

## Part II

## THE SITUATION IN CYPRUS

**Decision** of 12 March 1975 (1820th meeting): resolution 367 (1975)

On 18 February 1975, the Secretary-General submitted a special report<sup>7</sup> to the Security Council on developments in Cyprus. The report contained an account of the talks between Mr. Clerides, representative of the Greek Cypriot Community, and Mr. Denktas̄ Vice-President of the Republic of Cyprus, that had produced an agreement on 8 January to begin the negotiations by discussing the powers and functions of the central government in a federal State. The two leaders had also agreed to continue their talks on humanitarian issues and had set up a sub-committee for that purpose. In his report the Secretary-General further informed the Council that, in pursuance of resolution 365 (1974), he had addressed identical notes to the parties concerned, asking them to provide all relevant information concerning steps they had taken or contemplated taking in regard to General Assembly resolution 3212 (XXIX). The replies received from the Governments of Greece and Cyprus were annexed to the report, as also were a statement issued by Mr. Denktas̄ on 13 February, announcing the restructuring and reorganization of the Turkish Cypriot Administration on the basis of a secular and federated State as well as the Turkish Cypriot constitutional proposals submitted by Mr. Denktas̄ for a bicomunal and biregional federal State. Also annexed to the Secretary-General's report were statements made by President Makarios and the Secretary-General with regard to those developments.

At the 1813th meeting on 20 February 1975, the Security Council adopted the provisional agenda without objection and invited the representatives<sup>8</sup> of Cyprus, Greece and Turkey to participate in the discussion.<sup>9</sup> The Council also extended an invitation to Mr. Vedat Celik, representative of the Turkish Cypriot community, under rule 39 of the provisional rules of procedure of the Council. In addition, the representatives of Bulgaria, Romania and Saudi Arabia were also invited, at their request, to participate in the discussion without the right to vote.

Speaking on behalf of Cyprus, Mr. Clerides stated that the cardinal principles for a solution to the Cyprus problem lay in General Assembly resolution 3212 (XXIX)—principles with which Turkey had not complied. Those principles were: respect for the independence, territorial integrity and sovereignty of Cyprus; speedy withdrawal of all foreign armed forces and cessation of all foreign interference in Cyprus; acknowledgement that the constitutional system of Cyprus concerned the two Cypriot communities, acceptance that the negotiations should be conducted freely and on an equal footing by the two communities; and a

commitment that all refugees should return to their homes in safety. However, these principles had been ignored by Turkey and through the declaration of a separate state by the Turkish Cypriot side, Turkey was trying to impose its own solution on Cyprus.<sup>10</sup>

The representative of Greece stated that Turkey had consistently followed a policy of intimidation and *faits accomplis* in dealing with the Cyprus problem, while Greece had sought a constructive compromise. Political negotiations had been continually torpedoed by Turkey, while Greece and the Greek Cypriots had offered a complete framework of principles upon which a federal State could be based. The Security Council had the duty and the means to implement its resolutions. Greece desired a settlement, but it could also live without one. He said that in view of the blackmail procedure of Turkey, Greece would not accept a solution, if not convinced that it had been accepted by Greek Cypriots of their own free will.<sup>11</sup>

The representative of Turkey stated that the decision of Turkish Cypriots to form their Federated State was not a unilateral declaration of independence and did not go against the principles of United Nations resolutions. There would be no return to the *status quo ante*. Cyprus would have to be a bizonal State and a federative; physical separation of Turks and Greece was essential for the safety of the Turks.<sup>12</sup>

Mr. Celik, on behalf of the Turkish Cypriot community, said that his side had never wanted separation, but separation had been forced on them by the Greek Cypriot side. The spirit of the relevant Assembly and Council resolutions was that there were two equal national communities in Cyprus and that a solution should be found in the intercommunal talks on an equal footing. As progress was made towards a peaceful settlement, all foreign forces would be withdrawn and the humanitarian problem, including the problem of the refugees, would be solved. He said that the attempt to send a fact-finding mission to Cyprus was a first step towards a wider political conference on Cyprus, to which his side was opposed for well-known reasons: it was a Greek scheme to internationalize the Cyprus problem.<sup>13</sup>

The representative of the USSR expressed serious concern that the steps taken by the leadership of the Turkish community in Cyprus would inevitably lead to a separation of the Cyprus communities from each other and to their estrangement. He said these steps were in direct contravention of the decisions of the General Assembly. He charged that responsibility for the events lay with certain circles of the North Atlantic Treaty Organization (NATO) that were attempting to use Cyprus for their military and strategic purposes. He also stated that there was a deliberate attempt to keep the

<sup>7</sup> S/11624, OR, 30th yr., Suppl. for Jan.-March 1975, p. 29.

<sup>8</sup> 1813th mtg., following para. 2.

<sup>9</sup> For details, see chapter III.

<sup>10</sup> 1813th mtg., paras. 10-55.

<sup>11</sup> *Ibid.* paras. 57-84.

<sup>12</sup> *Ibid.* paras. 86-93.

<sup>13</sup> *Ibid.* paras. 95-156.

United Nations outside direct active participation in the settlement of the crisis and called for the dispatch of a Council mission to Cyprus to acquaint itself with the situation and to report to the Council.<sup>14</sup>

At the 1814th meeting on 21 February, the Secretary-General made a statement concerning his meetings with Turkish and Greek leaders in Ankara and Athens on 19 February. He emphasized the great seriousness of the risks to peace and security in the eastern Mediterranean which the unresolved situation in Cyprus represented. From his talks he had gained the impression that the parties, and the world in general, expected the United Nations to shoulder the responsibilities in the matter. He believed that the intercommunal talks between Mr. Clerides and Mr. Denktas, in the presence of his Special Representative, could provide a basis for progress, although he recognized the need for a new approach to the negotiating process. Any solution, however, had to be based on United Nations resolutions and on the sovereignty, independence, territorial integrity and non-alignment of Cyprus.<sup>15</sup>

At the 1815th meeting on 24 February, the representative of France said that his Government deplored an action which led one of the communities to impose on the other terms of a settlement which the General Assembly and the Security Council had said should be the fruit of free negotiations.<sup>16</sup>

At the 1817th meeting on 27 February, the President, speaking in his capacity as the representative of China, stated that the external cause for the lack of a satisfactory solution was to be found in the attempts of the two super-Powers to put the island under their own influence and control.<sup>17</sup>

The representative of the United States stated that the Secretary-General's statement that he was prepared to facilitate the continuation of talks under new conditions and procedures provided legitimate hope for further progress. The representative of Sweden said his Government wished to explore with other members the possibilities of enlarging the role of the Secretary-General. The representative of Japan suggested that consideration might be given to reactivating the talks at a place outside Cyprus. He also thought it important that the Secretary-General be requested to report back promptly to the Security Council on the results of negotiations.<sup>18</sup>

At the 1818th meeting on 4 March 1975, the representative of the United Kingdom stated that his Government deplored the action of the Turkish Cypriot community with regard to the unilateral declaration of a Turkish Cypriot federated state partly because the timing was such that it had led to the suspension of the intercommunal talks at the moment when alternative constitutional proposals were on the table and real negotiations could have begun, and partly because it

considered the move likely to divide Cyprus further. He welcomed the statement of the Turkish Government and the Turkish Cypriot side that the proclamation was not a unilateral declaration of independence and that it precluded partition or annexation.<sup>19</sup>

At the 1820th meeting on 12 March 1975, the President (Costa Rica) stated that, as a result of prior consultations, an agreement had been reached on the text of a draft resolution<sup>20</sup> which, he proposed, be adopted without a vote. In the absence of any objection he declared the draft resolution adopted. The text reads as follows:

*The Security Council,*

*Having considered* the situation in Cyprus in response to the complaint submitted by the Government of the Republic of Cyprus,

*Having heard* the report of the Secretary-General and the statements made by the parties concerned,

*Deeply concerned* at the continuation of the crisis in Cyprus,

*Recalling* its previous resolutions, in particular resolution 365 (1974) of 13 December 1974 by which it endorsed General Assembly resolution 3212 (XXIX) adopted unanimously on 1 November 1974,

*Noting* the absence of progress towards the implementation of its resolutions,

1. *Calls once more upon* all States to respect the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus and urgently requests them, as well as the parties concerned, to refrain from any action which might prejudice that sovereignty, independence, territorial integrity and non-alignment, as well as from any attempt at partition of the island or its unification with any other country.

2. *Regrets* the unilateral decision of 13 February 1975 declaring that a part of the Republic of Cyprus would become "a Federated Turkish State" as, *inter alia*, tending to compromise the continuation of negotiations between the representatives of the two communities on an equal footing, the objective of which must continue to be to reach freely a solution providing for a political settlement and the establishment of a mutually acceptable constitutional arrangement, and expresses its concern over all unilateral actions by the parties which have compromised or may compromise the implementation of the relevant United Nations resolutions.

3. *Affirms* that the decision referred to in paragraph 2 above does not prejudice the final political settlement of the problem of Cyprus and takes note of the declaration that this was not its intention;

4. *Calls for* the urgent and effective implementation of all parts and provisions of General Assembly resolution 3212 (XXIX), endorsed by Security Council resolution 365 (1974).

5. *Considers* that new efforts should be undertaken to assist the resumption of the negotiations referred to in paragraph 4 of resolution 3212 (XXIX) between the representatives of the two communities;

6. *Requests* the Secretary-General accordingly to undertake a new mission of good offices and to that end to convene the parties under new agreed procedures and place himself personally at their disposal, so that the resumption, the intensification and the progress of comprehensive negotiations, carried out in a reciprocal spirit of understanding and of moderation under his personal auspices and with his direction as appropriate, might thereby be facilitated;

7. *Calls upon* the representatives of the two communities to co-operate closely with the Secretary-General in the discharge of this new mission of good offices and asks them to accord personally a high priority to their negotiations;

8. *Calls upon* all the parties concerned to refrain from any action which might jeopardize the negotiations between the representatives of the two communities and to take steps which will facilitate the creation of the climate necessary for the success of those negotiations.

<sup>14</sup> 1813th mtg., paras. 157-204.

<sup>15</sup> 1814th mtg., paras. 3-13.

<sup>16</sup> 1815th mtg., paras. 48-59.

<sup>17</sup> 1817th mtg., paras. 21-24.

<sup>18</sup> *Ibid.*, paras. 25-33.

<sup>19</sup> 1818th mtg., paras. 4-22.

<sup>20</sup> S. 11657, adopted without change as resolution 367 (1975).

9. *Requests* the Secretary-General to keep the Security Council informed of the progress made towards the implementation of resolution 365 (1974) and of the present resolution and to report to the Council whenever he considers it appropriate and, in any case, before 15 June 1975:

10. *Decides* to remain actively seized of the matter.

**Decision of 13 June 1975 (1830th meeting): resolution 370 (1975)**

On 4 May 1975, the Secretary-General submitted an interim report<sup>21</sup> to the Security Council in connection with the new mission of good offices entrusted to him in paragraph 6 of resolution 367 (1975). The report dealt with the first round of negotiations between the two Cypriot communities which had taken place at Vienna under his auspices from 28 April to 3 May 1975. Annexed to the report was the text of an agreed communiqué which was issued on 3 May. The parties had further agreed that the next meeting of the negotiations would be held at Vienna between 5 and 9 June 1975.

On 9 June the Secretary-General submitted his regular report<sup>22</sup> to the Security Council incorporating information on the second round of the intercommunal talks held under his auspices from 5 to 7 June 1975. A communiqué issued following the talks had mentioned that some limited progress had been made without it having been possible to achieve agreement on the basic issues. It had been agreed that the next round of talks at Vienna would be held between 24 and 27 July. In addition to information about the intercommunal talks, the Secretary-General's report provided up-to-date details about the composition and deployment of the United Nations Peace-keeping Force in Cyprus (UNFICYP) and its operations in maintaining surveillance over the cease-fire. In that connection, it was noted that, since March, there had been a noticeable decline in the number of daily shooting violations, but more such incidents had involved cases of shooting at UNFICYP troops. Although mine-laying by both sides had decreased, its wide-scale use remained a matter of concern. The freedom of movement of UNFICYP was restricted in the northern part of the island, although teams distributing relief supplies and money had been afforded controlled access under Turkish military escort. In the southern areas UNFICYP continued to have complete freedom of movement. The Secretary-General reviewed the humanitarian and economic situation on the island and the activities of the United Nations in providing assistance on both sides. On the overall situation in Cyprus, the report underlined that the situation on the island was unstable and potentially dangerous and would remain so unless and until an agreed settlement of the basic problems could be reached. For that reason, it seemed to him that the negotiating process between the community representatives should be maintained and, if possible, accelerated. The Secretary-General considered the continued presence of UNFICYP to be essential, not only to maintain the cease-fire but also to facilitate the search for a

peaceful settlement, and recommended the extension of the Force's mandate for a further period of six months.

The Security Council considered the Secretary-General's report at its 1830th meeting held on 13 June 1975. At the same meeting the Council adopted the provisional agenda without objection and invited the representatives of Cyprus, Turkey and Greece to participate in the discussion without the right to vote.<sup>23</sup>

Subsequently, the President drew attention to a draft resolution<sup>24</sup> prepared in the course of prior consultations and read out a revision to operative paragraph 6. He then put to the vote the revised draft resolution, which was adopted by 14 votes to none, with one member (China) not participating, as resolution 370 (1975).<sup>25</sup>

The text reads as follows:

*The Security Council,*

*Noting* from the report of the Secretary-General of 9 June 1975 (S/11717 and Corr 1) that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is still needed to perform the tasks it is currently undertaking if the cease-fire is to be maintained in the island and the search for a peaceful settlement facilitated,

*Noting* from the report the conditions prevailing in the island,

*Noting further* that, in paragraphs 67 and 68 of his report, the Secretary-General has expressed the view, in connexion with the talks in Vienna between the representatives of the two communities held pursuant to resolution 367 (1975) of 12 March 1975, that the negotiating process should be maintained and, if possible, accelerated and that its success would require from all parties determination, understanding and a willingness to make reciprocal gestures

*Noting also* the statement by the Secretary-General contained in paragraph 69 of his report that the parties concerned had signified their concurrence in his recommendation that the Security Council extend the stationing of the Force in Cyprus for a further period of six months,

*Noting* that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 June 1975,

1. *Reaffirms* the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and on other aspects of the situation in Cyprus;

2. *Reaffirms once again* its resolution 365 (1974) of 13 December 1974, by which it endorsed General Assembly resolution 3212 (XXIX), adopted unanimously on 1 November 1974, and calls for their urgent and effective implementation and that of its resolution 367 (1975);

3. *Urges* the parties concerned to act with the utmost restraint and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;

4. *Extends once more* the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 December 1975 in the expectation that by then sufficient progress towards a final reduction of the Force;

5. *Appeals again* to all parties concerned to extend their full co-operation to the Force in its continuing performance of its duties;

6. *Requests* the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Council informed of the progress made, and to submit an interim report by 15 September 1975 and a definitive report not later than 15 December 1975.

<sup>21</sup> For details see chapter III.

<sup>22</sup> S/11725.

<sup>23</sup> S/11725 Rev. 1, adopted without change as resolution 370 (1975). See 1830th mtg., para. 8.

<sup>21</sup> S/11684, OR, 30th yr., Suppl. for April-June 1975, p. 20.

<sup>22</sup> S/11717, *ibid.*, p. 51.

In a statement after the voting the Secretary-General stated that he would continue to do his best to achieve progress in the talks although he did not wish to conceal his concern over the absence of substantive progress. He expressed the hope that the parties concerned would make the maximum efforts for finding a common ground for progress in the months ahead.<sup>26</sup>

The representatives of Byelorussian SSR and the USSR stated that while they were not objecting to the extension of UNFICYP's mandate, they had to reiterate their caveat that voluntary basis of the financing of the Force be maintained.<sup>27</sup>

The representative of China stated that his Government was in favour of that part of the resolution which called for the implementation of the Security Council's decision of 12 March 1975, but in view of its well-known position of principle on the question of United Nations forces, China had not participated in the vote.<sup>28</sup>

Other members of the Council expressed appreciation of the work of UNFICYP and hope that the parties concerned would make greater efforts to resolve their differences in the intercommunal talks under the auspices of the Secretary-General at Vienna between 24 and 27 July.<sup>29</sup>

The representative of Greece stated that 40 percent of the Island was still under military occupation by a foreign power and one third of the Greek Cypriot population were refugees in their own country. He emphasized the need for the intercommunal negotiation to be conducted in good faith and criticized the organization of the referendum in the northern part of the island in violation of Security Council resolution 367 (1975). Such action, he asserted, far from facilitating the negotiations, was contrary to the expressions of goodwill made by Turkish and Greek Prime Ministers at their meeting at Brussels on 31 May 1975.<sup>30</sup>

Mr. Celik asserted that the reference in the Council's resolution to the Government of Cyprus was unacceptable as there was no Government representing both sides. He stated that the Turkish community would continue to co-operate with UNFICYP and help make its operation a success.<sup>31</sup>

The representative of Turkey stressed that the extension of the mandate of UNFICYP enjoyed his Government's support although it dissociated itself from any reference to a Cyprus Government. On the subject of the intercommunal talks he stated that the proposals of the Turkish Cypriot side for a transitional government of Cyprus represented an important development as was the reactivation of high-level talks between Greece and Turkey.<sup>32</sup>

Mr. Clerides, on behalf of Cyprus, stated that the *fait accompli* by Turkey and the Turkish Cypriots, such as the unilateral declaration and the referendum, if allowed to continue, would make it impossible to find a solution to the Cyprus problem. He stated that Turkey had given no indication that it was prepared to comply with earlier resolutions and there was ample evidence that by a series of calculated acts an attempt was being made to create a situation in Cyprus in which the island would be colonized by Turks from the mainland.<sup>33</sup>

**Decision of 13 December 1975 (1863rd meeting): resolution 383 (1975)**

On 5 August 1975, the Secretary-General submitted an interim report<sup>34</sup> to the Security Council pursuant to the request contained in resolution 370 (1975) of 13 June 1975. Attached to the report was the text of an agreed press communiqué issued at the close of the Vienna talks on 2 August. The communiqué noted that preliminary discussions on the powers and functions of a federal Government and on the geographical aspects of a future Cyprus settlement had taken place and that the interlocutors would hold private talks on the geographical aspects in preparation for the fourth round of talks to be held in New York in September. In addition it had been agreed: that the Turkish Cypriots in the south of the island would be allowed to proceed to the north with UNFICYP assistance; that Greek Cypriots in the north would be free to stay and would be given every help to lead a normal life, including freedom of movement in the north; that those Greek Cypriots who wished to move south would be free to do so; that the United Nations would have free and normal access to Greek Cypriot villages in the north; and that priority would be given to the reunification of families, which might involve the transfer of a number of Greek Cypriots from the south to the north. Both sides had affirmed that they were not holding undeclared prisoners of war, but agreed to facilitate searches. The two sides had also declared that the Nicosia international airport, having been repaired, could be used, as a first step, by the United Nations for its needs.

On 10 September 1975, the Secretary-General submitted a second interim report<sup>35</sup> in which the text of an agreed press communiqué issued at the conclusion of the fourth round of talks held in New York, was reproduced. The communiqué stated that the Secretary-General had extensive consultations with Mr. Glafacos Clerides and Mr. Rauf Denktaş and that a formal meeting had been held on 10 September. In the absence of concrete proposals, the talks had been adjourned, but it had been agreed that the Secretary-General would remain in contact with the parties regarding future action.

On 13 September the Secretary-General submitted a third interim report<sup>36</sup> on the intercommunal talks, and

<sup>26</sup> 1830th mtg., paras. 10-12.

<sup>27</sup> *Ibid.*, paras. 73-82, 104-109.

<sup>28</sup> *Ibid.*, paras. 14-15.

<sup>29</sup> For the texts of other relevant statements, see 1830th meeting: United States, paras. 16-19; Japan, paras. 20-27; France, paras. 28-34; United Kingdom, paras. 35-46; Italy, paras. 47-54; Sweden, paras. 55-62; Guyana, paras. 87-95.

<sup>30</sup> *Ibid.*, paras. 115-132.

<sup>31</sup> *Ibid.*, paras. 134-139, and 1831st mtg., paras. 56-120.

<sup>32</sup> 1830th mtg., paras. 141-158.

<sup>33</sup> *Ibid.*, paras. 167-179, and 1831st mtg., paras. 3-54.

<sup>34</sup> S/11789, *OR, 30th yr., Suppl. for July-Sept. 1975*, p. 39.

<sup>35</sup> S/11789/Add. 1, *ibid.*, p. 40.

<sup>36</sup> S/11789/Add. 2, *ibid.*, pp. 40-41.

in particular on the progress made on the implementation of the agreements set out in the Vienna communiqué of 2 August. The Secretary-General remained convinced that although no further progress had been made at the fourth round, negotiations held in pursuance of Security Council resolutions 367 (1975) and 370 (1975) still provided the best method for moving towards a settlement.

On 8 December 1975, the Secretary-General submitted to the Security Council a report<sup>37</sup> covering the United Nations operations in Cyprus for the period 10 June to 8 December 1975. In his report the Secretary-General indicated that following the transfer to the north of the bulk of the Turkish Cypriot population, the Force had been redeployed in the areas of confrontation between the Turkish forces and the Cyprus National Guard, and a plan had been initiated to reduce its strength by 532 soldiers and 62 civilian policemen. Access by UNFICYP to Greek Cypriot villages had been restricted in the north by Turkish forces, and humanitarian work in the area was limited to resupply convoys. United Nations humanitarian assistance for needy Cypriots, including persons displaced from the north, continued to be co-ordinated by the United Nations High Commissioner for Refugees. The Secretary-General remained in contact with the representatives of the two communities with a view to the resumption of the intercommunal talks under his auspices. He felt that, in the circumstances, the best available means of making progress towards a settlement was through continued talks between the two communities. The continued presence of UNFICYP was essential to the maintenance of the cease-fire and would facilitate the continued search for a peaceful settlement. Again, he called attention to the increasingly critical financial situation of UNFICYP. In an addendum<sup>38</sup> issued on 13 December, the Secretary-General stated that following further consultations, the parties had signified their concurrence in the extension of the mandate of UNFICYP for a further six months.

At the 1863rd meeting on 13 December 1975, the Security Council adopted the provisional agenda without objection and invited the representatives of Cyprus, Turkey and Greece to participate in the discussion.<sup>39</sup> The Council also extended an invitation to Mr. Vedat Celik under rule 39 of the provisional rules of procedure. At the same meeting the President drew attention to a draft resolution<sup>40</sup> prepared in the course of consultations among the members of the Council which he then put to the vote. The draft resolution was adopted by 14 votes to none with one member (China) not participating. The text reads as follows:

*The Security Council.*

*Noting from the report of the Secretary-General of 8 December 1975 (S/11900 and Add I) that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is still needed*

*not only to maintain the cease-fire but also to facilitate the continued search for a peaceful settlement,*

*Noting from the report the conditions prevailing in the island,*

*Noting further that, in paragraph 68 of his report, the Secretary-General has expressed the view that in the present circumstances the best available means of making progress towards a settlement is through continued talks between the representatives of the two communities and that such talks can be fruitful only if the interlocutors are ready and authorized to engage in meaningful negotiations on all essential aspects of a settlement of the Cyprus problem,*

*Noting also the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council extend the stationing of the Force in Cyprus for a further period of six months,*

*Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 December 1975,*

*Noting that General Assembly resolution 3395 (XXX) of 20 November 1975 reaffirmed the urgent need for continued efforts for the effective implementation in all its parts of General Assembly resolution 3212 (XXIX) of 1 November 1974 which was endorsed by the Security Council in its resolution 365 (1974) of 13 December 1974,*

1. *Reaffirms* the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and on other aspects of the situation in Cyprus;
2. *Reaffirms* its resolutions 365 (1974) of 13 December 1974 and 367 (1975) of 12 March 1975 and calls for their urgent and effective implementation;
3. *Urges* the parties concerned to act with the utmost restraint and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;
4. *Extends* once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under resolution 186 (1964), for a further period ending 15 June 1976 in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force;
5. *Appeals again* to all parties concerned to extend their full co-operation to the Force in its continuing performance of its duties;
6. *Requests* the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Council informed of the progress made and to submit a report not later than 31 March 1976.

In a statement to the Council after the vote, the Secretary-General stated that his Acting Special Representative, Lieutenant-General Prem Chand, and Mr. Denktas had signed on that day a *procès-verbal* stating that the Special Representative would discuss with the representative of the Turkish Cypriot community questions pertaining to the stationing, deployment and functioning of UNFICYP in the area under Turkish control, with a view to arriving at mutually acceptable arrangements, which would be recorded through an exchange of letters.<sup>41</sup>

Most members of the Security Council agreed with the Secretary-General's assessment that the continued presence of UNFICYP was essential. The representative of China referred to his Government's well-known views on the Force to explain its non-participation in the vote and the representatives of the Byelorussian SSR and the

<sup>37</sup> S/11900, OR, 30th yr., Suppl. for Oct.-Dec. 1975, p. 54.

<sup>38</sup> S/11900/Add. I, *ibid.*, p. 61.

<sup>39</sup> For details, see chapter III.

<sup>40</sup> S/11910, adopted without change as resolution 383 (1975).

<sup>41</sup> 1863rd mtg., paras. 6-8 and 217.

USSR reiterated the position of their Governments that the system of voluntary financing should be preserved in any extension of UNFICYP's mandate.<sup>42</sup>

The representative of Cyprus stated that his Government had consented, as the only party entitled and required to consent, to the renewal of UNFICYP's mandate. However, the *procès-verbal* which referred to practical arrangements relating to the local functioning of UNFICYP, had nothing to do with any consent for the renewal of the mandate.<sup>43</sup>

The representative of Greece stated that he fully agreed that the continued presence of UNFICYP was essential in order to maintain the cease-fire and to facilitate the continued search for a peaceful settlement.<sup>44</sup>

The representative of Turkey said that his country could not accept the Security Council's resolution *in toto*. Turkey was against the reference to the Government of Cyprus, since in its view there was no Government which could represent Cyprus; there were merely two communities on the island. Turkey considered that the Assembly's 1974 resolution no longer applied after four rounds of intercommunal talks, and it was unable to accept the reference to the resolution adopted by the General Assembly on 20 November 1975, against which Turkey had been constrained to vote. Turkey continued to be in favour of the intercommunal talks, but not in the framework that the Assembly's 1975 resolution had placed them. Turkey agreed with the extension of UNFICYP's mandate and expressed the hope that the discussions promised in the *procès-verbal* signed by General Prem Chand and Mr. Denktaş would result in concrete agreements.<sup>45</sup>

Mr. Celik also stated that the Security Council resolution just adopted was not acceptable *in toto* for the same reasons as those put forward by Turkey. He emphasized that the Secretary-General had consulted the Turkish Cypriots about the extension of the UNFICYP mandate and that the Turkish Cypriot side had given its consent. The separate agreement in the form of the *procès-verbal* was essential both politically and legally: politically to establish the equal status of the two communities, legally to give the Force legal status in the north of Cyprus.<sup>46</sup>

**Decision of 15 June 1976 (1927th meeting): resolution 391 (1976)**

On 24 February 1976 the Secretary-General submitted an interim report<sup>47</sup> to the Security Council on the fifth round of the Cyprus talks at Vienna from 17 to 21

February. In the agreed press communiqué issued at the conclusion of the talks it was stated that in five substantive discussions on the territorial and constitutional issues the two sides had agreed that an exchange of written proposals would take place in Cyprus within six weeks, through the Special Representative of the Secretary-General. It had further been agreed that the representatives of the two communities would meet again under the auspices of the Secretary-General at Vienna in May to establish a common basis prior to referring the matter to mixed committees in Cyprus.

On 31 March the Secretary-General submitted a report<sup>48</sup> to the Security Council pursuant to resolution 383 (1975) and General Assembly resolution 3395 (XXX). In that report he reviewed developments of the first three months of 1976. He reported that the Vienna talks had been resumed without preconditions on 17 February 1976 with a view to arriving at a comprehensive agreement on the Cyprus question. He had closely followed developments in Cyprus relating to the agreement contained in the press communiqué of 21 February, in pursuance of which his Special Representative had held seven meetings with the representatives of the two communities between 5 and 31 March on humanitarian problems. His Special Representative had been in close touch with the two interlocutors concerning the exchange of written proposals on the territorial and constitutional issues foreseen in the Vienna communiqué.

On 5 June 1976, before the mandate of UNFICYP was due to expire the Secretary-General submitted a report on the United Nations Operation in Cyprus concerning developments covering the period from 9 December 1975 to 5 June 1976.<sup>49</sup> He noted in his report that restrictions on its freedom of movement had prevented UNFICYP from contributing in any effective way to the security, welfare and well-being of the Greek Cypriots living in the Turkish-controlled part of the island, as it had done for the Turkish Cypriots in the past. Therefore, the Force had only been able to carry out humanitarian work on a limited basis. The Secretary-General considered the situation of those Greek Cypriots a matter of serious concern, not only on purely humanitarian grounds but also because it tended to affect adversely efforts towards a just and lasting peace. Such concern, he felt, could be considerably alleviated if UNFICYP were granted free and normal access to Greek Cypriot habitations in the area. In respect of efforts to carry out the good offices mission entrusted to him by the Council, the Secretary-General referred to his report on the fifth round of the Vienna talks between the representatives of the two communities and to the problems which had arisen with regard to the exchange of written proposals on the territorial and constitutional issues as envisaged in the Vienna communiqué of 21 February. He stated that both he and his Special Representative had remained in close touch with the parties and had continued their efforts to remove the various obstacles to resumption of the negotiating

<sup>42</sup> For the texts of relevant statements, see 1863rd mtg.: Byelorussian SSR, paras. 76-89; China, para. 54; Costa Rica, paras. 90-94; France, paras. 18-24; Guyana, paras. 10-17; Iraq, paras. 95-99; Italy, paras. 55-61; Japan, paras. 25-28; Mauritania, paras. 73-75; Sweden, paras. 29-33; USSR, paras. 34-49; United Kingdom, paras. 101-108; United Republic of Cameroon, paras. 62-67; United Republic of Tanzania, paras. 68-72; United States, paras. 50-53.

<sup>43</sup> *Ibid.*, paras. 110-138.

<sup>44</sup> *Ibid.*, paras. 140-151.

<sup>45</sup> *Ibid.*, paras. 153-162.

<sup>46</sup> *Ibid.*, paras. 164-215.

<sup>47</sup> S/1993, OR, 31st yr., Suppl. for Jan.-March 1976, p. 105.

<sup>48</sup> S/12031, *ibid.*, p. 135.

<sup>49</sup> S/12093, OR, 31st yr., Suppl. for April-June 1976, p. 42.

process. In the circumstances, he considered the continued presence of UNFICYP to be essential and recommended that the Council extend the stationing of the Force in Cyprus for a further period of six months.

The Security Council considered the Secretary-General's report at its 1925th to 1927th meetings held on 11, 14 and 15 June 1976. At the 1925th meeting, the Council adopted the provisional agenda without objection and invited the representatives of Cyprus, Turkey and Greece to participate in the discussion without the right to vote. The Council also extended an invitation to Mr. Nail Atalay under rule 39 of the provisional rules of procedure.<sup>30</sup>

The Council discussed the question at its 1925th and 1926th meetings on 11 and 14 June.

At the 1927th meeting held on 15 June the President announced that as a result of prior consultations agreement had been reached on the text of a draft resolution<sup>31</sup> which he then put to the vote. The said draft resolution was adopted by 13 votes to none with two members (Benin and China) not participating. The text reads as follows:

*The Security Council.*

*Noting* from the report of the Secretary-General of 5 June 1976 that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is essential not only to help maintain quiet in the island but also to facilitate the continued search for a peaceful settlement,

*Noting* from the report the conditions prevailing in the island,

*Noting also* from the report that the freedom of movement of the United Nations Peace-keeping Force in Cyprus and its civil police is still restricted in the north of the island and that progress is being made in discussions regarding the stationing, deployment and functioning of the Force, and expressing the hope that those discussions will lead speedily to the elimination of all existing difficulties,

*Noting further* that, in paragraph 70 of his report, the Secretary-General has expressed the view that the best hope of achieving a just and lasting settlement of the Cyprus problem lies in negotiations between the representatives of the two communities and that the usefulness of those negotiations depends upon the willingness of all parties concerned to show the necessary flexibility, taking into account not only their own interests but also the legitimate aspirations and requirements of the opposing side.

*Expressing its concern* at actions which increase tension between the two communities and tend to affect adversely the efforts towards a just and lasting peace in Cyprus,

*Emphasizing* the need for the parties concerned to adhere to the agreements reached at all previous rounds of the talks held under the auspices of the Secretary-General and expressing the hope that future talks will be meaningful and productive,

*Noting also* the concurrence of the parties concerned with the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

*Noting* that the Government of Cyprus has agreed that, in view of the prevailing conditions in the island, it is necessary to keep the Force in Cyprus beyond 15 June 1976,

1. *Reaffirms* the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and other aspects of the situation in Cyprus,

2. *Reaffirms once again* its resolution 368 (1974) of 13 December 1974, by which it endorsed General Assembly resolution 3212

(XXIX) adopted unanimously on 1 November 1974, and calls once again for the urgent and effective implementation of those resolutions as well as of its resolution 367 (1975) of 12 March 1975;

3. *Urges* the parties concerned to act with the utmost restraint to refrain from any unilateral or other action likely to affect adversely the prospects of negotiations and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;

4. *Extends* once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 December 1976, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force;

5. *Appeals again* to all parties concerned to extend their fullest co-operation so as to enable the United Nations Peace-keeping Force to perform its duties effectively;

6. *Requests* the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 30 October 1976.

**Decision** of 14 December 1976 (1979th meeting): resolution 401 (1976)

On 30 October 1976, the Secretary-General submitted to the Council a report<sup>32</sup> in pursuance of his mission of good offices under Security Council resolutions 367 (1975) of 12 March 1975 and 391 (1976) of 15 June 1976. In the report the Secretary-General described the contacts that his Special Representative, Mr. Javier Pérez de Cuéllar, had had with President Makarios and Mr. Rauf Denktaş in Nicosia and with the Foreign Ministers of Turkey and Greece and other high officials in Ankara and Athens, as well as his own consultations with the representatives of the two communities, in New York, before the opening of the General Assembly. He stressed that, despite the difficulties, the intercommunal negotiations represented the best hope of achieving an agreed, just and lasting settlement of the Cyprus problem. He regretted to have to report that the difficulties in the way of resuming meaningful negotiations had yet to be overcome, and the differences between the two sides had, in practice, shown little sign of narrowing. Although the current procedural deadlock reflected the political difficulties of the interlocutors, the Secretary-General remained determined to exert his best efforts to bring about the resumption of meaningful negotiations.

On 9 December 1976, the Secretary-General submitted to the Security Council a report<sup>33</sup> on the United Nations operations in Cyprus covering the period 6 June to 6 December 1976. In his report the Secretary-General indicated that the access of UNFICYP to the Turkish-controlled part of the island had remained restricted but that there had been a continuing reduction in the number of cease-fire violations. UNFICYP had endeavoured to facilitate normal farming activity by providing escorts to enable Greek Cypriot and Turkish Cypriot farmers to work in sensitive areas. The exodus of Greek Cypriots to the south had accelerated.

<sup>30</sup> For details see chapter III.

<sup>31</sup> S/12096, adopted without change as resolution 391 (1976).

<sup>32</sup> S/12222, OR, 31st yr., Suppl. for Oct.-Dec. 1976, p. 15.

<sup>33</sup> S/12253, *ibid.*, p. 38.

and UNFICYP in most cases had not been able to establish the voluntary nature of their departure. UNFICYP had also continued to support the activities of the United Nations High Commissioner for Refugees and his relief programme by delivering food supplies and providing emergency medical services. The Secretary-General also drew the Council's attention to the increasingly critical financial situation of UNFICYP.

In an addendum<sup>34</sup> to this report, issued on 14 December 1976 the Secretary-General indicated that the parties concerned had signified their concurrence to the extension of the mandate of UNFICYP for another six months.

At the 1979th meeting on 14 December 1976 the Security Council adopted the provisional agenda without objection and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion. The Council also agreed to extend an invitation to Mr. Vedat Celik under rule 39 of the provisional rules of procedure.<sup>35</sup>

Subsequently, the President announced that as a result of prior consultations, agreement had been reached on the text of a draft resolution<sup>36</sup> which he then put to the vote. The draft resolution was adopted by 13 votes to none with 2 members (Benin and China) not participating. The text reads as follows:

*The Security Council.*

*Noting from the report of the Secretary-General of 9 December 1976 that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is essential not only to help maintain quiet in the island but also to facilitate the continued search for a peaceful settlement,*

*Noting from the report the conditions prevailing in the island,*

*Noting also from the report that the freedom of movement of the United Nations Peace-keeping Force in Cyprus and its civil police is still restricted in the north of the island and that further progress is being made in discussions regarding the stationing, deployment and functioning of the Force, and expressing the hope that ways will be found to surmount the remaining obstacles,*

*Noting further that the Secretary-General has expressed the view that the best hope of achieving a just and lasting settlement of the Cyprus problem lies in negotiations between the representatives of the two communities and that the usefulness of those negotiations depends upon the willingness of all parties concerned to show the necessary flexibility, taking into account not only their own interests but also the legitimate aspirations and requirements of the opposing side,*

*Expressing its concern at actions which increase tension between the two communities and tend to affect adversely the efforts towards a just and lasting peace in Cyprus,*

*Emphasizing the need for the parties concerned to adhere to the agreements reached at all previous rounds of the talks held under the auspices of the Secretary-General and expressing the hope that future talks will be meaningful and productive,*

*Noting also the concurrence of the parties concerned with the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,*

*Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions in the island, it is necessary to keep the Force in Cyprus beyond 15 December 1976,*

1. *Reaffirms* the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and other aspects of the situation in Cyprus;

2. *Reaffirms once again* its resolution 365 (1974) of 13 December 1974, by which it endorsed General Assembly resolution 3212 (XXIX) adopted unanimously on 1 November 1974, and calls once again for the urgent and effective implementation of those resolutions as well as of its resolution 367 (1975) of 12 March 1975;

3. *Urges* the parties concerned to act with the utmost restraint to refrain from any unilateral or other action likely to affect adversely the prospects of negotiations for a just and peaceful solution and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;

4. *Extends* once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 June 1977, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force;

5. *Appeals again* to all parties concerned to extend their fullest co-operation so as to enable the United Nations Peace-keeping Force to perform its duties effectively;

6. *Requests* the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Security Council informed of the progress made and to submit a report on the implementation of this resolution by 30 April 1977.

In a statement after the voting, the Secretary-General stated that he would continue to bring about a resumption of the negotiations between the representatives of the two Cypriot communities at an early date. The best hope of achieving a just and lasting settlement of the Cyprus problem was through negotiations between the two representatives of the two communities. If the present impasse were prolonged the basic issues would inevitably become more intractable.<sup>37</sup>

The representative of the USSR reiterated his Government's position that the stationing of the Force should continue to be financed on a voluntary basis.<sup>38</sup>

The representative of China stated that in view of the fact that the resolution mainly concerned the question of UNFICYP, on which his Government's position was well known, his delegation had not participated in the vote.<sup>39</sup>

**Decision of 15 June 1977 (2012th meeting): resolution 410 (1977)**

On 30 April 1977, the Secretary-General submitted to the Security Council a report<sup>40</sup> in pursuance of his continuing mission of good offices under Security Council resolution 401 (1976) of 14 December 1976. In his report, the Secretary-General reviewed developments that had led to the high-level meeting of Archbishop Makarios and Mr. Rauf Denktaş under his personal auspices on 27 February. He set out the texts of the agreed instructions (guidelines) for the intercommunal talks as a basis for future negotiations that had been issued following the meeting. A new series of intercommunal talks had been held in Vienna from 31 March to 7 April as had been decided at the high-level meeting.

<sup>37</sup> 1979th mtg., paras. 13-16.

<sup>38</sup> *Ibid.*, paras. 207-221.

<sup>39</sup> *Ibid.*, para. 191.

<sup>40</sup> S/12323, OR, 32nd yr., Supplement for April-June 1977, p. 27.

<sup>34</sup> S/12253/Add.1, *ibid.*

<sup>35</sup> For details, see chapter III.

<sup>36</sup> S/12256, adopted without change as resolution 401 (1976).



The annexes to the report contained the opening statement by the Secretary-General at those talks and the proposals submitted by the two Cypriot communities. Each side had presented certain proposals which the other had not accepted. He stated that it had not been possible to bridge the considerable gap between the views of the two sides but that efforts would be continued to overcome the differences.

On 7 June 1977 the Secretary-General submitted a report<sup>61</sup> to the Security Council on the United Nations operation in Cyprus for the period covering 7 December 1976 to 7 June 1977. In his report the Secretary-General stated that a substantial trend towards stabilization of the security situation, mainly in the military field, had developed, thanks in good part to the continuing peace-keeping efforts of UNFICYP. There remained, however, areas of concern, especially with reference to the continuing efforts of both sides to improve or strengthen their positions in the confrontation areas. While the peace-keeping aspect of the United Nations operation in Cyprus had been increasingly effective, the peace-making effort continued to encounter serious obstacles. Since the resumption of the intercommunal talks in Nicosia in May under the auspices of the Special Representative of the Secretary-General, the situation had remained unchanged. It was evident that certain political developments were being awaited before the next step was taken. As the Secretary-General felt that negotiations between the representatives of the two Cypriot communities remained the best available method of achieving a just and lasting settlement of the Cyprus problem, he would continue the mission entrusted to him by the Security Council to assist the parties. The continued presence of UNFICYP on the island remained essential to the maintenance of the cease-fire and would also facilitate the continued search for a peaceful settlement. He also drew attention to the increasingly critical financial situation of UNFICYP.

In an addendum<sup>62</sup> to his report, issued on 15 June, the Secretary-General stated that he was in a position to inform the Council that the parties concerned had signified their concurrence with the proposed extension.

The Security Council considered the Secretary-General's report at its 2012th and 2013th meetings held on 15 and 16 June 1977. At the 2012th meeting, the Council adopted the provisional agenda without objection and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion. The Council also extended an invitation to Mr. Vedat Celik under rule 39 of the provisional rules of procedure.<sup>63</sup>

The President announced that as a result of prior consultations, agreement had been reached on the text of a draft resolution<sup>64</sup> which he then put to the vote. The draft resolution was adopted by 14 votes to none with

one member (China) not participating in the vote. The text read as follows:

*The Security Council.*

*Noting* from the report of the Secretary-General of 7 June 1977 that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is essential not only to help maintain quiet in the island but also to facilitate the continued search for a peaceful settlement,

*Noting* from the report the conditions prevailing in the island,

*Noting also* from the report that the freedom of movement of the United Nations Peace-keeping Force in Cyprus and its civil police is still restricted in the north of the island, and expressing the hope that ways will be found to surmount the remaining obstacles,

*Noting further* that the Secretary-General expressed the view that the best hope of achieving a just and lasting settlement of the Cyprus problem lies in negotiations between the representatives of the two communities and that the usefulness of those negotiations depends upon the willingness of all parties concerned to show the necessary flexibility, taking into account not only their own interests but also the legitimate aspirations and requirements of the opposing side,

*Noting* that, owing to the efforts of the Secretary-General, his staff and the United Nations Peace-keeping Force, and with the co-operation of the parties, there has been a relative improvement in the security situation, but that this evolution has yet to relieve the underlying tensions in the island,

*Noting also* the report of the Secretary-General of 30 April 1977 concerning the high-level meeting under the auspices of the Secretary-General, and emphasizing the need to adhere to the agreement reached at this meeting as well as to the agreements reached at the previous rounds of the talks,

*Noting further* the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

*Noting* that the Government of Cyprus has agreed that, in view of the prevailing conditions in the island, it is necessary to keep the Force in Cyprus beyond 15 June 1977,

1. *Reaffirms* the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and other aspects of the situation in Cyprus,

2. *Reaffirms once again* its resolution 365 (1974) of 13 December 1974, by which it endorsed General Assembly resolution 3212 (XXIX) adopted unanimously on 1 November 1974, and calls once again for the urgent and effective implementation of those resolutions and of its resolution 367 (1975) of 12 March 1975;

3. *Urges* the parties concerned to act with the utmost restraint by refraining from any unilateral or other action likely to affect adversely the prospects of negotiations for a just and peaceful solution and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;

4. *Extends once more* the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 December 1977, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force;

5. *Appeals again* to all parties concerned to extend their fullest co-operation so as to enable the United Nations Peace-keeping Force to perform its duties effectively,

6. *Requests* the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 30 November 1977.

In a statement after the voting, the Secretary-General assured the Council that he would do his utmost to give effect to its decisions. He and his Special Representative would continue their efforts to assist the negotiations,

<sup>61</sup> S/12342, *ibid.*, p. 48.

<sup>62</sup> S/12342/Add.1, *ibid.*

<sup>63</sup> For details see chapter III.

<sup>64</sup> S/12346, adopted as resolution 410 (1977).

which he believed were the best available method of achieving a settlement. He drew the Council's attention to UNFICYP's \$54.1 million deficit and said it was more than ever necessary to find means of improving the financial situation.<sup>65</sup>

At the 2013th meeting on 16 June, the representative of the USSR stated that his Government understood that the financing of the Force would continue to be on a voluntary basis. The representative of China stated that his delegation had not participated in the vote as it mainly concerned the question of the United Nations Force, on which China had always held a different position of principle.<sup>66</sup>

**Decision of 15 September 1977 (2032nd meeting): resolution 414 (1977)**

By letter<sup>67</sup> dated 26 August 1977 addressed to the President of the Council the representative of Cyprus requested an urgent meeting of the Council to consider the seriously deteriorating situation in the island. At the 2026th meeting of 31 August 1977, the Council included the letter in its agenda without objection and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion and also extended an invitation to Mr. Vedat Celik under rule 39 of the provisional rules of procedure.<sup>68</sup>

Opening the discussion the Minister of Foreign Affairs of Cyprus stated that United Nations resolutions on Cyprus had called on all parties to refrain from unilateral actions, particularly such as would change the demographic character of Cyprus and had also provided for negotiations between the two communities, with a view to reaching freely a mutually acceptable political settlement based on those communities' legitimate rights. However, Turkey had never allowed a constructive dialogue to develop, obviously aiming to consolidate its position in the occupied area by creating *faits accomplis*. His Government's acceptance of a federal system and its decision to present, at the Vienna talks, a map providing for a bizonal solution of the territorial aspect of the problem were great concessions on the part of the Greek Cypriot side. However, the Turkish Cypriot negotiator, in breach of prior assurances given by Turkey and the Turkish Cypriot leadership, had failed to give any indication of his side's views on the territorial aspect of the problem. The decision of the Turkish Government to colonize the new town of Famagusta was the climax of the Turkish policy of *faits accomplis* and, if allowed to proceed, could only be the *coup de grâce* to the intercommunal talks. He appealed to the Council urgently to adopt effective measures to reverse the process of colonization of Famagusta and to ensure immediate implementation of relevant United Nations resolutions on Cyprus.<sup>69</sup>

The representative of Greece stated that his country had fully endorsed the Cypriot request for a Council

meeting. Three years after the Turkish invasion of Cyprus, Turkey had stepped up its violations of international law and human rights in the occupied zone through expulsion of the inhabitants and seizures of property. It had placed new obstacles in the way of negotiations by perpetuating the *faits accomplis* in Cyprus and creating, by delaying tactics, so-called irreversible situations. He said that the fate of the sealed-off town of Famagusta represented a cardinal element in the intercommunal negotiations, and by colonizing it the Turkish side was depriving the negotiations of any meaning and rendering any future dialogue pointless. He appealed to the Council to condemn any attempt at the colonization of Famagusta, or of the rest of the military-occupied zone of Cyprus, and to demand that the Turkish Government desist from any such action and abide by the relevant resolutions of the General Assembly and the Security Council.<sup>70</sup>

The representative of Turkey stated that Greece itself was the main culprit in the continuing tragedy of Cyprus: its record towards Cyprus was one of violence, military invasions, *faits accomplis*, attempted murders and intrigues. He saw no reason for a Council meeting as nothing had happened since the June meeting except the death—on 3 August—of Archbishop Makarios, which had opened the way to a power struggle not as yet resolved. The only evidence of a deterioration of the situation that the Greek Cypriots had been able to muster was the decision by the authorities of the Turkish Federated State of Cyprus to use an old hotel in the south of Famagusta as a centre for hotel management. Whatever the Turkish Cypriot community did in the area under its control was none of the Greek Cypriot community's concern. He said that despite the ludicrous nature of the Greek Cypriot allegations, the Turkish community was ready to resume the intercommunal talks on a date to be agreed upon. The Turkish Government would continue to support the mission of the Secretary-General within its current framework.<sup>71</sup>

At the 2027th meeting on 31 August, the representative of the USSR stated that his Government favoured establishing a spirit of mutual understanding and trust between the two communities. A solution must reflect unswerving respect for independence, sovereignty and territorial integrity. He said that recent events had confirmed the USSR's opinion that a solution of the Cyprus problem required a convening as soon as possible of an international conference under United Nations auspices. Both sides should refrain from unilateral or other actions which could have a negative effect on prospects for peaceful settlement.<sup>72</sup>

At the 2028th meeting on 1 September, the Secretary-General provided information based on recent reports he had received from his Special Representative and the UNFICYP Commander, concerning developments in Varosha, the new quarter of Famagusta.<sup>73</sup>

<sup>65</sup> 2012th mtg., paras. 7-10.

<sup>66</sup> For the texts of relevant statements, see 2013th mtg.: China, paras. 187-189; USSR, paras. 163-171.

<sup>67</sup> S/12387, OR, 32nd yr., Suppl. for July-Sept. 1977, p. 63.

<sup>68</sup> For details see chapter III.

<sup>69</sup> 2026th mtg., paras. 5-38.

<sup>70</sup> *Ibid.*, paras. 40-53.

<sup>71</sup> *Ibid.*, paras. 74-80.

<sup>72</sup> 2027th mtg., paras. 24-39.

<sup>73</sup> 2028th mtg., paras. 24-31.

Speaking at the 2031st meeting on 15 September, the representative of France stated that the kind of actions taken in Varosha, the new town of Famagusta, fully justified the Council session. While they were benign in appearance, they could be followed by other measures which, taken together with the first set of measures, might significantly change the state of affairs. Those responsible should take no initiative that might alter the climate required for the success of the negotiations. He said that the Council should make its contribution to the reduction of tension. Everything possible must be done to preserve the bases and the framework of the negotiations to which the parties had agreed.<sup>74</sup>

The representative of China stated that his delegation held firmly to respect for independence, sovereignty and territorial integrity. China hoped the two communities would take a positive attitude and continue to work for an early settlement through negotiations on an equal footing and through mutual accommodation. They should eliminate their differences and guard against super-Power meddling.<sup>75</sup>

The representative of the United Kingdom stated that his Government was convinced that the most urgent requirement was to have the negotiations resumed through the intercommunal talks, and not to hinder that process. If the talks were to make progress, there should be an atmosphere undisturbed by actions or statements which could prejudice the chances of a settlement. The United Kingdom was pleased to note the assurances given to the Council that recent moves in new Famagusta did not constitute colonization or resettlement. If there were such developments, they would lead to serious consequences.<sup>76</sup>

At the 2032nd meeting on 15 September, the representative of the United States stated that assurances that no resettlement of the new section of Famagusta was under way were especially welcome. The United States would do all that it possibly could to encourage the earliest possible resumption of the intercommunal talks. It hoped the Council debate would mark renewal of concerted efforts by the two communities to build successfully on the foundation established in earlier rounds of talks and to bring those talks to a successful conclusion.<sup>77</sup>

The President, speaking as the representative of the Federal Republic of Germany, stated that a settlement could only be achieved through direct negotiations between the two communities. The talks must be based on mutual concessions on the territorial and constitutional aspects. His Government noted with satisfaction the statements made to the effect that the developments in the new town of Famagusta did not constitute the beginning of resettlement or colonization. However limited in scope, any unilateral action should be avoided.<sup>78</sup>

Mr. Celik, stating that he was speaking on behalf of the Turkish Cypriot community, stated that he failed to understand the necessity for a Security Council meeting: there was no fighting in Cyprus, no threat to peace in the region, no change in the *status quo*. In calling the meeting, the Greek Cypriots were clearly prompted by internal political considerations, although the pretext was the implementation of United Nations resolutions and the alleged mass colonization of Maras, otherwise known as Varosha, a town situated wholly within the borders of the Turkish Federated State of Cyprus and under its jurisdiction. He insisted that the rights over this area could not be made the subject of bargaining with the Greek Cypriot side. There had been no "mass colonization" or resettlement of the area. He said that the Turkish Cypriot side was always ready to start negotiations with a view to finding a realistic solution of the Cyprus problem, one which recognized for the Turkish Cypriot community—the suffering party until now—rights equal to those of the Greek Cypriots and which would provide for its effective and equal participation in the government and administration of the future federal State. The Cyprus problem was an intercommunal problem, and it could be solved only through negotiations, on an equal footing, between the two communities.<sup>79</sup>

At the 2032nd meeting on 15 September, the President, following a suspension of the meeting, stated that the Council would proceed to take a decision on a draft resolution<sup>80</sup> and that it was his understanding that the Council wished to adopt the draft resolution without putting it to the vote. He therefore declared it adopted as resolution 414 (1977). The text reads as follows:

*The Security Council,*

*Having considered* the situation in Cyprus in response to the letter dated 26 August 1977 from the Permanent Representative of Cyprus to the United Nations,

*Mindful* of the urgency of making progress in the solution of the Cyprus problem,

*Recalling* its previous resolutions, in particular resolutions 365 (1974) of 13 December 1974 and 367 (1975) of 12 March 1975,

*Taking note* of the statements made to the Council regarding recent developments in the new Famagusta area to the effect that there is no settlement in progress in the area,

*Taking note also* of the statements made by the parties concerned as well as by the Secretary-General with regard to these developments,

1 *Expresses concern* at the situation caused by recent developments;

2 *Calls upon* the parties concerned to refrain therefore from all unilateral actions anywhere in Cyprus that may affect adversely the prospects for a just and peaceful solution and urges them to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;

3 *Reaffirms once again* its resolution 365 (1974), by which it endorsed General Assembly resolution 3212 (XXIX) adopted unanimously on 1 November 1974, and calls once again for the urgent and effective implementation of those resolutions and of its resolution 367 (1975);

4 *Expresses concern* at the lack of progress at the intercommunal talks;

5 *Calls upon* the representatives of the two communities to resume negotiations, under the auspices of the Secretary-General, as soon as possible, meaningfully and constructively, on the basis of comprehensive and concrete proposals.

<sup>74</sup> 2031st mtg., paras. 2-10.

<sup>75</sup> *Ibid.* paras. 12-14.

<sup>76</sup> *Ibid.* paras. 15-23.

<sup>77</sup> 2032nd mtg., paras. 3-9.

<sup>78</sup> *Ibid.* paras. 11-16.

<sup>79</sup> 2026th mtg., paras. 55-72.

<sup>80</sup> 2032nd mtg., para. 18.

6. *Requests* the Secretary-General to keep the Council informed of developments that may adversely affect the implementation of the present resolution

**Decision of 15 December 1977 (2054th meeting): resolution 422 (1977)**

On 1 December 1977, the Secretary-General submitted to the Security Council his report<sup>81</sup> on the United Nations operation in Cyprus concerning developments from 8 June to 30 November 1977. In his report, the Secretary-General stated that in the period under review, the situation in Cyprus had been quiet but that the underlying tensions had shown no sign of abating. The political differences confronting the people of Cyprus were no nearer a solution. It had not been possible since 3 June to continue the intercommunal meetings. The consultations which he had held in New York in September and October and those held at Nicosia by his Special Representative would be continued at Athens and Ankara. For the resumed talks to be useful, it was necessary to obtain assurances that the parties were prepared to negotiate concretely and substantively on all major aspects of the problem. The Secretary-General noted that there had been no apparent improvement in the living conditions of the Greek Cypriots remaining in the north and that their situation was a matter of concern. With regard to UNFICYP, the Secretary-General noted that the Finnish battalion, by agreement, had left Cyprus without replacement on 31 October, having completed more than 13 years of service. The deficit in the UNFICYP Special Account of \$56.7 million was a matter of concern. The critical financial condition of the Force was a compelling consideration in the decision not to replace the Finnish battalion.

In an addendum<sup>82</sup> to his report issued on 15 December 1977, the Secretary-General indicated that the parties concerned had signified their concurrence in the extension of the mandate of UNFICYP for another six months.

The Security Council considered the Secretary-General's report at its 2054th and 2055th meetings held on 15 and 16 December 1977. At the 2054th meeting, the Council adopted the provisional agenda without objection, and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion. The Council also extended an invitation to Mr. Vedat Celik under rule 39 of the provisional rules of procedure to participate in the consideration of the item. At the 2055th meeting a similar invitation under rule 39 was extended to Mr. Nail Atalay.<sup>83</sup>

The President announced that as a result of prior consultations, agreement had been reached on the text of a draft resolution<sup>84</sup> which he then put to the vote. The draft resolution was adopted by 14 votes to none, with one member (China) not participating, as resolution 422 (1977). The text reads as follows:

<sup>81</sup> S/12463, *OR*, 32nd yr., *Suppl. for Oct.-Dec. 1977*, pp. 79-86.

<sup>82</sup> S/12463/Add. 1, *ibid.*, p. 86.

<sup>83</sup> For details see chapter III.

<sup>84</sup> S/12489, adopted without change as resolution 422 (1977).

#### *The Security Council.*

*Noting* from the report of the Secretary-General of 1 December 1977 that in existing circumstances the presence of the United Nations Peace-keeping Force in Cyprus is essential not only to help maintain quiet in the island but also to facilitate the continued search for a peaceful settlement,

*Noting* from the report the conditions prevailing in the island,

*Noting also* from the report that the freedom of movement of the United Nations Peace-keeping Force in Cyprus and its civil police is still restricted in the north of the island, and expressing the hope that ways will be found to surmount the remaining obstacles,

*Noting further* that the Secretary-General expressed the view that the best hope of achieving a just and lasting settlement of the Cyprus problem lies in negotiations between the representatives of the two communities and that the usefulness of those negotiations depends upon the willingness of all parties concerned to show the necessary flexibility, taking into account not only their own interests but also the legitimate aspirations and requirements of the opposing side,

*Noting* that, owing to the efforts of the Secretary-General, his staff and the United Nations Peace-keeping Force, and with the co-operation of the parties, there has been a relative improvement in the security situation, but that this evolution has yet to relieve the underlying tensions in the island,

*Noting also* the report of the Secretary-General of 30 April 1977 concerning the high-level meeting under the auspices of the Secretary-General, and emphasizing the need to adhere to the agreement reached at this meeting as well as to the agreements reached at the previous rounds of the talks,

*Noting further* the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

*Noting* that the Government of Cyprus has agreed that, in view of the prevailing conditions in the island, it is necessary to keep the Force in Cyprus beyond 15 December 1977,

1. *Reaffirms* the provisions of resolution 186 (1964) of 4 March 1964, as well as subsequent resolutions and decisions on the establishment and maintenance of the United Nations Peace-keeping Force in Cyprus and other aspects of the situation in Cyprus,

2. *Reaffirms once again* its resolution 365 (1974) of 13 December 1974, by which it endorsed General Assembly resolution 3212 (XXIX) adopted unanimously on 1 November 1974, and calls once again for the urgent and effective implementation of those resolutions and of its resolution 367 (1975) of 12 March 1975;

3. *Urges* the parties concerned to act with the utmost restraint by refraining from any unilateral or other action likely to affect adversely the prospects of negotiations for a just and peaceful solution and to continue and accelerate determined co-operative efforts to achieve the objectives of the Security Council;

4. *Extends once more* the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 June 1978, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force;

5. *Appeals again* to all parties concerned to extend their fullest co-operation so as to enable the United Nations Peace-keeping Force to perform its duties effectively;

6. *Requests* the Secretary-General to continue the mission of good offices entrusted to him by paragraph 6 of resolution 367 (1975), to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 31 May 1978.

Following the vote, statements were made by the representatives of Cyprus, Greece and Turkey and by Mr. Celik.<sup>85</sup>

At the 2055th meeting the Secretary-General stated that he would use his best efforts to carry out the

<sup>85</sup> 2054th mtg., Cyprus, paras. 23-56; Greece, paras. 58-74; Turkey, paras. 98-110; Mr. Celik, paras. 76-96.

provisions of resolution 422 (1977) and make every effort to help bring about a resumption of the intercommunal talks as the best available method of achieving a just and lasting settlement.<sup>86</sup>

**Decision of 16 June 1978 (2080th meeting): resolution 430 (1978)**

On 31 May 1978, the Secretary-General submitted to the Security Council his report<sup>87</sup> on the United Nations Operation in Cyprus concerning developments from 1 December 1977 to 31 May 1978. In his report the Secretary-General described in detail the efforts he had undertaken, within the framework of the mission of good offices entrusted to him by the Security Council, to facilitate concrete and substantive negotiations between the parties on the major aspects of the Cyprus problem. He regretted to have to report that the results of those efforts remained disappointing for the time being. The time might be ripe, he felt, for a concrete attempt to deal with some important aspects of the existing stalemate, thus creating an opening for further significant steps. He cited the status of Varosha and the situation at the Nicosia international airport, which remained under UNFICYP control but was not open for traffic, as possible opportunities for action of that kind. The Secretary-General further reported that the situation along the cease-fire lines had remained quiet during the period. The situation in the north, although still not entirely consonant with the agreements reached at Vienna in August 1975, had improved. UNFICYP enjoyed increased freedom of movement, and there had been a relative improvement in the living conditions and the economic situation of the Greek Cypriots in the north. In the light of the situation on the ground and of political developments, the Secretary-General concluded once again that the continued presence of UNFICYP remained indispensable in keeping the potentially dangerous situation in the island under control. The Force also facilitated the search for a peaceful settlement. He recommended that the mandate of UNFICYP be extended for another six months. He also drew attention to the increasingly critical financial situation of UNFICYP.

In an addendum<sup>88</sup> issued on 15 June the Secretary-General stated that following consultations the parties concerned had signified their concurrence in the extension of the mandate of UNFICYP for a further six months.

The Security Council considered the Secretary-General's report at its 2080th and 2081st meetings held on 15 and 16 June 1978. At the same meeting, the Council adopted the provisional agenda without objection, and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion. The Council also extended an invitation to Mr. Rauf Denktas under rule

39 of the provisional rules of procedure to participate in the consideration of the item.<sup>89</sup>

The President announced that as a result of prior consultations agreement had been reached on the text of a draft resolution<sup>90</sup> which he then put to the vote. The said draft resolution was adopted by 14 votes to none, with one member (China) not participating. The text reads as follows:

*The Security Council,*

*Taking note of the report of the Secretary-General on the United Nations operation in Cyprus dated 31 May 1978,*

*Noting the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,*

*Noting also that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 June 1978,*

*Reaffirming the provisions of its resolution 186 (1964) of 4 March 1964 and other relevant resolutions,*

1. *Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force established under resolution 186 (1964) for a further period ending 15 December 1978;*

2. *Requests the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 30 November 1978.*

At the 2081st meeting on 16 June, the Council heard statements by members of the Council, the parties concerned and by Mr. Denktas.

**Decision of 27 November 1978 (2100th meeting): resolution 440 (1978)**

On 7 November 1978 the representative of Cyprus addressed a letter<sup>91</sup> to the President of the Security Council confirming an earlier oral request for the convening of an urgent meeting of the Council on the question of Cyprus. At its 2099th meeting the Council adopted the provisional agenda without objection, and invited the representatives of Cyprus and Greece to participate in the discussion.<sup>92</sup>

The representative of Cyprus stated that Turkey had turned a deaf ear to repeated United Nations resolutions, calling for the speedy withdrawal of all foreign armed forces from Cyprus. The Greek Cypriots had waited long enough and now was the time for appropriate action by the Council. His Government was asking the Council to consider measures against Turkey under Article 41 of the Charter of the United Nations on the basis of General Assembly resolution 33/15 of 9 November 1978, in which the Assembly had recommended that the Council take measures, if necessary, to ensure the implementation, within a time-frame, of its resolutions relating to the question of Cyprus. He stressed that there was no incompatibility between the proposal of Cyprus to invoke Article 41 and its taking part in the intercommunal talks which concerned only the internal aspect of the Cyprus problem.<sup>93</sup>

<sup>86</sup> For details see chapter III

<sup>87</sup> S/12723, adopted without change as resolution 430 (1978)

<sup>88</sup> S/12918, *OR, 33rd yr., Suppl. for Oct.-Dec. 1978*, p. 53

<sup>89</sup> For details see chapter III

<sup>90</sup> 2099th mtg., paras. 4-20

<sup>86</sup> 2055th mtg., Secretary-General, paras. 3-4

<sup>87</sup> S/12723, *OR, 33rd yr., Suppl. for April-June 1978*, pp. 76-93.

<sup>88</sup> S/12723, *ibid.*, p. 93

The representative of Greece said that the action taken by the Government of Cyprus in bringing the question of Cyprus before the Council was fully justified and constituted the appropriate follow-up to the recent resolution adopted by the General Assembly. The Assembly had once more expressed the frustration felt by the international community at the total lack of progress and the non-implementation of resolutions on this problem.<sup>94</sup>

At the same meeting a draft resolution<sup>95</sup> was submitted by Cyprus under which the Security Council would reaffirm previous resolutions on the question of Cyprus, and call upon the parties concerned to comply with them without delay, and in any case not later than six months from the adoption of the proposal; request the Secretary-General to progress in the implementation of those resolutions and report in six months; decide to keep the situation under review and at the expiration of that period to consider and adopt, if necessary, all appropriate and practical measures under the United Nations Charter in order to ensure the full implementation of its resolutions on Cyprus. No member of the Council requested a vote on the draft resolution.

At the 2100th meeting on 27 November, the President, with the consent of the Council, invited the representative of Turkey to participate in the discussion. The Council also extended an invitation to Mr. Rauf Denktaş under rule 39 of the provisional rules of procedure.<sup>96</sup>

The President drew attention to a draft resolution<sup>97</sup> prepared in the course of prior consultations among members of the Council.

The representative of Turkey stated that in his view the draft resolution was not conducive either to the resumption of negotiations or to the implementation of previous resolutions, yet clearly negotiations in the framework of a settlement would lead to implementation. Turkey would have expected a text encouraging the parties to go back to the negotiating table instead of one containing a veiled threat. Under the circumstances, he was sure his Government would not consider itself bound by the resolution.<sup>98</sup>

Mr. Denktaş said that the Turkish Cypriots had long been victimized and had to be convinced that the Greek Cypriots really regarded them as partners and were not trying to "Hellenize" them. The Turkish community had not chosen separation: it had been imposed on that community, a quarter of the population, when it was ejected from the binational Government by brute force, and had to set up its own administration. The administration which currently called itself the Government of Cyprus had nothing to do with the binational Government envisaged in the 1960 national agreements. Mr. Denktaş expressed the hope that one day the Greek Cypriots would realize that Cyprus was not destined to

be a Greek Cypriot island, but rather a Cypriot binational State where the two communities would live together in harmony.<sup>99</sup>

The Council then proceeded to take a decision on the draft resolution and in the absence of any objection, the President declared the draft resolution adopted by consensus, as resolution 440 (1978).<sup>100</sup> The text reads as follows:

*The Security Council.*

*Having considered* the situation in Cyprus in response to the letter dated 7 November 1978 from the Permanent Representative of Cyprus.

*Deeply concerned* at the lack of progress in the solution of the Cyprus problem.

*Taking note* of the relevant General Assembly resolutions concerning Cyprus.

*Mindful* of the urgency of solving the Cyprus problem without further delay.

1. *Reaffirms* its resolutions 365 (1974) of 13 December 1974, 367 (1975) of 12 March 1975 and subsequent resolutions, including resolution 410 (1977) of 15 June 1977;

2. *Calls upon* the parties concerned to comply with and co-operate in the implementation of those resolutions within a specific time-frame;

3. *Urges* the representatives of the two communities to resume negotiations, under the auspices of the Secretary-General, on an agreed basis, bearing in mind the aforementioned resolutions;

4. *Requests* the Secretary-General to report on the efforts made with regard to the negotiations referred to in paragraph 3 of the present resolution and on the progress towards the implementation of its resolutions by 30 May 1979 or earlier if developments should warrant it;

5. *Decides* to remain seized of the matter and to review the situation in June 1979 in order to continue to promote a just solution to the Cyprus problem.

Following the adoption of the draft resolution several representatives made statements. The representative of France said that the resolution just adopted did not violate the legitimate rights of either of the parties concerned, while at the same time it indicated more clearly than in the past the Council's concern for implementation of its previous resolutions and the search for a negotiated settlement. He urged both sides in their own interest to show moderation and act in a spirit of compromise.

The representative of the USSR said that his Government continued to favour a settlement of the Cyprus problem on the basis of the fundamental principles reaffirmed by the General Assembly, namely, strict respect for the independence, sovereignty, territorial integrity and non-aligned status of the Republic of Cyprus, cessation of any foreign intervention in its internal affairs, and immediate withdrawal of all foreign troops from the island. A just and durable settlement could be achieved only if those basic principles were observed and if the interests and the rights of both Cypriot communities were taken into account. The USSR considered it important that further efforts be made to restore a climate of mutual trust and co-operation between the two communities; and he reiterated its

<sup>94</sup> 2099th mtg., paras 22-34

<sup>95</sup> S/12927, OR, 33rd yr., Suppl. for Oct.-Dec. 1978, p. 57

<sup>96</sup> For details see chapter III.

<sup>97</sup> S/12940, adopted without change as resolution 440 (1978)

<sup>98</sup> 2100th mtg., paras 43-48

<sup>99</sup> *Ibid.*, paras 6-41

<sup>100</sup> *Ibid.*, para. 49

proposal for an international conference on the Cyprus question within the framework of the United Nations.

The representative of China maintained that, in order to realize an early peaceful settlement of the Cyprus question, it was imperative, first of all, to do away with super-power interference. China firmly held that the independence, sovereignty and territorial integrity of Cyprus must be respected. It hoped that the Greek and Turkish Cypriots and the parties directly concerned, taking to heart the over-all interests of unity against imperialism and hegemonism, would eliminate their differences and work for a fair and reasonable settlement through patient negotiations on an equal footing.

The representative of India stated that the resolution just adopted adequately met the requirements of the present situation. A specific time-frame for implementation of agreed resolutions was a good thing in itself, provided that it was accepted by the parties concerned. In the absence of any pressure that might be generated by the time factor alone, it was likely that resolutions would remain unimplemented. It should be possible, therefore, for the Council to propose a specific time-frame, but it would be more desirable for the parties concerned to agree on one. He said that non-implementation of agreed resolutions was not always due to the absence of a time-frame or a time-limit. Disagreements did arise during the process of implementation and they tended to become entrenched. The Security Council agenda was a long list of entrenched disagreements and unimplemented resolutions. It was a mistake to think that in such cases the answer lay in resort to action under Chapter VII. Other ways of resolving outstanding disputes must be sought and meanwhile there should be agreement to maintain peace.

The President, speaking as the representative of Gabon, stated that his country believed in the value of dialogue and wanted to see the problem of Cyprus resolved through negotiations between the two Cypriot communities, not imposed from outside. He urged the parties to transcend their differences.<sup>100</sup>

**Decision of 14 December 1978 (2107th meeting): resolution 443 (1978)**

On 1 December 1978 the Secretary-General submitted to the Security Council his report<sup>102</sup> on the United Nations operation in Cyprus concerning developments from 1 June to 30 November 1978.

The Secretary-General reported that, during the period under review, peace-keeping in Cyprus had continued to function well, and that the situation along the cease-fire lines had remained quiet, owing in great part to the vigilance of UNFICYP and to the co-operation of the parties.

In pursuance of the mission of good offices entrusted to him by the Security Council, the Secretary-General had continued consultations in an endeavour to facilitate

the resumption of an effective negotiating process. Both parties had stressed their acceptance of the existing intercommunal negotiating arrangements and voiced their support for the Makarios/Denktaş guidelines of 12 February 1977. However, the basis of negotiations acceptable to the two sides was still lacking. Following talks with Government representatives during the current Assembly session, certain suggestions, which could contribute to the resumption of the intercommunal negotiating process within the framework of the Secretary-General's mission of good offices, were submitted to the parties and to the Secretary-General on 10 November. The parties concerned were currently considering these suggestions. The Secretary-General again concluded that the continued presence of UNFICYP remained indispensable for helping to maintain calm in the island and facilitating the search for a peaceful settlement. He therefore recommended that its mandate be extended for another six months. The Secretary-General also drew attention to the preoccupying financial situation of UNFICYP.

In an addendum<sup>103</sup> issued on 14 December, the Secretary-General stated that following consultations the parties concerned had signified their concurrence in the proposed six-month extension of UNFICYP's mandate.

The Security Council considered the Secretary-General's report at its 2107th meeting held on 14 December 1978. At the same meeting, the Council adopted the provisional agenda without objection and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion. The Council also extended an invitation to Mr. Nail Atalay under rule 39 of the provisional rules of procedure.<sup>104</sup>

The President announced that as a result of prior consultations, agreement had been reached on the text of a draft resolution,<sup>105</sup> which he then put to the vote. The draft resolution was adopted by 14 votes to none, with one member (China) not participating. The text reads as follows:

*The Security Council,*

*Taking note* of the report of the Secretary-General on the United Nations operation in Cyprus dated 1 December 1978,

*Noting* the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

*Noting also* that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 December 1978,

*Reaffirming* the provisions of its resolution 186 (1964) of 4 March 1964 and other relevant resolutions,

1. *Extends once more* the stationing in Cyprus of the United Nations Peace-keeping Force established under resolution 186 (1964) for a further period ending 15 June 1979,

2. *Requests* the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 31 May 1979.

<sup>100</sup> For the texts of relevant statements, see 2100th mtg. Kuwait, paras. 80-82; Czechoslovakia, paras. 58-65; France, paras. 66-71; USSR, paras. 73-81; China, paras. 82-84; India, paras. 85-91; Gabon, paras. 123-133.

<sup>101</sup> S. 12946, *OR: Oral Tr. Suppl. for Oct.-Dec. 1978*, p. 78.

<sup>102</sup> S. 12945, Add. 1, *ibid.*

<sup>103</sup> For details see chapter III.

<sup>104</sup> S. 12968, adopted without change as resolution 443 (1978).

1980, with the intention of pursuing them in a continuing and sustained manner. In the light of political developments and the situation on the ground, the Secretary-General concluded once again that the continued presence of UNFICYP remained indispensable for helping to maintain calm in the island and facilitating the search for a peaceful settlement. He therefore recommended that its mandate should be extended for another six months. The Secretary-General also noted that the financial situation of UNFICYP was a cause for increasing concern.

In an addendum<sup>112</sup> issued on 13 December the Secretary-General stated that following consultations, the parties concerned had signified their concurrence in the extension of the mandate of UNFICYP for a further six months.

The Security Council considered the Secretary-General's report at its 2179th meeting held on 14 December 1979. At the same meeting the Council adopted the provisional agenda without objection, and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion. The Council also extended an invitation to Mr. Nail Atalay under rule 39 of the provisional rules of procedure.<sup>113</sup>

The President announced that as a result of prior consultations, agreement had been reached on the text of a draft resolution,<sup>114</sup> which he then put to the vote. The draft resolution was adopted by 14 votes to none, with one member (China) not participating. The text reads as follows:

*The Security Council,*

*Taking note* of the report of the Secretary-General on the United Nations operation in Cyprus of 1 December 1979,

*Noting* the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council should extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

*Noting also* that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 December 1979,

*Reaffirming* the provisions of its resolution 186 (1964) of 4 March 1964 and other relevant resolutions,

*Reiterating* its support of the ten-point agreement for the resumption of the intercommunal talks which was worked out at the high level meeting on 18 and 19 May 1979 at Nicosia, under the auspices of the Secretary-General,

1. *Extends once more* the stationing in Cyprus of the United Nations Peace-keeping Force established under resolution 186 (1964) for a further period, ending on 15 June 1980.

2. *Urges* the parties to resume the intercommunal talks within the framework of the ten-point agreement in a continuing, sustained and result-oriented manner, avoiding any delay.

3. *Requests* the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 31 May 1980.

Following the adoption of the resolution, statements were made by the Secretary-General in which he gave

assurances that he would make every effort to get the intercommunal talks resumed early the following year.<sup>115</sup>

**Decision of 13 June 1980 (2230th meeting): resolution 472 (1980)**

On 3 June 1980 the Secretary-General submitted to the Security Council his report<sup>116</sup> on the United Nations operation in Cyprus concerning developments from 1 December 1979 to 31 May 1980. In his report the Secretary-General described in detail the efforts undertaken within the framework of the mission of good offices entrusted to him by the Security Council to reopen the negotiating process designed to achieve a just and lasting settlement of the Cyprus problem and to overcome the difficulties that had brought the intercommunal talks to a standstill in June 1979. Though it had not proved possible to find an acceptable compromise formula, the Secretary-General had received wide-ranging indications of support for his continuing efforts and had asked Mr. Pérez de Cuéllar, Under-Secretary-General for Special Political Affairs, to undertake a visit to Cyprus beginning on 6 June in that connexion. The Secretary-General expressed the hope that the remaining difficulties that stood in the way of a resumption of the negotiating process might be resolved as rapidly as possible, as he continued to hold that the talks, if properly used, still represented the best available method for negotiating a political settlement of the Cyprus problem. In light of the situation on the ground and of political developments, the Secretary-General concluded once again that the continued presence of UNFICYP remained necessary, both in helping to maintain calm in the island and in creating the conditions in which the search for a peaceful settlement could go forward. Accordingly, he recommended to the Security Council that it extend the mandate of UNFICYP for a further period of six months.

In an addendum<sup>117</sup> issued on 12 June, the Secretary-General stated that, following consultations, the parties concerned had signified their concurrence in the extension of the mandate of UNFICYP for a further six months.

The Security Council considered the Secretary-General's report at its 2230th meeting on 13 June 1980. At the same meeting the Council adopted the provisional agenda without objection, and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion. The Council also extended an invitation to Mr. Nail Atalay under rule 39 of the provisional rules of procedure.<sup>118</sup>

The President announced that as a result of prior consultations, agreement had been reached on the text of a draft resolution<sup>119</sup> which he then put to the vote. The draft resolution was adopted by 14 votes to none,

<sup>112</sup> 2179th mtg., paras. 6-7.

<sup>113</sup> S/13972, *OR, 35th yr., Suppl. for April-June 1980*, p. 73.

<sup>114</sup> S/13972/Add.1, *ibid.*, p. 80.

<sup>115</sup> For details see chapter III.

<sup>116</sup> S/13993, adopted without change as resolution 472 (1980).

<sup>117</sup> S/13672/Add.1, *ibid.*, p. 103.

<sup>118</sup> For details see chapter III.

<sup>119</sup> S/13690, adopted without change as resolution 458 (1979).



with one member (China) not participating. The text reads as follows:

*The Security Council*

*Taking note* of the report by the Secretary-General on the United Nations operation in Cyprus of 3 June 1980,

*Noting* the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council should extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

*Noting also* that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 June 1980,

*Reaffirming* the provisions of its resolution 186 (1964) and other relevant resolutions,

*Reiterating* its support of the ten-point agreement for the resumption of the intercommunal talks which was worked out at the high-level meeting on 18 and 19 May 1979 at Nicosia under the auspices of the Secretary-General,

1. *Extends once more* the stationing in Cyprus of the United Nations Peace-keeping Force established under resolution 186 (1964) for a further period, ending 15 December 1980;

2. *Urges* the parties to resume the intercommunal talks within the framework of the ten-point agreement in a continuing, sustained and result-oriented manner, avoiding any delay;

3. *Requests* the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 30 November 1980.

Following the adoption of the draft resolution, the Secretary-General described the consultations held in Nicosia from 6 to 8 June by his Special Representative in an endeavour to find a mutually acceptable procedural device for resuming the intercommunal talks on the basis of an opening statement he had presented to the two sides on 28 March. Although that procedure had not met with the agreement of both sides, the Secretary-General hoped they would extend increased co-operation in order that the persistent difficulties might be overcome.<sup>120</sup>

**Decision of 11 December 1980 (2257th meeting): resolution 482 (1980)**

On 1 December 1980 the Secretary-General submitted to the Security Council his report<sup>121</sup> on the United Nations operation in Cyprus concerning developments from 1 December 1979 to 31 May 1980. In his report the Secretary-General stated that during the period under review UNFICYP had continued to perform its peace-keeping functions along the cease-fire lines and in the area between the lines, as well as its humanitarian functions, and stated that its activities, with the co-operation of the parties, had contributed to keeping the situation in the island calm. A substantial step forward had been achieved when the intercommunal talks were formally resumed on 9 August. While progress had been slow, the discussion, on the whole, had been constructive. In the light of the situation on the ground and of political developments, the Secretary-General concluded once again that the continued presence of UNFICYP remained necessary, both in helping to maintain calm in

the island and in creating the conditions in which the search for a peaceful settlement could best be pursued. He therefore recommended to the Council that it extend the mandate of UNFICYP for a further period of six months. In response to the serious and growing concern of the troop-contributing Governments over their disproportionate financial burden, the Secretary-General had established a Secretariat Survey team, the report of which he annexed, indicating his intention to follow its recommendations in consultation with the parties concerned.

In an addendum<sup>122</sup> issued on 11 December the Secretary-General stated that, following consultations, the parties concerned had signified their concurrence in the extension of the mandate of UNFICYP for a further six months.

The Security Council considered the Secretary-General's report at its 2257th meeting on 11 December 1980. At the same meeting the Council adopted the provisional agenda without objection, and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion. The Council also extended an invitation to Mr. Nail Atalay under rule 39 of the provisional rules of procedure.<sup>123</sup>

The President announced that as a result of prior consultations agreement had been reached on the text of a draft resolution,<sup>124</sup> which he then put to the vote. The said draft resolution was adopted by 14 votes to none with one member (China) not participating. The text reads as follows:

*The Security Council*

*Taking note* of the report of the Secretary-General on the United Nations operation in Cyprus of 1 December 1980,

*Noting* the concurrence of the parties concerned in the recommendation by the Secretary-General that the Security Council should extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

*Noting also* that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 December 1980,

*Reaffirming* the provisions of its resolution 186 (1964) and other relevant resolutions,

*Reiterating* its support of the ten-point agreement for the resumption of the intercommunal talks which was worked out at the high-level meeting on 18 and 19 May 1979 at Nicosia under the auspices of the Secretary-General,

1. *Extends once more* the stationing in Cyprus of the United Nations Peace-keeping Force established under resolution 186 (1964) for a further period, ending on 15 June 1981,

2. *Notes with satisfaction* that the parties have resumed the intercommunal talks within the framework of the ten-point agreement and *urges* them to pursue these talks in a continuing, sustained and result-oriented manner, avoiding any delay;

3. *Requests* the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 31 May 1981.

Following the adoption of the draft resolution, the Secretary-General made a statement in which he indicated that since the intercommunal talks had entered

<sup>120</sup> S/2230th mtg., paras. 6-33.

<sup>121</sup> S/14275, OR, 35th yr., Suppl. for Oct.-Dec. 1980, p. 90.

<sup>122</sup> S/14275 Add. I, *ibid.*, p. 106.

<sup>123</sup> For details see chapter III.

<sup>124</sup> S/14293, adopted without change as resolution 482 (1980).

the substantive phase on 16 September, the two interlocutors had been meeting weekly in a businesslike atmosphere to discuss four agenda items—Varosha, initial practical measures, constitution and territory. He intended to maintain direct personal contact with the parties and explore procedures that might facilitate the conduct of the negotiations.<sup>125</sup>

## ITEMS RELATING TO THE MIDDLE EAST

### A. THE SITUATION IN THE MIDDLE EAST

**Decision of 17 April 1975 (1821st meeting): resolution 368 (1975)**

At the 1821st meeting on 17 April 1975, the Security Council included the report of the Secretary-General on the United Nations Emergency Force (UNEF) dated 12 April 1975<sup>126</sup> in its agenda.

The report covering the period from 13 October 1974 to 12 April 1975 contained a detailed description of the functioning of UNEF. The Secretary-General summarized the developments regarding the functions and deployment of the Force, the humanitarian activities in the UNEF area and the ongoing efforts to keep the expenses for the Force at a minimum without impairing its efficiency. Based on his analysis of the situation in the Middle East, the Secretary-General concluded that the continued presence of UNEF was essential not only to maintain quiet in the Egypt-Israel sector but to provide an atmosphere conducive to further efforts towards the achievement of a just and lasting peace in the Middle East. In recommending the extension of the mandate of UNEF the Secretary-General pointed out that Egypt had indicated that, under the circumstances, it would not object to renewal of the mandate of the Force for an additional three months, and that Israel favoured its renewal for no less than six months on the grounds that UNEF was an integral part of the Disengagement Agreement of 18 January 1974.

Following the adoption of the agenda, the President of the Security Council invited the representatives of Egypt and Israel, at their request, to participate in the discussion without the right to vote.<sup>127</sup> The Security Council considered the report at the 1821st meeting.

The President announced that the members of the Council had agreed to put the draft resolution to the vote before statements were made. The draft resolution,<sup>128</sup> which had been prepared in the course of intensive consultations among all Council members, was put to the vote and adopted, by a vote of 13 in favour, none against and no abstentions; two delegations did not participate in the voting.<sup>129</sup>

The resolution reads as follows:

*The Security Council,*

*Recalling its resolutions 338 (1973) of 22 October, 340 (1973) of 25 October and 341 (1973) of 27 October 1973, 346 (1974) of 8 April and 362 (1974) of 23 October 1974,*

*Having considered the report of the Secretary-General on the United Nations Emergency Force (S/11670 and Corr 1 and 2),*

*Having noted the developments in the situation in the Middle East,*

*Expressing concern over the prevailing state of tension in the area,*

*Decides:*

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973);

(b) To renew the mandate of the United Nations Emergency Force for a period of three months, that is, until 24 July 1975;

(c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

After the vote, the Council heard statements regarding the extension of the UNEF mandate and the continuing search for a comprehensive peace settlement in the Middle East. Several representatives expressed concern that the Council has not been able to extend the UN force for more than three months;<sup>130</sup> some protested against the various restrictions one of the parties had placed on the freedom of movement of the UNEF troops.<sup>131</sup> A number of delegations called for a resumption of the Geneva Peace Conference and a strengthening of the United Nations role in the peace process.<sup>132</sup> A few representatives noted that the financing of UNEF fell within the competence of the General Assembly and needed not be discussed in the Council.<sup>133</sup> The representative of France restated his Government's principal position that permanent members of the Security Council should be permitted to contribute troops to peace-keeping forces of the United Nations.<sup>134</sup> The representative of Egypt indicated in detail the reasons for his Government's efforts to salvage the effort undertaken by the United States to advance an interim settlement and the subsequent decision to renew the mandate of UNEF for another three months.<sup>135</sup>

**Decision of 28 May 1975 (1822nd meeting): resolution 369 (1975)**

At the 1822nd meeting on 28 May 1975, the Security Council included the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) dated 21 May 1975<sup>136</sup> in its agenda.

<sup>125</sup> For texts of relevant statements, see 1821st mtg.: Costa Rica, paras. 105-113; Guyana, paras. 90-97; Israel, paras. 131-135; Italy, paras. 33-46; Sweden, paras. 63-75; United Republic of Tanzania, paras. 76-85, and United States, paras. 20-27.

<sup>126</sup> For texts of relevant statements, *ibid.* Byelorussian SSR, paras. 98-104; Guyana, paras. 90-97; President (France), paras. 123-129; USSR, paras. 9-19.

<sup>127</sup> For texts of relevant statements, *ibid.* President (France), paras. 90-97; Sweden, paras. 63-75.

<sup>128</sup> For texts of relevant statements, *ibid.* Byelorussian SSR, paras. 98-104; Egypt, paras. 137-171; President (France), paras. 123-129; USSR, paras. 9-19.

<sup>129</sup> *Ibid.* President (France), paras. 123-129.

<sup>130</sup> *Ibid.* Egypt, paras. 137-171.

<sup>131</sup> S/11694, *OR, 30th yr., Suppl. for April-June 1975*, pp. 27-30.

<sup>125</sup> 2257th mtg., paras. 7-10.

<sup>126</sup> S/11670, *OR, 30th yr., Suppl. for April-June 1975*, pp. 9-13.

<sup>127</sup> For further details, see chapter III.

<sup>128</sup> S/11675, adopted without change as resolution 368 (1975).

<sup>129</sup> 1821st mtg., para. 7.