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GUIDE TO KEY POINTS OF THE SECRETARY-GENERAL'S REPORT TO THE SECURITY COUNCIL ON CYPRUS

19 April 2004

The United Nations Secretary-General, Kofi Annan, today sent a 13-page report to the Security Council on Cyprus.

In this report, in accordance with the plan as finalized on 31 March 2004 at the invitation of the parties, the Secretary-General requests the Security Council to take decisions to enter into force simultaneously with the Foundation Agreement, in which the Council would endorse the Foundation Agreement, prohibit the supply of arms to Cyprus, and approve the mandate of a new United Nations operation in Cyprus. These matters are contained in Appendix E of the plan.

The decisions requested of the Security Council would be contingent on the outcome of the referenda, and be null and void if the Foundation Agreement did not enter into force for any reason.

The Secretary-General's report notes that timely action by the Council would go a long way to reassuring people that the plan will be fully implemented. In this context, the report states:

“9. The settlement is an attempt to resolve a dispute that has been on the agenda of the Security Council for 40 years, the oldest item continuously on the Secretary-General's peacemaking agenda. While its adoption is a matter for the people of Cyprus to decide upon, its implementation would clearly be in the interest of international peace and security in the region, and would thus fall within the primary responsibility of the Security Council.

10. As envisaged in the Comprehensive Settlement, the Treaty on Matters Related to the New State of Affairs in Cyprus would be signed into force on 29 April 2004 by Greece, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United Cyprus Republic. Accordingly, the Treaties of Establishment, Alliance and Guarantee of 1960 remain in force and shall apply, *mutatis mutandis*, to the new state of affairs, in the context of the commitment of the parties to international law and the principles of the Charter of the United Nations. There are detailed timetables for the dissolution of Greek Cypriot and Turkish Cypriot forces, withdrawal and adjustment of Greek and Turkish forces, redeployment of forces from areas subject to territorial adjustment and de-mining. The settlement also contains detailed provisions relating to the timing of the handover of administration of adjusted territory.

11. The scrupulous observance by all parties of the provisions and timetables contained in the comprehensive settlement, in particular those relating to security, is of vital importance. In this context, the decisions requested of the Security Council are a crucial part of the overall framework of the settlement. They would provide additional assurance that the settlement will be implemented in the framework of the principles of the United Nations, as set out in Article 2 of the Charter, including the resolution of disputes by peaceful means and refraining from the threat or use of force against the territorial integrity or political independence of any State.”

The Council is being asked to endorse the Foundation Agreement, as foreseen in the plan, in order “*to reassure the two sides that the Council is cognizant of their key concerns and endorses the means by which they are addressed in the agreement*”. The Council is in particular asked to take formal note that the plan expressly prohibits partition or secession and to acknowledge the political equality and distinct identity of Greek Cypriots and Turkish Cypriots.

In requesting the Council to prohibit the import and export of arms to Cyprus in a manner that is legally binding on both importers and exporters, the Secretary-General notes that the arms embargo is part of the broader demilitarization foreseen in the plan and is an important factor in “*ensuring the effective implementation of the Comprehensive Settlement and in eliminating further threats to international peace and security in the area*”.

As for the new UN operation proposed by the Secretary-General, the report says it would comprise:

- 2,500 troops (including 170 military observers) – double the current number;
- 510 civilian police – more than ten times the current number;
- 240 police in formed units – a totally new element;
- a substantial number of international civilian personnel – likely to be over 200 internationals, around ten times current number;
- a substantial number of local staff from both communities.

The Secretary-General notes that the parties envisage an operation with an indefinite mandate, to remain in Cyprus until the federal government, with the consent of both constituent states, decides otherwise.

As envisaged in the report, the operation would enjoy freedom of movement throughout the island, and must have the capacity to play a substantive role and to stand firm in the face of challenges.

The mandate proposed is the mandate contained in the plan, available to all at www.annanplan.org (Appendix E). This is a very detailed mandate, and includes responsibilities relating, *inter alia*, to:

- monitoring and verification of compliance by the parties of the provisions of the plan relating to troops withdrawals, dissolution of local forces, and police activities;
- ensuring fair and equal treatment under the law of persons from one constituent state by authorities of the other;
- supervising the adjustment of territory, including by assuming territorial responsibility for adjusted areas prior to transfer.

The report notes that, in areas subject to territorial adjustment, when the UN assumed territorial responsibility, it would have authority to give directives to local officials and preclude any local officials from duty if necessary. The UN civilian police would have full powers in these areas and could give operational instructions to local police.