

ORIGIN/ACTION

DEPARTMENT OF STATE

Approved For Release 2002/07/03 : CIA-RDP82-00803R000400150057-8 25X1

NEA-5

**AIRGRAM**

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**A-26** **CONFIDENTIAL** **FB**  
 NO. \_\_\_\_\_  
 TO : Amembassy NICOSIA  
 FROM : Department of State  
 SUBJECT : Authorization to Negotiate Communications Facilities Agreement with the Government of Cyprus  
 REF : ~~XXXXXXXXXXXX~~ Nicosia's A-96 of September 6, 1963.  
 Nov 15 4 45 PM '63

Copies of a final draft of a proposed executive agreement covering the United States communications facilities on Cyprus are attached. The draft covers both the status of the facilities and the question of privileges and immunities for communications personnel. It has been cleared by all agencies concerned.

The Embassy is authorized, in accordance with the provisions of Departmental Circular 175, to negotiate with the Government of Cyprus on the basis of this draft. The Embassy is further authorized to offer the Government of Cyprus, under the provisions of paragraphs H 1 and H 2 of the draft agreement, up to \$750,000 for services rendered by the Government of Cyprus subject to the availability of appropriations. Report the first bargaining price which the Embassy proposes to offer, and the rationale therefor.  
**State Dept. review completed**

The draft is in the form of an executive agreement rather than a formal treaty; the Embassy's A-96 indicated that the Government of Cyprus would prefer an informal arrangement of this sort rather than a formal agreement which would require the approval of the Cyprus House of Representatives.

The Embassy should determine at the time negotiations are initiated that an executive agreement of this sort, involving an exchange of letters, will be legally binding on the Government of Cyprus. The Embassy should also suggest if possible that the Government of Cyprus letter could well be signed by both the President and the Vice President.

When negotiations are initiated, it is important that the Embassy express its understanding to the Government of Cyprus that, until the new agreement is in effect, the present arrangements based on the January 1960

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FORM 4-62 DS-323 GROUP 3 - Downgraded at 12 year intervals; not automatically declassified

In  Out

Drafted by: *PK*

NEA:GTI:GDKing:dig 11/11/63

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A-26 to  
NICOSIA

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Makarios letter will continue.

The draft offers the Government of Cyprus certain quid pro quos in return for formalizing the status of our facilities and personnel. In essence, we are attempting to obtain the Government of Cyprus' agreement to the continued functioning of our facilities and to the inclusion of our communications personnel as part of the administrative and technical staff of the Embassy as defined by the Vienna Convention. In addition, however, we wish to assure the continuation of certain special privileges which go beyond the Vienna Convention, i.e., the post office and the commissary.

To gain acceptance of the Government of Cyprus, we are prepared to agree (paragraph G 1(b) ) that non-diplomatic personnel of the mission should pay certain fees in connection with the operation of vehicles, radios and TV sets. If the Embassy feels that it can protect the post office and commissary while conceding less to the Government of Cyprus, it is so authorized.

Under paragraph H 2, the size of the payment to the Government of Cyprus is, of course, one of the key issues in the agreement. The method of presenting the payment question to the Government of Cyprus is left to the Embassy, but certain primary considerations with regard to the payment must be kept in mind: that the availability of funds is subject to Congressional approval and no funds would be available before FY ' 65.

The Embassy is commended for its continuing efforts to persuade the Government of Cyprus to issue automobile license plates and registrations to all mission personnel on a temporary basis pending negotiation of the privileges and immunities question. It would seem appropriate, when negotiations are started on the attached draft, to press the Government of Cyprus as firmly as possible to go ahead with issuance of the license plates pending negotiation of the agreement.

Enclosures:  
3 copies of draft agreement

RUSK

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