

No. 7187

**UNITED NATIONS
and
CYPRUS**

**Exchange of letters constituting an agreement concerning
the status of the United Nations Peace-Keeping Force in
Cyprus. New York, 31 March 1964**

Official text: English.

Registered ex officio on 31 March 1964.

**ORGANISATION DES NATIONS UNIES
et
CHYPRE**

**Échange de lettres constituant un accord relatif au statut de
la Force des Nations Unies chargée du maintien de la
paix à Chypre. New York, 31 mars 1964**

Texte officiel anglais.

Enregistré d'office le 31 mars 1964.

No. 7187. EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF THE REPUBLIC OF CYPRUS CONCERNING THE STATUS OF THE UNITED NATIONS PEACE-KEEPING FORCE IN CYPRUS. NEW YORK, 31 MARCH 1964

I

*Letter from the Secretary-General of the United Nations
to the Minister for Foreign Affairs of the Republic of Cyprus*

31 March 1964

Sir,

I have the honour to refer to the resolution adopted by the Security Council of the United Nations on 4 March 1964 (S/5575). In paragraph 4 of that resolution the Security Council recommended the creation, with the consent of the Government of the Republic of Cyprus, of a United Nations peace-keeping force in Cyprus. By letter of 4 March 1964, the Minister for Foreign Affairs of Cyprus informed the Secretary-General of the consent of the Government of the Republic of Cyprus to the creation of the Force. The Force was established on 27 March 1964. I have also the honour to refer to Article 105 of the Charter of the United Nations which provides that the Organization shall enjoy in the territory of its Members such privileges and immunities as are necessary for the fulfilment of its purposes, and to the Convention on the Privileges and Immunities of the United Nations² to which Cyprus is a party.³ Having in view the provisions of the Convention on the Privileges and Immunities of the United Nations, I wish to propose that the United Nations and

¹ Came into force provisionally on 31 March 1964 by the exchange of the said letters, and was deemed to have taken effect as from 14 March 1964, the date of the arrival of the first element of the Force in Cyprus, in accordance with the provisions of paragraph 45.

² United Nations, *Treaty Series*, Vol. 1, pp. 15 and 263; Vol. 4, p. 461; Vol. 5, p. 413; Vol. 6, p. 433; Vol. 7, p. 353; Vol. 9, p. 398; Vol. 11, p. 406; Vol. 12, p. 416; Vol. 14, p. 490; Vol. 15, p. 442; Vol. 18, p. 382; Vol. 26, p. 396; Vol. 42, p. 354; Vol. 43, p. 335; Vol. 45, p. 318; Vol. 66, p. 346; Vol. 70, p. 266; Vol. 173, p. 369; Vol. 177, p. 324; Vol. 180, p. 296; Vol. 202, p. 320; Vol. 214, p. 348; Vol. 230, p. 427; Vol. 231, p. 347; Vol. 247, p. 384; Vol. 248, p. 358; Vol. 252, p. 308; Vol. 254, p. 404; Vol. 261, p. 373; Vol. 266, p. 363; Vol. 270, p. 372; Vol. 271, p. 382; Vol. 280, p. 346; Vol. 284, p. 361; Vol. 286, p. 329; Vol. 308, p. 300; Vol. 316, p. 268; Vol. 340, p. 323; Vol. 376, p. 402; Vol. 381, p. 348; Vol. 399, p. 249; Vol. 405, p. 275; Vol. 411, p. 289; Vol. 415, p. 422; Vol. 423, p. 276; Vol. 426, p. 333; Vol. 429, p. 246; Vol. 437, p. 331; Vol. 442, p. 293; Vol. 443, p. 310; Vol. 445, p. 287; Vol. 460, p. 293; Vol. 466, p. 374; Vol. 470, p. 373; Vol. 471, p. 294; Vol. 475, p. 346; Vol. 480, Vol. 483, and Vol. 490.

³ United Nations, *Treaty Series*, Vol. 480.

Cyprus should make the following *ad hoc* arrangements defining certain of the conditions necessary for the effective discharge of the functions of the United Nations Force while it remains in Cyprus. These arrangements are set out below under the following headings :

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DEFINITIONS

1. The "United Nations Force in Cyprus" (hereinafter referred to as "the Force") consists of the United Nations Commander appointed by the Secretary-General in accordance with the Security Council resolution of 4 March 1964 (S/5575) and all military personnel placed under his command. For the purpose of these arrangements the term "member of the Force" refers to any person, belonging to the military service of a State, who is serving under the Commander of the United Nations Force and to any civilian placed under the Commander by the State to which such civilian belongs.

2. "Cypriot authorities" means all State and local, civil and military authorities of the Government of the Republic of Cyprus called upon to perform functions relating to the Force under the provisions of these arrangements, without prejudice to the ultimate responsibility of the Government of the Republic of Cyprus (hereinafter referred to as "the Government").

3. "Participating State" means a Member of the United Nations that contributes military personnel to the Force.
4. "Area of operations" includes all areas throughout the territory of the Republic of Cyprus (which territory is hereinafter referred to as "Cyprus") where the Force is deployed in the performance of its functions as defined in operative paragraph 5 of the Security Council resolution of 4 March 1964 (S/5575) ; military installations or other premises referred to in paragraph 19 of these arrangements ; and lines of communication and supply utilized by the Force pursuant to paragraphs 32 and 33 of these arrangements.

INTERNATIONAL STATUS OF THE FORCE AND ITS MEMBERS

5. Members of the Force shall respect the laws and regulations of Cyprus and shall refrain from any activity of a political character in Cyprus and from any action incompatible with the international nature of their duties or inconsistent with the spirit of the present arrangements. The Commander shall take all appropriate measures to ensure the observance of these obligations.
6. The Government undertakes to respect the exclusively international character of the Force as established by the Secretary-General in accordance with the Security Council resolution of 4 March 1964 (S/5575) and the international nature of its command and function.

ENTRY AND EXIT : IDENTIFICATION

7. Members of the Force shall be exempt from passport and visa regulations and immigration inspection and restrictions on entering or departing from Cyprus. They shall also be exempt from any regulations governing the residence of aliens in Cyprus, including registration, but shall not be considered as acquiring any right to permanent residence or domicile in Cyprus. For the purpose of such entry or departure members of the Force will be required to have only (a) an individual or collective movement order issued by the Commander or an appropriate authority of the Participating State ; and (b) a personal identity card issued by the Commander under the authority of the Secretary-General, except in the case of first entry, when the personal military identity card issued by the appropriate authorities of the Participating State will be accepted in lieu of the said Force identity card.
8. Members of the Force may be required to present, but not to surrender, their identity cards upon demand of such Cypriot authorities as may be mutually agreed between the Commander and the Government. Except as provided in paragraph 7 of these arrangements the identity card will be the only document required for a member of the Force. If, however, it does not show the full name, date of birth, rank and number (if any), service and photograph of a member of the Force, such member may be required to present likewise the personal military identity card or

similar document issued by the appropriate authorities of the Participating State to which he belongs.

9. If a member of the Force leaves the service of the Participating State to which he belongs and is not repatriated, the Commander shall immediately inform the Government, giving such particulars as may be required. The Commander shall similarly inform the Government if any member of the Force has absented himself for more than twenty-one days. If an expulsion order against an ex-member of the Force has been made, the Commander shall be responsible for ensuring that the person concerned shall be received within the territory of the Participating State concerned.

JURISDICTION

10. The following arrangements respecting criminal and civil jurisdiction are made having regard to the special functions of the Force and to the interests of the United Nations, and not for the personal benefit of the members of the Force.

CRIMINAL JURISDICTION

11. Members of the Force shall be subject to the exclusive jurisdiction of their respective national States in respect of any criminal offences which may be committed by them in Cyprus.

CIVIL JURISDICTION

12. (a) Members of the Force shall not be subject to the civil jurisdiction of the courts of Cyprus or to other legal process in any matter relating to their official duties. In a case arising from a matter relating to the official duties of a member of the Force and which involves a member of the Force and a Cypriot citizen, and in other disputes as agreed, the procedure provided in paragraph 38 (b) shall apply to the settlement.

(b) In those cases where civil jurisdiction is exercised by the courts of Cyprus with respect to members of the Force, the courts or other Cypriot authorities shall grant members of the Force sufficient opportunity to safeguard their rights. If the Commander certifies that a member of the Force is unable because of official duties or authorized absence to protect his interests in a civil proceeding in which he is a participant the aforesaid court or authority shall at his request suspend the proceeding until the elimination of the disability, but for not more than ninety days. Property of a member of the Force which is certified by the Commander to be needed by him for the fulfilment of his official duties shall be free from seizure for the satisfaction of a judgement, decision or order, together with other property not subject thereto