

THE CYPRUS — CRISIS OF 1974 BEFORE THE UNITED NATIONS. A DOCUMENTATION

By GEORGIOS PAPADIMITRIU

On July 15, 1974 the Greek military junta, led by Ioannidis, arranged a coup d'état in Cyprus; Archbishop Makarios, the legitimate President of Cyprus, was ousted from his office by the National Guard, controlled by the Greek junta. In spite of some resistance, the rebellious National Guard gained control over Cyprus within two days. Obviously, this coup d'état must be regarded as a breach of the Zurich and London treaties of 1959, which, however, had only been respected to a limited extent ever since the crisis of December 1963. Neither the consultation mechanism prescribed by the Guarantee Treaty¹ nor the peace machinery provided for by the U.N. charter did contribute decisively to the restoration of legality and peace on the island after the coup d'état. While the Guarantee Treaty turned out to be ineffective, the Security Council failed to pass any resolution during this stage.

The Turkish government used this situation as a pretext to realize the long expected invasion in Cyprus, which began in July 20, 1974. Within two days, the Turkish invading troops occupied the strategically important bridge-head between Kyrenia and Nicosia, and thereby successfully ended the first phase of the alleged "peaceful" operation. This operation, just as the preceding Greek action, violated the Zurich and London treaties, as well as basic principles of the U.N. Charter and general international law. In fast response to this new situation, the U. N. Security Council passed a first resolution (July 20, 1974²), which was confirmed by an additional resolution³ three days later.

In Section Five of the first Resolution the three Guarantee Powers (Great Britain, Greece and Turkey) were called upon to initiate negotiations toward the restoration of peace in the area and constitutional government. These negotiations started in Geneva on July 25, and ended five days later with the signature of the Geneva Declaration⁴. This Declaration constitutes only a first step to an eventual solution of the crisis; according to its Section 5 the negotiations were to be continued between the Guarantee Powers, the Greek-Cypriot and the Turkish-Cypriot Communities, in order to solve the constitutional problem of Cyprus.

Meanwhile the Turkish invading troops were enlarging their bridge-head and were preparing to carry through their expansive plans. In respect to these developments it is not surprising that the second phase of the Geneva Conference (August 8—14, 1974) ended without any result. In the early morning of August 14 the Turkish troops expanded to the so called „Attila-line“ and occupied 40 % of the Cyprus territory, which meant a forceful change of the existing status quo in favor of Turkey and the Turkish-Cypriot community. Immediately after the above Turkish operations, the Security Council called upon the parties to end the fighting and to repeat the negotiations⁵. However this resolution was also not respected by the parties concerned.

1 Art. IV: Cyprus, Cmdt 1093, p. 86.

2 Given below.

3 S/RES/354 (1974).

4 Given below.

5 S/RES/357 (1974) and S/RES/360 (1974) both given below.

The General Assembly of the United Nations also passed a resolution on Cyprus in the fall 1974⁶. It is remarkable, that this resolution received unanimous consent; the reason could be that the terms of the resolution were extremely vague.

Resolution 353 (1974)

Adopted by the Security Council at its 1781st meeting on 20 July 1974*

The Security Council,

Having considered the report of the Secretary-General at its 1779th meeting about the recent developments in Cyprus.

Having heard the statement made by the President of the Republic of Cyprus and the statements by the representatives of Cyprus, Turkey, Greece and other member countries,

Having considered at its present meeting further developments in the island, Deeply deploring the outbreak of violence and continuing bloodshed,

Gravely concerned about the situation which led to a serious threat to international peace and security, and which created a most explosive situation in the whole Eastern Mediterranean area,

Equally concerned about the necessity to restore the constitutional structure of the Republic of Cyprus, established and guaranteed by international agreements,

Recalling Security Council resolution 186 (1964) of 4 March 1964 and subsequent resolutions of the Security Council on this matter,

Conscious of its primary responsibility for the maintenance of international peace and security in accordance with Article 24 of the Charter of the United Nations,

1. Calls upon all States to respect the sovereignty, independence and territorial integrity of Cyprus;
2. Calls upon all parties to the present fighting as a first step to cease all firing and requests all States to exercise the utmost restraint and to refrain from any action which might further aggravate the situation;
3. Demands an immediate end to foreign military intervention in the Republic of Cyprus that is in contravention of operative paragraph 1;
4. Requests the withdrawal without delay from the Republic of Cyprus of foreign military personnel present otherwise than under the authority of international agreements including those whose withdrawal was requested by the President of the Republic of Cyprus, Archbishop Makarios, in his letter of 2 July 1974;
5. Calls on Greece, Turkey and the United Kingdom of Great Britain and Northern Ireland to enter into negotiations without delay for the restoration of peace in the area and constitutional government in Cyprus and to keep the Secretary-General informed;
6. Calls on all parties to co-operate fully with UNFICYP to enable it to carry out its mandate;

⁶ A/RES/3212 (XXIX) given below.

* S/RES/353 (1974), 20 July 1974.

7. Decides to keep the situation under constant review and asks the Secretary-General to report as appropriate with a view to adopting further measures in order to ensure that peaceful conditions are restored as soon as possible.

Declaration by the Foreign Ministers of Greece, Turkey and the United Kingdom of Great Britain and Northern Ireland*

1. The Foreign Ministers of Greece, Turkey and the United Kingdom of Great Britain and Northern Ireland held discussions in Geneva from 25—30 July 1974. They recognized the importance of setting in train, as a matter of urgency, measures to adjust and to regularize within a reasonable period of time the situation in the Republic of Cyprus on a lasting basis, having regard to the international agreements signed at Nicosia on 16 August 1960 and to resolution 353 (1974) of the Security Council. They were, however, agreed on the need to decide first on certain immediate measures.

2. The three Foreign Ministers declared that in order to stabilize the situation, the areas in the Republic of Cyprus controlled by opposing armed forces on 30 July 1974 at 2200 hours Geneva time should not be extended; they called on all forces, including irregular forces, to desist from all offensive or hostile activities.

3. The three Foreign Ministers also concluded that the following measures should be put into immediate effect:

(a) A security zone of sizes to be determined by representatives of Greece, Turkey and the United Kingdom in consultation with UNFICYP should be established at the limit of the areas occupied by the Turkish armed forces at the time specified in paragraph 2 above. This zone should be entered by no forces other than those of UNFICYP, which should supervise the prohibition of entry. Pending the determination of the size and character of the security zone, the existing area between the two forces should be entered by no forces.

(b) All the Turkish enclaves occupied by Greek or Greek Cypriot forces should be immediately evacuated. These enclaves will continue to be protected by UNFICYP and to have their previous security arrangements. Other Turkish enclaves outside the area controlled by the Turkish armed forces shall continue to be protected by an UNFICYP security zone and may, as before, maintain their own police and security forces.

(c) In mixed villages the functions of security and police will be carried out by UNFICYP.

(d) Military personnel and civilians detained as a result of the recent hostilities shall be either exchanged or released under the supervision of the International Committee of the Red Cross within the shortest time possible.

4. The three Foreign Ministers, reaffirming that resolution 353 of the Security Council should be implemented in the shortest possible time, agreed that within the framework of a just and lasting solution acceptable to all the parties concerned and as peace, security and mutual confidence are established in the island, measures should be elaborated which will lead to the timely and phased reduction of the number of armed forces and the amounts of armaments, munitions and other war material in the Republic of Cyprus.

* S/11398, 30 July 1974.

5. Deeply conscious of their responsibilities as regards the maintenance of the independence, territorial integrity and security of the Republic of Cyprus, the three Foreign Ministers agreed that negotiations, as provided for in resolution 353 of the Security Council, should be carried on with the least possible delay to secure the restoration of peace in the area and the re-establishment of constitutional government in Cyprus. To this end they agreed that further talks should begin on 8 August 1974 at Geneva. They also agreed that representatives of the Greek Cypriot and Turkish Cypriot community should, at an early stage, be invited to participate in the talks relating to the constitution. Among the constitutional questions to be discussed should be that of an immediate return to constitutional legitimacy, the Vice-President assuming the functions provided for under the 1960 Constitution. The Ministers noted the existence in practice in the Republic of Cyprus of two autonomous administrations, that of the Greek Cypriot community and that of the Turkish Cypriot community. Without any prejudice to the conclusions to be drawn from this situation, the Ministers agreed to consider the problems raised by their existence at their next meeting.

6. The three Foreign Ministers agreed to convey the contents of this Declaration to the Secretary-General of the United Nations and to invite him to take appropriate action in the light of it. They also expressed their conviction of the necessity that the fullest co-operation should be extended by all concerned in the Republic of Cyprus in carrying out its terms.

Statement by the Foreign Ministers of Greece, Turkey and the United Kingdom of Great Britain and Northern Ireland

The Foreign Ministers of Greece, Turkey and the United Kingdom of Great Britain and Northern Ireland made it clear that the adherence of their Governments to the Declaration of today's date in no way prejudiced their respective views on the interpretation or application of the 1960 Treaty of Guarantee or their rights and obligations under that Treaty.

Done in duplicate at Geneva the 30th day of July, 1974, in the English and French languages, both texts being equally authoritative.

(Signed)

Turan Gunes

Minister of Foreign Affairs, Turkey

(Signed)

George Mavros

Minister of Foreign Affairs, Greece

(Signed)

James Callaghan

Secretary of State for Foreign
and Commonwealth Affairs,
United Kingdom of Great Britain
and Northern Ireland

Resolution 357 (1974)

Adopted by the Security Council at its 1792nd meeting on 14 August 1974*

The Security Council,

Recalling its resolutions 353 (1974) of 20 July 1974, 354 (1974) of 23 July 1974, and 355 (1974) of 1 August 1974,

Deeply deploring the resumption of fighting in Cyprus contrary to the provisions of its resolution 353 (1974),

1. Reaffirms its resolution 353 (1974) in all its provisions and calls upon the parties concerned to implement those provisions without delay;
2. Demands that all parties to the present fighting cease all firing and military action forthwith;
3. Calls for the resumption of negotiations without delay for the restoration of peace in the area and constitutional government in Cyprus in accordance with resolution 353 (1974);
4. Decides to remain seized of the situation and on instant call to meet as necessary to consider what more effective measures may be required if the cease-fire is not respected.

Resolution 360 (1974)

Adopted by the Security Council at its 1794th meeting, on 16 August 1974**

The Security Council,

Recalling its resolutions 353 (1974), 354 (1974), 355 (1974), 357 (1974) and 358 (1974),

Noting that all States have declared their respect for the sovereignty, independence and territorial integrity of the Republic of Cyprus,

Gravely concerned at the deterioration of the situation in Cyprus, resulting from the further military operations, which constituted a most serious threat to peace and security in the Eastern Mediterranean area,

1. Records its formal disapproval of the unilateral military actions undertaken against the Republic of Cyprus;
2. Urges the parties to comply with all the provisions of previous resolutions of the Security Council, including those concerning the withdrawal without delay from the Republic of Cyprus of foreign military personnel present otherwise than under the authority of international agreements;
3. Urges the parties to resume without delay, in atmosphere of constructive co-operation, the negotiations called for in resolution 353 (1974) whose outcome should not be impeded or prejudged by the acquisition of advantages resulting from military operations;
4. Requests the Secretary-General to report to it as necessary with a view to the possible adoption of further measures designed to promote the restoration of peaceful conditions;

* S/RES/357 (1974), 14 August 1974.

** S/RES/360 (1974), 16 August 1974.

5. Decides to remain permanently seized of the question and to meet at any time to consider measures which may be required in the light of the developing situation.

Resolution adopted by the General Assembly

[without reference to a Main Committee (A/L. 739 and Add. 1)]

3212 (XXIX). Question of Cyprus*

The General Assembly,

Having considered the question of Cyprus,

Gravely concerned about the continuation of the Cyprus crisis, which constitutes a threat to international peace and security,

Mindful of the need to solve this crisis without delay by peaceful means, in accordance with the purposes and principles of the United Nations,

Having heard the statements in the debate and taking note of the report of the Special Political Committee on the question of Cyprus¹,

1. Calls upon all States to respect the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus and to refrain from all acts and interventions directed against it;

2. Urges the speedy withdrawal of all foreign armed forces and foreign military presence and personnel from the Republic of Cyprus, and the cessation of all foreign interference in its affairs;

3. Considers that the constitutional system of the Republic of Cyprus concerns the Greek Cypriot and Turkish Cypriot communities;

4. Commends the contacts and negotiations taking place on an equal footing, with the good offices of the Secretary-General, between the representatives of the two communities, and calls for their continuation with a view to reaching freely a mutually acceptable political settlement, based on their fundamental and legitimate rights;

5. Considers that all the refugees should return to their homes in safety and calls upon the parties concerned to undertake urgent measures to that end;

6. Expresses the hope that, if necessary, further efforts including negotiations can take place, within the framework of the United Nations, for the purpose of implementing the provisions of the present resolution, thus ensuring to the Republic of Cyprus its fundamental right to independence, sovereignty and territorial integrity;

7. Requests the Secretary-General to continue to provide United Nations humanitarian assistance to all parts of the population of Cyprus and calls upon all States to contribute to that effort;

8. Calls upon all parties to continue to co-operate fully with the United Nations Peace-keeping Force in Cyprus, which may be strengthened if necessary;

9. Requests the Secretary General to continue to lend his good offices to the parties concerned;

10. Further requests the Secretary-General to bring the present resolution to the attention of the Security Council.

* A/RES/3212 (XXIX), 5 November 1974.

¹ A/9820.