

No. 5479

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**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
and  
CYPRUS**

**Exchange of notes (with Appendix and plans) constituting an agreement concerning special arrangements relating to Sites, referred to in Part II of Annex B to the Treaty of 16 August 1960 concerning the Establishment of the Republic of Cyprus. Nicosia, 16 August 1960**

*Official text: English.*

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

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD  
et  
CHYPRE**

**Échange de notes (avec appendice et plans) constituant un accord concernant le régime spécial des terrains réservés, mentionné dans la deuxième partie de l'annexe B du Traité du 16 août 1960 relatif à la création de la République de Chypre. Nicosie, 16 août 1960**

*Texte officiel anglais.*

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 12 décembre 1960.*

No. 5479. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND CYPRUS CONCERNING SPECIAL ARRANGEMENTS RELATING TO SITES, REFERRED TO IN PART II OF ANNEX B TO THE TREATY OF 16 AUGUST 1960<sup>2</sup> CONCERNING THE ESTABLISHMENT OF THE REPUBLIC OF CYPRUS. NICOSIA, 16 AUGUST 1960

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I

Nicosia, August 16, 1960

Your Excellencies,

I have the honour to refer to Part II of Annex B to the Treaty concerning the Establishment of the Republic of Cyprus of to-day's date<sup>3</sup> and to propose that the provisions set out in the Appendix<sup>3</sup> to this Note shall apply to the Sites and Installations and other items referred to in the Appendix to this Note.

I have the honour to suggest that, if these proposals are acceptable to the Government of the Republic of Cyprus, this Note together with your reply to that effect shall be regarded as constituting an agreement in this matter between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Cyprus which shall enter into force on to-day's date.

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

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<sup>1</sup> Came into force on 16 August 1960, in accordance with the provisions of the said notes.

<sup>2</sup> See p. 8 of this volume.

<sup>3</sup> See p. 192 of this volume.

## APPENDIX

## 1. In this Appendix

- (a) « United Kingdom authorities », « United Kingdom vessels » and « Sites » have the same meanings as those expressions have for the purposes of Annex B to the Treaty to which this Note refers ;
- (b) references to a Schedule are references to Schedules A to D to Part II of Annex B to the Treaty to which this Note refers ;
- (c) reference to the surrender of an area of land from the area of a Site means that, upon such surrender by the United Kingdom authorities, the area of land in question shall cease to form part of the Site, the United Kingdom authorities shall vacate it and the appropriate provisions of Part III of Annex B to the Treaty to which this Note refers shall apply to it as immovable property which is no longer needed for the purposes of that Treaty.

*Schedule A. 3 : Site at Mount Olympus*

2. (a) The United Kingdom authorities shall give all reasonable facilities for passage through the Site to officials of the Republic of Cyprus and to persons authorised by the Cyprus Inland Telecommunications Authority, or by Cable and Wireless Limited, so that they can in the course of duty go to or come from the Hut situated near the northern boundary of the Site which has been excluded from the area of the Site.
- (b) If at any time, while this Hut remains in use by the Cyprus Inland Telecommunications Authority or by Cable and Wireless Limited, the authorities of the Republic of Cyprus find that the facilities being granted in accordance with sub-paragraph (a) of this paragraph are inadequate to their needs and notify the United Kingdom authorities of their intention to construct a separate access road to it, the United Kingdom authorities shall, immediately on being so required, surrender from the area of the Site the strip of land near the northern boundary which is hatched in blue on the plan<sup>1</sup> annexed to this Appendix.

*Schedule A. 9 : Site at Famagusta*

3. (a) When the slipway situated inside the boundary of the Site at its western end is not required for use for United Kingdom vessels, it may be used by other vessels. No permanent obstruction which would impede work on ships drawn up shall be placed in the area which lies within 8 feet on either side of the western boundary of the land area of the Site running along the side of the slipway. The United Kingdom authorities and persons authorised by them shall have reasonable facilities for passage through the land lying adjacent to the western boundary of the land area of the Site so that they can, in the course of duty, go to and come from the slipway and the hut which lies at the southern end of that boundary and can work on vessels drawn up at the slipway.
- (b) (i) Except when the waters specified in subparagraph (iii) below are required for use by United Kingdom vessels and the United Kingdom authorities

<sup>1</sup> See insert between pp. 198 and 199 of this volume.

notify the authorities of the Republic of Cyprus to this effect, the authorities of the Republic of Cyprus may exercise full navigational control over those waters.

- (ii) In those waters, the United Kingdom authorities shall not establish any piers, buoys, additional dolphins or other like obstacles to navigation.
- (iii) The waters referred to are the waters which lie within the boundary of the Site and are hatched in blue on the plan<sup>1</sup> annexed to this Appendix.
- (c) After consultation with the authorities of the Republic of Cyprus, the United Kingdom authorities may undertake dredging operations in the waters hatched in red on the plan<sup>1</sup> annexed to this Appendix.

*Schedule A. 10/1 : Site at Nicosia Airfield*

- 4. (a) The United Kingdom authorities shall give all reasonable facilities for passage through the Site to officials of or persons authorised by the Republic of Cyprus so that they can in the course of duty go to and come from the Air Traffic Control Area, which has been excluded from the Site. This Area shall consist of the area round the Control Tower which does not form part of the Site.

The ground and first floors of the Control Tower shall remain in the occupation and use of the United Kingdom authorities.

- (b) The Government of the United Kingdom shall not require that, in accordance with paragraph 1 of Section 3 of Part III of Annex B to the Treaty to which this Note refers, the immovable property constituting the Site be freed from the rights set out below, whether such rights subsist on the date of the entry into force of the Treaty aforesaid or, if not subsisting on such date, are created thereafter : —
  - (i) a right to the owner for the time being of registered borehole No. 114/59 (which has been excluded from the area of the Site) to lay through the Site and maintain a pipeline between the borehole aforesaid and registered borehole No. 67/59 (which has also been excluded from the area of the Site) and to perform necessary works thereon ;
  - (ii) a right to the owner aforesaid to lay through the Site and maintain an electricity cable along the route of the pipeline hereinbefore mentioned : and
  - (iii) a right of access through the Site to the owner aforesaid and to persons authorised by him, from registered borehole No. 67/59 to registered borehole No. 114/59 and back.
- (c) The aerial farm hatched in red on the plan<sup>1</sup> annexed to this Appendix, which forms part of the Joint User Area, and is situated to the north of the Flight Information Centre building, shall be declared a Prohibited Area by the authorities of the Republic of Cyprus. Notwithstanding its inclusion in the Joint User Area, the United Kingdom authorities shall have the sole right to guard, defend and, to the extent necessary to make this right effective, control this Area, but

<sup>1</sup> See insert between pp. 198 and 199 of this volume.

shall freely permit officials of or persons authorised by the Republic of Cyprus to enter and leave it and to perform appropriate works on equipment therein.

*Schedule A. 10/2 : Water Supply to Site at Nicosia Airfield*

5. The United Kingdom authorities shall continue to make available water from boreholes forming part of the Site to the authorities of the Republic of Cyprus, for purposes connected with the Civil Air Terminal, and to the camp known as Wayne's Keep. No charge shall be made for the supply of water from those boreholes.

*Schedule B. 1/2 : Water Supply to Site at Polemidhia*

6. While the United Kingdom authorities shall continue to use this Site, they shall continue to apply the present arrangements whereby they make available to the appropriate local authorities of the Republic of Cyprus any surplus water from the spring at Aya Irini forming part of the Site which is not required by the United Kingdom authorities for their own purposes.

*Schedule B. 4 : Site in Famagusta on the Larnaca Road*

7. If, at any time while the United Kingdom authorities continue to use this Site, the authorities of the Republic of Cyprus notify the United Kingdom authorities of their intention to widen that part of the Larnaca Road which lies along the southern boundary of the Site, the United Kingdom authorities shall, as soon as the course of works so requires, surrender from the area of the Site that part of Plot 572 of Block "A", Ayios Loukas Quarter, Famagusta, to which Public Instrument No. 1185, dated the 28th of November, 1956, relates.

*Schedule B. 5 : Site on and to the West of the main Famagusta-Salamis Road*

8. If, at any time while the United Kingdom authorities continue to use this Site, the authorities of the Republic of Cyprus notify the United Kingdom authorities of their intention to widen that part of the Famagusta-Salamis Road which lies along the eastern boundary of the Site, the United Kingdom authorities shall give sympathetic consideration to any requests from the authorities of the Republic of Cyprus for the surrender from the area of the Site of such strips of land as may be required for the purpose of widening that road.

*Schedule C. 3 : Installation near Paphos*

9. If at any time the authorities of the Republic of Cyprus require to bring into public use the roadway at present running through the area of the Installation from its Southern to its Northern boundary, the United Kingdom authorities shall surrender that roadway from the area of the Installation.

*Schedule D. 1/2 : Installation on the South-East Outskirts of Nicosia*

10. The United Kingdom authorities shall remove the cables which at present project from the northern boundary of the area of the Installation on to land occupied by the authorities of the Republic of Cyprus, if at any time the authorities of the Republic of Cyprus require such removal for reasons connected with their use of the land in question.

Until such time, the authorities of the Republic of Cyprus shall permit the cables to remain in their present position and shall allow the United Kingdom authorities access so that they may go to, come from and perform necessary works on those cables.

*Pipelines, Cables, Channels and other Similar Items*

11. In respect of existing rights, whether by virtue of ownership, lease, licence or other arrangement, to keep and maintain pipelines, cables, channels and other similar items belonging to the Government of the Republic of Cyprus, public utility corporations, local government bodies or private individuals and situated within the area of the Sites or within the area of the installations and related land listed in Schedules C and D on the date of the entry into force of the Treaty to which this Note refers :

- (a) the Government of the United Kingdom shall not require that, in accordance with paragraph 1 of Section 3 of Part III of Annex B to that Treaty, the immovable property constituting the Site or installation concerned be freed from the existing rights aforesaid unless and until, in the light of any prospective development of, or in the use of, the Site or installation concerned, the United Kingdom authorities require that the Site or installation be so freed ; and
- (b) the United Kingdom authorities shall not unreasonably withhold permission to officials of the Republic of Cyprus, public utility corporations, local government bodies, or private individuals, and to persons authorised by them, so that, having good reason they can go to, come from, and perform necessary works on the pipelines, cables, channels and other items aforesaid, situated within such installations.

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]

The proposals set out in that Note are acceptable to the Government of the Republic of Cyprus and we have the honour therefore to confirm that your Note together with this reply shall constitute an agreement accordingly.

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.