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THIRTY-SIXTH YEAR

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2313th MEETING

Held in New York on Monday, 14 December 1981, at 11 a.m.

President: Mr. Olara A. OTUNNU (Uganda).

Present: The representatives of the following States: China, France, German Democratic Republic, Ireland, Japan, Mexico, Niger, Panama, Philippines, Spain, Tunisia, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Provisional agenda (S/Agenda/2313)

1. Adoption of the agenda

2. The situation in Cyprus:

Report of the Secretary-General on the United Nations operation in Cyprus (S/14778 and Corr.1 and Add.1)

The meeting was called to order at 11.30 a.m.

Expression of thanks to the outgoing President

1. The PRESIDENT: Since this is the first meeting of the Council since the beginning of the month, I wish to take the opportunity to pay a very special and well-deserved tribute to my distinguished elder brother, Ambassador Taïeb Slim of Tunisia, who preceded me in this Chair. We all recall with admiration his leadership of the Council during the month of November, a leadership that was characterized by such reassuring wisdom: the wisdom born of a remarkable wealth of experience, an insightful intellect and a true gentleness of spirit. My brother, I greet you as a happy beneficiary of these qualities of leadership. Your help and example have made my own tenure in what you always light-heartedly call the chamber of torture much more bearable. May I convey to you the sincere sentiments of deep respect and enduring gratitude.

Adoption of the agenda

The agenda was adopted.

The situation in Cyprus:

Report of the Secretary-General on the United Nations operation in Cyprus (S/14778 and Corr.1 and Add.1)

2. The PRESIDENT: I should like to inform members of the Council that I have received letters from the representatives of Cyprus, Greece and Turkey

in which they request to be invited to participate in the discussion of the item on the agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Mavrommatis (Cyprus), Mr. Katapodis (Greece) and Mr. Kirca (Turkey) took places at the Council table.

3. The PRESIDENT: I should like to recall that in the course of the Council's consultations members of the Council agreed that an invitation should be extended to Mr. Nail Atalay in accordance with rule 39 of the provisional rules of procedure. Unless I hear any objection, I shall take it that the Council decides to invite Mr. Atalay in accordance with rule 39.

It was so decided.

4. Members of the Council have before them the report of the Secretary-General on the United Nations operation in Cyprus for the period 28 May to 30 November 1981 [S/14478 and Add.1]. Members of the Council also have before them the text of a draft resolution which has been prepared in the course of consultations [S/14790].

5. It is my understanding that the Council is ready to proceed to the vote on the draft resolution which is before it. Unless I hear any objection, I shall put the draft resolution to the vote.

A vote was taken by show of hands.

The draft resolution was adopted unanimously (resolution 495 (1981)).

6. Mr. LING Qing (China) (*interpretation from Chinese*): At the outset and in the name of the Chinese delegation, I wish to extend sincere congratulations to you, Mr. President, on your assumption of the presidency of the Council for the current month. Thanks to your dynamic leadership, the Council has succeeded in its task of recommending a new Secretary-General. We all know, however, that this was made possible on the basis of the painstaking efforts on the part of Ambassador de Piniés and Ambassador Slim, who presided over the Council after the opening of this

session of the General Assembly. The Chinese delegation highly appreciates their conscientious and patient endeavours. I wish also to take this opportunity to pay a tribute to Mr. Kurt Waldheim for his positive contributions to the Organization during his term of office as Secretary-General.

7. Regarding the agenda item which we are considering, namely, the extension of the mandate of the United Nations Peace-keeping Force in Cyprus (UNFICYP), the Chinese delegation wishes to make a brief statement by way of explaining China's position on the question of United Nations peace-keeping operations.

8. The Chinese Government has always strictly adhered to the purposes and principles of the Charter of the United Nations and has resolutely fulfilled its obligations to the United Nations. Owing to historical and political reasons, however, we have up till now adhered to a well-known position *vis-à-vis* United Nations peace-keeping operations. In recent years, we have participated in the deliberations of the Special Political Committee of the General Assembly on the item entitled "Comprehensive Review of the Whole Question of Peace-keeping Operations in All Their Aspects" and listened to the views expressed by all sides. Taking into consideration the changes in the international arena and the evolution of the role of United Nations peace-keeping operations, we deem that such operations should be conducive to the maintenance of peace in the area and the world as a whole, with due respect to the sovereignty of the States concerned, thus conforming strictly to the purposes and principles of the Charter. In line with this understanding, the Chinese delegation has participated in the voting on the draft resolution contained in document S/14790.

9. From now on, the Chinese Government will actively consider and support such United Nations peace-keeping operations as are conducive to the maintenance of international peace and security and to the preservation of the sovereignty and independence of the States concerned, in strict conformity with the purposes and principles of the Charter.

10. The PRESIDENT: I now call on the Secretary-General, who wishes to make a statement.

11. The SECRETARY-GENERAL: I have taken note of the resolution just adopted by the Security Council, which extends for another six months the mandate of UNFICYP and requests me to continue the mission of good offices entrusted to me by the Council by its resolution 367 (1975).

12. The United Nations involvement in the Cyprus situation has now continued for almost 18 years, and yet the problem is still far from a solution. Some may wonder, quite understandably, whether the United Nations road to peaceful accord, involving the con-

current use of peace-keeping and good offices, has justified its political and financial cost, to say nothing of the frustrations and disappointments with which this path is strewn.

13. An answer to this question must proceed from an appreciation of the enormously complex pattern of conflicting interests that are considered vital by the various parties involved in the Cyprus problem. It would have been idle to look towards an immediate solution. What the United Nations has managed to do in a remarkably effective way is to keep the threatening situation under control on the ground. This was and remains the task of UNFICYP.

14. By maintaining the peace, the United Nations has helped to create conditions conducive to the search for a political settlement of the underlying dispute. During the first years of my tenure as Secretary-General, this search went forward under my auspices until, by the end of 1973, the outlines of an agreed settlement had been completed. The attempted coup of July 1974 and the subsequent military intervention nullified this achievement and forced us to start anew.

15. The choices before the Security Council were between rhetorical condemnation of one side or the other and the practical, but painful, exercise of statesmanship and realistic politics, which alone could lead to a negotiated peaceful solution. The Council wisely chose the latter path. In March 1975, it entrusted me with the mission of good offices to promote a just and lasting settlement, which it has just extended for another six months.

16. A number of resolutions were adopted by the General Assembly, as well as by the Council, setting forth basic principles and procedures for reaching freely a mutually acceptable political settlement based on the fundamental and legitimate rights of the two communities.

17. Despite great difficulties, I convened several rounds of intercommunal talks in pursuance of this mission. Initially, these talks made slow progress, although a number of agreements were reached that enabled us, to the extent possible in the circumstances, to stabilize conditions along the cease-fire lines, establish a United Nations buffer zone and achieve a measure of normalization. At the same time, the widely divergent positions of the parties provided a measure of the magnitude of the task that needed to be accomplished.

18. After intensive efforts, the high-level meetings held under my auspices in February 1977 and May 1979 resulted in the guidelines [S/12323, para. 5] and the 10-point accord [S/13369, para. 51], which provide to this day the basis, principles and priorities in our search for a solution. The talks were resumed in a sustained manner in September 1980. This year,

following the submission of new proposals by the parties, my Special Representative presented to them, on my behalf, the elements of an evaluation of the status of the talks. This was designed not as a proposal for the solution of the problem, but as an analysis of certain major points of coincidence and equidistance, leading to cert. in ideas or working hypotheses conceived as parameters for conducting negotiations. During the past fortnight, the parties at the intercommunal talks have agreed to use this evaluation as a method of negotiation, thus embarking on the path designed to lead eventually to a comprehensive settlement.

19. The negotiating process that the Council authorized nearly seven years ago has been a slow and painful one, and rather frustrating, since it involves the gradual modification and mutual readjustment of vital interests and cherished beliefs. But there has been gradual movement instead of confrontation, and the pace of this movement has been distinctly accelerated over the past few months. The value of this painstaking and, at times, frustrating approach is all the more justified in the light of the fact that no practical peaceful alternative is available, except perhaps, for the time being at least, an unstable and unacceptable *status quo*.

20. I appeal to all parties concerned, since this is the last time I can do so, not to allow an understandable impatience to obscure a sober assessment of the progress achieved. Nor should the parties allow themselves to lose sight for a moment of the great distance that remains to be travelled. There is need for greater efforts, greater restraint, and more concrete achievements. But the path has been charted, and, while the obstacles are formidable, I am convinced that, with the co-operative efforts of all concerned, they can be overcome.

21. To my successor, Mr. Pérez de Cuéllar, who for four years was my closest collaborator in dealing with this question, I hand on a formidable task, but one that I have no doubt can be accomplished. My best wishes go with him as he assumes the heavy responsibility of steering this effort to a successful conclusion.

22. Finally, may I express my sincere appreciation to you, Mr. President, for your help in facilitating the decision that the Council has just made and for your skilful and effective handling of this issue.

23. The PRESIDENT: The first speaker is the representative of Cyprus, on whom I now call.

24. Mr. MAVROMMATIS (Cyprus): I should like from the very outset, Mr. President, to congratulate you very warmly on your assumption of the presidency of the Council for the month of December. Under your able and wise guidance, as already exemplified, I am confident that the Council will successfully carry out its important tasks. Indeed, it will always be remembered that it was under your presidency, and thanks to

your efforts, that the Council succeeded in overcoming weeks of difficulties and decided to recommend as Secretary-General Ambassador Pérez de Cuéllar, a person well known and admired by all for his high qualities and his dedicated work for the Organization in many parts of the world, including Cyprus.

25. I should also like to congratulate Ambassador Slim, representative of Tunisia, on the exemplary manner in which he presided over the Council during November.

26. I wish also to thank you, Mr. President, and the other members of the Council for having afforded me the opportunity to address the Council and also to extend our appreciation of the resolution just adopted, with the consent of the Government of the Republic of Cyprus, extending the mandate of UNFICYP for a further period of six months, a renewal so necessary for the ongoing process of the intercommunal talks.

27. The Council's present consideration of the renewal of the mandate of the Force and the good offices of the Secretary-General again takes place with the Cyprus problem no nearer a solution, as the Secretary-General has just stated.

28. As the resolution just adopted sadly reminds us, 40 per cent of my country still remains under the occupation of Turkish troops. The thousands of refugees and displaced persons are still living with the dream of returning to their ancestral homes, and the relatives of 2,000 missing persons are still horrified by obstructionist tactics deferring the day when they can be given convincing news of their loved ones—all this despite a succession of United Nations resolutions and the tenets of the Charter, and yet we are called upon to continue negotiating in the shadow of the arms of the Turkish army, which refuses to withdraw.

29. During the more than six months that have elapsed since the last meeting of the Council, certain developments have occurred regarding the intercommunal dialogue in Cyprus.

30. On 5 August, the Turkish Cypriots at long last presented their "comprehensive" proposals for the solution of the Cyprus problem. The disappointment resulting from them was as immense as the waiting for them. They were not just minimalist and unrealistic, but they could not, by any stretch of the imagination, lend any hope for a fruitful dialogue. None the less, the Greek Cypriot interlocutor presented not only views on these proposals but also, on 9 September, further proposals.

31. As a result of the nature of the Turkish Cypriot proposals and the huge gap that they left, it was to be expected that the Secretary-General would give some thought to ways and means of keeping the dialogue alive. Hence his "evaluation" of the present status of the negotiations, which after intensive consultations

both here in New York and in Nicosia, was officially submitted on 18 November.

32. Although we reserved our position on the "evaluation", which contains both positive and negative elements, and have fully outlined our views thereon, we find it to be helpful to the negotiating process and hope that it will pave the way to a more productive phase in the dialogue. There is no doubt that this "evaluation" was never meant to form, and certainly is not, the basis for the negotiations. Here in the United Nations we employ all kinds of terminology to describe documents which are merely intended to be a very useful vehicle for progress in ongoing negotiations. The basis for the intercommunal dialogue in Cyprus was, and always will be, the United Nations resolutions and the two high-level agreements, including the priority given to Varosha.

33. On the other hand, it must be stressed that, following the submission of the "evaluation", we should accelerate the pace of the whole process considerably, so that within a reasonably short time we should know where we stand and whether, hopefully, substantive progress is possible. The aforesaid is essential not only because of the length of time that has elapsed without any progress but also because the Government of Cyprus, in yet another gesture of goodwill, not only agreed to the adjournment of the debate of the question of Cyprus during the thirty-fifth session of the General Assembly last year, but also this year accepted an understanding whereby the same item, Cyprus, might not be discussed during the session of the General Assembly which is due to adjourn on or about 17 December, but, if necessary, during a resumed session thereafter.

34. Permit me to state categorically that, if within a reasonable time the talks in Cyprus do not register progress, then we shall ask for and have a full-fledged debate and a resolution, as in the past, during a resumed session of the General Assembly. This is not meant in any way to be a threat, but is a declaration of intent. As we have proved in similar circumstances in the past, we shall work with determination, goodwill and bona fides to overcome difficulties and to achieve progress. But if the other side does not reciprocate, then we shall have to act to safeguard the interests of our country, both here in the United Nations and in every other forum which offers itself for this purpose.

35. Permit me to make a brief reference to the question of the missing persons in Cyprus, in respect of which the Third Committee of the General Assembly, by an overwhelming majority, adopted on 4 December a draft resolution¹ designed to eliminate procedural difficulties and attempts by the other side to depart from existing agreements. It is our earnest hope that the Committee on Missing Persons in Cyprus will now embark, seriously and with a sense of urgency, upon its difficult substantive work of investigation, as called for by the aforementioned draft resolution.

36. During the past few months, Turkey has increased the violations of the airspace of Cyprus as well as its efforts to change the demographic structure of my country by granting Cypriot citizenship to settlers implanted in Cyprus from Turkey. We have officially and strongly protested those actions, but we should like to warn once again that such actions put in jeopardy all efforts to reach a peaceful settlement and cannot be tolerated any longer.

37. I wish to take this opportunity—and indeed, I would be remiss if I did not—to convey our deep appreciation to the Secretary-General, Mr. Kurt Waldheim, for his continued, able and dedicated efforts to help solve the Cyprus question. He has always been patient, understanding, extremely diplomatic and ready to seize every opportunity or employ any mechanism that appeared to be likely to contribute positively to the quest for progress. We do thank him warmly and sincerely.

38. We also thank his able staff, Mr. Urquhart, Mr. Gobbi, Mr. Sherry, Mr. Picco and Mr. Schlittler-Silva for their untiring efforts. I also wish to extend our appreciation to the Commander-in-Chief, the officers and men of UNFICYP and to the countries that have contributed contingents to the Force as well as those that contribute to its special account.

39. In conclusion, I should like to express the wish and hope that within the period of the renewed mandate of the Force and the Secretary-General's mission of good offices, substantive progress will be achieved so that the plight of my country may be alleviated and the era of reason and legality may begin.

40. The PRESIDENT: I call on the representative of Greece.

41. Mr. KATAPODIS (Greece): In the 12 months of Uganda's participation in the Council, you, Mr. President, have earned general recognition as a highly qualified diplomat and an outstanding member of this organ. It is certainly no coincidence that under your brilliant guidance the Council was able to break the deadlock over the election of a new Secretary-General. It is a great pleasure for me to extend to you the most sincere congratulations of my delegation.

42. I should also like to congratulate your predecessor, Ambassador Slim of Tunisia, who during his tenure at an equally delicate period showed considerable skill and great diplomatic ability.

43. The renewal of the mandate of UNFICYP every six months tends more and more to become a ritual. This is not to say that the inhabitants of the unfortunate island, both those who live in the unoccupied sector and those who have left their homes upon the invasion of 1974, do not need the reassurance of the presence of the Force. On the contrary, it has contributed greatly to the stabilization of the situation in Cyprus and is

rendering invaluable services to all the Cypriots, for which my Government is infinitely grateful. I therefore take this opportunity to express once again our appreciation to the Commander-in-Chief, the officers and the men of the Force for their unsparing devotion to duty.

44. But it would be a fatal mistake to consider the peace-keeping operation as a goal in itself. And unfortunately, this is what many of us have a tendency to do. The relative quiet that has prevailed in Cyprus since 1974 has lulled the vigilance of those whose duty it is to ensure the implementation of the principles of the Charter in Cyprus, starting with the organs of the United Nations. Two of these organs, the General Assembly and the Security Council, have adopted by overwhelming majorities a long series of resolutions calling for the withdrawal of foreign troops, the return of the refugees to their homes, the safeguarding of the independence, sovereignty, territorial integrity and non-alignment of the Republic and, finally, a just and peaceful settlement through negotiations between the two communities. Unfortunately, none of these objectives has been achieved so far. The occupying troops still control something like 40 per cent of the territory of Cyprus. On the other hand, not one of the 200,000 refugees, representing one third of the population of the island, has been able to go back. And it would be a mockery to speak of the independence and territorial integrity of the country, a substantial part of which is under foreign occupation.

45. These facts are well known and undisputed. Yet most of us have a tendency to disregard them and to speak of the necessity of mutual concessions, as if it were possible to envisage a reciprocity of concessions between the conqueror and the conquered, the invader and his victim.

46. It is customary, at the time when the Council convenes to renew the mandate of the Force, to sum up the developments of the previous six months and to outline the expectations and hopes for the future. At each of the last five meetings of the Council on the subject, hopes were expressed that at long last progress would be made towards a negotiated settlement. The scenario has acquired a disquieting regularity. The Turkish Cypriot side announces its intention, echoed by assurances from Ankara, to put forward substantive proposals for such a settlement. But subsequently these promises are belied by the facts.

47. Members of the Council will recall that last August the long-awaited territorial proposals of the Turkish Cypriot community were presented. What these proposals amounted to, in fact, was the offer to return approximately three per cent of the occupied territory. In exchange, the Turkish Cypriot community asked for nothing less than the virtual partition of the island in the guise of the creation of two federated entities, each of which would be an independent State in all but name. The proposals in question were so unsatisfactory—and this is an impression shared by all

those who closely follow developments in Cyprus—that the Secretary-General considered it necessary to play a more active role in the negotiations, always within his mandate of good offices. It is thus that he presented the parties with his evaluation of the various aspects of the problem. This evaluation has been accepted by the Government of Cyprus as a vehicle for advancing the negotiations. We consider this to be a very constructive and helpful step. For its part, my Government can give the assurance that it will do all it can to help find a solution that would be consistent with the relevant resolutions of the General Assembly and the Security Council, the high-level agreement of May 1979 and the Makarios-Denktaş guidelines of 1977.

48. Another aspect of the problem which has been raised repeatedly in this Council is that of the missing persons in Cyprus. After strenuous negotiations, which lasted for years through no fault of the Greek Cypriot side, the parties decided last April to set up an investigating committee. We hailed that decision because we hoped that it would pave the way towards throwing light on the fate of the numerous persons, some of them of Greek nationality, whose whereabouts have been unknown since the invasion. Unfortunately, from the very beginning the committee was faced with obstructionist tactics on the part of its Turkish Cypriot member. As a result, eight months after its establishment, it has still to embark upon its main task. A few days ago, the Third Committee adopted a draft resolution¹ urging the full implementation of the agreed terms of reference for the work of the investigatory committee and calling upon the parties to facilitate the committee in carrying out its investigation. We sincerely hope that this decision will enable the committee to go ahead with its work. Let us not forget that this is a purely humanitarian matter and that the completion of the investigation, whatever its findings, will help ease the agony of the families of the missing persons.

49. Before concluding, I should like to extend our warmest thanks to the Secretary-General, Mr. Kurt Waldheim, who, during the 10 years of his tenure, has devoted his untiring energy, great inventiveness and single-minded dedication to helping the parties reach an agreement. Even if his efforts were not crowned with success—and I am sure this must have been a cause of great disappointment to him—Mr. Waldheim can rest assured that he has earned the gratitude of all Cypriots and the appreciation of successive Greek Governments. Our thanks also go to his able collaborators, here in New York and in Nicosia. And it is indeed fortunate that the man whom the Council has decided to recommend as his successor is equally familiar with the cause of Cyprus, which he has served in various capacities over his distinguished diplomatic career.

50. It is our earnest hope that after all these years of strife and suffering reason will prevail and that all those directly or indirectly concerned with Cyprus

will live up to their obligation to help the two communities arrive at a just and mutually acceptable settlement. Such a settlement would be to the benefit not only of the beleaguered population of Cyprus but also of the whole troubled region.

51. The PRESIDENT: The next speaker is Mr. Nail Atalay, to whom the Council has extended an invitation in accordance with rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

52. Mr. ATALAY: I have requested to be allowed to participate in the deliberations of the Council to express the views of the Government of the Turkish Federated State of Kibris—the sole representative of the Turkish Cypriot community—on the question of the extension for six months of the mandate of UNFICYP.

53. Before I begin to make my statement, allow me to express our appreciation, on my own behalf and on behalf of the Turkish Federated State of Kibris, to you and to all members of the Council for having invited me to participate in this debate.

54. May I take this opportunity to congratulate you, Sir, on the assumption of your duties as the President of the Council and also express our gratitude to you and through you to the Government of the Republic of Uganda for its impartiality and for the constructive role Uganda has played throughout in connection with the question of Cyprus.

55. Allow me also, on behalf of my Government and on my own behalf, to express our thanks and gratitude to the Secretary-General, to his staff in the Secretariat and in the field—especially to Mr. Urquhart, Mr. Gobbi, Mr. Sherry, Mr. Schlittler-Silva and Mr. Picco—and to the military and civilian personnel of the Force for the exemplary, impartial and efficient manner in which they have discharged their important duties.

56. I should like to take this opportunity also to express our gratitude to those countries that have contributed men and funds to the Force in Cyprus.

57. The Council has just adopted the resolution on the extension of the mandate of the Force until 15 June 1982. Despite our repeated and well-founded objections, in the third preambular paragraph reference is made to the so-called "Government of Cyprus", which has been non-existent since December 1963. Such terminology reflects neither the legal nor the factual reality. The members of the Council are no doubt familiar with our position in this matter, that such usage is also prejudicial to the political equality and the co-founder partner status of the two national entities in Cyprus. These two national communities of Cyprus are and have been the two main parties to the Cyprus dispute since December 1963, as a result of the Greek Cypriot armed attempt to destroy the communal

partnership in the land. This discriminatory terminology contradicts the state of affairs established by the Basic Articles of the 1960 Constitution, which has been guaranteed by the Treaty of Guarantee² of the same date, and is totally unacceptable to the Turkish Cypriot side, as it tends to give to the Greek Cypriot side, as an unwarranted gift at the expense of the Turkish Cypriot people, what they failed to achieve by force from 1963 to 1974, that is, the title of a legitimate central government from which they ejected the Turkish Cypriot partner in contravention of the Constitution and the treaties which brought the Republic of Cyprus into existence.

58. Therefore, since a reference has been made to this non-existent entity—the Government of Cyprus—it is obvious that we cannot accept the resolution. Nevertheless, I have been authorized to give my consent, on behalf of the Government of the Turkish Federated State of Kibris, to the extension of the mandate of the Force until 15 June 1982. We shall continue to co-operate with it and help to make its operation a success. Furthermore, the members of the Council and the Secretary-General are well aware of our position, as I have already emphasized on numerous occasions during the Council's meetings here, that the *modus operandi* of the Force must be changed and its present mandate must be revised according to the present realities of Cyprus.

59. The resolution also "requests the Secretary-General to continue his mission of good offices". My Government welcomes and supports that request. We shall give our full co-operation to our dedicated Secretary-General in his mission. However, I should like to remind the members of the Council that the intercommunal talks are continuing on the basis of the Secretary-General's opening statement of 9 August 1980 [see S/14100, annex], which incorporates the high-level agreements of 1977 and 1979 and other important elements, and now also on the basis of his very recent "evaluation" paper of 22 October 1981 on the intercommunal talks. Therefore, the fifth preambular paragraph and paragraph 2 of the resolution do not accurately reflect the actual basis on which the talks are continuing.

60. Both the Greek Cypriot representative, Mr. Mavrommatis, and the representative of Greece, Mr. Kapodis, have said that there is a foreign occupation in Cyprus. Mr. Mavrommatis especially, in putting the question of Cyprus to the Council today, has deliberately confused the issue by distorting facts and amalgamating the history of events in such a way as to leave his listeners in utter confusion. His statement that foreign occupation is still the cause of the political malaise that permeates the country signifies his continued and unacceptable adherence to the view that what preceded the legitimate and timely intervention by Turkey in July 1974 was normal. However, the question of Cyprus has been on the agenda of the United Nations, as the Secretary-General said today,

for the past 18 years, since as early as 1964, because of the Greek Cypriot attempt to eliminate the Turkish Cypriot factor from Cyprus as a co-founder and partner of the community of the Republic of Cyprus. I pointed this out in my letter of 30 May 1978, giving full details of the infamous Akritas plan [S/12722] which formed the basis of the Greek Cypriot attack on the Turkish Cypriots in December 1963. The cause of the political malaise that permeates the country is, therefore, the continued attempt and the continuing intent of the Greek Cypriot leaders to legitimize the fruits of their aggression, which started in December 1963 and continued until the liberation of the Turkish Cypriots by Turkey in July 1974.

61. Had Turkey not exercised its legitimate right to intervention, it is abundantly clear that the island would have been taken over and colonized by Greeks. Archbishop Makarios said on 19 July 1974 in the Council that Greece had callously violated the independence of Cyprus and that what had happened in Cyprus was not a revolution, but "an invasion [by Greece] which violated the independence and the sovereignty of the Republic" [1780th meeting, para. 18].

62. In connection with the missing-persons issue, I should like to state the following. Unfortunately, we have witnessed once again that what is a humanitarian issue for the Turkish Cypriots is a political one for the Greek Cypriots. That is simply because of the fact that the Greek Cypriot side has chosen to politicize and exploit this issue for its propaganda purposes, and, as a result, the issue is still unsolved and is being prolonged at the expense of the families concerned.

63. The draft resolution on missing persons adopted on 4 December by the Third Committee¹ has caused the Turkish Cypriot side to question the integrity of the Greek Cypriots in any direct negotiations between the two communities. Unless the obstacles of this draft resolution are removed, the Turkish Cypriot side regrets that it will have to review its position on the autonomous Committee on Missing Persons, which it fought so hard to establish earlier this year. The President of the Turkish Federated State of Kibris, Mr. Rauf Denktas, made the following statement on the subject:

"The United Nations Third Committee draft resolution of 4 December has dealt a serious blow to the principle of intercommunal agreement forming the basis of the efforts to solve the missing-persons issue, as well as to the work of the Committee on Missing Persons, set up on the basis of that principle.

"The Turkish Cypriot community, which has not spared its constructive efforts and co-operation in the setting up of this Committee, considered its establishment as a concrete sign that all outstanding matters of disagreement between the two communities could be solved through mutual agreement and through constructive and goodwill talks and was very gratified with this.

"The Greek Cypriot community, which, following the start of the Committee's work, boycotted its meetings from 25 September to 26 November and in the mean time flagrantly violated the principle of secrecy in the Committee's written terms of reference, has, in an effort to mask its said negative attitude undermining the Committee's work, rushed to the United Nations as a complainant, as if the side in default were the Turkish Cypriot community. In taking the matter to the United Nations, it has failed to take into account the Turkish Cypriot side's opposition to such a course.

"The consequences of a violation of the principle of a secrecy both inherent and explicitly laid down in the Committee's terms of reference is a very serious matter, and the United Nations itself knows by whom, when and how this principle of secrecy was violated.

"In a statement made by the United Nations on 10 November, it is abundantly clear, through the words 'which functions autonomously', that the Committee has an autonomous character. The draft resolution adopted by the Third Committee has, to say the least, damaged the autonomous character of the Committee on Missing Persons; this has also been officially confirmed by United Nations circles.

"The development has entirely eroded the fundamental principles on which the Committee on Missing Persons had been built. The development manifest in the draft resolution adopted by the United Nations Third Committee is so important and serious as to compel the Turkish Cypriot community to review its stand on the missing-persons issue.

"The Turkish Cypriot community demands the removal of the obstacles brought by the Third Committee draft resolution so that the missing-persons issue can be settled by the tripartite Committee on the basis of the existing agreement between the two communities.

"Pending the satisfactory and convincing removal of these obstacles, the Turkish Cypriot side has decided to reserve its right to reconsider the work of the Committee on Missing Persons.

"The Turkish Cypriot community is determined to foil this harmful trick of the Greek Cypriots which seeks to exploit the missing-persons issue purely for propaganda purposes.

"The Greek Cypriot intrigue in the United Nations Third Committee has clearly shown that they have not attained the will and maturity to solve the problems in dispute between the two communities by peaceful means and on the basis of intercommunal agreements.

"The aspect of the Third Committee draft resolution which encourages us has been the sympathetic

and constructive attitude of a considerable number of countries which did not vote in favour of the draft resolution drawn up by the Greek Cypriot side. I should like to express my thanks, on behalf of the Turkish Federated State of Kibris, to all countries which, quite rightly, have not approved this draft resolution."

64. The fact that the Cyprus problem is a matter between the two communities and that a just and lasting solution to it can be found only through intercommunal talks held on an equal footing has been widely accepted by the world community. In fact, of all the States Members that referred to the question of Cyprus in the course of the general debate at the thirty-sixth session of the General Assembly, nearly every one emphasized the intercommunal character of the Cyprus problem and confirmed that the intercommunal talks were the only available method for achieving a political solution. In their statements, the Foreign Ministers also expressed their satisfaction at the fact that the intercommunal talks had been going on without a break for over a year and that they had reached a decisive stage.

65. In paragraph 56 of his report the Secretary-General states, regarding the constructive developments which had taken place in the intercommunal talks,

"It is my hope that consideration of the 'evaluation' paper at the intercommunal talks will mark the beginning of a new and fruitful phase in the long search for a negotiated settlement. As I have pointed out in my previous reports to the General Assembly, there is no alternative to a concrete and effective negotiating process if a mutually acceptable, just and lasting solution to the Cyprus problem is to be achieved. While the intercommunal talks represent, in my view, the best available method for pursuing this process, the evaluation paper constitutes a determined effort to lend structure and substance to it. It will be for the parties to avail themselves of the opportunities for fruitful negotiations that have now been offered to them."

66. The Turkish Cypriot side has supported the efforts of the Secretary-General in connection with the new ideas referred to in his report. Furthermore, we have accepted the "evaluation" paper as the framework and the basis for the intercommunal negotiations. But the Greek and Greek Cypriot side is doing its utmost to prevent the Secretary-General's evaluation paper as a whole from being considered as the framework and the basis of the negotiations.

67. There is no doubt whatsoever that it was the presentation at the intercommunal talks by the Turkish Cypriot side on 5 August of concrete and comprehensive proposals, including a map of the territory, which basically contributed to the talks reaching such a constructive phase.

68. Turkey has encouraged and supported the Turkish Cypriot leadership in this constructive attitude that it has adopted. In fact, Turkey has all along held the view that both Turkey and Greece should encourage the two communities in Cyprus in the talks being held between them on an equal footing.

69. At a time when Mr. Waldheim's ideas were conveyed unofficially to the leaders of the two communities on 22 October and officially to the interlocutors on 18 November, and while it was necessary for Turkey and Greece to encourage the two communities in Cyprus to continue the talks and while Turkey, for its part, had done so, it is regrettable to observe that Greece, far from encouraging the Greek Cypriots to continue the talks, has on the contrary adopted an attitude that would encourage the Greek Cypriots to abandon the process of the talks.

70. The Turkish Cypriot side, whatever comes from Greek circles, is determined to continue sincerely and constructively to do all it can to keep the process of the intercommunal talks alive despite the unconstructive attitude of the other side. The recent statements of President Denktas to this effect are clear proof of the goodwill of the Turkish Cypriot side.

71. In concluding, I should like to pay a tribute and to extend our heartfelt gratitude, on behalf of my President, my Government, my community and myself, to the retiring Secretary-General, Mr. Kurt Waldheim, for the dedicated, untiring efforts and personal sacrifices he made towards a peaceful solution of the problem of Cyprus. We wish him and Mrs. Waldheim the best in their future endeavours.

72. I should like also to extend to Mr. Javier Pérez de Cuéllar our heartfelt congratulations on the unanimous recommendation of his candidature by the Council to the General Assembly as the next Secretary-General and to wish him every success in his exalted and difficult task.

73. I should like to take this opportunity to express my deepest gratitude for his laudable and untiring efforts in the search for a just and lasting solution of the Cyprus problem and to assure him of the continuation of the fullest co-operation of the Turkish Cypriot side in his future efforts in this regard. I am confident that his wise guidance and wealth of experience will greatly contribute towards the achievement of global peace and security and foster more harmonious international relations for the prosperity of mankind as a whole.

74. The PRESIDENT: The next speaker is the representative of Turkey, on whom I now call.

75. Mr. KIRCA (Turkey) (*interpretation from French*): Mr. President, allow me at the very beginning of my statement to convey to you my warmest congratulations, since from the beginning of this month you have assumed the office of President of the Council.

I wish you every success in this highly important task. It is also my pleasure to stress on this occasion the very good relations between Uganda and Turkey, as well as my duty to assure you of Turkey's co-operation with regard to the activities of the Council. Nor can I fail to convey my gratitude for your very skilful and impartial conduct of the consultations that you so elegantly guided.

76. This meeting of the Council is being held at a time when the intercommunal negotiations between the Turkish and Greek communities in Cyprus have reached a crucial stage, following the 16 months of uninterrupted talks. Whatever may have been the difficulties encountered in the course of these negotiations, the responsibility cannot be ascribed to the Turkish side, which, thanks to its spirit of compromise and its political will to reach a just and lasting solution of the conflict, was able to prevent any breaking-off of the dialogue. Indeed, in the view of the Turkish Government, the intercommunal negotiations constitute not only the best, but also the sole, means of bringing about a just and lasting solution of the Cyprus question.

77. My Government is particularly happy to share this conviction with the Secretary-General of the United Nations. My Government believes, furthermore, that this is the general feeling of the members of the Council. In this regard, I should like to say how much the patience, perseverance and sagacity of the Secretary-General and his Special Representative, Mr. Hugo Gobbi, played a vital role in preserving the dialogue and helping to promote its progress.

78. I have just said that the intercommunal negotiations have reached a crucial point. First of all, the Turkish Cypriot community presented on 5 August a comprehensive plan which no one can deny contains the elements of important concessions. That comprehensive plan was a set of proposals open to discussion, as has always been stressed by representatives of the Turkish Cypriot community. It should be pointed out that our approach did not meet with an adequate response from the other side which could have been interpreted as a real effort towards *rapprochement*. It was at that time that the Secretary-General decided to draw up an evaluation of the dialogue that had taken place hitherto and deemed that "evaluation" to be an appropriate opportunity for injecting certain ideas and suggestions into the negotiating process, in keeping with his good-offices mission. That highly important development is commented on in paragraph 56 of the Secretary-General's report as follows:

"It is my hope that the consideration of the 'evaluation' paper at the intercommunal talks will mark the beginning of a new and fruitful phase in the long search for a negotiated settlement. As I have pointed out in my previous reports to the General Assembly, there is no alternative to a concrete and effective negotiating process if a mutually acceptable, just

and lasting solution to the Cyprus problem is to be achieved. While the intercommunal talks represent, in my view, the best available method for pursuing this process, the evaluation paper constitutes a determined effort to lend structure and substance to it. It will be for the parties to avail themselves of the opportunities for fruitful negotiations that have now been offered to them."

79. On instructions from my Government, I wish to inform the Council that Turkey entirely shares the view expressed by the Secretary-General in that paragraph. My Government is also happy that, as has just been repeated by Mr. Nail Atalay, representative of the Federated Turkish State of Cyprus, the Turkish Cypriot community supports this position of the Secretary-General and proposes that the evaluation paper should henceforth constitute the framework for and the basis of intercommunal negotiations. The Turkish Government gives its whole-hearted support to this proposal of the Turkish Cypriot community and hopes that the other party will accept without delay the whole of this paper and the ideas to which it refers as the framework for and basis of intercommunal talks.

80. In spite of the official submission of this evaluation paper by the Special Representative of the Secretary-General, it is disheartening to note that the other side, instead of reflecting on this historic opportunity being offered to the two communities by the Secretary-General, remains tempted by polemics and by methods which can be aimed only at a totally illusory self-satisfaction. Furthermore, we note unfortunately that for some weeks now there has been a growing surge of encouragement which it has been receiving along these lines from the country which supports it. The unleashing of feelings, the rhetorical condemnation mentioned today by the Secretary-General, the negation of realities and a refusal to compromise have never been useful in an intelligent search for a solution to disputes. It is high time to remember this.

81. We should also understand, after so much trouble, that even a massive effort at continuous propaganda based on the systematic alteration of the facts and the deliberate distortion of fundamental concepts of international law cannot obscure the truth indefinitely. For my Government's part, we await calmly, with tranquillity and patience, for a return to reason on the part of the negotiating partner of the Greek Cypriot community to the intercommunal negotiating table, and we very much hope that that party will not lose what I have already described as a historic opportunity offered by the Secretary-General.

82. In this regard, I should like to add a few words which have become necessary. The Turkish Cypriot side, to our knowledge, has never asked for partition of the island. It has never claimed an independent status. It is merely claiming the status of a federated State. The other side should give up the hope that

the Turkish Cypriot community can be prevailed upon to place itself again under Greek Cypriot administration and thus suffer once more every possible and imaginable hardship and suffering, and resign itself indefinitely to the status of second-class citizens under constant political pressure and in conditions of economic and social underdevelopment. That will never happen again.

83. Permit me now to present our comments on certain parts of the report of the Secretary-General.

84. It is regrettable that the principle of the equality of the communities, a constituent element of the Republic of Cyprus, is not respected in the wording used to designate the official personalities of the two communities. Furthermore, the administration of the Greek Cypriot community is there described as the "Government of Cyprus", a status to which that administration has no claim. I will come back to this point when I come to present our comments on the resolution just adopted by the Council.

85. We also regret the reference in the same report to consultations and unofficial exchanges of views on the subject of missing persons. Not only has the Turkish Cypriot community never participated in these so-called consultations and informal exchanges of view, but it is above all difficult to understand how they could have taken place, since quite obviously—and this, by the way, is acknowledged by the Secretary-General—this question falls within the exclusive province of the Committee on Missing Persons, an autonomous inter-communal organ established on the basis of an inter-communal agreement, thanks to the good offices of the Secretary-General, which ended, and very successfully so, following the establishment and setting up of that Committee.

86. The Committee on Missing Persons, as I said, is an autonomous intercommunal organ, as recognized by an official communiqué of the United Nations Office at Nicosia on 10 November last. Its proceedings and deliberations must be kept secret. This rule of secrecy has been violated several times by the Greek Cypriot side. Indeed, Father Christoforou divulged the text of the mandate on 30 October in the course of a press conference. If the Greek Cypriot side really wants to co-operate with the Turkish Cypriot side in this Committee, it must first of all respect the rule of secrecy. Furthermore, the Greek Cypriot side, for a month and a half or more, has boycotted the meetings of this Committee. Before referring the matter to other forums, the Greek Cypriot side must come and attend meetings of the Committee.

87. As to the resolution adopted by the Third Committee, it is null and void simply because, *inter alia*, it calls upon the General Assembly to take a decision on a text or intercommunal agreement which is secret, of which it knows nothing, and of which it is not entitled to know.

88. My first comment on the resolution just adopted by the Council relates to the reference in the third preambular paragraph to the so-called "Government of Cyprus". The Republic of Cyprus is an entity established by international treaty. The "state of affairs" created by the Basic Articles of the Cyprus Constitution of 1960 is guaranteed by an international treaty, and the Cypriot State undertook not to amend or unilaterally violate those Articles. The leaders of the Greek Cypriot community, since December 1963, have been responsible for the total reversal, to their exclusive advantage, of the Basic Articles of the Constitution.

89. Therein reside the true nature and the sole origin of the Cyprus conflict. Indeed, if the provisions of the Constitution and of the treaties had been respected, if the Turkish Cypriot community had not been prevented from exercising its constitutional rights and if it had not been constantly persecuted, there would be no Turkish troops on the island today. Because of their continual attack against the Constitution and against its Basic Articles, which are at the same time rules of international law, the leaders of the Greek Cypriot community have placed themselves in the position of usurpers of the title of "Government of Cyprus". Turkey does not recognize that status as belonging to them, and in any case it is in no way in keeping with the current situation, where two quite distinct communal administrations each govern their own community.

90. The Republic of Cyprus will have a legal and legitimate government only when, through the inter-communal negotiations, the state of affairs guaranteed by international treaty, that is, the bi-communal essence of the Republic, is restored, this time by being reflected in institutions and in arrangements which will render absolutely impossible any conceivable assault upon the principle of the equality of the two communities. This is possible only in a Cypriot republic based upon the equality of the two communities, Greek and Turkish, each with its federated State, in a bi-regional and federal framework. It would also be desirable for the federal government thus established to choose non-alignment of its own free will. In this regard, I should like once again to stress the content of my letter of 14 April last [S/14445].

91. These are the overriding reasons why the third preambular paragraph of the resolution just adopted remains unacceptable to Turkey.

92. I should also like to inform the Council that the various reservations expressed and the positions adopted by Turkey on the texts mentioned in this resolution have not been changed and remain equally valid for the resolution adopted today.

93. Members will undoubtedly recall that in the course of the consultations they conducted on the item under consideration my Government supported

the view of the Federated Turkish State of Cyprus whereby the important developments which have occurred since the conclusion of the high-level agreement of 1979 should be reflected in the text of the resolution.

94. The reopening of the intercommunal negotiations did take place thanks to the preliminary statement of the Secretary-General of 9 August 1980. That statement contains supplementary elements of vital importance which now constitute one of the bases for these negotiations. The Turkish Government fails to understand why a reference to that statement has been excluded. Nevertheless, my Government reiterates its view that that statement constitutes one of the bases for these negotiations.

95. It is even more disconcerting not to find in the resolution just adopted any encouragement for the two communities along the lines of paragraph 56 of the report of the Secretary-General.

96. However, my Government does not hold the members of the Council responsible for these highly regrettable omissions. We are well aware of the source of the opposition and the true reasons for it.

97. I therefore call upon the Greek Cypriot side to negotiate seriously with the Turkish Cypriot side on the basis of the Secretary-General's evaluation before seeking to come before the General Assembly in the hope of obtaining doubtful satisfaction and poisoning relations between the two communities in order to find a pretext for leaving the intercommunal negotiating table.

98. The resolution extends the stationing of the United Nations Peace-keeping Force in Cyprus for an additional six-month period. Since Mr. Nail Atalay, representative of the Federated Turkish State of Cyprus, has just informed the Council of the consent of his authorities, the Turkish Government, for its part, gives its consent to this renewal. However, I should like to draw the attention of the Council to the request made by the representative of the Federated Turkish State of Cyprus, as he has already done several times on similar occasions before the Council, that the mandate of that Force, which was drafted in 1964, should be revised to bring it into line with the conditions actually prevailing in Cyprus. The Turkish Government fully supports this request.

99. Before concluding, I cannot fail to discharge a moral duty, that of whole-heartedly thanking the Secretary-General and his Special Representative in Cyprus, Mr. Gobbi, for their ceaseless and patient efforts towards bringing about a just and lasting solution to the Cyprus question. Their understanding of an extremely complex and delicate matter, the impartiality and sincerity of their actions and the determination

they have displayed in this task have now created for us a historic opportunity. This opportunity should not be undermined by opportunistic political considerations. The opportunity must be seized. The last appeal which you yourself, Mr. Secretary-General, issued to the interested parties will, I may assure you, be heeded by Turkey.

100. Finally, it is my duty to express once again the gratitude of my Government to the States which contribute to the United Nations Force in Cyprus and to the brave officers, non-commissioned officers and soldiers of that Force, as well as to the civilian personnel attached to it.

101. The PRESIDENT: I now call upon the Secretary-General, who wishes to make a few remarks.

102. The SECRETARY-GENERAL: I much appreciated the kind and thoughtful words addressed to me by the representatives who have spoken in this debate.

103. We have worked hard together in the cause of Cyprus, and I very much hope our efforts will be successful.

104. The PRESIDENT: The representative of Cyprus has asked to speak in exercise of the right of reply, and I now call upon him.

105. Mr. MAVROMMATIS (Cyprus): As the representative of Turkey untiringly persists in his soliloquy with reference to the Government of Cyprus in Security Council resolutions, I consider it pertinent to advise him to reread rules 37 and 39 of the provisional rules of procedure of the Council, the first of which deals with the participation of States Members and the latter with the supplying of information by such persons as Mr. Atalay. He might perhaps also advise Mr. Atalay not to abuse his six-monthly appearance before this Council as he did today.

106. I also deem it necessary to draw the attention of the representative of Turkey to paragraph 2 of Security Council resolution 367 (1975), in which the Council regretted the unilateral decision of 13 February 1975 declaring that a part of the Republic of Cyprus would become a Federated Turkish State.

The meeting rose at 1 p.m.

NOTES

¹ Adopted by the General Assembly on 16 December 1981 as resolution 36/164.

² United Nations, *Treaty Series*, vol. 382, p. 3.

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