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COMMISSION ON HUMAN RIGHTS  
Thirty-eighth session  
Agenda item 12 (a)

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL  
FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR  
REFERENCE TO COLONIAL AND OTHER DEPENDENT  
COUNTRIES AND TERRITORIES, INCLUDING:

(a) Question of human rights in Cyprus

GE.82-15471

Report of the Secretary-General submitted pursuant to  
decision 5 (XXXVII) of the Commission on Human Rights

1. This report is submitted pursuant to decision 5 (XXXVII), entitled "Question of Human Rights in Cyprus", which was adopted by the Commission on Human Rights on 9 March 1981. By that decision, the Commission postponed to its thirty-eighth session discussion of the item entitled "Question of Human Rights in Cyprus", with due priority at that session, on the understanding that "action required by previous resolutions of the Commission on this subject continue to remain operative, including the request to the Secretary-General to provide a report to the Commission regarding their implementation".

2. It will be recalled that the Working Group on Enforced or Involuntary Disappearances set up by the Commission on Human Rights within the framework of resolution 20 (XXXVI) had decided to deal also with the question of enforced or involuntary disappearances in Cyprus. The Group, which presented its report (E/CN.4/1435) to the Commission on 26 January 1981, established direct contacts with those immediately concerned with reports of enforced or involuntary disappearances in Cyprus and accepted "in principle the invitation of the Government of Cyprus to visit that country at an appropriate time when the modalities for such a visit had been established". The Group, however, also expressed the view that its efforts should be seen as "complementary" to those of the investigatory body which the Secretary-General was then trying to set up (E/CN.4/1435, para. 33) and concluded that it hoped the talks on this subject would reach a satisfactory conclusion and thus make the Group's own investigation unnecessary (E/CN.4/1442, para. 4).

3. Since the circulation of the last report of the Secretary-General to the Commission (E/CN.4/1442) on 5 February 1981, the Secretary-General and his representatives have continued their efforts in respect of the problem of missing persons in Cyprus. On 22 April 1981, Mr. Hugo Gobbi, my Special Representative in Cyprus announced that agreement had been reached by the representatives of the Greek Cypriot and the Turkish Cypriot communities on the question of setting

up an investigatory body for the tracing of and accounting for missing persons. That body, named Committee on Missing Persons in Cyprus, consists of three members, one "humanitarian person" from each community and one official selected for this purpose by the International Committee of the Red Cross, with the agreement of both sides, and appointed by the Secretary-General. The Greek Cypriot member is Mr. Frixos Michaelides, the Turkish Cypriot member is Dr. Latife Birgen, and the third member is Mr. Claude Pilloud.

4. The Committee began its deliberations on 14 July 1981. Procedural difficulties have made it impossible so far for the Committee to embark upon its substantive work, despite intensive efforts by the members of the Committee and all possible assistance provided by my representatives. After informal exchanges of views, both at Headquarters and in Nicosia, designed to facilitate the work of the Committee, the United Nations spokesman issued a statement on 21 November in Nicosia expressing the hope that the Committee may, at last, manage to resolve its outstanding procedural difficulties so that it may finally embark on its substantive work on this extremely important humanitarian issue. The statement stressed that, for this to happen, the active co-operation and concurrence of both sides was necessary. The Committee reconvened on 26 November and received from its third member a revised set of proposals for the solution of the outstanding procedural difficulties.

5. On 16 December 1981, the General Assembly adopted resolution 36/164 whereby, among other things, it urges that the Committee on Missing Persons proceed, without any further delay, with its investigative work for the tracing of and accounting for missing persons in Cyprus; calls upon the parties concerned to assist, in a spirit of co-operation and goodwill, the Committee in carrying out its investigative task; and requests the Secretary-General to continue to provide his good offices for the unhindered functioning of the Committee.

6. On 10 February 1982, the Committee resumed its consideration of procedural matters. I and my representatives have continued to extend our assistance to the Committee on Missing Persons in the hope that it will soon overcome its outstanding procedural difficulties and embark upon the implementation of its substantive mandate.

7. During the period under review, UNFICYP has continued to discharge humanitarian functions on behalf of the Greek Cypriots remaining in the northern part of the Island, as well as to make periodic visits to the Turkish Cypriots still living in

the south (S/14490, paras. 22 to 27; S/14778, paras. 23 to 29). The schooling situation of the Greek Cypriots in the north remains as described in the previous reports of the Secretary-General (E/CN.4/1373, para. 7; E/CN.4/1442, para. 6). There were 1,067 Greek Cypriots in the north and 186 Turkish Cypriots in the south as of 2 February 1982.

8. As regards freedom of movement of Greek Cypriots and Maronites in the north, temporary visits to the south and freedom of worship, the situation remains as described in the Secretary-General's previous report to the Commission (E/CN.4/1323, paras. 13 and 15).

9. Information covering implementation of those provisions of General Assembly resolutions which deal with changes in the demographic structure and the return of refugees (resolution 3212 (XXIX), para. 5; 3395 (XXX), paras. 4-6; and 33/15, para. 5) is contained in the Secretary-General's report of 25 November 1980 to the General Assembly on the Question of Cyprus (A/35/659, paras. 15-17).