

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND, GREECE and TURKEY
and
CYPRUS**

Treaty (with annexes, schedules and detailed plans) concerning the Establishment of the Republic of Cyprus. Signed at Nicosia, on 16 August 1960

Exchange of notes between the United Kingdom of Great Britain and Northern Ireland and Cyprus concerning identifications of loans referred to in paragraph 3 (b) (ii) of Section 2 of Annex E to the above-mentioned Treaty. Nicosia, 16 August 1960

Exchange of notes between the United Kingdom of Great Britain and Northern Ireland and Cyprus (with annexed Exchanges of notes constituting agreements between Cyprus and Greece and Cyprus and Turkey) concerning most-favoured nation treatment, referred to in Part II of Annex F to the above-mentioned Treaty. Nicosia, 16 August 1960

Exchange of notes (with Declaration) between the United Kingdom of Great Britain and Northern Ireland and Cyprus concerning the administration of the Sovereign Base Areas referred to in Article 1 of the above-mentioned Treaty. Nicosia, 16 August 1960

Exchange of notes between the United Kingdom of Great Britain and Northern Ireland and Cyprus concerning the future of the Sovereign Base Areas referred to in Article 1 of the above-mentioned Treaty. Nicosia, 16 August 1960

Official text: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 12 December 1960.

No. 5476. TREATY¹ CONCERNING THE ESTABLISHMENT OF THE REPUBLIC OF CYPRUS. SIGNED AT NICOSIA, ON 16 AUGUST 1960²

The United Kingdom of Great Britain and Northern Ireland, the Kingdom of Greece and the Republic of Turkey of the one part and the Republic of Cyprus of the other part ;

Desiring to make provisions to give effect to the Declaration made by the Government of the United Kingdom on the 17th of February, 1959, during the Conference at London, in accordance with the subsequent Declarations made at the Conference by the Foreign Ministers of Greece and Turkey, by the Representative of the Greek Cypriot Community and by the Representative of the Turkish Cypriot Community ;

Taking note of the terms of the Treaty of Guarantee signed to-day³ by the Parties to this Treaty ;

Have agreed as follows :

Article 1

The territory of the Republic of Cyprus shall comprise the Island of Cyprus, together with the islands lying off its coast, with the exception of the two areas defined in Annex A⁴ to this Treaty, which areas shall remain under the sovereignty of the United Kingdom. These areas are in this Treaty and its Annexes referred to as the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area.

Article 2

(1) The Republic of Cyprus shall accord to the United Kingdom the rights set forth in Annex B⁵ to this Treaty.

¹ Came into force on 16 August 1960, the date of signature, in accordance with article 12.

² With the consent of the Contracting Parties, Schedules A and B to Annex A to this Treaty, consisting of 23 maps, 273 air photographs and their associated verbal descriptions, as well as the 153 sheets of detailed plans annexed to Schedules A, B, C and D to Part II of Annex B to this Treaty, are not published in the United Nations *Treaty Series* owing to difficulties in reproduction. However, a duly certified copy of the complete text of the Treaty, including Schedules A and B to Annex A and the detailed plans annexed to Schedules A, B, C and D to Part II of Annex B, has been transmitted by the registering party and remains in the custody of the Secretariat. Furthermore, it is understood that the complete text of the Treaty as reproduced in the certified copy thereof has been registered, and that the omission from publication of certain parts of the Treaty does not affect the validity of such registration.

³ See p. 3 of this volume.

⁴ See p. 16 of this volume.

⁵ See p. 20 of this volume.

(2) The Republic of Cyprus shall co-operate fully with the United Kingdom to ensure the security and effective operation of the military bases situated in the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area, and the full enjoyment by the United Kingdom of the rights conferred by this Treaty.

Article 3

The Republic of Cyprus, Greece, Turkey and the United Kingdom undertake to consult and co-operate in the common defence of Cyprus.

Article 4

The arrangements concerning the status of forces in the Island of Cyprus shall be those contained in Annex C¹ to this Treaty.

Article 5

The Republic of Cyprus shall secure to everyone within its jurisdiction human rights and fundamental freedoms comparable to those set out in Section I of the European Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on the 4th of November, 1950,² and the Protocol to that Convention signed at Paris on the 20th of March, 1952.²

Article 6

The arrangements concerning the nationality of persons affected by the establishment of the Republic of Cyprus shall be those contained in Annex D³ to this Treaty.

Article 7

The Republic of Cyprus and the United Kingdom accept and undertake to carry out the necessary financial and administrative arrangements to settle questions arising out of the termination of British administration in the territory of the Republic of Cyprus. These arrangements are set forth in Annex E⁴ to this Treaty.

Article 8

(1) All international obligations and responsibilities of the Government of the United Kingdom shall henceforth, in so far as they may be held to have application to the Republic of Cyprus, be assumed by the Government of the Republic of Cyprus.

¹ See p. 84 of this volume.

² United Nations, *Treaty Series*, vol. 213, p. 221; Vol. 223, p. 382; Vol. 226, p. 380; Vol. 256, p. 365; Vol. 265, p. 388; Vol. 275, p. 306; Vol. 310, p. 380; Vol. 313, p. 363; Vol. 340, p. 357; Vol. 347, p. 385; Vol. 363, p. 405, and Vol. 367, p. 318.

³ See p. 116 of this volume.

⁴ See p. 130 of this volume.

(2) The international rights and benefits heretofore enjoyed by the Government of the United Kingdom in virtue of their application to the territory of the Republic of Cyprus shall henceforth be enjoyed by the Government of the Republic of Cyprus.

Article 9

The Parties to this Treaty accept and undertake to carry out the arrangements concerning trade, commerce and other matters set forth in Annex F¹ to this Treaty.

Article 10

Any question or difficulty as to the interpretation of the provisions of this Treaty shall be settled as follows :

- (a) Any question or difficulty that may arise over the operation of the military requirements of the United Kingdom, or concerning the provisions of this Treaty in so far as they affect the status, rights and obligations of United Kingdom forces or any other forces associated with them under the terms of this Treaty, or of Greek, Turkish and Cypriot forces, shall ordinarily be settled by negotiation between the tripartite Headquarters of the Republic of Cyprus, Greece and Turkey and the authorities of the armed forces of the United Kingdom.
- (b) Any question or difficulty as to the interpretation of the provisions of this Treaty on which agreement cannot be reached by negotiation between the military authorities in the cases described above, or, in other cases, by negotiation between the Parties concerned through the diplomatic channel, shall be referred for final decision to a tribunal appointed for the purpose, which shall be composed of four representatives, one each to be nominated by the Government of the United Kingdom, the Government of Greece, the Government of Turkey and the Government of the Republic of Cyprus, together with an independent chairman nominated by the President of the International Court of Justice. If the President is a citizen of the United Kingdom and Colonies or of the Republic of Cyprus or of Greece or of Turkey, the Vice-President shall be requested to act ; and, if he also is such a citizen, the next senior Judge of the Court.

Article 11

The Annexes to this Treaty shall have force and effect as integral parts of this Treaty.

Article 12

This Treaty shall enter into force on signature by all the Parties to it.

¹ See p. 138 of this volume.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Treaty.

DONE at Nicosia, this sixteenth day of August, 1960, in four copies in the English language, of which one shall be deposited in the archives of each of the Governments of the United Kingdom of Great Britain and Northern Ireland, the Kingdom of Greece, the Republic of Turkey and the Republic of Cyprus.

For the United Kingdom of Great Britain and Northern Ireland :

Hugh FOOT

For the Kingdom of Greece :

G. CHRISTOPOULOS

For the Republic of Turkey :

Vecdi TÜREL

For the Republic of Cyprus :

† Ο ΚΥΠΡΟΥ ΜΑΚΑΡΙΟΣ

F. Κῦçύκ

A N N E X A

Section 1

1. The Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area shall comprise the two areas which are approximately indicated in red on Map A¹ and Map B¹ attached to this Annex.

2.—(a) The land boundaries of the Akrotiri Sovereign Base Area shall be as defined in the maps, air photographs and description contained in Schedule A² to this Annex.

(b) The land boundaries of the Dhekelia Sovereign Base Area shall be as defined in the maps, air photographs and description contained in Schedule B² to this Annex.

3. The maps, air photographs and descriptions in Schedules A and B to this Annex shall be interpreted in accordance with the Introductory Notes to those Schedules.

¹ See inserts between pp. 20 and 21 of this volume.

² See footnote 2, p. 10 of this volume.

Section 2

1. The boundaries of the Akrotiri Sovereign Base Area and of the Dhekelia Sovereign Base Area provided for in Section 1 of this Annex shall be marked clearly and effectively on the ground by a boundary Commission composed of representatives appointed by the United Kingdom and by the Republic of Cyprus.

2. The Commission shall be appointed and begin its work immediately upon the entry into force of this Treaty, and shall complete it as soon as possible and in any case within a period of nine months.

3. Subject to paragraph 5 of this Section, the Commission shall adhere strictly to the boundaries provided for in Section 1 of this Annex.

4. Any question as to the correct technical interpretation of the maps, air photographs or descriptions upon which the Commission may be unable to agree may be referred by either the United Kingdom or the Republic of Cyprus for decision to an independent expert to be selected by agreement between the United Kingdom and the Republic of Cyprus. His decision shall be final and binding.

5. The Commission may, if the Commissioners of the United Kingdom and of the Republic of Cyprus agree, make minor deviations from the boundaries provided for in Section 1 of this Annex in order to take account of local administrative conditions and may mark the boundaries accordingly. If the Commissioners are unable to agree, the boundaries provided for in Section 1 of this Annex shall be marked as the boundaries.

Section 3

1. The Republic of Cyprus shall not claim, as part of its territorial sea, waters lying between Line I and Line II as described in paragraph 2 of this Section, or between Line III and Line IV as described therein.

2. The lines for the purposes of paragraph 1 of this Section shall be as follows :

Line I : From the position on the low-water line lying in a 163° direction from Point No. 57D/1, as defined in Schedule A to this Annex, in a 163° direction for 6.85 miles ; then in a 207° direction for 3 miles ; and then in a 204° direction.

Line II : From the position on the low-water line lying in a 108½° direction from Point No. 59A/5, as defined in Schedule A to this Annex, in a 108½° direction for 7.8 miles ; and then in a 136° direction.

Line III : From the position on the low-water line lying in a 170° direction from Point No. 41B/10, as defined in Schedule B to this Annex, in a 170° direction for 3.8 miles ; then in a 136° direction for 3.1 miles ; and then in a 156° direction.

Line IV : From the position on the low-water line lying in a 103° direction from Point No. 42B/3, as defined in Schedule B to this Annex, in a 103° direction for 0.9 miles ; then in a 150° direction for 6.3 miles ; and then in a 176° direction.

3. In paragraph 2 of this Section, the distances quoted are in sea miles reckoned at 1,852 international metres to one sea mile, and the bearings are referred to the True North and are given in degrees reckoned clockwise from 000° (North) to 359°.

Section 4

1. Notwithstanding that the Dhekelia Power Station will stand on territory of the Republic of Cyprus, if the Power Station fails, by reason of absence or insufficiency of staff, labour or equipment, to provide adequate supplies of power to the United Kingdom authorities, authorised service organisations, United Kingdom personnel and their dependents, and contractors, the United Kingdom may in consultation with, or in cases of urgency on notification to, the authorities of the Republic of Cyprus, provide their own staff, labour and equipment to ensure the provision of such supplies so long as the deficiency continues.

2. For the purposes of this Section, "United Kingdom authorities", "authorised service organisations", "United Kingdom personnel", "dependents" and "contractors" have the same meanings as these expressions have for the purposes of Annex B¹ to this Treaty.

ANNEX B

PART I

1. For the purposes of this Annex :

- (a) "United Kingdom military aircraft" means aircraft used by the land, sea and air armed services of the United Kingdom, and aircraft under the control of or under charter for the purposes of those armed services ;
- (b) "Authorised service organisation" means any one of the organisations listed in the Schedule² to this Part of this Annex or a person acting on its behalf ;
- (c) "United Kingdom authorities" means the United Kingdom Government Departments or other governmental authorities or organisations of the United Kingdom or any one of them or any person acting on behalf of any of them ;
- (d) (a) "United Kingdom personnel" means
- (i) members of the land, sea and air armed services of the United Kingdom,
 - (ii) persons in the service of or engaged in duties on behalf of any United Kingdom authority duly authorised and identified as such by a United Kingdom authority,
 - (iii) authorised service organisations of the United Kingdom and persons employed by them ;
- (b) Save for the purposes of paragraph 5 of Section 2 and paragraph 1 of Section 4 of Part II³ of this Annex, persons who are nationals of the Republic of Cyprus shall not be regarded as United Kingdom personnel unless they are members of the land, sea or air armed services of the United Kingdom ;

¹ See below.

² See p. 22 of this volume.

³ See p. 24 of this volume.

- (e) "United Kingdom property" means property owned by or in the occupation, possession or control of any United Kingdom authority or authorised service organisation ;
- (f) "Sites" means sites which the Government of the United Kingdom is entitled to use pursuant to Section 1 of Part II of this Annex ;
- (g) "Installation" includes any building or structure, whether permanent or temporary, and includes any installation whether on land or in the sea ;
- (h) "Territory" includes the territorial sea adjacent to a territory, and reference to any territory shall be construed accordingly ;
- (i) "Dependent" of a person means
- (i) the wife or husband of that person,
 - (ii) any other person wholly or mainly maintained by or in the custody or charge of that person, and
 - (iii) any other person (not being a national of nor ordinarily resident in the Republic of Cyprus) who is in domestic employment in the household of that person ;
- (j) "United Kingdom vessels" means vessels used by the land, sea and air armed services of the United Kingdom and vessels under the control of or under charter for the purposes of those armed services ;
- (k) "Contractors" means undertakings and persons, and persons employed by undertakings and persons, who execute work or perform services in the Island of Cyprus for United Kingdom authorities under contracts made with those authorities ; provided that, except in relation to "United Kingdom property" and for the purposes of Section 7 of Part II of this Annex, this definition shall not apply to undertakings whose ordinary place of business is in, or to persons who ordinarily reside in, or are nationals of, the Republic of Cyprus ;
- (l) "Sutlers" means persons, not being nationals of the Republic of Cyprus nor ordinarily resident therein, who are licensed by the United Kingdom authorities to accompany their land, sea and air armed services in the Island of Cyprus in order to perform services for members of those services.

2. References to "the United Kingdom" in this Annex shall be understood as including a reference to any territory for the international relations of which the Government of the United Kingdom is responsible.

SCHEDULE

Authorised Service Organisations

Navy, Army and Air Force Institutes (NAAFI)
Army Kinema Corporation (A.K.C.)
Royal Air Force Cinema Corporation (R.A.F.C.C.)
Malcolm Clubs
Services Central Book Depot

British Red Cross Society which includes—

The Order of the Knights of St. John and
The St. Andrew's Ambulance Association

Soldiers', Sailors' and Airmen's Families Association (S.S.A.F.A.)

Council for Voluntary Welfare Work (C.V.W.W.) and its constituent Members—

- (a) Young Men's Christian Association (Y.M.C.A.)
- (b) Young Women's Christian Association (Y.W.C.A.)
- (c) Catholic Women's League Services Club Committee
- (d) Salvation Army
- (e) Church Army
- (f) Church of Scotland Committee on Hut and Canteen Work for Her Majesty's Forces
- (g) Methodist and United Board Churches
- (h) Toc H
- (i) Church of England Soldiers', Sailors' and Airmen's Clubs
- (j) Mission to Mediterranean Garrisons
- (k) Hibbert Houses
- (l) The Lady Lampson Club.

Women's Voluntary Service for Civil Defence (W.V.S.)

Soldiers' and Airmen's Scripture Readers Association

Forces Help Society and Lord Roberts Workshops

The Royal Naval Film Corporation

Royal Naval Lay Readers' Society

British Sailors' Society

Missions to Seamen

ANNEX B

PART II

Section 1

1. The Government of the United Kingdom shall have the right to continue to use, without restriction or interference, the Sites in the territory of the Republic of Cyprus listed in Schedule A¹ to this Part of this Annex.

2. The Government of the United Kingdom shall have the right to continue to use, without restriction or interference, the Sites in the territory of the Republic of Cyprus listed in Schedule B¹ to this Part of this Annex, but shall terminate the use of those Sites as soon as practicable.

3. The Government of the United Kingdom shall have the right to obtain, after consultation with the Government of the Republic of Cyprus, the use of such additional small Sites as the United Kingdom may, from time to time, consider technically necessary for the efficient use of its base areas and installations in the Island of Cyprus.

¹ See p. 40 of this volume.

4. The enumeration in this Treaty of specific rights to be exercised within the Sites shall not be interpreted as prejudicing the general rights of use and control to be enjoyed by the Government of the United Kingdom pursuant to paragraphs 1, 2 and 3 of this Section.

Section 2

1. The United Kingdom authorities shall have the right to exercise complete control within the Sites, including in particular the rights referred to in the succeeding paragraphs of this Section.

2. The United Kingdom authorities shall have the right to guard and defend the Sites and to exclude from them all persons not authorised by those authorities to enter or be present within the Sites. Officials of the Republic of Cyprus in pursuance of their official duties, or private individuals having good reason, may enter the Sites with the consent of the competent United Kingdom authorities, such consent not to be unreasonably withheld.

3. Regularly constituted units or formations of the armed services of the United Kingdom shall have the sole right to police the Sites, including the right to arrest therein any person suspected of having committed an offence. Any such arrests (other than of persons over whom the United Kingdom has the right to exercise exclusive jurisdiction or the primary right to exercise jurisdiction or of whom the United Kingdom has the right to take custody under the provisions of Section 8 of Annex C¹ to this Treaty) shall be immediately notified to the authorities of the Republic of Cyprus and such persons (other than as aforesaid) shall be handed over forthwith to those authorities to be dealt with by the normal processes of law. The United Kingdom authorities may call on the authorities of the Republic of Cyprus to assist them from time to time with the maintenance of order.

4.—(a) The United Kingdom authorities may take such measures within the Sites as they deem necessary to ensure the security of the Sites and of persons and property in them.

(b) The authorities of the Republic of Cyprus shall, in consultation with the United Kingdom authorities, take such measures outside the Sites as are necessary to ensure the security of the Sites and of persons and property in them ; provided that in the event of an immediate threat to that security, the United Kingdom authorities may take precautionary measures outside, but in the immediate and actual vicinity of, the Sites until the authorities of the Republic of Cyprus are able to ensure that security.

5.—(a) The United Kingdom authorities may take such steps as are reasonable in the circumstances to prevent injury or damage to, or interference with, United Kingdom personnel, their dependents and United Kingdom property, and to ensure the security of United Kingdom official information.

(b) In this paragraph, "United Kingdom property" shall also include property owned by or in the occupation, possession or control of any contractor, being property required for the purposes of a contract with the United Kingdom authorities.

¹ See p. 84 of this volume.

Section 3

1. At the request of the United Kingdom authorities, the authorities of the Republic of Cyprus shall arrange for such reasonable control over activities in the vicinity of United Kingdom installations and equipment in the Island of Cyprus, including the movement of aircraft, vessels and vehicles, and the erection and construction of installations, and the operation of radio and electrical equipment, as may be considered necessary by the United Kingdom authorities to ensure the efficient operation and security of such installations and equipment of the United Kingdom.

2. In cases where the United Kingdom authorities have reason to suspect the existence in or near the villages of Pergamos or Akhyritou of apparatus likely to cause interference with nearby installations in the Dhekelia Sovereign Base Area, the authorities of the Republic of Cyprus, at the request of the United Kingdom authorities and in co-operation with those authorities, shall search those villages or their neighbourhood for such apparatus and, when any such apparatus is found, fit such suppressors as may be required to eliminate the interference or take away such apparatus for the purpose of fitting suppressors and return it as soon as possible thereafter. The United Kingdom authorities shall be solely responsible for the fitting of such suppressors.

3. In so far as taking into custody proves absolutely necessary, police and members of the armed services of the United Kingdom may take into custody persons who in their presence obstruct or attempt to obstruct the use or exercise of the facilities and rights accorded to the United Kingdom by this Treaty, or who damage or remove or attempt to damage or remove United Kingdom property. The question of jurisdiction in such cases shall be decided in accordance with the provisions of Section 8 of Annex C to this Treaty. Persons so taken into custody, if not subject to the jurisdiction of the United Kingdom service Courts, shall be handed over forthwith to the appropriate authorities of the Republic of Cyprus to be dealt with by the normal processes of law.

Section 4

1.—(a) The United Kingdom authorities shall have the right to use roads, ports and other facilities freely for the movement of formed bodies of troops, and convoys of vehicles, of the land, sea and air armed services of the United Kingdom, to and from and between the Akrotiri Sovereign Base Area, the Dhekelia Sovereign Base Area, the Sites, and the other premises and installations referred to in paragraph 6 of Section 8 of this Part of this Annex, Range Areas, Training Areas, localities in which training is carried out, ports and airfields, and, with the consent of the authorities of the Republic of Cyprus, elsewhere.

(b) Except in so far as sub-paragraph (a) otherwise provides, the United Kingdom authorities, authorised service organisations, United Kingdom personnel (not in formed bodies), contractors, sutlers, and the dependents of any of them, shall be given freedom of movement into, out of, and, to the extent permitted by law of the Republic of Cyprus to its citizens, within the territory of the Republic of Cyprus.

2. The United Kingdom authorities shall have the right for United Kingdom military aircraft to fly in the airspace over the territory of the Republic of Cyprus without restriction other than to have due regard for the safety of other aircraft and the safety of life and property in the Republic of Cyprus.

3. The United Kingdom authorities shall have the right, after consultation with the authorities of the Republic of Cyprus, to install, maintain or dismantle in the territory of the Republic of Cyprus such lights and other aids to navigation as the United Kingdom authorities may deem necessary to ensure the proper operation and safety of United Kingdom vessels and military aircraft.

4.—(a) If an aircraft, vessel or vehicle which is or has a load or cargo which is United Kingdom property or consigned to United Kingdom authorities or authorised service organisations, is held up or damaged in the territory of the Republic of Cyprus, the United Kingdom authorities and authorised service organisations and persons acting on their behalf, shall have the right to gain access to that aircraft, vessel or vehicle, or to that load or cargo, as the case may be. If such aircraft, vessel or vehicle has been detained by ordinary process of law of the Republic of Cyprus, access whilst such detention continues shall be, if the authorities of the Republic of Cyprus so request, in the presence of Cypriot officials.

(b) In this paragraph, "United Kingdom property" shall also include property owned by or in the occupation, possession or control of any contractor, being property required for the purposes of a contract with the United Kingdom authorities.

Section 5

1. The rights accorded by the Republic of Cyprus by Section 4 of this Part of this Annex shall include the unobstructed use of the ports, docks, harbours, piers and related installations and equipment in the Republic of Cyprus.

2. If port facilities in the Republic of Cyprus become inadequate to meet the needs of the United Kingdom authorities or authorised service organisations, by reason of absence or insufficiency of staff, labour or equipment, the United Kingdom authorities shall have the right in consultation with, or in cases of urgency on notification to, the authorities of the Republic of Cyprus, to provide their own staff, labour and equipment to meet these needs for as long as the deficiency continues.

3. In exercise of the rights of the United Kingdom authorities under this Section, United Kingdom vessels shall have the right to visit ports in the Republic of Cyprus and to obtain there provisions, fresh water and other supplies. Visits by Her Majesty's Ships shall be subject to the customary international procedures.

Section 6

1. The United Kingdom authorities shall have the right to install and operate freely in the territory of the Republic of Cyprus new and existing communications systems and electronics systems, including the unrestricted right to broadcast and to use the radio frequencies which they consider necessary, and to lay submarine or other cables between the Akrotiri Sovereign Base Area, the Dhekelia Sovereign Base Area, Sites, installations or any of them. Apart from normal news items these broadcasts shall not be concerned with the internal affairs of Cyprus or be of a nature likely to affect adversely the friendly relations of the Republic of Cyprus with other countries.

2. The authorities of the Republic of Cyprus and the United Kingdom authorities shall consult and co-operate to ensure the effective operation of telecommunications in the Island of Cyprus. The authorities of the Republic of Cyprus and the United Kingdom authorities shall conform with the provisions of the International Telecommunication Convention and the International Radio Regulations, and shall jointly establish a Cyprus Telecommunications Co-ordination Committee to enable mutual radio planning to be effected and a Cyprus Frequency Assignment Committee for the purpose of assigning frequencies which may be mutually agreed.

3. The United Kingdom authorities shall have the right, in respect of their existing and new frequencies in the Republic of Cyprus, to notify them to the International Telecommunication Union and to be internationally responsible for them.

4. The United Kingdom authorities shall have the right to operate exclusively for their benefit and for the benefit of United Kingdom personnel and their dependents telegraphic and postal services within the Republic of Cyprus. The authorities of the Republic of Cyprus shall transfer all telegrams and other postal material received for United Kingdom personnel under a British Forces Post Office address to the British Forces Postal Service at the selected office of exchange.

Section 7

1. The United Kingdom authorities, authorised service organisations and contractors may employ freely in the Akrotiri Sovereign Base Area, the Dhekelia Sovereign Base Area and in the Sites labour from other parts of the Island of Cyprus.

2. The United Kingdom authorities, authorised service organisations and their contractors shall, so far as is practicable, employ only Cypriot staff and labour in the Island of Cyprus, provided that such staff and labour are available and qualified to do the work. In this regard the United Kingdom authorities, authorised service organisations and their contractors shall as far as possible have regard to the proportionate numbers of the Communities in Cyprus. The above shall not prejudice the right of the United Kingdom authorities, authorised service organisations and their contractors to employ when necessary staff and labour from the British Isles.

3. In so far as shortage or inadequacy of available local labour makes it necessary, the United Kingdom authorities, authorised service organisations and contractors may employ in the territory of the Republic of Cyprus persons not normally resident in the Island of Cyprus. The entry of such persons, save those covered by Annex C to this Treaty, shall be governed by the procedure laid down in the legislation of the Republic of Cyprus for the entry of aliens. It is understood that such procedure shall not be applied in such a manner as to impair the general exercise of the above right.

4. Recruitment of local civilian labour within the territory of the Republic of Cyprus shall be effected with the assistance of the authorities of the Republic of Cyprus through its labour exchanges. The United Kingdom authorities and authorised service organisations shall pay wages and maintain conditions of service which are generally equivalent to those obtaining in similar employment in the Republic of Cyprus. In the territory of the

Republic of Cyprus the conditions of employment and work, particularly as regards wages, supplementary payments and conditions for the protection of workers, shall be governed by the general legislation of the Republic of Cyprus.

5. In matters of public health and safety and in matters relating to the protection of workmen, the United Kingdom authorities and authorised service organisations shall, except where military necessity makes it impracticable, arrange that the conditions under which civilians employed by them work in the Island of Cyprus shall be as favourable as those generally existing in similar employment in the Republic of Cyprus; in the territory of the Republic of Cyprus these conditions shall be governed by the general legislation of the Republic of Cyprus, it being understood that in the application of this legislation the authorities of the Republic of Cyprus shall take the necessary measures to ensure that the security and efficient operation of the installations and equipment of the United Kingdom authorities shall not be impaired.

Section 8

1. The authorities of the United Kingdom may, after consultation with the authorities of the Republic of Cyprus, make surveys of any kind in any part of the Republic of Cyprus for the purpose of operations under this Treaty. If the authorities of the Republic of Cyprus so desire, a representative of the authorities of the Republic of Cyprus may be present when any survey is made outside the Sites. The results of such surveys and all data in connexion therewith, such as maps, air photographs, triangulation or other control data, shall be supplied by the United Kingdom authorities to the authorities of the Republic of Cyprus. The rights conferred by this Section shall not extend to areas access to which is generally prohibited by the authorities of the Republic of Cyprus.

2. Subject to the provisions of paragraph 3 of this Section, the United Kingdom authorities and contractors, duly authorised by the United Kingdom authorities, shall have the right within the Sites and the other premises and installations referred to in paragraph 6 of this Section to search for and win by any means water sufficient for their needs and building and construction materials so long as the winning of such materials causes no prejudice to adjacent property. Any archaeological remains and mineral resources, including petroleum, but excluding building and construction materials, which may be discovered during these operations under this Treaty shall remain the property of the Government of the Republic of Cyprus.

3. A Committee consisting of representatives of the United Kingdom authorities and the authorities of the Republic of Cyprus shall be established to keep under continual review the question of such water supplies as may affect both the Akrotiri Sovereign Base Area, the Dhekelia Sovereign Base Area, the Sites and the other premises and installations referred to in paragraph 6 of Section 8 of this Part of this Annex on the one hand, and the Republic of Cyprus on the other, and to make recommendations to the competent authorities as to the means of meeting the needs of the consumers concerned and as to the imposition of any restriction on the abstraction and consumption of water that may be required to ensure that those needs are met and that the water available is fairly distributed.

4. The United Kingdom authorities and authorised service organisations shall have the right to engage or employ contractors, including those from outside the Republic of

Cyprus, provided that so far as is practicable without prejudice to the legitimate interests of the United Kingdom preference shall be given to contractors normally residing in the Island of Cyprus.

5. The United Kingdom authorities and authorised service organisations and United Kingdom personnel, contractors, sutlers and the dependents of any of them shall have the right to occupy premises and to reside in the Republic of Cyprus.

6. The following provisions shall apply to the leave camps, groups of residential buildings, and other installations, together with the related land and other facilities, referred to in Schedules C¹ and D¹ to this part of this Annex :

- (a) the United Kingdom authorities may guard such premises ;
- (b) private persons shall have no right of entry to them without the permission of the United Kingdom authorities ; and
- (c) officials of the Republic of Cyprus shall act in consultation with the United Kingdom authorities in exercising any right to enter such premises.

7. The United Kingdom authorities, authorised service organisations, United Kingdom personnel, contractors, sutlers and the dependents of any of them shall be permitted to make use of public utilities in the Republic of Cyprus on terms, conditions and charges not less favourable than those available to other non-governmental users.

8.—(a) The United Kingdom authorities, authorised service organisations, United Kingdom personnel, contractors, sutlers and the dependents of any of them in the Island of Cyprus may purchase locally goods and commodities necessary for their own use or consumption, and such services as they need, under the conditions generally applicable in the Republic of Cyprus.

(b) It shall be the policy of the United Kingdom authorities and authorised service organisations and their contractors to purchase locally goods and commodities which they require in the Island of Cyprus, if they are available at a suitable price and are of the standard required. In order to avoid such purchases having any adverse effect on the economy of the Republic of Cyprus, its competent authorities shall indicate, when necessary, any articles the purchase of which should be restricted or forbidden.

(c) Subject to the provisions of sub-paragraph (b) above, the authorities of the Republic of Cyprus shall not place any obstacle in the way of the United Kingdom authorities, authorised service organisations and their contractors making such purchases on terms and conditions no less favourable than those available to other non-governmental purchasers.

(d) Nothing in this paragraph confers any exemption from the fiscal regulations generally applicable in the Republic of Cyprus.

9. The authorities of the Republic of Cyprus shall place no restriction on activities in the Republic of Cyprus by the United Kingdom authorities or authorised service organisations designed to promote the welfare of United Kingdom personnel, contractors, sutlers and the dependents of any of them, including the provision of their own educational and medical facilities.

¹ See p. 42 of this volume.

10. The United Kingdom authorities, personnel and contractors and the dependents of either of them shall be exempt from the operation of any law of the Republic of Cyprus relating to matters of education, although wherever practicable they will take all reasonable steps to ensure the maintenance of educational standards at least as high as those obtaining under the law of the Republic of Cyprus.

11. The authorities of the Republic of Cyprus shall exempt the United Kingdom authorities, personnel and their dependents from the regulations of the Republic of Cyprus relating to matters of health in so far as at least equivalent standards or requirements may be enforced by the United Kingdom authorities. The United Kingdom authorities and the authorities of the Republic of Cyprus shall promptly inform each other of the outbreak or suspected outbreak, development and elimination of an infectious disease, as well as of the measures taken.

12.—(a) The United Kingdom authorities, authorised service organisations, contractors and sutlers may in accordance with established practice in the Republic of Cyprus, and without restriction, sell goods to and provide services for United Kingdom personnel, contractors, sutlers and dependents of any of them exclusively. The United Kingdom authorities shall consult with the authorities of the Republic of Cyprus with a view to preventing abuse of the foregoing right.

(b) This paragraph shall not be construed as conferring any right to buy goods free of customs duties or other duties or taxes on those not otherwise entitled.

13. The United Kingdom authorities and authorised service organisations may, if the authorities of the Republic of Cyprus have no objection relating to the internal economy of the Island of Cyprus, sell property, not being immovable property, in the Island which they find to be surplus to their needs.

14. Separate arrangements shall be made at airports and at sea ports in the Republic of Cyprus to deal with United Kingdom property and property of United Kingdom personnel, contractors, sutlers and the dependents of any of them in transit and with customs and immigration control of United Kingdom personnel, contractors, sutlers and the dependents of any of them.

Section 9

1. The Government of the United Kingdom shall have the right to obtain, after consultation with the Government of the Republic of Cyprus, the use of such additional rights as the United Kingdom may, from time to time, consider technically necessary for the efficient use of its Sovereign Base Areas and installations in the Island of Cyprus.

2. The United Kingdom authorities shall, in the exercise of their rights in accordance with this Annex, at all times have due regard for the interests of the Republic of Cyprus and of its citizens, including in particular the normal rights of private property.

3. The United Kingdom authorities shall be entitled to all the rights and facilities enjoyed by a force of the United Kingdom by virtue of Annex C to this Treaty, and persons who are in the Island of Cyprus in the course of performing official duties, with the authority of the United Kingdom military Commander in the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area, and their dependents, shall be entitled to all the

rights and facilities enjoyed by members of a force and their dependents by virtue of that Annex ; provided that this paragraph shall not apply to citizens of the Republic of Cyprus.

4. If the armed services of any country within the British Commonwealth of Nations are for the time being stationed with or operating in conjunction with the United Kingdom armed services based on the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area, the authorities, personnel and dependents of those armed services shall receive in all matters dealt with in this Annex the same treatment as that accorded to the United Kingdom authorities, United Kingdom personnel, and their dependents, including the application of the same obligations.

SCHEDULE A

1. The Sites to which paragraph 1 of Section 1 of this Part of this Annex applies are located as follows :

- A.1 At the port of Limassol.
- A.2 At Troodos.
- A.3 At Mount Olympus.
- A.4 To the north and west of Zyyi.
- A.5 At Cape Kiti.
- A.6/1 At Cape Greco.
- A.6/2 Water supply for Schedule A.6/1.
- A.7 At Mount Yaila.
- A.8 At Heraklis.
- A.9 At the port of Famagusta.
- A.10/1 At Nicosia Airfield.
- A.10/2 Water supply for Schedule A.10/1.

2. The approximate position of these Sites is indicated by numbers A.1 to A.10 on the Map¹ annexed to this Part of this Annex. Detailed plans of each Site are annexed to this Schedule.²

SCHEDULE B

1. The Sites to which paragraph 2 of Section 1 of this Part of this Annex applies are located as follows :

- B.1/1 At Polemidhia, including small arms range.
- B.1/2 Water supply for Schedule B.1/1.
- B.2 At disused airfield south of Larnaca.
- B.3/1 North of Zyyi.
- B.3/2 Water supply for Schedule B.3/1.
- B.4 At Famagusta, on the Nicosia road.
- B.5 On and to the west of the main Famagusta—Salamis road.
- B.6 To the north-west of Nicosia, on the Kyrenia road.
- B.7 At Nicosia, in Metokio Street.
- B.8 On the coast, about 5 miles south of Larnaca.

¹ See insert between pp 42 and 43 of this volume.

² See footnote 2, p. 10 of this volume.

- B.9/1 To the west of Nicosia.
- B.9/2 Water supply for Schedule B.9/1.
- B.10 On the outskirts of Famagusta, on the Nicosia road.

2. The approximate position of these Sites is indicated by numbers B.1 to B.10 on the Map¹ annexed to this Part of this Annex. Detailed plans of each Site are annexed to this Schedule.²

SCHEDULE C

1. The United Kingdom installations and other items to which paragraph 6 of Section 8 of this Part of this Annex applies are located as follows :

- C.1 At Troodos.
- C.2/1 On the outskirts of Limassol.
- C.2/2 Water supply for Schedule C.2/1.
- C.3 Near Paphos, about $\frac{1}{4}$ mile from the tip of Cape Paphos.
- C.4 On the coast near Ayia Irini.
- C.5 At Kissousa, about 7 miles north of Episkopi, including the Kissousa water source, the pipeline bringing water to the Akrotiri Sovereign Base Area and the Anoyira tunnel.
- C.6 At Limassol, in Paphos Road.
- C.7 On the coast, about $3\frac{1}{2}$ miles north of Famagusta.
- C.8/1 At Famagusta in Peloponnesus Street.
- C.8/2 At Famagusta in Steropis Street.
- C.8/3 At Famagusta in Gladstone Street.

2. The approximate position of these installations and other items is indicated by numbers C.1 to C.8 on the Map¹ annexed to this Part of this Annex. Detailed plans in each case are annexed to this Schedule.²

SCHEDULE D

1. The United Kingdom installations and other items to which paragraph 6 of Section 8 of this Part of this Annex applies until the United Kingdom authorities terminate the use of them are located as follows :

- D.1/1 On the south-west outskirts of Nicosia.
- D.1/2 On the south-east outskirts of Nicosia.
- D.2 At Karaolos, about 3 miles north of Famagusta.
- D.3 Near Kalopsidha and Makrasyka, about 6 miles north of Dhekelia, including water sources and the pipeline bringing water to the Dhekelia Sovereign Base Area.

2. The approximate position of these installations and other items is indicated by numbers D.1/1 to D.3 on the Map¹ annexed to this Part of this Annex. Detailed plans in each case are annexed to this Schedule.²

¹ See insert.

² See footnote 2, p. 10 of this volume.

ANNEX B

PART III

Section 1

For the purposes of this Part of this Annex :

(a) "immovable property" includes—

- (i) land,
- (ii) buildings and other erections, structures or fixtures affixed to any land or to any building or other erection or structure,
- (iii) trees, vines, and any other things whatsoever planted or growing upon any land and any produce thereof before severance,
- (iv) springs, wells, water and water rights whether held together with, or independently of, any land,
- (v) privileges, liberties, easements and any other rights and advantages whatsoever appertaining or reputed to appertain to any land or to any building or other erection or structure,
- (vi) an undivided share in any property hereinbefore set out, in the territory of the Republic of Cyprus ;

(b) "rights over immovable property" includes rights to occupy immovable property by lease, licence, hiring or other agreement, rights of way, privileges, liberties, quasi-easements, and all other rights and advantages whatsoever over immovable property which do not constitute immovable property.

Section 2

1. Subject to the provisions of this Section and the following Sections of this Part of this Annex, the Government of the United Kingdom, United Kingdom authorities and authorised service organisations may, with the consent of the Government of the Republic of Cyprus if such consent is required by the law in force at the relevant time, acquire by private agreement and own immovable property required by them for the purposes of this Treaty in accordance with the provisions of the law generally obtaining in the Republic of Cyprus at the relevant time in respect of such matters. In cases where the law requires consent to such acquisition, the Government of the Republic of Cyprus shall give all sympathetic consideration to a request from the Government of the United Kingdom, a United Kingdom authority or an authorised service organisation for such consent.

2.—(a) The Government of the United Kingdom, United Kingdom authorities and authorised service organisations may, with the consent of the Government of the Republic of Cyprus if such consent is required by the law in force at the relevant time, enter into agreements for the use or occupation of immovable property in accordance with the law generally obtaining in the Republic of Cyprus at the relevant time in respect of such matters, and the authorities of the Republic of Cyprus shall be notified of any such agreement :

Provided that no consent of the Government of the Republic of Cyprus and no notification shall be required in respect of agreements—

- (i) for the hiring of premises to be used for residential or other similar purposes ;
- (ii) in respect of immovable property situated in the Sites or in the premises and installations referred to in paragraph 6 of Section 8 of Part II¹ of this Annex, or in respect of rights of way, privileges, liberties, easements or other rights or advantages appurtenant to the Sites or to those premises and installations.

(b) In cases where the law requires consent to enter into agreements for the use or occupation of immovable property, the Government of the Republic of Cyprus shall give all sympathetic consideration to a request from the Government of the United Kingdom, a United Kingdom authority or an authorised service organisation for such consent.

3.—(a) Subject to the provisions of this Part of this Annex and to any existing rights of other parties, immovable property owned by the Government of the United Kingdom, United Kingdom authorities and authorised service organisations immediately before the entry into force of this Treaty shall continue to be so owned.

(b) In respect of any such immovable property the ownership of which was acquired after the 19th of February, 1959, by the Government of the United Kingdom, by United Kingdom authorities, or by authorised service organisations by compulsory purchase or by virtue of a grant made by the Governor of the Colony of Cyprus, the following provisions shall have effect, that is to say—

- (i) the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned shall, within three months from the entry into force of this Treaty, deliver to the Government of the Republic of Cyprus particulars of such property ;
- (ii) the Government of the Republic of Cyprus may, within three months thereafter, by notice in writing to the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned, as the case may be, signify its wish that the ownership of any such property shall vest in the Republic ; and upon the giving of such notice, the ownership of the property in question shall be vested in the Republic on payment to the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned, as the case may be, of such amount as shall be sufficient to cover any amount paid or payable by way of compensation or purchase price by the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned for the acquisition of the ownership of such property.
- (c) The provisions of this paragraph shall not affect the operation of Sections 3 and 9 of this Part of this Annex.

Section 3

1. The Government of the Republic of Cyprus shall, in respect of the Sites and in respect of the premises and installations referred to in paragraph 6 of Section 8 of Part II of this Annex, arrange that as from the entry into force of this Treaty the Government of the United Kingdom shall be enabled to occupy and use the immovable property constituting the Sites and those premises and installations with rights appertaining thereto, as if they were the absolute property of the latter Government freed from the rights of all

¹ See p. 24 of this volume.

other persons, for so long as that Government may require the Sites and those premises and installations for the purposes of this Treaty, in so far as the Government of the United Kingdom does not own that property or is not enabled by private agreement so to occupy or use that property :

Provided that nothing in this paragraph shall be interpreted to mean that the ownership of any such property not already owned by the Government of the United Kingdom shall vest in such Government except with the consent of the Government of the Republic of Cyprus where that consent is required under the provisions of paragraph 1 of Section 2 of this Part of this Annex.

2. The United Kingdom authorities shall, immediately upon the entry into force of this Treaty, deposit with the Department of Lands and Surveys in Nicosia such particulars and detailed plans of the immovable property involved as are necessary to enable the Government of the Republic of Cyprus to give effect to paragraph 1 of this Section.

3.—(a) As from the date on which the Government of the United Kingdom, after consultation with the Government of the Republic of Cyprus, obtains the use of any additional Site or right over immovable property, pursuant to paragraph 3 of Section 1 or paragraph 1 of Section 9, respectively, of Part II of this Annex, the provisions of this Section shall apply to that Site or right :

Provided that nothing in this sub-paragraph shall operate to make the provisions of paragraph 1 of this Section applicable to any additional Site or right as aforesaid, unless and until an agreement is reached between the Government of the United Kingdom and the Government of the Republic of Cyprus on the amount of any compensation or annual rent or both to be paid by the former to the latter Government in respect of the use of such additional Site or right.

(b) The United Kingdom authorities shall, by a date to be agreed in respect of the Site or right in question, deposit with the Department of Lands and Surveys particulars and detailed plans of the immovable property involved.

4. Pending the making of such arrangements as may be necessary under paragraph 1 of this Section in respect of the premises and installations referred to in paragraph 6 of Section 8 of Part II of this Annex, those premises and installations shall, for the purposes of paragraph 1 of Section 1 of Part II, be regarded as Sites.

Section 4

1. Subject to the provisions of this Part of this Annex and of any law for the time being in force generally obtaining in the Republic of Cyprus, the Republic of Cyprus shall arrange for the registration of the ownership of immovable property owned by the Government of the United Kingdom or United Kingdom authorities or authorised service organisations and for the recording in the books of the appropriate District Lands Offices of acquisitions by the Government of the United Kingdom and United Kingdom authorities or authorised service organisations of registrable rights over immovable property.

2. Registration shall be effected in the name of such person or authority as may be designated by the United Kingdom authorities for the purpose of the registration in question.

Section 5

Where, immediately before the entry into force of this Treaty, immovable property of the Crown, other than that to which Section 3 of this Part of this Annex applies, was used or occupied for the purposes of the land, sea or air armed services of the United Kingdom by arrangement with the Government of the Colony of Cyprus, that use or occupation may continue on the same terms for such a period, not exceeding six months, as may be necessary to facilitate the redeployment of those armed services and to permit the removal of installations erected or established by the United Kingdom.

Section 6

1. Immovable property owned and rights over or relating to immovable property exercisable by the Government of the United Kingdom, United Kingdom authorities and authorised service organisations shall not be subject to expropriation, except in so far as this Section provides.

2.—(a) The Government of the United Kingdom will give sympathetic consideration to requests by the Government of the Republic of Cyprus that immovable property owned or occupied by the Government of the United Kingdom or by a United Kingdom authority or by an authorised service organisation, which is required by the Government of the Republic of Cyprus either on its own behalf or on behalf of any other authority for an undertaking of public utility, shall be surrendered in exchange for other immovable property which is considered as equally suitable for the same purpose.

(b) The provisions of this paragraph shall not apply to immovable property constituting the Sites or the premises and installations referred to in paragraph 6 of Section 8 of Part II of this Annex, or to rights appertaining thereto, or to rights conferred by Part II of this Annex.

Section 7

1. Where any immovable property owned by the Government of the United Kingdom, United Kingdom authorities or authorised service organisations is no longer needed for the purposes of this Treaty, a notice to that effect shall be given to the Government of the Republic of Cyprus by the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned; and thereupon the following provisions shall apply, that is to say—

- (a) where such property has been acquired by the Government of the United Kingdom, a United Kingdom authority or an authorised service organisation by compulsory purchase, the Government of the Republic of Cyprus shall ascertain whether, under the provisions of the Land Acquisition Law of the Colony of Cyprus in force immediately before the entry into force of this Treaty, any person has a right of pre-emption in respect of such property and whether any such person wishes to exercise such right;
- (b) within three months from the date of the notice, the Government of the Republic of Cyprus shall notify the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned—

- (i) whether the person referred to in sub-paragraph (a) of this paragraph wishes to exercise the right of pre-emption referred to therein ; or
 - (ii) where the person aforesaid does not wish to exercise such right or where there is no right of pre-emption in respect of such property, whether the Government of the Republic of Cyprus wishes to acquire such property ;
- (c) if the notice given under sub-paragraph (b) of this paragraph states that either the person referred to therein wishes to exercise his right of pre-emption or the Government of the Republic of Cyprus wishes to acquire the property involved, the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned shall, on payment of the purchase price to be agreed or determined in accordance with the provisions of paragraph 3 of this Section, transfer such property to the person aforesaid or to the Government of the Republic of Cyprus, as the case may be ;
- (d) if, within three months from the date of the notice given to the Government of the Republic of Cyprus, such Government does not notify the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned that either a person wishes to exercise his right of pre-emption or the Government of the Republic of Cyprus wishes to acquire the property involved, the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned may dispose of such property by public auction or private treaty to any person or body capable by the law of the Republic of Cyprus of owning such property :

Provided that no immovable property shall be disposed of to an alien without the consent of the Government of the Republic of Cyprus.

2. The Government of the Republic of Cyprus shall give the United Kingdom authorities and authorised service organisations every assistance in effecting a sale for full value of immovable property to which this Section relates and which that Government does not wish to purchase.

3. If in the case referred to in sub-paragraph (c) of paragraph 1 of this Section the person referred to therein or the Government of the Republic of Cyprus, as the case may be, does not agree to the price proposed by the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned, the price payable shall be the amount which the property might be expected to realise if offered for sale by a willing vendor to a willing purchaser and shall, failing agreement, be determined by arbitration in accordance with Section 11 of this Part of this Annex.

Section 8

Buildings and other erections and structures erected in or constructed on immovable property occupied or used by the Government of the United Kingdom, United Kingdom authorities or authorised service organisations, and fixtures affixed to such immovable property or to such buildings, erections and structures, may be altered, demolished or removed at any time before such immovable property is disposed of or vacated in accordance with this Part of this Annex :

Provided that nothing in this Section shall apply to any building or other erection or structure or to any fixture which has not been erected or constructed by the Government of the United Kingdom or a United Kingdom authority or an authorised service organisation.

Section 9

1. Where immovable property owned by the Government of the Republic of Cyprus and occupied or used by the Government of the United Kingdom, a United Kingdom authority, or an authorised service organisation is vacated as being no longer required for the purposes of this Treaty, the following provisions shall apply, that is to say—

- (a) the immovable property shall be left in a condition which does not constitute a danger to public health or safety, and movable objects encumbering the ground shall be removed before the immovable property is vacated ;
- (b) buildings and other erections and structures erected in, or constructed on, such immovable property and fixtures affixed to such immovable property or to such buildings, erections and structures by the Government of the United Kingdom, a United Kingdom authority or an authorised service organisation shall revert to the Government of the Republic of Cyprus unless removed before the immovable property in question is vacated ;
- (c) the Government of the Republic of Cyprus shall pay to the Government of the United Kingdom, the United Kingdom authority or the authorised service organisation concerned the value of anything which reverts to the Government of the Republic of Cyprus under sub-paragraph (b) of this paragraph and which, within ten years after the vacation of the immovable property in question, is used by the latter Government or is sold or otherwise disposed of for value by that Government ;
- (d) the Government of the United Kingdom shall pay to the Government of the Republic of Cyprus a sum representing any diminution in value of such immovable property which results from the presence on or in it of anything which reverts to the latter Government under sub-paragraph (b) of this paragraph or which results from damage occasioned to that immovable property by the Government of the United Kingdom, a United Kingdom authority or an authorised service organisation while so occupied or used, excluding fair wear and tear, except in so far as such damage has been made good by the Government of the United Kingdom, a United Kingdom authority or an authorised service organisation.

2,—(a) The value referred to in sub-paragraph (c) of paragraph 1 of this Section shall be—

- (i) in relation to anything which is used, sold or otherwise disposed of for value by the Government of the Republic of Cyprus without severance, the increase in the amount which the immovable property concerned might be expected to realise if offered for sale by a willing vendor to a willing purchaser which results from its presence on or in that immovable property ;
- (ii) in relation to anything which is used, sold or otherwise disposed of for value by the Government of the Republic of Cyprus after severance, its market value taking into account the cost of severance and of any reinstatement consequent on severance ;

and shall be assessed as at the date of such sale or disposal or of the commencement of such use.

(b) The value referred to in sub-paragraph (d) of paragraph 1 of this Section shall be the amount which the immovable property concerned, in the condition in which it was when first occupied or used by the Government of the United Kingdom, a United Kingdom authority or an authorised service organisation, might be expected to realise if offered for sale on the date of vacation by a willing vendor to a willing purchaser.

3. Any sum payable under the provisions of this Section shall be determined, failing agreement, by arbitration in accordance with Section 11 of this Part of this Annex.

4. The provisions of this Section shall not apply to the immovable property referred to in Section 5 of this Part of this Annex.

Section 10

1. Where, pursuant to the provisions of paragraph 1 of Section 3 of this Part of this Annex, the Government of the Republic of Cyprus arranges for the Government of the United Kingdom to occupy or use, in accordance with those provisions, any immovable property which was, immediately before the entry into force of this Treaty, in private ownership, either by an agreement between the Government of the Republic of Cyprus and the owner or occupier of such immovable property or by the exercise of compulsory powers, the following provisions shall apply, that is to say—

- (a) in respect of the period during which the immovable property concerned is occupied or used by the Government of the United Kingdom under that arrangement, the Government of the United Kingdom shall, unless such immovable property forms part of the Sites and premises and installations listed in Schedules A¹ and C² to Part II of this Annex, pay to the Government of the Republic of Cyprus, by way of reimbursement of any expenditure involved in that arrangement, the sum payable under the provisions of paragraph 2 of this Section ;
- (b) when the immovable property concerned is no longer required for the purposes of this Treaty, it shall be left in a condition which does not constitute a danger to public health or safety and movable objects encumbering the ground shall be removed before that immovable property is vacated ;
- (c) on the vacation of the immovable property concerned when no longer required for the purposes of this Treaty, being immovable property which then reverts to private ownership, the Government of the United Kingdom shall pay to the Government of the Republic of Cyprus, by way of reimbursement of any further expenditure involved in that arrangement, any sum payable under the provisions of paragraph 3 of this Section.

2. The sum referred to in sub-paragraph (a) of paragraph 1 of this Section shall be—

- (a) where the immovable property concerned is a right exercisable over any other immovable property, the periodic sum which might reasonably be expected to be payable by a person granted such right under an agreement freely entered into by the parties

¹ See p. 40 of this volume.

² See p. 42 of this volume.

thereto, regard being had to any consequential diminution in the annual value of the immovable property over which that right is exercisable ;

- (b) in any other case, a periodic sum equal to the rent which might reasonably be expected to be payable by a tenant in occupation of such immovable property under a lease whereby such tenant undertook to bear the cost of the repairs and insurance and other expenses, if any, necessary to maintain the immovable property concerned in a state to command that rent :

Provided that in the assessment of that sum no account shall be taken of the special suitability of the immovable property concerned for the purposes of the Government of the United Kingdom.

3. The sum referred to in sub-paragraph (c) of paragraph 1 of this Section shall be a sum representing any diminution in the amount which the immovable property concerned might be expected to realise if offered for sale on the date of vacation by a willing vendor to a willing purchaser, being a diminution resulting from—

- (a) the presence on or in it of any buildings or other erections or structures erected in, or constructed on, such immovable property, or of any fixtures affixed to such immovable property or to such buildings, erections and structures, by the Government of the United Kingdom, a United Kingdom authority or an authorised service organisation ; or
- (b) any damage occasioned to such immovable property by the Government of the United Kingdom, a United Kingdom authority or an authorised service organisation, excluding fair wear and tear, except in so far as such damage has been made good by the Government of the United Kingdom, a United Kingdom authority or an authorised service organisation :

Provided that nothing shall be payable under this paragraph in respect of anything done on the immovable property concerned under an agreement made by the Government of the United Kingdom, a United Kingdom authority, or an authorised service organisation with the owner or occupier of such immovable property or for which compensation has already been paid to or agreed with the owner or occupier.

4.—(a) For the purpose of assessing the sums referred to in paragraphs 2 and 3 of this Section, the immovable property concerned shall be taken to be in the condition in which it was when first occupied or used by the Government of the United Kingdom, a United Kingdom authority, or an authorised service organisation.

(b) Where two or more adjacent immovable properties to which this Section applies belong to the same owner and are simultaneously vacated, as being no longer required for the purposes of this Treaty, any sum payable under the provisions of paragraph 3 of this Section shall be assessed in respect of all such immovable properties taken together.

(c) The sum referred to in paragraph 2 of this Section shall be reviewed at five-yearly intervals, until the immovable property concerned is no longer occupied or used by the Government of the United Kingdom under the arrangement referred to in paragraph 1 of this Section.

5. Any sum payable under the provisions of this Section shall be determined, failing agreement, by arbitration in accordance with Section 11 of this Part of this Annex.

Section 11

Any value which under this Part of this Annex is to be determined by arbitration shall be determined by two arbitrators, one to be appointed by the Government of the United Kingdom and one by the Government of the Republic of Cyprus or by the private person or community concerned, as may be appropriate; and where the arbitrators fail to agree, by an umpire to be appointed by the arbitrators, or if they fail to agree on such appointment, by the President of the High Court of Justice of the Republic of Cyprus.

Section 12

Nothing in this Part of this Annex shall prevent the conclusion of any special agreement or arrangement between the Government of the United Kingdom and the Government of the Republic of Cyprus with respect to any of the matters covered by this Part of this Annex.

ANNEX B

PART IV

Section 1

In addition to the other rights conferred by this Treaty, and, in particular, the right of over-flying under paragraph 2 of Section 4 of Part II¹ of this Annex, the United Kingdom authorities shall have the right from time to time to engage in training within the territory of the Republic of Cyprus and the airspace over it. The areas to be used, the periods during which training shall take place, and other special arrangements in connexion with training are set out in the following Sections of this Part of this Annex.

Section 2

1. The United Kingdom shall have the right for its armed services, after giving not less than ten days previous notice, to use for the purposes specified in this Section the localities marked A, B, C, D, E and F on the Map² annexed to this Part of this Annex and referred to respectively in this Part of this Annex as—

- (a) The Goshi Range Area
- (b) The Akamas Range Area
- (c) The Lefkoniko Range Area
- (d) The Polis Training Area
- (e) The Ayios Vasilios Training Area
- (f) The Prastio Training Area.

The extent of these localities having already been agreed and defined, the necessary maps have been deposited in the appropriate District Offices and with the appropriate United Kingdom authorities in the Akrotiri Sovereign Base Area.

¹ See p. 24 of this volume.

² See insert between pp. 74 and 75 of this volume.

2.—(a) The Goshi Range Area may be used as a field firing range.

(b)—(i) The Akamas Range Area may be used as a field firing range and for all kinds of engineer training, including the carrying out of demolitions.

(ii) The western part of the land area of the Akamas Range Area and the sea area of that Range Area may be used as a naval bombardment range.

(c)—(i) The Lefkoniko Range Area may be used as an artillery range by all types of field artillery.

(ii) Projectiles may only be fired into the inner area of the range area marked C.1 on the Map annexed, but artillery may move and be positioned anywhere in the range area and guns may be fired from anywhere in the inner area or from the parts of the outer area shaded blue on the Map annexed, the passage of projectiles over occupied buildings being avoided as far as possible.

(d) The Polis Training Area may be used for training in amphibious warfare of all kinds including the landing and embarking of personnel, vehicles, artillery and other weapons, stores and equipment on to and from the beaches in the area and the carrying out of exercises and training in conjunction with such landing and embarking.

(e) The Ayios Vasilios Training Area may be used for practising the descent of personnel by parachute and the dropping of vehicles, artillery and other weapons, stores or equipment from aircraft. The United Kingdom authorities shall cease to use the Ayios Vasilios Training Area as soon as an alternative area can be found which is fully suitable in the opinion of the United Kingdom authorities. The Republic of Cyprus will co-operate in finding this area and in making it available to the United Kingdom authorities. When the United Kingdom authorities have accepted an alternative area in place of the Ayios Vasilios Training Area, the United Kingdom authorities may use that Training Area in the same manner as the Ayios Vasilios Training Area and this Treaty shall apply to that area and the airspace over it as it applies to the Ayios Vasilios Training Area and the airspace over it.

(f) The Prastio Training Area may be used for the same purposes as the Ayios Vasilios Training Area and may in addition be used for the carrying out of exercises and training in conjunction with the descent of personnel by parachute.

3.—(a) While any range area or training area is being used the personnel and vehicles of the armed services of the United Kingdom shall have freedom of movement within the area but shall not have the right to enter buildings, farmyards and orchards in the area without the consent of the owner or occupier.

(b) Any range area or training area may be used in accordance with paragraph 2 of this Section in conjunction with training exercises conducted pursuant to paragraph 1 of Section 3 of this Part of this Annex.

4. Training areas may be used from time to time. The aggregate period of use under this Section of a range area in any calendar year may not exceed—

(i) in the case of the Goshi Range Area, 130 days ;

- (ii) in the case of the Akamas Range Area, for field firing and engineer training, 70 days ;
- (iii) in the case of the Akamas Range Area, for naval bombardment, 10 days ; and
- (iv) in the case of the Lefkoniko Range Area, 45 days.

5.—(a) Before the beginning of a period of use of a range area of which notice has been given under paragraph 1 of this Section, the authorities of the Republic of Cyprus shall arrange the clearance from the range area of persons (other than persons authorised to be there by the armed services of the United Kingdom) and livestock, and shall prohibit the entry and presence of persons (other than persons so authorised) and livestock to and on the range area during the period of use.

(b) During a period of use of a range area of which notice has been given under paragraph 1 of this Section the armed services of the United Kingdom shall have the right to exclude and remove therefrom any persons and livestock.

(c) Sub-paragraphs (a) and (b) of this paragraph shall not apply to the outer part of Lefkoniko Range Area.

(d) The armed services of the United Kingdom shall have the right where necessary and if possible in co-operation with the authorities of the Republic of Cyprus to exclude and remove any persons and livestock from a training area or part of a training area while training or exercises are being carried out on it.

(e) The armed services of the United Kingdom while using range areas and training areas shall take all steps necessary to ensure the safety of persons and livestock in them.

6.—(a) The small-arms range at Polemidhia and the Larnaca ground-attack range (Sites Nos. 1 and 8 in Schedule B to Part II of this Annex¹) may be used notwithstanding that projectiles may fall into the areas marked G and X on the Map annexed and referred to respectively in this Part of this Annex as the Polemidhia and Larnaca Range Areas.

(b) The sites constituting the Polemidhia and Larnaca Ranges may be used at any time but not less than 48 hours' notice of a use which may involve danger to persons or property in the range areas shall be given.

(c) Sub-paragraphs (a), (b) and (e) of paragraph 5 of this Section shall apply to the Polemidhia and Larnaca range areas during a period of use of the range in question of which notice has been given in accordance with sub-paragraph (b) of this paragraph, except that livestock are not required to be excluded from the Polemidhia range area.

(d) The United Kingdom shall have the right to install targets and marker buoys in the sea area of the Larnaca Range Area.

7. The United Kingdom authorities shall give sympathetic consideration to any suggestions which the authorities of the Republic of Cyprus may wish to make for an alternative locality for any range area or training area, and shall transfer the training undertaken to the alternative locality, provided that in the opinion of the United Kingdom authorities it is suitable.

¹ See footnote 2, p. 10 of this volume.

Section 3

1. The Republic of Cyprus shall make available to the United Kingdom for its armed services the use from time to time of localities in the territory of the Republic of Cyprus, which shall be specified, for tactical training, including mobile training, in the form of exercises in which more than 500 men take part, in accordance with the following provisions :—

- (a) The localities within which this training shall take place shall be specified by agreement between the United Kingdom authorities and the authorities of the Republic of Cyprus, and shall be sufficient in number and extent to meet the reasonable needs of the United Kingdom in this respect as from time to time notified by the United Kingdom authorities to the authorities of the Republic of Cyprus.
- (b) Such exercises may take place on up to 40 days in any calendar year ; but the period during which they take place shall be the subject of agreement between the United Kingdom authorities and the authorities of the Republic of Cyprus.

2.—(a) In addition to the localities to be specified under paragraph 1 of this Section, the Republic of Cyprus shall make available to the United Kingdom for its armed services the use of three localities in the territory of the Republic of Cyprus for minor routine training. In each locality, up to a maximum of 500 men may be engaged in training under this paragraph at any one time.

(b) The three localities within which this training shall take place shall be sufficient in extent to meet the reasonable needs of the United Kingdom in this respect and shall from time to time be specified by agreement between the United Kingdom authorities and the authorities of the Republic of Cyprus.

(c) Different localities may be specified for different periods of the year provided that not less than three localities are available for such training at any time.

(d) Pending agreement under sub-paragraph (b) of this paragraph to specify other localities, the three localities within which this training shall take place shall be :

- (i) The Evdhimou-Pissouri locality ;
- (ii) The Goshi-Troulli locality ;
- (iii) The Sotira locality.

The extent of these localities having already been agreed and defined, the necessary maps have been deposited in the District Offices of Limassol and Larnaca and with the appropriate United Kingdom authorities in the Akrotiri Sovereign Base Area.

3. While carrying out training in any locality specified or to be specified in accordance with paragraph 1 or 2 of this Section, the personnel and vehicles of the armed services of the United Kingdom shall have freedom of movement within the locality but shall not have the right to enter buildings, farmyards or orchards within the locality without the consent of the owner or occupier, or to use tanks or live ammunition.

4. The armed services of the United Kingdom while carrying out training under this Section shall take all reasonable steps to avoid injury and inconvenience to persons and

damage to property and shall take precautions against outbreak of fire. So far as possible, villages and land under cultivation shall be avoided.

5. United Kingdom military aircraft operating in conjunction with ground troops on exercises shall not operate in such a way as to affect other aircraft using recognised air traffic lanes.

Section 4

The United Kingdom authorities shall consult from time to time with the authorities of the Republic of Cyprus for the purpose of arranging that—

- (a) the use of range areas and training areas takes place so far as possible at season in which damage to agriculture is least likely to be caused ;
- (b) the earliest possible information is made available to occupiers of land in range areas and training areas, and to others who may be affected, of the times of the year during which it is intended to make use of the areas ;
- (c) consideration is given to any need of the armed services of the Republic of Cyprus and of the Greek and Turkish contingents as taking part in the tripartite Headquarters established on the territory of the Republic of Cyprus in accordance with the Treaty of Alliance, to use range areas and training areas and to carry out training ;
- (d) inconvenience caused by training under this Part of this Annex to persons engaged in air and sea navigation, including fishing, is avoided so far as is practicable.

Section 5

1. Members of the armed services of the United Kingdom and civilians employed by the United Kingdom authorities may visit any range area, training area or locality in which training under Section 3 of this Part of this Annex has been or may be carried out, at any time for the purpose of planning its use, inspecting it before or after use, dumping stores and equipment in preparation for its use, reinstating it after use, removing from it property of the armed services and guarding such property prior to removal, or, after consultation with the authorities of the Republic of Cyprus, removing, demolishing or otherwise dealing with objects on it which may constitute a danger or which may obstruct the training of the armed services.

2. Visits and activities under paragraph 1 of this Section shall, save in exceptional circumstances, take place by arrangement with the owners or occupiers of the land concerned.

3. Those visits shall not take place more frequently than is reasonably necessary. Visits in connexion with an exercise under paragraph 1 of Section 3 of this Part of this Annex shall take place within a reasonable time before or after the exercise in question, and the authorities of the Republic of Cyprus shall be informed in advance of any such visit of more than 15 persons made before the exercise in question.

Section 6

1.—(a) Notices required by the foregoing provisions of this Part of this Annex shall be given to an authority nominated for the purpose by the authorities of the Republic of Cyprus.

(b) Each notice shall state the intended period of use of the area or locality in question, and indicate the approximate numbers of, times of, movement of, and routes to be used by, men and vehicles who will move from the Akrotiri Sovereign Base Area or the Dhekelia Sovereign Base Area to the area or locality in question in order to use it during that period.

2. Not less than ten days' notice of the use of the Akamas Range Area as a naval bombardment range and not less than forty-eight hours' notice of the use of the Larnaca Range Area as an aircraft ground attack range shall be given to the authorities responsible for the control of sea and air navigation in and over the territory of the Republic of Cyprus.

3. If the authorities of the Republic of Cyprus have been informed that, in the course of an exercise pursuant to paragraph 1 of Section 3 of this Part of this Annex, United Kingdom military aircraft are to operate in conjunction with ground troops, and the aircraft may operate in a manner which might, but for the provisions of this paragraph, constitute a danger to air navigation, not less than seven days' notice to that effect, specifying when and where the aircraft are to operate, shall be given to the authority responsible for the control of air navigation over the territory of the Republic of Cyprus.

Section 7

1. In so far as the following sea areas lie within the waters of the Republic of Cyprus, the authorities of the Republic of Cyprus shall prohibit vessels from entering or remaining in those areas, except under arrangements made by the United Kingdom authorities, during a period of use from time to time of those areas specified in a notice given under the foregoing provisions of this Part of this Annex :

(a) the sea area of the Akamas Range Area when the use in question is as a naval bombardment range ;

(b) the sea area of the Larnaca Range Area.

2. Without prejudice to the provisions of paragraph 4 of this Section, in the interests of the security of air navigation, the authorities of the Republic of Cyprus shall take steps to limit or prohibit aircraft, other than United Kingdom military aircraft, from flying in the airspaces and during the periods specified from time to time by the United Kingdom authorities over such parts of the training areas, ranges, range areas and localities used in accordance with this Part of this Annex as are within the territory of the Republic. This prohibition shall extend to—

(a) the airspace up to a height of 75,000 feet above sea level over the area marked Y.1 on the Map annexed, at all times ;

- (b) the airspaces up to a height of 10,000 feet above sea level over the areas marked Y.2 and Y.3 on the Map annexed, at all times ;
- (c) the airspace up to a height of 75,000 feet above sea level over the area marked Y.4 on the Map annexed, at such times as may be required by the United Kingdom authorities, who shall give 48 hours' notice of such requirement ;
- (d) the airspace between a height of 4,000 feet and a height of 60,000 feet above sea level over the area marked Z on the Map annexed, at all times.

3. The armed services of the United Kingdom may take all reasonable steps to secure that vessels do not enter or remain in the sea areas covered by this Section during the periods mentioned and that aircraft do not enter or remain in the airspaces covered by this Section during the periods mentioned and will have due regard to the safety of such vessels and aircraft.

4. Nothing in this Part of this Annex shall affect any existing internationally recognised air traffic lane or customary international maritime route. The United Kingdom shall give sympathetic consideration to proposals by the Republic of Cyprus that alterations should be made in range areas and training areas to enable new internationally recognised air traffic lanes to be established or existing lanes to be modified.

Section 8

1. Claims for compensation for death, injury, or damage to property occasioned in the course of the exercise of any of the rights provided for in this Part of this Annex shall, subject to the following paragraphs of this Section, be dealt with in accordance with Section 9 of Annex C¹ to this Treaty.

2. A claim for damage to land or to anything growing on land, or to structures or fixtures on land shall not be inadmissible because the armed services of the United Kingdom have a right to enter or make use of that land.

3. No claim shall be admissible in respect of the death of or injury to a person or livestock suffered in an area in which his or their presence is prohibited under this Part of this Annex.

4. No claim shall be admissible in respect of loss of or damage to a vessel or aircraft, or to anything on a vessel or aircraft, or in respect of the death of or personal injury to a person on a vessel or aircraft, suffered while that vessel or aircraft is in a sea area or airspace prohibited to it under this Part of this Annex.

5. For the purposes of this Section damage to property shall include—

- (a) loss of wages and expenses reasonably incurred by a person in connexion with the clearance from a range area or training area of persons or of livestock if required by or

¹ See p. 84 of this volume.

under this Part of this Annex, or in connexion with their return to the range area or training area ; and

- (b) expenses and loss of profit unavoidably incurred by a person in occupation of land in a range area or training area by reason of his being unable to make use of that land during a period in which entry to it is prohibited or persons and livestock are excluded from it by or under this Part of this Annex.

A N N E X B

PART V

Section 1

For the purposes of this Part of this Annex :

- (a) "The new terminal area" means the land coloured blue on the map¹ annexed to this Part of this Annex ;
- (b) "The present terminal area" means the land coloured red and hatched in blue on the map annexed ;
- (c) "Joint user area" means land coloured yellow on the map annexed ;
- (d) "Site" means the land coloured red or brown on the map annexed, including that part hatched in blue and that part hatched in yellow, and is an area forming part of Site No. 10/1 in the list in Schedule A to Part II of this Annex.²

Section 2

1. Until a new civil air terminal is constructed and brought into use within the new terminal area—

- (a) the present terminal area shall be under the control of the authorities of the Republic of Cyprus and shall not be regarded as part of the Site ;
- (b) the road which is marked brown on the map annexed shall be regarded as forming part of the joint user area ;
- (c) the new terminal area shall be regarded as forming part of the joint user area.

2. The present taxiway (coloured red and hatched in yellow on the map annexed) in front of the present terminal area shall be regarded as part of the joint user area until a new taxiway replacing it is constructed and brought into use.

3. The United Kingdom authorities shall give sympathetic consideration to requests by the authorities of the Republic of Cyprus that any part of the Site, which is required for an extension of the runways or other facilities in the joint user area, shall be surrendered in

¹ See insert between pp. 82 and 83 of this volume.

² See footnote 2, p. 10 of this volume.

exchange for other land which is considered as equally suitable for the purposes for which the Site is used.

Section 3

The United Kingdom authorities shall have the right to use the airfield at Nicosia together with any facilities on or connected with the airfield to whatever extent is considered necessary from time to time by the United Kingdom authorities for the operation of United Kingdom military aircraft in peace and in war, including the exercise of any necessary operational control of air traffic. The Republic of Cyprus shall have the sole right to determine the general policy for the use of Nicosia Airfield by civil aviation. The general conduct of the control of air traffic using Nicosia Airfield shall be a matter for joint consultation between the authorities of the United Kingdom and the authorities of the Republic of Cyprus.

Section 4

The joint user area shall be available for the use of the United Kingdom authorities and the authorities of the Republic of Cyprus.

Section 5

The United Kingdom authorities shall be responsible for maintaining to existing standards the existing installations providing facilities for the joint user area with the exception of approach and aerodrome control facilities to be provided in accordance with paragraph 1 of Section 7 of this Part of this Annex. Subject to the provisions of Section 3 of this Part, the United Kingdom authorities and the authorities of the Republic of Cyprus shall each have the right, after consultation with the other, to execute new works for the joint user area.

Section 6

The United Kingdom authorities shall have the right to provide services for United Kingdom military aircraft at Nicosia Airfield to the extent that they consider necessary.

Section 7

1.—(a) There shall be single and undivided approach and aerodrome control of air traffic at Nicosia Airfield, which shall be taken over by the Republic of Cyprus as soon as the necessary qualified staff are available; until then control shall be exercised by the United Kingdom. During the time that control is exercised by the United Kingdom, the Republic of Cyprus shall have the right to provide trained staff to assist in the control of traffic. When responsibility for control is transferred to the Republic of Cyprus, the United Kingdom shall similarly have the right to provide trained staff to assist in the control of traffic.

(b) Notwithstanding the above, the United Kingdom shall, in accordance with Section 3 of this Part of this Annex, have the right to exercise exclusive control in emergency as may be determined by the United Kingdom.

2. The authorities of the Republic of Cyprus shall provide air traffic control within the flight information region administered from Nicosia, including the provision of associated navigational aids and including advisory and alerting services, to the standard customary in international civil aviation practice.

3. At the request of the United Kingdom authorities, the authorities of the Republic of Cyprus shall make immediately available to the United Kingdom authorities any information received by the authorities of the Republic of Cyprus about the movement of all aircraft within the flight information region administered from Nicosia.

4. The specific rights and responsibilities mentioned in this Section shall not be exercised in such a manner as to impair the rights and obligations of the United Kingdom or the Republic of Cyprus contained in other Sections of this Part of this Annex.

Section 8

The authorities of the Republic of Cyprus shall ensure that the runways, taxiways and dispersal areas of the airfield at Tymbou are kept in being. The United Kingdom authorities shall have the right, subject to the consent of the authorities of the Republic of Cyprus, to use these runways, taxiways and dispersal areas as a reserve landing ground for Nicosia Airfield and to provide any services for any aircraft landing or taking off there.

Section 9

1. The United Kingdom authorities shall make immediately available to the authorities of the Republic of Cyprus the meteorological information which the United Kingdom authorities have received at Nicosia Airfield for their own needs.

2. In so far as the services established for their own use make this possible, the United Kingdom authorities shall make available search and rescue facilities for all civil aircraft within the flight information region administered from Nicosia and fire and crash services for all aircraft using Nicosia Airfield.

Section 10

1. At the request of the United Kingdom authorities, the authorities of the Republic of Cyprus shall arrange for such reasonable control over activities in the vicinity of Nicosia Airfield and over the erection of installations, and the operation of radio and electrical equipment, as may be considered necessary by the United Kingdom authorities to ensure the efficient operation and use of Nicosia Airfield.

2. At the request of the authorities of the Republic of Cyprus, the United Kingdom authorities shall within the Site arrange for such reasonable control over activities, including the erection of installations, and operation of radio and electrical equipment, as may be considered necessary by the authorities of the Republic of Cyprus to ensure the efficient operation and use of Nicosia Airfield.

Section 11

The appropriate authorities of the United Kingdom and of the Republic of Cyprus shall consult together concerning the operation of this Part of this Annex with a view to ensuring that as far as possible the services to civil aircraft provided by the authorities of both Governments satisfy the requirements of international civil aviation, and in particular that civil aircraft on scheduled flights shall receive priority save in exceptional circumstances or in an emergency.

Section 12

1.—(a) The cost of services (including the cost of constructing, maintaining, improving, altering and operating installations) provided for aircraft using Nicosia Airfield shall be borne in accordance with the provisions of this paragraph.

(b) The United Kingdom shall bear the cost of services provided by them under Section 5 and Section 9 of this Part of this Annex.

(c) The cost of services provided under Section 7 of this Part of this Annex which are required for both civil and military aircraft shall be shared between the United Kingdom and the Republic of Cyprus in proportion to the degree of use.

(d) The cost of services required only for civil aircraft shall be borne by the Republic of Cyprus and the cost of services required only for United Kingdom military aircraft which are not registered as civil aircraft shall be borne by the United Kingdom.

(e) The United Kingdom authorities shall, for so long as they require the facility to use Tymbou airfield as provided in Section 8 of this Part of this Annex, make a contribution covering the costs of any rental payments or payments for any maintenance undertaken at United Kingdom request made by the authorities of the Republic of Cyprus for land forming part of the runways, taxiways and dispersal areas at Tymbou which is at the date of entry into force of this Treaty in private ownership. The amount of this contribution by the United Kingdom authorities shall be negotiated between the United Kingdom authorities and the authorities of the Republic of Cyprus. The amount of such a contribution, if not agreed, shall be determined as if it were a sum payable under the provisions of paragraph 2 of Section 10 of Part III¹ of this Annex.

(f) The bearing of the cost of constructing, improving or making major alterations to installations provided for the mutual benefit of the authorities of the United Kingdom and the authorities of the Republic of Cyprus and of exercising the control provided for in Section 10 of this Part of this Annex (including payment of any compensation due for any diminution in value of immovable property resulting from the exercise of such control) shall be the subject of special agreement.

(g) Subject to sub-paragraphs (c) and (f) above, no contribution shall be made by the Republic of Cyprus to the cost of services provided by the United Kingdom, notwithstanding that those services are available for the use of civil aircraft.

2.—(a) The Republic of Cyprus shall have the right to retain all landing fees and other similar fees charged for the use of the airfield by civil aircraft (including United Kingdom military aircraft registered as civil aircraft).

¹ See p. 44 of this volume.

(b) No landing fees or other similar fees shall be chargeable in respect of United Kingdom military aircraft which are not registered as civil aircraft.

(c) No charge on account of rent shall be payable by either Government to the other in respect of land or other immovable property in the joint user area or provided for the joint use of the authorities of the United Kingdom and of the authorities of the Republic of Cyprus.

A N N E X B

PART VI

Section 1

Subject to the provisions of this Treaty, the United Kingdom shall make payments in respect of the items indicated below :

- (a) Fees and charges which may in accordance with any legislation for the time being in force in the Republic of Cyprus be levied or taken in the Department of Lands and Surveys of the Republic of Cyprus in matters relating to immovable property, and stamp duties payable under the provisions of any such legislation in respect of transfers of immovable property ;
- (b) A contribution to the Republic of Cyprus, in respect of immovable property occupied by the United Kingdom authorities within the territory of the Republic of Cyprus, which shall be calculated on a basis to be agreed between the United Kingdom and the Republic of Cyprus taking into account the extent to which facilities or services rendered by local authorities and normally included in general rating assessments are enjoyed by the United Kingdom authorities and the services and facilities provided or undertaken by the United Kingdom authorities on their own behalf ;
- (c) Port dues, fees and charges which may be levied or taken in accordance with any legislation for the time being in force in the Republic of Cyprus ;
- (d) Subject to such special agreements as may be concluded with regard to public utilities, payments for services provided by public utilities in the Republic of Cyprus to the United Kingdom authorities in connexion with the supply of water, electricity, gas and telecommunications services ;
- (e) Actual expenditure by the Republic of Cyprus necessarily incurred in connexion with, and in so far as it relates to—
 - (i) the control over activities for which provision is made in paragraph 1 of Section 3 of Part II¹ of this Annex, and
 - (ii) the installing of suppressors pursuant to paragraph 2 of Section 3 of Part II of this Annex ;
- (f) Reimbursement of any compensation due to any person for any diminution in the market value of any tangible property, or for any loss or damage in consequence of the restriction in the use of, or the prohibition of accessibility to, any immovable property, resulting from the exercise of the control referred to in sub-paragraph (e) (i) of this Section ;

¹ See p. 24 of this volume.

- (g) Fees and charges which may in accordance with any legislation for the time being in force in the Republic of Cyprus be levied or taken in respect of the grant of any permit, licence or certificate relating to the construction of any building or structure or in respect of the grant of any permission to develop immovable property ;
- (h) Fees, rents and other annual charges which may in accordance with any legislation for the time being in force in the Republic of Cyprus be levied or taken in respect of the grant of any permit, lease or licence for quarrying or for the extraction and removal of stones, shingle, sand, gravel or other substance from any part of the foreshore ;
- (i) Overtime fees payable in accordance with any legislation for the time being in force in the Republic of Cyprus to officers of the Republic of Cyprus in respect of services rendered to the United Kingdom authorities at ports or airports of the Republic of Cyprus ;
- (j) Sums payable in accordance with any legislation for the time being in force in the Republic of Cyprus to any municipality or other local authority as a contribution to the cost of the construction of any public street on which immovable property owned by a United Kingdom authority abuts ;
- (k) Any recoupment or betterment charge recoverable in accordance with any legislation for the time being in force in the Republic of Cyprus in respect of the development of immovable property surrendered, under the provisions of paragraph 2 of Section 6 of Part III¹ of this Annex, and returned by agreement to the Government of the United Kingdom, or a United Kingdom authority.

Section 2

Nothing in this Part of this Annex shall prevent the conclusion of any special agreement or arrangement by the Republic of Cyprus and the United Kingdom in respect of any of the matters covered by this Part of this Annex.

A N N E X C

Section 1

1. For the purposes of this Annex :
 - (a) "Force" means—
 - (i) in relation to the forces of the United Kingdom and to the forces of any other country within the British Commonwealth of Nations to which this Annex applies pursuant to paragraph 3 of this Section, the personnel belonging to the land, sea and air armed services of that country when in the territory of the Republic of Cyprus, provided that the person in question is posted or attached to or is on an official visit to any unit stationed in the Island of Cyprus, or is in the Island in the course of transit on an official movement order ;
 - (ii) in relation to the forces of the Republic of Cyprus, Greece, or Turkey, the personnel belonging to the land, sea and air armed services of those countries when in the Akrotiri Sovereign Base Area or the Dhekelia Sovereign Base Area, provided that

¹ See p. 44 of this volume.

the person in question is posted or attached to or is on an official visit to any unit stationed in the Island of Cyprus, or is in the Island in the course of transit on an official movement order ;

this definition shall apply, for the period of one year from the date of entry into force of this Treaty, to personnel of the land, sea and air armed services of the Contracting Parties when visiting the Island of Cyprus to make use of official leave and recreation facilities established there, and shall so apply thereafter unless the receiving State gives three months' notice to the sending State of its wish that this definition shall no longer so apply ;

- (b) "Civilian component" means the civilian personnel accompanying a force as defined above who are employed in the service of a force or by an authorised service organisation accompanying a force, and who are not stateless persons nor nationals of nor ordinarily resident in the territory of the receiving State as hereinafter defined ;
- (c) "Authorised service organisation" means any one of the organisations listed in the Schedule¹ to Part I of Annex B to this Treaty ;
- (d) "Dependent" means—
- (i) the wife or husband of,
 - (ii) any person wholly or mainly maintained by or in the custody or charge of, and
 - (iii) any other person (not being a national of nor ordinarily resident in the Republic of Cyprus) who is in domestic employment in the household of, a member of a force or civilian component ;
- (e) "Sending State" means the State to which the force in question belongs ;
- (f) "Receiving State" means—
- (i) in relation to the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area, the United Kingdom,
 - (ii) in relation to the territory of the Republic of Cyprus, the Republic of Cyprus ;
- (g) "The territory of the receiving State" means—
- (i) in relation to the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area, the territory of the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area as defined in Annex A² to this Treaty,
 - (ii) in relation to the Republic of Cyprus, the territory of the Republic of Cyprus as defined in Article 1 of this Treaty,
- and includes the territorial sea adjacent to each such territory ;
- (h) "Service authorities of the sending State" means those authorities of a sending State who are empowered by its law to enforce the service law of that State with respect to members of its forces or civilian component or dependents ;

¹ See p. 22 of this volume.

² See p. 16 of this volume.

- (i) "Service vehicles" means vehicles, including hired vehicles, which are exclusively in the official service of a force or authorised service organisation ;
- (j) "Sites" means the Sites which the Government of the United Kingdom is entitled to use pursuant to Section 1 of Part II¹ of Annex B to this Treaty ;
- (k) References to the Island of Cyprus, or to the Akrotiri Sovereign Base Area or to the Dhekelia Sovereign Base Area shall include the adjacent territorial sea.
2. "Forces of the United Kingdom" in this Annex shall be understood as including the forces of any territory for the international relations of which the Government of the United Kingdom is responsible.

3. If the United Kingdom so requests on behalf of the Government of any country within the British Commonwealth of Nations whose forces may from time to time be stationed with or operating in conjunction with the forces of the United Kingdom based on the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area, and if the United Kingdom declares on behalf of the Government in question that such Government accepts the obligations under this Annex of the United Kingdom as a sending State, then the Republic of Cyprus undertakes to grant the rights set out in this Annex to the authorities of the Government in question, their forces, authorised service organisations, members of the force or civilian component, and dependents to the same extent as they are granted to those of the United Kingdom.

4. Notwithstanding paragraphs 1 and 3 of this Section, the sending State and the receiving State may agree that certain individuals, units or formations shall not be regarded as constituting or included in a "force" for the purposes of this Annex.

Section 2

It is the duty of a force and an authorised service organisation and the members of a force or civilian component as well as their dependents to respect the law of the receiving State, and to abstain from any activity inconsistent with the spirit of this Treaty and, in particular, from any political activity in the receiving State. It is also the duty of the sending State to take necessary measures to that end.

Section 3

1. Subject to the relevant provisions of Part II of Annex B to this Treaty and to compliance with arrangements made by agreement for the administration of the boundaries between the Republic of Cyprus and the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area, and provided that they are in possession of the appropriate identity document as laid down in paragraph 2 of this Section, members of a force or civilian component and dependents shall be exempt from passport and visa regulations and immigration inspection on entering or leaving the territory of a receiving State. They shall also be exempt from the regulations of the receiving State on the registration and control of aliens, but shall not be considered as acquiring any right to permanent residence or domicile in the territory of the receiving State.

¹ See p. 24 of this volume.

2. For the purposes of paragraph 1 of this Section, the appropriate identity document, which shall be produced on demand by a person authorised to make a demand, is—

- (a) in respect of a member of a force, his official naval, military or air force identity card, showing names, date of birth, rank and number (if any), service and photograph, together with a further document in the English, Greek and Turkish languages, indicating that he is a member of that force,
- (b) in respect of a member of a civilian component or a dependent, a passport, or an identity document in the English, Greek and Turkish languages indicating its bearer's status as a member of a civilian component or a dependent.

3. If a member of a force or civilian component leaves the employ of the sending State or an authorised service organisation and is not repatriated, the authorities of the sending State shall immediately inform the authorities of the receiving State, giving such particulars as may be required. The authorities of the sending State shall similarly inform the authorities of the receiving State of any member of a force who has absented himself without leave for more than 21 days.

4. If the receiving State has requested the removal from its territory of a member of a force or civilian component or has made an expulsion order against an ex-member of a force or civilian component or against a dependent of a member or ex-member, the authorities of the sending State shall be responsible for receiving the person concerned within their own territory or otherwise disposing of him outside the receiving State. This paragraph shall apply only to persons who are not nationals of the receiving State and have entered the receiving State as members of a force or civilian component or for the purpose of becoming such members, and to the dependents of such persons.

Section 4

The receiving State shall accept as valid, without a driving test or fee, the driving permit or licence or service driving permit issued by the sending State or the authorities of any territory under its jurisdiction to a member of a force or civilian component, or a dependent.

Section 5

1. Members of a force may wear uniform or civilian clothes ; they shall, however, wear uniform when actually performing their official duties within the territory of the receiving State. This paragraph shall not preclude the conclusion of special arrangements on this matter between the authorities of the sending and receiving States.

2. Service vehicles of a sending State shall carry a distinctive mark indicating their status as such, in addition to their registration number.

Section 6

Members of a force may possess and carry arms, if they are authorised to do so by their orders. The receiving and sending States shall give sympathetic consideration to requests from each other concerning the possession and carriage of arms.

Section 7

1. A receiving State shall give effect to the reasonable needs of a force to carry out its duties without hindrance and to maintain its normal administrative arrangements; and the following provisions shall apply in respect of any legislation (including subsidiary legislation) having the effect of prohibiting, hindering, limiting, or imposing conditions on, the possession, operation, or use for an official purpose of arms, explosives, vessels, aircraft, equipment or stores belonging to a force, or having the effect of hampering a force in the performance of its duties or in the provision of amenities for the members of a force, civilian component or dependents, that is to say—

- (a) if the armed services of the United Kingdom or their property were specifically exempted from the operation of any such legislation which was part of the law obtaining in the Island of Cyprus immediately before the entry into force of this Treaty, such exemption shall extend to a force for so long as such legislation continues to be in force and pending further legislation by the receiving State;
- b) if the armed services of the United Kingdom or their property were exempted from the operation of any legislation as above by virtue of Section 42 of the Interpretation Law of the Colony of Cyprus or of the rule of law with respect to the application of enactments to the Crown, such exemption shall extend to a force—
 - (i) until such legislation is repealed; or
 - (ii) until further legislation specifically providing for, or terminating, the exemption, as the case may be, is enacted; or
 - (iii) until the expiration of the period of one year from the date of the entry into force of this Treaty and of any further period that may be agreed upon in order to enable the sending and receiving States in consultation to examine the necessity or otherwise for the retention and specific provision of any such exemptions, and to enable the receiving State to enact legislation accordingly;

whichever shall first occur;

- (c) if the force or its property are not specifically exempted from the operation of any legislation as above, the receiving State shall give sympathetic consideration to requests for specific exemption of the force or of its property from the operation of the legislation hereinbefore mentioned;
- (d) if any such legislation shall be enacted by the receiving State after the entry into force of this Treaty, the receiving State shall give sympathetic consideration to requests for the exemption of the force or of its property from the operation thereof.

2. Authorised service organisations of a sending State shall be exempt, from legislation concerning the constitution, management and conduct of companies, or of organisations as such, and from legislation affecting their commercial and other activities, subject however to the relevant provisions of Part II of Annex B to this Treaty. The United Kingdom authorities shall comply with reasonable requests by the authorities of the Republic of Cyprus for information as to the activities of authorised service organisations.

Section 8

1. Subject to the provisions of this Section—

- (a) the service authorities of the sending State shall have the right to exercise within the receiving State all criminal and disciplinary jurisdiction conferred on them over all persons who are by the law of the sending State subject to the jurisdiction of its service Courts ;
- (b) the authorities of the receiving State shall have jurisdiction over the members of a force or civilian component and their dependents with respect to offences committed within the territory of the receiving State and punishable by the law of that State.

2.—(a) The service authorities of the sending State shall have the right to exercise exclusive jurisdiction over persons who are by the law of the sending State subject to the jurisdiction of its service Courts with respect to offences, including offences relating to its security, punishable by the law of the sending State, but not by the law of the receiving State.

(b) The authorities of the receiving State shall have the right to exercise exclusive jurisdiction over members of a force or civilian component and their dependents with respect to offences, including offences relating to the security of that State, punishable by its law but not by the law of the sending State.

(c) For the purposes of this paragraph and of paragraph 3 of this Section an offence against the security of that State shall include—

- (i) treason against the State ;
- (ii) sabotage, espionage or violation of any law relating to official secrets of that State, or secrets relating to the national defence of that State.

3. In cases where the right to exercise jurisdiction is concurrent the following rules shall apply :

(a) The service authorities of the sending State shall have the primary right to exercise jurisdiction over a member of a force or civilian component or a dependent in relation to—

- (i) offences solely against the property or security of that State, offences solely against the person or property of another member of the force or civilian component of that State or of a dependent, or offences committed solely within the Sites ;
- (ii) offences arising out of any act or omission done in the performance of official duty.

(b) In the case of any other offence, the authorities of the receiving State shall have the primary right to exercise jurisdiction.

(c) If the State having the primary right decides not to exercise jurisdiction, it shall notify the authorities of the other State as soon as practicable. The authorities of the State having the primary right shall give sympathetic consideration to a request from the authorities of the other State for a waiver of its right in cases where that other State considers such waiver to be of particular importance and in cases of minor offen-

ces where the receiving State has the primary right and where the service authorities of the sending State can impose a suitable punishment by disciplinary action without recourse to a court.

4. The foregoing provisions of this Section shall not imply any right for the service authorities of the sending State to exercise jurisdiction over persons who are nationals of or ordinarily resident in the receiving State, unless they are members of the forces of the sending State.

5.—(a) The authorities of the receiving and sending States shall assist each other in the arrest of members of a force or civilian component or their dependents in the territory of the receiving State and in handing them over to the authority which is to exercise jurisdiction in accordance with the above provisions.

(b) The authorities of the receiving State shall notify promptly the service authorities of the sending State of the arrest of any member of a force or civilian component or a dependent.

(c) The sending State, if the receiving State is to exercise jurisdiction over a member of a force or civilian component or a dependent, shall have the right to take custody of him until he is brought to trial by the receiving State; provided that the sending State undertakes to present him to the Courts of the receiving State for investigatory proceedings and trial when required.

6.—(a) The authorities of the receiving and sending States shall assist each other in the carrying out of all necessary investigations into offences, and in the collection and production of evidence, including the seizure and, in proper cases, the handing over of objects connected with an offence. The handing over of such objects may, however, be made subject to their return within the time specified by the authority delivering them.

(b) The authorities of the receiving and sending States shall notify each other of the disposition of all cases in which there are concurrent rights to exercise jurisdiction.

7.—(a) A death sentence shall not be carried out in the receiving State on a member of a force or civilian component or a dependent if the legislation of either the receiving or the sending State does not provide for such punishment in a similar case.

(b) The authorities of the receiving State shall give sympathetic consideration to a request from the authorities of the sending State for assistance in carrying out a sentence of imprisonment pronounced by the authorities of the sending State under the provisions of this Section within the territory of the receiving State.

8. Where an accused has been tried in accordance with the provisions of this Section by the authorities of one State and has been acquitted, or has been convicted, he may not be tried again for the same offence by the authorities of the other State. However, nothing in this paragraph shall prevent the service authorities of the sending State from trying a member of its force for any violation of rules of discipline arising from an act or omission which constituted an offence for which he was tried by the authorities of the receiving State.

9. Whenever a member of a force or civilian component or a dependent is prosecuted under the jurisdiction of the receiving State he shall be entitled—

(a) to a prompt and speedy trial;

- (b) to be informed a reasonable time in advance of trial of the specific charge or charges made against him ;
- (c) to be confronted with the witnesses against him ;
- (d) to have compulsory process for obtaining witnesses in his favour, if they are within the jurisdiction of the receiving State ;
- (e) to have legal representation of his own choice for his defence or to have free or assisted legal representation under the conditions prevailing for the time being in the receiving State ;
- (f) if he considers it necessary, to have the services of a competent interpreter ; and
- (g) to communicate with a representative of the Government of the sending State and, when the rules of the court permit, to have a representative of that Government present at his trial.

Section 9

1. Each Contracting Party waives all its claims against any other Contracting Party for damage to any property owned by the former and used by the land, sea or air armed services of the former, if such damage—

- (a) was caused by a member or an employee of the armed services of the latter Contracting Party in the execution of his duties ; or
- (b) arose from the use of any vehicle, vessel or aircraft owned by the latter Contracting Party and used by its armed services provided either that the vehicle, vessel or aircraft causing the damage was being used in connexion with official duties or that the damage was caused to property being so used.

However, paragraph 2 of this Section, and not this paragraph, shall apply to claims for such damage if the damage was caused by the malicious act of a member or employee of the armed services of the former Contracting Party. Claims for maritime salvage by one Contracting Party against any other Contracting Party shall be waived, provided that the vessel or cargo salvaged was owned by a Contracting Party and being used by its armed services.

2.—(a) In the case of damage caused or arising as stated in paragraph 1 of this Section to other property owned by a Contracting Party and located in its territory, the issue of the liability of any other Contracting Party shall be determined and the amount of damage shall be assessed, unless the Contracting Parties concerned agree otherwise, by a sole arbitrator selected in accordance with sub-paragraph (b) of this paragraph. The arbitrator shall also decide any counter-claims arising out of the same incident.

(b) The arbitrator referred to in sub-paragraph (a) above shall be selected by agreement between the Contracting Parties concerned from amongst the nationals of the receiving State who hold or have held high judicial office. If the Contracting Parties concerned are unable, within two months, to agree upon the arbitrator, either may request the President of the High Court of Justice of the Republic of Cyprus to select an arbitrator with the aforesaid qualifications.

(c) Any decision taken by the arbitrator shall be binding and conclusive upon the Contracting Parties.

(d) The amount of any compensation awarded by the arbitrator shall be distributed in accordance with the provisions of sub-paragraphs (e) (i), (ii) and (iii) of paragraph 5 of this Section.

(e) The compensation of the arbitrator shall be fixed by agreement between the Contracting Parties concerned and shall, together with the necessary expenses incidental to the performance of his duties, be defrayed in equal proportions by them.

3. For the purposes of paragraphs 1 and 2 of this Section, the expression "owned by a Contracting Party" in the case of a vessel includes a vessel on bare boat charter to that Contracting Party or requisitioned by it on bare boat terms or seized by it in prize (except to the extent that the risk of loss or liability is borne by some person other than such Contracting Party).

4. Each Contracting Party waives all its claims against any other Contracting Party for injury or death suffered by any member of its armed services while such member was engaged in the performance of his official duties.

5. Subject to the provisions of paragraph 6 of this Section, claims (other than contractual claims and those to which the provisions of paragraph 7 or 8 of this Section apply) arising out of acts or omissions of members of a force or civilian component done in the performance of official duty, or out of acts or omissions of persons locally employed in the service of a force done in the performance of their duties as such, or out of any other act, omission or occurrence for which a force or civilian component is legally responsible, and causing damage in the territory of the receiving State to third parties, other than any of the Contracting Parties, shall be dealt with by the receiving State in accordance with the following provisions :

- (a) Claims shall be filed, considered and settled or adjudicated in accordance with the laws and regulations of the receiving State with respect to claims arising from the activities of its own armed forces.
- (b) The receiving State may settle any such claims, and payment of the amount agreed upon or determined by adjudication shall be made by the receiving State in its currency.
- (c) Such payment, whether made pursuant to a settlement or to adjudication of the case by a competent tribunal of the receiving State, or the final adjudication by such a tribunal denying payment, shall be binding and conclusive upon the Contracting Parties.
- (d) Every claim paid by the receiving State shall be communicated to the sending States concerned together with full particulars and a proposed distribution in conformity with sub-paragraphs (e) (i), (ii) and (iii) of this paragraph. In default of a reply within two months the proposed distribution shall be regarded as accepted.
- (e) The cost incurred in satisfying claims pursuant to the preceding sub-paragraphs of this paragraph and paragraph 2 of this Section shall be distributed between the Contracting Parties, as follows :
 - (i) Where one sending State alone is responsible, the amount awarded or adjudged, shall be distributed in the proportion of 25 per cent chargeable to the receiving State and 75 per cent chargeable to the sending State.

- (ii) Where more than one State is responsible for the damage, the amount awarded or adjudged shall be distributed equally among them ; however, if the receiving State is not one of the States responsible, its contribution shall be half that of each of the sending States.
- (iii) Where the damage was caused by the armed services of the Contracting Parties and it is not possible to attribute it specifically to one or more of those armed services, the amount awarded or adjudged shall be distributed equally among the Contracting Parties concerned ; however, if the receiving State is not one of the States by whose armed services the damage was caused, its contribution shall be half that of each of the sending States concerned.
- (iv) Every half-year, a statement of the sums paid by the receiving State in the course of the half-yearly period in respect of every case regarding which the proposed distribution on a percentage basis has been accepted shall be sent to the sending State concerned, together with a request for reimbursement. Such reimbursement shall be made within the shortest possible time, in the currency of the receiving State.
- (f) In cases where the application of the provisions of sub-paragraphs (b) and (e) of this paragraph would cause a Contracting Party serious hardship, it may request the arrangement of a settlement of a different nature under the procedure set out in Article 10 of this Treaty.
- (g) A member of a force or civilian component shall not be subject to any proceedings for the enforcement of any judgment given against him in the receiving State in a matter arising from the performance of his official duties.
- (h) Except in so far as sub-paragraph (e) of this paragraph applies to claims covered by paragraph 2 of this Section, the provisions of this paragraph shall not apply to any claim arising out of or in connexion with the navigation or operation of a ship or the loading, carriage, or discharge of a cargo, other than claims for death or personal injury to which paragraph 4 of this Section does not apply.

6. Where the United Kingdom is the only Contracting Party involved as a sending State in a claim, the following provisions shall apply, in lieu of those set out in sub-paragraphs (a) to (f) of paragraph 5 of this Section :

- (a) the claim shall be made to the appropriate District Officer or other officer nominated for the purpose by the Government of the receiving State (hereinafter in this paragraph referred to as the "Officer"), who shall forthwith notify the appropriate authorities of the sending State ;
- (b) the Officer shall, as expeditiously as possible, make any necessary investigation of the claim and shall forward to the appropriate authorities of the sending State particulars of the claim, together with the results of any such investigation, his recommendations and copies of any experts' reports or other documentary evidence which may have been obtained by him or submitted by the claimant ;
- (c) the appropriate authorities of the sending State shall, as expeditiously as possible and after making any further investigation that they may think necessary, consider the claim, taking into account the results of any investigation made by the Officer, his recommendations and any copies of experts' reports or other documents forwarded

by him, and shall then notify the Officer whether they are prepared to pay any compensation in satisfaction of the claim and, if they are so prepared, the amount of such compensation ;

- (d) on receipt of that notification, the Officer shall communicate to the claimant its contents and, where the claimant accepts the amount of any compensation offered, the claim shall be settled by the Officer paying to the claimant the amount of compensation accepted by him, which shall then be reimbursed by the sending State ;
- (e) if a claim is rejected altogether, or if the claimant does not agree to the compensation offered to him, or if, within four months from the date of the submission of the claim no compensation is offered to the claimant, the question whether any compensation is payable or of the amount of such compensation, as the case may be, may be submitted by the claimant or by the Officer or by the appropriate authorities of the sending State to an arbitrator appointed in accordance with sub-paragraph (b) of paragraph 2 of this Section, whose decision on the question shall be final and conclusive :

Provided that—

- (i) the receiving State may at any time elect that the provisions of sub-paragraphs (a) to (f) of paragraph 5 of this Section shall apply in lieu of the provisions of this paragraph, and the provisions of sub-paragraphs (a) to (f) of paragraph 5 of this Section shall apply to claims made after the expiration of four months from the notification of that election to the sending State ;
- (ii) the receiving State may at any time thereafter revoke the election aforesaid, and the provisions of this paragraph shall apply to claims made after the expiration of four months from the notification of that revocation to the sending State ;
- (iii) the right of election accorded by this proviso may be exercised by the receiving State as many times as that State may think fit ;
- (iv) the provisions of this paragraph shall not be interpreted as preventing the authorities of the sending State and the authorities of the receiving State from modifying by agreement the procedure to be applied in particular cases or particular classes of cases.

7.—(a) Claims against members of a force or civilian component arising out of tortious acts or omissions in the receiving State not done in the performance of official duty shall be dealt with in the following manner :

- (i) The authorities of the receiving State shall consider the claim and assess compensation to the claimant in a fair and just manner, taking into account all the circumstances of the case, including the conduct of the injured person, and shall prepare a report on the matter.
- (ii) The report shall be delivered to the authorities of the sending State, who shall then decide without delay whether they will offer an *ex gratia* payment, and if so, of what amount.
- (iii) If an offer of *ex gratia* payment is made, and accepted by the claimant in full satisfaction of his claim, the authorities of the sending State shall make the payment themselves and inform the authorities of the receiving State of their decision and of the sum paid.

(b) Nothing in sub-paragraph (a) of this paragraph shall affect the jurisdiction of the courts of the receiving State to entertain an action against a member of a force or civilian component unless and until there has been payment in full satisfaction of the claim.

8. Claims arising out of the unauthorised use of any vehicle of the armed services of a sending State shall be dealt with in accordance with paragraph 7 of this Section, except in so far as the force or civilian component is legally responsible.

9. If a dispute arises as to whether a tortious act or omission of a member of a force or civilian component was done in the performance of official duty or as to whether the use of any vehicle of the armed services of a sending State was unauthorised, the question shall be submitted to an arbitrator appointed in accordance with sub-paragraph (b) of paragraph 2 of this Section, whose decision on this point shall be final and conclusive.

10. The sending State shall not claim immunity from the jurisdiction of the courts of the receiving State for members of a force or civilian component in respect of the civil jurisdiction of the courts of the receiving State except to the extent provided in sub-paragraph (g) of paragraph 5 of this Section.

11. The authorities of the sending State and of the receiving State shall co-operate in the procurement of evidence for a fair hearing and disposal of claims in regard to which the Contracting Parties are concerned.

12. This Section shall not apply to personnel employed by an authorised service organisation nor to claims by, or arising out of the acts or omissions of, such personnel.

13. This Section shall not apply to any claims arising between the Republic of Cyprus, Greece and Turkey nor to any claim, except a claim by or against the United Kingdom, arising out of the acts and omissions which take place within the territory of the Republic of Cyprus of the members of a force or civilian component of the Republic of Cyprus, Greece or Turkey.

14. Where the United Kingdom is the only Contracting Party involved as a sending State in claims made by United Kingdom personnel or their dependents, as defined in Part I¹ of Annex B to this Treaty, not being nationals of, nor ordinarily resident in, the receiving State, the provisions of paragraphs 5 (except for sub-paragraph (g) of that paragraph), 6, 7, 8 and 9, of this Section shall not apply to such claims, which shall be dealt with exclusively by the authorities of the sending State.

Section 10

1. Where the legal incidence of any form of taxation in the receiving State depends upon residence or domicile, periods during which a member of a force or civilian component is in the territory of that State by reason solely of his being a member of such force or civilian component shall not be considered as periods of residence therein, or as creating a

¹ See p. 20 of this volume.

change of residence or domicile for the purposes of such taxation. Members of a force or civilian component shall be exempt from taxation in the receiving State on the salary and emoluments paid to them as such members, and authorised service organisations shall be exempt from taxation on their profits, turnover, commercial or other activities. Authorised service organisations, members of a force or civilian component shall be exempt from taxation in the receiving State on any tangible movable property, excluding private motor vehicles, the presence of which in the receiving State is due solely to their temporary presence there. This paragraph shall apply to taxation on such property, whether levied in respect of its ownership, possession, use or otherwise.

2. Nothing in this Section shall prevent taxation of a member of a force or civilian component with respect to any profitable enterprise, other than his employment as a member of a force or civilian component, in which he may engage in the receiving State, and, except as regards his salary and emoluments and the tangible movable property referred to in paragraph 1, nothing in this Section shall prevent taxation to which, even if regarded as having his residence or domicile outside the territory of the receiving State, such a member is liable under the law of that State.

3. Nothing in this Section shall apply to "duty" as defined in paragraph 12 of Section 11 of this Annex.

4. For the purposes of this Section the term "member of a force" shall not include any person who is a national of the receiving State.

Section 11

1. Save as provided expressly to the contrary in this Annex, members of a force or civilian component as well as their dependents shall be subject to the laws and regulations administered by the customs authorities of the receiving State. In particular, the customs authorities of the receiving State shall have the right, under the general conditions laid down by the laws and regulations of the receiving State, to search members of a force or civilian component and their dependents and to examine their luggage and vehicles, and to seize articles pursuant to such laws and regulations.

2.—(a) The temporary importation and the re-exportation of service vehicles under their own power shall be authorised free of duty.

(b) The temporary importation of such vehicles not under their own power shall be governed by paragraph 4 of this Section and the re-exportation thereof by paragraph 8.

(c) Service vehicles shall be exempt from any tax payable in respect of the use of vehicles on the roads.

3. Official documents and secret equipment shall not be subject to customs inspection or seizure. Persons having in their custody official documents shall be in possession of a certificate which shows the number of despatches carried and certifies that they contain only official documents. Persons having in their custody secret equipment shall be in possession of a certificate that the item in question is secret equipment.

4.—(a) Subject to existing customs procedures or to customs procedures to be agreed between the sending and receiving States :

- (i) A force may import free of duty its equipment and goods necessary for the operation of that equipment, and reasonable quantities of provisions, supplies and other goods which are provided for the exclusive use of members of a force, civilian component, dependents and authorised service organisations.
- (ii) An authorised service organisation may import free of duty equipment and goods for exclusive use in connexion with its official activities on condition that such equipment and goods are not disposed of in the Island of Cyprus except as provided in paragraph 8 below.
- (iii) Overseas contractors engaged in the execution of a project for a force or an authorised service organisation may import free of duty their equipment and goods necessary for the operation of that equipment, provided that such equipment and goods are used exclusively on such a project.
- (iv) Contractors may receive a refund of duties paid by them on stores imported for the execution of a project for a force or an authorised service organisation, and proved to the satisfaction of the competent authority of the receiving State to have been incorporated or consumed in such a project.

(b) The Navy, Army and Air Force Institutes may import reasonable quantities of provisions, supplies and other goods, for its own exclusive use or consumption or for sale to members of a force and civilian component and dependents for their exclusive use or consumption, or to other authorised service organisations for the same purposes, under arrangements having the effect of relieving those persons and authorised service organisations (including the Navy, Army and Air Force Institutes) from the incidence of import duty.

(c) The exemptions granted by this paragraph shall not apply to agricultural produce of which there is an adequate local supply of a satisfactory standard and price. There shall be consultation between the authorities of the sending and receiving States before any withdrawal, pursuant to this sub-paragraph, of exemptions.

5. Members of a force or civilian component may, at the time of their first arrival to take up service in the receiving State and at the time of the first arrival of any dependents to join them, import their personal effects and furniture free of duty for the term of such service. Arrangements shall be made, with a view to avoiding abuse of this privilege, between the receiving and sending States concerning exemption from duty of gifts sent by post to members of a force or civilian component or dependents.

6. Members of a force or civilian component may import temporarily free of duty their private motor vehicles for the personal use of themselves and their dependents. There is no obligation under this paragraph to grant exemption from taxes payable in respect of the use of roads by private vehicles.

7. Imports made by the authorities of a force other than for the exclusive use of that force and its civilian component, dependents and authorised service organisations, and imports, other than those dealt with in paragraphs 5 and 6 of this Section, effected by

members of a force or civilian component, dependents and authorised service organisations are not, by reason of this Section, entitled to any exemption from duty or other conditions.

8. Goods (including equipment), which have been imported free of duty under paragraphs 2 (b), 4, 5 or 6 of this Section, may be re-exported freely but shall not normally be disposed of in the receiving State by way of either sale or gift except to an authorised service organisation, other members of the same force or civilian component or dependents ; however, in particular cases such disposal may be authorised on conditions imposed by the authorities concerned of the receiving State (for instance, on payment of duty and tax and compliance with the requirements of the controls of trade and exchange). The sending State shall comply with reasonable requests of the authorities of the receiving State for the notification of sales or gifts of specified classes of articles under this paragraph.

9. Goods purchased in the receiving State may be exported therefrom only in accordance with the regulations in force in the receiving State.

10. Special arrangements for entry into the territory of the receiving State shall be granted by the Customs authorities of the receiving State to regularly constituted units or formations of a sending State.

11. The receiving State shall make arrangements so that fuel, oil and lubricants for use in service vehicles and in aircraft and vessels of a force (including aircraft and vessels on charter for the service of a force) may be delivered free of all duties and taxes.

12. In paragraphs 1 to 10 of this Section—

- (a) "Duty" means customs duties and all other duties and taxes payable on importation or exportation, as the case may be, except dues and taxes which are no more than charges for services rendered ;
- (b) "importation" includes withdrawal from customs warehouses or continuous customs custody, provided that the goods concerned have not been grown, produced or manufactured in the receiving State.

Section 12

1. Members of a force or civilian component and dependents, and authorised service organisations, shall remain subject to the foreign exchange regulations of the sending State, but as regards acts done in the territory of the receiving State shall also be subject to the exchange control regulations of the receiving State in force from time to time.

2. Remittances between the receiving State and the State to which a force or authorised service organisation or a member of a force or civilian component belongs shall be freely permitted in respect of—

- (a) funds derived by members of the force or civilian component from services or employment in connexion with their official duties as such ;
- (b) funds belonging to an authorised service organisation and derived from its recognised commercial and other activities ; and

(c) funds derived by members of the force or civilian component or dependents or by an authorised service organisation from sources outside the receiving State, subject to the regulations of the country to which the force belongs :

Provided that funds remitted into the receiving State may be freely remitted back only to the country from which they originally came or, with the consent of the authorities of the receiving State, to some other country.

3. The preceding paragraphs of this Section shall not preclude the transmission into or outside the receiving State of foreign exchange instruments representing the official funds of a force.

4. This Section shall not apply to a member of a force or a dependent who is a national of the receiving State.

Section 13

1. The customs or fiscal authorities of the receiving State may, as a condition of the grant of any customs or fiscal exemption or concession provided for in this Annex, require such conditions to be observed as they may deem necessary to prevent abuse.

2. The Customs or fiscal authorities of the receiving State may refuse any exemption provided for by this Annex in respect of the importation into the receiving State of articles grown, produced or manufactured in that State which have been exported therefrom without payment of, or upon repayment of taxes or duties which would have been chargeable but for such exportation. Goods removed from a customs warehouse shall be deemed to be imported if they were regarded as having been exported by reason of being deposited in the warehouse.

Section 14

1. In order to prevent offences against customs and fiscal laws and regulations, the authorities of the receiving and of the sending States shall assist each other in the conduct of enquiries and the collection of evidence.

2. The authorities of a force shall render all assistance within their power to ensure that articles liable to seizure by or on behalf of the customs or fiscal authorities of the receiving State are handed to those authorities.

3. The authorities of a force shall render all assistance within their power to ensure the payment of duties, taxes and penalties payable by members of the force or civilian component or dependents.

4. Service vehicles and articles belonging to a force or an authorised service organisation, but not to a member of that force, seized by the authorities of the receiving State in connexion with an offence against its customs or fiscal laws or regulations shall be handed over as soon as possible to the appropriate authorities of the force concerned.

Section 15

A member of a force or civilian component or a dependent shall not be subject to any legislation in the territory of the receiving State relating to liability for compulsory service of any kind.

Section 16

In connexion with the matters dealt with in Sections 3, 11 and 12 of this Annex, a member of a force or civilian component or a dependent shall be permitted to make use of any frontier arrangements from time to time in force which apply for the benefit of civilians generally between the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area and the territory of the Republic of Cyprus.

Section 17

The provisions of this Annex shall not be applied in such a way as to frustrate or impair the rights conferred in and under Annex B¹ to this Treaty.

ANNEX D

Section 1

For the purposes of this Annex :

- (a) "The agreed date" means the 16th of February, 1961 ;
- (b) "Colony", "protectorate", "protected State" and "United Kingdom trust territory" refer to territories which have that status immediately after the entry into force of this Treaty for the purpose of the application of the nationality law of the United Kingdom ;
- (c) "The date of this Treaty" means the date on which this Treaty enters into force ;
- (d) A person born before the agreed date aboard a registered ship or aircraft or aboard an unregistered ship or aircraft of the Government of any country shall be regarded as having been born in the place in which the ship or aircraft was registered, or, as the case may be, in that country ;
- (e) It is understood that a person shall not be regarded as having ceased to be ordinarily resident in a country if it can be shown to the satisfaction of the authorities concerned that his absence from that country was temporary and for the purpose of receiving medical treatment or education.

Section 2

1. Any citizen of the United Kingdom and Colonies who on the date of this Treaty possesses any of the qualifications specified in paragraph 2 of this Section shall on that date become a citizen of the Republic of Cyprus if he was ordinarily resident in the Island of Cyprus at any time in the period of five years immediately before the date of this Treaty.

2. The qualifications referred to in paragraph 1 of this Section are that the person concerned is—

- (a) a person who became a British subject under the provisions of the Cyprus (Annexation) Orders in Council, 1914 to 1943 ; or

¹ See p. 20 of this volume.

- (b) a person who was born in the Island of Cyprus on or after the 5th of November, 1914 ; or
- (c) a person descended in the male line from such a person as is referred to in subparagraph (a) or (b) of this paragraph.

3. Any citizen of the United Kingdom and Colonies born between the date of this Treaty and the agreed date shall become a citizen of the Republic of Cyprus at the date of his birth if his father becomes such a citizen under this Section or would but for his death have done so.

Section 3

1. Any citizen of the United Kingdom and Colonies who on the date of this Treaty (or, in the case of a person born between that date and the agreed date, who on the date of this birth) possesses any of the qualifications specified in paragraph 2 of Section 2 of this Annex shall on the agreed date cease to be a citizen of the United Kingdom and Colonies unless he possesses any of the qualifications specified in paragraph 2 of this Section.

2. The qualifications referred to in paragraph 1 of this Section are that the person concerned is—

- (a) a person born outside the Island of Cyprus in the United Kingdom or in a colony ; or
- (b) a person naturalised in the United Kingdom and Colonies ; or
- (c) a person who was registered as a citizen of the United Kingdom and Colonies ; or
- (d) a person who became a British subject by reason of the annexation of any territory included in a colony outside the Island of Cyprus ; or
- (e) a person whose father or father's father is or was such a person as is referred to in subparagraph (a), (b), (c) or (d) of this paragraph ; or
- (f) a person born in a protectorate, protected State or United Kingdom trust territory ; or
- (g) a person whose father or father's father was born in a protectorate, protected State or United Kingdom trust territory and was at any time a British subject ; or
- (h) a person who was born on or after the 1st of January, 1949, and whose father was, or would but for his death have been, a British subject without citizenship at the date of that person's birth and immediately before the date of this Treaty ; or
- (i) a person who was born before the 1st of January, 1949, and whose father was, or would but for his death have been, a British subject at the date of that person's birth and a British subject without citizenship immediately before the date of this Treaty ; or
- (j) a person who was immediately before the date of this Treaty ordinarily resident in the United Kingdom or in a colony, protectorate, protected State or United Kingdom trust territory or in the territory of any country within the British Commonwealth of Nations then having separate citizenship from that of the United Kingdom and Colonies or any dependency of that territory ; or
- (k) a person who was born between the date of this Treaty and the agreed date and whose father was a citizen of the United Kingdom and Colonies who was immediately before

the date of this Treaty (or, if he was dead at that date, then at the date of his death) ordinarily resident in any country or territory referred to in sub-paragraph (j) of this paragraph.

Section 4

1. A person who immediately before the date of this Treaty was a citizen of the United Kingdom and Colonies and possessed any of the qualifications specified in paragraph 2 of Section 2 of this Annex but does not under that Section become a citizen of the Republic of Cyprus shall be entitled, on application to the appropriate authority of the Republic of Cyprus, to be granted on or after the agreed date citizenship of the Republic of Cyprus if—

- (a) he was immediately before the date of this Treaty ordinarily resident in any country or territory specified in sub-paragraph (j) of paragraph 2 of Section 3 of this Annex ; or
- (b) he was immediately before that date ordinarily resident in Greece or Turkey ; or
- (c) he was immediately before that date ordinarily resident elsewhere than in a country or territory mentioned in sub-paragraphs (a) and (b) of this paragraph, and became or may become stateless by reason of this Annex.

2. A person of Cypriot origin who immediately before the date of this Treaty was not a citizen of the United Kingdom and Colonies shall be entitled, on application to the appropriate authority of the Republic of Cyprus, to be granted on or after the agreed date citizenship of the Republic of Cyprus. For the purpose of this paragraph, "a person of Cypriot origin" means a person who was, on the 5th of November, 1914, an Ottoman subject ordinarily resident in the Island of Cyprus or who is descended in the male line from such a person.

3. A woman who was married before the date of this Treaty to a person who is entitled to make an application for citizenship of the Republic of Cyprus under paragraph 1 or 2 of this Section and is making or has made such an application shall be entitled, on application during the subsistence of the marriage made to the appropriate authority of the Republic of Cyprus, to be granted on or after the agreed date citizenship of the Republic of Cyprus.

4. A woman who is a citizen of the United Kingdom and Colonies and was married before the date of this Treaty to a person possessing any of the qualifications specified in paragraph 2 of Section 2 of this Annex but whose marriage has been terminated by death or divorce shall be entitled, on application to the appropriate authority of the Republic of Cyprus, to be granted on or after the agreed date citizenship of the Republic of Cyprus if at the date of this Treaty any of the conditions specified in sub-paragraph (a), (b) or (c) of paragraph 1 of this Section were satisfied in the case of her husband (or, if the marriage was terminated before the date of this Treaty, then in her case).

5. A woman who was married before the date of this Treaty to a person of Cypriot origin within the meaning of paragraph 2 of this Section not being a citizen of the United Kingdom and Colonies but whose marriage has been terminated by death or divorce shall

be entitled, on application to the appropriate authority of the Republic of Cyprus, to be granted on or after the agreed date citizenship of the Republic of Cyprus.

6. A person born between the date of this Treaty and the agreed date shall be entitled, on application to the appropriate authority of the Republic of Cyprus, to be granted on or after the agreed date citizenship of the Republic of Cyprus if either of his parents is entitled to make an application for such citizenship under paragraphs 1 to 5 of this Section and is making or has made such an application.

7.—(a) Subject to paragraph 8 of this Section, the number of applications which may be granted under paragraphs 1 to 6 of this Section on the basis of such residence as is referred to in sub-paragraph (a) or (b) paragraph 1 or on the basis of Cypriot origin as referred to in paragraph 2 of this Section shall be limited in each calendar year to the numbers given in the Table below in respect of each class of applicants. Applications shall be granted up to the full number given in each space in that Table in respect of applicants of each class irrespective of the number of applications made by or granted to applicants of any other class.

TABLE

<i>Application</i>	Column A <i>Persons who are to become members of the Greek Com- munity including those per- sons who are to be associated with it</i>	Column B <i>Persons who are to become members of the Turkish Community</i>
I On the basis of such residence as is referred to in sub-paragraph (a) of paragraph 1	1,200	300
II On the basis of such residence as is referred to in sub-paragraph (b) of paragraph 1	160	40
III On the basis of such Cypriot origin as is referred to in paragraph 2	560	140

(b) The numbers in the Table above may be altered for any year by agreement between the President and Vice-President of the Republic of Cyprus.

(c) If, in any year, the number of persons who become members of the Greek community, having been granted citizenship of the Republic of Cyprus under sub-paragraph (c) of paragraph 1 of this Section and having taken up permanent residence in the Republic of Cyprus, exceeds the number required to maintain the ratio of 4 to 1 between the number of such persons and the number of persons who become members of the Turkish community, having been granted citizenship of the Republic of Cyprus under that sub-paragraph and having taken up permanent residence in the Republic of Cyprus, the excess shall be set-off in the immediately following one or more years, as may be required, against the total number in Column A in the Table in sub-paragraph (a) of this paragraph.

(d) If, in any year, the number of persons who become members of the Turkish community, having been granted citizenship of the Republic of Cyprus under sub-paragraph (c) of paragraph 1 of this Section and having taken up permanent residence in the Republic of Cyprus, exceeds the number required to maintain the ratio of 1 to 4 between the number of such persons and the number of persons who become members of the Greek community, having been granted citizenship of the Republic of Cyprus under that sub-paragraph and having taken up permanent residence in the Republic of Cyprus, the excess shall be set-off in the immediately following one or more years, as may be required, against the total number in Column B in the Table in sub-paragraph (a) of this paragraph.

8. The provisions of paragraph 7 of this Section shall not apply to an application made under paragraph 2 of this Section by a person born in the Island of Cyprus who was ordinarily resident there for the period of twenty years immediately before the date of this Treaty or by the wife of such a person.

9. Section 3 of this Annex shall not apply to such a person as is mentioned in sub-paragraph (b) of paragraph 1 of this Section if loss of citizenship of the United Kingdom and Colonies under Section 3 of this Annex would render him stateless.

10. Notwithstanding Section 3 of this Annex, the United Kingdom may provide that the citizenship of the United Kingdom and Colonies of persons who may become stateless on the agreed date by the operation of that Section may continue to subsist until the 16th of August, 1961. Where a child is born to such a person during such subsistence of citizenship of the United Kingdom and Colonies, paragraph 6 of this Section shall apply to that child as if he had been born before the agreed date.

11. Applications to the appropriate authority of the Republic of Cyprus pursuant to sub-paragraph (c) of paragraph 1 of this Section may be made on or after the 16th of November, 1960.

12. Applications under this Section shall be dealt with in the order in which they are received ; and any application which cannot be granted by reason of paragraph 7 of this Section in any calendar year, or which is received too late to be dealt with in that year, shall be dealt with in the following calendar year as part of the number authorised for that year and before the applications received in that year.

13. An application under this Section may be made on behalf of a child who has not attained the age of sixteen years by any person who satisfies the appropriate authority that he is the father or guardian of the child.

14. A citizen of the United Kingdom and Colonies who becomes a citizen of the Republic of Cyprus under this Section shall thereupon cease to be a citizen of the United Kingdom and Colonies. The United Kingdom may provide that any person who loses citizenship of the United Kingdom and Colonies under this paragraph as a result of an application made on his behalf under paragraph 13 of this Section shall be entitled to resume that citizenship after he attains the age of 21 years.

15. Particulars of every grant of citizenship under this Section to a person who is a citizen of the United Kingdom and Colonies shall be notified by the Government of the Republic of Cyprus to the Government of the United Kingdom.

Section 5

1. Any citizen of the United Kingdom and Colonies shall be entitled, on application to the appropriate authority of the Republic of Cyprus not later than 12 months after the agreed date, to be granted on or after the agreed date citizenship of the Republic of Cyprus if he satisfies the authority that he possesses any of the qualifications specified in paragraph 2 of this Section and was ordinarily resident in the Island of Cyprus at any time in the period of five years immediately before the date of this Treaty.

2. The qualifications referred to in paragraph 1 of this Section are that the person concerned is—

- (a) a person who was granted a certificate of naturalisation by the Governor of Cyprus, or whose name was included in such a certificate ; or
- (b) a person who was registered as a citizen of the United Kingdom and Colonies (otherwise than on the ground of marriage to such a citizen) by the Governor of Cyprus ; or
- (c) a person descended in the male line from such a person as is referred to in sub-paragraph (a) or (b) of this paragraph.

3. A citizen of the United Kingdom and Colonies born between the date of this Treaty and the agreed date shall be entitled, on application to the appropriate authority of the Republic of Cyprus not later than 12 months after the agreed date, to be granted citizenship of the Republic of Cyprus if—

- (a) his father is entitled to make an application for citizenship of the Republic of Cyprus under this Section and is making or has made such an application ; or
- (b) his mother is entitled to make an application for citizenship of the Republic of Cyprus under paragraph 2 of Section 6 of this Annex by virtue of the fact that his father possessed any of the qualifications specified in paragraph 2 of this Section and she is making or has made such an application.

4. An application under this Section may be made on behalf of a child who has not attained the age of 16 years by any person who satisfies the appropriate authority that he is the father or guardian of the child.

5. A person who becomes a citizen of the Republic of Cyprus under this Section shall thereupon cease to be a citizen of the United Kingdom and Colonies. The United Kingdom may provide that a person who loses citizenship of the United Kingdom and Colonies under this paragraph as a result of an application made on his behalf under paragraph 4 of this Section shall be entitled to resume that citizenship after he attains the age of 21 years.

6. Particulars of every grant of citizenship of the Republic of Cyprus under this Section shall be notified by the Government of the Republic of Cyprus to the Government of the United Kingdom.

Section 6

1. A woman who is a citizen of the United Kingdom and Colonies and was married before the date of this Treaty to a person who becomes a citizen of the Republic of Cyprus under Section 2 or 5 of this Annex shall be entitled, upon application to the appropriate

authority of the Republic of Cyprus during the subsistence of the marriage and not later than one year after the date when her husband becomes such a citizen, to be granted on or after the agreed date citizenship of the Republic of Cyprus.

2. A woman who is a citizen of the United Kingdom and Colonies and was married before the date of this Treaty to a person possessing any of the qualifications specified in paragraph 2 of Section 2 or in paragraph 2 of Section 5 of this Annex, but whose marriage has been terminated by death or divorce shall be entitled, upon application to the appropriate authority of the Republic of Cyprus not later than two years after the agreed date, to be granted on or after the agreed date citizenship of the Republic of Cyprus if either of the conditions specified in paragraph 3 of this Section is satisfied in her case.

3. The conditions referred to in paragraph 2 of this Section are—

- (a) that, at any time in the period of five years immediately before the date of this Treaty and during the subsistence of the marriage, the husband of the woman concerned was ordinarily resident in the Island of Cyprus ; or
- (b) that, at any time in the period of five years aforesaid and after the termination of the marriage, the woman concerned was ordinarily resident in the Island of Cyprus.

4. A woman who acquires citizenship of the Republic of Cyprus under this Section shall thereupon cease to be a citizen of the United Kingdom and Colonies.

5. Particulars of every grant of citizenship of the Republic of Cyprus under this Section shall be notified by the Government of the Republic of Cyprus to the Government of the United Kingdom.

6. A woman who is the wife of a citizen of the United Kingdom and Colonies shall not cease to be a citizen of the United Kingdom and Colonies under any provision of this Annex unless her husband ceases to be such a citizen under this Annex.

Section 7

Any person who ceases to be a citizen of the United Kingdom and Colonies under Section 3 of this Annex shall, until the expiration of a period of two years after the agreed date, have the same right to acquire citizenship of the United Kingdom and Colonies by registration as if he were a British subject who is not a citizen of the United Kingdom and Colonies.

Section 8

The Republic of Cyprus shall provide that any citizen of the Republic of Cyprus who has attained the age of 21 years (or is a woman who has been married) and is not of unsound mind and also possesses the nationality or citizenship of another country is entitled to renounce citizenship of the Republic of Cyprus by declaration made to the appropriate authority ; but, during any period when the Republic of Cyprus is at war, this right may be made subject to the consent of the appropriate authority.

ANNEX E

Section 1

1. Save as provided in Annex B¹ to this Treaty and in the next following paragraph, all property of the Government of the Colony of Cyprus shall on the date of entry into force of this Treaty become, subject to the provisions of the Constitution of the Republic of Cyprus, the property of the Republic of Cyprus.

2. Save as provided in Annex B to this Treaty, the following property of the Government of the Colony of Cyprus shall on that date become the property of the appropriate authorities of the United Kingdom, that is to say—

- (a) immovable property situate in the Akrotiri Sovereign Base Area or the Dhekelia Sovereign Base Area ;
- (b) tangible movable property which normally is in the Akrotiri Sovereign Base Area or the Dhekelia Sovereign Base Area ;
- (c) intangible movable property which is necessary for the enjoyment of or otherwise relates to any property specified in sub-paragraph (a) or (b) of this paragraph or which relates to any other immovable property situate in the Akrotiri Sovereign Base Area or the Dhekelia Sovereign Base Area, to the extent that it so relates.

3. The transfer of property under this Section shall not affect the rights of other persons or groups of persons in respect of that property.

4. In this Section :

- (a) "property" means—
 - (i) property, whether movable or immovable, tangible or intangible ; and
 - (ii) rights of every description ;
- (b) a reference to specific property includes a reference to rights in, over, or related to that property ; and
- (c) "property of the Government of the Colony of Cyprus" means property vested in that Government or in Her Britannic Majesty for the purposes of that Government or in some other person or authority on behalf of that Government immediately before the date of entry into force of this Treaty. It is understood that the property of public utility corporations does not fall within this sub-paragraph.

Section 2

1. Save as provided in Annex B to this Treaty and in the next following paragraph, and except in so far as special arrangements may have been made before the date of entry into force of this Treaty to discharge certain such liabilities, all legal liabilities and obligations incurred by or on behalf of the Government of the Colony of Cyprus and subsisting immediately before the date of entry into force of this Treaty shall have effect as from that date as if they were incurred by or on behalf of the Republic of Cyprus.

¹ See p. 20 of this volume.

2. Save as provided in Annex B to this Treaty, legal liabilities and obligations incurred by or on behalf of the Government of the Colony of Cyprus and subsisting as aforesaid shall, to the extent that they were incurred in relation to property which passes to the United Kingdom under this Annex, take effect as from the date aforesaid as if they were incurred by or on behalf of the United Kingdom.

3. In this Section, "legal liabilities and obligations incurred by or on behalf of the Government of the Colony of Cyprus"

(a) means—

- (i) any liability or obligation which, at the time when it was incurred, would, under the law of the Colony of Cyprus, have been enforceable by an action against the Crown in right of the Government of that Colony, whether or not it would have been enforceable without the consent of the Governor of the Colony ; and
- (ii) any liability or obligation which, at the time when it was incurred, gave rise, under the law of the Colony of Cyprus, to a cause of action in tort against a servant of the Crown in right of the Government of that Colony and in respect of which the Crown would, in practice, have stood behind that servant for the purpose of satisfying any judgment against him ; and

(b) includes any obligations undertaken by the Government of the Colony of Cyprus in respect of—

- (i) annual payments to the authority for the time being responsible for the *Evcaf* Office and *vahfs*, made under and in accordance with legislation in force immediately before the date of entry into force of this Treaty, for or in respect of the abolition of *vahfs idjaretein* and *arazi mevhoufe takhsisat* ; and
- (ii) loans made by the Government of the United Kingdom under certain United Kingdom statutes, namely, the Colonial Development and Welfare Acts, 1940 to 1959, and the Colonial Development and Welfare Act, 1959.

Section 3

Nothing in this Treaty contained shall preclude any person from claiming through the court any remedy to which he may have been entitled immediately before the date of entry into force of this Treaty in respect of any *chiftlik* compulsorily acquired by or on behalf of the Government of the Colony of Cyprus. Nothing in this Section shall be construed as giving any right of action against the Government of the United Kingdom.

Section 4

Nothing in Sections 1 and 2 of this Annex shall prevent the conclusion of any special agreement or arrangement by the Republic of Cyprus and the United Kingdom with respect to the transfer or apportionment of any particular property, liability or obligation that was immediately before the date of entry into force of this Treaty property or a liability or obligation of the Government of the Colony of Cyprus.

Section 5

The arrangements concerning the pensions and other rights of or in respect of certain public officers who prior to the date of entry into force of this Treaty were or had been in the public service of the Colony of Cyprus, and concerning the conditions of service, pensions and other rights of and in respect of certain public officers who continue on or after that date to serve in the public service of the Republic of Cyprus shall be those set out in the Schedule¹ to this Annex.

SCHEDULE OF ARRANGEMENTS RELATING TO CERTAIN
PUBLIC OFFICERS

With reference to Section 5 of Annex E to this Treaty the matters referred to in that Section are set out in this Schedule.

1.—(1) References in this Schedules to an officer are references to a person who, before the date of this Treaty, was the substantive holder of a pensionable office in the public service of the Colony of Cyprus, being a person—

- (a) who was selected for or offered appointment to the public service of the Colony of Cyprus by a Secretary of State ; or
- (b) whose appointment was approved by a Secretary of State ; or
- (c) who was appointed under an agreement with the Crown Agents for Oversea Governments and Administrations to service in any such office ; or
- (d) who, although not a person falling within sub-paragraph (a), (b) or (c) of this paragraph, is or has been a member of Her Majesty's Oversea Civil Service or Her Majesty's Overseas Judiciary or has been an officer in the public service of the Colony of Cyprus and has been granted retiring benefits under the Cyprus (Retiring Provisions) Order in Council, 1960, as amended by the Cyprus (Retiring Provisions) (Amendment) Order in Council, 1960.

(2) In this Schedule :

“pension” means—

- (a) any pension, gratuity, or similar retiring allowance payable by the Republic of Cyprus to or in respect of any officer, including any increase of pension, and any retiring benefits due under the Cyprus (Retiring Provisions) Order in Council, 1960, as amended by the Cyprus (Retiring Provisions) (Amendment) Order in Council, 1960 ; and
- (b) any pension payable to the widow or child of an officer and any contributions repayable and interest payable to an officer under any law providing for payment of pensions to widows and children of officers ;

“substantive holder” in relation to an office includes a person serving in that office on probation ;

“the date of this Treaty” means the date on which this Treaty enters into force ;

¹ See below.

"Constitution of the Republic of Cyprus" means the Constitution of the Republic of Cyprus in force on the date of this Treaty.

2.—(1) An officer who continues to serve in the public service of the Republic of Cyprus on or after the date of this Treaty, or who immediately before that date, being in the public service of the Colony of Cyprus, was on leave prior to transfer or retirement, shall have the rights relating to terms and conditions of service prescribed in paragraphs 1, 6 and 7 of Article 192 of the Constitution of the Republic of Cyprus.

(2) The Public Service Commission established by the public service provisions of the Constitution of the Republic of Cyprus shall exercise, in respect of an officer who continues to serve in the public service of the Republic of Cyprus on or after the date of this Treaty, the duties imposed upon the Commission by such provisions on equal terms with other public officers.

3. Paragraphs 1, 6 and 7 of Article 192, Article 193 and Article 194 of the Constitution of the Republic of Cyprus shall apply to the eligibility and right to receive a pension—

- (a) of an officer who continues to serve in the public service of the Republic of Cyprus on and after the date of the coming into operation of the Constitution, or who immediately before that date, being in the public service of the Colony of Cyprus, was on leave prior to transfer or retirement, and of the widow, children, dependents, and personal representatives of such officer ; and
- (b) of a person who has been and has ceased to be in the public service of the Colony of Cyprus before the coming into operation of the Constitution, and of the widow, children, dependents, or personal representatives of such person ;

and pensions to such officers and other persons shall be granted and paid accordingly.

4.—(1) Pensions paid outside the Island of Cyprus on or after the date of this Treaty shall be paid in sterling and shall be calculated at the official rate of exchange prevailing on the date of this Treaty between the pound sterling and the currency in use in the Republic of Cyprus notwithstanding any variation in that rate :

Provided that if there is a general revision of salaries consequent upon a revaluation of the currency of the Republic of Cyprus as a result of which the pensionable emoluments of an officer may be increased, the Government of the Republic of Cyprus may require that officer to agree that any pension that may be granted to him shall be calculated at the rate of exchange prevailing at the date of the salaries revision before granting him the benefit of the increase of pensionable emoluments.

(2) Every pensioner who has been granted or is being paid a pension before the date of this Treaty shall exercise within one year after that date an option as to whether his pension and any pension that may in due course become payable to his widow, children, dependents or personal representatives shall be paid in the Island of Cyprus or outside the Island of Cyprus :

Provided that where no option is exercised by an officer who is being paid a pension within one year after that date an option shall be deemed to have been exercised for the payment of the pension either in the Island of Cyprus or outside the Island of Cyprus according to where it was being paid on that date.

(3) Every officer eligible for a pension who retires on or after the date of this Treaty shall exercise before the award of his pension or within one year after the date of this Treaty, whichever is the later, an option as to whether his pension, and any pension that may become payable to his widow, children, dependents or personal representatives, shall be paid in the Island of Cyprus or outside the Island of Cyprus.

(4) Where, upon the death of any person, a pension becomes payable to his widow, children or any dependent, or to his personal representatives, an option as to whether the pension shall be paid in the Island of Cyprus or outside the Island of Cyprus—

(a) may be exercised, within one year after the death of that person, by the pensioner ; and

(b) shall, if so exercised, be substituted for the option (if any) exercised by that person under sub-paragraph (2) or sub-paragraph (3) of this paragraph.

(5) Where an option is exercised in accordance with this paragraph for the payment in sterling of a pension outside the Island of Cyprus, the pension may be paid anywhere outside the Island of Cyprus, according as the pensioner by notice in writing may from time to time request, or, if the pensioner becomes resident in the Island of Cyprus and so requests by notice in writing, may be paid in the Island of Cyprus.

(6) An option exercised in accordance with this paragraph—

(a) shall be exercised by notice in writing ; and

(b) shall be deemed to have been exercised on the date on which the notice is received.

(7) In this paragraph, "pensioner" means the person entitled to the payment of a pension or, if that person is a minor, means his or her lawful guardian.

(8) This paragraph shall apply only to officers as described in sub-paragraphs (1) (a), 1 (b) and (1) (c) of paragraph 1 of this Schedule who have before the date of this Treaty retired or transferred or been required or granted permission to retire or transfer, as the case may be, from the public service of the Colony of Cyprus, and to the widows, children, dependents and personal representatives of such officers.

A N N E X F

PART I

Section 1

The United Kingdom and the Republic of Cyprus recognise that the establishment of customs barriers on the boundaries between the Sovereign Base Areas and the territory of the Republic of Cyprus ought to be avoided and agree to establish customs arrangements accordingly.

Section 2

Goods which have once been charged with duty or tax or exempted therefrom in the Sovereign Base Areas or in the territory of the Republic of Cyprus shall not be subject to any further duty or tax of a like nature by reason of any subsequent transfer between the Sovereign Base Areas and the territory of the Republic of Cyprus.

Section 3

1. The United Kingdom shall, save as may otherwise be agreed with the Republic of Cyprus, apply in relation to the Sovereign Base Areas the same duties, prohibitions and restrictions on the import and export of goods and the same taxes on goods as those applied by the Republic of Cyprus.

2. Paragraph 1 of this Section shall, however, not require the United Kingdom to take any action which would conflict with pre-existing obligations of the United Kingdom under international agreements. The United Kingdom shall take action immediately to terminate such conflicting obligations as soon as possible.

Section 4

The Republic of Cyprus shall be entitled at ports, airports and other places of entry within its territory to collect duties payable on goods consigned to or exported from the Sovereign Base Areas and shall be entitled to retain for its use all duties so collected.

Section 5

1. No duty, prohibition or restriction on the import of goods and no tax shall be applied to goods imported or cleared by, or on behalf of, the United Kingdom authorities exclusively for official or military purposes in the Sovereign Base Areas or on the export of such goods.

2. Goods imported into the Sovereign Base Areas for official or military purposes which become surplus to requirements for those purposes shall not be disposed of within the Island of Cyprus except—

- (a) in accordance with such conditions as may be agreed between the United Kingdom authorities and the authorities of the Republic of Cyprus ; or
- (b) by way of export ; or
- (c) by way of either sale or gift to an authorised service organisation, or to United Kingdom personnel or their dependents.

Section 6

The Republic of Cyprus shall not apply any duty, prohibition or restriction on the import or export of goods or any tax on goods which is discriminatory against the United Kingdom authorities, United Kingdom personnel, their dependents, contractors or sutlers.

Section 7

1. Such privileges and exemptions as apply under Annex C¹ to this Treaty in relation to the United Kingdom personnel, their dependents and contractors specified in that Annex in the territory of the Republic of Cyprus shall be applied in relation to United Kingdom personnel, their dependents and contractors in the Sovereign Base Areas.

¹ See p. 84 of this volume.

2. The provisions of Annex C to this Treaty with respect to the disposal of goods apply to goods imported free of duty in accordance with paragraph 1 of this Section as they apply to goods imported in accordance with that Annex.

Section 8

A Committee consisting of three representatives of the Government of the United Kingdom and three representatives of the Government of the Republic of Cyprus shall be established to keep under review the operation of this Part of this Annex and to make recommendations to the two Governments as regards in particular—

- (a) the concerting of measures against smuggling and other evasions of such duties and taxes ;
- (b) the co-operation between the authorities of the Sovereign Base Areas and the customs service of the Republic of Cyprus ; and
- (c) any question or difficulty that may arise over the operation of this Part of this Annex.

Section 9

The Committee established under Section 8 of this Part of this Annex shall also keep under review, and make recommendations to the two Governments in respect of, the operation of paragraph 4 of Section 11 of Annex C to this Treaty and any arrangements which may be concluded or procedures which may be agreed between the two Governments as to customs matters affecting authorised service organisations in the Island of Cyprus.

Section 10

Paragraph 4 of Section 9 of Part II¹ of Annex B and paragraph 3 of Section 11 of Annex C to this Treaty shall apply to matters dealt with in this Part of this Annex as they apply to matters dealt with in those Annexes.

Section 11

Nothing in this Part of this Annex shall affect or prejudice the privileges and exemptions conferred by Annex B² and Annex C to this Treaty.

Section 12

For the purposes of this Part of this Annex :

- (a) "Goods" includes tangible movable property of every kind ;
- (b) "United Kingdom authorities", "United Kingdom personnel", "authorised service organisations", "dependents", "contractors" and "sutlers" have the same meanings as those expressions have for the purposes of Annex B to this Treaty ;

¹ See p. 24 of this volume.

² See p. 20 of this volume.

- (c) "The Sovereign Base Areas" means the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area ;
- (d) "Duty" and "importation" have the meanings assigned to them by paragraph 12 of Section 11 of Annex C to this Treaty.

Section 13

Nothing in this Part of this Annex shall prevent the conclusion of any special agreement or arrangement between the Government of the United Kingdom and the Government of the Republic of Cyprus with respect to any of the matters covered by this Part of this Annex.

A N N E X F

PART II

The Republic of Cyprus shall, by agreement on appropriate terms, accord most-favoured-nation treatment to the United Kingdom, Greece and Turkey in connexion with all agreements whatever their nature. This paragraph shall not apply to the rights of the United Kingdom under this Treaty.

EXCHANGE OF NOTES BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND CYPRUS CONCERNING IDENTIFICATIONS OF LOANS REFERRED TO IN PARAGRAPH 3 (b) (ii) OF SECTION 2 OF ANNEXE TO THE TREATY OF 16 AUGUST 1960¹ CONCERNING THE ESTABLISHMENT OF THE REPUBLIC OF CYPRUS. NICOSIA, 16 AUGUST 1960

I

Nicosia, August 16, 1960

Your Excellencies,

I have the honour to refer to the Treaty concerning the Establishment of the Republic of Cyprus of to-day's date¹ and to inform you that the following are the loans referred to in paragraph 3 (b) (ii) of Section 2 of Annex E thereof :

- (1) The loan of one million one hundred thousand pounds sterling made on the 28th of October, 1959 ;
- (2) The loan of sixty four thousand five hundred pounds sterling made under Colonial Development and Welfare Scheme No. D.3813 of 1959 for village irrigation ; and
- (3) The loan of one hundred and sixty thousand pounds sterling made under Colonial Development and Welfare Scheme No. D.3827 of 1959 for Morphou Bay water supply ;

to the extent that the amounts of the loans have been advanced to the Government of the Colony or will have been so advanced on the date of entry into force of the Treaty.

I have the honour to be,

Your Excellencies' most obedient, humble Servant,

Hugh Foot

Archbishop Makarios
President of the Republic of Cyprus

Dr. Fazil Kutchuk
Vice-President of the Republic of Cyprus

¹ See p. 10 of this volume.

II

Nicosia, August 16, 1960

Your Excellency,

We have the honour to acknowledge receipt of your Note of to-day's date which reads as follows :

[See note I]

We have the honour to present our best respects,

† Ο ΚΥΡΙΟΥ ΜΑΚΑΡΙΟΣ F. Κυζούκ

Sir Hugh Foot, G.C.M.G, K.C.V.O., O.B.E.

EXCHANGE OF NOTES BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND CYPRUS CONCERNING MOST-FAVOURLED NATION TREATMENT, REFERRED TO IN PART II OF ANNEX F TO THE TREATY OF 16 AUGUST 1960¹ CONCERNING THE ESTABLISHMENT OF THE REPUBLIC OF CYPRUS. NICOSIA, 16 AUGUST 1960

I

Nicosia, August 16, 1960

Your Excellency,

We have the honour, with reference to Part II of Annex F to the Treaty concerning the Establishment of the Republic of Cyprus of to-day's date,¹ to transmit herewith copies of Notes exchanged this day between the Government of the Republic of Cyprus and the Government of the Kingdom of Greece² and of the Republic of Turkey³ respectively and to request your confirmation that the agreements constituted thereby are satisfactory to the Government of the United Kingdom of Great Britain and Northern Ireland.

We have the honour to present our best respects,

† Ο ΚΥΠΡΟΥ ΜΑΚΑΡΙΟΣ F. Kūçük

Sir Hugh Foot, G.C.M.G., K.C.V.O., O.B.E.

¹ See p. 10 of this volume.

² See p. 152 of this volume.

³ See p. 154 of this volume.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN
CYPRUS AND GREECE. NICOSIA, 16 AUGUST 1960

I

Nicosia, August 16, 1960

Your Excellency,

We have the honour, with reference to the Treaty concerning the Establishment of the Republic of Cyprus of to-day's date, to propose that Part II of Annex F to the Treaty shall not require the Republic to offer to enter into any agreement to extend to the Kingdom of Greece the benefit of any preferences in respect of import duties or charges which are from time to time granted to any one or more of the territories enumerated in the following list :

The United Kingdom of Great Britain and Northern Ireland ;
The Commonwealth of Australia ;
Burma ;
Canada ;
Ceylon ;
Ghana ;
India ;
The Republic of Ireland ;
The Federation of Malaya ;
New Zealand ;
Pakistan ;
The Federation of Rhodesia and Nyasaland ;
The Union of South Africa ;
Territories for the international relations of which the Government of any of the territories listed above is responsible at the date of entry into force of the Treaty.

2. We have the honour to suggest that, if this proposal is acceptable to the Government of the Kingdom of Greece, this Note, together with your reply to that effect, shall be regarded as constituting an agreement in this matter between the Government of the Kingdom of Greece and the Government of the Republic of Cyprus which shall enter into force on to-day's date.

We have the honour to present our best respects.

† Ο ΚΥΠΡΟΥ ΜΑΚΑΡΙΟΣ

F. Κύρτζικ

Monsieur Georges Ch. Christopoulos
Minister, Consul General of the Kingdom of Greece
Nicosia

II

Nicosia, August 16, 1960

Your Excellencies,

I have the honour to acknowledge receipt of your Note of to-day's date which reads as follows :

[See note I]

2. The proposal set out in that Note is acceptable to the Government of the Kingdom of Greece and I have the honour, therefore, to confirm that your Note, together with this reply, shall constitute an agreement accordingly.

I have the honour to avail myself of this opportunity to assure Your Excellencies of my highest esteem and consideration,

G. CHRISTOPOULOS

Archbishop Makarios
President of the Republic of Cyprus

Dr. Fazil Kutchuk
Vice President of the Republic of Cyprus

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN
CYPRUS AND TURKEY. NICOSIA, 16 AUGUST 1960

I

Nicosia, August 16, 1960

Your Excellency,

We have the honour, with reference to the Treaty concerning the Establishment of the Republic of Cyprus of to-day's date, to propose that Part II of Annex F to the Treaty shall not require the Republic to offer to enter into any agreement to extend to the Republic of Turkey the benefit of any preferences in respect of import duties or charges which are from time to time granted to any one or more of the territories enumerated in the following list :

The United Kingdom of Great Britain and Northern Ireland ;
The Commonwealth of Australia ;
Burma ;
Canada ;
Ceylon ;
Ghana ;
India ;
The Republic of Ireland ;

The Federation of Malaya ;
New Zealand ;
Pakistan ;
The Federation of Rhodesia and Nyasaland ;
The Union of South Africa ;
Territories for the international relations of which the Government of any of the territories listed above is responsible at the date of entry into force of the Treaty.

2. We have the honour to suggest that, if this proposal is acceptable to the Government of the Republic of Turkey, this Note, together with your reply to that effect, shall be regarded as constituting an agreement in this matter between the Government of the Republic of Turkey and the Government of the Republic of Cyprus which shall enter into force on to-day's date.

We have the honour to present our best respects.

† Ο ΚΥΠΡΟΥ ΜΑΚΑΡΙΟΣ

F. Κῦçῦκ

Monsieur Veedi Türel
Consul General of the Republic of Turkey
Ambassador Extraordinary and Plenipotentiary
Nicosia

II

Nicosia, August 16, 1960

Your Excellencies,

I have the honour to acknowledge receipt of your Note of to-day's date which reads as follows :

[See note I]

2. The proposal set out in that Note is acceptable to the Government of the Republic of Turkey and I have the honour, therefore, to confirm that your Note, together with this reply, shall constitute an agreement accordingly.

I have the honour to avail myself of this opportunity to assure Your Excellencies of my highest esteem and consideration.

Vecdi TÜREL

Archbishop Makarios
President of the Republic of Cyprus

Dr. Fazil Kutchuk
Vice-President of the Republic of Cyprus

II

Nicosia, August 16, 1960

Your Excellencies,

I have the honour to acknowledge receipt of your letter of to-day's date transmitting, with reference to Part II of Annex F to the Treaty concerning the Establishment of the Republic of Cyprus of to-day's date, copies of Notes exchanged this day between the Government of the Republic of Cyprus and the Governments of the Kingdom of Greece and of the Republic of Turkey respectively and to confirm that the agreements constituted thereby are satisfactory to the Government of the United Kingdom of Great Britain and Northern Ireland.

I have the honour to be,

Your Excellencies' most obedient, humble Servant,

Hugh Foot

Archbishop Makarios
President of the Republic of Cyprus

Dr. Fazil Kutchuk
Vice-President of the Republic of Cyprus

EXCHANGE OF NOTES BETWEEN THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND
CYPRUS CONCERNING THE ADMINISTRATION OF SOV-
EREIGN BASE AREAS REFERRED TO IN ARTICLE 1
OF THE TREATY OF 16 AUGUST 1960¹ CONCERNING THE
ESTABLISHMENT OF THE REPUBLIC OF CYPRUS.
NICOSIA, 16 AUGUST 1960

I

Nicosia, August 16, 1960

Your Excellencies,

I have the honour to transmit herewith to Your Excellencies the text of the Declaration² made by the Government of the United Kingdom of Great Britain and Northern Ireland regarding the administration of the Sovereign Base Areas, being those areas mentioned in Article 1 of the Treaty concerning the Establishment of the Republic of Cyprus¹ which remain under the sovereignty of the United Kingdom.

I have the honour further to inform Your Excellencies that the Government of the United Kingdom desire to assure the Government of the Republic of Cyprus that they are determined to stand by that Declaration and thereby to create a continuous and lasting system of administration in the Sovereign Base Areas founded on close co-operation between the authorities of those areas and the authorities of the Republic of Cyprus.

The Government of the United Kingdom, in their desire that no difficulties should arise from the application of that Declaration, and in order to give effect to what is stated above, are determined to make the necessary practical arrangements.

I have the honour to be,

Your Excellencies' most obedient, humble Servant,

Hugh FOOT

Archbishop Makarios
President of the Republic of Cyprus

Dr. Fazil Kutchuk
Vice-President of the Republic of Cyprus

¹ See p. 10 of this volume.

² See p. 162 of this volume.

DECLARATION BY HER MAJESTY'S GOVERNMENT REGARDING THE ADMINISTRATION OF THE SOVEREIGN BASE AREAS, BEING THOSE AREAS MENTIONED IN ARTICLE I OF THE TREATY CONCERNING THE ESTABLISHMENT OF THE REPUBLIC OF CYPRUS WHICH REMAIN UNDER THE SOVEREIGNTY OF THE UNITED KINGDOM

Her Majesty's Government declare that the main objects to be achieved are :

- (1) Effective use of the Sovereign Base Areas as military bases.
 - (2) Full co-operation with the Republic of Cyprus.
 - (3) Protection of the interests of those resident or working in the Sovereign Base Areas.
2. Her Majesty's Government further declare that their intention accordingly will be—
- (I) Not to develop the Sovereign Base Areas for other than military purposes.
 - (II) Not to set up and administer "colonies".
 - (III) Not to create customs posts or other frontier barriers between the Sovereign Base Areas and the Republic.
 - (IV) Not to set up or permit the establishment of civilian commercial or industrial enterprises except in so far as these are connected with military requirements, and not otherwise to impair the economic, commercial or industrial unity and life of the Island.
 - (V) Not to establish commercial or civilian sea ports or airports.
 - (VI) Not to allow new settlement of people in the Sovereign Base Areas other than for temporary purposes.
 - (VII) Not to expropriate private property within the Sovereign Base Areas except for military purposes on payment of fair compensation.
3. With these purposes in mind, and subject to their military requirements and security needs, Her Majesty's Government make the following declaration of intention—
- (1) *Freedom of Access*

Cypriots (and others resident in the Republic) will have freedom of access and communications to and through the Sovereign Base Areas, and of employment and cultivation in the Sovereign Base Areas and freedom of navigation and fishing in the territorial waters thereof.
 - (2) *Legislation*

The laws applicable to the Cypriot population of the Sovereign Base Areas will be as far as possible the same as the laws of the Republic.

(3) *Protection of Cypriot Rights*

The rights of Cypriots (and others resident in the Republic) and Cypriot communities and corporations in regard to property will be fully protected.

(4) *Public Services*

The Republic will be invited to provide a wide range of public services to be performed for Cypriots in the Sovereign Base Areas. These will include Education, Agriculture, Co-operative Development, Labour and Social Insurance, Social Welfare, Health and Medical Services, Postal Services, Forestry Services and Statistics. In addition Cypriot public utility services will be free to operate in the Sovereign Base Areas.

(5) *Antiquities*

The ancient monuments and antiquity sites specified in the Schedule¹ to this Declaration will be administered and maintained by the Republic. Licences for antiquity excavation will be issued by the Republic but will be subject to the consent of the authorities of the Sovereign Base Areas. Movable antiquities found in excavations or discovered will be the property of the Republic.

(6) *Water Control*

Subject only to military requirements and security needs being met, the policy to be carried out in regard to water control in the Sovereign Base Areas will be considered and decided by a joint committee.

(7) *Customs*

The Republic will be invited to collect and keep such customs duties as may, by arrangement, be levied on goods imported through ports in the Republic and destined for the Sovereign Base Areas. Arrangements will be made for the Republic to receive customs duties on commercial and personal imports, if any, collected by the authorities of the Sovereign Base Areas.

(8) *Taxes*

Taxes, rates and fees payable by Cypriots or in respect of Cypriot property in the Sovereign Base Areas will be as far as possible the same as those in the Republic. The Republic will be invited to collect and keep taxes, rates and fees due from Cypriots resident or working in the Sovereign Base Areas or payable by Cypriots on privately owned or occupied immovable property therein. (This will apply also to taxes, rates and fees due from non-Cypriots residents and workers, exclusive of military personnel, civilians working with them and their families).

¹ See p. 170 of this volume.

(9) *Currency and Exchange Control*

The currency of the Republic will be legal tender in the Sovereign Base Areas and the Exchange Control Regulations in the Sovereign Base Areas will be co-ordinated with those in the Republic.

(10) *Mining*

The Republic will be invited to collect and keep revenue derived from any royalties due or taxes payable on minerals obtained in the Sovereign Base Areas, and fees in respect of mining and prospecting licences, and for these purposes will be invited to issue licences in relation to these matters, subject to the consent and control of the authorities of the Sovereign Base Areas. These arrangements will not apply to stone, shingle, sand, gravel or other building and construction materials obtained by, or to mining and prospecting for such materials by, the United Kingdom authorities, or their contractors and others acting on their behalf.

(11) *Land Registration*

Arrangements will be made for the Land Registry of the Republic to perform in relation to privately owned land in the Sovereign Base Areas, the same functions relating to the issue of titles and execution of transfers and ancillary services as are performed by the Land Registry of the Republic in regard to privately owned land in the Republic.

(12) *Civil Proceedings*

Arrangements will be made to enable legal proceedings concerning civil rights and obligations in which all the parties are Cypriots to take place in the Courts of the Republic, and for the enforcement within the Sovereign Base Areas of the judgments and orders of such Courts in such proceedings.

(13) *Criminal Proceedings*

Arrangements will be made to enable certain criminal proceedings in which both the complainant and accused are Cypriots to be tried by the Courts of the Republic.

(14) *Prisons*

Cypriots tried in the Courts of the Republic in pursuance of such arrangements will, if convicted and sentenced to imprisonment, serve their sentences in the Prisons of the Republic.

(15) *Police*

There will be co-operation between the Police and the Gendarmerie of the Republic and the Police of the Sovereign Base Areas for the prevention and detection of crime and facilities will be given to the Police and Gendarmerie of the Republic for the investigation of offences triable by the Courts of the Republic.

(16) *Assessment Tribunals*

Where compulsory acquisition or requisition of private land is necessary for military purposes, the authorities of the Sovereign Base Areas will normally invite an assessor appointed by the Republic to assist the tribunal concerned in regard to compensation.

(17) *District Officers*

The District Officers of the Republic will be invited to perform such administrative duties in relation to Cypriots within the Sovereign Base Areas as may be agreed by the authorities of the Sovereign Base Areas and the Republic.

(18) *Labour*

Cypriot labour, staff and contractors will be employed in the Sovereign Base Areas in accordance with the provisions of the Treaty of Establishment.

(19) *Commerce and Industry*

The Republic will be invited to carry out in the Sovereign Base Areas the registration of companies and partnerships and such other administrative functions as may be agreed in the sphere of commerce, industry, transport and employment.

4. It is understood that—

- (a) there will be no discrimination by the authorities of the Republic against those who live or work in the Sovereign Base Areas ;
- (b) expenses incurred in the exercise of any functions or services performed by the Republic in accordance with these arrangements will be borne by the Republic.

5. Her Majesty's Government are willing to co-operate with the Republic in the establishment as soon as possible of a Joint Consultative Board to advise the authorities of the Republic and those of the Sovereign Base Areas on such arrangements as may be necessary from time to time to give effect to the intentions of Her Majesty's Government set out in this Declaration. It is intended that this machinery of consultation and co-operation should apply to all aspects of this Declaration. It could also deal with questions of water supplies through the joint committee referred to in Annex B, Part II, Section 8 (3) of the Treaty concerning the Establishment of the Republic of Cyprus.

SCHEDULE

(Paragraph 3, Clause (5))

The following monuments and sites as delineated on the relative plans deposited with the Department of Lands and Surveys in Nicosia, the District Office of Limassol and the appropriate United Kingdom authorities in the Akrotiri Sovereign Base Area.

- (1) The Site and remains of Curium.
- (2) The Sanctuary of Apollo Hylates near Curium.
- (3) The Stadium of Curium.
- (4) The ancient Cemetery at Ayios Ermoyenis near Curium.
- (5) The Church and remains of the Monastery of St. Nicholas of the Cats.

II

Nicosia, August 16, 1960

Your Excellency,

We have the honour to acknowledge receipt of your letter of to-day's date, which reads as follows :

[See note I]

We have taken due note of the contents of this letter.

We have the honour to present our best respects,

† Ο ΚΥΠΡΙΟΥ ΜΑΚΑΡΙΟΣ F. Kūçük

Sir Hugh Foot, G.C.M.G., K.C.V.O., O.B.E.

EXCHANGE OF NOTES BETWEEN THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND
CYPRUS CONCERNING THE FUTURE OF THE SOVEREIGN
BASE AREAS REFERRED TO IN ARTICLE 1 OF
THE TREATY OF 16 AUGUST 1960¹ CONCERNING THE
ESTABLISHMENT OF THE REPUBLIC OF CYPRUS.
NICOSIA, 16 AUGUST 1960

I

Nicosia, August 16, 1960

Your Excellencies,

I have the honour to refer to the Sovereign Base Areas mentioned in Article I of the Treaty concerning the Establishment of the Republic of Cyprus¹ and in this connexion to state that the Government of the United Kingdom of Great Britain and Northern Ireland do not intend to relinquish their sovereignty or effective control over the Sovereign Base Areas and that therefore the question of their cession does not arise.

I have the honour to be,

Your Excellencies' most obedient, humble Servant,

Hugh Foot

Archbishop Makarios
President of the Republic of Cyprus

Dr. Fazil Kutchuk
Vice-President of the Republic of Cyprus

II

Nicosia, August 16, 1960

Your Excellency,

We have the honour to acknowledge receipt of your Note of to-day's date which reads as follows :

[See note I]

¹ See p. 10 of this volume.

2. We wish, on behalf of the Government of the Republic of Cyprus, to assure you that the Republic of Cyprus will not demand that the United Kingdom should relinquish their sovereignty or effective control over the Sovereign Base Areas. In the event, however, that the Government of the United Kingdom, in view of changes in their military requirements, should at any time decide to divest themselves of the aforesaid sovereignty or effective control over the Sovereign Base Areas, or any part thereof, it is understood that such sovereignty or control shall be transferred to the Republic of Cyprus.

We have the honour to present our best respects,

† Ο ΚΥΗΠΟΥ ΜΑΚΑΡΙΟΣ F. Κούρκ

Sir Hugh Foot, G.C.M.G., K.C.V.O., O.B.E.

III

Nicosia, August 16, 1960

Your Excellencies,

I have the honour to acknowledge receipt of your Note of to-day's date which reads as follows :

[See note II]

2. I have the honour further to state that the Government of the United Kingdom are in full agreement with the views contained in that Note.

I have the honour to be,

Your Excellencies' most obedient, humble Servant,

Hugh Foot

Archbishop Makarios
President of the Republic of Cyprus

Dr. Fazil Kutchuk
Vice-President of the Republic of Cyprus