

# THE LEGAL STATUS OF THE BUFFER ZONE IN CYPRUS

Theodora Christodoulidou

---

## Abstract

The legal status of the buffer zone in Cyprus, its regulation and operation is ambiguous. The present article argues that it is not clear what the legal basis of the buffer zone is: is it an agreement between the two respective armies/states in the conflict? (i.e. Cypriot National Guard and Turkish army or Republic of Cyprus and Turkey); is it an implied agreement/acquiescence in case a formal one is not found? Has it been established by the United Nations (UN) Security Council (SC) resolution under Chapter VI of the UN Charter? This ambiguity regarding the basis of the zone raises further questions: who regulates its operation? What activities are permitted in the buffer zone? Are civilian activities permitted in the buffer zone? This paper attempts to tackle some of the most complex questions on the buffer zone in Cyprus.

**Keywords:** buffer zone, “green line”, UNFICYP, Cyprus peacekeeping operation, SC mandate

---

## The Establishment of the Buffer Zone: A Background

The Republic of Cyprus became an independent state on 16 August 1960. Its establishment and constitution had its roots in agreements reached between the heads of Government of Greece and Turkey at Zurich in 1959, which were subsequently incorporated in agreements reached between those Governments and the United Kingdom (UK). The representatives of the Greek-Cypriot and Turkish-Cypriot communities accepted the documents concerned. The agreements were embodied in treaties – the Treaty of Establishment and the Treaty of Guarantee signed by Cyprus, Greece, Turkey and the UK and the Treaty of Alliance, signed by Cyprus, Greece and Turkey – and in the Constitution, signed in Nicosia on 16 August 1960.<sup>1</sup>

In 1963 in the face of the outbreak of inter-communal violence between Greek Cypriots and Turkish Cypriots, the Governments of the UK, Greece and Turkey offered a joint peacekeeping force. This offer was accepted by the Cyprus Government, a cease-fire was reached and a joint force was established. A neutral

zone along the cease fire line (“green line”) between the areas occupied by the two communities in Nicosia was created. That zone was to be patrolled by the joint peacemaking force.<sup>2</sup>

In view of the inter-communal violence, on 4 March 1964 UNFICYP was established by SC resolution 186 with the consent of the Government of Cyprus.<sup>3</sup> According to resolution 186 UNFICYP’s mandate was defined in the following terms: “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”.<sup>4</sup> In pursuance of the SC resolution, the government of Cyprus signed an agreement with UNFICYP delineating the legal status governing UNFICYP.<sup>5</sup>

On 20 July 1974 the Turkish Government, invoking the Treaty of Guarantee of 1960, launched an extensive military operation on the north coast of Cyprus which resulted eventually in the occupation of the northern part of the island. The SC adopted resolution 353 by which it called upon all parties to cease firing and demanded the immediate end of foreign military intervention.<sup>6</sup> Resolution 353 also called on all parties to cooperate fully with UNFICYP to enable it to carry out its mandate – thus, indicating that UNFICYP was expected to continue to function despite the radically changed circumstances.

As called for in SC resolution 353 the foreign ministers of Greece, Turkey and the UK began discussions in Geneva in July 1974 whereby they agreed on the text of a declaration known as the Geneva Declaration. By the Geneva Declaration the foreign ministers agreed on certain measures that involved action by UNFICYP. Among others, the “Geneva Declaration” provided that “a security zone of size to be determined by representatives of Greece, Turkey and the UK in consultation with UNFICYP should be established at the limit of the areas occupied by the Turkish armed forces. This zone should be entered by no forces other than those of UNFICYP, which should supervise the prohibition of entry. Pending the determination of the size and character of the security zone, the existing area between the two forces should be entered by no forces”.<sup>7</sup>

On 14 August 1974 the negotiations of the three Foreign Ministers which had been resumed at Geneva ended without agreement.<sup>8</sup> On the morning of that day a second Turkish military operation started, resulting in the occupation of most of the northern part of Cyprus. The cease fire came into effect on 16 August 1974.

Immediately afterwards, UNFICYP inspected areas of confrontation and recorded the deployment of the military forces on both sides. Lines drawn between the forward defended localities became respectively the National Guard and

Turkish forces cease-fire lines. In the absence of a formal cease-fire agreement, the military status quo as recorded by UNFICYP at the time, became the standard by which it was judged whether any changes constituted violations of the cease-fire. The military status quo was subsequently clarified and further adjusted in numerous local agreements between the units of UNFICYP and of the sides concerned.<sup>9</sup>

### **Absence of Agreements Vis-à-vis the Establishment of the Buffer Zone**

In view of the above description of facts and the failure of the foreign ministers of Greece, Turkey and the UK in Geneva to reach a conclusion regarding the establishment of a security zone, the question is what is the legal basis of the existing buffer zone in Cyprus?

The legal basis of the buffer zone, its establishment, regulation and operation is ambiguous. This is so because no formal agreement has ever been concluded between the two respective armies in the conflict (i.e. Cypriot National Guard and Turkish army) nor has there been any overall agreement between the parties in the conflict and the United Nations jointly or separately on the establishment, delineation and regulation of the buffer zone. The Secretary-General in his 1993 report acknowledges the lack of an agreement when he writes that: “there is still no formal agreement between United Nations Peacekeeping Force in Cyprus and the two sides on the complete delineation of the buffer zone as recorded by UNFICYP, nor the use and control of the buffer zone”.<sup>10</sup>

Nonetheless, the establishment and delineation of the buffer zone, as fluid as the concept may be, seems to enjoy the implied consent or acquiescence of the two respective armies. Indeed, the demarcation lines show the line at which the advancement of the Turkish invading forces halted. South of the same zone, the demarcation line defines the defence line at which the Cypriot National Guard managed to hold positions in 1974. Therefore, it seems that both armies and their respective governments acquiesced to the de facto establishment of the buffer zone.<sup>11</sup> This is also substantiated by the fact that since the establishment of the buffer zone, neither the Cypriot Government nor Turkey have openly challenged its establishment. The Secretary-General also supports this argument when he writes that “UNFICYP finds itself supervising, by loose mutual consent, two constantly disputed cease-fire lines”.<sup>12</sup>

### **Interpreting UNFICYP’s Mandate Vis-à-vis the Buffer Zone**

The buffer zone in Cyprus is supervised in practice by UNFICYP. The question is what is the mandate of UNFICYP vis-à-vis the buffer zone?

In 1974, UNFICYP was faced with a situation that had not been foreseen in its initial mandate. The initial mandate of UNFICYP as laid down in resolution 186 was conceived in relation to the inter-communal conflict in Cyprus, not to large scale hostilities arising from action by the armed forces of one of the guarantor powers. After the Turkish invasion of 1974 and the de facto ceasefire, the SC in resolution 364 applied the existing mandate of UNFICYP in changed circumstances involving a greater role for UNFICYP. Resolution 364 noted: "in existing circumstances the presence of the United Nations Peacekeeping Force in Cyprus is still needed to perform the tasks it is currently undertaking if the cease-fire is to be maintained in the island and the search for a peaceful settlement facilitated".<sup>13</sup> The Secretary-General in various reports since 1974 also noted that the existing mandate of UNFICYP was applied in changed circumstances involving a greater role for UNFICYP: The Secretary-General noted: "following the events that occurred on 15 July 1974 and thereafter, the Council adopted a number of resolutions, some of which have affected the functioning of UNFICYP and in some cases have required the Force to perform certain additional or modified functions relating, in particular, to the maintenance of the cease-fire".<sup>14</sup>

The post-1974 mandate of UNFICYP as laid down by resolution 364 seems to include the maintenance of the cease fire and the search for a peaceful solution in the island. Even a cursory reading of the Secretary-General's reports shows that the functions of UNFICYP in pursuance of its mandate as laid down by SC resolution 364 are twofold: (a) the maintenance of the military status quo and prevention of a recurrence of fighting; and (b) humanitarian and economic activities to promote a return to normal conditions.<sup>15</sup>

However, despite this post-1974 mandate and the fact that the buffer zone is supervised in practice by UNFICYP, none of the above-mentioned SC resolutions providing UNFICYP's mandate, explicitly mention, authorise or establish the buffer zone. Nor do they define UNFICYP's mandate vis-à-vis the buffer zone. The lack of reference to the buffer zone in the resolutions prescribing the mandate of UNFICYP does not denote that UNFICYP has nothing to do with the buffer zone. On the contrary, the post-1974 UNFICYP mandate, which includes the maintenance of the military status quo and the cease fire, and the prevention of fighting, seems to imply that the buffer zone is a measure by which UNFICYP maintains the ceasefire and the military status quo between the two respective armies. Therefore, it is argued that the legal basis of the buffer zone seems to be SC resolution 364 providing a greater role for UNFICYP.

When a final settlement is reached, obviously, the buffer zone would naturally be discontinued, as measures to maintain the cease fire and the military status quo would be redundant. It seems that pending a final settlement, the buffer zone should

be maintained. The question arises whether reaching a final solution necessitates the continuation of the buffer zone as no man's land without an expiry date. Indeed, what activities are prohibited inside the buffer zone? Are there any activities which are not prohibited? What should be the criterion by which UNFICYP decides that certain activities are prohibited while others are not? And if the buffer zone is no man's land, the question is whether such exercise of authority by UNFICYP is legitimately posed and within its SC imposed mandate.

It seems that the measure by which UNFICYP decides which activities are prohibited is found in SC resolution prescribing UNFICYP's mandate, namely resolution 364 mentioned above. Thus, activities that endanger the cease-fire and the military status quo are prohibited in the buffer zone. UNFICYP (as part of its SC imposed mandate) must ensure that such activities do not take place. Which activities endanger the cease-fire and the military status quo and the question of whether civilian activities may be considered as activities that endanger the cease-fire and the military status quo is the issue of the next section when the mandate of UNFICYP is attempted to be interpreted.

The questions posed above are rather complicated considering the lack of a definite framework in the context of an agreement on the establishment and regulation of the buffer zone. The rules regulating the buffer zone and UNFICYP have been left to develop in practice based primarily on the said SC resolutions laying down UNFICYP's mandate, and secondarily on the annual reports of the Secretary-General on the United Nations Force in Cyprus laying down the way in which UNFICYP operates. For the purposes of interpreting UNFICYP's mandate and how it was developed in practice, the period examined is divided in two: the period prescribing the initial concept of the buffer zone, and the period where the SC and the Secretary-General introduce new terminology when referring to the buffer zone.

#### **Initial Concept: 1974-1990**

It seems that military activities or any other activities carried out by the two respective armies are prohibited in the buffer zone. This is so because such activities endanger or threaten the maintenance of the cease-fire, as authorised by SC resolution 364. This has been recognised by the Secretary-General in the initial concept of the buffer zone in 1976: "It is an essential element of the cease-fire that neither side can exercise authority or jurisdiction beyond its own forward military lines or make any military moves beyond those lines".<sup>16</sup>

The Secretariat Review Team provided a list of the main categories of cease-fire violations:

“The functions of UNFICYP are based on the requirement of the cease-fire called for by the Security Council in 1974. In keeping with these requirements, it is the position of the United Nations that the National Guard and the Turkish and Turkish Cypriot forces are required to remain behind their respective cease-fire lines and that neither can exercise authority or jurisdiction beyond its line. The following are considered by UNFICYP to be the main categories of ceasefire violations: (a) any move of military elements forward of their ceasefire line into the buffer zone; (b) the discharge of any type of weapons or explosives, without prior notification, along the cease-fire lines or up to a distance of 1 000 metres behind them; (c) building of new or strengthening of existing military positions more than 400 m of the opposing ceasefire line; (d) building of new or strengthening of existing military positions more than 400 m from the opposing cease-fire line if UNFIYCP considers this incompatible with the spirit of the ceasefire; (e) over flights of the buffer zone by military or civilian aircraft of either side; (f) troop deployment and training exercises in an area closer than 1 000 m from their cease-fire line without prior notification; (g) provocative acts between the two sides, such as shouting abuse, indecent gestures or throwing stones”.<sup>17</sup>

While military activities are prohibited inside the buffer zone, the question of the permitted activities becomes more complicated when it comes to civilian activities. This issue is being tackled by the Secretary-General in its 1976 report quoted above: “It follows that, in the area between the lines, the status quo (including innocent civilian activities [...]) is maintained, [emphasis by the writer] without prejudice to an eventual political settlement concerning the disposition of the area”.<sup>18</sup> “[...] it is [an] essential element of the maintenance of the cease-fire that [...] the status quo, including innocent civilian activities and the exercise of property rights be maintained in the area between the lines, subject to legitimate security requirements [emphasis by the writer] and giving due regard to humanitarian considerations”.<sup>19</sup>

The above-mentioned quotes virtually interpret UNFICYP’s mandate as laid down by SC resolutions and prescribe that (a) military activities of the two respective armies within the buffer zone are prohibited because they violate the cease-fire, and (b) innocent civilian activities and the exercise of property rights inside the buffer zone are not prohibited subject to legitimate security requirements. The question of what an “innocent civilian activity” is and what the “legitimate security requirements” are remains open.

### **“The Integrity of the Buffer Zone”: The 1990s**

The position described above started to change at the beginning of the 1990s when the SC, the President of the SC and the Secretary-General introduced a new notion: the “integrity of the buffer zone”.<sup>20</sup> According to the Secretariat Review Team and the Secretary-General, the “integrity of the buffer zone” must be preserved from

unauthorised entry or activities by civilians.<sup>21</sup> The question therefore is: what kinds of activities violate the integrity of the buffer zone? The President of the SC and the report of the Secretariat Review Team which first introduced this notion do not clarify its meaning. In order to shed some light on the meaning of the “integrity of the buffer zone” as used by the organs of the UN, and the kind of activities that violate the integrity of the zone, it is imperative to consider the relevant SC resolutions and reports of the Secretary-General where reference to the integrity of the buffer zone is made.

The SC in resolution 1062 “calls upon the military authorities on both sides to respect the integrity of the buffer zone”;<sup>22</sup> and resolution 1092 “[...] demands that both parties prevent unauthorised incursions into the buffer zone, and respond immediately and responsibly to any demonstrations which violate the buffer zone and any demonstrations near the buffer zone that might lead to an increase in tensions”.<sup>23</sup>

The wording of the resolutions indicates that the respect of the “integrity of the buffer zone” is relevant in so far as acts of the military are concerned and is addressed to state organs rather than individuals.

Reports of the Secretary-General state that demonstrations violate the “integrity of the buffer zone”. Indeed, each Secretary-General report relates the preservation of the integrity of the buffer zone to crowd control: “UNFICYP must also preserve the integrity of the buffer zone from unauthorised entry or activities by civilians. As a result, UNFICYP has from time to time become involved in crowd control”.<sup>24</sup> “UNFICYP did its best to prevent the demonstrators from entering the United Nations buffer zone”.<sup>25</sup>

Apart from demonstrations, hunting inside the buffer zone is considered as violating its integrity according to the Secretary-General. The report states: “threats to safety and security arose as a result of hunting by Greek Cypriots in certain areas of the buffer zone during the 1992 hunting season”.<sup>26</sup> This is so because in a few cases UNFICYP soldiers were hit by a shotgun blast.<sup>27</sup>

Additionally, “activities in the buffer zone that were bound to provoke the other side and that entailed the risk of incidents” also violate its integrity.<sup>28</sup>

What can be deduced from the wording of the resolutions and reports is that (a) military activities, (b) demonstrations, (c) hunting and (d) activities which are bound to provoke the other side violate the “integrity of the buffer zone”. It could be argued that the above activities are not “innocent civilian activities”. Could it be argued that civilian activities which do not fall within the above mentioned ones are “innocent” and as such not prohibited inside the buffer zone?

### **The Reports of the Commission in Relation to Demonstrations Inside the Buffer Zone**

The issue of whether demonstrations are allowed to take place inside the buffer zone was briefly raised and discussed by the Commission at three applications against Turkey in 1989. Those applications are *Loizidou v. Turkey*<sup>29</sup> and *Metropolitan Chrysostomos and Archimandrite Georgios Papachrysostomou v. Turkey*.<sup>30</sup> The first applicant participated in the demonstration of 19 March 1989 and the second and third applicants in the demonstration of 19 July 1989. All applicants crossed the buffer and having crossed the buffer zone, were arrested in the occupied part of Cyprus by Turkish-Cypriot policemen. In the course of examining whether the applicants were deprived of their liberty, the Commission had to examine the character (as the Commission describes it) of the demonstration.<sup>31</sup> Particular weight was given to the evidence contained in the relevant reports of the Secretary-General (S/20663 and S/21010 respectively).<sup>32</sup> The reports stipulated that the demonstrations created “considerable tension”; any entry would lead to a situation that might be difficult to control; and the Government of Cyprus must ensure the respect of the buffer zone.<sup>33</sup> In light of the Secretary-General’s reports, the Commission (in both its reports) concluded that the demonstration “constituted a serious threat to peace and public order on the demarcation line in Cyprus”,<sup>34</sup> thereby implying that demonstrations are not allowed to take place inside the buffer zone.

### **Is UNFICYP Exceeding its Mandate?**

Contrary to what has been said above – that military activities, demonstrations, hunting and activities which are bound to provoke the other side are prohibited inside the buffer zone, while innocent civilian activities and the exercise of property rights are not prohibited – in practice this is not what is happening. UNFICYP allows nobody to enter the buffer zone without its permission. Certain civilian activities have been permitted by UNFICYP in the buffer zone.<sup>35</sup> Those activities however are subject to prior permission by UNFICYP which enjoys absolute discretion in this regard.

It seems that according to UNFICYP’s interpretation of its mandate, any entry into the buffer zone is prohibited presumably because it violates the cease-fire and the military status quo. The questions arising from this practice are the following: (a) Is UNFICYP exceeding its mandate as laid down by SC resolution 364 by this total and absolute ban on any entry into the buffer zone? And (b) is UNFICYP violating the human rights of those wishing to enter the buffer zone (i.e. right to move freely, right to home, right to property)?

It has to be acknowledged that nothing in the wording of the SC resolutions or the reports of the Secretary-General advocate in favour of this total and absolute



ban on any entry into the buffer zone, nor do they denote that innocent civilian activities and the exercise of property rights in the buffer zone is suspended. Even more so, it seems that the background by which UNFICYP interprets its mandate has changed dramatically the past few years. Since 1998 the Secretary-General consistently describes the situation in Cyprus as “stable”, “calm” and “benign”.<sup>36</sup> He no longer makes any reference to the “integrity of the buffer zone”.<sup>37</sup> On 23 April 2003 the Turkish/Turkish-Cypriot side opened the Ledra and Pergamos crossing points to the public for visits in both directions. Along the ceasefire lines various crossing points have been created. According to estimations by the Secretary General, approximately 13 million crossings have been recorded since the opening of the crossing points in April 2003.<sup>38</sup> The Secretary-General writes that “the situation along the ceasefire lines has remained stable. The partial lifting of restrictions on movement between the north and the south has resulted in a steady number of Cypriots regularly crossing the buffer zone with a remarkable low number of incidents”.<sup>39</sup> In addition, the Secretary General recommended the reduction of the strength and number of UNFICYP by about 30 per cent.<sup>40</sup> The SC endorsed this recommendation with resolution 1568.<sup>41</sup>

These developments seem to indicate that the situation in Cyprus is not as erupt as it was during the 1970s and 1980s. Thereby, the situation as it stands now, advocates against the settled practice of UNFICYP which advocates in favour of a total ban on entering the buffer zone. It seems that since UNFICYP supervises a long-standing buffer zone, they should attempt to implement and/or interpret their SC mandate in such a way as to violate civilians’ human rights to the least possible extent, beginning possibly, by putting an end to their settled practice of not allowing civilians to enter the buffer zone and exercise their property and other rights.

---

### Notes

1. (1990) *The Blue Helmets: A Review of United Nations Peace-keeping*, 3rd Edition. New York, UN Publication, p. 149.
2. *Ibid.*, p. 150.
3. SC Res 186 (4 March 1964) establishing UNFICYP in paragraph 4 writes: “[the SC] recommends the creation with the consent of the Government of Cyprus [emphasis by the writer], of a United Nations Peacekeeping Force in Cyprus”. The latest relevant SC resolution reaffirms the view that UNFICYP’s presence in Cyprus is with the consent of the Government of Cyprus, see SC Res 1728 (15 December 2006), preamble which writes: “[the SC] noting that the Government of Cyprus is agreed that in view of the prevailing conditions in the island it is necessary to keep UNFICYP beyond 15 December 2006”. In any case, UNFICYP could not have been established without the

consent of the Government of Cyprus as one of the principles underlying peacekeeping operations is the consent of the government, see (1990) *The Blue Helmets*, pp. 5-6.

4. SC Res 186, paragraph 5.
5. Law on the Legal Basis of UNFICYP in Cyprus, (Νόμος Επικυρών την Συμφωνίαν την Συνομολογηθείσαν την 31ην Μαρτίου 1964 δι' Ανταλλαγής Επιστολών Μεταξύ του Γενικού Γραμματέως των Ηνωμένων Εθνών και του Υπουργού Εξωτερικών της Δημοκρατίας, την Αφορώσαν εις τον Νομικό Καθεστώς της εν Κύπρω Δυνάμεως των Ηνωμένων Εθνών, Ν. 29/1964, 25 June 1964). In the said agreement UNFICYP is described as a subsidiary organ of the UN, established by the SC. During the period of their assignment all forces of UNFICYP are international personnel under the authority of the UN and subject to the instructions of their Commander who is appointed by the Secretary-General.
6. SC Res 353 (1974).
7. The Geneva Declaration is attached in SC (29), Suppl. for July-September, 1974, S/11398.
8. Information regarding the events that took place can be found in the following UN Treaty Report [[http://untreaty.un.org/cod/repertory/art98/english/rep\\_supp5\\_vol5-art98\\_e.pdf](http://untreaty.un.org/cod/repertory/art98/english/rep_supp5_vol5-art98_e.pdf)].
9. *The Blue Helmets*, p. 164.
10. Report of the Secretary-General in Connection with the Security Council's Comprehensive Reassessment of the United Nations Operation in Cyprus, S/26777, 22 November 1993, paragraph 12.
11. This is also argued by Kypros Chrysostomides in his book (2000) *The Republic of Cyprus: A Study in International Law*. The Netherlands, Kluwer Publications.
12. *The Blue Helmets*, p. 163.
13. SC Res 364 (13 December 1974) preamble. This mandate was reaffirmed in subsequent resolutions (i.e. SC Res 370, 13 June 1975, SC Res 383, 13 December 1975).
14. For example see Report of the Secretariat Review Team on the United Nations Peacekeeping Force in Cyprus, S/21982, 7 December 1990, paragraph 6.
15. For example see Report of the Secretary-General on the United Nations Operation in Cyprus (for the period 1 June to 4 December 1989), S/21010, 7 December 1989, section A and B; S/21982, *op. cit.*, paragraph 7; Report of the Secretary-General in Connection with the Security Council's Comprehensive Reassessment of the United Nations Operation in Cyprus, S/26777, 22 November 1993, paragraph 7; Report of the Secretary-General on the United Nations Operation in Cyprus for the period 13 December 1994 to 15 June 1995, S/1995/488, 15 June 1995, section B.
16. Report of the Secretary-General on the United Nations operation in Cyprus for the period from 6 June to 6 December 1976, S/12253, 9 December 1976, paragraph 19.
17. S/21982, *op. cit.*, paragraphs 9 and 10.
18. S/12253, *op. cit.*, paragraph 19.
19. *Ibid.*, paragraph 71.
20. SC Res 1062 (28 June 1996); Note by the President of the Security Council, S/21026 (14 December 1989); Secretariat Review Team, S/21982, *op. cit.*, paragraph 16.

21. S/21982, *op. cit.*, paragraph 16. See also the Report of the Secretary-General in Connection with the Security Council's Comprehensive Reassessment of the United Nations Operation in Cyprus, S/26777, 22 November 1993, paragraph 16.
22. SC Res 1062, paragraph 6(a).
23. SC Res 1092 (1996), paragraph 4.
24. S/26777, *op. cit.*, paragraph 16.
25. Report of the Secretary-General on the United Nations Operation in Cyprus (for the period from 11 June to 10 December 1996), S/1996/1016, 10 December 1996, paragraph 33.
26. Report of the Secretary-General on the United Nations Operation in Cyprus (for the period 23 November 1993 to 31 May 1994), S/1994/680, 7 June 1994, paragraph 18.
27. Report of the Secretary-General on the United Nations Operation in Cyprus (for the period from 1 June to 12 December 1994), S/1994/1407, 12 December 1994, paragraph 16; Report of the Secretary-General on the United Nations Operation in Cyprus, S/1998/488, 10 June 1998, paragraph 13.
28. Secretary-General Report, S/21010, *op. cit.*, paragraph 13.
29. European Commission of Human Rights, Application No. 15318/89 Titina Loizidou against Turkey, Report of the Commission, 8 July 1993.
30. European Commission of Human Rights, Application No. 15299/89 Metropolitan Chrysostomos, Bishop of Kitium against Turkey and Application No. 15300/89 Archimandrite Georgios Papachrysostomou against Turkey, Report of the Commission, 8 July 1993.
31. Loizidou Report, *op. cit.*, paragraphs 54-58; Chrysostomos and Papachrysostomou Report, *op. cit.*, paragraphs 108-110.
32. Report of the Secretary-General on the United Nations Operation in Cyprus (for the period 1 December 1988 to 31 May 1989), S/20663, 31 May 1989; S/21010, *op. cit.*
33. Loizidou Report, *op. cit.*, paragraph 39; Chrysostomos and Papachrysostomou Report, *op. cit.*, paragraph 42.
34. Loizidou Report, *op. cit.*, paragraph 58. Chrysostomos and Papachrysostomou Report, *op. cit.*, paragraph 110. In the Loizidou Report, the Commission quite arbitrarily proceeded that the demonstration also constituted "a violation of the arrangements [emphasis by the writer] concerning the respect of the buffer zone in Cyprus" (paragraph 82) and that "the applicant's arrest and detention were justified under Article 5 para. 1(f) [of the European Convention on Human Rights], as applied to the regime created in Cyprus by the international agreements concerning the buffer zone [emphasis by the writer]" (paragraph 83). It is not clear what arrangements and which international agreements the Commission was referring to. As has already been clarified, no formal arrangements or agreements have ever been concluded on the establishment or regulation of the buffer zone. The European Court of Human Rights in the ensuing case-law did not make any reference to this issue.
35. Those civilian activities include farming and burning of fields (see report of the Secretary-General on the United Nations Operation in Cyprus (for the period from 10 June to 29 November 1999), S/1999/1203, 29 November 1999, paragraph 10); industry

and recreational activities (see Report of the Secretary-General on the United Nations Operation in Cyprus, S/2000/496, 26 May 2000, paragraph 8); housing (see Report of the Secretary-General on the United Nations Operation in Cyprus, S/2001/1122, 30 November 2001, paragraph 10); religious service within a buffer-zone situated cemetery and “civilian use” of a street in the old town of Nicosia (see Report of the Secretary-General on the United Nations Operation in Cyprus, S/2002/1243, 15 November 2002, paragraph 11); pilgrimages by Greek Cypriots to churches in the buffer zone (Report of the Secretary-General on the United Nations Operation in Cyprus, S/2007/328, 4 June 2007, paragraph 30).

36. For example see the following Secretary-General Reports on the United Nations Operation in Cyprus: S/1998/488, paragraph 2; S/1999/1203, paragraph 21; S/2000/496, paragraph 2; S/2001/1122, paragraph 2; S/2002/1243, paragraph 20; S/2003/572, paragraph 25; S/2004/427, paragraph 3; S/2005/743, paragraph 8; S/2006/931, paragraph 14; S/2007/328, paragraph 12.
37. See *ibid* for the reports referred to.
38. S/2007/328, *op. cit.*, paragraph 23.
39. Report of the Secretary-General on the United Nations Operation in Cyprus, S/2003/1078, 12 November 2003, paragraph 18.
40. Report of the Secretary-General on the United Nations Operation in Cyprus, S/2004/756, 24 September 2004, paragraphs 37 and 44.
41. SC Res 1568 (22 October 2004), paragraph 2.