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REPORT BY THE SECRETARY-GENERAL ON THE UNITED NATIONS  
OPERATION IN CYPRUS

(for the period 9 December 1975 to 5 June 1976)

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INTRODUCTION

1. The present report on the United Nations operation in Cyprus covers developments from 9 December 1975 to 5 June 1976 and brings up to date the record of activities of the United Nations Peace-keeping Force in Cyprus (UNFICYP) pursuant to the mandate laid down in Security Council resolution 186 (1964) of 4 March 1964 and subsequent resolutions of the Council relating to Cyprus, including most recently resolution 383 (1975) of 13 December 1975.

2. Since my report of 8 December 1975 (S/11900 and Add.1), I have submitted to the Security Council an interim report dated 24 February 1976 (S/11993) as well as a report dated 31 March pursuant to the Council's resolution 383 (1975) and General Assembly resolution 3395 (XXX), pertaining to the mission of good offices entrusted to me by the Council (S/12031).

I. COMPOSITION AND DEPLOYMENT OF UNFICYP

3. The table below shows the strength of UNFICYP as of 5 June 1976:

<u>Military</u>			<u>Total</u>
Austria	HQ UNFICYP and military police	11	
	Infantry battalion UNAB 9	300	311
Canada	HQ UNFICYP and military police	42	
	2 Battalion Princess Patricia's Canadian Light Infantry	473	515
Denmark	HQ UNFICYP and military police	19	
	Infantry battalion UN XXV	341	360
Finland	HQ UNFICYP and military police	15	
	Infantry battalion UNFB 24	410	425
Ireland	HQ UNFICYP	5	5
Sweden	HQ UNFICYP and military police	15	
	Infantry battalion UN 61C	410	425
United Kingdom	HQ UNFICYP and military police	72	
	1 battalion	342	
	1 armoured reconnaissance squadron	119	
	1 army aviation flight	19	
	1 helicopter squadron - Royal Air Force	30	
	1 transport squadron	110	
	Logistic support units	122	814
	Total military personnel		<u>2,855</u>
 <u>Civilian police</u>			
Australia		16	
Austria		32	
Sweden		20	
	Total civilian police		<u>68</u>
	Total UNFICYP		<u><u>2,923</u></u>
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4. The reduction of the Swedish contingent forecast in my previous report took place in January 1976 as planned, reducing the contingent to 425. In April 1976 the Austrian contingent was reduced by 14 to 311 as the responsibility for UNFICYP Medical Centre was handed over to the British and Canadian contingents. The current detailed deployment of UNFICYP is shown  
.... on the map attached to this report.

5. The Secretary-General is keeping the strength of the Force under constant review, bearing in mind the manning requirements for carrying out the operational commitments of UNFICYP under its mandate, and financial limitations. In this connexion, the Finnish Government has signified its intention of reducing the strength of the Finnish contingent in late July 1976 from 425 to 313.

6. The Force remains under the command of Lieutenant-General D. Prem Chand. Mr. Javier Perez de Cuellar continues to be my Special Representative in Cyprus.

## II. UNFICYP OPERATIONS FROM 9 DECEMBER 1975 TO 5 JUNE 1976

### A. Mandate and concept of operations

7. The function of the United Nations Peace-keeping Force in Cyprus was originally defined by the Security Council in its resolution 186 (1964) of 4 March 1964 in the following terms:

"in the interest of preserving international peace and security, to use its best efforts to prevent a recurrence of fighting and, as necessary, to contribute to the maintenance and restoration of law and order and a return to normal conditions".

That mandate, which was conceived in the context of the confrontation between the Greek Cypriot and Turkish Cypriot communities, and between the Cyprus National Guard and the Turkish Cypriot fighters, has been repeatedly reaffirmed by the Council, most recently in its resolution 383 (1975) of 13 December 1975. In connexion with the events that have occurred since 15 July 1974, the Council has adopted a number of resolutions, some of which have affected the functioning of UNFICYP and, in some cases, have required UNFICYP to perform certain additional or modified functions. <sup>1/</sup> In its resolution 383 (1975) the Council noted from the report of the Secretary-General (S/11900 and Add.1)

"that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is still needed not only to maintain the cease-fire but also to facilitate the continued search for a peaceful settlement".

8. Following consultations last December with the parties concerned on the extension of UNFICYP's mandate (S/11900/Add.1), a procès-verbal was signed in Nicosia on 13 December 1975 by "His Excellency Mr. Rauf Denktash" and "Lieutenant-General D. Prem Chand, Acting Special Representative of the Secretary-General". The document reads as follows:

"During the process of consultation undertaken by the Secretary-General regarding the extension of the UNFICYP mandate, and following an exchange of views on this question with the Turkish Cypriot community, the Secretary-General has indicated that his Special Representative will discuss with the Representative of the Turkish Cypriot community questions pertaining to the stationing, deployment and functioning of UNFICYP in the area under Turkish control, with a view to arriving at mutually acceptable arrangements, which will be recorded through an exchange of letters."

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<sup>1/</sup> These include resolutions 353 (1974) of 20 July, 354 (1974) of 23 July, 355 (1974) of 1 August, 357 (1974) of 14 August, 358 (1974) and 359 (1974) of 15 August, 360 (1974) of 16 August, 361 (1974) of 30 August, 364 (1974) and 365 (1974) of 13 December 1974 and 367 (1975) of 12 March, 370 (1975) of 13 June and 383 (1975) of 13 December 1975.

In pursuance of the above-mentioned procès-verbal, my Special Representative and Mr. Denktash initiated discussions on the stationing, deployment and functioning of UNFICYP in the area under Turkish control. Ten meetings have so far been held at various levels, during which a number of proposals were exchanged and discussed with a view to arriving at mutually acceptable arrangements. The discussions are being actively pursued.

9. In the areas of confrontation between the Turkish forces and the National Guard, UNFICYP continues to use its best efforts to prevent a recurrence of fighting by persuading both parties to refrain from violations of the cease-fire, either by firing or by movement forward of the existing cease-fire lines. Efforts also continue to provide security to farmers, shepherds and others working in the areas between the forward defended localities (FDLs), as a normalization measure.

10. UNFICYP continues to attempt to discharge its functions with regard to the security, welfare and well-being of the Greek Cypriots living in the Turkish-controlled part of the Island, as it did for Turkish Cypriots in the past. However, UNFICYP access to that area remains restricted and has become more so since my last report. As a result it has only been possible to carry out humanitarian work on a limited basis.

11. Finally, UNFICYP contingents, both military and police, in addition to humanitarian measures implemented directly by them, have continued to support and assist all relief operations co-ordinated by the United Nations High Commissioner for Refugees (UNHCR) in co-operation with the International Committee of the Red Cross (ICRC).

#### B. Liaison and co-operation

12. In accordance with paragraph 5 of Security Council resolution 383 (1975), UNFICYP has continued to stress to both sides the essential requirement of full co-operation at all levels to enable it to carry out its role effectively, both in the areas between the FDLs and in areas where intercommunal problems still exist. These efforts have resulted in closer liaison with both sides. An effective working relationship and clear channels of communication exist. Thus, UNFICYP has been able to introduce a number of preventive measures helping to reduce the tension between the two sides in sensitive areas, and also to prevent serious incidents and further escalation.

13. The liaison arrangements at the highest level established with the National Guard and the Turkish forces have continued to work well. Meetings are held at the Chief of Staff level on a regular basis or as required. Similar meetings are occasionally held between UNFICYP Sector Commanders and representatives of the National Guard and the Turkish forces, respectively. Local liaison with the National Guard continues to work well. With the Turkish forces local liaison has been formalized, developed and improved through new mutual arrangements. UNFICYP liaison officers have continued to play an important role in the day-to-day maintenance of the cease-fire. A considerable range of problems has been resolved

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through this improved liaison with both sides, which has been especially helpful in times of increased tension. In spite of these encouraging trends in the field of liaison and co-operation, there is still room for improvement, especially in achieving personal contact between Turkish and UNFICYP senior commanders in the forward areas, with particular reference to the essential requirement of keeping a check on violations of the cease-fire by moves forward of the FDLs.

#### C. Maintenance of the cease-fire

14. The main elements of UNFICYP are deployed in the areas between the FDLs with particular emphasis on the more sensitive locations. The UNFICYP surveillance system is based on observation posts established as close as possible to the FDLs of both sides, where they are in a position promptly to observe and take action regarding possible cease-fire violations. The total number of established observation posts is 108. Standing patrols are deployed on a more temporary basis whenever required; the current number of such patrols is 13. In addition to surveillance from the observation posts, UNFICYP carries out frequent patrols along regular routes. These routes have been further improved and extended and now cover most of the FDLs of both sides, making possible complete observation of those areas.

15. Strict orders placing severe restrictions on the use of weapons have been issued by both sides, and reassurances to this effect have been frequently given to UNFICYP at the highest level as well as locally. The improvement in fire discipline mentioned in my last report has been maintained. Seasonal celebrations which in the past sometimes caused serious outbreaks of firing in the Nicosia area have during this period passed with fewer disturbances. Nevertheless, there have been some incidents in which weapons were used, causing serious breaches of the cease-fire and even exchanges of fire, particularly in the area of Skouriotissa. On these occasions, the UNFICYP system of immediately deploying liaison officers to forward units stationed in sensitive areas and the establishment of close contact with the headquarters has again proved very effective. Thus, it has been possible to limit the number of serious breaches of the cease-fire by shooting and to control incidents already in progress.

#### D. Violations of the cease-fire by shooting incidents

16. During the past six months UNFICYP has recorded a daily average of just over two shooting incidents, which represents an appreciable reduction in the daily average of four to five incidents reported in my report of 8 December 1975 (S/11900, para. 17). A total of 408 shooting incidents were reported, of which 245 were initiated by the Turkish forces and 99 by the National Guard; 64 were attributable to unknown parties who were probably civilian game hunters. The shooting incidents have generally been restricted to random rifle shots which frequently were denied by both sides or recorded by them as accidental discharges. The most serious breach of the cease-fire by firing occurred in the Skouriotissa area of Sector One (see map) where, during the period 31 March/1 April and 1/2 April, approximately 1,900 rounds were exchanged. UNFICYP observations indicate that fire was opened

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by the National Guard in both these instances and the Turkish forces retaliated. Another shooting incident took place on the night of 29 May, when the Turkish forces in the area of Skouriotissa fired a total of 65 rounds of automatic and rifle fire. The shooting continued sporadically for a period of 75 minutes. The National Guard did not return the fire. As already stated, the deployment of UNFICYP liaison teams in all Sectors across the island contributed in large measure towards preventing these incidents from spreading outside the immediate area. As a result of the Skouriotissa incidents both sides reaffirmed their willingness to co-operate with UNFICYP at all levels to prevent a recurrence.

17. In this period, seven instances of shooting directed at UNFICYP troops were recorded; no injuries were sustained. Five of these incidents were occasioned by the Turkish forces and two by the National Guard.

18. A fatal shooting incident occurred on the confrontation line in Nicosia on 9 April 1976. On that date, a National Guard soldier ventured across from his own lines towards a Turkish Cypriot Fighter (TCF) position. A warning shot having been fired by a TCF soldier, the National Guard soldier took cover. He reappeared shortly thereafter directly in front of a TCF bunker. Apparently startled by the sudden appearance of the soldier, the TCF sentry shot him. It is noteworthy that this unfortunate death did not give rise to retaliatory action.

E. Violations of the cease-fire by movement or by construction of new defensive positions

19. There has been only slight improvement in the cease-fire violations by movements forward of the positions held at 1600 hours 16 August 1974. There were 210 breaches by movement forward either by patrols or encroachment, compared to 246 during the previous period. The Turkish forces committed the greater number of these breaches of the cease-fire, with 155 violations recorded against them and 55 against the National Guard. UNFICYP maintains a constant vigil over the FDLs of both sides and through negotiation attempts to restore the status quo as quickly as possible to prevent escalation. UNFICYP efforts have been successful in the majority of cases, though not in all. Where UNFICYP has been unsuccessful in negotiating a withdrawal, increased surveillance has been maintained through the establishment of a United Nations presence in the area concerned, with the forward moves being reported and recorded as cease-fire violations.

F. Mines

20. Eight minefields, in addition to those previously recorded, have been detected since June 1975. One recent incident, in which a Greek Cypriot civilian was killed south of the National Guard FDL in Sector Five, indicates that the mine problem continues to pose real dangers. Despite regular requests made to both sides, comprehensive minefield records have still not been made available to UNFICYP and minefields remain inadequately marked or unmarked in many cases. Three UNFICYP personnel and an unrecorded number of civilians have been killed in minefield incidents since 1974. The main areas of concern are:

(a) The Lefka district, where a number of the roads leading south from the coast are believed to be mined;

(b) North-east Nicosia, where there is evidence of the use of booby traps and mines;

(c) The vicinity of Louroujina, where several minefields are concentrated in a small local area.

21. Until UNFICYP is provided with accurate minefield records and minefields are properly marked, a serious danger to life will remain.

#### G. Freedom of movement of UNFICYP

22. At the third round of the Vienna talks, it was agreed that UNFICYP would have "free and normal access to Greek Cypriot villages and habitations in the north" (S/11789). UNFICYP freedom of movement in the northern part of Cyprus is still restricted, and is limited to access to UNFICYP camps and installations in the north; use of the New Famagusta Road by UNFICYP vehicles to a limited extent; daily resupply convoys to the north, which are restricted as to number of vehicles and are escorted by Turkish Cypriots. Similar restrictions apply to UNCIVPOL teams distributing social welfare payments. Weekly visits are carried out by UNFICYP liaison teams to the Greek Cypriot villages in the Kyrenia area, and these are likewise accompanied by Turkish Cypriot police, who are present during meetings with the villagers. Pursuant to a special arrangement, UNFICYP personnel may visit the Kyrenia area on three days a week.

23. As a result of these restrictions, UNFICYP has been unable to contribute in any effective way to the welfare, well-being and security of the Greek Cypriots in the North except for the supply of material items and distribution of social welfare benefits. There is a continued outflow of these people to the South.

24. In the area between the FDLs, both sides have on occasion interfered with UNFICYP freedom of movement.

### III. LAW AND ORDER - UNCIVPOL

25. UNCIVPOL, the civilian police element of UNFICYP, is deployed in support of military units in all sectors in the confrontation areas, and continues to assist whenever possible in the restoration and maintenance of law and order and in fostering an atmosphere of security in the island in relation to intercommunal matters. UNCIVPOL maintains appropriate liaison with village authorities and helps to caution villagers against going into sensitive localities in the vicinity of the FDLs.

26. In the Turkish-controlled areas UNCIVPOL has no greater freedom of movement than the UNFICYP military contingents. UNCIVPOL regularly visits 28 villages in the north inhabited by Greek Cypriots in order to distribute social welfare benefits and pensions, and for this purpose it is permitted to use a few specified access roads. Contacts with these Greek Cypriots designed to obtain information about their security and well-being is monitored by the Turkish Cypriot authorities, usually Turkish Cypriot police, who generally discourage such inquiries.

27. UNCIVPOL's responsibilities cover investigation of intercommunal problems at all levels and in the area between the FDLs. UNCIVPOL assists in overseeing the security of unattended property. It has investigated one fatal shooting, interference with water facilities and equipment, thefts of vehicles and livestock, and damage to buildings and crops. It has escorted Greek Cypriots being transferred from and to the north, and continues to distribute social welfare benefits and pensions to Greek Cypriots in the north. Also, in co-operation with the ICRC, it inquires into cases of missing persons.

28. UNCIVPOL visits to villages in the Turkish controlled area for the purpose of distributing social welfare and other benefits to Greek Cypriots are restricted. One distribution per month is the rule for all villages except Ayias Trias, Leonarisso, Rizokarpasso and Yialousa, which, because of larger populations, are visited on a weekly basis. Members of UNCIVPOL have accompanied military personnel on village patrols in the Kyrenia district, and liaison there with Turkish Cypriot police has reduced incidents, such as thefts of household items, directed at Greek Cypriot villagers. UNCIVPOL based at Xeros within the area under Turkish control carry out humanitarian escorts between Limnitis and the Turkish Cypriot enclave at Kokkina.

29. UNCIVPOL has continued to receive complaints that Greek Cypriots in the north are being subjected to pressure to move to the south and that their property is subject to confiscation. The Greek Cypriots complain that they are coerced into signing applications to leave the region with warnings that those who do not do so will be moved anyway, but without their personal possessions. Because of the existing restrictions, UNCIVPOL has been able to do little to investigate such complaints. The Turkish Cypriot side maintains that all Greek Cypriots moving to the south do so of their own free will without any pressure and that complaints are often made both to discredit the Turkish Cypriot side and to secure displaced person benefits in the south. The agreed procedure for screening applications for transfers (S/12031, para. 5) does not appear to function effectively. UNFICYP has no possibility of verifying whether people wish to leave.

30. Greek Cypriots in the north cannot leave the environs of their own villages without permission from the Turkish Cypriot authorities. While some additional elementary schools have been reopened in the Karpas, the number of teachers continues to be inadequate. Some Greek Cypriot teachers wishing to return to the north were rejected by the Turkish Cypriot side on security grounds. Others whose applications were approved are not willing to return to the north unless living conditions there are substantially improved. No secondary schools are open in the region, and as a result a considerable number of students of secondary school age have moved to the south. There are still over 500 in this category living in the north. There are no Greek Cypriot medical facilities in the region, but arrangements have been made for those Greek Cypriots who need treatment not available in the north to come south and return upon recovery.

31. The Greek Cypriot population in the Kyrenia area declined from 917 in December 1975 to 177 on 3 June 1976, and in the Karpas region from 7,890 to 7,194. Altogether 1,401 Greek Cypriots moved to the south in the last six months. The present rate of evacuations to the south is averaging some 20 persons a day. On the basis of information available to UNFICYP, there are no wholly Greek Cypriot villages left in the Karpas, as either Turkish Cypriots or Turkish nationals have been resettled in varying numbers in each of them. The Greek Cypriot authorities have given an estimate of 44,000 emigrants from Turkey into the area of Cyprus under Turkish control. The Turkish side has not given any definite figures to UNFICYP, but maintains that the majority of the Turkish nationals are either experts or seasonal workers and are in the island only temporarily.

32. In the Famagusta area, much merchandise and other movable properties are reported to have been removed from business and other premises owned by Greek Cypriots. The Turkish Cypriot administration maintains that certain items of this property are catalogued and accountable pending a political solution to the Cyprus problem.

33. The UNCIVPOL Missing Persons Bureau assists in the collection and exchange of information on missing persons, in close consultation with ICRC. Discussions have been held in Nicosia by the representatives of the two communities in the presence of my Special Representative and ICRC representatives on the question of persons still unaccounted for since the 1974 events.

34. A number of inquiries have been made concerning persons of both communities who have crossed the cease-fire lines in recent months. Where appropriate, these persons have been assisted in returning to their own communities.

#### IV. HUMANITARIAN AND ECONOMIC AFFAIRS

35. Since I reported to the Council on 8 December 1975 (S/11900), the United Nations High Commissioner for Refugees has continued, at my request, to assist the displaced and needy population in the island in his capacity as Co-ordinator of United Nations humanitarian assistance for Cyprus. No general appeal has been made to the international community during this period; however, funds and donations in kind have continued to be forthcoming. These generous contributions have enabled the Co-ordinator, with support from other United Nations agencies, to meet not only the continuing priority requirements, such as food, medical supplies and shelter, but also some more specific needs that have become apparent as a result of the 1974 events in Cyprus. These areas of assistance have included the provision of funds towards the construction costs of old people's homes and child welfare centres. Funds have also been made available for educational materials and for the clearing of damaged forest areas in order to salvage timber and prepare the ground for reafforestation. The material living conditions of the displaced persons in the island continue to improve, although bad weather conditions during the recent winter caused further hardship to many of the displaced Cypriots, particularly those living in tents and shacks. The Co-ordinator has committed more than \$1.6 million for improving temporary accommodation facilities and more than half of this has now been disbursed for the construction and infrastructure of low-cost housing units.

36. The need for humanitarian assistance to Cyprus continues to be urgent. On 30 April 1976, government statistics showed a total of 184,143 Greek Cypriots as displaced and now living in the south. This figure reflects an increase of 1,143 persons since my report of 8 December 1975 (S/11900, para. 35), and is again mainly due to the continuing transfer of Greek Cypriots from the north to the south. Of this total, the number of persons who can support themselves stands at 43,079; the remaining 141,064 persons who are both displaced and needy are being fully supported by the Greek Cypriot authorities. There are a further 14,000 persons in the south who live in their homes but are receiving necessary support from the Greek Cypriot authorities.

37. In the north and in the enclave of Kokkina there are now, according to the Turkish Cypriot authorities, some 39,000 Turkish Cypriots who have become displaced or needy as a result of the 1974 events and who are being supplied with food commodities. Also in the northern area there are some 7,300 Greek Cypriots and some 900 Maronites who are supported with food commodities and allowances; these are delivered on a regular basis by UNFICYP to distribution centres in the north.

38. UNFICYP has supported the Co-ordinator's humanitarian relief programme by delivering food supplies and other items, distributing social welfare benefits and providing emergency medical services, including evacuations by helicopter. Escorts are provided for work parties, farmers and anti-malaria spraying teams in the area between the FDLs. Close liaison is maintained with the other United Nations agencies, the International Committee of the Red Cross and the welfare committees of both communities.

39. A total of 4,189 tons of relief supplies were distributed by the UNFICYP supply system, including 2,269 tons that were carried to the Greek Cypriots and Maronites in the north. The items delivered included food, animal feed, day-old chicks, seeds for farmers, diesel and engine oil and gas cylinders. Another 598 tons were distributed to some 1,500 Turkish Cypriots in Kokkina; these included food, fuel, diesel oil and bottled gas. In addition, 1,322 tons of food including wheat, flour and corned beef supplied through UNHCR and WFP services, were transported to Turkish Cypriot welfare stores in the north. A total of 20,851 tons has been lifted since August 1974. These activities involve extra costs to UNFICYP, on average \$36,000 per month or \$216,000 per mandate period. The distribution of social welfare benefits and pensions by UNCIVPOL to the Greek Cypriots in the north continues. £231,150 was paid out during the period and a total of £695,411 has been distributed since January 1975. Restrictions on the number of visits for payment purposes were introduced by the Turkish Cypriot authorities. This gave rise to some administrative problems, which were overcome.

40. Humanitarian and welfare assistance was provided by UNFICYP to the Turkish Cypriots in Kokkina. There is a standing arrangement for a weekly resupply delivery of up to seven truckloads; a United Nations doctor visits the village for emergency cases and on request; 13 cases were evacuated on medical grounds to the Turkish Cypriot sector, including two emergency evacuations by air. A septic tanker is made available as required to clear sewage tanks. Deliveries of medicines and equipment are made on a regular basis to the Turkish Cypriot hospital in Nicosia, and a regular exchange of mail is carried out.

V. GOOD OFFICES OF THE SECRETARY-GENERAL

41. As requested by the Security Council in paragraph 8 of its resolution 383 (1975), I have continued the mission of good offices entrusted to me by paragraph 6 of Security Council resolution 367 (1975).

42. An account of the fifth round of the Vienna talks between the representatives of the two communities, held under my auspices from 17 to 21 February 1976, and of the meetings on humanitarian problems held between Mr. Clerides and Mr. Denktash in the presence of my Special Representative in Cyprus, Mr. Javier Perez de Cuellar, from 5 to 31 March, is contained in my report to the Council of 31 March 1976 pursuant to Security Council resolution 383 (1975) and General Assembly resolution 3395 (XXX) (S/12031).

43. As indicated in that report (*ibid.*, para. 6), my Special Representative remained in close touch with the two interlocutors with regard to the exchange of written proposals on the territorial and constitutional issues that was foreseen in the second paragraph of the Vienna communiqué of 21 February (S/11993). In this connexion, problems arose with regard to the timing of the exchange and the substance of the proposals.

44. Concerning the timing of the exchange, the arrangements agreed upon at the fifth round of talks in Vienna gave rise to considerable public controversy. The question of timing was eventually resolved in accordance with the Vienna understanding. Mr. Clerides thereupon resigned as negotiator and Mr. Tassos Papadopoulos was named as his successor. The Turkish Cypriot community then designated Mr. Umit Suleiman Onan as its representative.

45. The second problem, which remains pending, refers to the territorial question. At the first meeting of the fifth round of talks in Vienna on 17 February 1976, I made a procedural suggestion to the effect that the interlocutors might take up the discussion of the territorial item where they had left it off during the first round of the Vienna talks in April 1975. The Greek Cypriot representative, Mr. Clerides, thereupon resubmitted a geographic suggestion, involving three areas now under Turkish control, which he had initially put forward during the first Vienna round in the context of the question of the return of the Greek Cypriot refugees. It was made clear by Mr. Clerides that the repetition of this suggestion did not constitute new territorial proposals, but referred exclusively to a first possible step in the return of refugees. The Greek Cypriot proposals which my Special Representative in Nicosia transmitted to Mr. Denktash on 8 April contain a section on the territorial question (annex A, p. 3) in which my procedural suggestion of 17 February appears linked to Mr. Clerides' suggestion concerning "three areas". When my Special Representative handed the Greek Cypriot proposals to Mr. Denktash, the latter explained that it was impossible for him to accept a paper linking the Secretary-General to the Greek Cypriot proposals.

46. In view of the controversy relating to the mention of the Secretary-General in the body of the Greek Cypriot proposals, I found it necessary to issue on 13 April the following statement:

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"During the recent talks in Vienna, the Secretary-General made no substantive suggestions concerning the territorial aspects of a settlement of the Cyprus problem. The suggestions that the Secretary-General made in the exercise of his good offices were procedural and were solely for the purpose of facilitating the talks in Vienna."

47. On 16 April 1976, the Cyprus Government spokesman issued a statement emphasizing that the Greek Cypriot side "formulated its proposals well bearing in mind and adopting the procedural suggestions made by the Secretary-General".

48. The Turkish Cypriot proposal, which was submitted to my Special Representative on 17 April and was immediately handed to the Greek Cypriot negotiator, states that when the Greek Cypriot proposals on the territorial question had been "duly received", the Turkish side would be willing to begin negotiations on this issue "on the criteria already outlined to the Greek Cypriot side in Vienna, and if necessary to elaborate on these ... with a view to adjusting the line between the two Federated States" (see annex B, pp. 4-5).

49. Mr. Papadopoulos, the Greek Cypriot negotiator, responded in a letter of 22 April addressed to my Special Representative in which he noted that the Turkish proposals omitted "any concrete proposals on the territorial aspect" (annex C, p. 1). On 5 May, Mr. Onan, the Turkish Cypriot negotiator, wrote to my Special Representative on this same subject that the Greek Cypriot side had failed to produce "reasonable concrete proposals" (annex D).

50. On 4 May 1976, the Cyprus Government spokesman issued a statement that "regardless of the reference to the Secretary-General's suggestions of a procedural nature, the proposals submitted were formulated by the Greek Cypriot side and are regarded and hold good as its proposals". In a letter of 18 May, Mr. Papadopoulos informed my Special Representative that the above statement correctly reflected the position of the Greek Cypriot side (annex E).

51. On 25 May, Mr. Onan sent a letter to my Special Representative expressing the readiness of the Turkish side "to start talks for the determination of the boundary line between the two regions" of the Federated Republic of Cyprus, and expressing the opinion that the territorial aspect should at this stage be discussed confidentially in the committees envisaged by the Brussels accord. He also outlined the principles which, in the opinion of the Turkish side, should provide the framework for the talks on the territorial aspect (annex F).

52. Mr. Papadopoulos responded on 1 June by a letter to Mr. Perez de Cuellar in which he stated that Mr. Onan's communication provided "no basis for constructive negotiations and its whole content is completely unacceptable". According to the Greek Cypriot negotiator, the position of the Turkish side aimed at the abolition of the Republic of Cyprus and partition, which ran counter to United Nations resolutions. However, the Greek Cypriot side was ready to resume the talks "if in the Secretary-General's view there are hopes that the Turkish side will be prepared to enter into meaningful and constructive negotiations" (annex G).

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53. I myself and my Special Representative have remained in close touch with the parties and have continued to explore actively with the Greek Cypriot and Turkish Cypriot representatives how best to overcome the present difficulties and to pave the way for the continuation of the negotiating process. Both sides, while expressing certain reservations, have indicated publicly that the intercommunal talks under my auspices continue to provide the best method of making progress towards an agreed settlement of the Cyprus problem.

54. In the course of his contacts with the two sides, my Special Representative also stressed the importance of resuming the meetings on humanitarian problems at the Ledra Palace United Nations conference area, especially since it is understood that political questions may also be raised at those meetings. The Turkish Cypriot representative having not been available earlier, the first meeting of the two new negotiators took place on 27 May 1976. Matters relating to missing persons and to Greek Cypriots in the north were discussed, in particular educational and medical facilities there, as well as the movement of Greek Cypriots to the south and Turkish Cypriot movable property in the south. It was agreed to channel information on these and other matters through the United Nations.

55. In addition to the territorial, constitutional and humanitarian questions to which the representatives of the two communities have addressed themselves in the first instance, other aspects of the Cyprus problem have been set out by the General Assembly in the operative paragraphs of its resolution 3395 (XXX). The situation concerning the implementation of those other aspects of that resolution has remained unchanged since my report of 31 March (S/12031, paras. 9-10).

## VI. FINANCIAL ASPECTS

56. Voluntary contributions in the amount of approximately \$177.9 million have been paid to the UNFICYP Special Account by 57 Member States and three non-member Governments in respect of the periods from the inception of the Force on 27 March 1964 to 15 June 1976. In addition, voluntary contributions from public sources, interest earned on investment of temporarily undisbursed funds and other miscellaneous income received by the Account have totalled about \$3.8 million. Accordingly, some \$181.7 million have so far been made available to the UNFICYP Special Account towards meeting the costs of UNFICYP to the United Nations for the periods through 15 June 1976.

57. The costs to be borne by the United Nations for the operation of UNFICYP for the periods from the inception of the Force to 15 June 1976 are estimated at \$225.3 million. This figure includes the direct cost to the United Nations of maintaining the Force in Cyprus, as well as the amounts to be paid to Governments providing contingents in respect of their extra and extraordinary costs for which they seek to be reimbursed by the United Nations.

58. The amount of \$181.7 million so far received by the UNFICYP Special Account falls short of the requirement of \$225.3 million indicated above by approximately \$43.6 million. However, in addition to the voluntary contributions that have already been paid to the Account, some \$2.7 million are expected to be received in due course against pledges made by Governments but not yet paid by them.

59. If to the amount of \$181.7 million so far received the amount of \$2.7 million of anticipated receipts is added, the receipts of the UNFICYP Special Account since March 1964 can then be expected to total approximately \$184.4 million. The difference between this figure and the costs to be met of approximately \$225.3 million becomes \$40.9 million. Accordingly, unless additional contributions from existing or new pledges are received before 15 June 1976 the UNFICYP Special Account deficit as of that date will be \$40.9 million.

60. If the Security Council should decide to extend for six months beyond 15 June 1976 the period during which the Force is to be stationed in Cyprus, it is estimated that the additional cost to the Organization for a Force at approximately its present strength, assuming continuance of present reimbursement commitments, would amount to approximately \$12.0 million, as detailed below.

UNFICYP COST ESTIMATE BY MAJOR CATEGORY OF EXPENSE  
 (in thousands of US dollars)

I. <u>Operation costs incurred by the United Nations</u>	
Movement of contingents	180
Operational expenses	1,480
Rental of premises	340
Rations	1,080
Non-military personnel, salaries, travel etc.	1,090
Miscellaneous and contingencies	200
	Total, part I 4,370
II. <u>Reimbursement of extra costs of Governments providing contingents</u>	
Pay and allowances	6,850
Contingent-owned equipment	650
Death and disability awards	100
	Total, part II 7,600
	GRAND TOTAL, parts I and II 11,970

61. The above costs for the next six-month period do not reflect the full cost of UNFICYP to Member and non-member States, inasmuch as they exclude the extra costs that Members providing contingents or police units to the Force have agreed to absorb at their own expense rather than seek as reimbursement from the United Nations. Indicative figures of the amounts involved are estimated as follows: Australia, \$0.4 million; Austria, \$0.2 million; Canada, \$0.9 million; 1/ Denmark, \$0.4 million; Sweden, \$0.7 million and United Kingdom, \$1.6 million. 1/ Finland is also absorbing certain UNFICYP costs at its own expense.

62. In order to finance the costs to the Organization of maintaining the Force for a period of six months after 15 June 1976 and to meet all costs and outstanding claims up to that date, it will be necessary to receive voluntary contributions to the UNFICYP Special Account totalling \$52.9 million.

1/ Exclusive of the normal costs of pay and allowances.

## VII. OBSERVATIONS

63. During the period under review, the situation in Cyprus has been relatively quiet in the sense that there have been no major military confrontations and few cease-fire violations of a serious nature. But tension in the island has continued to be high and the problems resulting from the events of 1974 have remained largely unresolved.

64. Although there has been a marked reduction in the number of shooting incidents along the cease-fire lines, violations of the cease-fire by movement forward from those lines have remained at a high level, which is a matter of serious concern to UNFICYP. I hope that it will be possible for the parties concerned to increase their liaison and co-operation with UNFICYP and also to issue the necessary instructions to their commanders to ensure that their troops keep well within their forward positions. Regarding the area between the forward lines, I would express once again my hope that both sides will extend their full co-operation to UNFICYP in order that it may continue to assist, on a humanitarian basis, in the pursuit of normal civilian activities in that area.

65. The situation of Greek Cypriots in the north is also a matter of serious concern, not only on purely humanitarian grounds, but also because it increases tension between the two communities and tends adversely to affect the efforts towards a just and lasting peace in Cyprus. This concern would be considerably alleviated if the agreements reached in this regard at the third round of the Vienna talks and recorded in the communiqué of 2 August 1975 (S/11789) were adequately implemented and in particular if UNFICYP were granted free and normal access to Greek Cypriot habitations in the area.

66. In this connexion, I should mention that the discussions between Mr. Rauf Denktash and my Special Representative concerning the stationing, deployment and functioning of UNFICYP in the north in accordance with the procès-verbal of 13 December 1975 (see para. 8 above) are making progress. It is my hope that once these discussions are completed UNFICYP's functioning in the north may be improved.

67. After a period of suspension the humanitarian meetings with the representatives of the two communities resumed on 27 May 1976. I hope that those meetings will be held from now on at regular intervals and will help in the settlement of outstanding humanitarian problems, especially as regards the Greek Cypriots in the north.

68. Concerning efforts to reach a solution of the basic problems of the island, I have continued to use my best efforts to carry out the good offices mission entrusted to me by the Security Council. After lengthy and difficult consultations the fifth round of the Vienna talks finally took place under my auspices in February 1976. The sixth round was scheduled for May but had to be postponed because the exchange of written proposals on the territorial issue had not been fully carried out as foreseen in the agreement reached during the fifth round.

69. I and my Special Representative are continuing our efforts to remove the various obstacles in the way to a resumption of the negotiating process. Before reconvening the talks, it is obviously necessary to have reasonable assurances that they will be meaningful and productive.

70. Despite all the difficulties I continue to believe that the best hope of achieving a just and lasting settlement of the Cyprus problem is through negotiations between the representatives of the two communities. But for those negotiations to serve a useful purpose, all the parties concerned must be willing to show the necessary flexibility, taking into account not only their own interests but also the legitimate aspirations and requirements of the opposing side. It is also important that agreements reached at previous rounds should be respected and carried out.

71. In the circumstances, I consider the continued presence of UNFICYP to be essential, not only to help maintain quiet in the island, but also to facilitate the continued search for a peaceful settlement. I therefore recommend that the Council extend the stationing of the Force in Cyprus for a further period of six months. The parties concerned have expressed their agreement to the proposed extension.

72. In making this recommendation, I feel obliged to warn the Security Council again about the increasingly critical financial situation of UNFICYP. Despite my repeated appeals, voluntary contributions have continued to be made in insufficient amounts and by a disappointingly small number of Governments, and the deficit in the budget of UNFICYP now exceeds \$40 million. As a consequence of this deficit, the troop contributing Governments must assume an increasingly heavy and disproportionate burden for this peace-keeping operation, and understandably some of them want to reduce their commitments. This development lends an added gravity to the warning I voiced in my last report that if no remedial measures can be achieved UNFICYP may well one day find itself unable to continue to function for lack of funds. I feel in duty bound at this stage to bring this matter to the attention of the Security Council.

73. In concluding this report, I wish to express my appreciation to the Governments providing contingents for UNFICYP as well as to those who have made voluntary contributions for its financing. Without their generous support it would not have been possible to maintain this important peace-keeping operation of the United Nations. I wish also to take this opportunity to pay tribute to my Special Representative in Cyprus, Mr. Javier Perez de Cuellar, to the Force Commander, Lieutenant-General D. Prem Chand, to the officers and the men of UNFICYP and to its civilian staff. They have carried out with exemplary efficiency and devotion the important and difficult task entrusted to them by the Security Council.

ANNEX A

Proposals of the Greek Cypriot side on the various aspects  
of the Cyprus problems, dated April 1976

At the fifth round of the Cyprus talks held in Vienna, from 17 to 21 February 1976, under the auspices and personal direction of the Secretary-General of the United Nations, the representatives of the Greek Cypriot and Turkish Cypriot communities agreed to exchange written proposals, through the Special Representative in Cyprus of the Secretary-General, within six weeks from 21 February 1976.

For the purpose of this exchange, and in fulfilment of this undertaking, the Greek Cypriot side presents its proposals on the various aspects of the Cyprus problem. The proposals are interrelated and interdependent and should be taken together as a whole, with a view to reaching a solution to the Cyprus problem on a "package deal" basis.

These proposals are made:

(1) On the fundamental assumption that the territory of the Republic of Cyprus shall be one and indivisible and that the integral or partial union of Cyprus with any other State or any separatist independence or partition are excluded;

(2) Within the framework of the Charter of the United Nations and without derogating from the resolutions of the General Assembly and the Security Council concerning Cyprus;

Particularly -

- (a) The solution of the Cyprus problem should ensure the well-being of the people of Cyprus as a whole and should preserve the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus;
- (b) All foreign armed forces and foreign military presence and personnel should be withdrawn without further delay from the Republic of Cyprus and all foreign interference in its affairs should cease;
- (c) Urgent measures should be undertaken for the voluntary return of all refugees to their homes in safety and the settlement of all other aspects of the refugee problem;
- (d) Unilateral actions in contravention of the United Nations resolutions, including the colonization of Cyprus and changes in its demographic structure should cease;

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Generally -

Any situation already created, which is inconsistent with any of the above, should be rectified;

(3) Subject to agreement on the question of international guarantees, which shall be wide and effective.

#### CONSTITUTIONAL PRINCIPLES

1. The Constitution of the Republic of Cyprus shall provide for the establishment of a federal State, the Federal Republic of Cyprus which shall be a federation, and not a confederation and shall:

(a) Preserve the sovereignty, independence and territorial integrity of the Republic of Cyprus;

(b) Ensure that the Federal Republic of Cyprus shall be the sole subject of international law, to the exclusion of its constituent parts;

(c) Preserve the economic unity of the Republic of Cyprus.

2. In the Federal Republic of Cyprus and its constituent parts, the fundamental human rights and liberties, as set out in International Conventions ratified by the Republic, shall be safeguarded.

3. Particularly, and without prejudice to the generality of the above, for every citizen of the Republic:

(a) There shall be a right of free movement throughout the territory of the Republic and freedom of residence in any place in which he may choose to reside;

(b) His life, security and liberty shall be safeguarded and his private and family life shall be respected and his home shall be inviolable;

(c) His right to property shall be respected and safeguarded;

(d) His right to work, practise his profession or carry on his business in any place he chooses shall be assured.

4. The participation of the two communities in the federal organs should be proportionate to the ratio of the population. Constitutional arrangements, however, should be made providing for equitable safeguards on certain specific matters to be agreed upon.

5. Every citizen shall enjoy and exercise his political rights, in so far as the Federal Government is concerned, irrespective of his place of residence in the Republic. The exercise by a citizen of political rights with respect to the administration of the constituent part of the Republic in which he resides shall be regulated by constitutional arrangements.

## TERRITORIAL ASPECT

At the first and second rounds of the Cyprus talks in Vienna the representatives of the Greek Cypriot and Turkish Cypriot communities discussed three areas with regard to the commencement of the return of Greek Cypriot refugees.

The Secretary-General of the United Nations, at the fifth round of the Cyprus talks in Vienna, in an effort to find a starting point for the discussion of the territorial aspect of the Cyprus problem, suggested to refer for this purpose to the areas discussed as above by the representatives of the two communities.

The Greek Cypriot side accepts the suggestion of the Secretary-General that these three areas could be used as the starting point for the discussion of the territorial aspect of the Cyprus problem.

The said three areas (at present under the military occupation of Turkey) and other areas as shall be agreed through negotiations shall not be under Turkish Cypriot administration which shall, within the framework of the Federal Republic of Cyprus, extend to 20 per cent of the territory of the Republic.

## POWERS OF THE FEDERAL GOVERNMENT AND OF REGIONAL ADMINISTRATION

The powers of the federal Government and of regional administration in the Federal Republic of Cyprus are enumerated in the lists set out herein below.

### A. FEDERAL LIST

The Republic (Federal Government) shall exercise power on all matters other than those specifically and expressly assigned to its constituent members (Regions). Such power comprises all subjects hereinafter enumerated for the purpose of illustration only and not exhaustively.

#### 1. Foreign affairs

Foreign affairs includes all matters which bring the Republic or its citizens into relation with any foreign State or any other subject of international law.

There shall be deemed to be included therein, inter alia, the recognition of States, diplomatic, consular, commercial and other relations, the conclusion and implementation of treaties and of any other international obligations, the declaration of war and the conclusion of peace, and the participation in any international organization and conference.



2. Defence

Defence includes all matters relating to the protection and defence of the Republic and any part thereof against any threat either from outside or from within or against any calamity.

There shall be deemed to be included therein, inter alia, the raising, training and maintaining of the necessary armed or other forces, the establishment and maintenance of bases and any defence works, the control of weapons, explosives, munitions and war materials, the taking of all measures necessary for the prosecution of war, the restoration of peace, the meeting of any calamity, and the securing of the essentials for the well-being of the community and the readjustment of its economic life.

It should be noted, however, that the Greek Cypriot side supports the full demilitarization of Cyprus.

3. Security

Security includes all matters relating to peace, order and good government throughout the Republic.

There shall be deemed to be included therein, inter alia, the raising, maintenance and distribution of the necessary security forces, any matters pertaining to weapons, ammunitions and explosives, the declaration of a state of emergency throughout the Republic or in any part thereof, and the regulation of any matter relating thereto.

4. Criminal, public and civil law and procedure

This heading includes, inter alia, all matters relating to the determination of the scope and content of the criminal, public and civil law of the Republic, and the rules of evidence and of practice and procedure applicable in criminal, public and civil law proceedings.

5. Administration of justice

This heading includes, inter alia, all matters relating to the administration of justice, the constitution, organization and jurisdiction of the Supreme Court (which shall include original jurisdiction to hear disputes between the Regions themselves and between the Regions and the Federal Government and appellate jurisdiction from the federal and regional courts) and of such other federal courts and tribunals as may be necessary for the administration of justice, the persons entitled to practise before the courts, and the composition and mode of enforcement of the judgements and decisions of courts and tribunals.

6. Citizenship, aliens, immigration, emigration and extradition (including passports and visas)

This heading includes, inter alia, all matters relating to citizenship of the Republic (and the acquisition of any foreign citizenship), to aliens, their naturalization and their control, such as the entry and stay in the Republic and the acquisition of property by them, the movement of persons in and out of the Republic and the conditions of such movement, passports and visas, and extradition.

7. Trade, commerce and industry

This heading includes, inter alia, all matters relating to the regulation of trade and commerce in their international or interregional aspects or in so far as they concern or affect the interests of the Republic as a whole, the formation, registration, regulation and winding up of companies, partnerships and economic associations, the regulation of industry, including tourism and industrial undertakings.

8. Shipping, navigation (including air navigation), ports and transport

This heading includes, inter alia, all matters relating to shipping, navigation (including air navigation and air traffic), the delimitation of territorial waters, ports and airports, transport.

Transport also includes the construction, maintenance and control of highways, mechanically propelled vehicles, regulation of traffic, carriage of passengers and goods by land, sea and air, except carriage of passengers and goods by land solely within the limits of a Region.

9. Federal works and power (including public works, electricity, water and other public utility undertakings)

This heading includes, inter alia, all matters relating to any works, even though situated wholly within the limits of a Region, which are aimed at serving the interests of the inhabitants of the Republic as a whole, and any works relating to nuclear energy and atomic power plants.

10. Mines, forests, fisheries and other natural resources and environment

This heading includes, inter alia, all matters relating to mines, quarries, mineral and quarry materials, gas and oil, water (whether surface water or not) and generally all kinds of natural resources (including the resources of the continental shelf), forests and forest materials, fishing and fisheries, and the protection and preservation of the environment.

11. Antiquities

12. Currency, legal tender and coinage, weights and measures, as well as computation of time, money, banking, exchange control and stock exchanges

13. Postal and telecommunication services

This heading includes, inter alia, all matters relating to posts and telecommunications and to wireless, broadcasting and television.

14. Customs (including customs and excise duties)

This heading includes, inter alia, all matters relating to customs, and customs and excise duties, the unity of the customs and commercial territory, the freedom of movement of goods, the exchange of goods and payments with foreign countries.

15. Industrial property (including patents, trade marks, business names, copyrights)

16. Bankruptcy and insurance

This heading includes, inter alia, all matters relating to bankruptcy and insolvency and insurance of any kind.

17. Finance

This heading includes, inter alia, all matters relating to the economic policy and the administration of the finance of the Republic, to the preparation and administration of the federal budget, to the raising of money by any mode or system of taxation direct (such as income tax, estate duty, corporation tax, capital tax, property tax) or indirect (such as customs and excise duties already referred to under heading 14, and stamp duties), the regulation of taxation for the whole of the Republic, and the regulation of the raising of money by borrowing, the making of grants and loans to the regions, and the taking of all measures to ensure the uniformity of taxation throughout the Republic.

18. Labour and social welfare

This heading includes, inter alia, all matters relating to the registration, operation and dissolution of trade unions, the promotion of employment, wage, trade and productivity standards and the advancement of good labour relations; institutions and machinery for the solution of labour disputes in the federal service or in fields affecting the supply of services and the well-being of the inhabitants of the Republic as a whole, the establishment of institutions for, and

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the regulation of, training of labour, the safety of employees, the establishment, operation, regulation and financing of federal schemes of social insurance, pension schemes and the setting of standards and control of provident fund schemes.

19. Professions and professional associations

This heading includes, inter alia, all matters concerning formalities, conditions or restrictions relating to the qualifications required for the exercise of any profession or the participation in any professional associations, and standards required for the obtaining of qualifications from institutions of higher learning in the Republic.

20. Movable and immovable property (including non-privately owned properties)

This heading includes, inter alia, all matters relating to ownership, tenure, registration and valuation, town and country planning, as well as compulsory acquisition and requisition of property.

21. Prisons

This heading includes, inter alia, all matters relating to the establishment, maintenance and regulation of penitentiaries, prisons and other correctional institutions.

22. Establishment of federal authorities and other federal agencies

This heading includes, inter alia, all matters relating to the establishment and maintenance of such federal authorities and agencies as may be necessary, including the establishment and regulation of the federal public service and the qualifications and duties of persons to be admitted to such service.

23. Public health

This heading includes, inter alia, all matters relating to the protection of public health in the Republic, exclusive of local sanitation and first-aid services, to the regulation of standards for hospitals, nursing homes and other similar institutions, to drugs and poisons, food-stuffs, diseases and quarantine.

24. Agriculture

This heading includes, inter alia, agricultural policy in the interests of the Republic as a whole, agricultural research, protection against pests and prevention of plant and animal diseases.

25. Matters incidental or supplemental to the execution of any power vested in the Federation.
26. Any other matter not explicitly assigned to the Regions

The abstinence of the Federal Government from legislating to the full limits of its powers shall not have the effect of transferring to any regional legislature any power which has been assigned to the Federal Government by the Federal List.

#### B. REGIONAL LIST

The powers of a regional administration shall extend to all matters expressly and specifically provided hereinafter.

1. Organization and administration

This heading relates to all matters concerning the structure and organization of the government of the Region and the administration therein.

2. Implementation of federal legislation

This heading relates to the implementation of all federal legislation in so far as it applies to the Region, where such implementation is expressly entrusted to the Region by such federal legislation.

3. Local government

This heading relates to the structure and organization of local government and its functioning within the Region.

4. Public order

This heading relates to such matters concerning the maintenance of public order and security as are of a purely local and regional nature.

5. Offences under regional laws

This heading relates to the making of provision for the creation of offences for contraventions of regional laws and the imposition of punishment therefor.

6. Police

This heading relates to the organization and maintenance of local police for the enforcement of regional laws in the Region.

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7. Administration of justice

This heading relates to the constitution, organization and jurisdiction of all regional courts of criminal and civil jurisdiction, including the practice and procedure in proceedings before such courts, provided that a final appeal shall always lie from the judgements or decisions of such courts to the Federal Supreme Court.

8. Trade, commerce and industry

This heading relates to all matters concerning the regulation of trade, commerce and industry within the Region, of a purely local and regional nature.

9. Transportation

This heading relates to the carriage of passengers and goods by land solely within the limits of the Region, the construction of regional roads within the Region and the control of traffic therein.

10. Regional works

This heading relates to all matters concerning any works of a purely local and regional nature other than works which, though situated within the Region, are carried out by the Federal Government.

11. Forests

This heading relates to matters concerning forests assigned to the Region, and their control, conservation, protection and development.

12. Producers' and consumers' co-operatives and credit establishments

This heading relates to the structure and organization of co-operatives and credit establishments, their functioning and supervision.

13. Charitable and sporting organizations

This heading relates to the structure and organization of charitable and sporting organizations, their functioning and supervision within the Region.

14. Cultural and educational affairs

This heading relates to all matters concerning cultural, teaching and educational affairs in the Region, provided that the minority community within the Region shall be at liberty to establish and operate its own schools, which shall

be of a standard not below the minimum standard required for public schools in the Region.

15. Finance

This heading relates to matters concerning the raising of money by way of rates, tolls, licensing fees, loans locally contracted and lotteries, and the receiving of grants and loans from the Federal Government. Such mode of receiving money should not be of a destructive or prohibitive nature and should not exceed a ceiling which may be fixed by a federal law.

16. Labour and social welfare

This heading relates to the inspection of places of work and to regional programmes of public and social welfare.

17. Professions and trades

This heading relates to matters concerning the raising of revenue by licensing of persons possessing the qualifications required under federal law for carrying on, exercising and practising any business, trade, calling or profession within the Region other than the licensing of a corporate body incorporated under federal law.

18. Correctional institutions

This heading relates to reform schools and other quasi-educational correctional institutions for young persons.

19. Public health

This heading relates to all matters concerning the protection of public health and sanitation within the Region and the running of hospitals and nursing homes and other similar institutions.

20. Agriculture

This heading relates to all matters concerning agriculture within the Region of a purely local and regional nature.

21. Compulsory acquisition and requisition of property

This heading relates to all matters concerning the compulsory acquisition and requisition of property within the Region, for such purposes of public benefit of a purely local and regional nature on such terms and in accordance with such provisions, as provided by federal law.

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22. Services of a local character

This heading relates to services of a purely local and regional nature, such as fire brigades, except in the capital of the Republic, inspection of boarding houses and lodging houses, burial and cremation grounds, pounds and cattle trespass, markets and fairs, and licensing of theatres, cinemas and other places of public entertainment.

23. Matters incidental or supplemental to the execution of any power vested in the Region

24. Matters assigned by the Federal Governments to the Regions

This heading relates to matters which may be assigned specifically by federal law to the Regions, though not expressly enumerated in this List.

If a Region purports to exercise competence on a matter not specifically and expressly vested in the Region, the exercise of such competence shall be void.

Nicosia  
April 1976



ANNEX B

Proposals of the Turkish Cypriot side on various aspects  
of the Cyprus problem, dated 17 April 1976\*

In accordance with the agreement which was reached at the fifth round of the Cyprus Intercommunal Talks which were held in Vienna from 17 to 21 February 1976, in pursuance of the Secretary-General's "mission of good offices and in accordance with the Proces Verbal agreed upon by the Foreign Ministers of Greece and Turkey in Brussels on 12th December, 1975", I enclose herewith the proposals of the Turkish Cypriot side on the peaceful settlement of the problem of Cyprus. I would be grateful if you would kindly transmit the enclosed proposals to the leadership of the Greek Cypriot Community.

You will observe that Part "A" of the proposals contains the "General Principles concerning the establishment of a Federal Republic in Cyprus" and Part "B" contains the "Powers and Functions of the Central Government of the Federal Republic of Cyprus" and is given solely in relation to those parts of the paper in accordance with the accord reached in Brussels and Vienna as to the subject-matter of negotiations at this stage. An introductory part is also included. With regard to proposals on the territorial aspect of the Cyprus problem you will recall that as explained in my letter to you of 8 April 1976, I have had to return that part of the Greek Cypriot proposals concerning territorial aspect, because of the false and misleading references which had been made therein to the Secretary-General's role on the matter. Nevertheless, as proof of its intention to begin meaningful negotiations without delay on all aspects of the problem and with a view to presenting a complete picture of the over-all problem (as envisaged in Brussels and in Vienna) the Turkish Cypriot side has indicated its views and criteria on the territorial aspect which forms Part "C" of the papers attached hereto.

I should like to take this opportunity of reminding through Your Excellency the proposals which were made by the Turkish Cypriot side on 18 July 1975 for the establishment of a Transitional Joint Government with a view to preventing any further alienation and separation of the two Communities.

The Turkish Cypriot side considers this proposal still valid and all the more relevant to initiate regular contacts between the two Communities and a proof of goodwill by instituting a Joint Government between the two partner Communities pending a final solution. The setting up of such joint machinery along those lines without further delay would not only serve the interest of the two Communities by engendering a degree of confidence-building co-operation, but also

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\* Text reproduced in its entirety as delivered to the Special Representative of the Secretary-General.

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would enhance the climate for, and facilitate the work of, the Mixed Committees to be set up in Cyprus in accordance with the Vienna Accord.

As to the question of guarantees which does not fall within the context of the present talks, I would like to place on record that there could be no change in the well-known stand of the Turkish Cypriot side on the question of national guarantees.

Please accept, Your Excellency, the assurances of my highest consideration.

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

/...

A. GENERAL PRINCIPLES CONCERNING THE ESTABLISHMENT OF  
A FEDERAL REPUBLIC IN CYPRUS

1. Cyprus shall be a Federal Republic composed of two Federated States one in the North for the Turkish national community and one in the South for the Greek national community.
2. The Federal Republic shall be independent, sovereign and territorially integral.
3. The sovereignty shall continue to be shared equally by the two national communities as co-founders of the Republic.
4. The Federal Republic shall be secular. Religion shall be kept strictly out of politics in Federal and Federated affairs.
5. Equality of power and status of and non-discrimination between the two Federated States shall be ensured. Any of the States can in no way overpower, dominate, overrun or interfere with the other in political, juridical, military, economic or other fields.  
  
The Federal Government can in no case abolish, engage in any warlike activity against, or otherwise interfere with, any of the Federated States.
6. Each Federated State shall be free to maintain and regulate its own constitutional structure and take all such measures relating to its administration as may be necessary.
7. Under no circumstances shall Cyprus, in whole or in part, be united with any other State. Unilateral declaration of independence by any of the Federated States shall be prohibited.
8. The Federal Republic of Cyprus shall henceforth follow a policy of friendship with Turkey and Greece in addition to promoting good neighbourly relations with countries in the region and shall pursue a policy of non-alignment.
9. All necessary measures shall be taken to prevent the Island of Cyprus from becoming involved, directly or indirectly, in any activity endangering the peace and security of the region.
10. Each Federated State shall ensure respect for human rights within its respective territory.
11. Laws and all other measures, such as administrative, economic, social etc., of the Federal Government shall not discriminate against either of the two Federated States or of the two national communities.
12. All kinds of hostile activities of the two States against each other in both the internal and international spheres shall be excluded, while every effort shall

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C. TERRITORIAL ASPECT

It was agreed in Brussels and confirmed in the Fifth Round of Vienna Talks, that the proposals on the territorial aspect of the problem, which is part of the problems to be taken up on the basis of a "package deal", was to be presented by the Greek Side first and that these proposals would be reasonable.

Subject to the above, the Turkish Side is willing to begin negotiations on this issue on the criteria already outlined to the Greek Cypriot Side in Vienna and, if necessary, to further elaborate on these when the aforesaid Greek Cypriot proposals are duly received, with a view to adjusting the line between the two Federated States.

PROPOSALS ON THE POWERS AND FUNCTIONS OF THE FEDERAL GOVERNMENT  
OF THE FEDERAL REPUBLIC OF CYPRUS MADE BY THE TURKISH CYPRIOT  
MEMBERS OF THE EXPERT COMMITTEE SET UP BY THE FIRST VIENNA  
CONFERENCE ON 28 APRIL 1975 .

1. The Turkish Cypriot members of the Expert Committee, having examined this important subject in consultation with their legal expert, Professor Orhan Aldikacti, are of the opinion that the limited and specified powers and functions (enumerated in para. 2 below), which it is proposed should be given to the Federal Government of the Federal Republic of Cyprus (hereinafter referred to as "the Federal Government"), should be determined by, and should be exercised in the light of, and subject to, the following principles and conditions:

(1) There exist at present two separate and distinct Turkish Cypriot and Greek Cypriot Administrations, irrespective of what name they may be known by, with effective control over two separate and distinct regions of the Republic of Cyprus. These two separate, distinct and equal Administrations exercise in Cyprus today, in their respective regions, the full authorities of the Republic. This fact must be the starting point in considering what powers and functions should be yielded by the existing Administrations to the Federal Government. That is to say, we are not starting off with one Central Government exercising full powers and functions and considering which of these powers and functions should be given to the States, but on the contrary, we are starting off with two separate and distinct Administrations exercising full powers and functions in their respective regions. We must, therefore, consider what powers and functions the already existing separate and distinct Administrations, i.e. the States of the proposed Federal Republic, should yield to the Federal Government.

The Turkish Cypriot members of the Committee, therefore propose the establishment of a Federation composed of two Federated States (hereinafter referred to as "the States") with all residual powers and functions being left to the States and only such limited powers and functions being yielded to the Federal Government which are absolutely necessary for the carrying out of common services of a Federal State without detriment to the security of life and property in the respective regions.

(2) In view of the fact that the proposed Federal Republic will be composed of two equal units, namely the two member States which will make up the Federation, it is essential that, as is the case in most Federations, the member States of the Federation, irrespective of the size of its geographical area and irrespective of the size of its population, should in all respects be equal members of the Federation. This principle of equality of member units is not only observed

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in most federations but is also a fundamental and democratic principle observed by the Charter of the United Nations itself. This principle of equality between the two member units of the Federation may be referred to as the principle of "Condominium".

(3) In view of past experience, it is considered imperative that the officials of the Federal Government exercising federal powers and functions in a member State should belong to the same Community as the State concerned. For example, a Federal Officer exercising federal powers in the Turkish Federated State of Cyprus, must be a member of the Turkish Community and vice versa. (In this connexion please see the principle embodied in Article 132 of the 1960 Cyprus Constitution).

2. The Federal Government shall, subject to the above principles and conditions, exercise powers and functions only with regard to the following matters:

(1) Foreign Affairs:

(a) The field of foreign affairs, which should be clearly defined to embrace the normal and accepted sense of the term, is one which may properly be given to the Federal Government.

(b) Each State shall be entitled to enter into any agreement with its respective mother country, Turkey or Greece.

(c) The Federal Republic of Cyprus shall accord most-favoured-nation treatment to Turkey and Greece.

(d) In the light of past experience, the principle of equality or "Condominium" referred to above assumes an even greater degree of importance in the field of foreign affairs. It is for this reason that it is proposed that the more important posts in the Foreign Service, such as Heads and Deputy Heads of Missions, should be equally allocated between the two Communities.

(2) External Defence (excluding internal security of States):

(a) In the opinion of the Turkish Cypriot side only external defence is a subject which may properly be given to the Federal Government. In the light of past experience, it is considered that internal security should be the responsibility of the respective member States.

(b) The defence force of the Federal Republic could be composed of separate and equal Turkish Cypriot and Greek Cypriot units, the Turkish Cypriot unit being based within the territory of the Turkish Cypriot State and the Greek Cypriot unit within the territory of the Greek Cypriot State. The Tripartite Headquarters established under the Treaty of Alliance shall resume its functions.

(c) In view of the existence of the Treaty of Guarantee and the Treaty of Alliance, which will effectively guarantee the independence, sovereignty and territorial integrity of the Federal Republic, it would not be necessary for the Federal Government to employ a large force for the purpose of external defence.

(3) Federal Banking, Stock Exchanges and Monetary Affairs:

It is considered that the subject of Federal Banking, stock exchanges and monetary affairs are matters which could well be given to the Federal Government.

(4) Federal Budget:

(a) The Federal Government shall have its own Federal Budget for the purpose of meeting the expenditure necessary for carrying out the powers and functions of the Federal Government.

(b) The Federal Budget shall be financed from the charges and fees derived from services rendered by organs of the Federal Government or from any aid or grant given to the Federal Government from outside.

(c) Any deficit in the Federal Budget in any particular year may be met by such Federal taxation or by such other means as may be agreed between the States.

(d) Each State shall also have its own Budget and will be responsible for its own financial arrangements, with the right to receive aid or grants from outside, and shall be responsible for the general economic development of its State.

(e) Financial and economic matters are, of course, spheres in which the two States could co-operate with each other for their mutual benefit.

(5) Federal Courts:

It is proposed that Federal Courts should be established for the purpose of dealing with matters arising under the Federal Constitution and violations of, or matters falling under, Federal laws. The establishment of a Federal Constitutional Court to interpret the Federal Constitution is envisaged.

(6) Federal Communications (including Federal Postal and Telecommunication Services):

(a) Federal Communications, such as external postal and telecommunication services and such services between the two States, the operation and maintenance of the Nicosia International Airport subject to mutually agreed arrangements, are matters which could properly and conveniently be given to the Federal Government.

(b) This should not preclude each State from having its own air and sea communications with its respective mother country or internal postal and telecommunication services.

(7) Federal Medical Services:

(a) Policy matters relating to medical and health services would come within the sphere of the Federal Government.

(b) Each State shall have, and be responsible for, its own medical and health services.

(8) Standards of Weights and Measures (as well as computation of time):

The subject of standardization of weights and measures and computation of time are matters which could well be given to the Federal Government.

(9) Patents, Trade Marks and Copyrights:

Regulation of matters relating to patents, trade marks and copyrights would also come within the sphere of the Federal Government.

(10) Federal Meteorological Services:

Subject to the rights of each State to have its own meteorological services, the Federal Government would be responsible for meteorological services at Federal level.

3. In the light of the observations made in subparagraph (1) of paragraph 1 above, it is proposed that all residual powers and functions of the Federal Republic, which are not included in those expressly given to, and vested in, the Federal Government, as enumerated in paragraph 2 above, shall be vested in, and exercised by, the States.

4. Although it is proposed that the powers and functions to be given to the Federal Government shall be confined to the 10 specific heads enumerated in paragraph 2 above, this would not mean that the two member States of the Federation would not be able to co-operate, in a spirit of reciprocity, very closely in those fields which, though coming within the powers and functions of the States are such (e.g. town planning, etc. of border towns like Nicosia, antiquities, trade and industry, labour and social welfare, etc.) that co-operation in those fields would be to the mutual benefit of the two States of the Federation and of their respective Communities.

5. It will be seen from what has been stated that the above proposals with regard to the powers and functions of the Federal Government have been made in the light of the existing realities and of the lessons learned as the result of past experience and it is, therefore, proposed that the two existing separate Administrations should give up to the Federal Government only those limited powers and functions which are considered necessary and feasible for the purpose of maintaining common services and without security risks to the life and property of the inhabitants of the member States. If, in the course of time, it is proved, by the conduct of all concerned, that mutual trust and confidence can be built upon the limited links existing between the Federal Government and the two member States, then it is to be hoped that, with the growth of such confidence and with the elimination of mistrust and suspicion, it will be possible to strengthen such links by building upon them by the gradual giving up by member States of additional powers and functions to the Federal Government. It is the sincere belief of the

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Turkish Cypriot members of the Committee that the proposed Federation can only work and hope to survive, in the present circumstances, by starting cautiously from the bottom and then to build upon, and strengthen, the existing links with the growth of mutual confidence.

Prof. Orhan Aldikacti,  
Legal Expert of the Turkish  
Members of the Committee

(M. Necati Münir)  
(Umit Suleyman)  
(Zaim M. Necati)

21 July 1975

#### EXPLANATORY NOTE

It is felt that a short outline of the origin and development of the problem of Cyprus will be useful in understanding the context in which the Turkish Cypriot proposals are being made and in appreciating the causes motivation behind them. The events of the past are related very shortly, for no other purpose than this.

Cyprus has been in search of a political settlement for more than two decades. In view of the existence in Cyprus of two national communities with diverse political outlooks the search has been overshadowed by recurring intercommunal violence each time the Greek Cypriot leadership, inspired and led by the Greek Orthodox Church, tried to impose its political will (of uniting what they considered to be a Greek island with Greece) on the Turkish Community by use of force.

The Turkish Cypriot reaction and resistance to this Greek attempt at "union with Greece" was always strong and sincere because all Turkish Cypriots believed that what was "freedom" for the Greek Cypriot leadership was "enslavement" for the Turkish Cypriots. "Freedom" to the Greek Cypriot leadership was used as a synonym for "Enosis" (union of Cyprus with Greece) and this, to the Turkish Cypriots was neo-colonization and forced exodus from Cyprus.

It was this clash of divergent beliefs and opposing national policies which led to the intercommunal strife of 1955-1958 period and in the end necessitated an honourable compromise between the parties. With the help of the two motherlands (Turkey and Greece) this compromise was reached in 1959-1960 on the basis of (1) a bi-national independence (2) resting on the political equality and administrative partnership of the two communities (3) who were given full autonomy in what were strictly defined as Communal Affairs (4) while leaving the residue of power to a strong Central Government; (5) the bi-national independence, so founded, was guaranteed by Turkey and Greece against any kind of union with any other country thus ensuring permanence to the Cypriot Republic and assuring both sides that peace would be maintained in the island. It was believed by the Turkish side that this Functional Federative system would eliminate discrimination and remove all causes of intercommunal friction.

This compromise having established a Cypriot Greco-Turkish Republic was not given a fair chance to work because the Greek Cypriot leaders continued to regard Cyprus as a Greek island destined to be united with Greece and thus they maintained (1) that the 1960 compromise was an unjust compromise and (2) that these Agreements, though duly signed by them, could be rendered null and void by a variety of ways; (3) if necessary resort to violence was envisaged and (4) in case of intervention by Turkey as a guarantor power in order to avert the destruction of the independence it was believed that the United Nations would stall such intervention or remove its effect in such a way that the original Greek Cypriot fait accompli (of destroying the 1960 bi-national partnership and establishing a purely Greek Cypriot Government as the "final-but-one-step to Enosis") would prevail.

The 13 point proposals for the amendment of the Constitution which the Greek leadership proposed to the Turkish Cypriots in 1963 had this plan in view. The events which followed and the intercommunal fighting which ensued were all anticipated and foreseen by the Greek Cypriot Leaders and accepted by them as natural outcome of their planned approach to the solution of the problem namely that of establishing an Hellenic government in Cyprus in complete disregard of Turkish objections. The Turkish Cypriot resistance to the implementation of this plan prolonged the issue but the original aim never changed. As part of this plan Cyprus was occupied by 20,000 Greek mainland troops as early as 1964 and just before the coup of 1974 Archbishop Makarios was on record as having said that he had established the nearest thing to Enosis by keeping the Turks out of the administration.

No settlement was reached until July 1974 because the Turkish Cypriot side was still refusing to accept a solution tailored by the Greek Cypriot leadership aiming at (1) destroying the bi-national character of the partnership State and (2) removing all impediments to Enosis (3) by establishing a completely Greek Cypriot Government and State (4) in which the Turkish Cypriots would be accorded purely minority rights (5) with the national guarantees, which barred effectively any kind of union with any other country removed.

Significantly, Nicos Sampson, who had staged the coup in accord with the Junta officers in July 1974, immediately named his new State as "The Hellenic Republic of Cyprus". From 1963 when Turkish Cypriots were attacked and lost 103 villages to July 1974, 24,000 Turkish Cypriots lived under subhuman conditions as refugees. Thus the number of Turkish Cypriots who had been uprooted and systematically squeezed, first out of their villages and eventually out of the island over the decades by economic sanctions, oppression, discrimination and warlike activities had been increased anew. The coup of 1974 and the ensuing conflict thereafter caused the uprooting of a further 65,000 Turkish Cypriots from their lands in quest of final peace and security! The civic, political and economic rights of these Turks had been denied, their human rights ignored and trampled upon during the 1963-1974 period when they lived as political hostages thinly spread in Greek areas.

The 1960 Agreements and the Constitution of the bi-national State which were meant to protect the Turkish Cypriot partner against (1) discrimination, (2) Enosis, (3) military attack or (4) any kind of oppression by giving powers like the right of veto in limited areas or special majority vetoes in defined fields of legislation had proved completely inadequate once the numerically many decided to misuse the powers of a strong Central Government and ignore, under a variety of reasons and excuses, those parts of the Constitution which gave the Turkish Cypriot partners any protective rights.

Thus, the pre-planned violence of 1963 and the events which followed left the Turkish Cypriot community stateless in its own country, outlawed at the will of the Greek Cypriot leaders who had usurped the powers of a strong Central Government!

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In November 1967, it was in reliance on this usurped authority and active backing of the Greek Mainland Forces with full armour and sophisticated arms that the Greek Cypriot side had launched another attack on two villages (Kophinou and Ayios Theodoros) with combined Greek Cypriot and Greek Mainland Forces. Turkey, in order to stop the massacre of Turkish Cypriots, demanded, under its Treaty right as a guarantor power, the immediate cessation of the onslaught and the withdrawal of all Greek Mainland Forces from Cyprus. As a result, the Greek Cypriot leaders condescended to begin unofficial exploratory talks with the Turkish Cypriot side with a view to finding a solution to the Cyprus problem while the unconstitutional Greek Cypriot Army, known as the National Guard, continued (and continues to this day) to be commanded throughout by officers from Greece.

These negotiations, which lasted from 1968 to 1972 (and thereafter continued in an expanded form with the participation of Turkish and Greek constitutional experts until the coup) brought no result because, as stated earlier, the Greek Cypriot side would not abandon its pre-tailored plan of a solution which, if accepted, would render the Turkish Cypriot Community true political hostages in a Greek island with the way wide open to Enosis (union with Greece). The Turkish Cypriot side continued to cherish and guard its partnership rights in the independence of Cyprus at great human and economic sacrifice while Turkey, as a guarantor power, indicated that she would never agree to the dissolution of the bi-national Republic by uniting the island with Greece.

It was at this stage - in 1974 - when the Turkish Cypriot Community under 12 years attack, discrimination, oppression and economic sanctions was ebbing out (yet not softening in its protection of its basic rights and co-founder status) that the coup was staged by the Greek Junta in collaboration with extremist EOKA adherents in the island in order to speed the way to union with Greece.

It is now fully established that the coup-makers were to decimate the Turkish Cypriot Community and announce that union with Greece was achieved within a very short period of time. No one believed that Turkey would intervene; if by any chance, they thought, Turkey did intervene then big powers and UNO would pull Turkey back and the fait accompli created by the coup would prevail. That the Greek Cypriot leaders still believe this to be possible is obvious from their unchanged approach to the Cyprus problem. They ignore the fact that but for the Turkish resistance to Greek actions during 1963-1974 period the independence and sovereignty of Cyprus would have been destroyed by them.

It is against this background that the Turkish Cypriot Community approaches the problem and in formulating its proposals has been guided by a desire to rebuild the future of the bi-national Independence of Cyprus so that the two national Communities, while enjoying lasting peace, progress and mutually beneficial economic development, the Turkish Cypriot Community will not go through the grilling experience of the last 12 years.

Consequently the Turkish side has put its main and permanent objective on paper as being the establishment of (1) permanent (2) bi-national (3) bi-zonal Federal Republic of Cyprus (4) based on the political equality of the two national

Communities (5) with policy of non-alignment and (6) good neighbourliness in the region so that Cyprus can never be used by outside powers as a military base against its neighbours.

In this way it is believed that full security and equality will be achieved by the Federal set-up in which, that part of the model of a strong Central Government as set out in the 1960 Constitution will be reversed by setting out in detail the powers of the Central Government and leave the rest to the Federated States. As confidence is re-established between the two Communities the Federated States will be free to agree to yield more powers to the Federal Government for their mutual benefit.

Thus, the Greek Cypriot leadership, having misused its powers in a strong Central Government under the 1960 Constitution by ignoring all Turkish Cypriot rights and by overriding them at will to the detriment of the Turkish Community, cannot lure the same Community to agree to any kind of "entrenched rights" as sole protection of its life and status in the future. Turkish Cypriot Community, having lived through the experiences of the last 12 years is, necessarily, seeking Security in the structure of the bi-national, bi-zonal State and in the continuation of the national guarantees.

The Turkish Cypriot proposals for a bi-zonal re-establishment of the partnership Independence is seen as the only way for putting bridges of co-operation between the two totally separate Communities who have lived in a state of war or semi-war for the last 12 years. The ultimate objective of peace, co-operation and coexistence has a fair chance under this system which will bring a sense of security and equality to both sides.

The Greek Cypriot allegation that a weak Central Government will pave the way to the disintegration of the State is gross exaggeration. The preventive remedy for such an eventuality lies in the continuation of the national guarantees but for which Greek Cypriot leaders would have, long ago, achieved complete dissolution of the State by uniting the island with Greece. The Turkish Cypriot side cannot, therefore, accept the proposition that, while seeking ways and means for the protection of the bi-national State, it should give the Greek Cypriot side the same rights which they used exactly for the purpose of dissolving the State.

In the search for a fair settlement, it is the view of the Turkish Cypriot Community that the balance should not be tilted against the Turkish Cypriot Community under the guise of preserving the State because the Turkish Cypriot Community (and its political and administrative re-establishment under a Federal State in its own Federated land) is a fundamental factor in the preservation of the bi-national State.

The Turkish Cypriot side believes that human rights can have no meaning if they can be used for destroying fellow men. No doubt fundamental Human Rights and principles according to which there must be freedom of movement, should be applied in Cyprus but, in doing so, these principles should not be used as vehicles for

bringing back to the Turkish Community the agony of the last 12 years. The Turkish Cypriot side knows too well the value of Human Rights and Fundamental Liberties because, during the last 12 years, all these were denied to the Turks at the will of the Greek Cypriot leaders. It is because these realities were acknowledged and the above principle was accepted in 3rd Vienna talks that exchange of population was also agreed upon and fully implemented in September 1975 with the full co-operation of the UNFICYP.

Since the Turkish peace operation Cyprus has found peace and the Turkish Cypriot Community has enjoyed full security for the first time in his own land. A bi-zonal set-up has eliminated all friction and day-to-day conflict which was engineered by those who wished to endanger peace in Cyprus in order to unite the island with Greece.

The Turkish Cypriot side believes that if goodwill exists and a federal system is the aim of both sides then an agreement for the establishment of a bi-communal transitional Government while the peace talks continue, will enhance the chances of success and will stop the process of continuing separation between the two Communities.

The Turkish Cypriot side reiterates that it stands for permanent independence within the context of a bi-zonal federal system, non-alignment and full co-operation with the Greek Cypriot Community on basis of equality.

ANNEX C

Letter dated 22 April 1976 from the representative of  
the Greek Cypriot community addressed to the Special  
Representative of the Secretary-General

The "proposals" of the Turkish Cypriot side, which you kindly handed over to me on 17 April 1976, have been carefully considered.

I would first like to observe that the letter accompanying the Turkish Cypriot "proposals", addressed to Your Excellency, is signed by Mr. Rauf Denktash styling himself "President, Turkish Federated State of Cyprus" on paper so headed. This is not only contrary to the resolutions of the United Nations, under which the intercommunal talks are being held, but constitutes a further attempt to promote the arbitrary and unilateral action of the Turkish Cypriot side to set up a "Turkish Federated State of Cyprus". Such "State" has not been recognized either by the Government of the Republic or the United Nations and is legally non-existent. The act of receiving the "proposals", accompanied by the said letter, must not be construed as a recognition of either the so-called "Turkish Federated State of Cyprus", or its alleged President.

In the same letter Mr. Denktash reverts to his earlier proposal for the establishment of a "transitional joint government", allegedly "with a view to preventing any further alienation and separation of the two communities". By this proposal he obviously aims at undermining the internationally recognized Government of the Republic of Cyprus. If the Turkish Cypriot side were genuinely interested in the prevention of the separation of the two communities it should have availed itself of the offer repeatedly made in the past, and which is still open, to participate in the Government of the Republic in accordance with the 1960 Constitution.

It is not the purpose of this letter to deal with the substance of the Turkish "proposals" which contain many unacceptable propositions, assertions and demands. It is pertinent, however, to stress that the Turkish Cypriot side, under the guise of various pretexts, has again evaded to present any concrete proposal on the crucial territorial aspect of the Cyprus problem, but has simply chosen to refer to irrelevant and inaccurate generalities, which it arbitrarily terms as "criteria".

Furthermore, the statement of the Turkish Cypriot side, contained in their documents, that any proposals by it on the territorial aspect would be made only "with a view to adjusting the line between the two federated states" as well as the nature of the so-called criteria, clearly demonstrate the completely negative attitude of the Turkish side and deprive the talks of the possibility of success. The deliberate omission of the Turkish side to present any concrete proposals on the territorial aspect precludes a "package deal" approach to the problem.

It was hoped that the Turkish Cypriot leadership would have shown a constructive attitude which would enable the commencement of substantive and

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meaningful negotiations on the basis of the United Nations resolutions concerning Cyprus. It is unfortunate that the Turkish Cypriot documents do not contain any elements which could give rise to such a hope.

A careful consideration of the Turkish Cypriot proposals makes it regrettably obvious that they are incompatible with the United Nations resolutions on Cyprus and that the Turkish side has no interest in meaningful and constructive negotiations with a view to a solution of the Cyprus problem but is simply aiming at protracting the negotiating process and using the intervening time for consolidating the de facto situation created by the use of military force.

The Greek Cypriot side wishes to reiterate that it continues to regard the intercommunal talks under the auspices and personal direction of the Secretary-General as the best available means for achieving a just and lasting solution to the Cyprus problem and in this spirit submitted positive proposals covering all aspects of the Cyprus problem. It does not, however, consider that meaningful and constructive talks can be resumed if the Turkish Cypriot side continues to evade submitting concrete proposals on all aspects of the problem.

(Signed) Tassos PAPADOPOULOS



ANNEX D

Letter dated 5 May 1976 from the representative of  
the Turkish Cypriot community addressed to the  
Special Representative of the Secretary-General

I feel compelled to comment briefly on Mr. Tassos Papadopoulos's letter of 22 April, addressed to you purporting to question the Turkish Federated State's status and criticizing the Turkish side for not making concrete proposals on the territorial issue. In view, also, of the recent Greek Cypriot publications on these issues, a correction of the record becomes all the more necessary.

Mr. Papadopoulos has spent a great deal of space on examining the status of the Turkish Federated State forgetting that the fundamental point in this regard is the equality of the parties to the dispute. The Greek Cypriot side cannot maintain that their unconstitutional creation of a de facto Greek Cypriot Administration is "the bi-national Government of Cyprus", because it is not. This bi-national Government was split into two parts the moment the Greek Cypriot side attempted, in December 1963 et seq. to make "a Greek Cypriot Government" of it in preparation for ultimate union with Greece. It is a fundamental requirement, therefore, that we maintain and safeguard our inalienable status of equality in the Government of Cyprus as well as in the independence, sovereignty and territorial integrity of Cyprus. It is precisely for this reason that the establishment of a Transitional Joint Federal Government, repeatedly proposed by us over the past year, remains a constructive and valid proposal.

Equality is also the criterion of the negotiating process as agreed and established and internationally reconfirmed at all stages of the Cyprus conflict. The attempt by Mr. Papadopoulos to gloss over this fundamental reality should be duly noted.

Furthermore, it is very well known by all concerned that in Brussels and in Vienna 5th Round, the principles and the procedure to be followed at the intercommunal talks were clearly agreed upon.

When examined from the above points of view, it is apparent that the Party which has failed to comply with the aforesaid agreements is not the Turkish Cypriot side. It was for the Greek Cypriot side to produce reasonable concrete proposals on the territorial issue and so far they have failed to do so and they have tried to confuse the issue in a most undiplomatic way, by trying to envelop the Secretary-General's name into a highly nebulous and unacceptable proposition on the question of territory. It is apparent to the Turkish Cypriot side that the Greek Cypriot leadership is trying to disengage itself from solemn undertakings given at the aforesaid meetings. Mr. Papadopoulos's assertion that the Turkish Cypriot side is at fault on this issue cannot be sustained by facts and is nothing but an attempt to divert public attention from the above-mentioned accords.

Be that as it may, this is to reiterate once again that the Turkish Cypriot side is prepared to resume the intercommunal talks on the basis of equality and within the context of Brussels and Vienna accords.

(Signed) Umit S. ONAN /...

ANNEX E

Letter dated 18 May 1976 from the representative of the Greek  
Cypriot community addressed to the Special Representative of  
the Secretary-General

Further to our several conversations on the proposals of the Greek Cypriot side on the Cyprus problem and on the reply thereon and various comments of the Turkish Cypriot side I wish to bring to your notice a statement officially made on 4/5/76 by the spokesman of the Government of the Republic of Cyprus, the full text of which I append, for case of reference, herein below.

This statement is fully adopted by me as correctly reflecting the position of the Greek Cypriot side on the subject and I wish to assure Your Excellency that this continues to be the position of my side.

The full text of the statement is as follows:

"The Greek-Cypriot side has already submitted its proposals on the territorial aspect of the Cyprus problem and does not intend to submit new ones. The Turkish-Cypriot side, claiming that the U.N. Secretary-General's name was wrongly mentioned in the Greek-Cypriot proposals on the territorial aspect of the problem, returned them and refused to present any proposals of its own on the matter.

It has been repeatedly and officially stated that the Greek-Cypriot side formulated its proposals simply having in mind and adopting certain suggestions of the Secretary-General of a procedural nature.

The reference to the Secretary-General provided a pretext to the Turkish-Cypriot leadership to continue its delaying and negative tactics.

The pretext put forward is entirely unjustified. Besides, regardless of the reference to the Secretary-General's suggestions of a procedural nature, the proposals submitted were formulated by the Greek-Cypriot side and are regarded and hold good as its proposals."

(Signed) Tassos PAPAPOULOS

ANNEX F

Letter dated 25 May 1976 from the representative of the  
Turkish Cypriot community addressed to the Special  
Representative of the Secretary-General

In view of the recent attempts of the Greek Cypriot side to shift the blame on the Turkish side for the lack of meaningful negotiations on the territorial aspect of the Cyprus problem, and with reference to your letter of 21 May 1976 conveying the text of Mr. Papadopoulos's letter of 18 May, on the same subject, I would like to state once again that the Turkish side has always been willing to hold negotiations on all aspects of the Cyprus problem, including the territorial aspect, subject to the observations repeated in my letter No. 45/76 of 5 May 1976 concerning our inalienable status of equality in rights in the Government of Cyprus as well as in the independence, sovereignty, territorial integrity and non-alignment of the Republic of Cyprus.

Regarding the territorial aspect, I wish to reiterate the following:

1. The Turkish side is prepared to start talks for the determination of the boundary line between the two regions which will form the two wings of the Federal Republic of Cyprus, within the framework of the Brussels Accord.

2. In view of the delicacy of the matter and as agreed at Brussels talks, the Turkish side deems it necessary that at this stage the territorial aspect of the problem be discussed confidentially and free of propaganda considerations if the two sides are to arrive at a mutually desired satisfactory solution. Therefore, with regard to the definition of the boundary line, the Turkish side is of the opinion that it would not be advisable to mention in the open proposals any fixed percentage or area, before the committees envisaged by the Brussels Accord are established.

In fact, the said percentage or the areas of the two regions will come to light as a result of the negotiations to be held within the framework of a package deal, inclusive of the three aspects of the problem mentioned in the Brussels Accord; and in the light of the undermentioned considerations.

3. Subject to the above and within the framework of the following principles the Turkish side is prepared to have talks on the territorial aspect of the problem:

(a) The Turkish and Greek regions of Cyprus shall be homogeneous both demographically and geographically.

(b) In view of past experiences, the boundary line of the Turkish region shall be of such a nature as to enable the two communities to coexist peacefully side by side and to meet the security requirements of the Turkish community.

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(c) The area of the Turkish region shall be so determined as to adequately provide for the social and economic welfare and development of the Turkish community both at present and in the future.

(d) Each region shall be responsible for the defence of its own coasts and shall have exclusive rights over its territorial waters and continental shelf.

(e) In the negotiations concerning the determination of the boundary line between the two regions, the humanitarian problems will be taken up with due regard to the peaceful coexistence, side by side, of the two communities and in a spirit of understanding conducive to co-operation between the two.

(Signed) Umit S. ONAN

ANNEX G

Letter dated 1 June 1976 from the representative of the  
Greek Cypriot community addressed to the Special  
Representative of the Secretary-General

I thank you for your letter of 26 May by which you communicated to me the text of a letter dated 25 May addressed to you by the Turkish Cypriot negotiator, Mr. Umit S. Onan.

I regret to say that Mr. Onan's letter provides no basis for constructive negotiations and its whole content is completely unacceptable. I do not, therefore, propose to comment on it in detail.

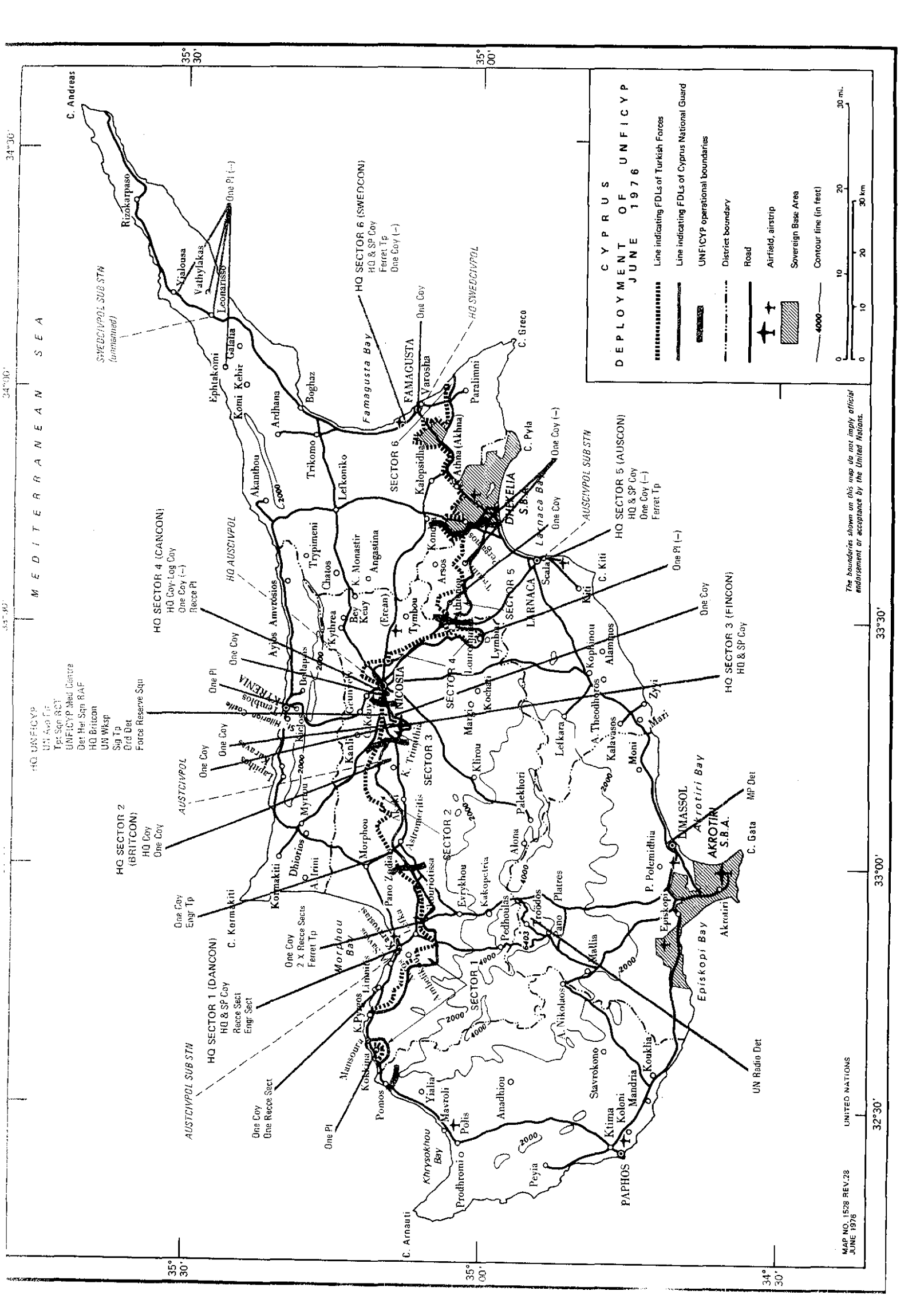
It is now, more than ever before, abundantly clear from Mr. Onan's letter that the Turkish side is aiming at the abolition of the Republic of Cyprus as one independent, sovereign and territorially integral State. For the resumption of the talks and the solution of the problem, Mr. Onan puts forward certain conditions or principles the acceptance of which would be tantamount to the partition of Cyprus, if not worse. This Turkish position is flagrantly contrary to the fundamental concept of all United Nations resolutions on Cyprus.

Furthermore, by suggesting that the territorial aspect of the problem be discussed before committees, Mr. Onan goes back on the agreement reached at the fifth round of the Cyprus talks held in Vienna, according to which proposals should be exchanged by both sides in an effort to establish a common basis "prior to referring the matter to mixed committees in Cyprus".

In the light of Mr. Onan's letter I fail to see that there are real prospects for the holding of substantive talks which can lead to progress. The Greek Cypriot side, however, is ready to resume the talks, if in the Secretary-General's view there are hopes that the Turkish Cypriot side will be prepared to enter into meaningful and constructive negotiations.









(Signed) Tassos PAPADOPOULOS

/...



MEDITERRANEAN SEA

### CYPRUS DEPLOYMENT OF UN FICYP JUNE 1976

-  Line indicating FDLs of Turkish Forces
-  Line indicating FDLs of Cyprus National Guard
-  UN FICYP operational boundaries
-  District boundary
-  Road
-  Airfield, airstrip
-  Sovereign Base Area
-  Contour line (in feet)

The boundaries shown on this map do not imply official endorsement or acceptance by the United Nations.

35° 30'

35° 00'

34° 30'

35° 00'

35° 30'

36° 00'

36° 30'

37° 00'

37° 30'

38° 00'

38° 30'

39° 00'

39° 30'

40° 00'

40° 30'

41° 00'

41° 30'

42° 00'

42° 30'

43° 00'

43° 30'

44° 00'

44° 30'

45° 00'

45° 30'

46° 00'

46° 30'

47° 00'

47° 30'

48° 00'

48° 30'

49° 00'

49° 30'

50° 00'

50° 30'



HQ UN FICYP  
UN Adv Tp  
Tpt Sqn Rct  
UN FICYP Adv Centre  
Det Hel Sqn BAF  
HQ Britcon  
UN Wksp  
Sig Tp  
Ord Det  
Force Reserve Sqn

HQ SECTOR 2  
(BRITCON)  
HQ Coy  
One Coy

HQ SECTOR 4 (CANCON)  
HQ Coy-Log Coy  
One Coy (-)  
Rece Pt

HQ SECTOR 6 (SWEDCON)  
HQ & SP Coy  
Ferret Tp  
One Coy (-)

HQ SECTOR 5 (AUSCON)  
HQ & SP Coy  
One Coy (-)  
Ferret Tp

HQ SECTOR 3 (FINCON)  
HQ & SP Coy

HQ SECTOR 1 (DANCON)  
HQ & SP Coy  
Rece Sect  
Engr Sect

SECTOR 4  
HQ & SP Coy  
One Coy

SECTOR 5  
HQ & SP Coy  
One Coy

SECTOR 6  
HQ & SP Coy  
One Coy

SECTOR 1  
HQ & SP Coy  
One Coy

SECTOR 2  
HQ & SP Coy  
One Coy