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Chairman: Mr. Károly CSATORDAY (Hungary).

AGENDA ITEM 93

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

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

GENERAL DEBATE (continued)

1. Mr. DE BEUS (Netherlands) regretted that despite the success of the United Nations Peace-keeping Force in Cyprus and the efforts of the United Nations, no progress had been made towards a political solution of the conflict.

2. In view of the fact that the Security Council would have to take a decision that very week on the eventual continuation of the United Nations Peace-keeping Force in Cyprus and the Secretary-General had just produced a new report^{1/} which, although submitted to the Security Council, deserved consideration by the Committee also, the time had come to draw up a balance.

3. For two years the United Nations had been striving to promote a solution. Ten countries had sent military or police contingents to the island. Forty nations had contributed \$35 million for peace-keeping and the Netherlands had contributed \$750,000 of that amount. Two mediators had addressed themselves to the problem. Admittedly, the peace had been kept, but the basic political problem had not been solved. The danger of armed conflict still remained, as paragraphs 208 and 211 of the Secretary-General's report clearly indicated. The efforts of both the General Assembly and the Security Council should be concentrated on bringing about progress towards a political solution.

4. The main burden or responsibility in the matter rested upon the parties directly involved. It was they

^{1/} Official Records of the Security Council, Twentieth Year, Supplement for October, November and December 1965, document S/7001.

especially who should do their utmost to break the present deadlock. All the parties concerned, including the two communities in the island and their leaders, should take a new look at the situation and strive energetically to achieve a lasting settlement, as the Secretary-General clearly recommended in paragraph 213 of his report.

5. Nevertheless, the United Nations undoubtedly had a responsibility to make its services available to the parties for the peaceful settlement of the dispute. That responsibility had been recognized by the Security Council in its resolution 186 (1964) of 4 March 1964, and in accordance with that resolution the United Nations had striven constantly to promote a solution. He paid a tribute to the Secretary-General and to all those who had made unsparing efforts to that end. Their lack of success should stimulate renewed mediation efforts, and the machinery available to the parties for the settlement of the long-drawn-out, tragic dispute should be set in motion once again.

6. His delegation would make a statement soon in the Security Council on the question of Cyprus but, in the meantime, it wished to draw the Committee's attention to one aspect of the operation which, in its view, concerned the entire membership of the Organization: the financial aspect. As a matter of principle and in accordance with the Charter, all peace-keeping operations were basically of common concern and should therefore be collectively financed. In view of the circumstances and nature of the Cyprus operation, the decision to finance it on the basis of voluntary contributions had been justified. Nevertheless, voluntary contributions should be paid not by just a few Members but by all the Members of the United Nations. He therefore supported the appeals which had been made by the Secretary-General on 28 October and on 2 November 1965^{2/} in order to close the gap between the cost of maintaining the United Nations Force in Cyprus and the pledges of financial support. He noted with satisfaction that in the debate on peace-keeping operations in the Special Political Committee, under agenda item 101, many representatives of new Member States had expressed willingness to assume obligations in that field.

7. Furthermore, if the United Nations Force should be required to continue its peace-keeping duties in Cyprus, it would be desirable and just that the parties directly involved should pay a proportionately higher share of the cost of the operation.

8. The draft resolution submitted by Afghanistan, Iraq, Libya and Saudi Arabia (A/C.1/L.341 and Add.1 and 2) and that submitted by some thirty delegations

^{2/} Ibid., document S/6863.

(A/C.1/L.342/Rev.2 and Add.1 and 2) both had their merits, but it was obvious that, in certain respects, each draft was unacceptable to one or other of the parties concerned. It was not the task of the Assembly to pronounce itself in favour of one thesis or the other. The parties themselves must find the basis for a solution. All that the Assembly could and should do was, first of all, to bring the full force of its authority to bear on the parties to start negotiations immediately and, secondly, to assist them in their negotiations by mediation. His delegation would therefore find it difficult to vote for any draft resolution which favoured the thesis of one party over the other. As the Italian representative had observed, a hasty or an oversimplified decision would do more harm than good. He hoped that it would be possible to adopt an impartial resolution which would in no way pre-judge the basis for a solution and which would call on the parties concerned to resume negotiations immediately with the assistance of the United Nations Mediator. Such a resolution would then justify the Security Council in deciding to continue the United Nations Force for a limited period after 26 December.

9. But even if such a resolution was adopted it would be unrealistic to assume that a small number of States could justify to public opinion at home and to their parliaments the continuing need to bear the military and financial burdens of that operation unless they had clear proof that the parties most directly involved were making determined efforts to reach a solution and unless a larger number of countries shared the burden.

10. Mr. BENITES (Ecuador) said that in 1954, when the United Nations had first considered the questions of Cyprus, a draft resolution had been submitted in the First Committee by New Zealand^{3/} and supported by Turkey and the United Kingdom, by which the General Assembly would decide not to consider further the item entitled "Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the island of Cyprus". Greece, in bringing the matter to the attention of the United Nations, had invoked Article 1, paragraph 2, and Article 10 of the Charter. His own delegation had considered that the provisions of Article 73 of the Charter applied to the problem of Cyprus, which was then a British colony. It had taken the view that Non-Self-Governing Territories were, so to speak, incomplete States having two of the attributes of statehood—population and territory—but not the third—an autonomous government—which the administering Powers were required to provide. The sovereignty inherent in peoples did not therefore depend on the goodwill of the administering Powers, which administered but did not possess the Territories under their administration. His delegation's view at the time had been that the Committee was not considering the problem of the sovereignty of Cyprus, since Cyprus belonged neither to the United Kingdom nor to Greece but to the Cypriots and the United Kingdom only administered it under Article 73 of the Charter. Administration was not

^{3/} See Official Records of the General Assembly, Ninth Session, Annexes, agenda item 62, document A/2881.

sovereignty, as Turkey had proved when, under the Anglo-Turkish Treaty of 1878,^{4/} it had ceded to Great Britain the administration of Cyprus but not its sovereignty over the island. His delegation had not recognized any United Kingdom, Greek or Turkish rights over Cyprus and had maintained, in consequence, that the dispute about the interpretation of treaties was irrelevant, since the problem was really a colonial one which should be settled in the only way prescribed by the Charter, i.e. by self-determination of the population of Cyprus.

11. The tragedy of Cyprus was due to its geographical location. Because of the island's strategic situation, the Cypriot people, who were Greek by origin, historical tradition and language and who had been Greek during both the Cretan and the Hellenic periods, had fallen successively under Persian, Graeco-Egyptian, Roman, Byzantine, Venetian and French domination. The possession of Cyprus was indispensable to anyone wishing to dominate the Middle East. The island had therefore been held under Turkish domination after the Turkish armies had invaded Europe in the sixteenth century. That brief historical review could refute the argument that Cyprus did not have a nationality but a population composed, as it was, of various communities, notably the Greek and Turkish communities. It was fortunate that no religious or racial element entered into the problem of Cyprus. By the Anglo-Turkish Treaty of 1878, which had been negotiated with great diplomatic skill, Turkey had ceded to Great Britain only the occupation and administration of the island and had retained a nominal sovereignty which had been recognized by the payment of a tax. It was interesting to note that the enosis movement had arisen at that time, when Cyprus had been transferred from one Power to another without having been consulted. After the First World War, Turkey had been obliged to cede its sovereignty over Cyprus to Great Britain, by the Treaty of Lausanne of 1923, and in 1925 Cyprus had been declared a British Crown Colony. It had become a Non-Self-Governing Territory with the promulgation of the United Nations Charter, which did not recognize the existence of colonies. For that reason his delegation had always held that the Treaties by which Cyprus had become a colony could not be validly invoked and that the immediate granting of self-determination to the Cypriot people was the only appropriate procedure. The Ecuadorian delegation had maintained that the Cypriot people should have the choice between full independence, free association with an independent State, and integration with an independent State; those were the three possibilities mentioned in General Assembly resolution 1541 (XV) as indicating a full measure of self-government.

12. After the General Assembly had adopted resolution 814 (IX), deciding not to consider further the question of Cyprus, the question had constantly been evaded; it had not been possible to include it in the agenda of the General Assembly at its tenth session, and at the eleventh session it had been the subject

^{4/} Convention of Defensive Alliance between Great Britain and Turkey with respect to the Asiatic Provinces of Turkey, signed at Constantinople on 4 June 1878.

only of an innocuous resolution in which the General Assembly had confined itself to expressing the earnest desire that a peaceful, democratic and just solution would be found in accord with the purposes and principles of the Charter of the United Nations, and the hope that negotiations would be resumed and continued to that end (resolution 1013 (XI)). Because the resolution referred not to the provisions of the Charter but to its purposes and principles—the title of Chapter I—many colonialist Powers of that time had maintained, in order to prevent the peoples under colonial rule from gaining their freedom, that Chapter XI of the Charter, relating to Non-Self-Governing Territories, was merely a declaration with no binding force. His own delegation had always held that the Charter was an indivisible whole. At the twelfth session Greece had submitted a draft resolution by which the Assembly would express the wish that the people of Cyprus would be given the opportunity to determine their own future,^{5/} but the draft had not been adopted. At its thirteenth session, the General Assembly had adopted resolution 1287 (XIII), which had been sufficiently vague and ambiguous to remain inoperative.

13. The problem that had made the United Nations powerless to apply the provisions of the Charter in respect of self-determination for the Cypriot people had been, then as now, that of enosis, the movement for union with Greece. However, as his delegation had always pointed out, the question under discussion was not enosis but the application of the principle of self-determination to a Non-Self-Governing Territory, i.e., the principle that the people of Cyprus alone could decide in favour either of full independence, the path followed by all the peoples which were today Members of the United Nations, of association as a State, a solution which had been accepted in the case of Puerto Rico and which there had been no reason to reject at that time for Cyprus, or of integration with an independent State, the choice made by Surinam and the Netherlands Antilles, which had become integrated with the Netherlands.

14. The course followed for the independence of Cyprus had been completely irregular: the administering Power had entered into an agreement with Greece and Turkey, on the basis of outdated treaties, to decide the future of the Cypriot people without consulting it. Indeed, the Cypriot people had not been truly represented either at Zurich, where in 1959 the three Powers had laid the foundations of the Constitution of the State of Cyprus, or at London, where negotiations had been held leading to the signature on 16 August 1960 at Nicosia of the Treaty of Guarantee, which the Cypriot people had not been invited to approve either by a plebiscite—the only valid form of expression of the popular will—or even by indirect consultation. The conclusion of that Treaty had been followed on the very same day by the signing of the Treaty of Alliance between Cyprus, Greece and Turkey, authorizing the presence of foreign troops in Cypriot territory; moreover, the United Kingdom had reserved the right to maintain bases in Cyprus over which it exercised sole

sovereignty—an unusual situation under international law. The following conclusions could be drawn from those facts: first, the administering Power had not consulted the people of Cyprus, as it should have done under Article 73 of the Charter; secondly, the Cypriot people had been given a Constitution which was historically unprecedented in that it had been worked out by treaty—an undemocratic process not consistent with the spirit or the letter of the Charter; thirdly, the Cypriot Government, established by treaties without any expression of the popular will, had had no choice but to sign the Treaty of Guarantee, after the entry into force of the Charter of the United Nations and in contradiction with its provisions; fourthly, under Article 103 of the Charter, in the event of a conflict between a treaty and the provisions of the Charter, it was the Charter that must prevail; and fifthly, Cyprus had become a Member of the United Nations in 1961, with all the rights and obligations of membership, and nothing impairing its sovereignty could be alleged against it, particularly since the allegations were based on obligations assumed after 1945.

15. The Constitution of Cyprus, which had never been accepted by the freely expressed will of the people, recognized the existence of two communities, and all its provisions had been based on that duality. Everything in that Constitution tended to paralyse action instead of providing national unity. The reforms proposed by the leaders of the Greek Cypriot community with a view to integration provided, *inter alia*, for national instead of communal elections; the suspension of the right of veto exercised by the minorities in Parliament or in the administration; municipal unification; and replacement of the present judicial system by another which in some respects resembled the system established by the Constitution of the Commonwealth of Puerto Rico. The heart of the problem was whether the principle to be upheld was that of parallel development or that of integrated development. Ecuador, which had a mixed population, had no doubt that integration was the only road to national unity, but it was a difficult road which aroused passion and violence; in addition, there was the influence of foreign States which nourished the hopes of the respective communities. In the case of Cyprus, the latter factor could constitute interference in the island's internal affairs. It was dangerous to regard race or ethnic origin as more important than the other constituent elements of nationality. Ecuador had always upheld the right of minorities to protection against all discrimination, but it had never agreed to political self-determination for minorities living in the territory of a sovereign State. A solution must be found which would guarantee complete respect for the sovereignty and independence of Cyprus and end the absurd situation in which foreign States claimed the right to intervene in the island's internal affairs in order to protect minorities with which they had a common bond not of nationality but only of historical origin.

16. The first principle that must be accepted was that the community of Greek origin and the community of Turkish origin were neither Greek nor Turkish but Cypriots, that they had been living together for centuries and that they should have equal

^{5/} See Official Records of the General Assembly, Twelfth Session, Annexes, agenda item 58, document A/3794, para. 5.

rights and opportunities, protected by a system of guarantees, in order to achieve complete national integration. Secondly, it must be borne in mind that Cyprus was a sovereign State and that no other State or group of States had the right to decide its fate. As a sovereign State, Cyprus could no longer integrate itself with another State as it could have done at the time of its accession to statehood. Thirdly, partition by force or by the threat of force would be an imposed solution contrary to the Charter. It was superfluous to recall the dangers of partition and of the duality of States which took the same name. Federation, on the other hand, would be a possibility, but it required a free expression of the popular will; however, that was a matter for the Cypriots, not the United Nations, to decide. The separate development of the communities, besides being dangerous, would not be a viable solution, since it would have to begin with the separation of the Greek and Turkish communities, which did not actually live apart; and with the institution of racial separatism, national integration would be prevented. It was the duty of the United Nations to correct the mistake it had made in not giving the Cypriot people at the proper time an opportunity to decide their own fate. That could be done if the other States gave a contractual guarantee of non-intervention in the internal affairs of Cyprus, which would greatly facilitate the reconciliation of two communities united by history and separated only by a political dispute.

17. For all those reasons, his delegation would support draft resolution A/C.1/L.342/Rev.2 and Add.1 and 2.

18. Mr. SEYDOUX (France) said his country hoped that a final settlement of the question under consideration might be reached as soon as possible, since order and balance in the eastern Mediterranean were among the essential elements of international peace. Recalling the views expressed by his delegation in the past, for example, in the Security Council on 4 March 1964,^{6/} he wondered whether the Committee was really in a position to determine the broad outline of a substantive solution or even to try to define a basis for negotiations; since the time available to the General Assembly was very short, it might be advisable not to be too ambitious.

19. The draft resolution submitted by Turkey (A/C.1/L.336/Rev.1) did not, in his view, constitute an attempt to develop a practical approach to the question with a view to negotiations. So far as draft resolution A/C.1/L.342/Rev.2 and Add.1 and 2 was concerned, it was questionable whether controversial elements of the Cyprus problem should be mentioned at the present stage; they ought not to be brought up outside the context of negotiations. He had, however, noted with interest that the sponsors of that draft expressed a desire, shared by the sponsors of draft resolution A/C.1/L.341 and Add.1 and 2, that the United Nations should continue its work of mediation. Since the positions of the disputing parties were expressed in those two documents, he wondered whether the role of the General Assembly might not be to draw their attention to the means available to them for the resumption of

discussions, rather than to adopt a resolution that was too ambitious and might raise further obstacles to the examination of the problem by the Governments concerned.

20. It would be dangerous to give either party hopes which would only intensify the present differences. Despite the efforts of the United Nations representatives in Cyprus—efforts to which his country wished to pay a tribute—the local situation remained unstable, and only the co-operation of all the parties directly concerned could provide hope for a return to normal living conditions for the whole population. On the other hand, nothing should prevent those parties from seeking a substantive solution with the co-operation of those who could help them in the task, and that might be the proper role of the United Nations. It could not, however, substitute itself for the parties concerned; if the legal status of Cyprus did not meet the needs of the hour, only the countries actually involved could effectively define the new conditions for an equitable settlement.

21. In his delegation's view, it was highly desirable that the parties to the dispute should learn from the present debate the reactions of international opinion and, therefore, the limitations imposed on their actions or ambitions. On the other hand, the General Assembly should avoid any initiative that might lead to a hardening of positions on either side; that might give the parties the impression that they could dispense with the necessary effort to seek a reasonable basis for genuine negotiation, whereas it was just such an effort that was the prerequisite for a return to harmonious relations between the countries of the eastern Mediterranean and for the consolidation of peace in that region.

22. Mr. DEVENDRA (Nepal) said that he had joined in sponsoring draft resolution A/C.1/L.342/Rev.2 and Add.1 and 2 because he considered that when a small country was confronted by powerful neighbours it should receive the full protection of the Charter, and that the extent of its sovereignty should not depend on the situation created by the traditional disputes among its relatively powerful neighbours.

23. It was argued that because of their ethnic or religious affinity with one or other of the two communities living in Cyprus, the neighbouring countries were entitled to have a say in the internal affairs of Cyprus. The countries that advanced that argument were those which were attempting to extend their spheres of influence.

24. As his delegation had pointed out (1396th meeting) during the debate on the inadmissibility of intervention in the domestic affairs of States—agenda item 107—such attempts were merely another form of intervention. Two examples would suffice to prove that. The Soviet Union, for example, had such an extensive land frontier that, from Finland to China, it had ethnic affinities with large numbers of different peoples living on the other side of its borders. All the peoples of Latin America, except for the indigenous Indian population, had ethnic and religious affinities with one another. If, in the name of such affinities, the Soviet Union were to intervene in neighbouring countries and if the countries of Latin America were

^{6/} See Official Records of the Security Council, Nineteenth Year, 1102nd meeting.

to do the same, the fate of world peace would be uncertain indeed.

25. If Cyprus, a fully-fledged Member State of the United Nations, was unable to exercise its sovereignty because of agreements concluded between certain foreign Powers, including the former colonial Power, Member States should help it to escape from that predicament.

26. His delegation considered that minority rights should be fully protected. The traditional concept of the protection of minority rights through constitutional methods, as practised in a large number of countries in which the existence of minorities raised political problems, should be rigidly enforced in Cyprus. But minorities should not be used for subversive ends by foreign Powers. Any attempt to reopen the issue of settled frontiers through the use of minorities in other countries was contrary to all norms of international behaviour and was a threat to international peace. That applied to the countries of every continent.

27. He emphasized that fact because many countries that had been under colonial domination had inherited the problem of minorities. The imperialist Powers, when they had been forced to leave, had invariably left in their wake dissension and discord among the different communities of the countries over which they had ruled, probably with the idea that by so doing it would be easier for them to intervene at a later stage in countries where discord made the Governments unstable.

28. His country had repeatedly stated that the Cypriot people should determine their own future in co-operation with the United Nations and without any outside interference. Moreover, it had subscribed to the Declaration adopted by the Second Conference of Heads of State or Government of Non-Aligned Countries at Cairo in October 1964, parts of which related to Cyprus. It considered that that Declaration should be the basis of the solution of the Cyprus problem, and that it was the duty of the United Nations to ensure and safeguard the integrity, unity and independence of Cyprus. He was not unaware of United Nations efforts to reach a just and peaceful solution of the Cyprus question. He therefore supported the recommendation in operative paragraph 3 of draft resolution A/C.1/L.342/Rev.2 and Add.1 and 2, and hoped that in the interests of the sovereignty of a small non-aligned Member of the United Nations, as well as in the interests of peace in the Mediterranean, that resolution would receive the overwhelming support of Member States.

29. Mr. BARNES (Liberia) said that it was the Committee's task to seek a constructive solution which would eliminate the sources of friction and restore peace in Cyprus. The Liberian Government enjoyed friendly relations with all the parties concerned and sincerely desired to see unity achieved among the people of Cyprus. It had contributed to the maintenance of the United Nations Peace-keeping Force in Cyprus.

30. It should be recognized that one of the basic problems of the modern world was the legacy of interventionism which was part of the very structure

of new States, and that anything that was incompatible with the full sovereignty and equality of a State must be a constant source of friction. The United Nations must therefore continue to play a leading role in implementing the new way of political thinking that had found its first expression in the Charter.

31. The present situation in Cyprus had been brought about by a Constitution which made inevitable a fatal division of the people into majority and minority groups, although those groups had long lived side by side in peace; it had also been brought about by a Treaty of Guarantee which conferred on other States the task of ensuring the maintenance of the independence, territorial integrity and security of Cyprus, as well as respect for its Constitution. The question was whether, in the circumstances, Cyprus really enjoyed the full sovereignty and independence implied by its status as a Member of the United Nations. His country believed that treaties were sacrosanct; but they should be designed to serve the true needs and interests of the parties: when a State was forced to chafe under the restraints imposed on its freedom by its colonial heritage, the obvious solution was to remove those restraints in order to serve the best interests of that State and its people.

32. It was in that spirit that his delegation had become a sponsor of draft resolution A/C.1/L.342/Rev.2 and Add.1 and 2, which, in view of the problem raised by the Turkish minority in Cyprus, took note of the declaration of intention and accompanying memorandum submitted by the Government of Cyprus (A/6039), and of the commitments it set forth. The Government of Cyprus seemed to have undertaken those commitments in good faith, and his country saw no reason to believe that they would not be upheld. The adoption by the Committee of draft resolution A/C.1/L.342/Rev.2 and Add.1 and 2 would help to put out flames that might otherwise spread to other parts of the world, and would give new life and vigour to the principles of the Charter, which was the sole guarantee of a lasting agreement.

33. Mr. DIACONESCU (Romania) said that if the problem of Cyprus was to be solved on the basis of principle, the inalienable right of the Cypriot people to determine their own destinies must be recognized. It was not difficult to see that in the present situation the people of Cyprus were far from enjoying that right: there were foreign military bases in the territory of Cyprus and it might well be asked whether it was not in the interests of other countries to incite the people of the island to hatred and misunderstanding. If peace was to be strengthened in the Balkans and throughout the world, efforts should be intensified to arrive at a solution by means of negotiation and on the basis of the Charter of the United Nations. The right of Cyprus to determine its own future independently, without any interference from outside, must be guaranteed.

34. His delegation hoped that the present discussions would encourage the parties to seek solutions in keeping with the Charter and based on respect for the inalienable right of the Cypriot people to independence, sovereignty and territorial integrity. It would be guided by those considerations throughout

the debate and when the vote was taken on any of the draft resolutions.

35. Mr. FAHMY (United Arab Republic) said that the people and Government of his country enjoyed a close relationship with the people and Government of Cyprus and sincerely desired to see friendly relations established between Cyprus, Turkey and Greece.

36. The strategic position of the island of Cyprus justified the concern felt by many countries in the region; it was legitimate to watch the development of the situation in and around Cyprus very closely in order to be able to foresee the future status of that important strategic island. In the light of its experience, his country was concerned by the instability in Cyprus and by the open and hidden forces at play there which, if left unchecked by the world community, might lead to a serious situation.

37. His country's policy with regard to the Cyprus question was based on a number of basic principles: firstly, the independence, sovereignty and territorial integrity of Cyprus should be guaranteed; secondly, the bases established in and around Cyprus should be removed, which meant the dismantling of the present United Kingdom bases; thirdly, treaties established at the end of colonial rule by using coercion

against the weaker party were an encroachment on the independence and sovereignty of newly independent States; fourthly, there should be co-operation and harmony among the people of Cyprus so that they might live together in peace and thus be able to develop their political institutions and exploit their economic resources to meet the needs of all Cypriots, whether of Greek or Turkish origin; and fifthly, a peaceful settlement of the dispute should be reached by mediation, if requested and accepted by the parties concerned.

38. It was on the basis of those principles that his delegation had joined in sponsoring draft resolution A/C.1/L.342/Rev.2 and Add.1 and 2. He hoped that the Committee would adopt the proper course of action in the circumstances. He was fully aware that any action by the Assembly could not in itself solve the question, which was far too complex to be settled in every detail in one draft resolution. The Assembly's sole objective should be to act as a catalyst between the parties concerned. Consequently, any action it might take should be intended as an impetus to further and constructive contacts between the parties with a view to securing a lasting peace in Cyprus.

The meeting rose at 5.45 p.m.