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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

QUESTION OF HUMAN RIGHTS IN CYPRUS

Report of the Secretary-General submitted pursuant to
Commission on Human Rights resolution 1987/50

1. In its resolution 1987/50, the Commission on Human Rights requested the Secretary-General to provide it, at its forty-fourth session, with information relevant to the implementation of the said resolution. In that resolution, the Commission on Human Rights, *inter alia*: reiterated its previous calls for the full restoration of all human rights to the population of Cyprus, in particular to the refugees; considered attempts to settle any part of Varosha by people other than its inhabitants as illegal and called for the immediate cessation of such activities; called for the tracing of and accounting for missing persons in Cyprus without any further delay, and for the restoration and respect of the human rights and fundamental freedoms of all Cypriots, including the freedom of movement, the freedom of settlement and the right to property.

2. The situation in regard to the search for a just and lasting solution to the problem of Cyprus, which includes the issues affecting the human rights and fundamental freedoms of all Cypriots, remained essentially unchanged during 1987. As reflected in the Secretary-General's most recent report to the Security Council on the United Nations operation in Cyprus (S/19304 and Add.1), both sides in Cyprus, while maintaining their commitment to the high-level agreements of 1977 and 1979, remain divided on how to move towards

implementation of those agreements. The Secretary-General is seriously concerned that the negotiating process has been deadlocked for nearly two years. He considers it essential that a way be found to break this deadlock and to this end he has appointed Mr. Oscar Camilión as his Special Representative in Cyprus. Mr. Camilión will assume his functions in Nicosia at the end of February. The Secretary-General has urged both parties to take advantage of this appointment to take stock of the situation and to co-operate with his Special Representative in finding a way to advance towards a solution. The questions relating to matters affecting the human rights of the Cypriot population, including freedom of movement, freedom of settlement and the right to property for all Cypriots, are an integral part of the Secretary-General's effort undertaken in the framework of the mission of good offices entrusted to him by the Security Council.

3. Pending a settlement, the United Nations Force in Cyprus (UNFICYP) has continued, under its mandate, to discharge humanitarian functions on behalf of the Greek Cypriots living in the northern part of the island, whose number stood at 661 at the end of November 1987. UNFICYP has also continued to make periodic visits to Turkish Cypriots living in the southern part and to help them maintain contact with their relatives in the northern part. UNFICYP officers have continued to interview, in private, Greek Cypriots who apply for permanent transfer to the southern part, in order to verify that all transfers take place voluntarily. Twenty such transfers took place during the period 1 December 1986 to 30 November 1987. UNFICYP has also continued to facilitate temporary visits by Greek Cypriots living in the northern part to the southern part for family and other reasons. During the period mentioned above, there were 1,161 such visits. Contacts between members of the Maronite community living on opposite sides of the cease-fire lines continued to be frequent.

4. Since the Secretary-General's last report to the Commission (E/CN.4/1987/19), developments in Varosha have been an issue of concern. Students attending a university established by the Turkish Cypriot authorities in Famagusta have been accommodated in buildings inside the fenced area of Varosha. The Secretary-General has made numerous representations to the Turkish and Turkish Cypriot authorities, at all levels, about this breach of the status quo. Mr. Denktash has told him that he has no intention of changing the status quo in Varosha, that the presence of the students there is a temporary measure, and that they will vacate the premises as soon as alternative accommodation becomes available. The Secretary-General remains of the view that the persistence of this problem can have a negative effect on the climate in which the search for an overall solution must take place. He will pursue his effort to secure the departure of the students from the hotels so that the status quo can be restored in Varosha.

5. During 1987 the Committee on Missing Persons in Cyprus (CMP) held nine sessions, including 33 meetings, 21 of which were attended by the three members and their assistants (formal meetings) and 12 only by the three members (informal meetings). At the conclusion of the Committee's twenty-second working session, on 23 September 1987, the following joint communiqué was issued:

"The Committee discussed reports submitted by both sides on the investigations carried out in the field with the participation of the third member and/or his assistants. Further investigations in the field will continue to be carried out by both sides according to the agreed

procedure. The members discussed all available means to accelerate the investigations conducted within the Committee's terms of reference and in accordance with the agreed procedural rules and particularly the interviews of witnesses on both sides, which constitute at this stage the main source of information of the CMP and are currently the essential preoccupation of the Committee. Whilst acknowledging the great sensitivity of their task, and especially the absolute necessity of obtaining the most complete and reliable evidence possible, they underlined a number of practical and psychological difficulties, including the time element. It is only after that task is accomplished that it will be possible for the Committee to undertake the final and thorough assessment of the 169 cases - both Greek Cypriot and Turkish Cypriot - which are before the Committee.

The members of the Committee on Missing Persons wish to assure the families of the missing persons on both sides that they are fully aware of their plight and the anguish resulting from the uncertainty about the fate of their missing ones. They reiterate their firm intention to reach a conclusive stage as early as possible. The three members will continue their efforts in order to achieve this result.

At the same time, the three members wish to stress the purely humanitarian nature of their mandate and of their activities. They also attach the greatest importance to the strictly confidential nature of the Committee's operations. This is not only precisely prescribed by its terms of reference, but represents a central, essential element for the fulfilment of their mandate and a guarantee for the witnesses on whose information the Committee has to depend for its investigations."

6. The activities of UNFICYP, including those related to its humanitarian responsibilities, as well as matters pertaining to the Secretary-General's mission of good offices, are described in greater detail in the Secretary-General's most recent reports to the Security Council on the United Nations operation in Cyprus (S/18880 and S/19304 and Add.1).
