

**C. TREATY ON MATTERS  
RELATED TO THE NEW STATE  
OF AFFAIRS IN CYPRUS**

# **TREATY BETWEEN CYPRUS, GREECE, TURKEY AND THE UNITED KINGDOM RELATED TO THE NEW STATE OF AFFAIRS IN CYPRUS**

*The United Cyprus Republic, the Hellenic Republic, the Republic of Turkey and the United Kingdom of Great Britain and Northern Ireland,*

- i. Welcoming the comprehensive settlement of the Cyprus problem and the approval of the Foundation Agreement through separate referenda by the Greek Cypriots and the Turkish Cypriots, and the forthcoming accession of Cyprus to the European Union*
- ii. Desiring to contribute to a peaceful and harmonious future for Cyprus and for Cyprus to be a bridge of friendship between Greece and Turkey within a peaceful environment in the Eastern Mediterranean and*
- iii. Committed to international law and the principles of the United Nations Charter*

*Adopt the following provisions:*

## **Article 1 Approval of Foundation Agreement**

The annexed Foundation Agreement is herewith approved and agreed and shall be considered an integral part of this Treaty.

## **Article 2 Monitoring Committee**

1. The parties agree on the creation of a Monitoring Committee composed of one representative of each guarantor power, two representatives of the federal government (one hailing from each constituent state), one representative of each constituent state and, pursuant to a decision of the United Nations Security Council, one representative of the United Nations who shall chair the committee.
2. The Monitoring Committee shall monitor the implementation of the Settlement, and may make recommendations regarding any development which may endanger their implementation
3. The parties undertake to cooperate with the United Nations operation in Cyprus and to act in good faith on the recommendations of the Monitoring Committee.
4. The Monitoring Committee shall request the United Nations to bring to its attention any significant change the United Nations may wish to make in its peacekeeping operation.

**Article 3      *Additional Protocol to the Treaty of Establishment***

The annexed Additional Protocol to the Treaty of Establishment is herewith approved, and shall enter into force on the day following that on which the United Kingdom has notified the other parties of the completion of its constitutional requirements for the implementation of the Protocol.

**Article 4      *Additional Protocol to the Treaty of Guarantee***

The annexed Additional Protocol to the Treaty of Guarantee is herewith approved and agreed, and shall enter into force together with this Treaty.

**Article 5      *Additional Protocol to the Treaty of Alliance***

The annexed Additional Protocol to the Treaty of Alliance is herewith approved and agreed by the parties concerned, and shall enter into force for them upon signature together with this Treaty.

**Article 6      *Transitional Security Arrangements***

The annexed Transitional Security Arrangements are herewith approved and agreed by the parties concerned, and shall enter into force for them upon signature together with this Treaty.

**Article 6A    *Other treaties between Greece, Turkey and Cyprus***

Greece and Turkey agree not to exercise their right to refuse a request from the United Cyprus Republic, referred to in Article 48.6 of the Constitution, that a treaty binding on the United Cyprus Republic shall be modified so that it will only apply in the territory of one constituent state.

**Article 7      *Reservations and declarations to international instruments***

The parties to this Treaty shall withdraw or rectify any declarations or reservations which they have made to international treaties in so far as such declarations or reservations arose out of their position regarding the Cyprus problem.

**Article 8      *Entry into force***

1. This treaty shall enter into force upon signature.
2. The parties shall proceed as soon as possible to the registration of this Treaty with the Secretariat of the United Nations, in accordance with Article 102 of the Charter of the United Nations.

Done at [            ] this [    ] day of [            ] 2004 in four copies in the English language.

<i>Signature</i>	<i>Signature</i>	<i>Signature</i>	<i>Signature</i>
<i>Signature</i>			
United Cyprus Republic	Hellenic Republic	Republic of Turkey	United Kingdom of Great Britain and Northern Ireland

Witnessed by

*Kofi A. Annan (or his representative)*  
Secretary-General of the United Nations (or his representative)

## **ANNEX I: FOUNDATION AGREEMENT**

## **ANNEX II: ADDITIONAL PROTOCOL TO THE TREATY OF ESTABLISHMENT**

*The United Kingdom of Great Britain and Northern Ireland, Cyprus, Greece and Turkey*

*Desiring to make provision to give effect to the intention of the Government of the United Kingdom to relinquish sovereignty over parts of the Akrotiri Sovereign Base Area and Dhekelia Sovereign Base Area,*

*Have agreed as follows*

### **Article 1**

The areas in respect of which the United Kingdom relinquishes its sovereignty are described in the Appendix to this Protocol. Those areas are in this Protocol referred to as the relinquished areas.

### **Article 2**

1. All international obligations and responsibilities of the United Kingdom in relation to the relinquished areas shall henceforth, insofar as they may be held to have application to the Akrotiri Sovereign Base Area or the Dhekelia Sovereign Base Area, be assumed by the United Cyprus Republic.
2. All international rights and benefits heretofore enjoyed by the United Kingdom by virtue of their application to the relinquished areas shall henceforth be enjoyed by the United Cyprus Republic.

### **Article 3**

All legal liabilities and obligations incurred by or on behalf of the Administration of the Sovereign Base Areas or the Government of the United Kingdom in relation to the relinquished areas and subsisting immediately before the date of entry into force of this Protocol shall have the effect as from that date as if they were incurred by or on behalf of Cyprus.

### **Article 4**

Immovable property in the relinquished areas held by the Government of the United Kingdom shall be subject to the provisions of Annex B, Part III of the Treaty of Establishment. Other immovable property in the relinquished areas which became the property of the Sovereign Base Areas Administration pursuant to paragraph 2 of Section 1 of Annex E to the Treaty of

Establishment shall on the date of entry into force of this Protocol become the property of Cyprus.

#### **Article 5**

1. Section 3 of Annex A to the Treaty of Establishment shall be replaced by the following:

“Section 3

Cyprus shall not claim, as part of its territorial sea, waters lying between the lines described in the report referred to in the Additional Protocol to this Treaty.”

2. The lines referred to in Section 3, as amended, of Annex A to the Treaty of Establishment, which delimit the waters adjacent to the Sovereign Base Areas that the United Cyprus Republic shall not claim as part of its territorial sea, shall be set out in a report to be prepared by a duly qualified person to be designated by the Government of the United Kingdom. S/he shall begin the work not later than one month after the entry into force of this Protocol and complete it as soon as possible and in any event within a period of nine months. The designated person may appoint technical advisers to assist him/her. S/he shall report to the appropriate authorities of the United Kingdom and Cyprus upon completion of the work.
3. The United Kingdom shall continue to enjoy complete and unimpeded access for any purpose whatsoever to the waters lying between the waters which the United Cyprus Republic shall not claim adjacent to the eastern part of the Dhekelia Sovereign Base Area adjoining the sea (which part is marked on Map A with an area of 16.10 sq. km), and the waters which the United Cyprus Republic shall not claim adjacent to the western part of the Dhekelia Sovereign Base Area adjoining the sea (which is marked on Map A with an area of 5.01 sq km).

#### **Article 6**

The Sotira locality, in which minor routine training is permitted pursuant to paragraph 2 of Section 3 of Part IV of Annex B to the Treaty of Establishment, shall be extended south of Sotira, Sterakovou and Paramali, the additional area comprising land north of the Limassol-Paphos highway. The new boundaries of the Sotira locality shall be defined and marked on maps by the person to be designated by the Government of the United Kingdom under Section 2 of the Codicil to this Protocol.

**Article 7**

The United Kingdom and Cyprus may conclude an Exchange of Notes with respect to:

- a. arrangements concerning rights of access to power cables and pipelines by the Administration of the Sovereign Base Areas or a United Kingdom authority; and
- b. arrangements with regard to the nationality of persons affected by the relinquishment of the relinquished areas.

**Article 8**

Any dispute about the interpretation or application of this Protocol shall be resolved by consultations and shall not be referred to any international tribunal or third party for settlement.

**Article 9**

This Protocol shall enter into force on the day following that on which the United Kingdom notifies the other parties that it has completed its constitutional requirements for the implementation of this Protocol.

Done at [ ] this [ ] day of [ ] 2004 in four copies in the English language.

*Signature*

United Kingdom  
of Great Britain  
and Northern  
Ireland

*Signature*

*Signature*

United Cyprus  
Republic

*Signature*

Hellenic Republic

*Signature*

Republic of  
Turkey

## Appendix

### *Article 1*

The relinquished areas shall comprise the areas which are indicated in blue and red on Map A and Map B which are an integral part of this Codicil.<sup>43</sup>

The Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area shall comprise the two areas which are indicated in yellow on Map A and Map B attached to this Codicil. The references to those Areas in the Treaty of Establishment and the accompanying Exchanges of Notes and other documents shall be read accordingly.

### *Article 2*

The land boundaries of the Akrotiri Sovereign Base Area and of the Dhekelia Sovereign Base Area shall be marked clearly and effectively on the ground by two duly qualified persons to be designated by the Governments of the United Cyprus Republic and of the United Kingdom. They shall begin the work not later than one month after the entry into force of this Protocol and complete it as soon as possible and in any event within a period of nine months. The designated persons may appoint technical advisers to assist them. They shall report to the relevant authorities in the United Kingdom and Cyprus upon completion of the work.

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<sup>43</sup> **Observation:** The allocation of the relinquished areas to each of the two constituent states is indicated on the maps attached to the Constitution.

[map]

[map]

**ANNEX III: ADDITIONAL PROTOCOL TO THE TREATY OF  
GUARANTEE**

*Cyprus, Greece, Turkey and the United Kingdom of Great Britain and Northern Ireland have agreed as follows:*

**Article 1**

1. The Treaty of Guarantee shall apply *mutatis mutandis* to the new state of affairs established in the Foundation Agreement and the Constitution of the United Cyprus Republic, thereby covering, in addition to the independence, territorial integrity, security and constitutional order of the United Cyprus Republic, the territorial integrity, security and constitutional order of its constituent states.
2. "Constitutional order" shall mean the Constitution of the United Cyprus Republic and, as the case may be, the Constitution of each constituent state, including any amendments to any of them in accordance with the provisions for amendment laid down in the relevant constitution.

**Article 2**

This Protocol shall enter into force upon signature.

Done at [            ] this [   ] day of [            ] 2004 in four copies in the English language.

*Signature*

*Signature*

*Signature*

*Signature*

*Signature*

United Cyprus  
Republic

Hellenic Republic

Republic of  
Turkey

United Kingdom  
of Great Britain  
and Northern  
Ireland

## **ANNEX IV: ADDITIONAL PROTOCOL TO THE TREATY OF ALLIANCE**

*Cyprus, Greece and Turkey*

- i. Bearing in mind that in accordance with the Foundation Agreement and its Constitution, Cyprus shall be demilitarised*
- ii. Reaffirming their pledge to resist any attack or aggression against the independence or the territorial integrity of Cyprus*

*Have agreed as follows*

### **Article 1**

The Treaty of Alliance shall apply and operate *mutatis mutandis* in accordance with the new state of affairs established in the Foundation Agreement and the Constitution of the United Cyprus Republic, taking into account in particular the demilitarisation of Cyprus.

### **Article 2**

There shall be no Tripartite Headquarters. The provisions of the Treaty of Alliance shall apply *mutatis mutandis* to the commanders of the Greek and Turkish contingents, who shall consult and cooperate in the performance of their functions pursuant to the Treaty. They shall exchange liaison officers, conduct exchange visits, and invite each other to observe military exercises.

### **Article 3**

1. The Greek and Turkish contingents shall be permitted to be stationed under the Treaty of Alliance in the Greek Cypriot State and the Turkish Cypriot State respectively.
2. Without prejudice to the relevant provisions in Additional Protocol I to the Treaty of Alliance, the Greek and Turkish contingents shall, for a transitional period, not exceed 6,000 all ranks until 1 January 2011, and 3,000 all ranks thereafter until 1 January 2018 or Turkey's accession to the European Union, whichever is sooner.
3. Thereafter, Cyprus, Greece and Turkey shall review troop levels every five years with the objective of total withdrawal. This will in no way undermine the provisions of the Treaty of Alliance and its Additional Protocols, and the rights and responsibilities conferred thereby.

4. The composition, equipment, locations and activities of the Greek and Turkish contingents shall be in accordance with the Codicil to this Additional Protocol, and equipment levels shall be reduced appropriately with the reductions in troop levels referred to in paragraph 2.

**Article 4**

Cyprus, Greece and Turkey shall review this Protocol and, in particular, the permissible number of troops to be stationed under the Treaty of Alliance no later than 1 June 2010. Thereafter, they shall review the question every three years with the objective of total withdrawal.

**Article 5**

This Protocol shall enter into force upon signature and shall have precedence over other provisions of the Treaty of Alliance.

Done at [ ] this [ ] day of [ ] 2004 in four copies in the English language.

*Signature*

*Signature*

*Signature*

*Signature*

United Cyprus Republic

Hellenic Republic

Republic of Turkey

## **Codicil: Composition, equipment, locations and activities of Greek and Turkish contingents**

### **Article 1      *Composition***

1. Each contingent may be structured to include the following capabilities within the permissible numbers and the overall limitations placed on weapons and equipment: a headquarters element, armour, reconnaissance, infantry, field engineers, artillery, signals, aviation, air defence, logistic, administrative and medical support.
2. In the interests of transparency and mutual confidence, Greece and Turkey shall inform Cyprus, each other and the United Nations of the detailed organisation, structure, weapons and equipment of their contingents.

### **Article 2      *Permissible weapon and equipment holdings***

Each contingent may station only the following weapons and equipment up to the maximum limits stated below:

<b>Type of Weapon/ Equipment</b>	<b>Maximum number</b>	<b>Remarks</b>
Battle tanks (medium)	50	Up to 55 tonnes
Infantry fighting vehicles (with main gun up to 25 mm)	180	Includes armoured personnel carriers
Towed artillery pieces (up to 155 mm caliber)	18	
Air defence missiles (short range up to 7000m)	18	
Transport helicopters	6	Utility type, unarmed – up to 12 passengers
Light helicopters	4	Light observation/liaison type, unarmed – up to 6 passengers
Light armoured vehicles	17	Reconnaissance type – main gun up to 90 mm
Air defence cannons (up to 45 mm caliber)	16	

### **Article 3      *Activities***

The contingents shall be restricted to typical peacetime activities for formed military units, mainly encompassing training within the compounds and

military quarters, maintenance of equipment and material, ceremonies and parades and training in designated training fields.

**Article 4 Designated facilities and training fields**

1. Both Greece and Turkey shall designate no more than six delineated military facilities on state land in which troops and equipment shall be based,<sup>44</sup> and no more than three training fields<sup>45</sup> on state land, in consultation with the federal government of the United Cyprus Republic and the relevant constituent state.
2. The designated military facilities and training fields shall in any case not be in areas which prior to entry into force of the Foundation Agreement were within the buffer zone, or in areas of the Greek Cypriot State which, pursuant to the Foundation Agreement, are or have been subject to territorial adjustment, or within 1000 metres of the boundary between the constituent states, or in the area of the Turkish Cypriot State south of the highway connecting north Nicosia and Famagusta, the highway being defined by the following map references:<sup>46</sup>

Point	Longitude	Latitude	Remarks
SP	33°19'21.3"E	35°12'37.7"N	Roundabout
1	33°19'54.8"E	35°12'46.4"N	
2	33°21'05.9"E	35°12'32.8"N	
3	33°25'00.3"E	35°13'03.1"N	North of MIA MILEA
4	33°26'45.3"E	35°12'48.7"N	
5	33°27'31.0"E	35°13'05.8"N	
6	33°29'00.9"E	35°13'20.8"N	South of TRAKHONI/DEMIRHAN
7	33°31'25.9"E	35°12'44.6"N	South of EXOMETOKHI/DÜZOVA
8	33°35'38.2"E	35°12'27.6"N	North of ANGASTINA/ASLANKÖY
9	33°37'59.0"E	35°11'15.8"N	
10	33°45'26.4"E	35°10'39.7"N	Through PRASTIO
11	33°49'02.6"E	35°10'13.2"N	
12	33°50'38.4"E	35°09'15.9"N	South of STYLLOS/MUTLUYAKA
13	33°54'23.3"E	35°08'29.1"N	
FP	33°56'17.2"E	35°07'14.5"N	Roundabout

<sup>44</sup> **Observation:** Open areas adjacent to barracks shall be counted as training areas.

<sup>45</sup> **Observation:** Training fields refer to all ranges (including small arms, impact areas and outside gun positions, and field training areas), whether permanent or temporary.

<sup>46</sup> **Note:** The geographic references in this description were extracted from scanned copies of UK produced series K719, 1:50 000 maps with WGS84 datum.

3. Within three months of entry into force of the Foundation Agreement, Greece and Turkey shall inform Cyprus, each other, and the United Nations of the precise location and size of their respective training fields and designated military facilities, as well as the number of troops to be deployed in each facility. They shall further inform Cyprus, each other, and the United Nations, in advance, of any changes to the deployment thereafter.
4. Without prejudice to the Treaty of Establishment, any existing military facilities not designated in accordance with this Article shall be dismantled or converted for exclusive civilian use, unless otherwise agreed between Cyprus, Greece and Turkey or made available to the United Nations' peacekeeping operation.

### **Article 5      Movement**

The contingents shall move troops in the constituent state in which they are located by the most direct route between points of embarkation, garrisons and training areas and shall not approach the boundary between the constituent states, or enter areas which prior to entry into force of the Foundation Agreement were within the buffer zone, or the areas of the Greek Cypriot State which, pursuant to the Foundation Agreement, are or have been subject to territorial adjustment, or the area of the Turkish Cypriot State south of the highway connecting north Nicosia and Famagusta, as defined in Article 4, unless the existing road and port infrastructure necessitates otherwise.

### **Article 6      Notice**

In the interest of transparency and mutual confidence, the contingents shall inform each other and the United Nations in writing at least 48 hours in advance of the timing, location and purpose of any significant ground, air or maritime movement of troops, including for field training. This shall apply to movements of four or more military vehicles, three or more military aircraft flying together in a single movement, one or more military vessels, or 100 or more troops for whatever reason by any means of transportation. When the purpose of the movement is for field exercises, the notice shall be given at least 72 hours in advance and shall include other relevant information about the main activities and purpose of the exercise (e.g. live fire training, movement of tanks or artillery pieces, maneuvers of infantry, etc.)<sup>44</sup>

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<sup>44</sup> **Observation:** This requirement to inform the United Nations does not imply a hierarchy since it is a commitment of Greece and Turkey to each other, in the interest of transparency, contained in a treaty to which the United Nations is not a party.

## **ANNEX V: TRANSITIONAL SECURITY ARRANGEMENTS**

### ***Article 1      Dissolution of Greek Cypriot and Turkish Cypriot forces, including reserve units***

All Greek Cypriot and Turkish Cypriot forces, including reserve units, shall be dissolved, and their arms removed from the territory of the United Cyprus Republic, in accordance with the following timetable (based on the day of entry into force of the Foundation Agreement ("A-Day")):

- a. From A-Day + 150 to A-Day + 270: 20 per cent;      (4 months)
- b. From A-Day + 271 to A-Day + 450: 25 per cent;      (6 months)
- c. From A-Day + 451 to A-Day + 630: 25 per cent;      (6 months)
- d. From A-Day + 631 to A-Day + 870: 30 per cent.      (8 months)

### ***Article 2      Adjustment of Greek and Turkish forces***

Greek and Turkish forces and armaments shall be redeployed to the locations and facilities designated in accordance with the Codicil to the Additional Protocol to the Treaty of Alliance and adjusted to agreed levels. Any excess forces and armaments shall be withdrawn, in accordance with the following timetable (based on the day of entry into force of the Foundation Agreement ("A-Day")):

- a. From A-Day + 150 to A-Day + 270: 20 per cent;      (4 months)
- b. From A-Day + 271 to A-Day + 450: 25 per cent;      (6 months)
- c. From A-Day + 451 to A-Day + 630: 25 per cent;      (6 months)
- d. From A-Day + 631 to A-Day + 870: 30 per cent.      (8 months)

### ***Article 3      Redeployment from areas subject to territorial adjustment prior to transfer of administration***

1. Notwithstanding the above, any forces and armaments other than United Nations peacekeeping forces shall be redeployed so as to vacate:
  - a. a zone extending 1,000 metres from either side of the August 1974 cease-fire lines, in an initial disengagement of forces deployed along that line, within 90 days of entry into force of the Foundation Agreement;
  - b. an area subject to territorial adjustment of any forces and armaments no later than two weeks prior to the date agreed in the Foundation Agreement for handover to the entitled constituent state or the assumption of territorial responsibility by the United Nations.

2. The relevant forces shall be responsible for the clearance of areas that they have mined. All mine clearance shall be conducted in consultation and cooperation with the United Nations. To the extent possible, clearance of mines in the 1000 metre zone shall be completed prior to the date of redeployment. All remaining mined areas shall be fully marked and fenced before that date. Upon redeployment, all relevant records, technical information and maps concerning such mined areas shall be handed over to the United Nations in conformity with the technical annex of Amended Protocol II of the Convention on Certain Conventional Weapons.