



Security Council

Fifty-ninth year

Provisional

4954th meeting

Wednesday, 28 April 2004, 10.30 a.m.

New York

<i>President:</i>	Mr. Pleuger	(Germany)
<i>Members:</i>	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Valle
	Chile	Mr. Muñoz
	China	Mr. Wang Guangya
	France	Mr. De La Sablière
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Gatilov
	Spain	Mr. Arias
	United Kingdom of Great Britain and Northern Ireland	Mr. King
	United States of America	Mr. Cunningham

Agenda

The situation in Cyprus

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04-32707 (E)

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The meeting was called to order at 10.40 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Cyprus

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2004/302, which contains the report of the Secretary-General on Cyprus.

At this meeting, the Security Council will hear a briefing by Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs, to whom I give the floor.

Mr. Prendergast: Since the Secretary-General's Special Adviser on Cyprus, Alvaro de Soto, last briefed the Council on 2 April, a lot has happened. I do not intend today to go into detail. Time is needed for the dust to settle from the referendums of 24 April. The full implications of the outcome of those referendums may take a while to become apparent. Meanwhile, Mr. de Soto, who left the island today, is paying farewell calls in Ankara and Athens before returning to New York over the weekend. He will brief the Secretary-General next week, and the Secretary-General, in turn, will report in writing to the Council in due course.

Following the finalization of the Foundation Agreement in Bürgenstock on 31 March, the parties returned to Cyprus and prepared for the conduct of separate, simultaneous referendums on 24 April.

At the same time, with the active assistance of the United Nations, the parties continued work in a number of areas, including making technical corrigenda to the plan, as well as finalizing work related to future federal property, federal Government buildings, and the entire

structure of the proposed federal Government. Up until the last day, these efforts continued. The authenticated text of the plan was sent to the parties on 23 April, and the original is deposited with the Secretary-General.

Also during April, the Secretary-General received from the guarantors the commitments required of them to authorize the submission of the plan to referendums, and, subject to its approval and completion of their internal ratification procedures, to sign into force the Treaty contained in the plan.

On 7 April, Mr. Tassos Papadopoulos, the Greek Cypriot leader, in an address to the nation, called on Greek Cypriots to reject the Secretary-General's plan — indeed, to “send a resounding no” to the Annan plan, as he put it. The reasons Mr. Papadopoulos gave were wide-ranging and far-reaching.

Mr. Papadopoulos' rejection of the plan meant that he joined company with Mr. Rauf Denktash, who also gave wide-ranging and far-reaching reasons to reject the plan.

Paradoxically, each leader claimed that the plan as finalized threatened the security and safety of his people, and gave in to all the key demands of the other side.

There were, however, a number of political leaders on each side who stood in favour of reunifying Cyprus in accordance with the Secretary-General's plan. They included Mr. Mehmet Ali Talat, who strongly advocated a “yes” vote, and who, together with Mr. Serdar Denktash, led the Turkish Cypriot negotiating team in Bürgenstock and has done so since. Another important party leader on the Turkish Cypriot side, Mr. Mustafa Akinci, also strongly supported a “yes” vote.

On the Greek Cypriot side, Mr. Papadopoulos' two immediate predecessors — Mr. Glafcos Clerides and Mr. George Vassiliou — and the leader of one of the two largest political parties, Mr. Nicos Anastasiades, strongly advocated acceptance of the plan, as did a number of other important figures. However, the other main political party, the traditionally pro-solution AKEL party, led by Mr. Dimitris Christofias, called for a postponement of the referendum so as to give more time to explain the plan to the people, and also to seek certain clarifications and assurances. However, no request was made by Mr. Papadopoulos, nor by any other formal

party to the process, for postponement. AKEL later indicated that if certain unspecified security guarantees were given by the Security Council in advance of the referendum, this would enable AKEL to support the plan.

The Council will recall that the Secretary-General reported to it in writing on 16 April, asking that the Council take decisions as foreseen in the plan, including on security issues. While this procedure was long foreseen, it took on added importance when security and implementation issues came to the forefront of public concern in the run-up to the vote.

In the event, following the outcome of consideration of the matter by the Council, AKEL called for a “soft no” vote, as they put it, but expressed the hope that this would in due time translate into a significant “yes” vote in a second referendum on the plan.

Now is not the time to go into detail about what information was or was not made available to the people during the referendum campaign, or to elaborate on unfounded concerns generated about job security for public servants in the proposed new structures, or to comment on the issue of access to the media by international figures from the United Nations and the European Union who were ready to explain the plan and the commitments of the international community. However, concerns on those points were raised directly by Mr. De Soto with Mr. Papadopoulos. Members of the Council will be aware that they have also been raised in other forums.

In the event, the Foundation Agreement was not approved in the 24 April referendums. In the Greek Cypriot referendum, the result was 24.17 per cent of votes to approve it, and 75.83 per cent of votes not to do so. In the Turkish Cypriot referendum, the result was 64.91 per cent of votes to approve it, and 35.09 per cent not to. Since the plan required approval by each side in the referendums, the Foundation Agreement will not enter into force.

The Secretary-General respects the outcome of the referenda. At the same time, he regrets that a unique and historic opportunity to resolve the Cyprus problem has been missed. It means that the objective of the Secretary-General's efforts over the last four and a half years, namely to reunite Cyprus in time for accession to the European Union on 1 May, has not been achieved.

The Secretary-General remains convinced that the plan submitted represents a fair, viable and carefully balanced compromise — one that meets the minimum requirements of all concerned. The plan conforms with the long-agreed parameters for a solution and with the Security Council's vision for a settlement. The Council will recall that, in resolution 1475 (2003), the Council gave its full support to the Secretary-General's “carefully balanced plan” as a “unique basis for further negotiations”.

Mr. De Soto briefed the Council on 2 April on the package of improvements made to the plan during the finalization process, in accordance with the agreement of 13 February. Contrary to claims made during the campaign, changes were made to meet, to the extent possible, the core concerns of both sides, and those changes were within the parameters of the plan. It is widely accepted by pro-solution forces on both sides that the final version of the plan was significantly improved for both the Greek Cypriot and the Turkish Cypriot sides, while its overall balance was preserved.

In the light of the afore-mentioned, the result of the referendum by the Greek Cypriot electorate, which had been strongly encouraged by Mr. Papadopoulos, raises serious questions. The Secretary-General hopes that the Greek Cypriot community may nevertheless arrive at a different view in the fullness of time, after a profound and sober assessment of their decision and of its potential consequences.

The Secretary-General applauds the Turkish Cypriots, who approved the plan notwithstanding the significant sacrifices that it entailed for many of them. In arriving at their decision, the Turkish Cypriots were no doubt encouraged by the strong leadership of Mr. Talat and the clear and unequivocal backing for a “yes” vote by the Government of Turkey. The Secretary-General regrets that the Turkish Cypriots will not equally enjoy the benefits of European Union membership as of 1 May. He hopes that ways will be found to ease the plight in which the people find themselves through no fault of their own. He welcomes recent steps by the European Union in that direction.

For his part, the Secretary-General has begun to give careful thought to the implications of the result and what it means for the future. While the result of last Saturday's vote is disappointing, the United Nations has nevertheless come closer than ever before to resolving one of the most delicate and complex

conflicts on its agenda. That achievement must be preserved, pending, one hopes, a fundamental re-evaluation on the Greek Cypriot side.

I do not wish to pre-empt what conclusions the Secretary-General might come to on the various issues. Nor do I believe that he will want to rush the matter. What matters, rather, is to arrive at a careful and accurate assessment of the full implications for the United Nations of last Saturday's outcome and to make appropriate recommendations. As I have already indicated, the Secretary-General will want to send a

detailed written report to the Security Council in due course. It will then be for the Council, in turn, to consider the implications of the point that has now been reached.

The President: I thank Mr. Prendergast for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.55 a.m.