of the other, simply because the treaty called for certain limitations on the actions of the contracting parties. That was a universally accepted principle and practice in international relations. Were it not so, international agreements would not be worth more than the paper on which they were signed.

21. His delegation could not over-emphasize the importance of the sanctity of international agreements. Contractual obligations flowing from international treaties could only be modified by negotiation and with the agreement of all the parties concerned. The principle involved should be duly respected by the members of the international community, and especially by the Members of the United Nations which had solemnly undertaken to respect obligations arising from the treaties in question. His delegation deplored any attempt by any of the parties concerned to repudiate unilaterally undertakings which had been assumed under international agreements, and to change the situation by resorting to force and violence.

22. It noted with satisfaction that the Security Council was continuing its efforts at mediation. That was the best course to follow, since the situation in Cyprus was most explosive. The task of the United Nations was to promote the political settlement of the problem by advocating methods of peaceful settlement. His delegation had been glad to note that in a spirit of compromise the delegations of Afghanistan, Iraq, Libya and Saudi Arabia had submitted draft resolution A/C.1/L.341/and Add.1 and 2. It was convinced that the recommendations contained in that draft resolution would serve the cause of peace and justice in Cyprus; it therefore supported the draft resolution whole-heartedly and hoped that other delegations would do the same.

23. Mr. MARINHO (Brazil) welcomed the fact that the Security Council had based the United Nations Cyprus policy on the draft resolution submitted in March 1964 by Bolivia, Brazil, the Ivory Coast, Morocco and Norway, which had been adopted on 4 March (resolution 186 (1964)). In the light of various passages in the Secretary-General's report of 10 December 1965 on the United Nations Operation in Cyprus,^{3/} from which it appeared that an uneasy calm prevailed in Cyprus and that no progress had been made towards a solution on the conflict between the two communities, he wondered whether the United Nations presence in Cyprus might not in the long run serve to delay a settlement. The only way out of the deadlock was mediation and negotiation between all the parties concerned. He therefore hoped that the parties would show the necessary spirit of compromise and political determination.

^{3/} Ibid., Supplement for October, November and December 1965, document S/7001.

24. The question of Cyprus, as a matter affecting international peace and security, should be considered by the Security Council. The General Assembly should confine itself to taking a procedural decision without going into the substance of the problem. It was in the light of those considerations that his delegation would vote on the various draft resolutions before the Committee.

25. Given the political diversity of the world, which was recognized in the Charter, mutual respect was an obligation for all States, which were united by a common desire for progress.

Mr. Fahmy (United Arab Republic), Rapporteur, took the Chair.

26. Mr. EL BOURI (Libya) said that his country's history was bound up with both Greek civilization and the experience of the Turkish people, whose religion it shared. Today, Libya's relations with Greece and Turkey were cordial and marked by close co-operation.

27. He was disappointed at the meagre results of the efforts made by the United Nations to find a solution to the Cyprus crisis. The parties concerned, particularly the leaders of the two communities, maintained their intransigent positions and no new element had been able to lessen the prevailing distrust. The report of the United Nations Mediator and all the Secretary-General's reports showed that it had not been possible to apply Security Council resolution 186 (1964) because of the intransigence of the two parties. In his view, intransigence and hatred should give way to goodwill and the spirit of co-operation and concession. Without disregarding the principles and national and international factors determining the political attitudes of the parties concerned, and although the situation was tense, he considered that negotiations could be started between the parties.

28. It was obvious that the serious question of Cyprus could not be settled by adopting a resolution that did not meet the wishes of the two communities which had to live with each other. That point was emphasized by the United Nations Mediator, Mr. Galo Plaza, in paragraph 126 of his report.^{4/} The Secretary-General, for his part, had clearly indicated in paragraph 213 of his report of 10 December 1965 that the key to a settlement lay in the last analysis with the parties. As far as Greece, Turkey and the United Kingdom were concerned, the United Nations Mediator had noted that the three Governments seemed sincerely anxious for a peaceful solution to be found to the problem as soon as possible.

29. It was clear from the present debate that the principal parties concerned, however far apart in their opinions, were agreed on one essential point, namely, that the situation was dangerous. The moment had surely come for all the parties to support the efforts being made by the United Nations, to make reciprocal concessions and to co-operate sincerely in finding an equitable solution.

30. It was in the hope that the Cyprus question might be settled by negotiation that his delegation had joined

^{4/} See footnote 2.

with those of Afghanistan, Iraq and Saudi Arabia in submitting draft resolution A/C.1/L.341 and Add.1 and 2. The proposal was a constructive, objective and realistic one and its adoption could really help to restore peace in Cyprus.

31. In conclusion, he congratulated the Secretary-General and the United Nations Mediator on their efforts.

32. Mr. RAMANI (Malaysia) said that however carefully and precisely one tried to formulate an objective opinion on the problem of Cyprus it was practically impossible not to give the impression of taking sides in the unfortunate controversy. There were certain essential facts which had led to the present situation and which the Committee must take as a basis in order to arrive at a well considered judgement. First, Cyprus' social and political past had brought together on the island two distinct communities which were very far apart in religion, tradition and culture. Secondly, the trend of ideas after the Second World War which had led to the emancipation of many colonial peoples had also affected Cyprus. Thirdly, political agitation against colonial rule had led to the Zurich and London agreements and then to a Constitution. Fourthly, the documents agreed on at Zurich had been negotiated directly between Greece and Turkey, without the intervention of the United Kingdom. Fifthly, the Government of the United Kingdom had adopted those documents after taking note of the declaration by which the Greek Cypriot and Turkish Cypriot representatives accepted "the documents respectively listed as the Basic Structure of the Republic of Cyprus, the Treaty of Alliance and the Treaty of Guarantee". Sixthly, on 19 February 1959, in London, Archbishop Makarios, on behalf of the Greek Cypriots, and Mr. Küçük, on behalf of the Turkish Cypriots, had accepted all the documents and declarations as the agreed foundation for the final settlement of the Cyprus problem. Seventhly, the first of the measures designed to lead to the transfer of sovereignty in Cyprus had been the immediate establishment of a joint commission to draw up a draft constitution for the independent Republic of Cyprus.

33. A mere listing of those facts was enough to show that the situation was an unprecedented one, in which two States without authority over Cyprus had played the principal part in the creation of an independent Cyprus in order to meet the wishes of two separate communities living on the same territory. The Cyprus problem was thus exceptionally difficult and it would be unrealistic to oversimplify it and treat it merely as a question of providing for self-determination with adequate safeguards for a minority. He did not think that the Constitution had been imposed, or that there had been blackmail, as had been claimed many times in the course of the debate, unless it was that circumstances had obliged the friends of freedom among the Cypriots to accept a compromise. The hopes that the Greek Cypriot and Turkish Cypriot leaders had placed in the system had been disappointed, and each claimed that the other was responsible. The General Assembly did not have to decide who was wrong and who was right, but since the elaborate scheme resulting from the

combination of the basic articles of the Constitution and the Treaties of Guarantee and Alliance was not producing the expected results, it had to seek a remedy and find a means of restoring Cyprus' rights as a sovereign State and Member of the United Nations, supposing that those rights had been violated.

34. His delegation could not accept the Cypriot Government's argument on the Treaties.^{5/} The representative of Cyprus had said that he regarded the Treaties as non-existent and contrary to the Charter, because of Article 103. It was not out of place, therefore, to draw attention to certain basic attitudes that appeared so patently to inform the thinking of those who had the indisputable right to govern the country without external impediments and internal chaos, but who could not escape the corresponding duty not to provide excuses for those impediments or contribute to the chaos.

35. If the General Assembly and the Security Council had been reminded that they were not courts of law, it had been by those whose position was untenable in law. The importance given by the Charter to international law was far from negligible, not only as regards its respect for the settlement of disputes, but also because it encouraged its progressive development and codification. Since the basis of the law of nations was the consent of States, the sources of international law were express consent, in the conclusion of treaties, and implied consent, in the way States behaved towards each other. When the Security Council had debated the Cyprus situation in March 1965, his delegation had stated, among other things, that treaties could not be unilaterally revoked. It was quite obvious that Turkey could never have brought the matter before any United Nations organ if it were not for the Treaty of Guarantee. But the Government of Cyprus had asserted repeatedly that as far as it was concerned the Treaty of Guarantee did not exist. It was time to remind it that there was another point of view, based on reasoning no less cogent than its own. The representative of Cyprus in the Security Council had quoted in support of his position the opinions of great jurists such as Oppenheim, Fenwick and Hall. Apart from the fact that quotations could always be adjusted to an argument, the basic error of that argument was that it assumed as an unchallengeable legal proposition the disappearance into thin air of the Treaty of Guarantee and required one to accept as a proved fact that any invocation of the Treaty by the parties was inevitably tantamount to a threat to resort to war. Since the whole argument hinged on the Treaty of Guarantee, which itself had been patiently negotiated in order to find a middle way between the extreme solutions of self-determination on the one hand and partition on the other, it was useful to remember that a treaty was not *ipso facto* rendered void or voidable by one of the parties by reason of the fact that that party had been coerced by the other party into concluding it. That view was clearly sustained by distinguished jurists like McNair, Hall and Fenwick.

^{5/} Treaty of Guarantee (United Nations, Treaty Series, vol. 382 (1960), No. 5475); Treaty concerning the Establishment of the Republic of Cyprus (*ibid.*, No. 5476); Treaty of Alliance between the Kingdom of Greece, the Republic of Turkey and the Republic of Cyprus (*ibid.*, vol. 397 (1961), No. 5712).

36. Article 103 of the Charter had been mentioned. He wished to point out that, unlike Article 20 of the Covenant of the League of Nations, which had explicitly made it an obligation for Member States to procure their release from obligations inconsistent with its provisions, Article 103 of the Charter did not authorize its signatories to consider themselves *ipso facto* as released from obligations which might hinder their freedom of action.

37. It had also been claimed that the Treaty of Guarantee was incompatible with the sovereignty of Cyprus. Admittedly, the Treaty imposed a restriction on the international sovereignty of Cyprus, but it must be borne in mind that contractual obligations were by definition based on the sovereign right of any State to enter into international obligations and that consequently such obligations could not be disowned at will by unilateral declarations. As McNair had shown,^{6/} every State, upon recognition of its statehood by other States, was deemed to have accepted the body of customary international law recognized by the society of States, which included the rule *pacta sunt servanda*; and it was a mistake to think that the State was entitled to regard as void any international obligation which might subsequently prove a hindrance to it, on the ground that it was incompatible with its sovereignty. That view had been confirmed in 1927 by the Permanent Court of International Justice, which, in its advisory opinion regarding the jurisdiction of the European Commission of the Danube,^{7/} had said, among other things, that restrictions on the exercise of sovereign rights accepted by treaty by the State concerned could not be considered as an infringement of sovereignty. And to give a further example, McNair had said that a State which entered into a contractual engagement with a foreign State did not cease to be an independent or sovereign State.^{8/} It must be recognized that the most irksome, perhaps even humiliating, aspect of the Treaty of Guarantee was the right it gave the guarantor Powers to intervene. In view of the fact that, on the one hand, the Republic of Cyprus had undertaken, under article 1 of the Treaty of Guarantee, to ensure respect for its Constitution, that under article 2 Greece, Turkey and the United Kingdom had recognized and guaranteed, *inter alia*, the provisions of the basic articles of the Cyprus Constitution, and that, in addition, article 182 of the Constitution stated that the basic articles of the Constitution could not in any way be amended, whether by way of variation, addition or repeal, there could only be two ways of evading the obligation undertaken by Cyprus to respect its Constitution. The first was obviously to undertake new negotiations in order to release Cyprus from the obligations it had assumed under the Treaty. The second was to provide for the well-being of the communities affected in such a way as to make the right of intervention unnecessary and lead the parties to regard the Treaty as a dead letter. The second was by far the better. The Treaty could be terminated by expiry, by dissolution, by

becoming void or by cancellation. Automatic voidance could result from the extinction of one of the contracting parties, impossibility of execution, or the fact that the Treaty's purpose had been achieved otherwise or no longer existed. For those reasons, he maintained that the Treaties which had been patiently negotiated in 1959 and 1960 were still in existence.

38. An attempt had been made at mediation following the adoption of Security Council resolution 186 (1964) in March 1964. The First Committee must endeavour to keep the mediation going. A mediator, of course, was always disputed by one camp or the other because he was at one and the same time merely offering his good offices, and acting as an arbitrator, and because it was difficult for him to express a truly objective opinion. His delegation did not interpret the Turkish attitude as rejection of mediation as such as a worthwhile pursuit, though Turkey had expressed the view that the continuation of the task of the present Mediator had been rendered impossible. However, account must be taken of the fact that that situation existed. It was to be hoped that the Security Council would find the necessary and appropriate methods for continuing with the task of conciliation so that the whole problem of basic articles, the Constitution, and the Treaties of Alliance and Guarantee might be re-examined for the benefit of all parties. Even if an immediate solution could not be found, there would at any rate be an immediate reduction of tension on the island. That was the basic and fundamental objective which must inform any draft resolution the First Committee might adopt.

Mr. Csatorday (Hungary) resumed the Chair.

39. Mr. USHER (Ivory Coast) noted that as a result of the efforts of the United Nations relative calm had been restored in Cyprus; however, no progress had been made on the substance of the problem. The negotiations even appeared to have been broken off.

40. His Government, which had just pledged a contribution to the expenses incurred by the United Nations in Cyprus, felt that the interested parties should shoulder their responsibilities and seek a political solution with goodwill. The Mediator's report contained practical suggestions in that regard and deserved special attention. The present debate should enable all Member State to make known their views and give the Assembly an opportunity to reaffirm certain principles by which the negotiators should be guided.

41. Cyprus had won its independence only after a bitter struggle, and had not enjoyed the indulgence now being shown Southern Rhodesia. The Treaties signed at the time Cyprus had become independent placed singular restrictions on the sovereignty of the Cypriot State. Thus, the Zurich agreement which formed the basis of the Cyprus Constitution gave the minority rights which were not to be found in any other constitution. It had led to what might be called a legal partition. But a constitution was a piece of domestic legislation, and it was for the Cypriots alone to revise theirs and adapt it to new circumstances. The Treaty of Guarantee, the cause of the present difficulties, should be amended by negotiation, in accordance with the wishes of the sovereign State

^{6/} Lord McNair, *The Law of Treaties* (Oxford, Clarendon Press, 1961), pp. 757-8.

^{7/} PCIJ, *Publications*, Series B, No. 14.

^{8/} Lord McNair, *op. cit.*, p. 760.

of Cyprus. His delegation was opposed to a unilateral abrogation, which was bound to be a source of conflict.

42. It seemed that the excessive rights granted to the minority had had no other purpose than to prevent the integration of Cyprus with Greece. The fact remained that a minority should enjoy certain fundamental rights, such as the inalienability of the country's territory, and that in consequence any action which might result in alienating the territory of Cyprus would constitute an infringement of the rights of that minority. It should not be possible for the majority, through an election for example, to alienate the national territory.

43. To solve the problem of Cyprus, the General Assembly must not only reaffirm the independence of that State, its sovereignty, unity and territorial integrity, but also recommend that all States refrain from recourse to the threat or use of force in regard to that country. Such a guarantee was essential, for the threat of armed intervention could only heighten passions.

44. The Security Council must also continue its efforts and encourage the resumption of negotiations. In any event, the solution could only be a compromise. It was obvious that neither party could impose its solution on the other; only mutual concessions could lead to a compromise. He hoped that the spirit of conciliation would prevail and allow peace to be restored.

45. Mr. HOVEYDA (Iran), exercising his right of reply, said he was glad that the representative of Cyprus had taken up those points in the statements of various delegations with which he was not in agreement. That would help to throw light on the differences and perhaps facilitate the search for a solution. Although his delegation did not feel bound to reply directly to the criticisms made by the representative of Cyprus, he wished to clarify three specific points.

46. The representative of Cyprus had advised certain countries, including Iran, not to insist on the concept of national communities. For over 2,500 years, however, the various ethnic groups which made up Iran had lived in peace and harmony. His delegation was therefore perfectly justified in using the term "national community".

47. Contrary to the impression which the Foreign Minister of Cyprus might have received, his delegation did not regard the Zurich and London agreements as sacrosanct. It nevertheless based its position on the rules of international law and felt that, if international agreements must be revised, it was normal that all the parties concerned should agree on the revision.

48. As far as the third point was concerned, there had perhaps been a misunderstanding between the representative of Cyprus and the Iranian delegation. In the part of the Iranian statement referring to negotiations, it was negotiations between the two Cypriot communities that were meant. It seemed to him that such negotiations in no way encroached on the sovereignty or integrity of the Republic of Cyprus. He was happy to note that the representative of Cyprus was not opposed to such negotiations, and he hoped that they would help to bring about a peaceful solution.

49. Mr. ÇAGLAYANGIL (Turkey), speaking in exercise of his right of reply, took up various passages in the statement made on the previous day by the representative of Greece (1409th meeting). According to the latter, what he called the "Turkish tactics" was to turn a case for the application of the principles of the United Nations into a problem of Graeco-Turkish relations, and thus to demand of Greece that it conclude an agreement with Turkey which would then be imposed on the Cypriot people. But the Cyprus question was obviously a crucial element in Turkish-Greek relations and, like it or not, that conflict could not be settled without taking that aspect of the problem into consideration. He recalled in that regard the various moves made by Greece since 1954 with a view to annexing Cyprus, in particular the landing by that country of military units in Cyprus, which was only forty miles from the Turkish mainland. Of course, the Greek representative had carefully avoided any mention of enosis, and that was an astute move, but Mr. Tsirimokos himself, in statements recently made at Nicosia, had not concealed the fact that, for him, "Cyprus is Greece and Greece, Cyprus"; how, then, could it be maintained that Greece had no role in the question of Cyprus? It was all very well to say, like the Togolese representative, that the Cypriot communities should forget their past and forge a Cypriot nation, but how was that possible so long as the ideal of enosis continued to be more and more vigorously proclaimed?

50. The Greek representative had stated that the question was to decide to apply the principles of the Charter to the question of Cyprus. That was self-evident, but Greece could not claim a monopoly of the principles of the Charter and set itself up as their sole defender; Turkey had at least as strong a wish as the representatives of Greece and Cyprus to see the principles of the Charter applied, but the question was which principles were involved in the present case and how they were to be applied. The principles invoked by Turkey were the pacific settlement of disputes, the concerted search for a solution, non-recourse to force and violence, respect for human rights and the ideas of independence and sovereignty. No one would claim that such principles were not relevant to any discussion of the question of Cyprus.

51. The Greek representative had said that Turkey was demanding that his country conclude with it an agreement which would be imposed on the people of Cyprus; but nothing could be further from the truth. What Turkey wanted was a solution acceptable to all the interested parties. Of course Turkey had seen the desirability of holding talks with Greece in order to seek a way out of the impasse, but was that attitude contrary to the Charter? And had not Greece itself agreed to continue such talks until they had been interrupted by the Greek political crisis? Had the Greek Cypriots not stated that they saw no objection to such talks provided that they were based on the principle of enosis? The truth was that Turkey had told Greece that it could not consider any solution which did not include the independence of Cyprus, but not the ephemeral independence favoured by the representatives of Greece and Cyprus, which would mean the end of independence and annexation by Greece.

52. The Greek representative had also accused Turkey of resorting to military blackmail and trying to bring pressure to bear on the General Assembly. But Turkey had never used threats, and the moderation it had displayed throughout the Cyprus crisis was well known: it was Turkey that had always advocated a pacific and concerted solution of the problem, and it was Greece that had constantly attempted to impose a solution by force and fait accompli. As for threats, he wondered what threats the representative of Cyprus might have uttered in the corridors of the United Nations, as reflected in an article published the previous day by a Cairo newspaper to the effect that if Cyprus did not receive clear support from the United Nations confirming its independence, sovereignty and territorial integrity the Cypriot Government would deal with the problem in a new way, which would involve some surprises. With regard to the Greek representative's reference to the history of the Ottoman Empire, the conquests of the fifteenth and sixteenth centuries could be considered as normal for that time; what was astonishing was that Greece should now, in the United Nations, pursue a policy of conquest. Besides, the nations brought together in the Ottoman Empire were today all independent States, and the Turkish nation itself had been the first to welcome the fact. Thus, Turkey had had no wish to stigmatize the Greek people's struggle for independence, but rather its subsequent attempt to conquer the national territory of Turkey.

53. Lastly, the Greek representative had repeated the argument previously advanced by the representative of Cyprus, namely, that the Treaties which had given birth to the independence of Cyprus had been imposed on the Greek Cypriots. But had not Greece too put its signature to those Treaties, and was it going to claim that Cyprus could not be required to fulfil obligations assumed under the 1960 Treaties because Cyprus had then been a colony? Had Greece, too, been a colony at that time? It had been said that the Treaties signed at Nicosia on 16 August 1960 were not in keeping with the reality of the situation, which had now changed; but if there had been changes, they were the doing of Greece and the Greek Cypriots, and the violations of which they were guilty did not represent methods consistent with the Charter of the United Nations. With regard to the Treaty of Lausanne of 1923, Greece could not avail itself of that treaty and ignore obligations it had undertaken under the Treaties of Nicosia signed thirty-seven years later.

54. Replying next to the statements made by the representative of Cyprus at the 1409th meeting, he expressed surprise that the latter had practically denied the Greek attacks against the Turkish community and described them as incidents. To enable the Committee to judge for itself, he read out several extracts from the Secretary-General's report to the Security Council of 10 September 1964,^{2/} in which there was an account of those so-called incidents. All the statements of the representative of Cyprus revealed that his real objective was to serve the designed of Greece: while asserting that Cyprus

was an independent country, he had not hesitated to declare that Cyprus would be annexed to Greece if that was the will of the Greek Cypriot community; by accepting the necessity of the presence of the United Nations Peace-keeping Force in Cyprus, he had admitted, at least implicitly, that a group of his fellow-citizens representing 20 per cent of the total population was still in danger of attack. In the circumstances, how could Turkey place its trust in the administration he represented?

55. He recalled that in their statements the representatives of Greece and Cyprus had assured him that they were prepared to accept the withdrawal of all foreign forces and had asked him to give a similar assurance. The Turkish contingent consisted of 650 officers and men stationed in Cyprus under the Treaty of Alliance; that Treaty actually provided for a Greek contingent in Cyprus of 950 officers and men, while the Constitution laid down that the total number of Cypriot forces should not exceed 2,000 officers and men. At the present time, the Greek Cypriot forces numbered more than 40,000 men equipped with heavy armament imported from Greece, and Greece itself had sent an army of 10,000 men in violation of the Treaty. Greece and the Greek Cypriots desired the withdrawal of the Turkish contingent, which, since it was equipped with light weapons, was not an important military factor, solely with the intention of destroying the international Treaties. What was needed for the pacification of the island was not the withdrawal of the token forces which were there as a result of the Treaties, but the evacuation of the large forces whose presence on the island was illegal. Moreover, his country had already proposed to the Security Council the complete disarmament of the island under the effective supervision of the United Nations. Why had the representatives of Cyprus and Greece not accepted that proposal at that time and why were they now seeking to exploit the situation in the General Assembly? As for the policy of partition that his Government was accused of pursuing, Turkey had committed itself under the Treaty of Guarantee to abandoning that policy and it had remained faithful to that commitment; under the same Treaty, Greece had renounced enosis and it was precisely the violation of that commitment which had led to the present crisis. On the basis of the suggestion made by Jamaica, his country was ready to declare solemnly that it would never follow a policy aimed at the partition of the island, provided Greece and the Greek Cypriots made a similar declaration and committed themselves before the United Nations to renouncing enosis for ever. He awaited a reply from the representatives of Greece and Cyprus.

56. Commenting next on the draft resolutions before the Committee, he congratulated the sponsors of the thirty-one-Power draft resolution on their devotion to the cause of justice, but he wished to explain the reasons for his delegation's concern about the text.

57. In the first instance, he wished to stress a point of capital importance, i.e. that the question of Cyprus was not a colonial one: that aspect of the problem had ceased to exist when Cyprus had achieved independence and become a Member of the United Nations. The question under consideration concerned the re-

^{2/} Official Records of the Security Council, Nineteenth Year, Supplement for July, August and September 1964, document S/5950.

lations between the two Cypriot communities, the attempt by one of the communities to oppress the other and, one might say, the attempt by the Greek Cypriot community to act as the instrument of the colonization of the Turkish community by a foreign Power, Greece.

58. While agreeing entirely on the need for the two communities to work together for the common good of the country, Turkey was doubtful whether such co-operation was possible under the conditions that had just been described. The question before the Committee was to determine whether it could take a different attitude and go beyond Security Council resolution 186 (1964). That resolution was in complete conformity with resolution 1287 (XIII) adopted by the General Assembly in 1958, inviting all the parties concerned to make continued efforts to reach a peaceful, democratic and just solution in accordance with the principles of the Charter. It was in the light of those considerations that the draft resolutions before the Committee should be viewed.

59. He would not insist that draft resolution A/C.1/L.336/Rev.1, which had been submitted by his delegation, should be put to a vote, since he was convinced that a peaceful solution would be more easily attained by a resolution that did not prejudge a possible solution in favour of the view held by one of the parties.

60. His delegation had strong objections to the thirty-one-Power draft resolution (A/C.1/L.342/Rev.2 and Add.1-3), with which the representatives of Greece and Cyprus had associated themselves. In the first place, his delegation opposed, on grounds of procedure and of substance, the reference in the third preambular paragraph to the Declaration adopted on 10 October 1964 by the Second Conference of Heads of State or Government of Non-Aligned Countries held at Cairo. From the procedural point of view, neither Turkey nor the Turkish Cypriot community had taken part in that Conference, which meant that the Declaration in question had been adopted in the absence of the parties most directly concerned and was based on a unilateral presentation of the problems by the Greek Cypriots. With regard to the substance, his country's objections stemmed from the fact that the Declaration expressed the view that Cyprus should enjoy unrestricted and unfettered sovereignty and independence. Cyprus was an independent country and a Member of the United Nations, and there could therefore be no question of restrictions on its independence or sovereignty. But the significance of the Declaration was perfectly clear. The restrictions and obstacles which the Greek Cypriot administration was trying to remove were clearly the Treaties which Cyprus, as an independent and sovereign country, had freely concluded; but respect for the obligations stemming from treaties and the principle that treaties could only be modified with the agreement of all the contracting parties were a fundamental principle of international life. Members of the United Nations could not therefore give their approval to that formula, which must be regarded as a negation of a fundamental principle confirmed by the Charter. In addition, the Declaration expressed the view that the Cypriot people should be able to determine freely the political future

of the country; but the right of self-determination thus proclaimed had already been exercised by Cyprus and it had resulted in the independence of the country. As two national communities lived side by side, that right had been used by both communities in order to safeguard their own legitimate interests. By invoking the right of self-determination at the present stage, the objection of the Greek Cypriots was to secure the General Assembly's approval of enosis. The fourth preambular paragraph referred to the report of the United Nations Mediator. For the reasons already explained by his delegation, a document of that nature should not be discussed in the Committee and it would therefore be inappropriate to take note of it in a resolution, although Turkey supported and desired the continuation of the institution of mediation, in accordance with Security Council resolution 186 (1964). With regard to the fifth preambular paragraph, the Assembly should not take note of the declaration of intention and memorandum of the Greek Cypriot administration for, in the eyes of the Turkish Government, they constituted a cynical attempt to ignore all the brutal violations of human rights perpetrated against the Turkish community by the Greek Cypriots. If it were to accept that paragraph, the General Assembly would by implication absolve the authors of those crimes, repudiate the present legal status of the Turkish community by reducing it to the position of a minority subjected to implacable tyranny, and sanction an attempt to modify a constitution illegally, which would set a precedent dangerous for all Members of the United Nations.

61. As for the operative parts of the resolution, paragraphs 1 and 2 had the same implication as the Cairo Declaration when the latter referred to unrestricted and unfettered independence, i.e. they were aimed at avoiding contractual obligations; in addition, operative paragraph 2, to the substance of which his country had no objection in principle, should be interpreted in terms of the motives of the Greek Cypriots, who had constantly accused Turkey of threatening the independence and territorial integrity of Cyprus. If that paragraph was adopted, the Greek Cypriots would not hesitate to turn it to their own advantage. The truth was that it was Turkey that was championing the maintenance of the independence and territorial integrity of Cyprus, and Greece that was intervening in the island with the intention of annexing it. From that point of view, the adoption of operative paragraph 2 would be a flagrant injustice.

62. In the light of those considerations, his delegation was convinced that the adoption of a resolution favouring one of the parties would hamper the efforts being made to achieve a just and equitable solution and would be interpreted by the Greek Cypriots as giving them a free hand to pursue their dangerous policies, with all that that would mean for the cause of peace in the Mediterranean. His delegation therefore appealed to the Committee to adopt instead a resolution in accord with that of the Security Council, one which would make a positive contribution to the search for a just and peaceful solution in conformity with the Charter of the United Nations; and in that conviction it would support the four-Power draft resolution (A/C.1/L.341 and Add.1 and 2).

63. Mr. PAZHAWAK (Afghanistan) said that, in order to facilitate the work of the Committee, his delegation and the three other sponsors of draft resolution A/C.1/L.341 and Add.1 and 2 were submitting a revised version (A/C.1/L.341/Rev.1), which took account of the observations made by many representatives and was intended as an expression of the general feeling of the Committee. The two main changes made in the original text were the insertion of a new preambular paragraph by which the General Assembly took note of the report of the United Nations Mediator and of the views of the parties thereon, and the replacing of the operative paragraph of the four-Power draft resolution by the final operative paragraph of the four-Power draft resolution by the final operative paragraph of the thirty-one-Power draft resolution (A/C.1/L.342/Rev.2 and Add.1-3). The sponsors had also agreed, in order to meet the desire of the representative of Cyprus, to insert the word "full" before the word "independence" in the last paragraph of the preamble.

64. He hoped that those changes would clarify any points that were still obscure and would dispel the doubts of those who had perhaps misunderstood the intention and purpose of the draft resolution. He requested members of the Committee to state their views on the revised text and expressed the hope that it would be adopted by the Committee, while reserving the right of the sponsors of the draft resolution to explain the draft further, if necessary, during the discussion. He appealed in particular to the parties directly concerned to try to see their way to accepting the revised text, and to the sponsors of the thirty-one-Power draft resolution not to insist on putting that draft resolution to a vote.

65. Mr. TSIRIMOKOS (Greece), speaking in exercise of the right of reply, said that some representatives, in particular the representative of Turkey, confused what the General Assembly could do and the real solution of the problem. It was evidently not for the General Assembly to pass judgement upon the Ottoman conquest, which had been a normal thing in its day. He had referred to it in replying to the Turkish representative's statement because the latter had accused Greece of imperialism, even though the Greeks had merely been seeking to free themselves from Ottoman domination. The Turkish representative's words had confirmed his opinion that Turkish tactics consisted in turning the question of self-determination, or, more simply, of the independence of the Republic of Cyprus, into a question of Graeco-Turkish relations. The question was undoubtedly involved in those relations, but it was not their essential element, especially when it was asserted that independence was the only possible solution. Greece did not oppose the independence of Cyprus in any way, but he wondered whether the same was true of Turkey. On the other hand, the question was crucial for the relations of Cyprus with other Powers, and that was the card that Turkey was playing. He recalled that Greece had called for the union of Cyprus with Greece not in 1954, as the Turkish representative had said, but as early as 1878, when Cyprus had been placed under British domination without being consulted. Since 1878 the question of Cyprus had always been a problem in Graeco-British rela-

tions, although Greece had been allied with the United Kingdom, even against Turkey. It was natural that the fate of an island which did not belong to the United Kingdom ethnically, linguistically, historically or in any other way should be the subject of negotiation between allies. The struggle for the liberation of Cyprus had underlain the process of decolonization, since the island had wished to free itself from British control and to become a part of Greece. Subsequently the Graeco-British question had become a Graeco-Turkish question, and since that time events had taken a different turn.

66. It was true that Greece had freely signed the Zurich and London agreements of 1959, but only because its representatives at that time could see no other way to end the problem of Cyprus. What he had said was that the Cypriot representatives had signed those agreements under duress, for without them the Cypriots would have had to continue their struggle for independence, although, in any event, they had regarded the agreements as merely a first step towards independence. He had never said that Greece believed it had been forced into signing the agreements; what he had said was that sometimes, after agreements had been signed, it was found that they no longer conformed exactly to the real situation, and that was why international treaties were modified. He had mentioned the Treaty of Lausanne and had heard no explanation of how it had come about that, from the Treaty of Lausanne to the Zurich and London agreements—from abandoning the whole question of Cyprus to considering it to be a crucial factor in international relations—there had been such a change in Turkey's position. There were agreements, however, which people signed because they thought they were doing right, only to find later that they had been mistaken, as was indicated by the example of the Munich agreement of 1938. At the present time facts should be taken into account in the light of the principles of the Charter. The representative of Turkey had accused Greece of ambitions towards annexation because it had exhorted the soldiers of the Greek contingent in Cyprus to regard Cyprus as Greece and to regard themselves both as defenders and as ambassadors of Greece in Cyprus. But the Turkish representative had himself emphasized in his opening statement the essentially Greek nature of the population which constituted a majority in the island. It was logical, therefore, for the Greek soldiers to regard themselves as defenders, since they had to resist the Turkish threat of invasion.

67. He had been pleasantly surprised to hear the Turkish representative state forcefully that Turkey saw no solution that was not based on independence; that meant that Turkey did not want partition. But independence presupposed that the people themselves settled their internal affairs, and that was in complete conformity with Greece's wishes. He had asked the Turkish representative whether Turkey desired the withdrawal of the Greek troop contingent, which was naturally the larger, since under the Treaties Greece had the right to maintain a larger contingent in Cyprus—than the Turkish contingent. In reply, the Turkish representative had asked him whether he could declare that Greece would for ever renounce any union

of Cyprus with Greece. That type of confusion must be avoided: one of the acts in question was a political act while the other act was absurd. The Turkish representative was fully capable of making on behalf of the Turkish Government a declaration which that Government was in a position to implement, but everyone could understand that the representative of Greece could not make, in the abstract, a declaration which would foreclose any future decisions. The Turkish reply was clear evidence of Turkey's contempt for the people of Cyprus, which it regarded as a pawn in a game between Turkey and Greece, and of the fact that for the present the Turkish Government was not prepared to withdraw its troops.

68. The representative of Turkey had spoken of the danger which Greece or Cyprus posed to Turkey. From the political and geographical points of view that suggestion was preposterous. Cyprus was forty miles from the Turkish coast but ten times that distance from Greece as the crow flies, which meant that it was at Turkey's mercy at all times while Greece could scarcely use it against Turkey; moreover, Greece had very long frontiers with Turkey on land and even on sea, and therefore Cyprus made little difference in the situation. Furthermore, Greece and Turkey belonged to the same alliance, and the Turkish representative's remarks did not demonstrate much trust between allies. It was hardly necessary to recall the relative strength of Turkey and Greece; Greece and Cyprus could defend themselves against Turkey but could not attack it.

69. Contrary to the assertions of the Turkish representative, neither Greece nor the Greek Cypriots had violated the Treaties. On the contrary, the Treaties had been violated by the Turkish minority, which, by virtue of the Constitution of Cyprus, had blocked all decisions of the majority; in fact they had prevented the Cypriot Government from levying taxes, so that the island would have been deprived of all resources if the Greek Cypriots had not contributed voluntarily. He emphasized once more that Turkey's attempt to transform the question of Cyprus into a question of Graeco-Turkish relations was aimed at perpetuating a completely abnormal situation in the island by threats of war.

70. He paid a tribute to the sponsors of the various draft resolutions, which showed that there were some who wanted the General Assembly to take action. A simple procedural resolution would be out of place, since it must be borne in mind that the question was not new, that Security Council resolutions had been adopted and that mediation had begun. The fact that there was a lack of funds for financing the United Nations Peace-keeping Force in Cyprus did not justify not taking a decision on the specific draft resolutions that had been submitted, and the Committee could not content itself with a procedural resolution on the pretext that nothing must prejudice the decision of the Security Council. It had also been asserted that it was preferable to take no decision on a resolution that might harden the attitude of one party; it would be equally regrettable, however, if another draft resolution might harden the attitude of the other party. What was needed was a just solution, not a resolution that recognized the principle that might makes right. It must also be taken into account

that Cyprus would not consent to negotiations except on a basis of equality. According to the Turkish Press, the Director-General of the Ministry of Foreign Affairs had declared that Turkey would not accept any recommendation of the General Assembly with which it did not fully agree. Such a declaration, which was a veritable ultimatum, did not promise well for the negotiations that might take place. Greece had never asked the United Nations to take a position on the substance of the question but had merely asked the General Assembly to determine the premises of the negotiations, which would be held under United Nations auspices.

71. Greece had been firm on the question of mediation because it had learned from experience. One could not forever keep replacing mediators because Turkey did not like them. The authority of mediation, the only institution that could promote peace, should be safeguarded, for United Nations mediation was based on certain principles and did not allow the settlement of a question to become a bargain struck between Powers over the head of a small people. The principles in question were, first, the complete independence of Cyprus, to be arranged by negotiations under the direction of the Mediator; secondly, non-intervention, a principle which Turkey would have to accept, and, thirdly, mediation. Those three principles were the basis of the thirty-one-Power draft resolution, which Greece supported. It was not out of place to recall principles of the Charter, just as it was not out of place to mention the Declaration adopted at Cairo by the Second Conference of Heads of State or Government of Non-Aligned Countries, which had already been cited in a draft resolution adopted by the Committee.

72. Greece opposed a simple procedural resolution because it was not the usual practice of the General Assembly to adopt only a resolution of that nature, which Greece regarded as a manoeuvre unjust to Cyprus. A vote on the thirty-one-Power draft resolution would show whether any delegations believed that even one of its paragraphs ran counter to the principles of the United Nations Charter or constituted an obstacle to peace. If the General Assembly took no interest in the matter, the situation would only grow worse and the Security Council would have to take it up again. Unless Turkey could be persuaded to renounce the idea of military intervention, the United Nations would have to continue its search for a solution to the Cyprus problem, which would be greatly simplified if questions of prestige and sordid interests could be abandoned.

73. Mr. KYPRIANOU (Cyprus), exercising his right of reply, said that he did not agree with the representative of Malaysia as to the juridical aspect of the Cyprus problem. He recalled in that connexion the comment of McNair that, where existing treaties were concerned, Members were precluded by the Charter from performing a treaty which conflicted with the Charter—for instance, a treaty which involved the unlawful use of force—and, further, that they were probably under a duty to use all lawful means to liberate themselves from any obligations which conflicted with the Charter.^{10/} Article 103 of the Charter was quite explicit on that point.

^{10/} Lord McNair, *op. cit.*, p. 218.

74. The representative of Turkey had again imputed to Greece the intention to annex Cyprus but he had omitted any reference to the negotiations which had taken place between Greece and Turkey itself on the so-called Acheson Plan. If, however, there was one point on which the representative of Cyprus shared the views of the Turkish representative, it was the point that there could be no doubt as to the illegality of intervention, that States should refrain from the use of force or violence and that the sovereignty of States and human rights should be respected. Since that was the very core of the Cyprus problem, there was still a possibility of agreement. With regard to the thirty-one-Power draft resolution, he observed that operative paragraph 2 called on States to refrain from any intervention but did not refer specifically to any State. Consequently, the possibility of erroneous interpretation could be disregarded and Turkey as well as Greece could approve that draft.

75. Cyprus for its part was quite ready to forget the past and was simply asking the General Assembly to recognize that as a Member of the United Nations it had the same rights as any other Member and should be treated according to the same principles. In the general debate, knowing that the Committee was pressed for time, he had cited only the facts—indeed, only the essential facts. The representative of Turkey, on the other hand, had gone into the question of intentions again and had accused the Government of Cyprus of wanting to force the Turks of Cyprus to abandon their native land. But how could a country be accused of wanting to act to the detriment of a group of its citizens when it had just offered them the guarantees included by Cyprus in its declaration on human rights and the rights of minorities (A/6039)? The Turkish Cypriots who had decided to remain in Cyprus were considered citizens of Cyprus on a basis of equality with other citizens. But how could the majority of the inhabitants of Cyprus, constituting 82 per cent of the population, agree to the minority's dictating its wishes? Cyprus was ready to ensure full respect for human rights and even to grant certain international guarantees to the minority. It could not do more. It could not, for example, accept so-called "limited" actions, such as the Turkish bombings of the Mansoura area, carried out on the unacceptable and, moreover, fallacious pretext of restoring order after the people of Cyprus had reacted violently to the Acheson Plan.

76. The question was not to determine whether there was Greek or Turkish expansionism, or whether an ethnic minority had the right to self-determination, or even whether massacres had occurred in Cyprus. The question was very simple. Cyprus was a Member of the United Nations. It had been admitted to the Organization without any conditions or reservations, and all the principles of the Charter—including the principle of sovereign equality—were therefore as valid for it as they were for any other State. From the sovereign equality of States flowed the principle of non-intervention. That was a principle which was unanimously accepted and on which the Committee was in fact preparing a draft declaration, in connexion with its consideration of agenda item 107. During that discussion no representative had suggested that the possibility of resorting to the use of threat of force

by one Member against another should be provided for in the draft declaration; consequently, the principle of non-intervention could be expressly reaffirmed with respect to Cyprus.

The meeting was suspended at 7.35 p.m. and resumed at 8.10 p.m.

77. Mr. KYPRIANOU (Cyprus), resuming his statement in exercise of the right of reply, said that if the United Nations Peace-keeping Force was obliged to remain in Cyprus it was not because the Turkish Cypriots were in danger, as the Turkish representative had said, but to see that there were no incidents and to help the Government ensure a return to normality. It was above all the moral effect of the Force's presence which was beneficial; moreover, the Force was in Cyprus at the request of his Government.

78. He agreed with the Iranian representative that it was possible for people of different ethnic groups to live in peace and unity in one country; it was precisely because it wished to achieve unity that the Cyprus Government objected to the theory of two separate communities, which had acquired a special significance in the case of Cyprus, not as indicating unity but as indicating division.

79. Turning to the draft resolutions before the Committee, he thanked the sponsors of the four-Power draft resolution for having taken some of his views into account, and particularly for having described the independence of Cyprus as "full independence" in their revised draft (A/C.1/L.341/Rev.1). But in the fourth preambular paragraph, which was a new paragraph, the words "and the views of the parties thereon" undermined the importance of the report of the United Nations Mediator. If certain views were to be recorded in connexion with the report, they should be those of the Secretary-General. As for the last preambular paragraph, it did not seem to meet the situation, in view of the debate which had taken place in the Committee. Lastly, the operative paragraph of the revised four-Power draft resolution was not completely identical with operative paragraph 3 of the thirty-one-Power draft, though the Afghan representative had said it was. If the sponsors' intention was to reproduce a paragraph of the latter draft, they should use its exact terms.

80. His delegation supported the thirty-one-Power draft resolution, which contained certain essential principles. It recalled Security Council resolutions, to which no one could object, and the parts of the Declaration adopted in 1964 by the Second Conference of Heads of State or Government of Non-Aligned Countries that related to the question of Cyprus. There should be no objection to the mention of such an important declaration, or of the report of the United Nations Mediator. Furthermore, the thirty-one-Power draft noted in its preamble that the Government of Cyprus was committed through its declaration of intention and the accompanying memorandum to the full application of human rights to all citizens of Cyprus, irrespective of race or religion, and to the ensuring of minority rights. That was simply taking note of a fact. The operative part of the thirty-one-Power draft resolution was quite clear and expressed

the consensus which had emerged during the Committee's debate; for no one had denied that Cyprus was a fully independent and fully sovereign State, that intervention should be condemned, or that the sovereignty, unity, independence and territorial integrity of Cyprus should be respected. All those points of agreement should therefore be recorded. When operative paragraph 2 called on all States to refrain from any intervention, it was not referring to any particular State, and the Turkish representative should not therefore have any objection to the maintenance of that provision.

81. In his delegation's view, the thirty-one-Power draft resolution opened the way to a solution of the problem. His delegation had not submitted a draft resolution of its own because it wished to leave the matter to the judgement of the General Assembly. The parties had been waiting for almost two years for the outcome of the present debate. If, now that the question had finally come before it, the Assembly adopted a meaningless procedural resolution, that would demonstrate that it refused to take a stand on a matter which was of capital importance to one of its Members.

Mr. Benites (Ecuador), Vice-Chairman, took the Chair.

82. Mr. Orhan ERAIP (Turkey) exercising his right of reply, said that according to the representative of Greece, Greece had no ambitions of conquest and was merely trying to bring Greeks under colonialist rule in other parts of the world back into the fold of the motherland. But the "Megali idea" was surely still very much alive, and the ambitions of conquest on the part of Greece were in inverse proportion to its size. In 1946 the Greek Under-Secretary for Foreign Affairs had claimed the rectification of the frontier with Bulgaria so as to incorporate Thrace and Eastern Macedonia, the return of the Dodecanese Islands, the incorporation of Northern Epirus and the cession of Sasena Island, ceded to Albania in 1913.

83. With regard to Cyprus, the Greek Prime Minister had stated in October 1964 that all Greek Cypriots were for enosis and that once united with Greece, the Cypriot people would have an opportunity of performing its historic task of seeing the dreams of Alexander the Great fulfilled in the Middle East. Some time before that, Archbishop Makarios had stated that his only ambition—to realize which he would struggle until death—was to see his name linked with the union of Cyprus with Greece. Turkey was anxious to know how far the trend of what the Greeks called liberation would go.

84. The representative of Greece, referring to the agreements of Zurich and London, had said there were many people in Greece who doubted the wisdom of those agreements. Who then could give an assurance that no one in Greece would ever challenge the validity of an agreement on Cyprus? In that connexion he recalled that at the request of Turkey the signatories of the Treaty of Lausanne, which had limited Turkish sovereignty over the Straits, had agreed at Montreux in 1936 to revise the régime in force. In that way Turkey had given an example to the world of how to deal with the revision of international agreements.

85. The Turkish Foreign Minister had said (paragraph 55 above) that his country was ready to declare solemnly that it would never follow a policy aimed at the partition of Cyprus, provided Greece and the Greek Cypriots made a similar declaration and committed themselves before the United Nations to renouncing enosis for ever. The representative of Cyprus had not responded. The representative of Greece had said that the question had nothing directly to do with him and should be put to the Cypriots. But surely no one could be naïve enough to ignore the collusion between the Greek and Cypriot Governments and the fact that they were hand in glove in trying to bring about the annexation of the island to Greece. According to the representative of Greece, the Greek soldiers were in Cyprus for its defence. But he submitted that they were there as an army of occupation to prepare for the annexation of the island by Greece. According to the representative of Greece, the course of history was pulling in the direction of annexation. He challenged that assertion. The course of history was pulling in the direction not of recolonization by another country, but of the continued independence of countries that had come out of colonialism. The Greek representative had also asked whether Turkey would withdraw its armies from Cyprus. But there was only one army of occupation in Cyprus—the Greek army; Turkey had only a token military contingent which was there under the Treaty of Alliance. In any case, what could 650 men do against 40,000 armed Greek Cypriots led by Greek officers, equipped with Greek arms, plus 15,000 Greek troops from Greece, except prove to the Cypriots and to the world that Turkey was ready to defend the independence of the island and continued to believe in that independence?

86. The representative of Cyprus had stated that unless its draft resolution now called the thirty-one-Power draft, went through, the Committee would be faced with surprises from the Government of Cyprus. That was a distinct menace and it was impossible to make light of it. It showed that the Government of Cyprus was prepared to embark upon a course of faits accomplis which could create incalculable damage to peace in the area.

87. With regard to the alleged violation by the Turkish community, of the Zurich and London agreement and the subsequent Treaties signed by the Government of Cyprus, he said that it was quite clear from the memoirs of General Carayannis that the events of Christmas 1963 were part of a preconceived plan to break down the resistance of the Turkish community. As for the co-called unworkability of the Constitution of Cyprus, it was evident that the allegation was intended from the very start to prove to the world that the Constitution could not work and therefore must go, and with it the check on enosis. The Cypriot Government was now offering a United Nations presence or guarantees to ensure that minority rights and human rights were observed on the island. But how could it be guaranteed that if the United Nations representative on the island did not act in accordance with the wishes of the Cypriot Government, he would not be declared persona non grata, as Mr. Christian Heinze had been when he said that the Constitution had never been given a chance to work?

88. The Greek representative had said that the Assembly should take a stand on certain principles, otherwise it would be renouncing its prerogatives. He agreed; but the Assembly must also pronounce itself against the exploitation and prostitution of those principles, designed to bring about the end of a sovereign Member of the United Nations. Everyone knew that the principle of full, unfettered independence was now being used as a pretext for getting rid of those provisions in the Treaties which prohibited the annexation or partition of Cyprus. The General Assembly was being asked to annul those provisions and those Treaties because they prohibited Greece from extending its frontiers first to Cyprus and then to the shores of North Africa. It had also been stated that negotiations were not possible, since negotiations could only take place between parties on an equal footing. If the equality reached meant making it possible for Greece to annex Cyprus, what kind of equality was that? There was already equality—all were equal before the United Nations. Turkey had already stated that there should be equality among the parties to the dispute as enumerated in Security Council resolution 186 (1964), which was the fundamental document in the present case.

89. It had been alleged that Turkey had said it would not observe any recommendation by the Security Council with which it did not fully agree. That allegation had no basis in truth.

90. With regard to mediation procedure, mediation meant an effort on the part of the mediator or mediators to find a mid-point between divergent views. Mediation was not an arbitral award which the parties had previously agreed to accept whether they liked it or not. If mediation were to continue, it should keep the consent of all the parties. That, in the Turkish delegation's view, was the sort of mediation envisaged in Security Council resolution 186 (1964).

91. Turning to the remarks by the representative of Cyprus, he said that in the Security Council in the early days of the dispute the Greek Cypriot case had been that nothing in the Treaties in force concerning Cyprus gave any of the parties the right to intervene by force, and that therefore the Treaties were valid. Subsequently, the Cypriot delegation had adopted another view, namely that the Treaties gave the parties the right to intervene by force, and that therefore they were contrary to Article 103 of the Charter and hence invalid. It would be interesting to know which thesis the Cypriot delegation was now claiming.

92. Reference had been made to the negotiations which the Turkish Government had held with the Greek Government, and the Acheson Plan had been mentioned as implying an intention on the part of Turkey to negotiate behind the backs of the people of Cyprus. That was a nefarious allegation. The Turkish Government had always maintained that the two parties most closely concerned, Greece and Turkey, should come together in order to find an approach through understanding between all the parties. Was it to be precluded from approaching any of the parties when it felt that there was a hope of finding a way to a solution of that unfortunate problem?

93. The representative of Cyprus had spoken of the inadmissibility of intervention. And in the procedural debate that had preceded the examination of that question, the Cypriot representative had stated that non-intervention was the principle finding its most direct application in the question of Cyprus. In other words, the Turks were to stay away from Cyprus and the principle would have carried the day. Yet not one of the seventy speakers who had spoken on the question of non-intervention had espoused the cause of the Cypriot delegation. The Cypriot representative had been a voice in the wilderness. Yet the Turkish delegation had said and continued to say that there was unlawful intervention in Cyprus on the part of the Greek army of occupation. The representative of Cyprus maintained that the army had been invited there; it seemed therefore that, according to him, in the event of a civil war one party would be perfectly entitled to invite the intervention of a foreign country, but not the other. It would be interesting to know whether the representative of Cyprus would carry that principle to its extreme conclusion and extend it to other areas of the world where there was intervention.

94. As to the Greek Cypriot onslaught in the region of Kokkina-Mansoura in August 1964 and the aerial intervention undertaken by Turkey to put an end to it, the representative of Cyprus had asked how bombings could restore order. But he had himself recognized that order had been restored as a result of the Turkish aerial action. Until that action the situation had been tragic: 1,500 to 2,000 men, women and children had been in danger of annihilation; the United Nations Force, according to the Secretary-General's report, had been rendered powerless to intervene. Turkey's action had had one objective only: to stop the onslaught. The Security Council in its resolution 186 (1964), had asked the Government of Cyprus to restore order, for that Government was the organ bearing primary responsibility for the maintenance of order. Yet the Cyprus Government had been the first to provoke the crisis by unleashing attacks with heavy weapons on defenceless people.

95. The representative of Cyprus had tried to make out that the 1960 Treaties had relegated Cyprus to the position of a second-class Member. Nothing could be further from the truth. The Republic of Cyprus had been admitted to the United Nations unanimously, with the full honours due to a Member State, and it still enjoyed full membership and full equality with all other countries. But the fact was that in signing an international treaty every State gave up something of its own sovereignty. By accepting the principles of the Charter, every State renounced a part of its freedom to exercise its prerogatives; but that did not relegate it to the rank of a secondary Power. If that were not the case, all treaties would have to be abolished so as to restore all States to a footing of equality.

96. Turning to the revised four-Power draft resolution (A/C.1/L.341/Rev.1), he remarked that in the fourth preambular paragraph the General Assembly took note of "the views of the parties" on the report of the United Nations Mediator on Cyprus. The Cyprus Government strenuously objected to that phrase, and it was understandable that it wished to have only

its own views on the report in question heard and imposed on the Committee and the Cypriot people. But was not the Turkish community in Cyprus a party to the dispute? Should its point of view not be heard? Should only one faction in a civil war be heard when it was a question of mediation, of trying to find a meeting point for the views of the warring factions? The formula in question had already been used in Security Council resolution 186 (1964). There could be no noting of any mediator's report without also noting the views on it of all the parties.

97. The Committee's deliberations had thrown much light on the question of Cyprus, and the draft resolution which it would ultimately adopt would be the one which, first and foremost, would open the way to negotiations or United Nations mediation leading to a peaceful solution acceptable to all. A draft resolution which dealt with the substance of the issue and authorized the Greek Cypriot administration to con-

tinue to impose its own solution by force would be a dangerous one; if it were adopted, that administration would take it as a sanction of its own policy, and civil war would break out again. He appealed to the Committee to speak out in favour of continued mediation efforts on the lines envisaged by Security Council resolution 186 (1964).

Mr. Csatorday (Hungary) resumed the Chair.

98. Mr. BAROODY (Saudi Arabia) moved the adjournment of the meeting.

99. The CHAIRMAN put to the vote the motion for adjournment in accordance with rule 119 of the rules of procedure.

The motion was adopted by 45 votes to 7, with 22 abstentions.

The meeting rose at 9.15 p.m.