



Security Council

Distr.
GENERAL

S/18149
12 June 1986

ORIGINAL: ENGLISH

LETTER DATED 12 JUNE 1986 FROM THE PERMANENT REPRESENTATIVE OF CYPRUS
TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of a letter dated 12 June 1986 from the Foreign Minister of the Republic of Cyprus, His Excellency Mr. George Iacovou, addressed to Your Excellency.

As requested by my Foreign Minister, I would greatly appreciate it if his letter, along with its attachments, were to be issued either as a new addendum to your report, S/18102, or as a document of the Security Council before its meeting on 13 June 1986.

(Signed) Constantine MOUSHOUTAS
Ambassador
Permanent Representative of
Cyprus to the United Nations

Annex

Letter dated 12 June 1986 from the Minister for Foreign Affairs
of Cyprus addressed to the Secretary-General

I have studied carefully the addendum to your report to the Security Council dated 11 June 1986 Ref. S/18102/Add.1. I noted that whilst you have referred to in the text and appended several documents, yet other significant documents essential to the understanding of the developments described in your report have not been attached.

I refer in particular to the letter by the President of the Republic of Cyprus, Mr. Spyros Kyprianou, dated 20 March 1986, and most significantly to the Aide-Mémoire attached to it, copy of which is attached for easy reference (attachment). The letter and Aide-Mémoire were a confirmation of the Greek-Cypriot positions, concerns and priorities on the issues discussed at lower level meetings, during the visit to Nicosia which started on 3 March 1986 and during the President's meeting with you in Stockholm on 15 March 1986. Certain items and points that have found themselves in the "draft framework agreement" are not mentioned in the Aide-Mémoire, either because they were not discussed at all in any of these meetings or because it was stated that the April formulation was to remain unchanged.

In the addendum to your report you refer in paragraph 3 to a reply given to you by the Turkish Cypriot side in early August. This reply by Mr. Denktas dated 8 August 1985 gives a measure of the intransigence of the Turkish side and reflects its negative attitudes. We feel that the "draft framework agreement" cannot really be put in context unless this letter is also made known.

In the circumstances, Mr. Secretary-General, I would formally request you to either issue my letter and attachment as a new addendum to your report or circulate it as a document of the Security Council before its meeting scheduled to take place tomorrow (Friday 13/6).

George IACOVCU
Minister of Foreign Affairs
of the Republic of Cyprus

Enclosure I

Letter dated 20 March 1986 from the President of the Republic
of Cyprus addressed to the Secretary-General

PERSONAL

I am grateful to have had the opportunity to exchange views with you in Stockholm last Saturday. In accordance with our understanding, I have authorized Ambassador A. Mavrommatis to convey to you personally our views on the new issues introduced by the other side as well as on certain issues which are of particular importance to us.

Our concern is motivated by the desire to ensure progress towards a just and lasting solution of the Cyprus problem. We feel that this can only be achieved if concerns and preoccupations are duly taken into account, and if any document to be presented embodies genuine understandings and agreement. As I have stressed to you on several occasions, the success of your efforts depends on the resolution, at high level, and, as a matter of priority, of the main outstanding issues, namely the withdrawal of all Turkish troops before the establishment of a transitional government, the withdrawal, similarly, of all settlers, the question of guarantees and the effective implementation of the three freedoms. As already agreed, the issue of the withdrawal of foreign troops and elements and the question of guarantees will be discussed and should be resolved at a High-Level Meeting to be convened by you when adequate preparation has taken place. The same High-Level Meeting will issue guidelines on other matters, as appropriate, to the working groups, which will only begin their substantive work when such guidelines have been agreed upon and duly issued.

In expressing the conviction that the issues conveyed to you will be appropriately reflected in the document, I take this opportunity to express appreciation for your continuing efforts and, as always, to assure you of my sincere co-operation.

(Signed) Spyros KYPRIANOU
President of the Republic of Cyprus

Enclosure II

Aide-Mémoire

Experience suggests that a document such as the one to be prepared has a better chance of acceptance if the negotiations that have preceded it have resolved all outstanding issues connected with it.

The lower level meetings in Geneva have shown that certain important issues remain unresolved whilst other matters, which were considered settled, have been reopened and new ideas have been introduced. Additionally, there was, unfortunately, a delay of three months (December, January, February) between the two lower level meetings due to the fact that, while we were ready to continue the consultations, the Turkish Cypriot side kept postponing the meetings.

Some of the issues placed before the two sides in the form of an agenda at the second lower level meeting in Geneva have caused the Greek Cypriot side concern. In order to assist the Secretary-General in his ongoing initiative, it is considered useful to restate the Greek Cypriot concern on these matters. Before setting out these issues it should be recalled that the April 1985 documentation was accepted, not because it satisfied Greek Cypriot expectations, but in a genuine effort to achieve progress and on assurances that no further concessions would be demanded of the Greek Cypriot side and that the creation of new faits accomplis by the Turkish side would be avoided.

Specific issues

(1) International personality of the Federal Republic:

Based on international law and practice, our position has always been that only the Federal Republic shall have international personality. Yet in a spirit of compromise, the following phrase was accepted by the Greek Cypriot side in the Draft Statement:

"Accordingly, the Federal Republic of Cyprus shall have international personality whose attributes shall devolve upon the Federal Government."

Anything beyond the above formulation would erode the international personality of the Federal Republic and would certainly lead to separatism. Precedents under entirely different circumstances and other geographical contexts cannot credibly be invoked.

(2) Defence:

The April 1985 formulation was accepted by way of compromise. Linkage between the notions of defence and guarantees cannot be accepted.

(3) Legislature:

The assurance that the formulation in the April 1985 document will be maintained, and that weighted voting in the Upper-House in non-major matters will not be reinstated, is welcomed.

(4) Deadlock-resolving machinery in the Legislature and in the Council of Ministers:

The position of the Greek Cypriot side has always been in favour of effective and speedy deadlock-resolving machinery. The mechanism suggested at the second lower level meeting in Geneva is being studied.

(5) Tripartite Body/Constitutional Court:

The introduction at this late stage of the concept of a non-Cypriot voting member of the Constitutional Court is not consonant with the understandings previously reached by the two sides at the Intercommunal Talks. However, this matter is also being studied.

(6) Territorial adjustments:

The Greek Cypriot side reiterates its concern that the number of displaced persons to be resettled is a most important factor in resolving the territorial issue. It is recalled that this concern was shared by the Secretary-General and was reflected in the Vienna Working Points and in the Agendas.

The introduction of a security dimension to the territorial issue runs counter to the notion of a federal system and negates the concept of special status areas; it would also have a detrimental effect on the number of Greek Cypriot displaced persons to be resettled. The issue of security for both communities is appropriately dealt with under other headings.

With regard to Varosha, written assurances are expected, as agreed.

(7) Timetable and guarantees:

The Greek Cypriot position remains that all non-Cypriot military troops should be withdrawn prior to the establishment of the transitional federal government. Similarly, all settlers should be withdrawn.

The present system of guarantees has proved disastrous to the territorial integrity of Cyprus and the security and human rights of the Greek Cypriots. Effective guarantees should be provided excluding unilateral intervention as well as the use of force, on the part of any State.

(8) Procedures for considering allegations of non-implementation of confidence-building measures:

The position of the Greek Cypriot side is well known and is in favour of the April 1985 formulation.

(9) Procedure:

The Greek Cypriot side appreciates the assurance that the procedure outlined in the April 1985 Draft Statement will be followed, namely that the High-Level Meeting will be the forum with exclusive competence to negotiate the issues of guarantees and the timetable for troop withdrawal, as well as to give substantive guidelines on all other issues. The substantive work of the working groups will only commence when they receive guidelines from a successful High-Level Meeting. It goes without saying that, in order to avoid deadlocks and misinterpretations, good preparation of the High-Level Meeting is essential.

General Remarks

It is considered pertinent to reiterate the meaning of the "integrated whole" approach. Based on the interpretation given to the Greek Cypriot side by the Secretary-General and confirmed during the low level meetings in Geneva, elements agreed to become formally binding only when an agreement is reached on all issues. Any other interpretation, especially one limiting freedom of negotiation, is not only untenable but is also contrary to the provisions of the Draft Statement relating to negotiation of issues and interrelationship of elements.

Finally, extreme caution should be exercised in merging the April 1985 Draft Agreement and Draft Statement. In any event, it must be ensured that all elements in the Draft Statement are incorporated in any document to be prepared and that even minor changes of text are avoided as these might not only impair clarity but also jeopardize the unity and functionality of the Federal Republic.

20 March 1986.
