

UNITED NATIONS



Treaty Series No. 32 (1966)

Exchange of Letters

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the United Nations

concerning Service with the United Nations
Peace-keeping Force in Cyprus
of the National Contingent provided by
the Government of the United Kingdom

(including the Exchange of Letters between the United Nations
and the Government of Cyprus and Regulations
for the United Nations Force in Cyprus)

New York, 21 February 1966

[The Agreement took effect on 27 March 1964]

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
June 1966*

LONDON

HER MAJESTY'S STATIONERY OFFICE

PRICE 2s. 6d. NET

Cmnd. 3017

**EXCHANGE OF LETTERS
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
UNITED NATIONS CONCERNING SERVICE WITH THE UNITED
NATIONS PEACE-KEEPING FORCE IN CYPRUS OF THE
NATIONAL CONTINGENT PROVIDED BY THE GOVERNMENT
OF THE UNITED KINGDOM**

No. 1

*The Secretary-General of the United Nations to the United Kingdom
Permanent Representative to the United Nations*

*New York,
21 February 1966.*

PO 210 CYPR (2)

Sir,

1. I have the honour to refer to the resolution adopted by the Security Council on 4 March 1964 by which it *inter alia* :

“ *Recommends* the creation, with the consent of the Government of Cyprus, of a United Nations peace-keeping force in Cyprus. The composition and size of the force shall be established by the Secretary-General, in consultation with the Governments of Cyprus, Greece, Turkey and the United Kingdom. The commander of the force shall be appointed by the Secretary-General and report to him. The Secretary-General, who shall keep the Governments providing the force fully informed, shall report periodically to the Security Council on its operation ;

“ *Recommends* that the function of the force should be, in the interest of preserving international peace and security, to use its best efforts to prevent a recurrence of fighting and, as necessary, to contribute to the maintenance and restoration of law and order and a return to normal conditions ;

“ *Recommends* that the stationing of the force shall be for a period of three months, all costs pertaining to it being met, in a manner to be agreed upon by them, by the Governments providing the contingents and by the Government of Cyprus. The Secretary-General may also accept voluntary contributions for that purpose ; ”.

Subsequent resolutions of the Security Council have extended the mandate of the force for successive three month periods.

2. Pursuant to the resolution of 4 March 1964 the United Nations Force in Cyprus was established operationally on 27 March 1964. By an exchange of letters dated 31 March 1964 an Agreement was concluded with the Republic of Cyprus concerning the Status of the Force. Regulations for the Force have been issued on 25 April 1964. Copies of these documents are attached as Annex I and Annex II respectively.*

* See pages 7 and 20 respectively.

3. I wish to express my appreciation to your Government for making available a contingent to serve with the United Nations Force in Cyprus. I should like to take this opportunity to bring to your attention the following considerations relating to the Force, and to propose the conclusion herewith of an agreement concerning the services of your national contingent with the Force.

4. The Regulations referred to above affirm the international character of the Force as a subsidiary organ of the United Nations and define the conditions of service for the members of the Force. National contingents provided for the Force serve under these Regulations.

5. The Regulations and the Agreement referred to in paragraph 2 of this letter also secure to the Force and its individual members the privileges and immunities necessary for the independent exercise of its functions. I should like to direct your attention to the provisions of the Regulations and of the Agreement which provide these privileges and immunities and particularly to article 29 of the Regulations and to paragraphs 10, 11 and 12 of my letter to the Minister of Foreign Affairs of Cyprus. It will be noted that paragraph 11 of this letter states that "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". This immunity from the jurisdiction of Cyprus is based on the understanding that the authorities of the participating States would exercise such jurisdiction as might be necessary with respect to crimes or offences committed in Cyprus by any members of the Force provided from their own military services. It is assumed that the participating States will act accordingly.

6. I should also like to direct your attention to article 2 of the Regulations concerning their authority and to article 13 of the Regulations concerning "Good order and discipline". These articles provide :

"2. *Authority of Regulations.* The present Regulations and supplemental instructions and orders issued pursuant thereto shall be binding upon all members of the Force. Contravention thereof shall constitute an offence subject to disciplinary action in accordance with the military laws and regulations applicable to the national contingent to which the offender belongs.

" . . .

"13. *Good order and discipline.* The Commander shall have general responsibility for the good order and discipline of the Force. He may make investigations, conduct inquiries and require information, reports and consultations for the purpose of discharging this responsibility. Responsibility for disciplinary action in national contingents provided for the Force rests with the commanders of the national contingents. Reports concerning disciplinary action shall be communicated to the Commander who may consult with the commander of the national contingent and, if necessary, through the Secretary-General with the authorities of the Participating State concerned."

7. In view of the considerations set out in paragraphs 5 and 6 above, I should appreciate your assurance that the commander of the national contingent provided by your Government will be in a position to exercise the necessary disciplinary authority. I should also appreciate your assurance that your Government will be prepared to exercise firm and effective jurisdiction with respect to any crime or offence which might be committed by a member of such national contingent and to report to the United Nations in each case on the action taken.

8. The effective functioning of the Force requires that some continuity of service of units with the Force be ensured in order that the Commander may be in a position to plan his operations with knowledge of what units will be available. I should, therefore, appreciate your assurance that the national contingent provided by your Government will not be withdrawn without adequate prior notification to the Secretary-General, so as to avoid the impairment of the ability of the Force to discharge its functions. Likewise, should circumstances render the service of your national contingent with the Force no longer necessary, the Secretary-General undertakes to consult with your Government and to give adequate prior notification concerning its withdrawal.

9. Reference is also made to articles 11 and 12 of the Regulations which deal with "Command authority" and "Chain of command and delegation of authority". Article 12 provides, inter alia, that changes in commanders of national contingents which have been made available by participating Governments should be made in consultation among the Secretary-General, the Force Commander, and the appropriate authorities of the participating Government.

10. I should also like to refer to article 40 of the Regulations concerning "Observance of Conventions" which provides:

"The Force shall observe the principles and spirit of the general international Conventions applicable to the conduct of military personnel."

11. The international Conventions referred to in this Regulation include, inter alia, the Geneva (Red Cross) Conventions of 12 August 1949⁽¹⁾ to which your Government is a party and the UNESCO Convention on the Protection of Cultural Property in the event of armed conflict, signed at the Hague on 14 May 1954⁽²⁾. In this connexion, and particularly with respect to the humanitarian provisions of these Conventions, it is requested that the Governments of the participating States ensure that the members of their contingents serving with the Force be fully acquainted with the obligations arising under these Conventions and that appropriate steps be taken to ensure their enforcement.

12. (a) Authorities of the participating State will, in accordance with and within their domestic legislation, use their best efforts to bring about settlement of claims and compliance with awards made by a Cypriot court

(1) "Treaty Series No. 39 (1958)", Cmnd. 550.

(2) "Miscellaneous 6 (1956)", Cmnd. 9837.

or by the Claims Commission against a member of the contingent of the State with respect to acts committed outside the scope of his official functions.

(b) In addition to the undertaking in subparagraph (a) above, the participating States will, as appropriate, enter into supplementary agreements with the United Nations concerning the settlement of claims arising out of acts committed by a member of their national contingent either within or outside the scope of his official functions.

13. Finally, I suggest that questions involving expenses should be dealt with, in the light of the resolution of the Security Council, in a supplemental agreement. Such other supplementary arrangements concerning the service of your national contingents with the Force may be made as occasion requires.

14. It is the intention that this letter together with your reply accepting the proposals set forth herein shall constitute an agreement between the United Nations and the United Kingdom and shall be deemed to have taken effect from the date that the national contingent provided by your Government departed from its home country to assume duties with the Force⁽³⁾. It is also intended that it shall remain in force until such time as your national contingent may be withdrawn from the Force either in accordance with the terms of paragraph 8 above or in the light of developments affecting the functioning of the Force which may render its service no longer necessary. The provisions of paragraph 15 relating to the settlement of disputes should remain in force until all outstanding claims have been settled.

15. It is also proposed that all disputes between the United Nations and your Government concerning the interpretation or application of this agreement which are not settled by negotiation or other agreed mode of settlement shall be referred for final settlement to a tribunal of three arbitrators. One of the arbitrators shall be appointed by the Secretary-General of the United Nations, one by your Government, and the umpire shall be chosen jointly by the Secretary-General and your Government. If the two parties fail to agree on the appointment of the umpire within one month of the proposal of arbitration by one of the parties, the President of the International Court of Justice shall be asked by either party to appoint the umpire. Should a vacancy occur for any reason, the vacancy shall be filled within thirty days by the method laid down in this paragraph for the original appointment. The tribunal shall come into existence upon the appointment of the umpire and at least one of the other members of the tribunal. Two members of the tribunal shall constitute a quorum for the performance of its functions, and for all deliberations and decisions of the tribunal a favourable vote of two members shall be sufficient.

Accept, Sir, the assurances of my highest consideration.

MAUNG THANT,
Secretary-General.

(³) The Agreement took effect on 27 March 1964.

ANNEX I

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT
BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF
THE REPUBLIC OF CYPRUS CONCERNING THE STATUS OF THE
UNITED NATIONS PEACE-KEEPING FORCE IN CYPRUS

*Letter from the Secretary-General of the United Nations to the Minister for
Foreign Affairs 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. 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 Nations to which Cyprus is a party. 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 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 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; 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 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 under the law of Cyprus. The personal liberty of a member of the Force shall not be restricted by a court of other Cypriot authority in a civil proceeding, whether to enforce a judgement, decision or order, to compel an oath of disclosure, or for any other reason.

(c) In the cases provided for in sub-paragraph (b) above, the claimant may elect to have his claim dealt with in accordance with the procedure set out in paragraph 38 (b) of these arrangements. Where a claim adjudicated or an award made in favour of the claimant by a court of Cyprus or the Claims Commission under paragraph 38 (b) of these arrangements has not been made satisfied, the Government may, without prejudice to the claimant's rights, seek the good offices of the Secretary-General to obtain satisfaction.

Notification : certification

13. If any civil proceeding is instituted against a member of the Force before any court of Cyprus having jurisdiction, notification shall be given to the Commander. The Commander shall certify to the court whether or not the proceeding is related to the official duties of such member.

Military police : arrest : transfer of custody and mutual assistance

14. The Commander shall take all appropriate measures to ensure maintenance of discipline and good order among members of the Force. To this end military police designated by the Commander shall police the premises referred to in paragraph 19 of these arrangements, such areas where the Force is deployed in the performance of its functions, and such

other areas as the Commander deems necessary to maintain discipline and order among members of the Force. For the purpose of this paragraph the military police of the Force shall have the power of arrest over members of the Force.

15. Military police of the Force may take into custody any Cypriot citizen committing an offence or causing a disturbance on the premises referred to in paragraph 19, without subjecting him to the ordinary routine of arrest, in order immediately to deliver him to the nearest appropriate Cypriot authorities for the purpose of dealing with such offence or disturbance.

16. The Cypriot authorities may take into custody a member of the Force, without subjecting him to the ordinary routine of arrest in order immediately to deliver him, together with any weapons or items seized, to the nearest appropriate authorities of the Force: (a) when so requested by the Commander, or (b) in cases in which the military police of the Force are unable to act with the necessary promptness when a member of the Force is apprehended in the commission or attempted commission of a criminal offence that results or might result in serious injury to persons or property, or serious impairment of other legally protected rights.

17. When a person is taken into custody under paragraph 15 and paragraph 16 (b), the Commander or the Cypriot authorities, as the case may be, may make a preliminary interrogation but may not delay the transfer of custody. Following the transfer of custody, the person concerned shall be made available upon request for further interrogation.

18. The Commander and the Cypriot authorities shall assist each other in the carrying out of all necessary investigations into offences in respect of which either or both have an interest, in the production of witnesses, and in the collection and production of evidence, including the seizure and, in proper cases, the handing over, of things connected with an offence. The handing over of any such things may be made subject to their return within the time specified by the authority delivering them. Each shall notify the other of the disposition of any case in the outcome of which the other may have an interest or in which there has been a transfer of custody under the provisions of paragraphs 15 and 16 of these arrangements. The Government will ensure the prosecution of persons subject to its criminal jurisdiction who are accused of acts in relation to the Force or its members which, if committed in relation to the Cypriot army or its members, would have rendered them liable to prosecution. The Secretary-General will seek assurances from Governments of Participating States that they will be prepared to exercise jurisdiction with respect to crimes or offences which may be committed against Cypriot citizens by members of their national contingents serving with the Force.

Premises of the Force

19. The Government shall provide without cost to the Force and in agreement with the Commander such areas for headquarters, camps, or other premises as may be necessary for the accommodation and the fulfil-

ment of the functions of the Force. Without prejudice to the fact that all such premises remain the territory of Cyprus, they shall be inviolable and subject to the exclusive control and authority of the Commander, who alone may consent to the entry of officials to perform duties on such premises.

United Nations flag

20. The Government recognizes the right of the Force to display within Cyprus the United Nations flag on its headquarters, camps, posts or other premises, vehicles, vessels and otherwise as decided by the Commander. Other flags or pennants may be displayed only in exceptional cases and in accordance with conditions prescribed by the Commander. Sympathetic consideration will be given to observations or requests of the Government concerning this last-mentioned matter.

Uniform : Vehicle, vessel and aircraft markings and registration : Operating permits

21. Members of the Force shall normally wear their national uniform with such identifying United Nations insignia as the Commander may prescribe. The conditions on which the wearing of civilian dress is authorized shall be notified by the Commander to the Government and sympathetic consideration will be given to observations or requests of the Government concerning this matter. Service vehicles, vessels and aircraft shall carry a distinctive United Nations identification mark and licence which shall be notified by the Commander to the Government. Such vehicles, vessels and aircraft shall not be subject to registration and licensing under the laws and regulations of Cyprus. Cypriot authorities shall accept as valid, without a test or fee, a permit or licence for the operation of service vehicles, vessels and aircraft issued by the Commander.

Arms

22. Members of the Force may possess and carry arms in accordance with their orders.

Privileges and Immunities of the Force

23. The Force as a subsidiary organ of the United Nations, enjoys the status, privileges and immunities of the Organization in accordance with the Convention on the Privileges and Immunities of the United Nations. The provisions of article II of the Convention on the Privileges and Immunities of the United Nations shall also apply to the property, funds and assets of Participating States used in Cyprus in connexion with the national contingents serving in the Force. The Government recognizes that the right of the Force to import free of duty equipment for the Force and provisions, supplies and other goods for the exclusive use of members of the Force, members of the United Nations Secretariat detailed by the Secretary-General to serve with the Force, excluding locally recruited personnel, includes the right of the Force to establish, maintain and operate at headquarters, camps and posts, service institutes providing amenities for the persons aforesaid. The amenities that may be provided by service institutes shall be goods of a consumable nature (tobacco and

tobacco products, beer, etc.), and other customary articles of small value. To the end that duty-free importation for the Force may be effected with the least possible delay, having regard to the interests of the Government, a mutually satisfactory procedure, including documentation, shall be arranged between the appropriate authorities of the Force and the Government. The Commander shall take all necessary measures to prevent any abuse of the exemption and to prevent the sale or resale of such goods to persons other than those aforesaid. Sympathetic consideration shall be given by the Commander to observations or requests of the Government concerning the operation of service institutes.

Privileges and immunities of officials and members of the Force

24. Members of the United Nations Secretariat detailed by the Secretary-General to serve with the Force remain officials of the United Nations entitled to the privileges and immunities of articles V and VII of the Convention on the Privileges and Immunities of the United Nations. With respect to the locally recruited personnel of the Force, however, who are not members of the Secretariat, the United Nations will assert its right only to the immunities concerning official acts, and exemption from taxation and national service obligations provided in sections 18 (a), (b) and (c) of the Convention on the Privileges and Immunities of the United Nations.

25. The Commander shall be entitled to the privileges, immunities and facilities of sections 19 and 27 of the Convention on the Privileges and Immunities of the United Nations. Officers serving on the Commander's Headquarters Staff and such other senior field officers as he may designate, are entitled to the privileges and immunities of article VI of the Convention on the Privileges and Immunities of the United Nations. Subject to the foregoing, the United Nations will claim with respect to members of the Force only those rights expressly provided in the present or supplemental arrangements.

Members of the Force : taxation, customs and fiscal regulations

26. Members of the Force shall be exempt from taxation on the pay and emoluments received from their national Governments or from the United Nations. They shall also be exempt from all other direct taxes except municipal rates for services enjoyed, and from all registration fees, and charges.

27. Members of the Force shall have the right to import free of duty their personal effects in connexion with their arrival in Cyprus. They shall be subject to the laws and regulations of Cyprus governing customs and foreign exchange with respect to personal property not required by them by reason of their presence in Cyprus with the Force. Special facilities for entry or exit shall be granted by the Cypriot immigration, customs and fiscal authorities to regularly constituted units of the Force provided that the authorities concerned have been duly notified sufficiently in advance. Members of the Force on departure from Cyprus may, notwithstanding the foreign exchange regulations, take with them such funds as the appropriate pay officer of the Force certifies were received in pay and emoluments from their respective national Governments or from the United Nations

and are a reasonable residue thereof. Special arrangements between the Commander and the Government shall be made for the implementation of the foregoing provisions in the mutual interests of the Government and members of the Force.

28. The Commander will co-operate with Cypriot customs and fiscal authorities in ensuring the observance of the customs and fiscal laws and regulations of Cyprus by the members of the Force in accordance with these or any relevant supplemental arrangements.

Communications and postal services

29. The Force enjoys the facilities in respect to communications provided in article III of the Convention on the Privileges and Immunities of the United Nations. The Commander shall have authority to install and operate a radio sending and receiving station or stations to connect at appropriate points and exchange traffic with the United Nations radio network, subject to the provisions of article 47 of the International Telecommunications Convention relating to harmful interference. The frequencies on which any such station may be operated will be duly communicated by the United Nations to the Government and to the International Frequency Registration Board. The right of the Commander is likewise recognized to enjoy the priorities of government telegrams and telephone calls as provided for the United Nations in article 39 and annex 3 of the latter Convention and in article 62 of the telegraph regulations annexed thereto.

30. The Force shall also enjoy, within its area of operations, the right of unrestricted communication by radio, telephone, telegraph or any other means, and of establishing the necessary facilities for maintaining such communications within and between premises of the Force, including the laying of cables and land lines and the establishment of fixed and mobile radio sending and receiving stations. It is understood that the telegraph and telephone cables and lines herein referred to will be situated within or directly between the premises of the Force and the area of operations, and that connexion with the Cypriot system of telegraphs and telephones will be made in accordance with arrangements with the appropriate Cypriot authorities.

31. The Government recognizes the right of the Force to make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of the Force. The Government will be informed of the nature of such arrangements. No interference shall take place with, and no censorship shall be applied to, the mail of the Force by the Government. In the event that postal arrangements applying to private mail of members of the Force are extended to operations involving transfer of currency, or transport of packages or parcels from Cyprus, the conditions under which such operations shall be conducted in Cyprus will be agreed upon between the Government and the Commander.

Freedom of movement

32. The Force and its members together with its service vehicles, vessels, aircraft and equipment shall enjoy freedom of movement throughout

Cyprus. Wherever possible the Commander will consult with the Government with respect to large movements of personnel, stores or vehicles on roads used for general traffic. The Government will supply the Force with maps and other information, including locations of dangers and impediments, which may be useful in facilitating its movements.

Use of roads, waterways, port facilities, and airfields

33. The Force shall have the right to the use of roads, bridges, canals and other waters, port facilities and airfields without the payment of dues, tolls or charges either by way of registration or otherwise, throughout Cyprus.

Water, electricity and other public utilities

34. The Force shall have the right to the use of water, electricity and other public utilities at rates not less favourable to the Force than those to comparable consumers. The Government will, upon the request of the Commander, assist the Force in obtaining water, electricity and other utilities required, and in the case of interruption or threatened interruption of service, will give the same priority to the needs of the Force as to essential Government services. The Force shall have the right where necessary to generate, within the premises of the Force either on land or water, electricity for the use of the Force, and to transmit and distribute such electricity as required by the Force.

Cypriot currency

35. The Government will, if requested by the Commander, make available to the Force, against reimbursement in such other mutually acceptable currency, Cypriot currency required for the use of the Force, including the pay of the members of the national contingents, at the rate of exchange most favourable to the Force that is officially recognized by the Government.

Provisions, supplies and services

36. The Government will, upon the request of the Commander, assist the Force in obtaining equipment, provisions, supplies and other goods and services required from local sources for its subsistence and operation. Sympathetic consideration will be given by the Commander in purchases on the local market to requests or observations of the Government in order to avoid any adverse effect on the local economy. Members of the Force and United Nations officials may purchase locally goods necessary for their own consumption, and such services as they need, under conditions not less favourable than for Cypriot citizens. If members of the Force and United Nations officials should require medical or dental facilities beyond those available within the Force, arrangements shall be made with the Government under which such facilities may be made available. The Commander and the Government will co-operate with respect to sanitary services. The Commander and the Government shall extend to each other the fullest co-operation in matters concerning health, particularly with respect to the control of communicable diseases in accordance with international conventions; such co-operation shall extend to the exchange of relevant information and statistics.

Locally recruited personnel

37. The Force may recruit locally such personnel as required. The terms and conditions of employment for locally recruited personnel shall be prescribed by the Commander and shall generally, to the extent practicable, follow the practice prevailing in the locality.

Settlement of disputes or claims

38. Disputes or claims of a private law character shall be settled in accordance with the following provisions :

(a) The United Nations shall make provisions for the appropriate modes of settlement of disputes or claims arising out of contract or other disputes or claims of a private law character to which the United Nations is a party other than those covered in sub-paragraphs (b) and (c) following.

(b) Any claim made by

(i) a Cypriot citizen in respect of any damages alleged to result from an act or omission of a member of the Force relating to his official duties ;

(ii) the Government against a member of the Force ; or

(iii) the Force or the Government against one another, that is not covered by paragraphs 39 or 40 of these arrangements,

shall be settled by a Claims Commission established for that purpose. One member of the Commission shall be appointed by the Secretary-General, one member by the Government and a chairman jointly by the Secretary-General and the Government. If the Secretary-General and the Government fail to agree on the appointment of a chairman, the President of the International Court of Justice shall be asked by either to make the appointment. An award made by the Claims Commission against the Force or a member thereof or against the Government shall be notified to the Commander or the Government, as the case may be, to make satisfaction thereof⁽¹⁾.

(c) Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by administrative procedure to be established by the Commander.

39. All differences between the United Nations and the Government arising out of the interpretation or application of these arrangements which involve a question of principle concerning the Convention on the Privileges

(1) In this respect attention must be drawn to operative paragraph 6 of the Security Council resolution of 4 March 1964 whereby the Council, *inter alia*, recommends that all costs pertaining to the Force be :

“ met, in a manner to be agreed upon by them, by the Governments providing contingents and by the Government of Cyprus. The Secretary-General may also accept voluntary contributions for this purpose ”.

It is understood that the obligations of the Commander to make satisfaction as provided for in paragraph 38 (b) of the present arrangements are necessarily limited under the aforementioned paragraph of the Security Council resolution to the extent (a) that funds are available to him for this purpose and/or (b) alternative arrangements are arrived at with the Participating Governments and the Government of Cyprus.

and Immunities of the United Nations shall be dealt with in accordance with the procedure of Section 30 of the Convention.

40. All other disputes between the United Nations and the Government concerning the interpretation or application of these arrangements which are not settled by negotiation or other agreed mode of settlement shall be referred for final settlement to a tribunal of three arbitrators, one to be named by the Secretary-General of the United Nations, one by the Government and an umpire to be chosen jointly by the Secretary-General and the Government. If the two parties fail to agree on the appointment of the umpire within one month of the proposal of arbitration by one of the parties, the President of the International Court of Justice shall be asked by either party to appoint the umpire. Should a vacancy occur for any reason, the vacancy shall be filled within thirty days by the method laid down in this paragraph for the original appointment. The Tribunal shall come into existence upon the appointment of the umpire and at least one of the other members of the tribunal. Two members of the tribunal shall constitute a quorum for the performance of its functions, and for all deliberations and decisions of the tribunal a favourable vote of two members shall be sufficient.

Liaison

41. The Commander and the Government shall take appropriate measures to ensure close and reciprocal liaison in the implementation of the present agreement. Furthermore, arrangements will be made, *inter alia*, for liaison on a State and local level between the Force and the Government security forces to the extent the Commander deems this to be necessary and desirable for the performance of the functions of the Force in accordance with the Security Council resolution of 4 March 1964. In case of requests by the Government security forces for the assistance of the Force, the Commander, in view of the international status and function of the Force, will decide whether, within the framework of the aforesaid resolution, he may meet such requests. The Commander of the Force may make requests for assistance from the Government security forces, at the State or local level, as he may deem necessary in pursuance of the aforesaid resolution, and they will, as far as possible, meet such requests in a spirit of co-operation.

Deceased members : disposition of personal property

42. The Commander shall have the right to take charge of and dispose of the body of a member of the Force who dies in Cyprus and may dispose of his personal property after the debts of the deceased person incurred in Cyprus and owing to Cypriot citizens have been settled.

Supplemental arrangements

43. Supplemental details for the carrying out of these arrangements shall be made as required between the Commander and appropriate Cypriot authorities designated by the Government.

Contacts in the performance of the function of the Force

44. It is understood that the Commander and members of the Force authorized by him may have such contacts as they deem necessary in order to secure the proper performance of the function of the Force, under the Security Council resolution of 4 March 1964.

Effective date and duration

45. Upon acceptance of this proposal by your Government, the present letter and your reply will be considered as constituting an agreement between the United Nations and Cyprus that shall be deemed to have taken effect as from the date of the arrival of the first element of the Force in Cyprus, and shall remain in force until the departure of the Force from Cyprus. The effective date that the departure has occurred shall be defined by the Secretary-General and the Government. The provisions of paragraphs 38, 39 and 40 of these arrangements, relating to the settlement of disputes, however, shall remain in force until all claims arising prior to the date of termination of these arrangements, and submitted prior to or within three months following the date of termination, have been settled.

In conclusion I wish to affirm that the activities of the Force will be guided in good faith by the task established for the Force by the Security Council. Within this context the Force, as established by the Secretary-General and acting on the basis of his directives under the exclusive operational direction of the Commander, will use its best endeavours, in the interest of preserving international peace and security, to prevent a recurrence of fighting and, as necessary, to contribute to the maintenance and restoration of law and order and a return to normal conditions.

Accept, Sir, the assurance of my highest consideration.

U THANT,
Secretary-General.

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

31 March 1964.

Sir,

I have the honour to refer to your letter of 31 March 1964, in which you have proposed that the Republic of Cyprus and the United Nations should make the *ad hoc* arrangements contained therein which define certain of the conditions necessary for the effective discharge of the functions of the United Nations Force in Cyprus while it remains in Cyprus. Recalling that by letter of 4 March 1964, I informed you of the agreement of the Government of the Republic of Cyprus to the establishment of the Force, I now have the pleasure to inform you in the name of the Government of the Republic of Cyprus of its full agreement on, and its acceptance of, the terms of your letter.

The Government of the Republic of Cyprus agrees, furthermore, that subject to ratification by the Republic of Cyprus, your letter and this reply will be considered as constituting an agreement between Cyprus and the United Nations concerning the status of the United Nations Force in Cyprus. Pending such ratification the Government of the Republic of Cyprus undertakes to give provisional application to the arrangements contained in your letter and to use its best efforts to secure the earliest possible ratification of the agreement.

In conclusion, I wish to affirm that the Government of the Republic of Cyprus, recalling the Security Council resolution of 4 March 1964, and, in particular, paragraphs 2 and 5 thereof, will be guided in good faith, when exercising its sovereign rights on any matter concerning the presence and functioning of the Force, by its acceptance of the recommendation of the Security Council that a peace-keeping Force be established in Cyprus.

Accept, Sir, the assurances of my highest consideration.

SPYROS A. KYPRIANOU,
Minister for Foreign Affairs.

ANNEX II

United Nations Secretariat.

25 April 1964.

To: The United Nations Force in Cyprus.

Subject : **Regulations for the United Nations Force in Cyprus.**

The attached Regulations for the United Nations Force in Cyprus are issued by the Secretary-General for the United Nations Force in Cyprus established pursuant to the Security Council resolution of 4 March 1964. They shall be effective from 10 May 1964. The Regulations, for the most part, are intended to continue in effect the policies and practices which have been followed in respect of the Force since it came into existence.

U THANT,
Secretary-General.

REGULATIONS FOR THE UNITED NATIONS FORCE IN CYPRUS

25 APRIL 1964

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REGULATIONS FOR THE UNITED NATIONS FORCE IN CYPRUS (UNFICYP)

CHAPTER I. GENERAL PROVISIONS

1. *Issuance of Regulations.* The Regulations for the United Nations Force in Cyprus (UNFICYP) (hereinafter referred to as the Force) are issued by the Secretary-General and shall be deemed to take effect from the date that the first elements of the Force are placed under the United Nations Commander. The Regulations, and supplemental instructions and orders referred to in Regulations 3 and 4, shall be made available to all units of the Force.

2. *Authority of Regulations.* The present Regulations and supplemental instructions and orders issued pursuant thereto shall be binding upon all members of the Force. Contravention thereof shall constitute an offence subject to disciplinary action in accordance with the military laws and regulations applicable to the national contingent to which the offender belongs.

3. *Amendments and supplemental instructions.* These Regulations may be amended or revised by the Secretary-General. Supplemental instructions consistent with the present Regulations may be issued by the Secretary-General as required with respect to matters not delegated to the Commander of the Force (hereinafter referred to as the Commander).

4. *Command Orders.* The Commander may issue Orders not inconsistent with resolutions of the Security Council relating to the Force, these Regulations and amendments thereto, and with supplemental instructions referred to in Regulation 3:

(a) In the discharge of his duties as Commander of the Force; or

(b) In implementation or explanation of these Regulations.

Command Orders shall be subject to review by the Secretary-General.

5. *Definitions.* The following definitions shall apply to the terms used in the present Regulations:

(a) The "Commander of the United Nations Force in Cyprus" or the "Commander" is the general officer appointed by the Secretary-General to exercise in the field full command of the Force.

(b) The "United Nations Force in Cyprus" or "Force" is the subsidiary organ of the United Nations described in Regulation 6 below.

(c) A "member of the United Nations Force in Cyprus" or a "member of the Force" is the Commander and any person, belonging to the military services of a State, who is serving under the Commander and any civilian placed under the Commander by the State to which such civilian belongs.

- (d) A "Participating State" is a member of the United Nations that contributes military personnel to the Force. A "Participating Government" is the Government of a Participating State.
- (e) The "authorities of a Participating State" are those authorities who are empowered by the law of that State to enforce its military or other law with respect to the members of its armed forces.
- (f) The "Host State" is the Republic of Cyprus. The "Host Government" is the Government of the Host State.

CHAPTER II. INTERNATIONAL CHARACTER, UNIFORM, INSIGNIA, AND PRIVILEGES AND IMMUNITIES

6. *International character.* The United Nations Force in Cyprus is a subsidiary organ of the United Nations established pursuant to the resolution of the Security Council of 4 March 1964 and consists of the Commander and all personnel placed under his command by Member States. The members of the Force, although remaining in their national service, are, during the period of their assignment to the Force international personnel under the authority of the United Nations and subject to the instructions of the Commander, through the chain of command. The functions of the Force are exclusively international and members of the Force shall discharge these functions and regulate their conduct with the interest of the United Nations only in view.

7. *Flag.* The Force is authorized to fly the United Nations flag in accordance with the United Nations Flag Code and Regulations. The Force shall display the United Nations flag and emblem on its Headquarters and on its posts, vehicles and otherwise as decided by the Commander. Other flags or pennants may be displayed only in exceptional cases and in accordance with conditions prescribed by the Commander.

8. *Uniform and insignia.* Members of the Force shall wear their national uniform in accordance with their national uniform regulations and with such identifying United Nations insignia as the Commander, in consultation with the Secretary-General, shall prescribe. Civilian dress may be worn at such times and in accordance with such conditions as may be authorized by the Commander.

9. *Markings.* All means of transportation of the Force, including vehicles, vessels and aircraft, and all other equipment when specifically designated by the Commander, shall bear a distinctive United Nations mark and United Nations licence number.

10. *Privileges and Immunities.* The Force, as a subsidiary organ of the United Nations, enjoys the status, privileges and immunities of the Organization provided in Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations and

the Agreement between the United Nations and the Republic of Cyprus signed on 31 March 1964. The entry without duty or restrictions of equipment and supplies of the Force, and of personal effects required by members of the Force by reason of their presence in the Host State with the Force, shall be effected in accordance with details to be arranged with the Host State. The Provisions of Article II of the Convention on the Privileges and Immunities of the United Nations shall also apply to the property, funds and assets of Participating States used in the Host State in connexion with the national contingents serving in the Force.

CHAPTER III. AUTHORITY AND COMMAND IN THE UNITED NATIONS FORCE IN CYPRUS

11. *Command authority.* The Secretary-General, pursuant to authority under the resolution of the Security Council of 4 March 1964 shall issue directives to the Commander as appropriate. The Commander exercises in the field full command authority of the Force. He is operationally responsible for the performance of all functions assigned to the Force by the United Nations, and for the deployment and assignment of troops placed at the disposal of the Force.

12. *Chain of command and delegation of authority.* The Commander shall designate the chain of command for the Force, making use of the officers of his Headquarters staff and the commanders of the national contingents made available by Participating Governments. He may delegate his authority through the chain of command. Changes in commanders of national contingents made available by Participating Governments shall be made in consultation among the Secretary-General, the Commander and the appropriate authorities of the Participating Government concerned. The Commander may make such provisional emergency assignments as may be required. Subject to the provisions of these Regulations, the Commander has full and exclusive authority with respect to all assignments of members of his Headquarters staff and, through the chain of command, of all members of the Force, including the deployment and movement of all contingents in the Force and units thereof. Instructions from the principal organs of the United Nations shall be channelled by the Secretary-General through the Commander and the chain of command designated by him.

13. *Good order and discipline.* The Commander shall have general responsibility for the good order and discipline of the Force. He may make investigations, conduct inquiries and require information, reports and consultations for the purpose of discharging this responsibility. Responsibility for disciplinary action in national contingents provided for the Force rests with the commanders of the national contingents. Reports concerning disciplinary action shall be communicated to the Commander who may consult with the commander of the national contingent and, if necessary, through the Secretary-General with the authorities of the Participating State concerned.

14. *Investigation of incidents and losses.* The Commander shall establish and ensure the effective implementation of procedures for the reporting and investigation of incidents, accidents and losses involving the Force or its members or property used by the Force, making use of the military police, as appropriate, in particular in the following cases : (a) any incident involving (i) death or serious injury to a member of the Force, or (ii) death, injury or property damage to a person or persons not belonging to the Force, wherein a member of the Force or property used by the Force is involved ; (b) the occurrence or discovery of any loss of, or damage to equipment, stores or other property used by the Force, whether owned by the Force or by contingents, which exceeds an amount to be determined by the Force Commander and cannot be ascribed to normal wear and tear.

15. *Military police.* The Commander shall provide for military police for any camps, establishments or other premises which are occupied by the Force in the Host State and for such areas where the Force is deployed in the performance of its functions. Elsewhere military police of the Force may be employed, in so far as such employment is necessary to maintain discipline and order among members of the Force or to conduct investigations relating to the Force or its members. For the purpose of this Regulation, the military police of the Force shall have the power to take into custody any member of the Force who thereupon shall be transferred as soon as possible to the custody of his own national contingent commander pending any action taken in accordance with paragraph 13 of the present Regulations. Nothing in this Regulation is in derogation of the authority of arrest conferred upon members of a national contingent vis à vis one another.

CHAPTER IV. GENERAL ADMINISTRATIVE, EXECUTIVE AND FINANCIAL ARRANGEMENTS

16. *Authority of the Secretary-General.* The Secretary-General of the United Nations shall have authority for all administrative and executive matters affecting the Force and for all financial matters pertaining to the receipt, custody and disbursement of voluntary contributions in cash or in kind for the maintenance and operation of the Force. He shall be responsible for the negotiation and conclusion of agreements with Governments concerning the Force, the composition and size of the Force being established in consultation with the Governments of Cyprus, Greece, Turkey and the United Kingdom, and the manner of meeting all costs pertaining to the Force being agreed by the Governments providing contingents and by the Government of Cyprus. Within the limits of available voluntary contributions he shall make provisions for the settlement of any claims arising with respect to the Force that are not settled by the Governments providing contingents or the Government of Cyprus. The Secretary-General shall establish a Special Account for the United Nations Force in Cyprus to which will be credited all voluntary cash contributions for the establishment, operation and maintenance of the Force and against which all payments

by the United Nations for the Force shall be charged. The United Nations financial responsibility for the provision of facilities, supplies and auxiliary services for the Force shall be limited to the amount of voluntary contributions received in cash or in kind.

17. *Operation of the Force.* The Commander shall be responsible for the operation of the Force and, subject to the limitation in Regulation 16, for arrangements for the provision of facilities, supplies and auxiliary services. In the exercise of this authority he shall act in consultation with the Secretary-General and in accordance with the administrative and financial principles set forth in Regulations 18-23 following.

18. *Headquarters.* The Commander shall establish the Headquarters for the Force and such other operational centres and liaison offices as may be found necessary.

19. *Finance and accounting.* Financial administration of the Force shall be limited to the voluntary contributions in cash or in kind made available to the United Nations and shall be in accordance with the Financial Rules and Regulations of the United Nations and the procedures prescribed by the Secretary-General.

20. *Personnel.*

- (a) The Commander of the Force shall be appointed by the Secretary-General. The Commander shall be entitled to diplomatic privileges, immunities and facilities in accordance with sections 19 and 27 of the Convention on the Privileges and Immunities of the United Nations. The Commander may appoint to his Headquarters staff, officers made available by the Participating States and such other officers as may be recruited in agreement with the Secretary-General. Such officers on his Headquarters staff and such other senior field officers as he may designate shall be entitled to the privileges and immunities of article VI of the Convention on the Privileges and Immunities of the United Nations.
- (b) The Commander shall arrange with the Secretary-General for such international recruitment or detailment of staff from the United Nations Secretariat or from the specialized agencies to serve with the Force as may be necessary. Unless otherwise specified in the terms of their contracts such personnel are staff members of the United Nations, subject to the Staff Regulations thereof and entitled to the privileges and immunities of United Nations officials under articles V and VII of the Convention on the Privileges and Immunities of the United Nations.
- (c) The Commander may recruit such local personnel as the Force requires. The terms and conditions of employment for locally recruited personnel shall be prescribed by the Commander and shall generally, to the extent practicable, follow the practice prevailing in the locality. They shall not be subject to or entitled to the benefits of the Staff Regulations of the United Nations, but shall be entitled to immunity from legal process in respect of words spoken or written

and all acts performed by them in their official capacity as provided in section 18 (a) of the Convention on the Privileges and Immunities of the United Nations and shall be exempt from taxes on their salaries and emoluments received from the Force and from national service obligations as provided in section 18 (b) and (c) of the said Convention. Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by administrative procedure to be established by the Commander.

21. *Administration.* The Commander with his civilian administrative staff shall, in accordance with procedures prescribed by him within the limits of Regulation 16, and in consultation with the Secretary-General, arrange for:

- (a) the billeting and provision of food for any personnel attached to the Force for whom their own Government has not made provision ;
- (b) the establishment, maintenance and operation of service institutes providing amenities for members of the Force and other United Nations personnel as authorized by the Commander ;
- (c) the transportation of personnel and equipment ;
- (d) the procurement, storage and issuance of supplies and equipment required by the Force which are not directly provided by the Participating Governments ;
- (e) maintenance and other services required for the operation of the Force ;
- (f) the establishment, operation and maintenance of telecommunication and postal service for the Force ;
- (g) the provision of medical, dental and sanitary services for personnel in the Force.

22. *Contracts.* The Commander shall, within the limits of Regulation 16, enter into contracts and make commitments for the purpose of carrying out his functions under these Regulations.

23. *Public information.* Public information activities of the Force and relations of the Force with the Press and other information media shall be the responsibility of the Commander acting in accordance with policy defined by the Secretary-General.

CHAPTER V. RIGHTS AND DUTIES OF MEMBERS OF THE FORCE

24. *Respect for local law and conduct befitting international status.* It is the duty of members of the Force to respect the laws and regulations of the Host State and to refrain from any activity of a political character in the Host State or other action incompatible with the international nature of their duties. They shall conduct themselves at all times in a manner befitting their status as members of the United Nations Force in Cyprus.

25. *United Nations legal protection.* Members of the Force are entitled to the legal protection of the United Nations and shall be regarded as agents of the United Nations for the purpose of such protection.

26. *Instructions.* In the performance of their duties the members of the Force shall receive their instructions only from the Commander and the chain of command designated by him.

27. *Discretion and non-communication of information.* Members of the Force shall exercise the utmost discretion in regard to all matters relating to their duties and functions. They shall not communicate to any person any information known to them by reason of their position with the Force which has not been made public, except in the course of their duties or by authorization of the Commander who shall act in consultation with the Secretary-General in appropriate cases. The obligations of this Regulation do not cease upon the termination of their assignment with the Force.

28. *Honours and remuneration from external sources.* No member of the Force may accept any honour, decoration, favour, gift or remuneration incompatible with the individual's status and functions as a member of the Force.

29. *Jurisdiction*

(a) Members of the Force shall be subject to the criminal jurisdiction of their respective national States in accordance with the laws and regulations of those States. They shall not be subject to the criminal jurisdiction of the courts of the Host State. Responsibility for the exercise of criminal jurisdiction shall rest with the authorities of the Participating State concerned, including as appropriate the commanders of the national contingents.

(b) Members of the Force shall not be subject to the civil jurisdiction of the courts of the Host State or to other legal process in any matter relating to their official duties.

(c) Members of the Force shall remain subject to the military rules and regulations of their respective national States without derogating from their responsibilities as members of the Force as defined in these Regulations and any rules made pursuant thereto.

(d) Disputes involving the Force or its members shall be settled in accordance with such procedures provided by the Secretary-General as may be required, including the establishment of a claims commission or commissions. Supplemental instructions defining the jurisdiction of such commissions or other bodies as may be established shall be issued by the Secretary-General in accordance with article 3 of these Regulations.

30. *Customs duties and foreign exchange regulations.* Members of the Force shall comply with such arrangements regarding customs and foreign exchange regulations as may be made between the Host State and the United Nations.

31. *Identity cards.* The Commander, under the authority of the Secretary-General, shall provide for the issuance and use of personal identity cards certifying that the bearer is a member of the United Nations Force in Cyprus. Members of the Force may be required to present, but should not surrender, their identity cards upon demand of such authorities of the Host State as may be mutually agreed between the Commander and the Host Government.

32. *Driving.* In driving vehicles members of the Force shall exercise the utmost care at all times. Orders concerning driving of service vehicles and permits or licences for such operation shall be issued by the Commander.

33. *Pay.* Responsibility for pay of members of the Force shall rest with their respective national State. They shall be paid in the field in accordance with arrangements to be made between the appropriate pay officer of their respective national State and the Commander.

34. *Dependants.* Members of the Force may not be accompanied to their duty station by members of their families except where expressly authorized and in accordance with conditions prescribed by the Secretary-General in consultation with the Commander.

35. *Leave.* The Commander shall specify conditions for the granting of passes and leave.

36. *Promotion.* Promotions in rank for members of the Force remain the responsibility of the Participating Governments.

CHAPTER VI. RELATIONS BETWEEN THE PARTICIPATING GOVERNMENTS AND THE UNITED NATIONS

37. *Channel for communications.* The channel for communications between the United Nations and the Participating Governments concerning their units in the Force, or the Force itself, shall be United Nations Headquarters in New York, through their Permanent Missions to the Organization.

38. *Visits to the Force.* Visits to the Force by officials of the Participating Governments shall be arranged with the Commander through United Nations Headquarters in New York.

39. *Service-incurred death, injury or illness.* In the event of death, injury or illness of a member of the Force attributable to service with the Force, the respective State from whose military services the member has come will be responsible for such benefits or compensation awards as may be payable under the laws and regulations applicable to service in the armed forces of that State. The Commander shall have responsibility for arrangements concerning the body and personal property of a deceased member of the Force.

CHAPTER VII. APPLICABILITY OF INTERNATIONAL CONVENTIONS

40. *Observance of Conventions.* The Force shall observe and respect the principles and spirit of the general international Conventions applicable to the conduct of military personnel.

No. 2

The United Kingdom Permanent Representative to the United Nations to the Secretary-General of the United Nations, New York.

*United Kingdom Mission to the
United Nations,
New York.*

21 February, 1966.

Your Excellency,

I have the honour to refer to Your Excellency's letter PO 210 CYPR(2) of the 21st of February, 1966, concerning the service with the United Nations Force in Cyprus of the national contingent provided by the Government of the United Kingdom of Great Britain and Northern Ireland. In this matter you have proposed that my Government and the United Nations should enter into an agreement in accordance with the terms provided therein.

My Government accepts this proposal and agrees that your letter and this reply shall constitute an agreement between the Government of the United Kingdom and the United Nations. My Government also gives the assurances requested in paragraphs 7 and 8 of your letter and undertakes to meet the request contained in paragraph 11 of your letter.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

CARADON.

Note: Identical letters were exchanged on the same date between the United Nations and the Governments of Australia, Canada, Denmark, New Zealand and Sweden. Similar letters were exchanged between the United Nations and the Government of Austria on 21 and 24 February 1966. Letters are also being exchanged between the United Nations and the Government of the Republic of Ireland.

Printed and published by
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