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NOTE BY THE SECRETARY-GENERAL

1. In view of a number of inquiries which I have received from Governments concerning certain aspects of the function and operation of the United Nations Peace-Keeping Force in Cyprus, some further clarification may be desirable.
2. The terms of reference for the United Nations Peace-Keeping Force in Cyprus are as set forth in paragraph 5 of the resolution adopted by the Security Council on 4 March 1964. The Secretary-General has instructed the Commander of the Force that the activities of the Force are to be kept at all times within the framework of those Security Council terms of reference and that no action not entirely consistent with them is ever to be undertaken.
3. It should also be recalled that paragraph 2 of the resolution adopted by the Security Council on 4 March 1964 asks the Government of Cyprus, which has the responsibility for the maintenance and restoration of law and order, to take all additional measures necessary to stop violence and bloodshed in Cyprus.
  - A. The Commander of the Force receives from the Secretary-General from time to time, as a matter of course, both general and detailed directives, relating always to the terms of reference, for his guidance in the discharge of his command. This practice, which is usual for a military force, has been the rule scrupulously followed with regard to all other United Nations peace-keeping operations. Naturally these directives are entirely internal and cannot be made available for public distribution.
  - B. However, since the function and operation of the Force are understandably of considerable interest to the Governments concerned and to the Governments providing contingents for the United Nations Peace-Keeping Force in Cyprus, I have made available to these Governments an aide-mémoire concerning some questions raised in this regard.



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10 April 1964

Aide-mémoire concerning some questions relating to the function and operation of the United Nations Peace-Keeping Force in Cyprus

Function of the Force

1. The Security Council, by paragraph 5 of its resolution S/5575 of 4 March 1964 recommended that the function of the United Nations Peace-Keeping Force in Cyprus should be "in the interest of preserving international peace and security, to use its best efforts to prevent a recurrence of fighting and, as necessary, to contribute to the maintenance and restoration of law and order and a return to normal conditions".
2. In carrying out its function, the United Nations Force shall avoid any action designed to influence the political situation in Cyprus except through contributing to a restoration of quiet and through creating an improved climate in which political solutions may be sought.

Guiding principles

3. The Secretary-General has the responsibility for establishing the Force and for its direction. The Force, whose composition and size are to be established in consultation with the Governments of Cyprus, Greece, Turkey and the United Kingdom, is a United Nations Force, whose Commander has been appointed by the Secretary-General.
4. The Force is under the exclusive control and command of the United Nations at all times.
5. The Secretary-General is responsible to the Security Council for the conduct of this Force, and he alone reports to the Security Council about it.
6. The Commander of the Force, who is responsible to the Secretary-General, receives, as appropriate, directives from the Secretary-General on the exercise of his command and reports to the Secretary-General. The executive control of all units of the Force is at all times exercised by the Commander of the Force.

7. The contingents comprising the Force are integral parts of it and take their orders exclusively from the Commander of the Force.
8. The Force has its own headquarters whose personnel is international in character and representative of the contingents comprising the Force.
9. The Force shall undertake no functions which are not consistent with the definition of the function of the Force set forth in paragraph 5 of the Security Council resolution of 4 March 1964. Any doubt about a proposed action of the Force being consistent with the definition of the function set forth in the resolution must be submitted to the Secretary-General for decision.
10. The troops of the Force carry arms which, however, are to be employed only for self-defence, should this become necessary in the discharge of its function, in the interest of preserving international peace and security, of seeking to prevent a recurrence of fighting, and contributing to the maintenance and restoration of law and order and a return to normal conditions.
11. It would be desirable from the standpoint of effective operation of the United Nations Force that the Greek and Turkish troops now stationed in Cyprus should be placed under the over-all command of the Commander of the Force. Although the United Nations has no specific mandate to require this, the Secretary-General has urged this course on the Governments concerned.
12. The personnel of the Force must refrain from expressing publicly any opinion on the political problems of the country. They must also act with restraint and with complete impartiality towards the members of the Greek and Turkish Cypriot communities.
13. There is a clear distinction between the troops of the British contingent in the United Nations Force and the British military personnel in Cyprus, such as those manning the British bases not included in the United Nations Force.
14. The Status of the Force Agreement, concluded between the Government of Cyprus and the United Nations, covers matters such as freedom of movement, jurisdiction, responsibilities, discipline, etc., and has been circulated as a Security Council document (S/5634).
15. The operations of the Force and the activities of the United Nations Mediator are separate and distinct undertakings and shall be kept so. Nevertheless, in the nature of the case, the activities are complementary in

the sense that the extent to which the Force shall be able to ensure quiet in Cyprus will help the task of the Mediator, while on the other hand any progress effected by the Mediator will facilitate the functioning of the Force.

Principles of self-defence

16. Troops of UNFICYP shall not take the initiative in the use of armed force. The use of armed force is permissible only in self-defence. The expression "self-defence" includes:

(a) the defence of United Nations posts, premises and vehicles under armed attack;

(b) the support of other personnel of UNFICYP under armed attack.

17. No action is to be taken by the troops of UNFICYP which is likely to bring them into direct conflict with either community in Cyprus, except in the following circumstances:

(a) where members of the Force are compelled to act in self-defence;

(b) where the safety of the Force or of members of it is in jeopardy;

(c) where specific arrangements accepted by both communities have been, or in the opinion of the commander on the spot are about to be, violated, thus risking a recurrence of fighting or endangering law and order.

18. When acting in self-defence, the principle of minimum force shall always be applied, and armed force will be used only when all peaceful means of persuasion have failed. The decision as to when force may be used under these circumstances rests with the commander on the spot whose main concern will be to distinguish between an incident which does not require fire to be opened and those situations in which troops may be authorized to use force.

Examples in which troops may be so authorized are:

(a) attempts by force to compel them to withdraw from a position which they occupy under orders from their commanders, or to infiltrate and envelop such positions as are deemed necessary by their commanders for them to hold, thus jeopardizing their safety;

(b) attempts by force to disarm them;

(c) attempts by force to prevent them from carrying out their responsibilities as ordered by their commanders;

(d) violation by force of United Nations premises and attempts to arrest or abduct United Nations personnel, civil or military.

19. Should it be necessary to resort to the use of arms, advance warning will be given whenever possible. Automatic weapons are not to be used except in extreme emergency and fire will continue only as long as is necessary to achieve its immediate aim.

#### Protection against individual or organized attack

20. Whenever a threat of attack develops towards a particular area, commanders will endeavour to restore peace to the area. In addition, local commanders should approach the local leaders of both communities. Mobile patrols shall immediately be organized to manifest the presence of UNFICYP in the threatened or disturbed areas in whatever strength is available. All appropriate means will be used to promote calm and restraint.

If all attempts at peaceful settlement fail, unit commanders may recommend to their senior commander that UNFICYP troops be deployed in such threatened areas. On issue of specific instructions to that effect from UNFICYP headquarters, unit commanders will announce that the entry of UNFICYP Force into such areas will be effected, if necessary, in the interests of law and order.

If, despite these warnings, attempts are made to attack, envelop or infiltrate UNFICYP positions, thus jeopardizing the safety of troops in the area, they will defend themselves and their positions by resisting and driving off the attackers with minimum force.

#### Arrangements concerning cease-fire agreements

21. If UNFICYP units arrive at the scene of an actual conflict between members of the two communities, the commander on the spot will immediately call on the leaders of both communities to break off the conflict and arrange for a cease-fire while terms which are acceptable to both communities are discussed. In certain cases it may be possible to enforce a cease-fire by interposing

UNFICYP military posts between those involved, but if this is not acceptable to those involved in the conflict, or if there is doubt about its effectiveness it should not normally be done, as it may only lead to a direct clash between UNFICYP troops and those involved in the conflict.

Paragraph 2 of the resolution adopted by the Security Council on 4 March 1964

22. The Government of Cyprus, which has the responsibility for the maintenance and restoration of law and order, has been asked by the Security Council, in paragraph 2 of the resolution adopted on 4 March 1964, to take all additional measures necessary to stop violence and bloodshed in Cyprus. UNFICYP, therefore, shall maintain close contact with the appropriate officials in the Government of Cyprus in connexion with the performance of the function and responsibilities of the Force.