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QUESTION OF CYPRUS

SECURITY COUNCIL
Thirty-ninth year

Letter dated 10 May 1984 from the Permanent Representative of Cyprus
to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to enclose herewith the text of the document entitled "Framework for a comprehensive settlement of the Cyprus problem", which was submitted to Your Excellency by the President of the Republic of Cyprus, His Excellency Mr. Spyros Kyprianou, during your meeting in New York on 11 January 1984.

I should be grateful if this letter and the enclosed text were circulated as a document of the thirty-eighth session of the General Assembly, under agenda item 41, and of the Security Council.

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

ANNEX

FRAMEWORK FOR A COMPREHENSIVE SETTLEMENT
OF THE CYPRUS PROBLEM

1. A basic prerequisite to a solution of the Cyprus problem is for the Republic of Cyprus to be completely demilitarized. In the first instance all Turkish occupation troops should be withdrawn together with the colonizers imported from Turkey. At a later stage all troops provided for under the Treaty of Alliance (Greek and Turkish contingents) should be withdrawn, and the Cyprus National Guard and the so-called "Turkish Cypriot Security Force" should be disbanded. Demilitarization is intended to contribute as an element of internal stability but also alleviate Turkey's paradoxical "fears" that Cyprus may be used against her militarily.
2. An International force under the auspices of the United Nations comprising men from countries with no direct involvement in the Cyprus problem should be stationed in Cyprus to secure its external defence and internal security. In addition, certain police duties could be allocated to it for an agreed period of time. This arrangement is not only essential for a solution to the Cyprus problem but it would also contribute towards consolidating a peaceful situation and creating the appropriate climate and conditions for the reunification of the country and the people. In such circumstances reconciliation and cooperation between Greek Cypriots and Turkish Cypriots would be possible in a very short period of time.

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3. The question of effective international guarantees is of great significance in view of the bitter experience of the past. The independence, territorial integrity, unity and non-alignment of the Republic of Cyprus should be guaranteed by International Treaty. Interested powers should be excluded from participating in the Treaty. The duty of the guarantors should be a collective one and the use of force should be specifically excluded from the possible courses of action in the enforcement of the Treaty.

4. The Republic of Cyprus should be a Federal State. In considering the territorial and constitutional arrangements of a Federal Republic of Cyprus, the basis for solving these issues, as in fact all other issues and aspects, are the Resolutions of the United Nations and the High-level Agreements (Makarios-Denktash 1977 and Kyprianou-Denktash 1979). In determining the territorial and constitutional issues the composition of the population of Cyprus must always be borne in mind. An outline of the solution envisaged follows.

5. Territorial Aspect

Despite the inherent dangers and constitutional difficulties involved in the concept of two regions or two provinces, yet this concept has been accepted.

It must of course be emphasised that the Turkish Cypriots constitute the 18% of the population of Cyprus. Colonizers from Turkey and any other persons imported into Cyprus since the invasion in 1974 can under no circumstances be regarded as Cypriots. Despite the fact that the ratio of the Turkish Cypriot population is only 18%, yet it has already been stated to the Secretary-General of the United Nations on 30th September 1983 that the Greek Cypriot side is willing to negotiate on the basis of 23% for the region or province to be under Turkish Cypriot administration. However, for the purpose of securing without delay an overall solution of the Cyprus problem, it would be possible to consider agreeing that 25% of the territory of the Republic be under Turkish Cypriot administration, provided that areas such as Famausta and Morphou, which were thickly populated by Greek Cypriots, before they were forcibly uprooted from their homes by the Turkish

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invading forces, would be under Greek Cypriot administration.

6. Constitutional Aspect

It should be borne in mind that, under a Federal system, the regions or provinces will have considerable autonomy and powers. Therefore, any checks and balances at the Federal level should be restricted and be of such a nature as not to impede the smooth functioning of the Federal Government organs or lead to impasses and deadlocks. This is particularly important since, in a Federation, the powers and functions of the Federal organs are those which safeguard the unity of the State; and, therefore, if these functions are disrupted the State runs the danger of dissolution.

(1) Executive

The Presidential system provided under the 1960 Constitution is considered appropriate and should be preserved:

- (a) There should be a President of the Republic, who should be a Greek Cypriot, and a Vice-President who should be a Turkish Cypriot.

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(b) Provided that the process of taking decisions is such as not to lead to impasses and to the disruption of the smooth functioning of the State, the Federal Council of Ministers could include a higher proportion of membership of Turkish Cypriots than their population ratio, namely the Federal Council of Ministers would be composed of 70% Greek Cypriots Ministers and 30% Turkish Cypriots Ministers.

(2) Legislature

In the circumstances of Cyprus, it is considered that a Unicameral System is more appropriate. Mechanisms would be provided to ensure speedy resolution of any problems that might arise.

Alternatively, there could be a Bi-cameral system consisting of:

a Lower Chamber: representation of the two Communities to be on the basis of population ratio; and

an Upper Chamber: representation in the Upper Chamber would depend on the powers and functions of such Chamber and on the provision of deadlock-resolving mechanisms so as to ensure that the legislative process is not impeded.

(3) Judiciary

Equal representation of the two Communities in the Federal Supreme Court in respect of all federal matters.

(4) Powers and Functions of Federal Government and Provincial Powers

The powers and functions of the Federal Government to be such as to ensure the unity of the state.

Indicatively, these should include:

- (i) Foreign Affairs (including Citizenship, but certain functions may be Provincially delegated);
- (ii) Federal Finance (including Customs);
- (iii) Defence and National Security;
- (iv) International Communications (air and sea);
- (v) International Telecommunications;
- (vi) Appointment of Federal Officers;
- (vii) Natural Resources;
- (viii) Federal Justice;
- (ix) Co-ordination, harmonization, standard setting and advisory functions;
- (x) Provision for transfer of powers from Federation to Provinces and vice-versa if agreed.

List of extensive Provincial Powers to be agreed.

(5) Human Rights and Fundamental Freedoms

Human Rights and Fundamental Freedoms (including the three freedoms of Movement, Settlement and Right of Property) should be safeguarded both at Federal and Provincial levels, and should form part of the Federal Constitution.

Any arrangements with regard to the three freedoms (of Movement, Settlement and Right of Property) should relate solely to overcoming certain practical difficulties in their implementation and should not negate or restrict them.

(6) Economic Matters

The Economic and social policy of the Federal Republic of Cyprus should ensure the economic progress and development of Cyprus as a whole and should safeguard for all citizens of Cyprus an equal standard of living and equal opportunities to progress, development and welfare. Suitable machinery should be established to implement this policy for the benefit of the whole population. Thus, economic assistance will be given to less economically-developed areas. Furthermore, measures could be discussed of a temporary, transitional nature, in respect of the economy, to take effect after a solution.

11 January 1984.
