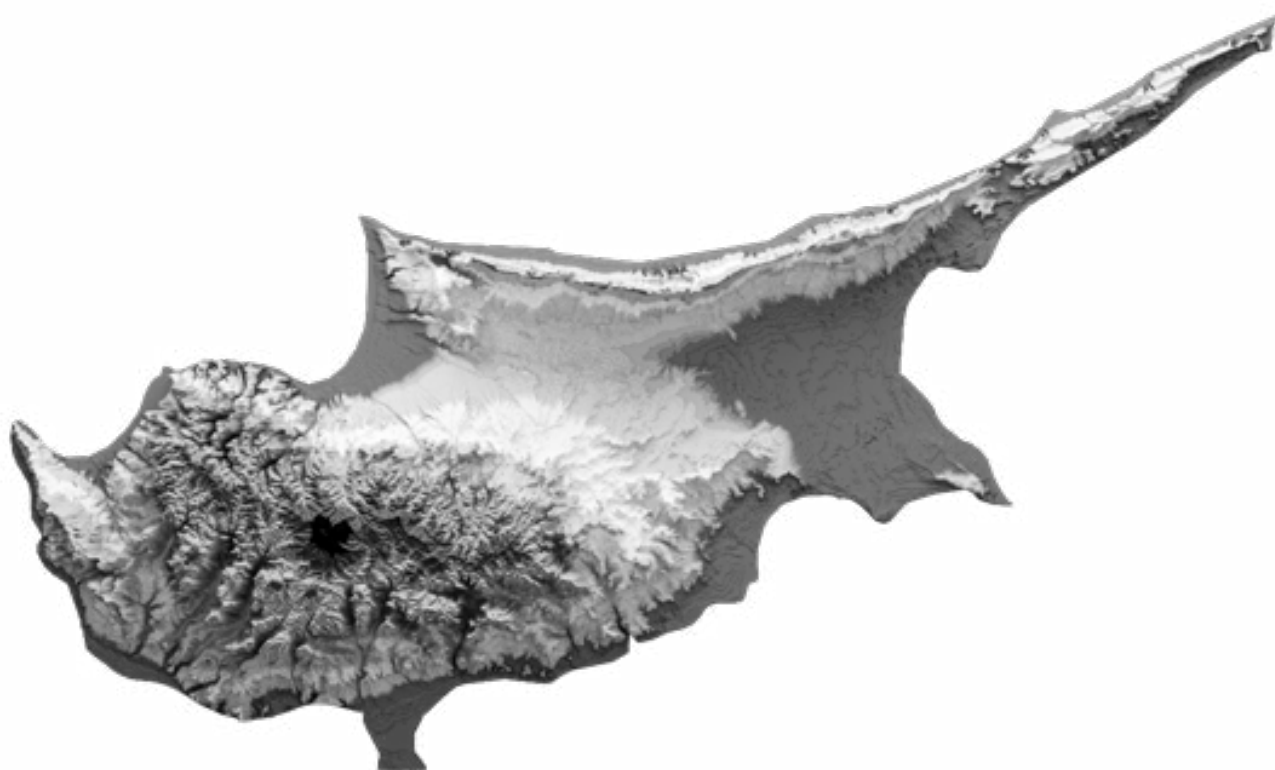


The basic parameters of the comprehensive settlement *of the Cyprus Problem*



Levon H. Arakelian

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DEDICATIONS

I dedicate this work to my parents, Arto (1948-2010) and Androulla, who, though left with nothing in 1974, gave us everything.

I also dedicate this work to my wife, Stella: a force of nature who always has our back.

Lastly, I dedicate this work to Mr. Polyvios (Polys) G. Polyviou: *primus pilus iuris*, gentleman, friend.

PROLOGUE

The briefest of reviews of the history of the Cyprus Problem can be enough to procure the swiftest of transformations of even the most diehard of optimists into the most hardcore of pessimists.

But hope dies last: hence this document, which aims to achieve two objectives.

The first is to introduce a proposal—“*by* a Cypriot, *for* Cypriots”—for the comprehensive settlement of the Cyprus Problem (the “**CSCP**”). Like a pebble being cast into a pond, this document seeks to send a ripple through the still waters of the current state of affairs by offering “proof of concept” for the proposition, firstly, that it *is* possible to conceive of a just, functional and sustainable settlement of the Cyprus Problem in line with United Nations Security Council Resolutions¹, and, secondly, that we Cypriots *can* formulate a plan that *can* embody such a settlement. Doubtless, this document is far from perfect. Nevertheless, it can be a start on which individuals abler and wiser than this author may build so as to get things moving in the right direction.

The second objective is more practical. This document has been written in “legalese” so as to potentially supply drafting material for the CSCP and instruments related thereto. A number of its provisions are not necessarily “original” in that they draw upon ideas which have, at one time or another, seen the light of day during the 52 years which have elapsed since the fateful summer of 1974². Even so, by taking formulations “old” and “new”, combining them with each other and laying out the product as an integral whole, this document offers itself as a collection of “components” that policymakers can use on the “assembly line” of the CSCP.

The text is divided into six parts, each categorized as a “Set of Parameters”.

The “**First Set**” codifies the conditions precedent to the coming into effect of the CSCP in its entirety, and lists the steps that should be taken between that event and the entry into force of the new Cypriot Constitution.

The “**Second Set**”, headed “**GOVERNANCE**”, codifies the essence of the new structure of the Cypriot polity as a bi-zonal, bi-communal federal republic, which shall uphold the political equality of the Greek Cypriot Community, on the one hand, and the Turkish Cypriot Community, on the other, whilst respecting, inter alia, the rule of law and human rights.

The “**Third Set**”, headed “**TERRITORY**”, concerns the allocation of lands between the internal units of the envisaged federation, namely the “Greek Cypriot Constituent State” and the “Turkish Cypriot Constituent State”.

The “**Fourth Set**”, headed “**POPULATION**”, concerns the maintenance of a demographic balance between the two Cypriot Communities in the aftermath of the entry into force of the new Cypriot Constitution.

¹ See the “Select Bibliography” at the end of this document.

² See, for example, the documents under the heading “Proposals for a Solution” at <https://www.gov.cy/pio/en/documents/>

The “[Fifth Set](#)”, headed “SECURITY”, concerns arrangements pertaining to such matters as the future of foreign guarantees, foreign troops and the presence of armaments etc. in Cyprus.

Lastly, the “[Sixth Set](#)”, headed “PROPERTY”, concerns arrangements pertaining to the resolution of those problems centering on immovable properties, which resulted from the massive displacement of Cypriots in and after 1974.

For the sake of good order, I wish to make two “disclosures”.

The first is that both of my parents are refugees from northern Cyprus and that I myself have come to own immovable property in the fenced-up area of Varosha³. If anything, this has made me even more conscious of the need for any settlement to be just, functional and sustainable. Whether I have succeeded or not is for the reader to assess.

The second is that I am currently a member of a team of advisors who provide assistance, on an as-needed basis, to the President of the Republic of Cyprus and Leader of the Greek Cypriot Community in relation to the Cyprus Problem. Be that as it may, all views set out herein are my own.

Several friends have been kind enough to read and comment upon the text at various stages of its evolution. I thank them all for their invaluable help—it is truly appreciated. I wish to extend special thanks to Mr. Dan Ringart who initiated me to the world of improving documents with the help of Artificial Intelligence. Any and all remaining gaps and errors are mine.

In one of the opening scenes of Sir Ridley Scott’s 2000 epic “Gladiator”, Richard Harris, as Marcus Aurelius, laments:

“There was once a dream that was Rome. You could only whisper it; anything more than a whisper and it would vanish, it was so fragile.”

There was yet another dream once.

A dream that was Cyprus—united, prosperous and at peace.

May this document contribute to turning that dream into reality.

[Levon H. Arakelian](#)

Cyprus

Spring 2026

³ See United Nations Security Council Resolution 550 of 11 May 1984, Paragraph 5.

ABOUT THE AUTHOR

Levon H. Arakelian holds an AB in Government from Cornell University, a BA in Jurisprudence and the BCL from the University of Oxford, and an LLM from Harvard Law School. He has previously worked for the Diplomatic Office of the President of the Republic of Cyprus (2004-5) and for the Office of the Republic's Attorney General (2006). Since 2007 he has been practising law in the private sector in Cyprus.

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The basic parameters of the comprehensive settlement of the *Cyprus Problem*

The basic parameters of the Comprehensive Settlement of the Cyprus Problem (the “CSCP”) shall be as follows:

FIRST SET OF PARAMETERS

CONDITIONS PRECEDENT TO THE COMING INTO EFFECT OF THE CSCP IN ITS ENTIRETY, AND STEPS TO BE TAKEN BETWEEN THE COMING INTO EFFECT OF THE CSCP IN ITS ENTIRETY AND THE COMING INTO EFFECT OF THE NEW CYPRIOT CONSTITUTION

1)

- 1.1. The text of the CSCP shall be agreed upon and signed by the leaders of the two Cypriot Communities.
- 1.2. The coming into effect of the CSCP in its entirety shall be made conditional upon the satisfaction of four Conditions Precedent, as follows:

Condition Precedent 1: The publication by each of the Republic of Greece (“**Greece**”), the Republic of Türkiye (“**Turkey**”) and the United Kingdom of Great Britain and Northern Ireland (“**UK**”), of a “Solemn, Binding & Irrevocable Declaration” in line with [paragraph 2](#), below.

Condition Precedent 2: Assuming that Condition Precedent 1 is satisfied, the approval of the CSCP in two separate simultaneous referenda of the two Cypriot Communities (the “**Referenda**”).

Condition Precedent 3: Assuming that Conditions Precedent 1 and 2 are satisfied, the adoption of the variations to the laws of the European Union (“**EU**”) that are referred to in [paragraph 6](#) under the heading “**GOVERNANCE**”, below, such variations to become effective on “Constitution Day” (as this term is defined in [paragraph 11.1](#), below).

Condition Precedent 4: Assuming that Conditions Precedent 1, 2 and 3 are satisfied, the United Nations (“**UN**”) Security Council’s issuing of a Resolution under Chapter VII of the UN Charter, in line with [paragraph 4](#), below.
- 1.3. Assuming that all four Conditions Precedent are satisfied as set out above:
 - (i) the CSCP shall come into effect in its entirety simultaneously with the satisfaction of the 4th Condition Precedent; and
 - (ii) thereafter, the new Cypriot Constitution (which shall hereinafter be referred to as “**CY’s Constitution**” or as the “**CY Constitution**” or as the “**Constitution of CY**”) shall come into effect as per [paragraph 11.1](#), below.

2)

- 2.1.** Immediately after the signing of the CSCP by the leaders of the two Cypriot Communities, each of Greece, Turkey and the UK shall publish an identically worded “Solemn, Binding & Irrevocable Declaration”.
- 2.2.** The Declaration of Greece shall be signed by its Prime Minister and Foreign Minister; the Declaration of Turkey shall be signed by its President and Foreign Minister; and the Declaration of the UK shall be signed by its Prime Minister and Secretary of State for Foreign, Commonwealth and Development Affairs.
- 2.3.** The original of each Declaration shall be deposited with the UN Secretary General.
- 2.4.** In each Declaration each Declarant State shall solemnly, bindingly and irrevocably Declare and Undertake that:
 - (i) it has duly taken note of the content of the CSCP;
 - (ii) as from the CSCP’s coming into effect in its entirety (if and when that occurs), it shall comply with the content of the CSCP in so far as such content concerns the Declarant State;
 - (iii) as from the CSCP’s coming into effect in its entirety (if and when that occurs), it shall be deemed to have recognized as compulsory ipso facto and without special agreement, in relation to any other State that has or may accept the same obligation in all legal disputes concerning that other State’s rights and/or obligations in connection with the CSCP, the jurisdiction of the International Court of Justice in conformity with paragraph 2 of Article 36 of the Statute of the Court in all legal disputes concerning the Declarant State’s rights and/or obligations in connection with the CSCP;
 - (iv) as from the CSCP’s coming into effect in its entirety (if and when that occurs), it shall be deemed to have deposited its Declaration with the UN Secretary General in accordance with paragraph 4 of Article 36 of the Statute of the Court.

3)

On the 60th day following the day on which Condition Precedent 1 will have been satisfied (or, if such a day is not a Sunday, on the first Sunday thereafter), the Referenda shall take place:

Provided that the fact that a person may vote in the Referenda shall be without prejudice to the question of whether such person has a right to be and/or to remain in Cyprus.

4)

Assuming that Conditions Precedent 1, 2 and 3 will have been satisfied, the UN Security Council shall adopt a Resolution whereby, after

- (i) recalling all Members’ obligations under Article 103 of the UN Charter
- (ii) deciding that the perpetuation of the Cyprus problem would in turn perpetuate the existence of a grave threat to international peace and security

- (iii) deciding that urgent compliance with the terms of the CSCP is necessary for the preservation of international peace and security and
- (iv) declaring that its Resolution is being adopted under Chapter VII of the UN Charter, the UN Security Council shall, inter alia:
 - (aa) Demand of all States, as well as the two Communities in Cyprus and their leaders, to, as from the CSCP's coming into effect in its entirety and thereafter:
 - 1. urgently comply with the content of the CSCP in so far as such content concerns them;
 - 2. respect Cyprus' independence, sovereignty, sovereign rights, territorial integrity, unity, constitutional order and security;
 - 3. abstain from any actions that would constitute or facilitate either external intervention in Cypriot domestic affairs or a violation of the CSCP;
 - 4. cooperate and coordinate, expeditiously and in good faith, both with each other and with the United Nations Organization (including, for the avoidance of doubt, the international force, CYFOR, referred to below), so as to, firstly, facilitate the CSCP's implementation in accordance with its terms and, secondly, facilitate CYFOR's expeditious fulfilment of its terms of reference; and
 - 5. cooperate and coordinate, expeditiously and in good faith, both with each other and with the Red Cross, so as to ensure the final and conclusive determination – no later than the 1st anniversary of the coming into effect of the new Cypriot Constitution – of the fate of all persons who went missing in the context of the tragic events that unfolded in Cyprus in 1963-1964 and 1974, respectively.
 - (bb) Demand Greece's, Turkey's, the UK's and Cyprus' urgent compliance with their respective "Solemn Binding & Irrevocable Declarations" referred to in [paragraph 2](#), above, and [paragraph 1.2.\(ii\)](#) under the heading "**SECURITY**", below.
 - (cc) Establish an international force, **CYFOR**, comprising
 - 1. a professional military and military police element;
 - 2. a professional civilian police element;
 - 3. a team of experts in the conduct of elections (ideally, in post-conflict areas); and
 - 4. a team of experts in the conduct of population and housing censuses (ideally, in post-conflict areas).
 - (dd) Decide that CYFOR shall deploy in Cyprus immediately and shall remain there until the later of:
 - 1. the end of the eve of the 17th anniversary of the coming into effect of the new Cypriot Constitution, or
 - 2. the end of the 60th day following the day, if any, on which CY's Government may officially request the UN Security Council to withdraw CYFOR.

- (ee) Decide that no Cypriot citizen and no citizen of any “Designated State” (as this term is defined in [paragraph 14\(ii\)](#) under the heading “**GOVERNANCE**”, below) may become a member of CYFOR.
- (ff) Decide that CYFOR’s terms of reference shall be the following, with CYFOR being authorized to take action pursuant to those terms without the need for any fresh decision of the UN Security Council:
 1. conducting and reporting on, the disarmament and disbanding of any local military or paramilitary forces throughout Cyprus, as such disarmament and disbanding will have been envisaged in the relevant provisions of the CSCP;
 2. conducting and reporting on, the integration into the Cypriot federal armed forces, of the equipment of the forces referred to in point (1) above;
 3. **(aaa)** monitoring, reporting on, facilitating, and, if necessary, enforcing the departure from the island, of Greek and Turkish forces (whether military, paramilitary, intelligence¹ or other), together with their equipment, as such departure will have been envisaged in the relevant provisions of the CSCP;

(bbb) monitoring, reporting on, facilitating, and, if necessary, enforcing Greece’s and Turkey’s compliance with their respective obligations referred to in [paragraph 1.3\(i\)](#) (which, in the case of Greece, shall be read alongside [paragraph 1.4.3](#)) under the heading “**SECURITY**”, below;
 4. conducting, and reporting on the conduct of, the “**First Elections**” (as this term is defined in [paragraph 9](#), below);
 5. **(aaa)** monitoring, reporting on, facilitating, and, if necessary, enforcing the territorial adjustments, as such adjustments will have been envisaged in the relevant provisions of the CSCP;

(bbb) monitoring, reporting on, facilitating, and, if necessary, enforcing, the restitution of immovable properties, as such restitution will have been envisaged in the relevant provisions of the CSCP;
 6. **(aaa)** monitoring, reporting on, facilitating, and, if necessary, enforcing the departure from the island of the persons referred to in [paragraphs 2.1, 2.2, 3.1 and 3.2](#) under the heading “**POPULATION**”, below, as such departure will have been envisaged in the relevant provisions of the CSCP;

(bbb) monitoring, reporting on and facilitating the conduct of, as well as the publication of the results of, the Cypriot federal government’s first three population and housing censuses;
 7. monitoring, reporting on and facilitating the conduct of de-mining operations, the clearing away of booby-traps and the clearing away of used but unexploded ordinance;

¹ For the purposes of this document, the term “*intelligence*” shall, unless otherwise indicated, be deemed to include “counter-intelligence” as well.

8. monitoring, reporting on, facilitating, and, if necessary, enforcing the peace between the two Cypriot Communities;
9. monitoring, facilitating and reporting on the setting up and the training of the Cypriot federal armed forces, the federal intelligence services, the federal law enforcement forces and the federated states' law enforcement forces; and
10. defending itself and its assets against any attack from anyone.

(gg) Establish a Committee (such Committee to include, inter alios, a representative of the Military Staff Committee of the UN Security Council) to monitor and report to the UN Security Council on the implementation of the CSCP and the activities of CYFOR, such reporting to take place every 3 calendar months (the “**UN Committee**”).

(hh) Dissolve UNFICYP with effect from the day that the UN Committee shall officially report to the UN Security Council that CYFOR has fully deployed in Cyprus and has become fully operational.

(ii) Resolve to remain seized of the situation in Cyprus with a view to the full implementation of the CSCP.

5)

The CSCP shall come into effect in its entirety simultaneously with the UN Security Council's adoption of the Resolution referred to in [paragraph 4](#), above; such day shall hereinafter be referred to as “**CSCP Day**”.

6)

Within 75 days of CSCP Day, CYFOR's deployment in Cyprus shall be completed and CYFOR shall become fully operational.

7)

During the period starting on the 76th day after CSCP Day and ending at the close of the 150th day after CSCP Day:

- (i) The disarming and disbanding of any local military or paramilitary forces throughout Cyprus shall be completed.
- (ii) The departure, from the island, of all Greek and Turkish forces (whether military, paramilitary, intelligence or other), together with their equipment, shall be completed.
- (iii) CYFOR shall take possession of the equipment of any local military or paramilitary forces throughout Cyprus (which it shall hold until such equipment's integration into CY's federal armed forces).²

² It is respectfully submitted that the period of 75 days provided for the actions referred to in this paragraph 7 should be more than enough for their implementation. Compare, in this respect, the organization and execution of the transfer of 30,000+ Turkish troops from mainland Turkey to Cyprus during the 33-day-period starting on 15 July 1974 (which was the date of the Greek Colonels' coup against President Makarios in Cyprus) and ending on 16 August 1974 (when, following the Turkish invasion of 20 July 1974, the guns essentially fell silent in Cyprus).

8)

Upon completion of the actions envisaged in paragraph 7, above, the UN Committee shall officially report this development to the UN Security Council; the day of delivery of this report shall hereinafter be referred to as “**First Reporting Day**”.

9)

Within 60 days of First Reporting Day, CYFOR shall complete all preparations³ for the conduct of the first pan-Cyprian elections for all federal and federated state “elected” offices/positions above the level of local government⁴ (the “**First Elections**”). This shall be done in conformity with the relevant provisions of the CSCP. Upon completion of the said preparations the UN Committee shall officially report this development to the UN Security Council; the day of delivery of this report shall hereinafter be referred to as “**Second Reporting Day**”:

Provided that only those persons who, on the First Reporting Day,

- shall be at least 18 years old and
 - shall be citizens of the State of Cyprus or shall, according to the CSCP, become citizens of the State of Cyprus upon the coming into effect of CY’s Constitution,
- shall have the right to vote and be voted for in the First Elections.

10)

- 10.1. The First Elections shall be held on the 50th day after the Second Reporting Day (or, if such a day is not a Sunday, on the first Sunday thereafter) (the “**Election Day**”).
- 10.2. The First Elections shall be completed with the holding of any run-offs on the first Sunday immediately following Election Day.
- 10.3. Upon completion of the First Elections (including⁵ CYFOR’s publication of the results thereof, hereinafter referred to as the “**First Elections’ Results**”) the UN Committee shall officially report this development to the UN Security Council; the day of delivery of this report shall hereinafter be referred to as “**Third Reporting Day**”.

³ For example: the preparation and publication of the voter rolls; the handling of objections to the inclusion of persons in or the exclusion of persons from, the voter rolls; the making of provisions for the preparation and publication of the candidate lists; the making of provisions for the handling of objections to the inclusion of persons in or the exclusion of persons from, the candidate lists; the establishment of polling stations; the determination of “who will vote where”; the determination of the voting hours; the making of provisions for the preparation, sealing and distribution of the ballots and ballot boxes; the making of provisions for the administration of the polling stations on election day (including the designation of the identification document(s) that voters shall have to produce on election day in order to be allowed to vote); the making of provisions for the counting of votes; the making of provisions for the publication of the election results; and the making of provisions for the handling of any objections to those results so that the latter may be finalized the soonest.

⁴ That is to say, no elections shall be held in respect of village councils, municipalities, district local government organizations (“επαρχιακούς οργανισμούς αυτοδιοίκησης”), school boards (“σχολικές εφορείες») or the like.

⁵ For the purposes of this document, unless a different meaning arises from the text the word “including” shall mean “including but not limited to” or “including without limitation”.

11)

- 11.1. CY's Constitution shall come into effect at the onset of the 3rd Sunday following Third Reporting Day; such day shall hereinafter be referred to as "**Constitution Day**".
- 11.2. Simultaneously with the coming into effect of CY's Constitution, the Constitutions of the federated states shall also come into effect; the said Constitutions shall form an integral part of the CSCP and shall hence be deemed to have been approved through the Referenda.
- 11.3. Simultaneously with the coming into effect of CY's Constitution, the federal legislation referred to in [paragraph 1.2](#) under the heading "**GOVERNANCE**", below, shall also come into effect. The said federal legislation shall form an integral part of the CSCP and shall hence be deemed to have been approved through the Referenda.
- 11.4. To the extent that such results concern federal government offices/positions, CY's Constitution shall contain appropriate provisions recognizing the First Elections' Results as definitive.
- 11.5. To the extent that such results concern federated state offices/positions, the Constitutions of the federated states shall contain appropriate provisions recognizing the First Elections' Results as definitive.
- 11.6. Immediately after 00:01:00 hrs on Constitution Day, the following actions shall be completed in parallel at both the federal and the federated state levels:
 - (i) The persons elected in the First Elections shall be duly sworn in by the UN Secretary General or a representative thereof.
 - (ii) To the extent that they will have been elected to offices/positions, or as members of bodies, that are tasked with the appointment of persons to "appointed" offices/positions (the "**Primary Appointees**"), the persons referred to in [point \(i\)](#), above, shall appoint the Primary Appointees.
 - (iii) To the extent that the Primary Appointees will have been appointed to offices/positions, or as members of bodies, that are themselves tasked with the appointment of persons to other "appointed" offices/positions (the "**Secondary Appointees**"), the Primary Appointees shall appoint the Secondary Appointees.

SECOND SET OF PARAMETERS

“GOVERNANCE”

1)

- 1.1. At 00:00:00 hrs on Constitution Day, the State of Cyprus shall acquire the status of a Bi-zonal (in the sense of [paragraph 4](#) below), Bi-communal (in the sense of [paragraph 5](#) below), federal, democratic and secular republic, which shall uphold the two Cypriot Communities’ political equality (again in the sense of [paragraph 5](#) below)⁶, shall respect human dignity, freedom, democracy, equality, the rule of law (including due process) and human rights, and shall be known solely as “**CYPRUS**” / «**ΚΥΠΡΟΣ**» / “**KIBRIS**” (“**CY**”).
- 1.2. All federal officials, all federal functionaries and all federal legislation (both primary and secondary) necessary for the due functioning of CY (including, for the avoidance of doubt, all federal legislation in connection with federal elections, federal taxation and the introduction of the Euro in the Turkish Cypriot Constituent State) shall be put in place on Constitution Day, and shall have the same status and be accorded the same treatment as any other federal officials, federal functionaries and federal legislation that may be appointed, elected or enacted, as applicable, in the future.
- 1.3. Those terms of the CSCP that shall be binding on CY shall be reflected in and shall be accorded constitutional force («**συνταγματική ισχύς**») under, CY’s Constitution.
- 1.4. All officials and functionaries, whether elected or appointed, of the federal government and of the federated states (including all officials and functionaries, whether elected or appointed, of any agency / authority⁷ / body⁸ / department / force / institution / instrumentality / office / organ / service / sub-division of the federal government or of any federated state, as applicable), (collectively, the “**Functionaries**”), shall have a duty of loyalty to CY’s Constitution and the laws made thereunder as well as the duty to respect, preserve and protect CY’s independence, sovereignty, sovereign rights, territorial integrity, unity, security and constitutional order.

⁶ It is respectfully submitted that paragraph 5, combined with such other paragraphs as 4, 7, 8 and 11, of this part of this document, more than secures the two Cypriot Communities’ political equality.

⁷ For the purposes of this document, the concept of “*authority*” includes, as applicable, any local authority such as a district local government organization, a municipality, a village council etc.

⁸ For the purposes of this document, the concept of “*body of the federal government*” includes (i) any arbitral or judicial body of the federal government; and (ii) any “*federal quasi-governmental organization*” i.e. any corporate or unincorporated body that has been created by, or the mode of administration of which is specifically provided for in, CY’s Constitution per se or other federal law.

Again, for the purposes of this document, the concept of “*federated state body*” includes (i) any arbitral or judicial body of any federated state; and (ii) any “*federated state/state’s quasi-governmental organization*” i.e. any corporate or unincorporated body that has been created by, or the mode of administration of which is specifically provided for in, a federated state’s Constitution per se or other federated state law.

- 1.5. CY's federal government and federated states shall at all times act in such manner as to ensure that CY shall be in compliance with its international obligations (including, for the avoidance of doubt, its obligations under EU law⁹).

2)

- 2.1. CY shall have a single sovereignty, a single international personality and a single citizenship.
- 2.2. At the time of the coming into effect of CY's Constitution, CY's citizens shall comprise:
- 2.2.1. those persons who, immediately prior to such time, will be citizens of the State of Cyprus; and
- 2.2.2. those persons who, according to the CSCP, will, at such time, be granted CY citizenship.
- 2.3. At the time of the coming into effect of CY's Constitution, CY's citizens who shall be classified as members of the Greek Community of Cyprus ("**GCC**") shall be the following:
- 2.3.1. those persons who, immediately prior to such time, will be citizens of the State of Cyprus and already classified by the latter as members of the GCC; and
- 2.3.2. those persons who, according to the CSCP, will, at such time, be granted CY citizenship pursuant to [paragraph 3.3\(i\)](#) under the heading "**POPULATION**", below.
- 2.4. At the time of the coming into effect of CY's Constitution, CY's citizens who shall be classified as members of the Turkish Community of Cyprus ("**TCC**") shall be the following:
- 2.4.1. those persons who, immediately prior to such time, will be citizens of the State of Cyprus and already classified by the latter as members of the TCC; and
- 2.4.2. those persons who, according to the CSCP, will, at such time, be granted CY citizenship pursuant to [paragraph 2.3\(i\)](#) under the heading "**POPULATION**", below.

3)

CY's territorial integrity shall be inviolable and CY's union in whole or in part with any other country or any form of partition thereof or secession therefrom shall be absolutely excluded.

4)

CY shall be **Bi-Zonal** as follows:

4.1.

- 4.1.1. It shall contain only two federated states.
- 4.1.2. The coordinates of the administrative boundaries between the federated states shall be codified in CY's Constitution.

⁹ All references in this document to "EU law" shall be understood as references to the laws of the EU (whether primary or secondary) as varied pursuant to [paragraph 6](#), below.

4.2.

- 4.2.1. One of the federated states shall be under the administration of the GCC and the other federated state shall be under the administration of the TCC.
- 4.2.2. The sole name by which the GCC-administered federated state shall be known, both domestically and internationally, will be “**Greek Cypriot Constituent State**” (“GCCS”).
- 4.2.3. The sole name by which the TCC-administered federated state shall be known, both domestically and internationally, will be “**Turkish Cypriot Constituent State**” (“TCCS”).

4.3.

- 4.3.1. Without prejudice to [paragraph 4.3.5](#), below, CY citizens who are members of the GCC (“**Greek Cypriots**”) shall be considered as bearing the internal citizenship of the GCCS whereas CY citizens who are members of the TCC (“**Turkish Cypriots**”) shall be considered as bearing the internal citizenship of the TCCS.
- 4.3.2. Only CY citizens shall bear the internal citizenship of a federated state (“**Internal Citizenship**”).
- 4.3.3. No CY citizen shall simultaneously bear more than one Internal Citizenship.
- 4.3.4. Subject to [paragraph 4.5](#), below, only CY citizens shall vote in the internal elections of the federated states and serve as Functionaries of the federated states.

4.3.5.

- 4.3.5.1. Subject to [paragraph 4.3.5.4](#), below, CY citizens bearing the Internal Citizenship of one federated state, “X”, who complete at least 60 consecutive calendar months’ “usual residence” in the other federated state, “Y”, shall have the right to apply for and acquire the Internal Citizenship of “Y”, and upon acquiring the Internal Citizenship of “Y” they shall be deemed to have automatically lost the Internal Citizenship of “X”.

For the avoidance of doubt, it is hereby clarified that such a development shall have no effect whatsoever on a CY citizen’s status as a member of the GCC or of the TCC, respectively.

For the purposes of this document, the term “**usual residence**” shall have the meaning ascribed to it in Regulation (EC) No 862/2007¹⁰ (except for the phrase “or, in default, the place of legal or registered residence”).

- 4.3.5.2. Only CY citizens who are at least 18 years old shall be entitled to file an application for the purposes of [paragraph 4.3.5.1](#), above.

¹⁰ <https://eur-lex.europa.eu/eli/reg/2007/862/oj/eng> | According to Article 2(1)(a) of that Regulation, “‘usual residence’ means the place at which a person normally spends the daily period of rest, regardless of temporary

- 4.3.5.3. For the purposes of [paragraph 4.3.5.1](#), above, any period of residence preceding the coming into effect of CY's Constitution shall be ignored.
- 4.3.5.4. The GCCS shall have the right to abstain from granting its Internal Citizenship to a Turkish Cypriot applicant if, following the granting of such Internal Citizenship, the percentage of CY citizens bearing the Internal Citizenship of the GCCS whilst being members of the TCC would exceed 20% of the total number of CY citizens bearing that Internal Citizenship.

Conversely, the TCCS shall have the right to abstain from granting its Internal Citizenship to a Greek Cypriot applicant if, following the granting of such Internal Citizenship, the percentage of CY citizens bearing the Internal Citizenship of the TCCS whilst being members of the GCC would exceed 20% of the total number of CY citizens bearing that Internal Citizenship.

4.4.

- 4.4.1. Subject to [paragraph 4.5](#), below, for the purposes of ensuring that a particular federated state, "X", shall be under the administration of one Community, "Y", as opposed to the other Community, "Z", "X" shall have the right to:

- 4.4.1.1. Exercise the right referred to in [paragraph 4.3.5.4](#), above.
- 4.4.1.2. Provide that only those CY citizens that bear the Internal Citizenship of "X" shall serve as Functionaries of "X".
- 4.4.1.3. Provide that only those CY citizens that bear the Internal Citizenship of "X" shall vote in the internal elections of "X".
- 4.4.1.4. Provide that in so far as the internal elections of "X" are concerned, where more than 20% of the aggregate of valid votes¹¹ cast have been cast by CY citizens who hold the Internal Citizenship of "X" *but* who are members of the *other* Community, "Z", the weight of the valid votes cast by the members of "Z" shall be adjusted in such manner as to account for only 20% of the total weight of the aggregate of valid votes cast in that election.
- 4.4.1.5. Introduce a "cap" on the appointment—to positions on "X"'s agencies / authorities / bodies / departments / forces / institutions / instrumentalities / offices / organs / services / sub-divisions—of CY citizens who hold the Internal Citizenship of "X" *but* who are members of the *other* Community, "Z":

Provided that the said "cap" shall not be set below the level of 20%.

- 4.5. None of the restrictions that are set out in [paragraphs 4.3.4](#) and [4.4](#), above, shall apply to any EU citizen (including any CY citizen) wishing to serve as a Functionary

absences for purposes of recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimage or, in default, the place of legal or registered residence".

¹¹ For the purposes of this document, abstentions («αποχές»), blank votes («λευκοί ψήφοι») and spoilt votes («άκυροι ψήφοι») shall *not* be considered "valid votes".

of a municipality or a village council or wishing to vote in any municipal or village council election.

5)

CY shall be **Bi-communal** and shall uphold the political equality of the GCC and of the TCC as follows:

5.1.

- 5.1.1. CY citizens shall be organized into two Communities, namely the GCC and the TCC; subject to paragraphs 2.2-2.4 and 4.3.5.1 (2nd sentence), above, CY's Constitution shall set out the criteria according to which a CY citizen shall be classified as a member of the GCC or the TCC accordingly.
- 5.1.2. Only CY citizens shall be members of the GCC or the TCC.
- 5.1.3. No CY citizen shall be a member of both the GCC and the TCC.
- 5.1.4. A CY citizen who is a member of the GCC shall not have the right to become a member of the TCC, and vice versa.
- 5.1.5. Only CY citizens shall vote in federal elections and serve as Functionaries of the federal government.
- 5.1.6. Except as EU law may mandate otherwise in respect of any municipal or village council elections, no person that does not have his/her usual residence on the island shall vote or be elected in any elections in CY, even if such person is a CY citizen.

5.2.

- 5.2.1. The CSCP shall have to be approved through the Referenda.
- 5.2.2. For any variation to CY's Constitution to take effect, such variation shall have to be approved by separate referenda of the GCC and TCC. The actual process that shall have to be followed for any variation to CY's Constitution to take effect shall be set out in the Constitution itself.

- 5.3. The two federated states shall be legally equal vis-à-vis each other, and shall, vis-à-vis the federal government, have identical legal competences, powers and functions.

5.4.

5.4.1.

- 5.4.1.1. Neither the federal government nor the federated states (including the Functionaries and any agency / authority / body / department / force / institution / instrumentality / office / organ / service / sub-division of the federal government or of any federated state, as applicable—collectively, the “**Agencies Etc.**”) shall engage in any segregation within any of the Agencies Etc. on the basis of Communal status or Internal Citizenship status.

- 5.4.1.2. Neither the federal government nor the federated states (including the Functionaries and the Agencies Etc.) shall engage in any discrimination, whether direct or indirect, vis-à-vis any one of the two Communities or vis-à-vis any one of the two federated States or vis-à-vis any CY citizen, on the basis of Communal status.
- 5.4.1.3. Neither the federal government nor the federated states (including the Functionaries and the Agencies Etc.) shall engage in any discrimination, whether direct or indirect, vis-à-vis any CY citizen on the basis of Internal Citizenship status.
- 5.4.1.4. For the avoidance of doubt, it is hereby clarified that neither those measures codifying Bi-zonality (see [paragraph 4](#), above) nor those measures codifying Bi-communality (see this [paragraph 5](#)) nor any temporary transitional restrictions on the Four Freedoms¹², shall be considered as being inconsistent with [paragraphs 5.4.1.1-5.4.1.3](#), above.

5.4.2.

- 5.4.2.1. Neither the federal government nor the federated states (including the Functionaries and the Agencies Etc.) shall engage in any conduct:
- (i) causing a real threat to the continuation of the existence, in CY, of the GCC or the TCC as discrete groups with unique ethnic, linguistic, cultural and religious characteristics;
 - (ii) violating the GCC's or the TCC's respective group rights, as such group rights may be enshrined in CY's Constitution or may form part of the "HR" (see [paragraph 8.1](#), below); or
 - (iii) violating those of the Greek Cypriots' or the Turkish Cypriots' individual human rights arising from their status *as Greek Cypriots* or *as Turkish Cypriots*, respectively, as such individual human rights may be enshrined in CY's Constitution or may form part of the "HR" (see [paragraph 8.1](#), below).
- 5.4.2.2. In so far as each federated state is concerned, neither the federal government nor the other federated state (including the Functionaries and the Agencies Etc. of the federal government or of the other federated state, as applicable) shall engage in any conduct violating the first-mentioned federated state's rights as those rights may be enshrined in CY's Constitution.

Conversely, in so far as each federated state is concerned, that federated state (including its Functionaries and Agencies Etc.) shall not engage in any conduct violating the rights of the federal government as those rights may be enshrined in CY's Constitution.

¹² For the purposes of this document, these are the following: The freedom of movement of persons (including the freedom of settlement and the freedom to hold and enjoy property), the freedom of movement of goods, the freedom of movement of services and the freedom of movement of capital.

5.4.2.3. In so far as each federated state is concerned, neither the federal government nor the other federated state (including the Functionaries and the Agencies Etc. of the federal government or of the other federated state, as applicable) shall engage in any conduct violating those of the first-mentioned federated state's Internal Citizens' individual human rights arising from their status *as Internal Citizens of the first-mentioned federated state*, as such individual human rights may be enshrined in CY's Constitution or may form part of the "HR" (see [paragraph 8.1](#), below).

5.4.3. Neither the federal government nor the federated states (including the Functionaries and the Agencies Etc.) shall violate the right of Greek, Turkish, Maronite, Armenian or Latin Cypriots, respectively, to, individually as well as in community with the other members of their respective group:

- (i) express themselves as members of their respective group;
- (ii) associate with other members of their respective group;
- (iii) learn about their respective group's history;
- (iv) learn about and enjoy their culture (including their respective group's customs, traditions and cultural heritage);
- (v) learn about, profess and practice their religion; or
- (vi) learn and use their language.

For the sake of good order, it is hereby clarified that the Maronite, Armenian and Latin Cypriots shall continue to form part of the GCC.

Additionally, it is hereby stipulated that each of the Maronite, Armenian and Latin Cypriot communities shall have the right to be represented, by one non-voting elected representative, in the legislature of the GCCS, and such representative shall also represent his/her community in the federal legislature whenever issues of concern to his/her community (including matters pertaining to culture, education, language, religion etc.) become the object of that body's business.

5.5.

5.5.1. Subject to the executive power reserved to the Federal Presidential Council's Chair and/or Vice Chair and/or any other person(s) under CY's Constitution, the residue of executive power («κατάλοιπο εκτελεστικής εξουσίας») in all matters falling within the competence of the federal government of CY shall lie with the Federal Presidential Council ("PC").

5.5.2. The PC per se shall be CY's Head of State.

5.5.3. The PC shall have 11 members, 4 of which shall be Turkish Cypriot and 7 of which shall be Greek Cypriot.

5.5.4.

5.5.4.1. The Chair of the PC, or any 4 or more other members of the PC acting conjointly, shall have the right to call a meeting of the PC, and where the meeting is called by 4 or more members of the PC acting conjointly, the agenda of the meeting called by them shall be conjointly set by them.

5.5.4.2. The quorum for the conduct of meetings of the PC shall be set at 4 members thereof.

5.5.5. Unless otherwise provided in this document, decisions in the PC shall be taken by simple majority of the total number of valid votes («ψηφους») cast in the relevant vote («ψηφοφορία»):

Provided that, without prejudice to any other provisions hereof governing the PC's dissolution, any decision by the PC to dissolve itself for the purpose of holding early elections shall require a simple majority of the PC's members at the time, including at least one Greek Cypriot vote and at least one Turkish Cypriot vote.

5.5.6. The term of office of each PC shall be 60 calendar months.

5.5.7. The PC shall have a Chair and a Vice Chair, who shall not hail from the same Community.

5.5.8. The Chairmanship and Vice Chairmanship of the PC shall alternate between the members thereof in the following pattern:

1st period (6 months)	Chair: Greek Cypriot listed 1st in the “primary list” of the victorious Greek Cypriot ticket referred to in paragraph 5.5.15.3, below. Vice Chair: Turkish Cypriot listed 1st in the “primary list” of the victorious Turkish Cypriot ticket referred to in paragraph 5.5.15.3, below.
2nd period (7 months)	Chair: Turkish Cypriot listed 1st in the abovementioned Turkish Cypriot list. Vice Chair: Greek Cypriot listed 2nd in the abovementioned Greek Cypriot list.
3rd period (5 months)	Chair: Greek Cypriot listed 2nd in the abovementioned Greek Cypriot list. Vice Chair: Turkish Cypriot listed 2nd in the abovementioned Turkish Cypriot list.

4th period (6 months)	Chair: Greek Cypriot listed 3rd in the abovementioned Greek Cypriot list. Vice Chair: Turkish Cypriot listed 3rd in the abovementioned Turkish Cypriot list.
5th period (7 months)	Chair: Turkish Cypriot listed 2nd in the abovementioned Turkish Cypriot list. Vice Chair: Greek Cypriot listed 4th in the abovementioned Greek Cypriot list.
6th period (5 months)	Chair: Greek Cypriot listed 4th in the abovementioned Greek Cypriot list. Vice Chair: Turkish Cypriot listed 4th in the abovementioned Turkish Cypriot list.
7th period (6 months)	Chair: Greek Cypriot listed 5th in the abovementioned Greek Cypriot list. Vice Chair: Turkish Cypriot listed 1st in the abovementioned Turkish Cypriot list.
8th period (6 months)	Chair: Greek Cypriot listed 6th in the abovementioned Greek Cypriot list. Vice Chair: Turkish Cypriot listed 2nd in the abovementioned Turkish Cypriot list.
9th period (6 months)	Chair: Greek Cypriot listed 7th in the abovementioned Greek Cypriot list. Vice Chair: Turkish Cypriot listed 3rd in the abovementioned Turkish Cypriot list.
10th period (6 months)	Chair: Turkish Cypriot listed 3rd in the abovementioned Turkish Cypriot list. Vice Chair: Greek Cypriot listed 1st in the abovementioned Greek Cypriot list.

5.5.9.

- 5.5.9.1. At any given time, one of the two federal ministries in each of the below-mentioned Groups, shall be headed by a member of the PC hailing from the TCC, and the other shall be headed by a member of the PC hailing from the GCC:

Group I: (a) Ministry of Defence, (b) Ministry presiding over the federal law enforcement forces.

Group 2: (a) Ministry of Finance, (b) Ministry of Foreign Affairs.

Group 3: (a) Ministry of Natural Resources & the Environment, (b) Ministry responsible for the matters referred to in [paragraphs 14\(xvi\)-\(xvii\)](#), below.

5.5.9.2. Subject always to the preceding provisions of this [paragraph 5.5.9](#):

The first Chair and Vice Chair of every newly elected PC shall conjointly decide the Communal allocation of ministries as between the GCC and the TCC, such allocation to apply throughout such PC's term of office. To the extent that no such conjoint decision is reached prior to the newly elected PC's first meeting, the said allocation shall be determined by lot to be drawn, during that first meeting, in the same way, mutatis mutandis, as the way set out in [paragraph 5.11.3\(iii\)](#), below.

5.5.9.3. Subject always to the preceding provisions of this [paragraph 5.5.9](#):

Following the determination of the Communal allocation of ministries as between the GCC and the TCC, the determination of which specific member of the PC shall head which specific ministry shall be conjointly decided by the first Chair and Vice Chair of every newly elected PC. To the extent that no such conjoint decision is reached prior to the newly elected PC's first meeting, then, during that first meeting, the determination of which Greek Cypriot members of the PC shall be appointed to head the ministries allocated to the GCC shall be made by the PC's Chair whereas the determination of which Turkish Cypriot members of the PC shall be appointed to head the ministries allocated to the TCC shall be made by the PC's Vice Chair.

5.5.10.

5.5.10.1. The Chair of the PC shall take precedence over all persons in CY, shall be the Acting Head of Government of CY, shall be the Acting Commander-in-Chief of CY's armed forces, and shall represent the PC in all official functions.

5.5.10.2. The Vice Chair of the PC shall take precedence over all persons in CY other than the PC's Chair, shall be the Acting Vice Head of Government of CY and shall be the Acting Vice Commander-in-Chief of CY's armed forces.

[5.5.11.](#) The Chair of the PC shall have the right and the duty to, inter alia and without prejudice to [paragraph 5.5.4.1](#), above, call, chair and (subject to [paragraphs 5.5.4.1](#), above, and [5.5.12.1](#), below) set the agenda of, the meetings of the PC.

5.5.12.

5.5.12.1. The Vice Chair of the PC shall have the right to be consulted by the Chair prior to the latter's setting of the agenda of the meetings of the PC.

5.5.12.2. The Vice Chair of the PC shall have the right and the duty to chair the meetings of the PC in the circumstances described in [paragraph 17.2.2.2](#), below.

5.5.13. CY's Constitution shall contain appropriate provisions dealing with situations where the Chair of the PC might be non-existent or unable or unwilling to act as Chair^{13, 14}.

5.5.14. The provisions referred to in paragraph 5.5.13, above, shall apply mutatis mutandis to situations where the Vice Chair of the PC might be non-existent or unable or unwilling to act as Vice Chair.

5.5.15.

5.5.15.1. The electorate as a whole shall elect the members of the PC.

5.5.15.2. The Greek Cypriot members of the PC shall be elected from a ticket of Greek Cypriot candidates.

Conversely, the Turkish Cypriot members of the PC shall be elected from a ticket of Turkish Cypriot candidates.

5.5.15.3. Each Greek Cypriot ticket shall bear a "primary" list of 7 candidates and a "secondary" list of another 10 candidates. If the ticket is victorious, the 7 candidates contained within the "primary" list shall become the Greek Cypriot members of the PC, whereas the 10 candidates contained within the "secondary" list shall serve as a reserve pool to be drawn upon (in order of appearance in the "secondary" list) if any one or more of the Greek Cypriot seats on the PC remain(s)/become(s) vacant.

Conversely, each Turkish Cypriot ticket shall bear a "primary" list of 4 candidates and a "secondary" list of another 6 candidates. If the ticket is victorious, the 4 candidates contained within the "primary" list shall become the Turkish Cypriot members of the PC, whereas the 6 candidates contained within the "secondary" list shall serve as a reserve pool to be drawn upon (in order of appearance in the "secondary" list) if any one or more of the Turkish Cypriot seats on the PC remain(s)/become(s) vacant.

5.5.15.4. In so far as a seat on the PC remains/becomes vacant and there is no person in the relevant "secondary" list willing and able to fill it, such seat shall be filled through an extraordinary election for that seat. The holding of such election shall be completed within 42 days of the day on which the relevant seat should have been filled in the ordinary course of business. Paragraphs 5.5.17-5.5.18, below, shall apply mutatis mutandis to such election.

5.5.15.5. A person drawn from the "secondary" list or extraordinarily elected to fill a vacant seat on the PC shall serve as Chair and/or Vice Chair of the PC in

¹³ It goes without saying that whenever, pursuant to CY's Constitution, any person, X, is designated to deputize for any other person, Y, appropriate measures shall be taken so that X shall be on "stand by" in connection with any meeting vis-a-vis which he/she might be called upon to deputize for Y.

¹⁴ Except to the extent that CY's Constitution might provide otherwise, whenever, pursuant to CY's Constitution, any person, X, is designated to deputize for any other person, Y, and Y has certain rights and/or duties emanating from Y's position, such as, say, the right to exercise a veto, X shall, whilst acting pursuant to such designation, be deemed to have those rights and/or duties as well.

the order in which the person that would have ordinarily occupied that seat would have so served.

5.5.15.6. In so far as at a given point in time two or more seats on the PC remain/ become vacant, and the timing of events is such that it is not possible to determine which person from the relevant “secondary” list should fill which seat, the said determination shall be made through the public drawing of lots by the first-in-line “Determinant” who shall be able and willing to conduct such draw¹⁵. The “**Determinant**” shall, in each case be, the president of CY’s Federal Supreme Court or, if such officer is non-existent or is unable or unwilling to conduct such draw, the president of CY’s Federal Court of Appeal, or, if such officer is non-existent or is unable or unwilling to conduct such draw, the president of CY’s Federal Administrative Court, or, if such officer is non-existent or is unable or unwilling to conduct such draw, CY’s Attorney General, or, if such officer is non-existent or is unable or unwilling to conduct such draw, CY’s Deputy Attorney General, or, if such officer is non-existent or is unable or unwilling to conduct such draw, CY’s Auditor General, or, if such officer is non-existent or is unable or unwilling to conduct such draw, CY’s Deputy Auditor General, or, if such officer is non-existent or is unable or unwilling to conduct such draw, the President of the EU’s “Court of Justice” per se.

5.5.16. Ordinary elections for the members of the PC, both Greek Cypriot and Turkish Cypriot, shall be held at the same time.

5.5.17. If, as regards the election of the Greek Cypriot members of the PC, the valid Turkish Cypriot votes cast exceed 20% of the aggregate of valid votes cast, the weight of the valid votes cast by Turkish Cypriots shall be adjusted in such manner as to account for only 20% of the total weight of the aggregate of valid votes cast in that election.

Conversely, if, as regards the election of the Turkish Cypriot members of the PC, the valid Greek Cypriot votes cast exceed 20% of the aggregate of valid votes cast, the weight of the valid votes cast by Greek Cypriots shall be adjusted in such manner as to account for only 20% of the total weight of the aggregate of valid votes cast in that election.

5.5.18. In each of the elections for the Greek Cypriot members of the PC, on the one hand, and the Turkish Cypriot members of the PC, on the other, the ticket in each election that receives the majority of the total number of valid votes cast (as such votes may end up being weighted pursuant to [paragraph 5.5.17](#), above) shall be considered the winning ticket. If no ticket wins in the first round, there shall be a run-off between the two most popular tickets. The ticket that receives the majority of the total number of valid votes cast in the run-off (as such votes may end up being weighted pursuant to [paragraph 5.5.17](#), above) shall be considered the winning ticket.

¹⁵ For the purposes of this document, the term “*first-in-line*” means first-in-line according to the order of “Determinants” as set out in this paragraph 5.5.15.6.

5.5.19.

5.5.19.1. Each of the Chair and Vice Chair of the PC, acting separately or conjointly, shall have the right of veto on any decision (or any part thereof) of the PC concerning¹⁶:

- (i) the federal budget, but solely to the extent that the vetoed decision (or the vetoed part of the decision) is such as to cause a Real Risk of generation of material, systematic, widespread or long-term adverse effects vis-à-vis the economy of the federated state being administered by the Community of which the person exercising the veto is a member. For the purposes of this document, the term “**Real Risk**” means a risk the likelihood of the realization of which is, at least, “reasonable”;
- (ii) the federal taxes (including customs and excise duties), but solely to the extent that the vetoed decision (or the vetoed part of the decision) is such as to cause a Real Risk of generation of material, systematic, widespread or long-term adverse effects vis-à-vis the economy of the federated state being administered by the Community of which the person exercising the veto is a member;
- (iii) the federal electoral laws;
- (iv) the matters referred to in paragraphs 14(ii), 14(iii), 14(ix), 14(x) and 14(xix), below;
- (v) where the person exercising the veto is Turkish Cypriot, matters pertaining to the customs, traditions or cultural heritage (including historical or religious artifacts or sites) of the Turkish Cypriots within the GCCS; and
- (vi) where the person exercising the veto is Greek Cypriot, matters pertaining to the customs, traditions or cultural heritage (including historical or religious artifacts or sites) of the Greek, Maronite, Armenian or Latin Cypriots within the TCCS.

5.5.19.2. The right of veto shall not extend to any decision (or part thereof) of the PC in the following cases:

- (i) the decision at issue (or relevant part thereof) is a decision to adjourn the relevant meeting of the PC;

¹⁶ It is submitted that a veto system, with deadlock-resolving mechanisms, is preferable to a system requiring the positive vote of at least one Greek Cypriot and at least one Turkish Cypriot for the taking of decisions. This is because—as already essentially discussed by Dr. Claire Palley in Palley, C. (2005) *An International Relations Debacle: The UN Secretary-General’s Mission of Good Offices in Cyprus 1999-2004* (Hart Publishing), Footnote 23, at pp.232-233—a veto system makes it possible for a politician who is a member of one Community and who does not want to positively align himself with policies favored by politicians who are members of the *other* Community, to absent himself or abstain from the relevant vote («ψηφοφορία»), without such absence or abstention threatening to doom the relevant institution to decision-making impotence.

- (ii) the holder of the right of veto had *not* voted “against” the decision at issue (or relevant part thereof) when the decision was put up for a vote in the PC¹⁷;
- (iii) the decision at issue (or relevant part thereof) concerns the promulgation of a federal statute and falls within the scope of the second proviso of [paragraph 5.7.2\(iii\)](#), below, or the third sub-paragraph of [paragraph 5.7.4.7\(i\)\(c\)](#), below, or [paragraph 5.16](#), below;
- (iv) the positive votes by which the decision at issue (or relevant part thereof) was adopted included at least one Greek Cypriot vote and at least one Turkish Cypriot vote (with the decision of *any* body that is adopted by a set of positive votes including at least one Greek Cypriot vote and at least one Turkish Cypriot vote being hereinafter referred to as a “**Special Decision**”);
- (v) the content of the decision at issue (or of the relevant part thereof)
 - is not such as to bring the decision at issue (or the relevant part thereof) within the ambit of [paragraph 5.5.19.1](#), above, or
 - does not, in any material respect, go beyond what is necessary to implement CY’s effective observance of any obligation of CY under EU law or under CY’s Constitution or under any international agreement binding on CY, to the extent that such obligation falls within an area in which the federal government has exclusive competence or shares competence with the federated states, or
 - does not, in any material respect, go beyond what is necessary to implement the federal government’s effective observance of any obligation thereof under CY’s Constitution, or
 - does not, in any material respect, go beyond what is necessary to implement the adjustments to the federal budget that are referred to in the first proviso of [paragraph 14\(iv\)](#), below, or
 - does not, in any material respect, go beyond what is necessary to enable the federal government to exercise, or itself constitutes an exercise by the federal government of, any of its rights within the parameters of [paragraphs 16.1-16.2](#), below, or
 - comprises the adoption of a bill which does not, in any material respect, go beyond what is necessary to achieve the objective set out in [paragraph 1\(i\)](#) of [Appendix 3](#) hereof;
- (vi) the decision at issue (or relevant part thereof) concerns
 - CY’s signing of any international agreement which the EU per se or at least 3/4 of the EU’s Member States has/have already signed, or

¹⁷ For example, if when a decision was put up for a vote in the PC, the Chair thereof had voted “*for*” the decision or had abstained from the relevant vote, the Chair may not veto the decision.

- CY's conclusion of any international agreement which the EU per se or at least 3/4 of the EU's Member States has/have already concluded, or
 - CY's joining of any arrangement, group or organization (either with or without legal personality) which the EU per se or at least 3/4 of the EU's Member States has/have already joined;
- (vii) the decision at issue (or relevant part thereof) concerns CY's signing or conclusion (as applicable) of any international agreement the subject matter of which is fiscal or monetary policy, and which the EU per se or at least 3/4 of the Member States of the EU that have the same currency as CY has/have already signed or concluded (as applicable);
- (viii) the decision at issue (or relevant part thereof) concerns CY's joining of any arrangement, group or organization (either with or without legal personality) which, at least predominantly, deals with issues of fiscal or monetary policy, and which the EU per se or at least 3/4 of the Member States of the EU that have the same currency as CY has/have already joined;
- (ix) in so far as the holder of the right of veto is a member of the GCC:
- The decision at issue (or relevant part thereof) concerns CY's signing of any international agreement which Greece has already signed or the conclusion of any international agreement which Greece has already concluded or CY's joining of any arrangement, group or organization (either with or without legal personality) which Greece has already joined;
- (x) in so far as the holder of the right of veto is a member of the TCC:
- The decision at issue (or relevant part thereof) concerns CY's signing of any international agreement which Turkey has already signed or the conclusion of any international agreement which Turkey has already concluded or CY's joining of any arrangement, group or organization (either with or without legal personality) which Turkey has already joined;
- (xi) the decision at issue (or relevant part thereof) concerns CY's recognition of any State and/or the establishment of diplomatic and/or consular relations with any State and/or the interruption of such relations AND
- either the EU per se has already consummated such recognition and/or establishment and/or interruption, or
 - at least 3/4 of the Member States of the EU have already consummated such recognition and/or establishment and/or interruption;
- (xii) in so far as the holder of the right of veto is a member of the GCC:
- (a) the decision at issue (or relevant part thereof) concerns CY's recognition of any State and/or the establishment of diplomatic and/or consular relations with any State and/or the interruption

- of such relations AND Greece has already consummated such recognition and/or establishment and/or interruption, or
- (b) the decision at issue (or relevant part thereof) concerns the interruption of CY's diplomatic and/or consular relations with any State with which Greece does not have such relations anyway;
- (xiii) in so far as the holder of the right of veto is a member of the TCC:
- (a) the decision at issue (or relevant part thereof) concerns CY's recognition of any State and/or the establishment of diplomatic and/or consular relations with any State and/or the interruption of such relations AND Turkey has already consummated such recognition and/or establishment and/or interruption, or
- (b) the decision at issue (or relevant part thereof) concerns the interruption of CY's diplomatic and/or consular relations with any State with which Turkey does not have such relations anyway;
- (xiv) the non-adoption of the decision at issue (or relevant part thereof) shall cause a Real Risk of
- generation of adverse effects vis-à-vis CY's independence, sovereignty, territorial integrity, unity, constitutional order or security, or
 - generation of adverse effects vis-à-vis the life per se or health (including mental health) of human beings, or
 - generation of material, systematic, widespread or long-term adverse effects vis-à-vis the public order («δημόσια τάξη»), national economy, natural environment or sovereign rights of CY, or
 - failure to preserve or protect CY's independence, sovereignty, territorial integrity, unity, constitutional order or security, against adverse effects, or
 - failure to preserve or protect human life per se or human health (including mental health), against adverse effects, or
 - failure to preserve or protect the public order, national economy, natural environment or sovereign rights of CY, against material, systematic, widespread or long-term adverse effects; or
- (xv) the decision at issue (or relevant part thereof) contains the following statement: "The Presidential Council bases the taking of this [decision] [or] [part of its decision] on its Finding, firstly, that this is a time of war or other public emergency threatening the life of the nation, and, secondly, that the taking of this [decision] [or] [part of its decision] is strictly required by the exigencies of the situation.":

Provided that where, firstly, the decision at issue (or relevant part thereof) is a decision for the adoption of a given year's federal budget and, secondly, at the end of February of that year that year's federal budget has yet to be adopted, then, in the context of any relevant proceedings that may be

initiated before CY's Federal Supreme Court on or after 1 March of that year pursuant to [paragraph 5.5.19.4\(ii\)](#), below, it shall be rebuttably presumed that the non-adoption of the decision at issue (or relevant part thereof) shall cause a Real Risk of generation of material, systematic, widespread or long-term adverse effects vis-à-vis the national economy of CY.

- 5.5.19.3. If the veto is exercised by the Chair *and* the Vice Chair, or if the veto is exercised by one of them without being challenged by the other pursuant to [paragraph 5.5.19.4](#), below, the veto shall be considered Finalized and [paragraph 5.5.19.5](#), below, shall apply accordingly.
- 5.5.19.4. If the veto is exercised by the Chair *or* the Vice Chair, and the other of the two—who shall hereinafter be referred to as the “**Challenger**”—disputes such use as having been inconsistent with any of the provisions of [paragraph 5.5.19.2](#), above, the Challenger shall have the right (but not the obligation) to do the following:
 - (i) If the Challenger considers that use of the veto was inconsistent with any of [paragraphs 5.5.19.2\(i\)](#), [5.5.19.2\(ii\)](#), [5.5.19.2\(iv\)](#) or [5.5.19.2\(xv\)](#), above, the Challenger shall have the right (but not the obligation) to call upon the relevant Minute Taker of the PC, firstly, to circulate the Minutes of the relevant part of the meeting to the members of PC and, secondly, acting on the basis of those Minutes and those Minutes alone, to notify the members of the PC whether use of the veto was inconsistent with any of [paragraphs 5.5.19.2\(i\)](#), [5.5.19.2\(ii\)](#), [5.5.19.2\(iv\)](#) or [5.5.19.2\(xv\)](#), above.

In the absence of manifest error or fraud (including fraudulent concealment) the determination contained within the Minute Taker's notification shall be final and conclusive. If the said determination is that use of the veto was *not* inconsistent as aforesaid, the veto shall be considered Finalized and [paragraph 5.5.19.5](#), below, shall apply accordingly. If the said determination is that use of the veto *was* inconsistent as aforesaid, the veto shall be deemed to have been cancelled and the relevant decision of the PC (or the relevant part of such decision) shall be deemed to have been adopted *without prejudice to the right of the official who had exercised the veto to refer the relevant decision of the PC (or the relevant part of such decision) to CY's Federal Supreme Court pursuant to the second bullet point of [paragraph 5.23.1](#), below.* (**Note:** If such a referral is made in respect of a decision/part of a decision containing the statement set out in [paragraph 5.5.19.2\(xv\)](#), above, the Court shall have the right to review the merits of the PC's Finding in a manner analogous to the manner in which the European Court of Human Rights can review the merits of a High Contracting Party's determination, under Article 15(1) of the European Convention on Human Rights, firstly, that a given time is a “time of war or other public emergency threatening the life of the nation” and, secondly, that the taking of a measure is “strictly required by the exigencies of the situation”.)

If no final and conclusive determination of the matter is made by the Minute Taker, the Challenger shall have the right (but not the obligation) to refer the matter for resolution by CY's Federal Supreme Court and, in such a case, [paragraph 5.5.19.4\(ii\)](#), below, shall apply accordingly. If no such reference is made, the veto shall be considered Finalized and [paragraph 5.5.19.5](#), below, shall apply accordingly.

(ii)

- (a) Subject to that sentence of [paragraph 5.5.19.4\(i\)](#), above, starting with the words "In the absence of manifest error", if the Challenger considers that use of the veto was inconsistent with any of the provisions of [paragraph 5.5.19.2](#), above, the Challenger shall have the right (but not the obligation) to refer the matter for resolution by CY's Federal Supreme Court.
- (b) In such a case, CY's Federal Supreme Court shall examine, firstly, whether use of the veto was *inconsistent* with any of the provisions of [paragraph 5.5.19.2](#), above, and, secondly, assuming that it finds that such use *was* inconsistent with any of those provisions, whether the PC's vetoed decision (or the vetoed part of the decision) was *unconstitutional*.
- (c) If the Federal Supreme Court's finding is that the use of the veto was *not* inconsistent with any of the provisions of [paragraph 5.5.19.2](#), above, the veto shall be considered Finalized, and [paragraph 5.5.19.5](#), below, shall apply accordingly.
- (d) If the Federal Supreme Court's finding is that the use of the veto *was* inconsistent with any of the provisions of [paragraph 5.5.19.2](#), above, *but* that the PC's vetoed decision (or the vetoed part of the decision) was *unconstitutional*, the veto shall be deemed to have been cancelled *but* the vetoed decision (or the vetoed part of the decision) shall be deemed to be null and void.
- (e) If the Federal Supreme Court's finding is that the use of the veto *was* inconsistent with any of the provisions of [paragraph 5.5.19.2](#), above, *and* that the PC's vetoed decision (or the vetoed part of the decision) was *not* unconstitutional, the veto shall be deemed to have been cancelled *and* the vetoed decision (or the vetoed part of the decision) shall become effective without more.

5.5.19.5. If the veto is exercised and ends up being considered Finalized, the PC's decision (or part thereof) in respect of which it will have been used shall thereby be prevented from becoming effective.

5.5.19.6. Any PC decision (or part thereof) which is prevented from becoming effective by a Finalized veto, shall not, either in form or substance, be reconsidered by the PC at any point prior to the 181st day following the exercise of the relevant veto, unless

- (a) such reconsideration is mandated by an obligation of CY under EU law and/or under CY's Constitution and/or under any international agreement binding on CY, or
- (b) the PC resolves, by Special Decision, to proceed with such reconsideration:

Provided that in case of any dispute within the PC as to whether, in a given situation, [paragraph 5.5.19.6\(a\)](#), applies, each of the Chair and Vice Chair thereof, acting separately or conjointly, shall have the right of referral («δικαίωμα αναφοράς») of the dispute for resolution by CY's Federal Supreme Court.

5.5.20.

5.5.20.1. In all cases where the PC is tasked with making or suggesting appointments to one or more bodies, the PC's decision shall be taken as a Special Decision.

5.5.20.2. Unless otherwise provided in this document, to the extent that no such Special Decision can be taken on one or more appointments/suggested appointments within the timeframes envisaged in CY's Constitution, the following shall apply:

Those appointees/suggested appointees who must be Greek Cypriot (if any) shall be appointed/suggested by the Greek Cypriot members of the PC; the relevant decision shall be taken by simple majority of the number of Greek Cypriots serving on the PC at the time.

Conversely, those appointees/suggested appointees who must be Turkish Cypriot (if any) shall be appointed/suggested by the Turkish Cypriot members of the PC; the relevant decision shall be taken by simple majority of the number of Turkish Cypriots serving on the PC at the time.

5.6.

5.6.1. Without prejudice to situations leading to a member's automatic dismissal, the members of the PC shall be subject to dismissal by the conjoint decision of the PC's Chair and Vice Chair or by Special Decision of the PC per se.

5.6.2. If, during a given PC's term of office, 12¹⁸ successful referrals are made to CY's Federal Supreme Court pursuant to [paragraph 5.5.19.4\(ii\)](#), above—that is, at least 12 of the referrals made during a given PC's term of office end with the result described in [paragraph 5.5.19.4\(ii\)\(e\)](#), above—then, as from the consummation of the 12th such successful referral and for the remainder of that PC's term of office, the PC shall be capable of taking a decision to dissolve itself for the purpose of

¹⁸ The choice of the number "12" is not coincidental. Recall that the PC's members shall be 11. So, mathematically, the utilization of the number "12" in the context of paragraph 5.6.2 "permits" an average of 1 "erroneous" exercise of the veto per PC member (since the exercise of the right of referral to CY's Federal Supreme Court under paragraph 5.5.19.4(ii), above, presupposes the exercise of the veto).

holding early elections even if only a simple majority of the valid votes cast in the relevant vote are cast in favor of such dissolution.

5.7.

5.7.1.

5.7.1.1. CY's federal legislature shall comprise two Houses, namely, the Lower House of Parliament and the Upper House of Parliament.

5.7.1.2. All bills must be introduced into the Lower House of Parliament. The right to introduce bills shall be restricted to (i) the PC; and (ii) any 2 members of the Lower House of Parliament acting conjointly:

Provided that, for the purpose of ensuring discipline in national economic affairs, only the PC shall be capable of introducing bills relating to an increase in federal budgetary expenditure or to a decrease in federal revenues.

5.7.2. Subject to [paragraph 5.16](#) below:

- (i) No federal bill shall acquire the status of federal statute unless the text comprising the federal bill receives the approval of both Houses of Parliament.
- (ii) No international agreement entered into by CY following the coming into effect of CY's Constitution shall be deemed to have been concluded by CY unless, firstly, it is ratified in the form of a federal statute and, secondly, such statute enters into force.
- (iii) No federal statute shall enter into force unless it is promulgated by publication in CY's Official Gazette by the PC's Chair and Vice Chair, acting conjointly:

Provided that, unless exercising any of his/her/their rights referred to in the first bullet point of [paragraph 5.23.1](#), below, the Chair and Vice Chair shall have the duty to promptly proceed with such promulgation.

Provided further that in case of the Chair's and/or Vice Chair's failure to discharge their abovementioned duty, such promulgation shall be made by a decision of the PC itself; for the avoidance of doubt, it is hereby clarified that the PC's said decision shall not be subject either to the Chair's and/or Vice Chair's right of pre-emptive referral («δικαίωμα προληπτικής αναφοράς») referred to in the second bullet point of [paragraph 5.23.1](#), below, or to the Chair's and/or Vice Chair's right of veto.

5.7.3.

5.7.3.1. 3/10 of the Members of the federal Lower House of Parliament shall bear the Internal Citizenship of the TCCS (and shall be elected only by those CY citizens bearing that Internal Citizenship) whereas 7/10 shall bear the Internal Citizenship of the GCCS (and shall be elected only by those CY citizens bearing that Internal Citizenship).

5.7.3.2. In so far as elections for this House are concerned, where more than 20% of the aggregate of valid votes cast by the bearers of the Internal Citizenship of a federated state, “X”, are votes of CY citizens who are members of the Community administering *the other* federated state, “Y”, the weight of the valid votes cast by the said sub-group of voters shall be adjusted in such manner as to account for only 20% of the total weight of the aggregate of valid votes cast in that election by the bearers of the Internal Citizenship of “X”.

5.7.3.3. The president of the federal Lower House of Parliament shall be a member of the GCC and shall not have a second (casting) vote. To the extent that such president is non-existent or is unable or is unwilling to act as the House’s president, the eldest Greek Cypriot Member of the House who is able and willing to act as the House’s president shall act so; in case that there are two or more such eligible Members, the choice between them shall be made through the public drawing of lots by the first-in-line Determinant who shall be able and willing to conduct such draw.

The vice president of the federal Lower House of Parliament shall be a member of the TCC and shall not have a second (casting) vote. To the extent that such vice president is non-existent or is unable or is unwilling to act as the House’s vice president, the eldest Turkish Cypriot Member of the House who is able and willing to act as the House’s vice president shall act so; in case that there are two or more such eligible Members, the choice between them shall be made through the public drawing of lots by the first-in-line Determinant who shall be able and willing to conduct such draw.

5.7.3.4. The quorum for the conduct of meetings of the federal Lower House of Parliament shall consist of 3/10 of the total number of seats in the House.

5.7.3.5. Subject to [paragraph 5.7.3.6](#), below, decisions in the federal Lower House of Parliament shall be taken by simple majority of the total number of valid votes cast in the relevant vote.

5.7.3.6.

- (i) Any decision by the federal Lower House of Parliament to dissolve itself for the purpose of holding early elections shall require a simple majority of the House’s Members at the time (including at least 1/3 of the Members at the time bearing the Internal Citizenship of each federated state).
- (ii) Any decision by the federal Lower House of Parliament to hold secret sessions shall require a 3/4 majority of the House’s Members at the time.
- (iii) The nomination of the Head, Deputy Head and Members of the Human Rights Commission (see [paragraph 5.20](#), below) and the appointment of Members of the federal Lower House of Parliament to the Inter-House Human Rights Committee (see [paragraph 5.21](#), below), shall require a simple majority of the House’s Members at the time (including a simple majority of the House’s Members at the time bearing the Internal Citizenship of each federated state).

5.7.4.

- 5.7.4.1. 1/2 of the Members of the federal Upper House of Parliament shall be members of the TCC and 1/2 shall be members of the GCC.
- 5.7.4.2. In so far as elections for this House are concerned, the Turkish Cypriot Members of the House shall be voted for by the members of the TCC whereas the Greek Cypriot Members of the House shall be voted for by the members of the GCC.
- 5.7.4.3. The president of the federal Upper House of Parliament shall be a member of the TCC and shall not have a second (casting) vote. To the extent that such president is non-existent or is unable or is unwilling to act as the House's president, the eldest Turkish Cypriot Member of the House who is able and willing to act as the House's president shall act so; in case that there are two or more such eligible Members, the choice between them shall be made through the public drawing of lots by the first-in-line Determinant who shall be able and willing to conduct such draw.

The vice president of the federal Upper House of Parliament shall be a member of the GCC and shall not have a second (casting) vote. To the extent that such vice president is non-existent or is unable or is unwilling to act as the House's vice president, the eldest Greek Cypriot Member of the House who is able and willing to act as the House's vice president shall act so; in case that there are two or more such eligible Members, the choice between them shall be made through the public drawing of lots by the first-in-line Determinant who shall be able and willing to conduct such draw.

- 5.7.4.4. The quorum for the conduct of meetings of the federal Upper House of Parliament shall consist of 4/10 of the total number of seats in the House.
- 5.7.4.5. Subject to [paragraphs 5.7.4.6](#) and [5.7.4.7](#), below, decisions in the federal Upper House of Parliament shall be taken by simple majority of the total number of valid votes cast in the relevant vote.

5.7.4.6.

- (i) Any decision by the federal Upper House of Parliament to dissolve itself for the purpose of holding early elections shall require a simple majority of the House's Members at the time (including at least 1/3 of the Members at the time hailing from each Community):

Provided that if, during the term of office of a given Upper House of Parliament, 24¹⁹ successful referrals are made to CY's Federal Supreme Court pursuant to [paragraph 5.7.4.7\(i\)\(a\)](#), below—that is, at least 24 of the referrals made during that House's term of office end with the Federal Supreme Court finding described in the phrase “one or more

¹⁹ This number has been chosen as being double the number referred to in paragraph 5.6.2, above, in relation to the PC.

of the conditions listed in point (iii), immediately below, *does/do* apply *and*....had the bill been adopted as a federal statute, the latter would *not* have been unconstitutional” of paragraph 5.7.4.7(i)(c), below—then, as from the consummation of the 24th such successful referral and for the remainder of that House’s term of office, the House shall be capable of taking a decision to dissolve itself for the purpose of holding early elections even if only 1/2 of the valid votes cast in the relevant vote are cast in favor of such dissolution.

- (ii) Any decision by the federal Upper House of Parliament to hold secret sessions shall require a 3/4 majority of the House’s Members at the time.
- (iii) The confirmation of the Head, Deputy Head and Members of the Human Rights Commission and the appointment of Members of the federal Upper House of Parliament to the Inter-House Human Rights Committee, shall require a simple majority of the House’s Members at the time (including a simple majority of the House’s Members at the time hailing from each Community).

5.7.4.7.

- (i) In all cases other than those referred to in paragraph 5.7.4.6, above:
 - (a) If, at the level of the Upper House of Parliament, a bill fails to be adopted as a federal statute by reason of a “Communal Tie” (as this term is defined in point (ii), immediately below), on the floor of the House, an application may be filed with CY’s Federal Supreme Court by at least half of those Members of the House who had voted “for” the bill.
 - (b) In the context of the said application, CY Federal Supreme Court shall examine, firstly, whether any of the conditions listed in point (iii), immediately below, applies/apply, and, secondly, assuming that it finds that one or more of those conditions *does/do* apply, whether, had the bill been adopted as a federal statute, the latter would have been *unconstitutional*.
 - (c) If the Federal Supreme Court’s finding is that *none* of the conditions listed in point (iii), immediately below, apply the bill shall be deemed to have failed without more.

If the Federal Supreme Court’s finding is that one or more of the conditions listed in point (iii), immediately below, *does/do* apply *but* that had the bill been adopted as a federal statute, the latter would have been *unconstitutional*, the bill shall be deemed to have failed without more.

If the Federal Supreme Court’s finding is that one or more of the conditions listed in point (iii), immediately below, *does/do* apply *and* that had the bill been adopted as a federal statute, the latter would *not* have been unconstitutional, then, any 2 Members of the House acting conjointly shall have the right to take that bill back

to the floor of the House for a second vote. If, during the second vote, at least 1/2 of the valid votes cast are cast “for” the bill (in the form in which it will have been reviewed by the Federal Supreme Court), the bill shall be deemed to have been adopted as a federal statute. Following this, [paragraph 5.7.2\(iii\)](#), above, shall apply with the caveat that neither the PC’s Chair nor the PC’s Vice Chair shall have the right of pre-emptive referral of the relevant statute to the Federal Supreme Court.

- (ii) For the purposes of this document, the term “**Communal Tie**” means a situation wherein
 - (a) the valid votes cast “for” a proposal forming the subject matter of a vote within a body (the “**Votes For**”) are equal in number to the valid votes cast “against” that proposal (the “**Votes Against**”)

AND

 - (b) *all* Votes For have been cast by members of the one Community whereas *all* Votes Against have been cast by members of the other Community.
- (iii) The “conditions” referred to in [paragraph 5.7.4.7\(i\)\(b\)](#), above, are the following:
 - (a) the relevant bill had been introduced into the federal legislature by the PC

AND

its content is, in all material respects, the same as when it had been introduced into the federal legislature by the PC

AND

at the level of the PC

 - either no person belonging to the same Community, “C”, as those persons who had cast the Votes Against the bill in the Upper House of Parliament, had voted against the bill, or
 - the majority of the persons belonging to “C” who had validly voted on the bill, had actually voted “for” it;
 - (b) the content of the relevant bill
 - does not, in any material respect, go beyond what is necessary to implement CY’s effective observance of any obligation of CY under EU law or under CY’s Constitution or under any international agreement binding on CY, to the extent that such obligation falls within an area in which the federal government has exclusive competence or shares competence with the federated states, or

- does not, in any material respect, go beyond what is necessary to implement the federal government's effective observance of any obligation thereof under CY's Constitution, or
 - does not, in any material respect, go beyond what is necessary to enable the federal government to exercise, or itself constitutes an exercise by the federal government of, any of its rights within the parameters of [paragraphs 16.1-16.2](#), below, or
 - does not, in any material respect, go beyond what is necessary to achieve the objective set out in [paragraph 1\(i\)](#) of [Appendix 3](#) hereof;
- (c) the relevant bill concerns
- CY's conclusion of any international agreement which the EU per se or at least 3/4 of the EU's Member States has/have already concluded, or
 - CY's joining of any arrangement, group or organization (either with or without legal personality) which the EU per se or at least 3/4 of the EU's Member States has/have already joined;
- (d) the relevant bill concerns CY's conclusion of any international agreement the subject matter of which is fiscal or monetary policy, and which the EU per se or at least 3/4 of the Member States of the EU that have the same currency as CY has/have already concluded;
- (e) the relevant bill concerns CY's joining of any arrangement, group or organization (either with or without legal personality) which, at least predominantly, deals with issues of fiscal or monetary policy, and which the EU per se or at least 3/4 of the Member States of the EU that have the same currency as CY has/have already joined;
- (f) in so far as the Votes Against the relevant bill had been cast by Greek Cypriots:
- The relevant bill concerns CY's conclusion of any international agreement which Greece has already concluded or CY's joining of any arrangement, group or organization (either with or without legal personality) which Greece has already joined;
- (g) in so far as the Votes Against the relevant bill had been cast by Turkish Cypriots:
- The relevant bill concerns CY's conclusion of any international agreement which Turkey has already concluded or CY's joining of any arrangement, group or organization (either with or without legal personality) which Turkey has already joined;
- (h) the relevant bill concerns CY's recognition of any State and/or the establishment of diplomatic and/or consular relations with any State and/or the interruption of such relations AND

- either the EU per se has already consummated such recognition and/or establishment and/or interruption, or
 - at least 3/4 of the Member States of the EU have already consummated such recognition and/or establishment and/or interruption;
- (i) in so far as the Votes Against the relevant bill had been cast by Greek Cypriots:
- the relevant bill concerns CY's recognition of any State and/or the establishment of diplomatic and/or consular relations with any State and/or the interruption of such relations AND Greece has already consummated such recognition and/or establishment and/or interruption, or
 - the relevant bill concerns the interruption of CY's diplomatic and/or consular relations with any State with which Greece does not have such relations anyway;
- (j) in so far as the Votes Against the relevant bill had been cast by Turkish Cypriots:
- the relevant bill concerns CY's recognition of any State and/or the establishment of diplomatic and/or consular relations with any State and/or the interruption of such relations AND Turkey has already consummated such recognition and/or establishment and/or interruption, or
 - the relevant bill concerns the interruption of CY's diplomatic and/or consular relations with any State with which Turkey does not have such relations anyway;
- (k) the non-adoption of the relevant bill shall cause one of the Real Risks set out in [paragraph 5.5.19.2\(xiv\)](#), above; or
- (l) at one level, the time is one of war or other public emergency threatening the life of the nation and the adoption of the relevant bill is strictly required by the exigencies of the situation and, at another level, the relevant bill itself contains a statement to that effect:

Provided that where, firstly, the relevant bill is the actual bill for the adoption of a given year's federal budget and, secondly, at the end of February of that year that year's federal budget has yet to be adopted, then, in the context of any relevant proceedings that may be initiated before CY's Federal Supreme Court on or after 1 March of that year pursuant to [paragraph 5.7.4.7\(i\)\(a\)](#), above, it shall be rebuttably presumed that the non-adoption of the relevant bill shall cause a Real Risk of generation of material, systematic, widespread or long-term adverse effects vis-à-vis the national economy of CY.

- (iv) In all cases other than those referred to in [paragraph 5.7.4.6](#), above, if, during the term of office of an Upper House of Parliament, one or more bills fail,

whether initially or ultimately, to be adopted as federal statutes by reason of the occurrence of 40 Communal Ties on the floor of the House, then, on the occasion of the 40th such Communal Tie, the House shall be deemed to have decided to dissolve itself for the purpose of holding early elections. The holding of the said elections shall be completed within 42 days of the outgoing House's deemed decision to dissolve itself. The outgoing House's term of office shall end at the onset of the 49th day following the day of its deemed decision to dissolve itself. In the meantime, the outgoing House shall conduct business as usual.

5.8.

5.8.1. CY's highest federal courts shall be the Federal Supreme Court and, immediately below it, the Federal Court of Appeal.

5.8.2.

5.8.2.1. The ratio of Greek Cypriots to Turkish Cypriots to non-CY citizens on each one of the abovementioned two Courts, as well as on CY's Federal Supreme Council of Judicature («Ανώτατο Δικαστικό Συμβούλιο») (the jurisdiction of which shall comprise the hiring, firing, retirement, assessment, promotions, disciplining, transfers and secondments of all federal judges *below* the level of the Federal Court of Appeal) shall be 2:2:1.

5.8.2.2. No citizen of any "Designated State" (as this term is defined in [paragraph 14\(ii\)](#), below) shall sit on any of the bodies referred to in [paragraph 5.8.2.1](#), above. Additionally, non-CY citizens sitting on the said bodies shall not be of Greek, Turkish, British, Latin Cypriot, Maronite or Armenian origin. Subject to the preceding provisions of this [paragraph 5.8.2.2](#), the minimum formal requirements that a non-CY citizen shall have to satisfy in order to become a member of one of the said bodies shall be essentially the same as those applying to CY citizens (minus any requirement for speaking Greek or Turkish).

5.8.2.3. In default of their appointment by the relevant institution(s) of CY, the foreign members of the said bodies shall be appointed by the EU's "Court of Justice" *per se* at the request of the Chair and/or Vice Chair of the PC.

5.8.2.4. A number of members comprising 1/2 of the total number of seats on any chamber of any of the said bodies shall suffice to render any meeting of such chamber quorate.

5.8.3. The EU's "Court of Justice" *per se* shall be the organ responsible for dismissing any non-CY citizens sitting on the said bodies and the criteria for such dismissal shall be the same as those applying to the Cypriot members of the said bodies.

5.8.4. A number of members comprising 1/2 of the total number of seats on any chamber of the said body shall suffice to render any meeting of such chamber quorate.

5.8.5. The number of seats on each one of the said bodies shall be "5" or a multiple of "5".

- 5.8.6. Decisions in the said bodies shall be taken by simple majority of the total number of valid votes cast in the relevant vote.
- 5.8.7. The president of each of the said bodies shall not have a second (casting) vote.
- 5.8.8. In the context of any case pending before CY's federal courts from time to time, federal judges shall be obliged not to abstain from voting in any vote in which they may be entitled to participate but to cast a valid vote "for" or "against" any proposal forming the subject matter of such vote.
- 5.8.9. CY's Federal Supreme Court shall adopt both its and the other federal courts' internal rules.
- 5.8.10. CY's Federal Supreme Council of Judicature shall adopt its internal rules.
- 5.8.11. CY's Constitution shall contain appropriate provisions for the potential appointment of ad hoc substitute judges to CY's Federal Supreme Court and to CY's Federal Court of Appeal; the circumstances in which such substitute judges may be appointed shall be set out in the Constitution.
- 5.8.12. The members of the federal judiciary and the members of the Federal Supreme Council of Judicature shall act independently and impartially and CY's Constitution shall contain appropriate provisions safeguarding their independence and impartiality.

5.9.

- 5.9.1. At any given time, one of the following independent officers of CY shall hail from the TCC and the other shall hail from the GCC: Attorney General, Director of Public Prosecutions.

To the extent that the Chair and Vice Chair of the PC do not conjointly decide otherwise within the timeframes envisaged in CY's Constitution, the Communal allocation of the said offices from time to time shall be determined by lot to be drawn during a meeting of the PC, such drawing of lots to be conducted in the same way, mutatis mutandis, as the way set out in [paragraph 5.11.1.3\(iii\)](#), below:

Provided that, if the Auditor General hails from the one Community, the Attorney General shall hail from the other Community.

- 5.9.2. At any given time, one of the following independent officers of CY shall hail from the TCC and the other two shall hail from the GCC: Auditor General, Governor of the Central Bank, Head of the Human Rights Commission.

To the extent that the Chair and Vice Chair of the PC do not conjointly decide otherwise within the timeframes envisaged in CY's Constitution, the Communal allocation of the said offices from time to time shall be determined by lot to be drawn during a meeting of the PC, such drawing of lots to be conducted in the same way, mutatis mutandis, as the way set out in [paragraph 5.11.1.3\(iii\)](#), below:

Provided that, if the Attorney General hails from the one Community, the Auditor General shall hail from the other Community.

5.10.

5.10.1. The following shall apply in respect of

- (i) the federal Public Service Commission,
- (ii) the federal Commission that shall be tasked with setting the national curriculum and the teaching methodology as regards the study of Christianity, Islam, the History of Cyprus, Greek History, Turkish History and Civic Studies, in all primary and secondary schools and
- (iii) the federal body referred to in [paragraph 16.1.1](#) under the heading “**PROPERTY**”, below (the “**Property Commission**”)

(with each such body being hereinafter referred to as a “**Body**” and, collectively, as the “**Bodies**”):

[Paragraphs 5.8.2](#) (other than [paragraph 5.8.2.3](#)), [5.8.4](#), [5.8.5](#), [5.8.6](#), [5.8.7](#) and [5.8.12](#), above, shall apply, mutatis mutandis, in respect of each one of the Bodies.

5.10.2. In default of their appointment by the relevant institution(s) of CY, the foreign members of the Bodies shall, at the request of the Chair and/or Vice Chair of the PC, be appointed by that EU body which is, from time to time, primarily responsible for selecting the staff for the European Commission.

5.10.3. The foreign members of the Bodies shall be obliged not to abstain from voting in but, on the contrary, to cast a valid vote “for” or “against” any proposal forming the subject matter of, any intra-Body vote in which they may be entitled to participate.

5.11.

5.11.1. The following shall apply in respect of

- (i) the federal Commission that shall be responsible for the hiring, firing, retirement, assessment, promotions, disciplining, transfers and secondments of all professional members of the federal armed forces,
- (ii) the federal Commission that shall be responsible for the hiring, firing, retirement, assessment, promotions, disciplining, transfers and secondments of all members of the federal law enforcement forces and
- (iii) the federal Commission that shall be responsible for the hiring, firing, retirement, assessment, promotions, disciplining, transfers and secondments of all members of the federal intelligence services²⁰

(with each such body being hereinafter referred to as an “**Additional Body**” and, collectively, as the “**Additional Bodies**”):

²⁰ To increase the probability of successful inter-Communal cooperation in such institutions, it is suggested that it be stipulated in CY’s Constitution that the members of the federal armed forces, the federal law enforcement forces and the federal intelligence services of CY, must have been born after 1974.

- 5.11.1.1. 1/2 of the members of each Additional Body shall hail from the GCC and 1/2 of the members of each Additional Body shall hail from the TCC.
- 5.11.1.2. Each Additional Body shall have a Chair and a Vice Chair who shall not hail from the same Community.
- 5.11.1.3. Upon (1) the occurrence of a Communal Tie within one of the Additional Bodies (hereafter referred to as the “**Relevant Additional Body**”) and (2) the decision, if any, of the Chair or Vice Chair, as applicable, of the Relevant Additional Body to invoke the right to cast a second (casting) vote, such person being hereinafter referred to as the “**Invoker**”, the following shall apply:
- (i) The determination of whether the Invoker does have the right to cast a second (casting) vote in respect of the Communal Tie at issue shall be made by the drawing of lots.
 - (ii) 10 lots shall be used for this purpose—7 lots shall be marked “Greek Cypriot” and 3 lots shall be marked “Turkish Cypriot”²¹.
 - (iii) The draw shall be conducted by the relevant body’s Minute Taker or, if such person is not able and willing to conduct the draw, by its i.e. that body’s Chair, or, if such person is not able and willing to conduct the draw, by its Vice Chair, or, if such person is not able and willing to conduct the draw, by the eldest member of that body (irrespective of his/her Communal affiliation) who is able and willing to conduct the draw. In all other cases (including where there are two or more eligible members of that body who are of the same age and who are both able and willing to conduct the draw) the draw shall be conducted by the first-in-line Determinant who shall be able and willing to conduct such draw.

In any case, the result of any draw shall be duly recorded in the Minutes of the relevant body.
 - (iv) If the Invoker is Greek Cypriot and the lot actually drawn is marked “Greek Cypriot”, the Invoker shall have the right to cast the second (casting) vote.

If the Invoker is Turkish Cypriot and the lot actually drawn is marked “Turkish Cypriot”, the Invoker shall have the right to cast the second (casting) vote.

In all other cases, the Invoker shall not have the right to cast the second (casting) vote and the proposal that had formed the subject matter of the Communal Tie shall be deemed not to have been adopted by the Relevant Additional Body.
- 5.11.1.4. Considering that, ordinarily, in a tied vote a proposal forming the subject matter of the tie is, by definition, deemed *not* to have been adopted, for a second (casting) vote to have practical deadlock-resolving value, such a vote

²¹ The 7:3 ratio mirrors the ratio referred to in paragraph 5.12, below.

shall only be capable of being cast “*for*” the proposal forming the subject matter of the Communal Tie.

- 5.11.1.5. The right to cast a second (casting) vote shall only be invocable if the person invoking same had voted “*for*” the proposal forming the subject matter of the Communal Tie.
- 5.11.1.6. Assuming that, on the one hand, the said right is duly invoked and, on the other hand, through the abovementioned drawing of lots the Invoker ends up holding the second (casting) vote, upon the conclusion of such draw the said vote shall be deemed to have been cast “*for*” the proposal that had formed the subject matter of the Communal Tie.
- 5.11.1.7. The right to cast a second (casting) vote shall not be invocable where the proposal forming the subject matter of the Communal Tie was a proposal for the adjournment of the meeting within which the Communal Tie occurred.
- 5.11.1.8. The invocation of the right to cast a second (casting) vote shall not be obligatory.
- 5.11.1.9. In the absence of the casting of a second (casting) vote the proposal that had formed the subject matter of the Communal Tie shall be deemed *not* to have been adopted.
- 5.11.1.10. Any proposal which is, ultimately,
 - either not adopted as a result of a Communal Tie, or
 - is adopted through the utilization of the second (casting) vote following the occurrence of a Communal Tie,

shall not, either in form or substance, be reconsidered by the relevant Additional Body at any point prior to the 181st day following such event, unless

- (a) such reconsideration is mandated by an obligation of CY under EU law and/or under CY’s Constitution and/or under any international agreement binding on CY, or
- (b) the relevant Additional Body resolves, by Special Decision, to proceed with such reconsideration:

Provided that in case of any dispute within an Additional Body as to whether, in a given situation, [paragraph 5.11.1.10\(a\)](#), above, applies, each of the Chair and Vice Chair thereof, acting separately or conjointly, shall have the right of referral of the dispute for resolution by CY’s Federal Supreme Court.

- 5.11.1.11. A number of members comprising 1/2 of the total number of seats on an Additional Body shall suffice to render any meeting of that body quorate:

Provided that, notwithstanding any other provision in this document, in order to allow time for the filling of any vacancy, in case that any seat on an Additional Body remains/becomes vacant, then, starting on the day on which any such seat should have been filled in the ordinary course of business or on which the vacancy occurs, as applicable, and for a period of 9 days thereafter, the remaining

member(s) of that Additional Body belonging to the Community, “C”, to which the vacant seat corresponds shall, between them, have the same number of votes as the members of “C” would have had had the vacancy not existed²². This extraordinary arrangement shall end at the expiration of the abovementioned 9-day period. Following such expiration, the Additional Body’s workings shall revert to being governed by the ordinary rules.

Provided further that, notwithstanding any other provision in this document, and again in order to allow time for the filling of any vacancies, in case that all seats on an Additional Body corresponding to one Community, “C”, remain/become vacant, then, starting on the day, “D”, on which this state of affairs arises and for a period of 9 days thereafter, no meetings of that Additional Body shall be called and any meetings of that Additional Body already called shall be deemed to have been adjourned for the same time of the 10th day immediately following “D” (or, if such day is not a federal working day, for the first federal working day thereafter). This extraordinary arrangement shall end at the expiration of the abovementioned 9-day period. Following such expiration, the Additional Body’s workings shall revert to being governed by the ordinary rules.

- 5.11.1.12. The number of seats on each Additional Body shall be even («ζυγός»).
- 5.11.1.13. Subject to [paragraph 5.11.1.3](#), above, decisions in each Additional Body shall be taken by simple majority of the total number of valid votes cast by the members thereof in the relevant vote.
- 5.11.1.14. Subject to [paragraph 5.11.1.3](#), above, the Chair of each Additional Body shall not have a second (casting) vote.
- 5.11.1.15. At any given time, the Chair of one of the Additional Bodies shall hail from the TCC, and the Chairs of the other two Additional Bodies shall hail from the GCC. To the extent that the Chair and Vice Chair of the PC do not conjointly decide otherwise within the timeframes envisaged in CY’s Constitution, the Communal allocation from time to time of the Chairmanships of the Additional Bodies shall be determined by lot to be drawn during a meeting of the PC, such drawing of lots to be conducted in the same way, mutatis mutandis, as the way set out in [paragraph 5.11.1.3\(iii\)](#), above.
- 5.11.1.16. The members of the Additional Bodies shall act independently and impartially and CY’s Constitution shall contain appropriate provisions safeguarding the independence and impartiality of such members.
- 5.11.1.17. If, during the term of office of an Additional Body, the right to cast a second (casting) vote is duly invoked 24 times, then, irrespective of the outcome of any drawing of lots conducted after those invocations, on the occasion of the

²² So, for example, if there are 2 Greek Cypriot seats on an Additional Body and one of them becomes vacant, the remaining Greek Cypriot member shall carry 2 votes. If there are 3 Greek Cypriot seats, and two of them become vacant, the remaining Greek Cypriot member shall carry 3 votes. If there are 3 Greek Cypriot seats, and one of them becomes vacant, the remaining 2 Greek Cypriot members shall carry 1.5 votes each.

24th such invocation the members of the relevant Additional Body shall be deemed to have tendered their resignations, and such resignations shall be deemed to have become immediately effective.

Additionally, and independently of the preceding provisions of this paragraph 5.11.1.17, if, during the term of office of an Additional Body, one or more decisions (other than any decisions of the type referred to in [paragraph 5.11.1.7](#), above) fail, whether initially or ultimately, to be adopted as decisions of the relevant Additional Body by reason of the occurrence of 40 Communal Ties, then, irrespective of whether the occurrence of any of those Communal Ties will have caused the invocation of the right to cast a second (casting) vote, on the occasion of the 40th such Communal Tie the members of the Additional Body shall be deemed to have tendered their resignations, and such resignations shall be deemed to have become immediately effective.

5.12. In so far as this will be possible while at the same time respecting the rules concerning competence and integrity that govern such positions:

3/10 (rounded off to the nearest whole number) of the federal civil servants, of the employees of each federal quasi-governmental organization (such as, without limitation, the Commission for the Protection of Competition, the Central Bank and the Securities & Exchange Commission), of the Governing Board/Council members of each federal quasi-governmental organization, of the professional members of the federal armed forces, of the members of the federal law enforcement forces, of the members of the federal intelligence services, of the judges of federal courts (below the level of CY's highest federal courts), of the Directors General of the federal Ministries and of the Ambassadors abroad of CY, shall be Turkish Cypriot, whereas the rest shall be Greek Cypriot.

5.13.

5.13.1.

5.13.1.1. The Head of the federal armed forces and the Head of the federal law enforcement forces shall not hail from the same Community.

To the extent that the Chair and Vice Chair of the PC do not conjointly decide otherwise within the timeframes envisaged in CY's Constitution, the Communal allocation of the said offices from time to time shall be determined by lot to be drawn during a meeting of the PC, such drawing of lots to be conducted in the same way, *mutatis mutandis*, as the way set out in [paragraph 5.11.1.3\(iii\)](#), above.

5.13.1.2. During the first two out of every three full consecutive terms, the Head of the federal intelligence services shall be a member of the GCC whereas during the third of such terms such Head shall be a member of the TCC.

5.13.2.

5.13.2.1. The Heads and Deputy Heads of the federal armed forces, the federal law enforcement forces and the federal intelligence services shall be appointed by Special Decision of the PC.

5.13.2.2. If one or more appointments of the said Heads and Deputy Heads are not made within the timeframes envisaged in CY's Constitution, the pending appointment(s) shall be made by the federal Upper House of Parliament.

5.13.3. Without prejudice to situations leading to such a Head's or Deputy Head's automatic dismissal, the Heads and Deputy Heads of the federal armed forces, the federal law enforcement forces and the federal intelligence services shall be subject to dismissal by the conjoint decision of the PC's Chair and Vice Chair or by Special Decision of the PC per se.

5.14. In so far as this will be possible while at the same time respecting the rules concerning competence and integrity that govern such positions, where

- (i) a federal agency / authority / body / department / force / institution / instrumentality / office / organ / service / sub-division happens to be led by a head and a deputy head (e.g. President - Vice President, Chair - Vice Chair, Head - Deputy Head etc.) and
 - (ii) a person's appointment as head or deputy head of such federal agency etc. officially requires one's holding of a university undergraduate degree or equivalent,
- the head and the deputy head shall not hail from the same Community.

5.15.

5.15.1. During the first out of every three full consecutive terms, the seat of the Cypriot Commissioner on the European Commission shall be held by a member of the TCC whereas during the second and third of such terms that seat shall be held by a member of the GCC.

5.15.2. 2/3 of the Members of the European Parliament hailing from CY shall be Greek Cypriot (and shall be elected by the members of the GCC) and 1/3 shall be Turkish Cypriot (and shall be elected by the members of the TCC).

5.15.3. In so far as this will be possible while at the same time respecting the rules concerning competence and integrity that govern such positions: 2/3 of the Judges on the Court of Justice of the EU hailing from CY shall be members of the GCC and 1/3 shall be members of the TCC.

5.15.4. In so far as this will be possible while at the same time respecting the rules concerning competence and integrity that govern such positions: The Cypriot Judge on the EU's "Court of Justice" per se and the Cypriot Judge on the European Court of Human Rights shall not hail from the same Community.

5.15.5. Nothing in paragraphs 5.15.1-5.15.4, above, shall prejudice the continuation in office of those persons already serving on the bodies referred to therein at the time of the coming into effect of CY's Constitution.

5.16. The relevant bill of any potential federal statute ratifying any EU-level agreement which would have the effect of

- (i) limiting/restricting the status as EU primary law of any of the matters referred to in [paragraph 6](#), below, or
- (ii) transferring an exclusive or shared competence of a federated state away from such federated state,

shall not be voted upon in the federal Parliament. Rather, the PC shall put the relevant bill to a vote in separate referenda of the GCC and TCC, respectively. The federal statute ratifying such an agreement shall be deemed to have been adopted if and when such bill is approved in both referenda. Upon the consummation of such approval, the PC shall have the duty to promptly proceed with the statute's promulgation by publication in CY's Official Gazette. Such promulgation shall be made by a decision of the PC itself. For the avoidance of doubt, it is hereby clarified that the PC's said decision shall not be subject either to the Chair's and/or Vice Chair's right of veto or to the Chair's and/or Vice Chair's right of pre-emptive referral referred to in the second bullet point of [paragraph 5.23.1](#), below.

5.17.

5.17.1. The official languages of the federal government shall be English, Greek and Turkish.

At least one of the official languages of the federated states shall be English.

The working language, or at least one of the working languages, of the federal government and of the federated states shall be English.

5.17.2. Within each federated state:

- (i) Solely in respect of all children who will be entering Grade 1 of primary school as from a pre-determined point in time following the coming into effect of CY's Constitution and thereafter:

Children attending primary and secondary schools at least 1/2 of whose annual budget will be being funded by that federated state shall, between and including Grade 1 of primary school and Class 3 of secondary school, be taught English, Greek and Turkish to the standard of "native" speaker:

Provided that where more than 1/2 of any such school's students are members of

1. the Maronite community of Cyprus, or
2. the Armenian community of Cyprus, or
3. the Latin community of Cyprus,

such school shall have the right to substitute the teaching of Turkish (in the GCCS) or Greek (in the TCCS) with the teaching of Arabic, Armenian or Italian respectively.

Provided further that where such school substitutes the teaching of a language as aforementioned, the federated state within which the school lies shall fully fund the after-school teaching of the substituted language to those of such school's students as may wish to learn it.

- (ii) If and for as long as at least 60% of those CY citizens who are duly registered to vote in municipal or village council elections in a given municipality or village belong to one of the two Cypriot Communities, the working languages of that municipality or village council shall only be English and that Community's language.

5.18. As CY shall be secular, religious leaders (including priests and imams) shall be prohibited from serving as Functionaries of the federal government or of any federated state.

5.19.

5.19.1. The federal government and each federated state may have and use its respective coat of arms, emblems, flag and medals, which shall all be of neutral design and color.

5.19.2. The federal government may have and use an anthem, which shall constitute CY's national anthem. The federated states shall neither have nor use any anthem, other than CY's national anthem.

5.19.3. The Functionaries and the Agencies Etc. of the federal government shall not use any coat of arms, emblem, flag, medal or anthem beyond the coat of arms, emblems, flag and medals of the federal government and CY's national anthem.

The Functionaries and the Agencies Etc. of each federated state shall not use any coat of arms, emblem, flag or medals beyond

- the coat of arms, emblems, flag and medals of the federal government and
- the coat of arms, emblems, flag and medals of that federated state.

5.19.4. At the level of the federated states, the coat of arms, emblems and flag of the federal government shall be used alongside the coat of arms, emblems and flag of each federated state.

5.19.5. The coat of arms, emblems and flag of the EU may be used alongside, but not in substitution of, the coat of arms, emblems and flag, respectively, of the federal government or of any federated state.

5.20. A Human Rights Commission having the characteristics set out in [Appendix 1](#) hereof shall be established and put into operation.

- 5.21.** An Inter-House Human Rights Committee having the characteristics set out in [Appendix 2](#) hereof shall be established and put into operation.
- 5.22.** The first out of every three frequencies of any given type (whether radio, television, satellite or other) that may be allocated from time to time by the federal government to the federated states per se, shall be allocated to the TCCS, whereas the immediately following two frequencies of that type shall be allocated to the GCCS.

5.23.

5.23.1. CY's Constitution shall establish adequate machinery

- of review (including, as applicable, the right of pre-emptive referral) to CY's Federal Supreme Court and the "right of return" («δικαίωμα αναπομπής»), of acts of the federal legislature and
- of review (in the form of the right of pre-emptive referral to CY's Federal Supreme Court), of acts of the PC.

Such rights—whose sole rationale shall be to ensure that the acts of the federal government comply with CY's Constitution—shall be vested in each of the Chair and Vice Chair of the PC, who may exercise them separately or conjointly.

- 5.23.2.** A pre-emptive referral of an act of the PC shall *not* itself operate to adjourn any meeting of the PC, in general, or the PC's consideration of other matters, in particular. Nevertheless, a pre-emptive referral of an act of the PC *shall* operate to adjourn such part of the PC's meeting as concerns the matter referred. The adjournment shall last until the Federal Supreme Court's final determination of the matter referred.

- 5.24.** Until such time as the per capita income in the TCCS will have reached at least 85% of the per capita income in the GCCS, the following shall apply:

[NUMBER TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES] % of the annual income of the federal government shall be channeled to the federated states, in the TCCS-to-GCCS ratio of **[RATIO TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES]**. Such funds shall be used solely for the purpose of achieving and preserving (i) sustainable economic growth and (ii) institutional capacity building in the federated states.

For the purposes of the above, the per capita income in the federated states shall be calculated according to the following methodology (which shall be reviewed every 5 years and which shall be amendable only by Special Decision of the PC): **[TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES]**. Both the data used in running the abovementioned calculations as well as the running of those calculations per se, shall be audited on an annual basis by the European Court of Auditors, whose audit reports shall be made public.

6)

The primary law of the EU shall be varied to the following effect:

- 6.1. In case of any inconsistency between, on the one hand, the laws of the EU and, on the other hand, any aspect of the Bi-zonality (in the sense of [paragraph 4](#), above) or the Bi-communality (in the sense of [paragraph 5](#), above) of CY, the said aspect(s) shall prevail.
- 6.2. Considering that they implicate the EU in one way or another, the arrangements envisaged in [paragraphs 5.8.2.3, 5.8.3, 5.10.2, 5.11.1.3\(iii\)](#) (as well as any other paragraphs cross-referring to the latter), [5.15](#) and [5.24](#), above, as well as [6.6](#), below, shall be appropriately reflected in the primary law of the EU.
- 6.3. In case of any inconsistency between, on the one hand, the laws of the EU and, on the other hand, any temporary transitional restrictions on the Four Freedoms envisaged in the CSCP, the said temporary transitional restrictions shall prevail.
- 6.4. In case of any inconsistency between, on the one hand, the laws of the EU and, on the other hand, any of the provisions set out under the heading “**POPULATION**”, below, the provisions set out under the heading “**POPULATION**”, below, shall prevail.
- 6.5. In case of any inconsistency between, on the one hand, the laws of the EU and, on the other hand, the content of [paragraphs 14-15](#) under the heading “**PROPERTY**”, below, the content of those paragraphs shall prevail.
- 6.6. Until such time as the per capita income in the TCCS will have reached at least 85% of the per capita income in the GCCS, the following shall apply:

To the extent that, firstly, any EU funds will be channeled to CY and, secondly, such funds will ultimately have to be allocated as between the two federated states, the ratio(s) of such allocation shall be determined by the European Commission. Such determination shall be made prior to or as early as possible during the calendar year²³ in which the channeling of the EU funds to CY is expected to take place. Such determination shall be made following consultations with CY’s federal government and the governments of the federated states. The primary criterion for the setting of such ratio(s) shall be the achievement, as soon as possible, and preservation, of sustainable convergence between the two federated states in the areas of

- (i) the economy and
- (ii) institutional capacity building.

For the purposes of the above, and subject to the proviso of this sentence, the per capita income in the federated states shall be calculated according to a methodology that will be the same as the one set out in [paragraph 5.24](#), above, provided that, for the purposes of the above, such methodology shall be reviewed every 5 years and shall be amendable

²³ For the purposes of this document, the term “calendar year” shall mean the period starting on (and including) 1 January and ending on (and including) 31 December immediately following.

only by Special Decision of the PC and the prior written consent of the European Commission. Both the data used in running the abovementioned calculations as well as the running of those calculations per se, shall be audited on an annual basis by the European Court of Auditors, whose audit reports shall be made public.

- 6.7.** In case of any inconsistency between, on the one hand, the laws of the EU and, on the other hand, the content of the proviso of [paragraph 14\(ii\)](#), below, the content of the said proviso shall prevail.
- 6.8.** In case of any inconsistency between, on the one hand, the laws of the EU and, on the other hand, the content of [paragraphs 2.1-2.2](#) under the heading “**SECURITY**”, below, the content of those paragraphs shall prevail.
- 6.9.** In case of any inconsistency between, on the one hand, the laws of the EU and, on the other hand, the content of [paragraph 18](#) of [Appendix 3](#) of this document, the content of that paragraph of [Appendix 3](#) shall prevail.
- 6.10.** The particulars (including the timeframe) of the termination of the suspension of the application of the *acquis communautaire* in the areas currently lying north of the Turkish Forces Ceasefire Lines (“**TFCFL**”), shall be appropriately regulated²⁴.
- 6.11.** Turkish shall become one of the official languages of the EU.

24 It is recalled that Articles 1 and 4 of Protocol No. 10 on Cyprus to the Act concerning the conditions of accession to the European Union of, inter alios, the Republic of Cyprus (OJ 2003 L 236, p. 955) currently provide as follows:

“Article 1

- 1. The application of the *acquis* shall be suspended in those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.
- 2. The Council [of the European Union], acting unanimously on the basis of a proposal from the [European] Commission, shall decide on the withdrawal of the suspension referred to in paragraph 1.”

“Article 4

In the event of a settlement [of the Cyprus problem], the Council, acting unanimously on the basis of a proposal from the Commission, shall decide on the adaptations to the terms concerning the accession of Cyprus to the European Union with regard to the Turkish Cypriot Community.”

The text of Protocol No. 10 is available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12003T/PRO/10>

7)

7.1. CY's Constitution shall be the “**Supreme Law**” of CY and, as such, it shall provide that the laws applicable in CY shall be as follows:

In those areas in which the federal government has exclusive competence, the laws applicable shall be as follows and in the following order of priority:	In those areas in which the federated states have exclusive competence, the laws applicable shall be as follows and in the following order of priority:	In those areas in which the federated states and the federal government share competence, the laws applicable shall be as follows and in the following order of priority:
(i) EU law.	(i) EU law.	If and to the extent that only the federal government has acted in a particular area, the content of the 1st column of this Table shall apply in respect of the federal government's acts. If and to the extent that only a federated state has acted in a particular area, the content of the 2nd column of this Table shall apply in respect of that federated state's acts. If and to the extent that both the federal government and a federated state have acted in a particular area, and there is no inconsistency between the two entities' acts,
(ii) CY's Constitution.	(ii) CY's Constitution.	
(iii) International agreements binding on CY.	(iii) International agreements binding on CY.	
(iv) As between the parties to such agreements, federal statutes ratifying mutual assistance/cooperation/coordination agreements between the federal government, on the one hand, and one or both of the federated states, on the other, with the clarification that it shall be mandatory for such agreements to be ratified through federal statutes.	(iv) As between the parties to such agreements, federal statutes ratifying mutual assistance/cooperation/coordination agreements between the federal government, on the one hand, and one or both of the federated states, on the other, with the clarification that it shall be mandatory for such agreements to be ratified through federal statutes.	
(v) The federal primary legislation that will enter into force at the time of the coming into effect of CY's Constitution or thereafter.	(v) The relevant federated state's Constitution.	

(vi) The federal subsidiary legislation that will enter into force at the time of the coming into effect of CY's Constitution or thereafter.	(vi) The relevant federated state's statutes ratifying any agreements between such federated state and any of the foreign entities specified in paragraph 9.1 below, with the clarification that it shall be mandatory for such agreements to be ratified through a federated state's statutes.	both entities' acts shall apply in parallel. In this context, the content of the 1st column of this Table shall apply in respect of the federal government's acts, and the content of the 2nd column of this Table shall apply in respect of the federated state's acts: Provided that in case of any inconsistency between the two entities' acts, then, to the extent of such inconsistency, paragraphs 7.2 and 7.3 , below, shall apply in favor of the federal government's acts.
(vii) The common law and the principles of equity (in so far as same shall be relevant to those areas in which the federal government has exclusive or shared competence).	(vii) The relevant federated state's statutes ratifying mutual assistance / cooperation / coordination agreements between that federated state and the other federated state, with the clarification that it shall be mandatory for such agreements to be ratified through a federated state's statutes.	
	(viii) The relevant federated state's other laws in the order of priority that may be provided in the relevant federated state's Constitution.	

7.2. Within each of the domains reflected in each of the Columns of the Table at [paragraph 7.1](#), above:

No law of a "lower" order of priority may in any way be inconsistent with any law of a "higher" order of priority.

7.3.

7.3.1. To the extent that such laws may be applicable to them, the federal government and the federated states (including the Functionaries and the Agencies Etc.) shall comply with the laws set out in the Table at [paragraph 7.1](#), above (in the order of priority in which those laws are set out there).

- 7.3.2.** Without limitation to the generality of [paragraph 7.3.1](#), above, to the extent that such laws may be applicable to such acts, no acts of the federal government or of the federated states (including the Functionaries and the Agencies Etc.) may in any way be inconsistent with the laws set out in the Table at [paragraph 7.1](#), above (in the order of priority in which those laws are set out there).
- 7.3.3.** Without limitation to the generality of [paragraphs 7.3.1](#) and [7.3.2](#), above, where an international agreement is found to be inconsistent with CY's Constitution, CY shall, unless EU law mandates otherwise, expeditiously take all necessary or appropriate measures so as to cease being bound by the inconsistent provision(s) (and, if this proves impossible, by the agreement per se).
- 7.3.4.** CY's Constitution shall contain the "transitional provisions" set out in [Appendix 3](#) hereof.

7.4.

- 7.4.1.** CY's Federal Supreme Court shall be the ultimate decision-making organ within CY on all legal questions in connection with the interpretation or application of any of the laws referred to in points (i)-(vii) of the 1st column and in points (i)-(iv) of the 2nd column of the Table at [paragraph 7.1](#), above (including in connection with disputes regarding
- the separation of competences between the federal government and the federated states,
 - inconsistencies between, on the one hand, any of the laws referred to in [points \(i\)-\(vii\)](#) of the 1st column and in [points \(i\)-\(iv\)](#) of the 2nd column of the Table at [paragraph 7.1](#), above, and, on the other hand, any of the laws referred to in [points \(v\)-\(viii\)](#) of the 2nd column of that Table,
 - inconsistencies between acts of the federal government and acts of one or both of the federated states arising in the areas forming the subject matter of the 3rd column of the Table at [paragraph 7.1](#), above, and
 - the separation of powers between the various Branches of the federal government).
- 7.4.2.** The decisions of the Federal Supreme Court shall be final and conclusive, and the federal government as well as the federated states (including the Functionaries and the Agencies Etc.) shall have the duty to fully comply with them.

7.5. The content of [paragraph 5.23](#), above, is hereby repeated.

7.6. The timelines, structures and processes governing the operation of the Federal Supreme Court, as well as the resources placed at its disposal, shall be such as to ensure the swift determination of cases pending before the Court from time to time, especially in light of the need to urgently resolve deadlocks at the level of the PC, the Upper House of Parliament and the Additional Bodies.

8)

8.1. The federal government and the federated states (including the Functionaries and the Agencies Etc.) shall, within their respective areas of competence, whether exclusive or shared, respect, promote respect for and secure the effective observance of (a) the human rights codified in CY's Constitution as well as (b) those human rights (if any) that may end up being accorded constitutional force under CY's Constitution (with the rights referred to in (a) and (b) above being collectively referred to as the "**HR**").

8.2.

8.2.1. The Four Freedoms shall form part of the HR.

8.2.2. Subject to any temporary transitional restrictions, as well as the permanent restrictions referred to in the provisions set out under the heading "**POPULATION**", below, as from the coming into effect of CY's Constitution and thereafter the Four Freedoms shall apply throughout CY.

8.2.3. Subject to the provisions set out under the heading "**PROPERTY**", below, any temporary transitional restrictions on the Four Freedoms envisaged in the CSCP shall expire no later than the 5th anniversary of Constitution Day.

9)

9.1. Any federated state may conduct foreign relations solely with

- (i) any sub-national entity of any foreign State (hereafter referred to as "**SNEFS**")²⁵,
- (ii) any intergovernmental organization (either with or without legal personality) ("**Type 1 Organization**"), or
- (iii) any organization (either with or without legal personality) that operates at a transnational level, which has been established, either exclusively or inter alios, by any Type 1 Organization(s) ("**Type 2 Organization**");

Provided that the federated states may conduct relations with any of the abovementioned entities solely to the extent permitted by [paragraphs 9.2-9.4](#), below.

9.2. As regards

- (i) any SNEFS and
- (ii) any Type 2 Organization,

²⁵ For example (the list is simply illustrative and non-exhaustive): communes, arrondissements, départements, parishes, village councils, boroughs, municipal quarters ("δημοτικά διαμερίσματα"), municipalities, district local government organizations, counties, districts, governorates, prefectures, provinces, subregions, regions, cantons, states («πολιτείες»), "autonomous/self-governing areas/republics/territories", sub-national school boards, and any "complexes" («συμπλέγματα») of any of the foregoing.

For the purposes of this document, the reference to "SNEFS" shall be deemed to include any corporate or unincorporated body that has been created by, or the mode of administration of which is specifically provided for in, any foreign State's sub-national entity's constitutional documents or other law.

the federated states may conduct foreign relations with such an entity solely to the extent that, firstly, from the perspective of such foreign entity, the conduct of such relations is lawful, and, secondly, the subject matter to which such relations pertain either falls within the exclusive competence of the federated states or falls within the areas of shared competence referred to in [paragraphs 15\(i\)-\(ii\)](#), below.

- 9.3.** As regards any Type 1 Organization, the federated states may conduct foreign relations with such an entity solely to the extent that, firstly, from the perspective of such foreign entity, the conduct of such relations is lawful, secondly, the subject matter to which such relations pertain either falls within the exclusive competence of the federated states or falls within the areas of shared competence referred to in [paragraphs 15\(i\)-\(ii\)](#), below, and, thirdly, the sole purpose for which such relations are conducted is to channel capital (in the form of loans or grants) or technical assistance from the Type 1 Organization to the federated state at issue.
- 9.4.** No federated state may conduct any relations with any SNEFS or with any Type 1 Organization or with any Type 2 Organization if (a) the relevant foreign State or Organization does not have official relations with CY or (b) the relevant foreign State or Organization is in a state of armed conflict with CY or (c) CY's independence, sovereignty, sovereign rights, territorial integrity, unity, constitutional order or security are under threat from such foreign State or Organization or (d) the conduct of such relations causes a Real Risk of exposing the federal government to any cost or expense (whether in the form of the duty to pay compensation, fines, penalties, surcharges, interest or otherwise) without the federal government having given its prior written consent to such exposure or (e) the PC issues a reasonable and reasoned decision to the effect that the conduct of such relations with the relevant SNEFS or Organization would be contrary to the public interest:

Provided that to the extent that any of the conditions (a)-(e) set out above applies, the PC shall have the right to issue, and the relevant federated state shall have the obligation to promptly implement, a decision calling for the in whole or in part suspension or ending, as applicable, of the relevant federated state's relations with the relevant SNEFS, Type 1 Organization or Type 2 Organization.

- 9.5.** The federal government and the federated states shall conclude an agreement with a view to establishing appropriate structures and processes that will facilitate the lawful, transparent and efficient handling of situations of the type referred to in [paragraphs 9.1-9.4](#), above.

10)

Subject to CY's Constitution, each federated state may decide on its own internal governmental arrangements.

11)

- 11.1.** All competences not vested by CY's Constitution, on an exclusive or shared basis, in the federal government, shall lie, on an exclusive basis, with the two federated states,

and each federated state shall have all powers necessary or incidental for carrying into effect its respective exclusive competences.

In this context, *and without limitation to the generality of the preceding sentence*, it is hereby clarified that, with the exception of any aspects thereof competence in which may be vested by CY's Constitution in the federal government (whether on an exclusive or shared basis), the federated states shall have exclusive competence in the following areas:

- (i) Broadcasting at or below the level of each federated state.
- (ii) Communications.
- (iii) Culture (including, but subject always to [paragraph 14\(xv\)](#), below, customs, traditions and cultural heritage, such as historical/religious artifacts and sites²⁶ etc.).
- (iv) Education (including teaching).
- (v) Subject to [paragraphs 14\(i\)](#) and [14\(iii\)](#), below, employment affairs.
- (vi) Energy.
- (vii) Health (including mental health) care.
- (viii) Subject to [paragraph 5.17](#), above, language issues.
- (ix) Local government (including urban and rural planning).
- (x) Local law enforcement.
- (xi) Subject to the part of [paragraph 14\(xi\)](#) below starting with the words "Pursuant to this", personal status («προσωπικός θεσμός»).
- (xii) Postal services.
- (xiii) Religion.
- (xiv) Social welfare («κοινωνική πρόνοια»).
- (xv) Sports.
- (xvi) Tourism.
- (xvii) Transport (other than ports, airports, marinas and other points of entry into or exit from CY).
- (xviii) Waste management.
- (xix) Youth (including children's) affairs; senior citizens' affairs; volunteerism affairs («θέματα εθελοντισμού»).
- (xx) The raising of federated state revenues by way of borrowing, taxes (excluding customs and excise duties, which shall only be imposable by the federal government), rates («τέλη»), contributions («εισφορές») or otherwise.

²⁶ For example (the list is simply illustrative and non-exhaustive): archaeological sites, churches, mosques, monasteries, synagogues and burial grounds, in all cases regardless of whether currently in use or abandoned for whatever reason.

- 11.2.** The federal government, on the one hand, and the federated states, on the other, shall not impinge on each other's exclusive competences.

12)

- 12.1.** Where CY's Constitution confers on the federal government exclusive competence in a specific area, only the federal government may act in that area.

12.2.

- (i) Notwithstanding any other provision of this document, to the extent that the federal government and both federated states so agree, the federal government may delegate any administrative and/or adjudicatory function («διοικητική και/ή δικαστική λειτουργία») thereof (other than, in the case of adjudicatory functions, any of the functions of the Federal Supreme Court, the Federal Court of Appeal or the Federal Administrative Court) to the federated states:

Provided that the section of [Appendix 3](#) hereof under the heading "Pending Proceedings" shall, to the extent relevant, be deemed to constitute an instance of delegation, to the federated states, of adjudicatory functions of the federal government in respect of the proceedings referred to in that section, without such delegation being subject to the conclusion of a prior agreement between the federal government, on the one hand, and the federated states, on the other.

- (ii) Notwithstanding any other provision of this document, to the extent that the federal government and both federated states so agree, the federated states may delegate any administrative and/or adjudicatory function thereof to the federal government.

13)

To the extent that the federal government so decides, the federal government may contract with the private sector for the latter's provision of capital, goods or services to the former (including in the form of "outsourcing").

14)

The federal government shall have exclusive competence in the following areas, and shall have all powers necessary or incidental for carrying into effect its exclusive competence in any of those areas:

- (i) Federal executive; federal administration (including any federal quasi-governmental organizations); federal armed forces; federal law enforcement forces; federal intelligence services; federal independent officers; federal legislature; federal judiciary; federal elections; federal referenda; federal property (including federal holding facilities and prisons); federal holidays²⁷; federal anthem; federal flag; federal emblem; federal coat of arms; federal medals and other federal honors; amnesties, pardons and parole for federal crimes; federal legal framework regulating the status, modus operandi, rights and obligations (including the exemptions,

²⁷ The federal holidays shall be listed in CY's Constitution itself.

immunities and privileges) of the federal government's Agencies Etc. and of the federal government's Functionaries.

For the avoidance of doubt, it is hereby clarified that counter-intelligence shall be entrusted to the federal law enforcement forces.

(ii) **National security** (including matters pertaining to

- protecting the independence, sovereignty, sovereign rights, territorial integrity, unity, constitutional order and security of CY
- protecting against activities within CY which endanger the external interests of CY
- airports, ports, marinas and other points of entry into or exit from CY
- protecting federal property, whether movable or immovable and whether tangible or intangible
- the military domain
- the intelligence domain
- civil defence («πολιτική άμυνα»)
- the maintenance of strategic reserves of goods essential for ordinary living, including water, food, animal feeds, fertilizers, pesticides, drugs, vaccines, medical consumables, intensive care unit equipment, energy storage devices (such as batteries etc.), fuels and lubricants
- nuclear energy and ionizing radiation
- explosives
- weapons (including conventional, nuclear, biological, chemical and directed-energy weapons)
- ammunition
- encryption and decryption
- biosecurity
- cybersecurity (including security of data stored by data cloud service providers)
- security of communications (including that of postal communications)
- microprocessors
- “Big Data” analytics
- artificial intelligence (including machine learning)
- quantum technologies
- directed-energy technologies
- propulsion and missile/rocket technologies
- genetic engineering
- drones

- robotics
- brain-computer interfaces
- protecting infrastructure lying out at sea (including platforms, cables and pipelines) as well as any infrastructure linking the land territory of CY to the first-mentioned infrastructure
- protecting against disinformation campaigns):

PROVIDED THAT,

- (a) CY shall at all times comply with the UN Charter;
- (b) subject to Article 25 of the UN Charter and those terms of the CSCP that are to be binding on CY, no military, paramilitary or intelligence personnel of any Designated State shall be present in CY; and
- (c) subject to Article 25 of the UN Charter and those terms of the CSCP that are to be binding on CY, CY shall not provide any Designated State with any military, paramilitary or intelligence bases or any other military, paramilitary or intelligence facilities,

but, nothing in this proviso shall restrict/impair

- (aa) CY's provision of search and/or rescue services in cases of humanitarian emergency;
- (bb) official visits of military or intelligence personnel of any Designated State, after such persons will have been officially invited to CY by the latter's competent authorities;
- (cc) the presence in CY of up to [NUMBER TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES] officially declared military or intelligence Embassy officials of any Designated State;
- (dd) the innocent passage of vessels through CY's territorial sea (so long as such passage is in line with international law);
- (ee) the transit of aircraft through the part of the Nicosia Flight Information Region lying beyond CY's national airspace (so long as such transit is in line with international law);
- (ff) CY's right to permit the transit of aircraft through CY's national airspace (so long as such transit is in line with international law); or
- (gg) CY's inherent right, as a State, of individual self-defence against actual or imminent armed attack, as such right is recognized under international law.

For the purposes of this document, the term “**Designated State**” means (w) any State (other than CY) the coastline of which lies, in whole or in part, on that section of the Mediterranean Sea falling to the east of Meridian 24° East, (x) any State the coastline of which lies, in whole or in part, on the Black Sea, (y) any State sharing a land border with Turkey, and (z) the UK.

- (iii) Without prejudice to the rights of the federated states under [paragraph 9](#), above, and under [paragraph 15\(iii\)](#), below, **foreign relations** (including matters pertaining to
- relations (including through the conclusion of agreements) with any foreign State's agency / authority / body²⁸ / department / force / institution / instrumentality / office / organ / service / sub-division, at the national level of such foreign State
 - the recognition of States, the establishment of diplomatic and consular relations with other States and the interruption of such relations
 - the grant of acceptance to diplomatic representatives and of exequatur to consular representatives
 - the assignment of diplomatic representatives and of consular representatives, already in the diplomatic service, to posts abroad and the entrusting of functions abroad to special envoys already in the diplomatic service
 - the appointment and the assignment of persons, who are not already in the diplomatic service, to any posts abroad as diplomatic or consular representatives and the entrusting of functions abroad to persons, who are not already in the diplomatic service, as special envoys
 - the declaration of war and the conclusion of peace
 - the protection abroad of the citizens of CY and of their interests and
 - CY citizens' acting as officers, employees or agents of any Type 1 Organization, of any Type 2 Organization, of any national entity of any foreign State²⁹ or of any SNEFS).
- (iv) **National economic affairs** (including matters pertaining to
- monetary policy (including, for the avoidance of doubt, currency (whether tangible or intangible), interest rates, capital controls, exchange controls, exchange rates, the maintenance of local and non-local currency reserves, the maintenance of reserves in precious metals, the maintenance of reserves in gemstones, the maintenance of reserves in "cryptoassets", the promotion and preservation of price stability and Central Bank functions in general)
 - economic sanctions
 - competition law
 - control of concentrations of undertakings law
 - state aid law
 - financial sector regulation (including the regulation of "fintech" and "cryptoassets")

²⁸ Including, for the avoidance of doubt, any of the bodies referred to in the immediately following Footnote, below.

²⁹ For the purposes of this document, the reference to "*national entities*" of foreign States shall be deemed to include any national-level corporate or unincorporated bodies that have been created by, or the mode of administration of which is specifically provided for in, any foreign State's national constitutional documents or other national law.

- the preservation and promotion of macroeconomic stability, national competitiveness and national growth (including through the promotion of innovation across CY)
- weights, measures, dates and standards of time
- federal expenditure (including for the purposes of public works for federal infrastructure, federal expropriations and federal procurement)
- the raising of federal revenues by way of borrowing, taxes (including customs and excise duties), rates, contributions or otherwise
- ensuring that federated states' economic policies (including as regards expenditure and borrowing) do not end up exposing the federal government to obligations (including liabilities) to which the federal government will not have given its prior consent):

PROVIDED THAT, if the federal budget for a given year is not adopted in due time, the budget for the previous year shall be used on a provisional basis, subject to such adjustments as may be necessary to control for inflation and any increases or decreases in expenditures mandated by EU law; the body responsible for the making of such adjustments shall be the PC.

PROVIDED FURTHER THAT, if on 1 June of any given year the federal budget for that year has not yet been adopted, the body (PC, Lower House of Parliament or Upper House of Parliament, as applicable) at the level of which the adoption of the budget will have failed, shall be deemed to have decided to dissolve itself for the purpose of holding early elections, and the provisions of CY's Constitution relevant to the dissolution of the said body and the holding of early elections in respect thereof shall apply accordingly.

- (v) **International commerce** (including matters pertaining to
- export and import quotas, tariffs, free trade areas, customs unions, common markets, and the control of
 - the entry into/channeling to CY from abroad and
 - the exit from/channeling out of CY,
 of tangible things (including electricity and gases), services and capital and
 - the control of foreign persons' direct or indirect acquisition of property, whether movable or immovable and whether tangible or intangible, in CY).
- (vi) **To the extent that, pursuant to paragraph 16.1, below, the federal government is allocated any additional competences, those additional competences for the duration of such allocation.**
- (vii) **Space, the air and the seas** (including matters pertaining to
- aviation
 - shipping («ναυτιλία»)
 - the Flight Information Region ("FIR")

- the national airspace
 - the various maritime zones (such as, but without limitation, the continental shelf, the seabed at large, the internal waters, the territorial sea, the contiguous zone, the exclusive economic zone and the high seas), including living organisms therein and infrastructure lying out at sea (such as, but without limitation, platforms, cables and pipelines)
 - space/air/sea search and rescue
 - carriage of people and goods by air or by sea
 - employment of people on infrastructure lying out at sea, on ships or on aircraft
 - meteorology
 - bathymetric surveying and
 - protecting the land territory of CY against erosion or inundation from the sea).
- (viii) **In addition to criminal jurisdiction for breaches of federal laws, the following criminal law matters:**
- Matters pertaining to the international crime of aggression, genocide, war crimes, crimes against humanity, arms trafficking, trafficking in human beings, trafficking in human organs, wildlife trafficking, trafficking of cultural or historical property, organized crime and/or money laundering (albeit only to the extent that the organized crime and/or money laundering at issue implicates (a) both federated states, (b) CY plus any jurisdiction/place out of CY, or (c) solely any jurisdiction/place out of CY), hijacking, piracy, slavery, terrorism, torture, child pornography, cybercrime, hate speech, the trafficking, supply, cultivation or production of narcotic or dangerous drugs or psychotropic substances, extraditions, international (including European) arrest warrants, and all matters over which CY may from time to time exercise criminal jurisdiction under the international legal principle of “universal jurisdiction”.
- (ix) **Migration** (including matters pertaining to aliens, passports, other travel documents, identity cards, visas, residency, work permits, immigration, emigration, asylum and deportation):
- Provided that, anyone who is not a CY citizen but who nevertheless alleges that she/he has the right to be present in CY by reason of holding some other citizenship or by reason of having been residing somewhere on the island at or during a particular point or period in time or for any other reason, shall herself/himself bear the burden of proving the facts upon which her/his allegation is based.
- (x) **National citizenship** (including matters pertaining to the granting maintenance and taking away thereof, passports, other travel documents, identity cards, adoptions (albeit solely to the extent that the person adopting/the person being adopted *is* a CY citizen *but* the person being adopted/the person adopting is *not*, respectively), marriages and civil union contracts (albeit solely to the extent that

one of the parties *is* a CY citizen *but* the other party is *not*), and the registration of births and deaths).

- (xi) **The implementation of the CSCP** (including territorial adjustments vis-a-vis the boundaries between the federated states and the restitution of immovable properties).

Pursuant to this, until the end of the eve of the 8th anniversary of Constitution Day, the making (including, for the avoidance of doubt, the variation by way of amendment, repeal or otherwise), application, interpretation and enforcement of laws governing

- (a) the creation, suspension, eradication, transfer, assignment, transmission, encumbering or variation of rights *in rem* and/or duties *in rem* in connection with “Immovable Property” (as this term is defined in paragraph 1 under the heading “**PROPERTY**”, below) and
- (b) land registration, valuation and surveying,

shall lie within the exclusive competence of the federal government, whereas, at the onset of the 8th anniversary of Constitution Day, such exclusive competence shall be deemed to have automatically transferred to the federated states³⁰:

Provided that the federal government shall enact legislation that shall codify transitional provisions with a view to the proper regulation of the abovementioned transfer of competence from the federal government to the federated states.

- (xii) **National censuses, national statistics and national surveys:**

Provided that the federal government shall be obliged to conduct at least one comprehensive national population and housing census every 10 years. The first such census shall be conducted and its results shall be published on or before the 1st anniversary of Constitution Day. The second such census shall be conducted and its results shall be published on or before the 5th anniversary of Constitution Day. The third such census shall be conducted and its results shall be published on or before the 15th anniversary of Constitution Day. Thereafter, future censuses shall be conducted and their results shall be published every 10 years.

- (xiii) **The following natural resources: (a) water (including living organisms therein); (b) forests (including living organisms therein); (c) wetlands (including living organisms therein); (d) metals; (e) gemstones; and (f) hydrocarbons.**

- (xiv)

- (a) **The protection of, remediation of damage to, and restoration of, the natural environment.**
- (b) **Protecting against the consequences of the regional or global degradation of the natural environment, including against the consequences of the “Greenhouse Effect”.**

³⁰ It is submitted that the suggested 8-year period shall be necessary to work through, inter alia, “succession” issues having to do with the determination of the current ownership structure of affected immovable properties, especially considering that owners—such as individuals or companies—that may have been living/in existence in 1974 may have since passed away/been dissolved.

- (xv) **Within the GCCS, the customs, traditions and cultural heritage (including historical or religious artifacts and sites) of the Turkish, Maronite, Armenian and Latin Cypriots, whereas, in the TCCS, the customs, traditions and cultural heritage (including historical or religious artifacts and sites) of the Greek, Maronite, Armenian and Latin Cypriots.**
- (xvi)
- (a) **Frequencies** (including satellite frequencies, television frequencies and radio frequencies) **and country codes** (including international telephone/fax number codes, international postal codes and international internet protocol addresses).
- (b) **Broadcasting at (or above) the level of CY as a whole:**
- Provided that to the extent that the federal government per se or any federal quasi-governmental organization engages in any broadcasting at (or above) the level of CY as a whole, the amount of time dedicated to Greek-language broadcasting shall be the same as the amount of time dedicated to Turkish-language broadcasting.
- (xvii) **Infrastructure (whether tangible or intangible, and whether free-standing or comprising a network or forming part of any network) intended to benefit CY as a whole, both in those domains in which the federal government has exclusive competence anyway, as well as in the domains of**
- **energy,**
 - **communications,**
 - **postal services,**
 - **tourism,**
 - **transport and**
 - **waste management.**
- (xviii) **Intellectual property.**
- (xix) **Setting the national curriculum and the teaching methodology as regards the study of (a) Christianity, (b) Islam, (c) the History of Cyprus, (d) Greek History, (e) Turkish History and (f) Civic Studies, in all primary and secondary schools.**

15)

The federal government and the federated states shall share competence in the following areas, and shall each have all powers necessary or incidental for carrying into effect their respective shared competence in any of those areas:

- (i) Matters pertaining to: (a) bioethics and (b) personal data protection («προστασία δεδομένων προσωπικού χαρακτήρα»).
- (ii) Matters pertaining to measures of assistance which are being generally described in [paragraphs 14-15](#) under the heading “**PROPERTY**”, below.

(iii) Relations (including through the conclusion of agreements) with:

- (a) any SNEFS;
- (b) any Type 1 Organizations; and
- (c) any Type 2 Organizations.

For the sake of good order, it is hereby recalled that in so far as the federated states are concerned, they may conduct relations with any of the abovementioned entities solely to the extent permitted by [paragraph 9](#), above.

16)

16.1. Where CY's Federal Supreme Court has found that

- (i) under EU law or under CY's Constitution or under any international agreement binding on CY, CY is legally obliged to secure a particular result (of whatever form), hereinafter referred to as "V",
 - (ii) the subject matter to which "V" pertains falls within the exclusive competence of the federated states and
 - (iii) one or both of the federated states has/have failed to procure the due securing of "V",
- the federal government shall, subject to the approval of and any terms (qualitative, quantitative, temporal or other) set by CY's Federal Supreme Court, have the right to itself secure "V" by whatever means the Court declares appropriate, and such competence shall not extend beyond what is absolutely necessary to secure "V".

16.2. Where CY's Federal Supreme Court has found that

- (i) under EU law or under CY's Constitution or under any international agreement binding on CY, CY is legally obliged to secure a particular result (of whatever form), hereinafter referred to as "W",
- (ii) the subject matter to which "W" pertains falls within the exclusive competence of the federated states,
- (iii) one or both of the federated states has/have failed to procure the due securing of "W" and
- (iv) such failure has caused the federal government to incur or suffer any harm, loss, damage, cost or expense (for example, but without limitation, in the form of the duty to pay compensation, fines, penalties, surcharges, interest or otherwise),

the federal government shall have the right to be indemnified and kept harmless against, and the federated state(s) which has/have failed to procure the due securing of "W" shall have the obligation to indemnify and keep harmless the federal government against, such harm, loss, damage, cost or expense.

Any decision of CY's Federal Supreme Court in favor of the federal government in the matter of such indemnification shall be enforceable (including by way of set-off) against all assets whatsoever and wherever located of the relevant federated state(s).

- 16.3.** Subject to paragraphs 5.7.2 and 5.16, above, if, at the international level (including at the level of the EU) there exists a potentially legally effective³¹ or an already legally effective³² act, “X”, and, when viewed as a whole, the subject matter to which “X” pertains falls, at least predominantly, within the exclusive competence of the federal government, the subject matter to which “X” pertains shall, for the specific purpose of CY’s determination of whether to vote for or to adopt or to otherwise seek to become a party to/bound by “X”, be deemed as falling wholly within the exclusive competence of the federal government, and the federal government shall have the right to act accordingly.
- 16.4.** Subject to paragraphs 5.7.2 and 5.16, above, if, at the international level (including at the level of the EU) there exists a potentially legally effective or an already legally effective act, “Y”, and, when viewed as a whole, the subject matter to which “Y” pertains falls, at least predominantly, within the shared competence of the federal government, the subject matter to which “Y” pertains shall, for the specific purpose of CY’s determination of whether to vote for or to adopt or to otherwise seek to become a party to/bound by “Y”, be deemed as falling wholly within the exclusive competence of the federal government, and the federal government shall, subject to consulting with both federated states, have the right to act accordingly.
- 16.5.** Subject to paragraphs 5.7.2 and 5.16, above, if, at the international level (including at the level of the EU) there exists a potentially legally effective or an already legally effective act, “Z”, and, when viewed as a whole, the subject matter to which “Z” pertains is not such as to bring the situation either within paragraph 16.3 or within paragraph 16.4, above, the subject matter to which “Z” pertains shall, for the specific purpose of CY’s determination of whether to vote for or to adopt or to otherwise seek to become a party to/bound by “Z”, be deemed as falling wholly within the exclusive competence of the federated states. Consequently, CY’s making of the said determination shall be subject to consultation with and the prior approval of both federated states.
- 16.6.** The federal government and the federated states shall conclude an agreement with a view to establishing appropriate structures and processes that will facilitate the lawful, transparent and efficient handling of situations of the type referred to in paragraphs 16.1-16.5, above.

17)

- 17.1.** As regards any position at the federal level to which a person may be appointed (as opposed to being elected), the following shall apply:
- 17.1.1.** If the position remains vacant for longer than may be provided in CY’s Constitution, then, on the Application of one or more of the following persons or groups of persons (the “**Applicants**”), namely,

³¹ For example, a proposed international agreement or a proposed piece of EU secondary legislation or a proposed resolution of an international organization (which resolution, if adopted, would be legally binding on CY) or an international agreement that, albeit not yet in force, is open for signature.

³² For example, an international agreement that has already entered into force.

- CY's Attorney General (or, if such position is vacant, CY's Deputy Attorney General), or
- a number of Members of the federal Upper House of Parliament equalling at least 4/10 of the total number of seats on the federal Upper House of Parliament, or
- a number of Members of the federal Lower House of Parliament equalling at least 1/4 of the total number of seats on the federal Lower House of Parliament,

CY's Federal Supreme Court may, if it deems that in the circumstances such a course of action is absolutely necessary for the purpose of serving the public interest, order that for as long as the position remains vacant (or for any shorter period as the Court may determine), the rights and duties attaching to the vacant position shall be exercised and discharged, respectively, as follows:

1. Where, according to applicable law, an agency / authority / body / department / force / institution / instrumentality / office / organ / service / sub-division has a head and a deputy head (e.g. President - Vice President, Chair - Vice Chair, Head - Deputy Head etc.), and the vacant position is that of the head, by its deputy head (irrespective of the latter's Communal affiliation).
2. Where, according to applicable law, an agency / authority / body / department / force / institution / instrumentality / office / organ / service / sub-division etc. has a head and a deputy head, and the vacant position is that of the deputy head, by its head (irrespective of the latter's Communal affiliation).
3. In all other cases, by such person (again, irrespective of his/her Communal affiliation) as will have been specifically suggested by the Applicants in the context of their Application, found by the Court to be "fit and proper" for filling the position, and appointed by the Court to fill that position for such period as the Court may determine (such period not to exceed the remaining term of the vacant position, if any). For the avoidance of doubt, it is hereby clarified that to the extent that a vacant position is so filled, such position shall, for all intents and purposes, be deemed to have been duly filled.

17.2. As regards any collective organ at the federal level (including the PC), the following shall apply:

17.2.1. The composition («συγκρότηση») of a collective organ shall not be deemed to be legally defective («πάσχουσα νομικά») by reason of any vacant position(s) thereon, so long as the number of non-vacant positions is at least equal to the number of members required for a plenary meeting («συνεδρίαση της ολομέλειας») of that organ to be considered quorate.

17.2.2. Unless otherwise provided in CY's Constitution:

17.2.2.1. If the chair of a collective organ (e.g. President, Chair, Head etc.), "C", is non-existent or if "C" exists but is unable or unwilling to act as chair, then, for as long as the aforementioned state of affairs, "S", persists, the first-in-line from

amongst the persons designated to deputize for “C” that is able and willing to act as that organ’s chair shall act as chair; for the purposes of this [paragraph 17.2.2](#), the person acting so shall be referred to as “D”.

- 17.2.2.2. If there is no “D”, then, for as long as “S” persists, the vice chair of that organ (e.g. Vice President, Vice Chair, Deputy Head etc.), “VC”, shall act as that organ’s chair:

Provided that if there is no position of vice chair in the said organ, [paragraph 17.2.2.4](#), below, shall apply mutatis mutandis.

Provided further that, whilst acting as the relevant organ’s chair, the “VC” shall be considered as being unable to act as that organ’s vice chair.

- 17.2.2.3. If the position of vice chair in the said organ exists, but the “VC” is non-existent or is unable or unwilling to act as that organ’s chair, then, for as long as “S” persists, the first-in-line from amongst the persons designated to deputize for “VC” that is able and willing to act as that organ’s chair shall act as chair. For the purposes of this [paragraph 17.2.2](#), the person acting so shall be referred to as “E”. Whilst acting as the relevant organ’s chair, “E” shall be considered as being unable to act as that organ’s vice chair.
- 17.2.2.4. If there is no “E”, then, for as long as “S” persists, the eldest member of that organ (irrespective of his/her Communal affiliation) that is able and willing to act as that organ’s chair shall act as chair. In case that there are two or more such eligible members, the choice between them shall be made through the public drawing of lots by the first-in-line Determinant who shall be able and willing to conduct such draw.
- 17.2.2.5. If the vice chair of a collective organ (e.g. Vice President, Vice Chair, Vice Head etc.) is non-existent or if the vice chair exists but is unable or unwilling to act as vice chair, then, for as long as the aforementioned state of affairs persists, the first-in-line from amongst the persons designated to deputize for the vice chair that is able and willing to act as that organ’s vice chair shall act as vice chair; for the purposes of this [paragraph 17.2.2](#), the person acting so shall be referred to as “F”.
- 17.2.2.6. If there is no “F”, then, for as long as the state of affairs referred to in [paragraph 17.2.2.5](#), above, persists, the eldest member of that organ (irrespective of his/her Communal affiliation) that is able and willing to act as that organ’s vice chair shall act as vice chair. In case that there are two or more such eligible members, the choice between them shall be made through the public drawing of lots by the first-in-line Determinant who shall be able and willing to conduct such draw.

17.3.

- 17.3.1. The holding of, inter alia, the following positions at the federal level shall be incompatible with the holding, anywhere, of any other position whatsoever:

- (i) member of the PC;
- (ii) member of the judiciary;
- (iii) independent officer of CY;
- (iv) member of the law enforcement forces, intelligence services or the professional ranks of the armed forces;
- (v) member of the civil service;
- (vi) employee of any quasi-governmental organization of CY;
- (vii) member of any of the bodies referred to in paragraphs 5.10.1(i), 5.10.1(iii), 5.11.1(i)-(iii) and 5.20 above.

17.3.2. The holding of, inter alia, the following positions at the federal level shall be incompatible with the holding, anywhere, of any other public office/position/function (whether elected or appointed), except for any position in any educational or research institution:

- (i) member of the body referred to in paragraph 5.10.1(ii), above;
- (ii) member of the governing council/board of any quasi-governmental organization of CY, other than any ex officio appointee of the federal government.

17.4. Any voting member of any of the following bodies may delegate his/her voting right to another voting member of the same body, such voting right to be exercised whenever the delegator is unable to attend such body's meetings:

- (i) member of the federal Upper House of Parliament;
- (ii) member of any of the bodies referred to in paragraphs 5.11.1(i)-(iii) and 5.20 above.

For the avoidance of doubt, it is hereby clarified that, irrespective of the Communal affiliation of the relevant delegate, a vote that is duly cast pursuant to a delegation made by a Greek Cypriot delegator shall be deemed to be a "Greek Cypriot vote/a vote cast by a Greek Cypriot" whereas a vote that is duly cast pursuant to a delegation made by a Turkish Cypriot delegator shall be deemed to be a "Turkish Cypriot vote/a vote cast by a Turkish Cypriot":

Provided that at no time may any person act as the voting delegate of more than 2 other persons.

18)

18.1. The federal government shall establish appropriate structures and processes for the purposes of preventing, detecting and combating bribery, conflicts of interest, corruption and maladministration within the ranks of federal Functionaries. The persons heading such structures shall act independently and impartially and CY's Constitution shall contain appropriate provisions safeguarding their independence and impartiality.

- 18.2.** Each federated state shall establish appropriate structures and processes for the purposes of preventing, detecting and combating bribery, conflicts of interest, corruption and maladministration within the ranks of such federated state's Functionaries. The persons heading such structures shall act independently and impartially and each federated state's Constitution shall contain appropriate provisions safeguarding their independence and impartiality.

19)

As a general rule, whenever a person is appointed once as a member of any of the bodies—whether at the federal or federated state level—the independence and impartiality of which is safeguarded by law, and such person's term of office expires or such person ceases serving on such body for any lawful reason (including, for the avoidance of doubt, his/her resignation therefrom, whether actual or deemed), such person shall never again be eligible for appointment to that body.

20)

- 20.1.** No person may serve as a member of the PC for more than 3 terms (whether those terms are full terms or part terms) and no person may stand as a candidate in relevant elections if, assuming he/she were to become a member of the PC immediately after such elections, he/she would be legally barred from serving out the entirety of his/her term because of the aforementioned restriction.
- 20.2.** No person may serve as a member of the federal Upper House of Parliament for more than 3 terms (whether those terms are full terms or part terms) and no person may stand as a candidate in relevant elections if, assuming he/she were to become a member of the federal Upper House of Parliament immediately after such elections, he/she would be legally barred from serving out the entirety of his/her term because of the aforementioned restriction.
- 20.3.** No person may serve as a member of the federal Lower House of Parliament for more than 3 terms (whether those terms are full terms or part terms) and no person may stand as a candidate in relevant elections if, assuming he/she were to become a member of the federal Lower House of Parliament immediately after such elections, he/she would be legally barred from serving out the entirety of his/her term because of the aforementioned restriction.

THIRD SET OF PARAMETERS

“TERRITORY”

1)

The area of the two federated states will be such that the following shall fall within the GCCS:

- (i) assuming that all Greek Cypriots who, as a result of the events of 1974, were displaced from the areas lying to the north of the TFCFL had been alive today, the homes of more than 60% of such persons;
- (ii) more than 71.5% of the land territory and more than 50% of the coastline of CY;
- (iii) the historical/religious sites of Soli, Engomi, Salamis and the Monastery of Saint Barnabas, which are of significance to the GCC; and
- (iv) Morphou (including the bulk of the area between the town and Morphou Bay).

Conversely, the area of the two federated states will be such that Famagusta Port, Famagusta’s Walled City (which has traditionally had a majority-Turkish-Cypriot population) and the airport at Tymbou shall fall within the TCCS.

2)

Subject to [paragraph 3](#), below, all territorial adjustments shall begin on the 1st day of the 8th calendar month following the month during which Constitution Day will have fallen. In any case, all territorial adjustments shall be completed no later than the 1st day of the calendar month following the month during which the 3rd anniversary of Constitution Day will have fallen.

3)

3.1.

The fenced-up area of Varosha as on 11 May 1984³³, together with a two-way main road linking it to the centre of Deryneia, shall be considered as forming part of the GCCS upon the coming into effect of CY’s Constitution.

- 3.2.** Any deserted villages lying adjacent to the TFCFL, which, in 1974, were wholly or mostly inhabited by Greek Cypriots—such as, for example, Achna—shall be considered as forming part of the GCCS upon the coming into effect of CY’s Constitution.

4)

Except as may be required to implement the last sentence of [paragraph 1](#), above, as well as the part of [paragraph 1\(iii\)](#), above, that concerns Salamis, the area of each federated state will be contiguous such that there shall be no exclaves of the one federated state within the other federated state.

³³ This was the date of UN Security Council Resolution 550, which made explicit reference to Varosha.

FOURTH SET OF PARAMETERS

“POPULATION”

1)

1.1.

1.1.1.

- (i) After the coming into effect of CY’s Constitution, and except as otherwise provided in this document, there shall be equality as between Greek and Turkish citizens in so far as concerns (i) the terms that they shall have to abide by so as to be granted CY citizenship and (ii) the terms that shall govern their entry into, presence in and exit from CY.
- (ii) Any person who may, in whatever way, become a CY citizen during the period *after* 00:00:01 hrs of Constitution Day (the “**Relevant Period**”), shall, within a set timeframe, divest himself/herself of any other State’s citizenship, failing which he/she shall be subject to, inter alia, the taking away of his/her CY citizenship.

Additionally, during the Relevant Period, firstly, no CY citizen may become a citizen of any State other than CY in whatever way, and, secondly, any CY citizen who becomes a citizen of any State other than CY in whatever way shall be obliged to, within a set timeframe, divest himself/herself of such other State’s citizenship, failing which he/she shall be subject to, inter alia, the taking away of his/her CY citizenship.

Lastly, during the Relevant Period, the following shall apply:

- (a) If any person (or, if he/she is under 18 years old or of unsound mind, his/her legal guardians) that has, in whatever way, become a CY citizen during the Relevant Period, is or becomes aware of the fact that, for whatever reason, he/she also holds the citizenship of another State, (“**Realization I**”), firstly, the person in question (or, if he/she is under 18 years old or of unsound mind, his/her legal guardians) shall be obliged to expeditiously report Realization I to CY, secondly, the person in question (or, if he/she is under 18 years old or of unsound mind, his/her legal guardians), shall be obliged to expeditiously take all necessary action in order to cease being a dual national as soon as possible and, thirdly, if he/she remains a dual national for more than 180 days after Realization I, the person in question shall be subject to, inter alia, the taking away of his/her CY citizenship.
- (b) If any CY citizen (or, if he/she is under 18 years old or of unsound mind, his/her legal guardians) that has, in whatever way, become a foreign citizen during the Relevant Period, is or becomes aware of this fact, (“**Realization II**”), firstly, the person in question (or, if he/she is under 18 years old or of unsound mind, his/her legal guardians) shall be obliged to expeditiously report Realization II to CY, secondly, the person in question (or, if he/she is under 18 years old or of unsound mind, his/her legal guardians), shall be

obliged to expeditiously take all necessary action in order to cease being a dual national as soon as possible and, thirdly, if he/she remains a dual national for more than 180 days after Realization II, the person in question shall be subject to, inter alia, the taking away of his/her CY citizenship.

- 1.1.2. As from the coming into effect of CY's Constitution and thereafter, (i) the number of Greek citizens present in CY (*without at the same time holding the citizenship of CY*) shall not at any time exceed the grand total of **[NUMBER TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES]** whereas (ii) the number of Turkish citizens present in CY (*without at the same time holding the citizenship of CY*) shall not at any time exceed the grand total of **[NUMBER TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES]**:

Provided that the restrictions set out above shall not apply to, or in connection with, any temporary visitors visiting CY for business (including study or research at a center of tertiary education) or tourism, so long as, firstly, any such person holds and abides by a relevant visa issued by CY and, secondly, the presence of any such person (other than a student or researcher at a center of tertiary education) in CY is restricted to a grand total of 90 days per calendar year.

Provided further that the restrictions set out above shall not apply to, or in connection with, those persons who will have been granted the status of "temporary resident" pursuant to [paragraph 2.4](#) or [paragraph 3.4](#), below.

- 1.1.3. Subject to [paragraphs 2.3\(i\)](#) and [3.3\(i\)](#), below, the ratio of CY citizenships that may be granted during any calendar year to Turkish citizens, on the one hand, and to Greek citizens, on the other, shall be of the order of 1:4.

- 1.1.4. No person may simultaneously be a CY citizen, on the one hand, and a Turkish and/or Greek citizen, on the other (the "**Coincidence of Citizenships**"):

Provided that the restriction set out above shall not apply to the persons referred to in [paragraphs 2.3\(i\)](#) and [3.3\(i\)](#), below, but any such persons shall nevertheless *still* be subject to the terms of the very last proviso of this [paragraph 1.1.4](#).

Provided lastly that, to the extent that a Coincidence of Citizenships does occur for whatever reason, and the person who is the subject of same (or, if he/she is under 18 years old or of unsound mind, his/her legal guardians) is or becomes aware of this Coincidence of Citizenships, ("**Realization III**"), firstly, the person in question (or, if he/she is under 18 years old or of unsound mind, his/her legal guardians) shall be obliged to expeditiously report such Coincidence of Citizenships to CY, secondly, the person in question (or, if he/she is under 18 years old or of unsound mind, his/her legal guardians), shall be obliged to expeditiously take all necessary action in order for such Coincidence of Citizenships to come to an end as soon as possible and, thirdly, if the Coincidence of Citizenships continues for more than 180 days after Realization III, the person in question shall be subject to, inter alia, the taking away of his/her CY citizenship.

- 1.2.** CY’s federal government shall procure—and Turkey and Greece shall enable CY’s federal government to procure (including by way of expeditiously sharing relevant information with CY’s federal government and facilitating, at their own expense, their respective citizens’ expeditious relocation to Turkey or Greece)—that the restrictions set out in [paragraph 1.1.2](#), above, shall be complied with at all times.

2)

- 2.1.** CY’s federal government shall, at Turkey’s expense, procure—and Turkey shall, at its own expense, enable CY’s federal government to procure (including by way of expeditiously sharing relevant information with CY’s federal government and facilitating the below-mentioned persons’ expeditious relocation out of the island)—that the following persons finding themselves on the island on Constitution Day shall depart the island no later than the deadlines set out in [paragraph 2.2](#), below:

(i) Any persons who

are stateless

or

do have some citizenship, albeit not that of the UK, Switzerland or any Member State of the European Economic Area (“**EEA**”)

AND

were born in Turkey

or

were born, prior to Constitution Day, in those areas currently lying north of the TFCFL

or

when they had last traveled to the island from abroad prior to Constitution Day, the country in which they had been present immediately prior to arriving on the island was Turkey

or

when they had last traveled to the island from abroad prior to Constitution Day, they had entered the island through those areas currently lying north of the TFCFL

or

prior to Constitution Day, were, whenever present on the island (whether permanently, temporarily, officially, unofficially, ordinarily, extraordinarily or otherwise), mostly spending the daily period of rest (as this term is used in Regulation (EC) No 862/2007) in those areas currently lying north of the TFCFL

AND

on the eve of Constitution Day, did not hold the visa required for them to be allowed to be present in those areas currently lying south of the TFCFL³⁴.

(ii) Any persons who have Turkish citizenship (whether exclusively or in addition to any other citizenship whatsoever)³⁵.

³⁴ All references in this document to “the area(s) lying south of the Turkish Forces Ceasefire Lines/TFCFL” shall be deemed to *exclude* the Dhekelia and Akrotiri SBAs.

³⁵ For example, a person who is both a Turkish and a Bulgarian citizen.

2.2. The deadlines for the departure of the abovementioned persons shall be as follows:

- (i) **Group 1:** Those of the abovementioned persons who do not have their usual residence on the island, or who established their usual residence on the island on or after 1 January 2022, must depart no later than the 180th day after Constitution Day, failing which they shall be subject to arrest, detention and deportation:

Provided that if, on Constitution Day, any such person is either under 18 years old or of unsound mind, and all of his/her legal guardians fall within Group 2, immediately below, the deadline for such person's departure shall be the one referred to in (ii), below.

- (ii) **Group 2:** Those of the abovementioned persons who do have their usual residence on the island having established such residence here since before 1 January 2022, must depart no later than the 3rd anniversary of Constitution Day, failing which they shall be subject to arrest, detention and deportation³⁶.

2.3. Paragraphs 2.1 and 2.2, above, shall *not* apply to:

- (i) Up to **[NUMBER TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES]** civilians whose names and other relevant personal data will have been included in a list conjointly prepared by the Leader of the TCC and the UN Secretary General, with prior consultation with the Leader of the GCC. Such list shall form an integral part of the CSCP. The persons on the list shall acquire CY citizenship and shall be deemed to have become members of the TCC simultaneously with the coming into effect of CY's Constitution. For any person to be included in the list, such person, "P" (or, if "P" is under 18 years old or of unsound mind, "P"'s legal guardians) must sign a declaration to the effect, firstly, that the signatory freely and irrevocably consents to "P"'s inclusion in the list and, secondly, that the signatory is fully aware of his/her potential duties which, in this document, are codified in the very last proviso of **paragraph 1.1.4**, above.
- (ii) Up to **[NUMBER TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES]** Turkish citizens, who must be civilians and whose names and other relevant personal data will have been included in a list conjointly prepared by the Leader of the TCC and the UN Secretary General, with prior consultation with the Leader of the GCC. Such list shall form an integral part of the CSCP. The persons on the list shall acquire the status of CY permanent residents simultaneously with the coming into effect of CY's Constitution.
- (iii) Up to **[NUMBER TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES]** citizens of any State (including Turkey), who must be civilians and whose names and other relevant personal data will have been

³⁶ It is respectfully submitted that the period of 3.5+ years elapsing between the coming into effect of the CSCP in its entirety and the 3rd anniversary of Constitution Day should be more than enough to complete all relocations, both under this paragraph 2.2(ii) and under paragraph 3.2(ii), below. Compare, in this respect, the case of Brazil's new capital city, Brasilia, which went from being a mere announcement to being a 64,000-strong city—built from scratch essentially in the middle of nowhere—in around 3.5 years or so (April 1956 to the end of 1959). See, for example: <https://www.britannica.com/place/Brasilia>

included in a list conjointly prepared by the Leader of the TCC and the UN Secretary General, with prior consultation with the Leader of the GCC. Such list shall form an integral part of the CSCP. The persons on the list shall be deemed to have been issued with CY foreign student/researcher visas simultaneously with the coming into effect of CY's Constitution. In so far as each such person is concerned, his/her visa (and hence his/her right to be present in CY) shall expire on the 31st day following the date on which, at the time of the finalization of the abovementioned list, his/her study or research program at a center of tertiary education situated in the areas currently lying north of the TFCFL is genuinely expected to conclude. In any case, no such visa may last beyond the 3rd anniversary of Constitution Day.

For the avoidance of doubt, it is hereby clarified that:

- (a) The civilians whose names shall be included in the lists referred to in [points \(i\)-\(iii\)](#), above, must have no criminal record (except for any road traffic offences) and must not have served in any military, paramilitary or intelligence service capacity at any point after 31 December 2019 (except in the context of any mandatory conscription/reserve duties).
- (b) Unless born after 1 January 2016, those civilians whose names shall be included in the lists referred to in [points \(i\)-\(ii\)](#), above, must have had their usual residence on the island at least since 1 January 2016.
- (c) In compiling the lists referred to in [points \(i\)-\(ii\)](#), above, priority shall be given to the inclusion therein of first-degree relatives of persons who are already citizens of Member States of the EEA, the UK or Switzerland.
- (d) At the time of the finalization of the said list, those civilians whose names shall be included in the list referred to in [point \(iii\)](#), above, must be genuinely studying or conducting research at a center of tertiary education situated in the areas currently lying north of the TFCFL.

2.4. Those persons who must depart pursuant to [paragraphs 2.1](#) and [2.2](#), above, shall, until the deadline for their departure, be accorded the status of CY temporary residents. Such status shall be accorded to a relevant person provided that he/she appears (or is presented by his/her legal guardians) for registration—with all necessary documentation to effect such registration—before the competent Functionaries of the federal government within 90 days of Constitution Day. Failing such appearance/presentation, the relevant person shall not be accorded the status of CY temporary resident and shall be subject to arrest, detention and deportation.

2.5. Those persons who must depart pursuant to [paragraphs 2.1](#) and [2.2](#), above, shall not, absent the prior approval of the GCCS, live in or work in or travel to the areas currently lying south of the TFCFL; breach of this condition shall render such persons subject to arrest, detention and deportation.

2.6. If a federal court of CY finally and conclusively decides that a person's name was included in any of the lists referred to in [paragraph 2.3](#), above, through error or fraud

(including fraudulent concealment), then, inter alia, such name will, unless the said court decides otherwise, be deemed to have never been included in such list, and the relevant person shall be treated accordingly.

3)

- 3.1.** CY's federal government shall, at Greece's expense, procure—and Greece shall, at its own expense, enable CY's federal government to procure (including by way of expeditiously sharing relevant information with CY's federal government and facilitating the below-mentioned persons' expeditious relocation out of the island)—that the following persons finding themselves on the island on Constitution Day shall depart the island no later than the deadlines set out in [paragraph 3.2](#), below:

- (i) Any persons who

are stateless

or

do have some citizenship, albeit not that of the UK, Switzerland or any Member State of the EEA

AND

were born in Greece

or

when they had last traveled to the island from abroad prior to Constitution Day, the country in which they had been present immediately prior to arriving on the island was Greece

AND

on the eve of Constitution Day, did not hold the visa required for them to be allowed to be present in those areas currently lying south of the TFCFL.

- (ii) Any persons who have Greek citizenship (whether exclusively or in addition to any other citizenship whatsoever)³⁷.

- 3.2.** The deadlines for the departure of the abovementioned persons shall be as follows:

- (i) **Group 1:** Those of the abovementioned persons who do not have their usual residence on the island, or who established their usual residence on the island on or after 1 January 2022, must depart no later than the 180th day after Constitution Day, failing which they shall be subject to arrest, detention and deportation: Provided that if, on Constitution Day, any such person is either under 18 years old or of unsound mind, and all of his/her legal guardians fall within Group 2, immediately below, the deadline for such person's departure shall be the one referred to in (ii), below.
- (ii) **Group 2:** Those of the abovementioned persons who do have their usual residence on the island having established such residence here since before 1

³⁷ For example, a person who is both a Greek and a Bulgarian citizen.

January 2022, must depart no later than the 3rd anniversary of Constitution Day, failing which they shall be subject to arrest, detention and deportation.

3.3. Paragraphs 3.1 and 3.2, above, shall *not* apply to:

- (i) Up to **[NUMBER TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES]** civilians whose names and other relevant personal data will have been included in a list conjointly prepared by the Leader of the GCC and the UN Secretary General, with prior consultation with the Leader of the TCC. Such list shall form an integral part of the CSCP. The persons on the list shall acquire CY citizenship and shall be deemed to have become members of the GCC simultaneously with the coming into effect of CY's Constitution. For any person to be included in the list, such person, "P" (or, if "P" is under 18 years old or of unsound mind, "P"'s legal guardians) must sign a declaration to the effect, firstly, that the signatory freely and irrevocably consents to "P"'s inclusion in the list and, secondly, that the signatory is fully aware of his/her potential duties which, in this document, are codified in the very last proviso of [paragraph 1.1.4](#), above.
- (ii) Up to **[NUMBER TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES]** Greek citizens, who must be civilians and whose names and other relevant personal data will have been included in a list conjointly prepared by the Leader of the GCC and the UN Secretary General, with prior consultation with the Leader of the TCC. Such list shall form an integral part of the CSCP. The persons on the list shall acquire the status of CY permanent residents simultaneously with the coming into effect of CY's Constitution.
- (iii) Up to **[NUMBER TO BE ENTERED BY THE LEADERS OF THE TWO CYPRIOT COMMUNITIES]** Greek citizens, who must be civilians and whose names and other relevant personal data will have been included in a list conjointly prepared by the Leader of the GCC and the UN Secretary General, with prior consultation with the Leader of the TCC. Such list shall form an integral part of the CSCP. The persons on the list shall be deemed to have been issued with CY foreign student/researcher visas simultaneously with the coming into effect of CY's Constitution. In so far as each such person is concerned, his/her visa (and hence his/her right to be present in CY) shall expire on the 31st day following the date on which, at the time of the finalization of the abovementioned list, his/her study or research program at a center of tertiary education situated in the areas currently lying south of the TFCFL is genuinely expected to conclude. In any case, no such visa may last beyond the 3rd anniversary of Constitution Day.

For the avoidance of doubt, it is hereby clarified that:

- (a) The civilians whose names shall be included in the lists referred to in [points \(i\)-\(iii\)](#), above, must have no criminal record (except for any road traffic offences) and must not have served in any military, paramilitary or intelligence service capacity at any point after 31 December 2019 (except in the context of any mandatory conscription/reserve duties).

- (b) Unless born after 1 January 2016, those civilians whose names shall be included in the lists referred to in [points \(i\)-\(ii\)](#), above, must have had their usual residence on the island at least since 1 January 2016.
- (c) In compiling the lists referred to in [points \(i\)-\(ii\)](#), above, priority shall be given to the inclusion therein of first-degree relatives of persons who are already citizens of Member States of the EEA, the UK or Switzerland.
- (d) At the time of the finalization of the said list, those civilians whose names shall be included in the list referred to in [point \(iii\)](#), above, must be genuinely studying or conducting research at a center of tertiary education situated in the areas currently lying south of the TFCFL.

3.4. Those persons who must depart pursuant to [paragraphs 3.1](#) and [3.2](#), above, shall, until the deadline for their departure, be accorded the status of CY temporary residents. Such status shall be accorded to a relevant person provided that he/she appears (or is presented by his/her legal guardians) for registration—with all necessary documentation to effect such registration—before the competent Functionaries of the federal government within 90 days of Constitution Day. Failing such appearance/presentation, the relevant person shall not be accorded the status of CY temporary resident and shall be subject to arrest, detention and deportation.

3.5. Those persons who must depart pursuant to [paragraphs 3.1](#) and [3.2](#), above, shall not, absent the prior approval of the TCCS, live in or work in or travel to the areas lying within the TCCS from time to time; breach of this condition shall render such persons subject to arrest, detention and deportation.

3.6. If a federal court of CY finally and conclusively decides that a person's name was included in any of the lists referred to in [paragraph 3.3](#), above, through error or fraud (including fraudulent concealment), then, inter alia, such name will, unless the said court decides otherwise, be deemed to have never been included in such list, and the relevant person shall be treated accordingly.

4)

The direct or indirect acquisition ^{38,39} of immovable property in CY by any of the following persons shall be prohibited:

- (i) Greece or Turkey (terms, which, for the purposes of this [paragraph 4](#), include any agency / authority / body / department / force / institution / instrumentality / office / organ / service / sub-division of any of those States, regardless of whether such agency etc. etc. is a SNEFS or a national entity of those States);

38 For the purposes of this paragraph 4, the term “*acquisition*” includes (a) the taking up of any legal or beneficial interest in immovable property and (b) the leasing of, or the licensing of the use of, immovable property under terms whereby such arrangement shall or could potentially last for more than 15 years.

39 An example of an “indirect” acquisition would be the direct or indirect acquisition of control of a legal person (e.g. a company) which is the owner of immovable property in CY.

- (ii) any corporate or unincorporated body (regardless of whether or not it is governed by public or private law) which, directly or indirectly, lies under the control of Greece or Turkey;
- (iii) any corporate or unincorporated body (regardless of whether or not it is governed by public or private law) at least half of the annual funds of which are provided/guaranteed by Greece or Turkey;
- (iv) any natural person that holds Greek or Turkish citizenship (without at the same time being a CY citizen);
- (v) any legal person that is incorporated under the laws of or has its registered office in or has its siège social in Greece or Turkey or which, according to international law, is deemed to hold Greek or Turkish nationality for any reason; or
- (vi) any corporate or unincorporated body (regardless of whether or not it is governed by public or private law) which, directly or indirectly, lies under the control of, or at least half of the annual funds of which are provided/guaranteed by, any body, natural person or legal person falling within the scope of any of [points \(ii\)-\(v\)](#) above.

FIFTH SET OF PARAMETERS

“SECURITY”

1)

1.1. The content of [paragraphs 1-11.1](#) under the heading “**CONDITIONS PRECEDENT TO THE COMING INTO EFFECT OF THE CSCP IN ITS ENTIRETY...**” is hereby repeated.

1.2. Immediately after the coming into effect of CY’s Constitution:

- (i) the Treaties of Alliance and Guarantee shall automatically terminate and CY, Greece, Turkey, and, in the case of the Treaty of Guarantee, the UK, shall each notify the UN Secretary General of this development through identically worded letters; and
- (ii) CY shall publish a “Solemn, Binding & Irrevocable Declaration”, the wording of which shall be the same as that of the Declarations referred to in [paragraph 2](#) under the heading “**CONDITIONS PRECEDENT TO THE COMING INTO EFFECT OF THE CSCP IN ITS ENTIRETY...**”, above, with the phrase “as from the CSCP’s coming into effect in its entirety (if and when that occurs)” being substituted by the phrase “as from the coming into effect of CY’s Constitution”.

CY’s Declaration shall be signed by the PC’s Chair and CY’s Foreign Minister.

The original of CY’s Declaration shall be deposited with the UN Secretary General.

1.3. At the onset of the 181st day after Constitution Day, such 181st day being hereinafter referred to as “**Day X**”, sovereignty over a pre-determined area of CY shall automatically transfer to Turkey and vacant possession of the said area shall be delivered up by CY to Turkey, subject to the following terms and conditions:

- (i) Sovereignty over the said area shall automatically revert to CY on the 16th anniversary of Day X and, simultaneously with this, vacant possession of the said area shall be delivered up by the transferee State (in this case, Turkey and, in the case of [paragraph 1.4.3](#), below, Greece) to CY.
- (ii) At the time of the said area’s reversion to CY, the said area shall be in the same condition as the condition it will have been in on Day X.
- (iii) The said area, the territorial sea generated by it, and the airspace above the said area and territorial sea, may be used, solely by the transferee State and solely for the purposes set out in point (iv) immediately below, and the transferee State shall be prohibited from disposing of, encumbering, renting out any part of, or licensing/permitting the use of any part of, the aforementioned area, territorial sea or airspace in favor of/to/by any third party.
- (iv) The said area may be used solely for hosting up to 650 regular infantry officers, regular infantry non-commissioned officers and regular infantrymen of the Land Forces of the transferee State itself, as well as the equipment which, as per general

NATO standards, is ordinarily held by a unit of regular infantry comprising 650 servicemen. For the avoidance of doubt, it is hereby clarified that the said area may not be used in any way or for any purpose that would amount to

1. a breach of the transferee State's international legal obligations, or
 2. the gathering of intelligence on any person or thing within CY, or
 3. external intervention in Cypriot domestic affairs.
- (v) On Day X the said area shall be vacant and it shall not contain any immovable properties owned by anyone other than CY or the federated state lying closest to it. Its size, shape and dimensions shall be the same as those of the area referred to in [paragraph 1.4](#), below. In any case, its size shall not be greater than that of ELDYK's («Ελληνική Δύναμη Κύπρου»—«ΕΛΔΥΚ») camp at Gerolakkos as on 14 July 1974, increased by the minimum additional space required for safely accommodating the unpaved airstrip, water desalination facility, sewage treatment facility, fuel depot and electricity generation & storage facility referred to hereinbelow.
- (vi) The said area shall be surrounded by the GCCS on the one side and by the sea on the other. It shall be physically walled off from CY such that, once it becomes operational, it will be accessible and capable of being supplied only by air and sea. The walled perimeter (which shall possess a seaward extension), with the exception of an opening wide enough to accommodate a two-lane main road⁴⁰, shall be built by CY prior to Day X and shall be fully completed (with CY's sealing of the abovementioned opening) on the 1st anniversary of Day X.
- (vii) Solely for the purpose of securing the logistical autonomy of the transferee State's local garrison, the said area may contain an unpaved airstrip as well as a jetty, the technical profile (including the dimensions) of which will have been pre-agreed between CY, on the one hand, and Turkey and Greece, on the other.
- Additionally, solely for the purpose of securing the logistical autonomy of the transferee State's local garrison, the said area may contain a water desalination facility, a sewage treatment facility, a fuel depot and an electricity generation & storage facility.
- (viii) The borders of the said area shall be drawn in such a way as to ensure that no maritime zone lying beyond the territorial sea shall be generated by the said area, and that such territorial sea shall not stretch for more than 6 nautical miles from the coast.
- (ix) The airspace above the said area and the territorial sea generated by the said area, shall be considered national airspace of the transferee State and shall not form part of the Nicosia Flight Information Region.
- (x) As from the 1st anniversary of Day X and thereafter, nothing and no one shall move between CY and the said area, but nothing in this point (x) shall restrict CY

⁴⁰ This will be necessary for the movement of people and vehicles during the construction phase of the infrastructure that the said area will contain.

from providing humanitarian assistance in cases of emergency, albeit solely to the extent that the transferee State requests such assistance.

1.4.

- 1.4.1. At the onset of Day X sovereignty over a pre-determined area of CY shall automatically transfer to Greece and vacant possession of the said area shall be delivered up by CY to Greece.
- 1.4.2. The said area shall be surrounded by the TCCS on the one side and by the sea on the other. Its size, shape and dimensions shall be the same as those of the area referred to in [paragraph 1.3](#), above.
- 1.4.3. Otherwise, the transfer of sovereignty over the said area to Greece shall, mutatis mutandis, be subject to the terms and conditions set out in points (i)-(x) of [paragraph 1.3](#), above.

2)

- 2.1. Subject to [paragraph 2.2](#), below, the following shall be prohibited (on pain of punishment through federal criminal law):
 - (i) the production of weapons, ammunition and explosives and all paramilitary activities (including paramilitary training);
 - (ii) the possession of weapons, ammunition and explosives other than by the federal armed forces, the federal intelligence services, the federal law enforcement forces, the law enforcement forces of the federated states and non-Cypriot forces present in CY pursuant to/on the basis of any UN Security Council Resolution or international agreements binding on CY from time to time;
 - (iii) the importation as well as the transit of weapons, ammunition and explosives other than those intended for possession by any of the forces referred to in point (ii) of this paragraph 2.1; and
 - (iv) any CY citizen's serving in the forces (whether military, paramilitary, intelligence, law enforcement or other) of any entity other than
 - 1. CY, or
 - 2. any Type 1 Organization of which CY is a member from time to time, or
 - 3. any Type 2 Organization of which CY is a member from time to time, or
 - 4. any Type 2 Organization to the extent that any Type 1 Organization, of which CY is a member from time to time, is a member and/or in effective control of that Type 2 Organization.
- 2.2. The prohibitions set out in [paragraph 2.1\(i\)-\(iii\)](#), above, shall not apply:
 - (i) to the production, possession, importation or transit of ammunition solely for weapons licensed for hunting birds, hunting small mammals or for use in

shooting sports included within the Olympic Games Sports List from time to time (the “**Licensed Weapons**”);

- (ii) to the possession, importation or transit of Licensed Weapons;
- (iii) to the importation or possession of explosives solely for use in licensed civilian demolition, construction or mining projects; or
- (iv) to the transit of explosives intended solely for use in civilian demolition, construction or mining projects.

3)

- 3.1.** After the 1st anniversary of the coming into effect of CY’s Constitution, all CY citizens shall, after acquiring a certain age, be obliged to serve as conscripts in the federal armed forces for a minimum period of 13 consecutive months.
- 3.2.** After the 1st anniversary of the coming into effect of CY’s Constitution, all CY citizens who will have received military training either before or after Constitution Day, shall, until a certain age, be obliged to serve in the reserves.

SIXTH SET OF PARAMETERS

“PROPERTY”

1)

For the purposes of this section, the following terms shall have the following meanings, unless a different meaning arises from the text:

“**Affected Immovable Property**” means:

1. any Immovable Property situated in the Northern Zone or the Central Zone, of which the sole Owner, at 00:01:00 hrs of Constitution Day, shall be CY;
2. any Immovable Property situated in the Central Zone, of which the sole or part Owner, at 00:01:00 hrs of Constitution Day, shall be the GCCS;
3. any Immovable Property situated in the Northern Zone or the Central Zone, of which the sole or part Owner, at 00:01:00 hrs of Constitution Day, shall be any federal quasi-governmental organization;
4. any Immovable Property situated in the Central Zone, of which the sole or part Owner, at 00:01:00 hrs of Constitution Day, shall be any organization which, immediately prior to Constitution Day, will have been a Cypriot “semi-governmental organization” («ημικρατικός οργανισμός») that shall not continue its existence as a federal quasi-governmental organization;
5. any Immovable Property situated in the Northern Zone or the Central Zone, to the extent that:
 - (i) at 00:01:00 hrs of Constitution Day, the sole or any part Owner thereof shall be a person *other than* those referred to in points (1)-(4), above and
 - (ii) immediately prior to Constitution Day, such sole or part Owner would not have been able to peacefully enjoy the full range of attributes of ownership in connection with the said property (including the right to access it, to possess it, to use it, and to exclude non-owners from it) because of the introduction, application («εφαρμογή») or enforcement of the provision known as “Article 159(1)(b) of the TRNC Constitution” (as varied or replaced from time to time); and
6. any Immovable Property situated in the Southern Zone, to the extent that:
 - (i) at 00:01:00 hrs of Constitution Day, the sole or any part Owner thereof shall be a person *other than* those referred to in points (1)-(4), above and
 - (ii) immediately prior to Constitution Day, such sole or part Owner would not have been able to peacefully enjoy the full range of attributes of ownership in connection with the said property (including the right to access it, to possess it, to use it, and to exclude non-owners from it) because of the introduction, application («εφαρμογή») or enforcement of the enactment known as “Republic of Cyprus Law 139/1991” (as varied or replaced from time to time).

“Business Premises” means a place which is, at least predominantly, used for a person’s business, profession or trade (*including* the rearing of animals or the growing of crops but *excluding* the utilization of a place

- (i) as grazing grounds, or
- (ii) for any military/paramilitary/intelligence purposes, or
- (iii) for any activity which, immediately prior to Constitution Day, was considered unlawful by the authorities then exercising effective control in the area in which the place in question is located).

“Central Zone” means those areas that shall fall within the final boundaries of the GCCS, and which currently lie between the TFCFL and those areas that shall fall within the final boundaries of the TCCS.

“Immovable Property” means

- (i) land,
- (ii) anything growing on the said land,
- (iii) buildings and other erections, structures or fixtures affixed to the said land or to any building, erection or structure hereinbefore set out and
- (iv) any undivided share in any property hereinbefore set out.

“Northern Zone” means those areas that shall fall within the final boundaries of the TCCS.

“not-for-profit” means, in the case of an individual, the application of such individual’s profits, surpluses or net earnings for any purpose *not* involving such individual’s enjoyment of same and, in the case of an entity (*other than* an individual), the application of such entity’s profits, surpluses or net earnings for any purpose *not* involving the transfer/enjoyment of same to/by

- such entity’s officers, members, owners or internal partners, or
- any individual/other entity that is directly or indirectly controlling the first-mentioned entity.

“Owner” means,

- (i) in respect of the point in time immediately preceding Constitution Day, any person that shall then be entitled, according to the laws referred to in s.29(1) of Cypriot Law 14 of 1960, to be registered as sole or part owner of any Immovable Property (whether so registered or not);
- (ii) in respect of the period starting with Constitution Day and thereafter, any person that shall, from time to time, be entitled, according to the laws applicable in CY from time to time, to be registered as sole or part owner of any Immovable Property (whether so registered or not).

For the avoidance of doubt, it is hereby clarified that, unless a different meaning arises from the text, the term “Owner” shall be understood as including reference to multiple “Owners” as well.

“**public benefit**” means “public benefit” («δημόσια ωφέλεια») as such concept was, at the end of 2025, understood in the context of the common law and the principles of equity.

“**registered**” with its grammatical variations and derivative expressions, means recorded in the land register(s) kept, until the point in time immediately preceding Constitution Day, under the provisions of the laws referred to in s.29(1) of Cypriot Law 14 of 1960, and, as from Constitution Day and thereafter, under the provisions of the laws applicable in CY from time to time, regardless of whether the relevant land register(s) is/are/will be electronic or hand-written.

“**Southern Zone**” means those areas that shall fall within the final boundaries of the GCCS, and which currently lie south of the TFCFL

“**User**” means the person that, throughout the period starting on 1 January 2022 and ending at the end of Constitution Day (“**the Period**”), will have been subjecting an Affected Immovable Property (or part thereof) to utilization as his/her place of usual residence (“**Residential Use**”) or as his/her/its Business Premises (“**Business Premises Use**”). For the avoidance of doubt, it is hereby clarified that, unless a different meaning arises from the text, the term “User” shall be understood as including reference to multiple “Users” as well.

References to an Affected Immovable Property entering into the “**State of Restitution**” (or the “**SoR**”) shall mean such Affected Immovable Property’s entering into the state wherein its Owners can exercise their right to peacefully enjoy the full range of attributes of ownership in connection therewith (including the right to access the property, to use or otherwise exploit it, and to exercise exclusive possession over it), in line with EU law, CY’s Constitution and international law binding CY from time to time (the “**Peaceful Enjoyment**”).

References to “**sales**” and “**purchases**” of immovable property shall mean sales and purchases in return for consideration in money and/or consideration in kind (such as in exchange for other immovable property).

2)

Simultaneously with the coming into effect of CY’s Constitution, and with the exception of any Immovable Property that will, as part of the CSCP, be excluded from the application of the general rule codified in this paragraph 2, any share in any Immovable Property of which the Owner immediately prior to Constitution Day will have been the State of Cyprus, shall be deemed to have automatically transferred

- (i) to the GCCS, if the Immovable Property is situated in the Southern Zone or the Central Zone and
- (ii) to the TCCS, if the Immovable Property is situated in the Northern Zone:

Provided that for any Immovable Property to be potentially excluded from the application of this [paragraph 2](#), such Immovable Property will have to have been *wholly* owned by the State of Cyprus immediately prior to Constitution Day.

3)

Simultaneously with the coming into effect of CY's Constitution, any share in any Immovable Property that is situated in the Northern Zone, of which the Owner immediately prior to Constitution Day will have been a Cypriot "semi-governmental organization" («ημικρατικός οργανισμός») that shall *not* continue its existence as a federal quasi-governmental organization, shall be deemed to have automatically transferred to the TCCS.

4)

Simultaneously with the coming into effect of CY's Constitution, any share in any Immovable Property that is situated in the Northern Zone, of which the Owner immediately prior to Constitution Day will have been a municipality or village council, shall be deemed to have automatically transferred to the TCCS.

5)

Simultaneously with the coming into effect of CY's Constitution, the share, in any Immovable Property situated in the Northern or the Central Zone, of an Owner who, prior to the signing of the CSCP by the leaders of the two Cypriot Communities, will have waived his/her/its rights vis-à-vis such share as part of exhausting the domestic remedy that formed the subject matter of the European Court of Human Rights' 1 March 2010 Admissibility Decision in *Demopoulos a.o. v. Turkey*⁴¹, shall be deemed to have automatically transferred to the TCCS.

5A)

The objects of the transfers referred to in [paragraphs 2-5](#), above, shall be transferred free of any encumbrance. Additionally, the said transfers shall be made free of charge. Lastly, the said transfers shall be unchallengeable.

6)

Simultaneously with the coming into effect of CY's Constitution, Immovable Property included in a so-called "**First Special List**" (that shall form an integral part of the CSCP) shall be deemed to have automatically transferred to the federal government, free of any encumbrance. Except for cases concerning the alleged inclusion of an Immovable Property in the list by reason of fraud (including, for the avoidance of doubt, fraudulent concealment) or manifest error, such transfer shall be unchallengeable. Any Owner of such Immovable Property shall be compensated by the federal government for such transfer, albeit solely to the extent so required by Article 1 of the First Protocol of the European Convention on Human Rights ("**A1-P1**"). Any such compensation shall be kept to the minimum required by A1-P1.

The criteria for an Immovable Property's inclusion in the First Special List shall be

- its current utilization, at least predominantly, for public benefit purposes (falling, at least predominantly, within any of the exclusive or shared competences of the federal government) and on a not-for-profit basis, or
- its current or future utilization, at least predominantly, for military/intelligence purposes.

⁴¹ <https://hudoc.echr.coe.int/?i=002-1067>

7)

Simultaneously with the coming into effect of CY's Constitution,

- Immovable Property included in a so-called “**Second Special List**” (that shall form an integral part of the CSCP) and
- situated in the Southern Zone or the Central Zone,

shall be deemed to have automatically transferred to the GCCS, free of any encumbrance. Except for cases concerning the alleged inclusion of an Immovable Property in the list by reason of fraud (including fraudulent concealment) or manifest error, such transfer shall be unchallengeable. Any Owner of such Immovable Property shall be compensated by the GCCS for such transfer, albeit solely to the extent so required by A1-P1. Any such compensation shall be kept to the minimum required by A1-P1.

The criterion for an Immovable Property's inclusion in the Second Special List shall be its current utilization, at least predominantly, for public benefit purposes (falling, at least predominantly, within any of the exclusive competences of the federated states) and on a not-for-profit basis.

8)

Simultaneously with the coming into effect of CY's Constitution,

- Immovable Property included in a so-called “**Third Special List**” (that shall form an integral part of the CSCP) and
- situated in the Northern Zone,

shall be deemed to have automatically transferred to the TCCS, free of any encumbrance. Except for cases concerning the alleged inclusion of an Immovable Property in the list by reason of fraud (including fraudulent concealment) or manifest error, such transfer shall be unchallengeable. Any Owner of such Immovable Property shall be compensated by the TCCS for such transfer, albeit solely to the extent so required by A1-P1. Any such compensation shall be kept to the minimum required by A1-P1.

The criterion for an Immovable Property's inclusion in the Third Special List shall be its current utilization, at least predominantly, for public benefit purposes (falling, at least predominantly, within any of the exclusive competences of the federated states) and on a not-for-profit basis.

9)

At 00:01:00 hrs of Constitution Day, all Affected Immovable Property falling within the scope of points 2-6 of the definition of the term “Affected Immovable Property” in [paragraph 1](#), above, shall be deemed to have come under the Custodianship («Κηδεμονία») of the federal government (the “**Custodianship**”). To the extent that an Immovable Property indeed falls within the scope of points 2-6 of the definition of the term “Affected Immovable Property” in [paragraph 1](#), above, such development shall be unchallengeable.

10)

As regards the period during which any Affected Immovable Property remains under Custodianship, any Owner of such Immovable Property (other than the federated states themselves, any municipality/village council and any federal/federated state's quasi-

governmental organization) shall be compensated by the federal government for loss of use thereof, albeit solely to the extent so required by A1-P1. Any such compensation shall be kept to the minimum required A1-P1.

11)

Except to the extent that the provisions of this “Sixth Set of Parameters” provide otherwise, all Affected Immovable Property placed under Custodianship shall be released therefrom and shall enter into the SoR (the “**Release & Entry into the SoR**”) only upon the 5th anniversary of Constitution Day.

12)

12.1. The Property Commission shall order the early Release & Entry into the SoR of any Affected Immovable Property (or any part thereof) if and to the extent that, either of its own motion or on the application of any relevant Owner (or such Owner’s authorized representatives), the Property Commission finds that the relevant Affected Immovable Property (or the relevant part thereof):

- (i) Was *not* subjected either to Residential Use or to Business Premises Use *throughout* the Period
or
- (ii) pursuant to [paragraphs 16.3](#) and [16.4](#), below, is deemed not to have been subjected either to Residential Use or to Business Premises Use *throughout* the Period
or
- (iii) albeit having been subjected either to Residential Use or to Business Premises Use *throughout* the Period, during the period after Constitution Day it ceased being subjected to that specific Use by the relevant User for a continuous period exceeding 180 days
or
- (iv) the relevant User (or such User’s authorized representatives) has/have consented (in writing) to the early Release & Entry into the SoR
or
- (v) the relevant User’s presence in CY has become illegal
or
- (vi) the state of affairs referred to in [paragraph 19\(ii\)](#), below, has arisen.

AND

The relevant Affected Immovable Property (or the relevant part thereof, including, for the avoidance of doubt, any shop or flat in a bigger building) can be enjoyed on its own.

12.2. Additionally, the Property Commission shall, either of its own motion or on the application of any relevant Owner (or such Owner’s authorized representatives), order the early Release & Entry into the SoR of any Affected Immovable Property (or any

part thereof) in so far as, (i) such Affected Immovable Property (or the relevant part thereof) falls within the areas referred to in [paragraph 3](#) of the part of this document lying under the heading “**TERRITORY**”, above and (ii) the federal law enforcement forces will have published an announcement to the effect that the locale wherein such Affected Immovable Property (or the relevant part thereof) lies can be safely accessed by civilians.

- 12.3.** Notwithstanding anything contained within [paragraphs 12.1-12.2](#), above, no order for any Affected Immovable Property’s early Release & Entry into the SoR may be issued until the onset of the 1st day of the 8th calendar month following the month during which Constitution Day will have fallen.

13)

If, during the time that any part of any Affected Immovable Property is under Custodianship any Owner of such property wishes to sell any part of his/her share in the latter, the User of such property shall have a right of first refusal in connection with the intended sale.

This provision shall be subject to the part of this document lying under the heading “**POPULATION**”, above.

14)

In so far as this will be practically possible, a User of Affected Immovable Property who desires to buy into/lease/be granted a licence to use any part of the property of which he/she/it is the User, from/by its Owner (or, in the case of [paragraph 19\(i\)\(aa\)](#), below, the federal government), shall be assisted to do so both by the federal government and by the federated state within which the property lies. In so far as this will be practically possible, such assistance shall take the form of such measures as the granting of outright financial aid, the granting of low-interest loans, the granting of tax incentives to the implicated parties etc.:

Provided that this provision shall be subject to the part of this document lying under the heading “**POPULATION**”, above. In this context, and without limitation to the generality of the preceding sentence, it is hereby clarified that persons who, pursuant to the part of this document lying under the heading “**POPULATION**”, above, will be obliged to depart the island, shall not be eligible for the abovementioned assistance.

15)

In so far as this will be practically possible, a User of Affected Immovable Property vacating the latter shall be assisted to do so both by the federal government and by the federated state within which the User wishes to relocate. In so far as this will be practically possible, such assistance shall take the form of such measures as the granting of federal/federated state land, the granting of outright financial aid, the granting of low-interest loans, the granting of tax incentives to the implicated parties etc.. In this context, requests by local communities for their relocation as communities shall receive special consideration:

Provided that this provision shall be subject to the part of this document lying under the heading “**POPULATION**”, above. In this context, and without limitation to the generality of the preceding sentence, it is hereby clarified that persons who, pursuant

to the part of this document lying under the heading “**POPULATION**”, above, will be obliged to depart the island, shall not be eligible for the abovementioned assistance.

16)

16.1.

16.1.1. At the federal level, all matters in connection with the issues falling within the scope of the provisions of this “Sixth Set of Parameters”, shall be handled by a specialized administrative body, namely the Property Commission. In this context, and without limitation to the generality of the preceding sentence, for as long as any Affected Immovable Property remains under Custodianship the Property Commission shall, in respect of such property, have powers similar to the current powers of the “Custodian” («Κηδεμόνας») under the enactment known as “Republic of Cyprus Law 139/1991” (as varied or replaced from time to time)⁴², *minus* any power to transfer, transmit, encumber or unencumber such property, which power shall remain with and be exercisable by the latter’s Owner.

16.1.2. Paragraph 5.10., under the heading “**GOVERNANCE**”, above, shall apply in respect of the Property Commission.

16.1.3. The executory administrative acts («εκτελεστές διοικητικές πράξεις») of the Property Commission shall be subject to judicial review by way of recourse to the Federal Administrative Court.

16.1.4. All Agencies Etc. and Functionaries of the federal government as well as of the federated states shall have the duty to cooperate and coordinate, expeditiously and in good faith, with the Property Commission (including by way of expeditiously sharing relevant information with it), so as to facilitate the expeditious discharge of its duties. Failure to comply with such duty shall constitute a federal criminal offence.

16.2. Any person alleging to be a User (and, as applicable, any individual referred to as “I” in paragraph 19, below) shall bear the burden of proving the facts upon which such allegation is based.

16.3. Any person wishing to be recognized (and hence protected or assisted etc.) as a User shall be obliged to duly submit his/her/its application for such recognition to the Property Commission no later than the 180th day after Constitution Day (the “**Deadline**”), failing which such person shall be barred from being recognized as a User.

16.4. Any Affected Immovable Property in respect of which no person submits an application for recognition as a User within the Deadline, shall, starting on the day after the Deadline, be deemed not to have been subjected to either Residential Use

⁴² English translation available at:

https://www.olc.gov.cy/olc/olc.nsf/translationsen_en/translationsen_en?openDocument

or Business Premises Use throughout the Period, and [paragraph 12.1](#), above, shall thereafter apply to such Affected Immovable Property accordingly.

17)

Utilizing modern technology, the Property Commission shall facilitate contacts between interested sellers / lessors / licensors and buyers / lessees / licensees of Affected Immovable Properties.

18)

The following shall be prohibited (on pain of punishment through federal criminal law):

- (i) the hindering or delaying, through fraud (including fraudulent concealment), of any Affected Immovable Property's entry into the SoR;
- (ii) the causing of damage to any part of any Affected Immovable Property which is under Custodianship;
- (iii) the causing of any material alteration to any Affected Immovable Property which is under Custodianship absent the prior approval of the Property Commission;
- (iv) the entry into, presence in, possession or use of any Affected Immovable Property which is under Custodianship, absent justification pursuant to CY's Constitution or federal legislation (whether primary or secondary); and
- (v) the entry into, presence in, possession or use of any Affected Immovable Property which has entered into the SoR, absent justification pursuant to CY's Constitution or federal legislation (whether primary or secondary).

19)

Notwithstanding any other provision of [paragraphs 1-18](#), above:

- (i) If
 - (a) on Constitution Day the place of usual residence of an individual, "I", stands on Affected Immovable Property of which "I" is not an Owner,
 - (b) the area («εμβαδόν») of the internal covered areas («εσωτερικοί καλυμμένοι χώροι») of the said residence (excluding, for the avoidance of doubt, any balconies, verandas and garages), does not exceed 200 square meters,
 - (c) the said residence has continuously served as the place of "I" 's usual residence at least since 01.01.2016 and
 - (d) historically, at some point after "I" 's birth, "I" 's (then) place of usual residence had moved from the areas currently lying north of the TFCFL to the areas currently lying south of same or vice versa, and the reason for this was the events of the Summer of 1974 and their aftermath,

"I" shall be eligible to apply for a license to continue using his/her current place of usual residence (plus any adjacent space, whether built up or not, which, for all *practical* purposes, either cannot be enjoyed separately from the residence or without which the residence itself cannot, for all practical purposes, be enjoyed

separately) *as his/her usual place of residence* until the end of his/her life, provided that:

- (aa) “I” applies for such licence within the Deadline and
 - (bb) “I”’s application is found to satisfy the criteria that shall be set by federal law in respect of such cases (including, for example, such criteria as an applicant’s age, an applicant’s health condition, an applicant’s financial condition, whether the applicant has any dependents living with him/her, the area of the plot per se on which the applicant’s residence sits, the burden that the applicant’s continued presence on the plot would place on the latter’s Owner and/or the federal government etc. etc.) and
 - (cc) “I” and the federal government agree and execute a relevant licence agreement on or before the 2nd anniversary of Constitution Day. Unless duly terminated earlier, the licence agreement shall automatically expire upon “I”’s death. The licence agreement shall be non-assignable, non-transferrable and non-transmissible; nor will “I” have the right to sub-license use of any space falling within the scope of the licence agreement. The licence agreement shall exhaustively set out who, if anyone, the licensed property can be used by together with “I”. According to the licence agreement, as from the 5th anniversary of Constitution Day and thereafter, “I” shall have to pay the federal government a nominal licence fee.
- (ii) Where a relevant licence agreement is entered into as per point (i), above, and such licence agreement expires/is terminated in accordance with its terms, the federal government shall, as soon as possible, notify the Property Commission, and [paragraph 12.1](#), above, shall thereafter apply accordingly.
 - (iii) During the term of a relevant licence agreement, the part of any Affected Immovable Property falling within such agreement’s ambit shall be deemed to continue lying under the federal government’s Custodianship, and [paragraph 10](#), above, shall apply accordingly.

20)

As from Constitution Day and thereafter, notwithstanding any other provision of paragraphs 1-19, above, but subject always to the prior approval of the Property Commission (such approval not to be unreasonably delayed or withheld), the User of any Affected Immovable Property shall have the right, prior to his/her/its withdrawal therefrom, to demolish and/or dismantle and/or otherwise remove, and carry away, any buildings, erections, structures, fixtures, fittings or plants (the “**Items**”) that may have been built, erected, constructed, affixed, fitted or planted in/on/to the Affected Immovable Property (for brevity, “**Introduced**”) by any person *other than* its Owner from time to time:

Provided that the relevant User shall bear the burden of proving that the relevant Items were Introduced by any person *other than* the Affected Immovable Property’s Owner from time to time.

Provided further that to the extent that the relevant User lawfully proceeds with the abovementioned demolitions and/or dismantling and/or removals, firstly, the Owner of

the relevant Affected Immovable Property shall have no claim, complaint or demand whatsoever for any Items carried away from the premises and, secondly, the relevant User shall have a duty, under, inter alia, federal criminal law, to promptly carry away from the premises anything so demolished, dismantled or removed.

21)

The federal government shall ensure that, at the time of its release from Custodianship and its entry into the SoR, every Affected Immovable Property (or the relevant part of an Affected Immovable Property) shall be vacant of any person except for (i) any person who is a registered Owner thereof or (ii) any person holding one or more valid Declarations (in a form to be set under federal legislation) issued by all registered Owners thereof confirming the holder's right to be present on the property.

22)

Federal legislation shall regulate such matters as the internal structures and processes of the Property Commission (including the handling of routine cases, the distribution of work amongst different sub-groups within the Property Commission, timelines for the completion of different workstreams etc.), the Property Commission's conduct of consultations with Owners and Users of Affected Immovable Properties, the provision of legal aid to Owners or Users wishing to apply to the Property Commission, and the valuation methodologies to be used for determining levels of compensation for the purposes of the application of the provisions of this "Sixth Set of Parameters".

23)

All proceedings which

- immediately prior to the integration, into the GCCS, of a place forming part of the Central Zone
- will have been pending in any authority (including any court) in the areas lying north of the TFCFL,
- and will have concerned the use («χρήση»), *going forward* («από τούδε και στο εξής»), of any Immovable Property situated in such place (including through its cultivation, the grazing or rearing of animals thereon, the demolition, dismantling, removal, construction, installation, modification or use, as applicable, of any building, erection, structure or fixture thereon, or the supply of any water, electricity, telecommunications services, garbage disposal services or sewage disposal services thereto),

shall, simultaneously with such place's integration into the GCCS, be deemed to have been terminated (the "**Terminated Proceedings**"), without prejudice to the potential ab initio initiation of analogous proceedings before the competent authorities of the GCCS subject to and in accordance with, inter alia, GCCS law:

Provided that, without prejudice to the potential application of the equitable defense of laches, to the extent that

- firstly, at the time of its initiation before the authorities in the areas lying north of the TFCFL, a Terminated Proceeding was not "time-barred" from the perspective of the laws which those authorities then considered as being binding upon them and

- secondly, between (and including) Constitution Day and the 550th day thereafter proceedings analogous to the Terminated Proceeding are initiated before the competent authorities of the GCCS,

any provision of GCCS law whereby the initiation of the analogous proceedings would, otherwise, have been considered as being “time-barred”, shall not apply to the analogous proceedings.

**MAIN BODY OF DOCUMENT ENDS HERE —
APPENDICES 1, 2 AND 3 FOLLOW.**

APPENDIX 1

Establishment of THE HUMAN RIGHTS COMMISSION

1. There shall be established an independent commission to be known as the Human Rights Commission.
2. The appointment of the Head, Deputy Head and Members of the Commission shall consist of, firstly, their nomination by the federal Lower House of Parliament and, secondly, their confirmation by the federal Upper House of Parliament.
3. The Head and Deputy Head of the Commission shall not hail from the same Community. 1/2 of the Members of the Commission will be members of the TCC and 1/2 of the Members of the Commission will be members of the GCC. The quorum in this body shall consist of 1/2 of the total number of the seats thereon (Head, Deputy Head, Members), and decisions therein shall be taken by simple majority of the total number of valid votes cast.
4. The Head, Deputy Head and Members of the Commission shall act independently and impartially and CY's Constitution shall contain appropriate provisions safeguarding their independence and impartiality.
5. The Commission shall have power to issue summonses or other orders requiring representatives of relevant institutions and other bodies at all levels of government (whether at or below the federal level) or persons or organizations to appear before it or to produce any document or record relevant to any investigation being conducted by the Commission.
6. The Commission may request a representative (whether of the federal government or of any federated state) or any person or organization to take part in its deliberations if and when necessary.

Functions of THE COMMISSION

1. The functions of the Commission shall be to:
 - a. monitor (through consultations and any other lawful means) the demonstration of respect for, the promotion of respect for and the securing of the effective observance of the "HR" (as this term is defined in [paragraph 8.1](#) of the main body of this document), the human rights enshrined in EU law and the human rights enshrined in international human rights agreements binding on CY (collectively, "**Human Rights**");
 - b. monitor (through consultations and any other lawful means) the evolution of relations between Greek, Turkish, Maronite, Armenian and Latin Cypriots; identify problems/failures in such relations, learn from them and recommend ways and means of resolving/not repeating same; identify successes in such relations and recommend ways and means of replicating same and building upon them;
 - c. monitor (through consultations and any other lawful means) the evolution of relations of Greek, Turkish, Maronite, Armenian and Latin Cypriots with the authorities of the federated state within which they usually reside (including

- municipalities and village councils); monitor (through consultations and any other lawful means) the participation of Greek, Turkish, Maronite, Armenian and Latin Cypriots in the cultural, economic, public and social affairs of the federated state within which they usually reside; identify problems/failures in such relations/participation, learn from them and recommend ways and means of resolving/not repeating same; identify successes in such relations/participation and recommend ways and means of replicating same and building upon them;
- d. monitor (through consultations and any other lawful means) the evolution of relations of Greek, Turkish, Maronite, Armenian and Latin Cypriots with the authorities of the federal government; monitor (through consultations and any other lawful means) the participation of Greek, Turkish, Maronite, Armenian and Latin Cypriots in the cultural, economic, public and social affairs of the country as a whole; identify problems/failures in such relations/participation, learn from them and recommend ways and means of resolving/not repeating same; identify successes in such relations/participation and recommend ways and means of replicating same and building upon them;
 - e. investigate, on its own initiative, or on a request made by any person or group of persons, any alleged violation of Human Rights by any organ, authority or person, exercising any executive, legislative or administrative authority in CY (whether at or below the federal level);
 - f. visit holding facilities, prisons and related facilities (whether at or below the federal level) with a view to assessing and inspecting conditions thereat and make recommendations to the relevant authorities, with the addressee(s) of such recommendations being obliged to take the latter into consideration;
 - g. establish a continuing programme of consultation, research, education and information to enhance: (i) the demonstration of respect for, the promotion of respect for and the securing of the effective observance of Human Rights (both at and below the federal level); (ii) fraternal relations between Greek, Turkish, Maronite, Armenian and Latin Cypriots; (iii) the participation and collaboration of Greek, Turkish, Maronite, Armenian and Latin Cypriots in the cultural, economic, public and social affairs of the federated states; and (iv) the participation and collaboration of Greek, Turkish, Maronite, Armenian and Latin Cypriots in the cultural, economic, public and social affairs of the country as a whole;
 - h. recommend to any organ, authority or person, exercising any executive, legislative or administrative authority in CY (whether at or below the federal level) measures to promote the matters set out in [points \(g\)\(i\)-\(iv\)](#), above, with the addressee(s) of such recommendations being obliged to take the latter into consideration;
 - i. express opinions or present advice to any organ, authority or person, exercising any executive, legislative or administrative authority in CY (whether at or below the federal level) on any of the matters set out in [points \(g\)\(i\)-\(iv\)](#), above, with the addressee(s) of such opinions or advice being obliged to take the latter into consideration;

Provided that it shall be obligatory to notify the Commission, in a timely manner, of the preparation (whether at or below the federal level) of any primary or secondary legislation which could impact on any of the matters set out in [points \(g\)\(i\)-\(iv\)](#), above;

- j. create and sustain within society awareness of the provisions of CY's Constitution;
 - k. educate the public vis-à-vis Human Rights and encourage the public to defend Human Rights;
 - l. formulate, implement and oversee programmes intended to inculcate in the citizens awareness of their civic responsibilities and understanding of their rights and obligations as citizens;
 - m. perform such other function as may be prescribed by federal law.
2. The Human Rights Commission shall publish periodic reports of its findings and submit annual reports to the federal legislature on the state of the matters set out in [points \(g\)\(i\)-\(iv\)](#) of paragraph 1 immediately above, with the federal legislature being obliged to take such annual reports into consideration.
 3. Subject to the preceding parts of this [Appendix 1](#), the functions, powers, and terms and conditions of service of the Head, Deputy Head, Members and employees of the Commission as well as matters concerning the budget of and procedures within the Commission shall be regulated by federal law.

APPENDIX 2

Establishment of THE INTER-HOUSE HUMAN RIGHTS COMMITTEE

1. There shall be established an Inter-House Human Rights Committee at the level of the federal legislature.
2. 1/4 of the members of the Committee will be members of the TCC serving as representatives in the federal Upper House of Parliament; 1/4 of the members of the Committee will be members of the TCC serving as representatives in the federal Lower House of Parliament; 1/4 of the members of the Committee will be members of the GCC serving as representatives in the federal Upper House of Parliament; and 1/4 of the members of the Committee will be members of the GCC serving as representatives in the federal Lower House of Parliament.

The members of the Committee shall be elected to the Committee by the federal House of Parliament in which they are serving as representatives.

3. The quorum in the Committee shall consist of 1/2 of the total number of seats thereon, and decisions therein shall be taken by simple majority of the total number of valid votes cast.
4. The Committee shall elect its own Chair and Vice-Chair, from within its ranks. The Chair and Vice-Chair shall not hail from the same Community. The Chair and Vice-Chair shall not belong to the same federal House of Parliament.
5. The Committee shall have power to issue summonses or other orders requiring representatives of relevant institutions and other bodies at all levels of government (whether at or below the federal level) or persons or organizations to appear before it or produce any document or record relevant to any investigation being conducted by the Committee.
6. The Committee may request a representative (whether of the federal government or of any federated state) or any person or organization to take part in its deliberations if and when necessary.

Functions of THE COMMITTEE

1. The functions of the Committee shall be to:
 - a. monitor (through consultations and any other lawful means) the operation of the Human Rights Commission;
 - b. act as the Human Rights Commission's point of contact with the federal legislature;
 - c. liaise with the Human Rights Commission on matters of mutual concern;
 - d. on behalf of the federal legislature, take into consideration any reports, recommendations, opinions or advice addressed to any one or both of the federal Houses of Parliament by the Human Rights Commission, and make recommendations as to the federal legislature's response to such reports, recommendations, opinions or advice;

- e. monitor (through consultations and any other lawful means) the demonstration of respect for, the promotion of respect for as well as the securing of the effective observance of Human Rights (as this term is defined in [paragraph 1\(a\) of Appendix 1](#) of this document) throughout CY;
 - f. monitor (through consultations and any other lawful means) the evolution of relations between Greek, Turkish, Maronite, Armenian and Latin Cypriots; identify problems/failures in such relations, learn from them and recommend ways and means of resolving/not repeating same; identify successes in such relations and recommend ways and means of replicating same and building upon them;
 - g. monitor (through consultations and any other lawful means) the evolution of relations of Greek, Turkish, Maronite, Armenian and Latin Cypriots with the authorities of the federal government; monitor (through consultations and any other lawful means) the participation of Greek, Turkish, Maronite, Armenian and Latin Cypriots in the cultural, economic, public and social affairs of the country as a whole; identify problems/failures in such relations/participation, learn from them and recommend ways and means of resolving/not repeating same; identify successes in such relations/participation and recommend ways and means of replicating same and building upon them;
 - h. request the Human Rights Commission to investigate and report on any alleged violation of Human Rights by any organ, authority or person, exercising any executive, legislative or administrative authority in CY (whether at or below the federal level);
 - i. request the Human Rights Commission to investigate and report on conditions prevailing at holding facilities, prisons and related facilities in CY (whether at or below the federal level).
2. The Committee shall publish periodic and annual reports regarding its work (including any recommendations it may have) and shall submit same to both of the federal Houses of Parliament, which shall be obliged to take such reports into consideration.
 3. The addressees of any recommendations made by the Committee shall be obliged to take such recommendations into consideration.
 4. Subject to the preceding parts of this [Appendix 2](#), matters concerning the staff that shall be serving the Committee as well as matters concerning the resources of and procedures within the Committee, shall be regulated by the internal rules governing relations between the two Houses of Parliament.

APPENDIX 3

TRANSITIONAL PROVISIONS

Definitions and sundry matters

1.
 - a. For the purposes of this [Appendix 3](#), the term “**law in force**” means any instrument considered as having force and effect as law—whether primary, secondary or other—by those authorities which, immediately before the time of the coming into effect of CY’s Constitution (“**T-O**”), will have been exercising effective control either in the areas lying south or in the areas lying north of the TFCFL, respectively.
 - b. For the purposes of this [Appendix 3](#), those authorities which, immediately before T-O, will have been exercising effective control in the areas lying south of the TFCFL shall be referred to as the “**authorities in the south**”/“**AiS**”:
 - c. For the purposes of this [Appendix 3](#), those authorities which, immediately before T-O, will have been exercising effective control in the areas lying north of the TFCFL shall be referred to as the “**authorities in the north**”/“**AiN**”.
 - d. In respect of the AiS, the term “law in force” shall not include any instrument repealed by the AiS prior to the point in time in relation to which the term “law in force” is used in each case.
 - e. In respect of the AiN, the term “law in force” shall not include any instrument repealed by the AiN prior to the point in time in relation to which the term “law in force” is used in each case.
 - f. For the purposes of this [Appendix 3](#) the term “**relevant provision**” means any provision of any “law in force”.
 - g. For the purposes of this [Appendix 3](#), the terms “adaptation(s) and modification(s)” shall be deemed to include “exceptions” and “qualifications”.
 - h. [Paragraphs 2-16](#) of this [Appendix 3](#) shall be interpreted and applied subject to the main body of this document and to paragraphs 17-18 hereof. Thus, in case of any inconsistency between, on the one hand, any of paragraphs 2-16 of this [Appendix 3](#), and, on the other hand, the main body of this document and/or any of paragraphs 17-18 hereof, the latter shall prevail over the former.
 - i. CY’s federal legislature may adopt federal primary legislation for the purpose of resolving any difficulty which might arise in the course of the application of the provisions of this [Appendix 3](#).

Repealed Law

2. In so far as
 - the subject matter to which any law in force (or any relevant provision) existing immediately before T-O pertains,

- falls—at least predominantly—within the exclusive or shared competence of CY’s federal government,

such law in force (or relevant provision) shall be considered to have been repealed at T-O (the “**Repealed Law**”):

Provided that, subject to the remaining provisions, below, of this [Appendix 3](#), any act committed prior to T-O under any Repealed Law of which the subject («υποκείμενο») or object («αντικείμενο») was any institution/official/functionary either of the AiS or of the AiN, shall, in the period starting with T-O and thereafter (the “**New Period**”), be deemed to have had as its subject or object, as applicable, the federal government of CY per se or a corresponding institution of the federal government of CY or a corresponding official/functionary of the federal government of CY.

Provided further that where any interpretation and/or application of the Repealed Law might be required in the New Period, as from T-O the Repealed Law shall be interpreted and applied with such adaptations and modifications as may be necessary or appropriate to achieve the twin objectives, firstly, of bringing it into conformity with CY’s Constitution and, secondly, of avoiding effects/results which, in the context of the state of affairs arising from the coming into effect of CY’s Constitution, would be inconsistent with CY’s Constitution in any way, or absurd or paradoxical (collectively, the “**Desired Objectives**”). To the extent that, despite such manner of interpretation and/or application, the Desired Objectives cannot be achieved, the Repealed Law shall not be considered as having any force or effect in the New Period.

Continuing Law

3. In so far as

- the subject matter to which any law in force (or any relevant provision) existing immediately before T-O pertains,
- does not fall—at least predominantly—within the exclusive or shared competence of CY’s federal government,

such law in force (or relevant provision) shall continue in force and effect in the New Period and shall, in the New Period, have force and effect as if it had been made under CY’s Constitution, until varied or repealed or replaced by a competent authority in CY (the “**Continuing Law**”):

Provided that, subject to the remaining provisions, below, of this [Appendix 3](#), any act committed prior to T-O under any Continuing Law falling within the scope of [point \(a\)](#), immediately below, of which the subject or object was any institution/official/functionary of the AiS, shall, in the New Period, be deemed to have had as its subject or object, as applicable, the GCCS per se or a corresponding institution of the GCCS or a corresponding official/functionary of the GCCS.

Provided further that, subject to the remaining provisions, below, of this [Appendix 3](#), any act committed prior to T-O under any Continuing Law falling within the scope of [point \(b\)](#), immediately below, of which the subject or object was any institution/official/functionary of the AiN, shall, in the New Period, be deemed to have had as its subject or

object, as applicable, the TCCS per se or a corresponding institution of the TCCS or a corresponding official/functionary of the TCCS.

Provided lastly that:

- a. Any Continuing Law which, immediately before T-O, was considered as being law in force by the AiS, shall, in the New Period, continue in force and effect as law of the GCCS.
 - b. Any Continuing Law which, immediately before T-O, was considered as being law in force by the AiN, shall, in the New Period, continue in force and effect as law of the TCCS.
 - c. Any powers vested in any institution/official/functionary, by any Continuing Law continuing as law of the GCCS, shall be deemed to vest in a corresponding institution/official/functionary of the GCCS.
 - d. Any powers vested in any institution/official/functionary, by any Continuing Law continuing as law of the TCCS, shall be deemed to vest in a corresponding institution/official/functionary of the TCCS.
 - e. Any institution existing as a court immediately before T-O shall, if so existing under any Continuing Law continuing as law of the GCCS, keep functioning as a court of the GCCS.
 - f. Any institution existing as a court immediately before T-O shall, if so existing under any Continuing Law continuing as law of the TCCS, keep functioning as a court of the TCCS.
4. As from T-O, the Continuing Law shall be interpreted and applied with such adaptations and modifications as may be necessary or appropriate to achieve the Desired Objectives. To the extent that, despite such manner of interpretation and/or application, the Desired Objectives cannot be achieved, the Continuing Law shall not be considered as having any force or effect in the New Period.
 5. In any case, as from T-O, any provision/part, as applicable, of any Continuing Law which is in any way inconsistent with CY's Constitution, shall, to the extent of such inconsistency, not be considered as having any force or effect in the New Period.

Relevant Administrative or Judicial Acts

6. Any act or omission in the nature of an administrative act or omission (including any act comprising the issuing of any administrative/regulatory/supervisory approval, certification, clearance, licence, permit or registration and any administrative act comprising the bestowal of legal personality upon an entity) or in the nature of a judicial act or omission which, prior to T-O, had been committed by an institution/official/functionary either of the AiS or of the AiN (hereafter referred to as the “**Relevant Administrative or Judicial Act/Omission**”) shall, in the New Period, and subject to paragraphs 7 and 8 below, be treated as if it had been an act or omission committed by the corresponding federal government/federated state institution/official/functionary established by or under CY's Constitution:

Provided that, subject to [paragraphs 7 and 8](#) below, any Relevant Administrative or Judicial Act/Omission which, before T-O, had become non-investigable, non-prosecutable, non-actionable, non-reviewable or non-challengeable/non-disputable (collectively, “**Non-investigable Etc.**”) according to the law in force in the areas that, at the relevant time, were being effectively controlled by the authorities that had committed such Act/Omission, shall remain Non-investigable Etc. in the New Period as well.

7. In so far as concerns any Relevant Administrative or Judicial Act/Omission, the following shall apply subject to [paragraph 8](#) below:
 - a. In so far as the subject matter to which the Relevant Administrative or Judicial Act/Omission pertains falls, at least predominantly, within the exclusive or shared competence of CY’s federal government, and/or in so far as the Relevant Administrative or Judicial Act/Omission was committed under any Repealed Law, such Act/Omission shall, in the New Period, and subject to [paragraph 8](#) below, be treated as if it had been an act or omission committed by the corresponding federal government institution/official/functionary established by or under CY’s Constitution.
 - b. In so far as the subject matter to which the Relevant Administrative or Judicial Act/Omission pertains does not fall, at least predominantly, within the exclusive or shared competence of CY’s federal government, and/or in so far as the Relevant Administrative or Judicial Act/Omission was committed under any Continuing Law, such Act/Omission shall, in the New Period, and subject to [paragraph 8](#) below, be treated as if it had been an act or omission committed by the corresponding institution/official/functionary of the relevant federated state, as such institution/official/functionary will have been established by or under CY’s Constitution.
8. As from T-O, [paragraphs 4-5](#), above, shall apply, mutatis mutandis, to every Relevant Administrative or Judicial Act/Omission.

Relevant Rights or Obligations

9. Any right (including (i) any right arising from contract or otherwise and (ii) any interest arising from contract or otherwise, such as, indicatively but not exhaustively, any ownership interest in any tangible or intangible asset) or obligation (including any liability or other obligation arising from contract or otherwise) which, immediately prior to T-O, was—under the law in force in the areas lying south or in the areas lying north of the TFCFL—recognized as being a right or an obligation of a legal nature, (the “**Relevant Right or Obligation**”), shall, in the New Period, and subject to [paragraphs 10 and 11](#), below, be treated as if it had been a legal right or a legal obligation that had arisen in the context of the legal order («έννομη τάξη») established by or under CY’s Constitution:

Provided that, subject to [paragraphs 10 and 11](#), below, any Relevant Right or Obligation which—according to the law in force under which it had come to be recognized as a right or an obligation of a legal nature—had become Non-investigable Etc. before T-O, shall remain Non-investigable Etc. in the New Period as well.

10. In so far as concerns any Relevant Right or Obligation which, immediately before T-O, was, according to the law in force under which it had come to be recognized as a right or an obligation of a legal nature, a legal right or a legal obligation of the AiS or of the AiN, as applicable, the following shall apply subject to paragraph 11 below:
- a. In so far as the subject matter to which the Relevant Right or Obligation pertains falls, at least predominantly, within the exclusive or shared competence of CY's federal government, as from T-O the Relevant Right or Obligation shall be deemed to vest in the federal government of CY per se or in a corresponding institution of the federal government of CY or in a corresponding official/functionary of the federal government of CY, as applicable.
 - b. In so far as the subject matter to which the Relevant Right or Obligation pertains does not fall, at least predominantly, within the exclusive or shared competence of CY's federal government, as from T-O the Relevant Right or Obligation shall be deemed to vest in the corresponding federated state per se or in a corresponding institution of the relevant federated state or in a corresponding official/functionary of the relevant federated state, as applicable.
 - c. Notwithstanding [points \(a\)](#) and [\(b\)](#), immediately above:
 - (i) In so far as the Relevant Right or Obligation pertains to what amounts to a monetary loan where the "State of Cyprus" / the "Republic of Cyprus" / the "Cypriot Government" / the "Government of Cyprus" / the "Government of the Republic of Cyprus" appears as a/the primary obligor («πρωτοφειλέτης») and/or as a/the guarantor («εγγυητής»), as from T-O the Relevant Right or Obligation shall be deemed to vest in the federal government of CY per se.
 - (ii) In so far as the Relevant Right or Obligation pertains to what amounts to a monetary loan where the "Turkish Republic of Northern Cyprus" / the "TRNC" / the "Central Bank of the Turkish Republic of Northern Cyprus" / the "Central Bank of the TRNC" / the "Government of the Turkish Republic of Northern Cyprus" / the "Government of the TRNC" / the "TRNC Government" appears as a/the primary obligor and/or as a/the guarantor, as from T-O the Relevant Right or Obligation shall be deemed to vest in the federal government of CY per se.
11. As from T-O, [paragraphs 4-5](#), above, shall apply, mutatis mutandis, to every Relevant Right or Obligation.

Federal, GCCS AND TCCS Functionaries

- 12.
- a. All individuals who,
 - on Constitution Day, become Functionaries (whether "elected" or "appointed") of the federal government of CY and
 - immediately prior to T-O held any office/position/function (whether "elected" or "appointed") either with the AiS or with the AiN,
 shall, as from the ultimate moment immediately preceding T-O, be considered to have voluntarily resigned from such office/position/function with the AiS or with

the AiN, as applicable. In this context, and without limitation to the generality of the preceding sentence, it is hereby clarified that if, on Constitution Day, any such individual becomes a Functionary (whether “elected” or “appointed”) of the federal government of CY, this shall not be considered a continuation of his/her pre-T-O holding of any “elected” or “appointed” office/position/function with the AiS or with the AiN, as applicable.

- b. Upon becoming Functionaries of the federal government of CY, the relevant individuals shall become entitled to such remuneration and benefits and to such rights as shall be provided for under CY’s Constitution and/or under federal primary legislation and/or under federal secondary legislation.

13.

- a. With the exception of any individuals falling within the scope of [paragraph 12](#), above, all individuals who
 - immediately prior to T-O
 - held any “appointed” (as opposed to “elected”) office/position/function with the AiS (including, for the avoidance of doubt, any individuals serving as judges),
 shall, as from T-O, be considered to be continuing as “appointed” Functionaries of the GCCS (including, for the avoidance of doubt, as judges of that federated state) and shall thereafter be entitled to such remuneration and benefits and to such rights as shall be provided for under the Constitution of the GCCS and/or under the primary legislation of the GCCS and/or under the secondary legislation of the GCCS.
- b. With the exception of any individuals falling within the scope of [paragraph 12](#), above, all individuals who
 - immediately prior to T-O
 - held any “appointed” (as opposed to “elected”) office/position/function with the AiN (including, for the avoidance of doubt, any individuals serving as judges),
 shall, as from T-O, be considered to be continuing as “appointed” Functionaries of the TCCS (including, for the avoidance of doubt, as judges of that federated state) and shall thereafter be entitled to such remuneration and benefits and to such rights as shall be provided for under the Constitution of the TCCS and/or under the primary legislation of the TCCS and/or under the secondary legislation of the TCCS.
- c. The provisions of this [paragraph 13](#) shall be without prejudice to any powers conferred by or under any federated state’s Constitution and/or its primary legislation and/or its secondary legislation, to abolish any offices/positions/functions and to remove any persons therefrom.

- 14. All individuals who, immediately prior to T-O, held any “elected” (as opposed to “appointed”) office/position/function, *above the level of local government*, either with the AiS or with the AiN, shall, as from the ultimate moment immediately preceding T-O, be considered to have voluntarily resigned from such office/position/function. In this context, and without limitation to the generality of the preceding sentence, it is hereby clarified that if such an individual then becomes a Functionary of the federal government

of CY or of any federated state therein, this shall not be considered a continuation of his/her pre-T-O holding of any “elected” office/position/function.

15.

- a. This paragraph 15 shall apply in respect of those individuals, whether living or deceased, who will have held any office/position/function (whether “elected” or “appointed”) either with the AiS or with the AiN at any point prior to Constitution Day.
- b. Any personal Relevant Rights or Obligations of such individuals (or their relatives, as applicable)¹ in connection with any such office/position/function held by those individuals with the AiS at any point prior to Constitution Day, shall apply vis-à-vis the GCCS only and not the federal government.

Conversely, any personal Relevant Rights or Obligations of such individuals (or their relatives, as applicable) in connection with any such office/position/function held by those individuals with the AiN at any point prior to Constitution Day, shall apply vis-à-vis the TCCS only and not the federal government.

Pending Proceedings

16. All proceedings which

- immediately prior to T-O
- were pending in any authority (including any court) in the areas lying south or in the areas lying north of the TFCFL which authority was exercising jurisdiction in accordance with the law in force there,

shall, in the New Period, be continued before and determined by the corresponding competent authority (including any court) of the GCCS or of the TCCS, as applicable, as if such GCCS or TCCS authority had already been duly constituted when those proceedings had been instituted, and any decision rendered by such authority in those proceedings shall, for the purposes of its application and/or its recognition and/or its enforcement and/or its judicial/extra-judicial contestation/disputation, be treated as if it had been a decision of a competent authority established by or under CY’s Constitution:

Provided that where, in light of the separation of competences between the federal government and the federated states, the GCCS or the TCCS, as applicable, lacks a corresponding competent authority that may continue and determine the pending proceedings, the latter shall be continued before and determined by the relevant competent authority of the federal government as if such federal authority had already been duly constituted when those proceedings had been instituted.

Provided further that, to the extent that the continuation of any proceedings as aforesaid would generate effects/results which, in the context of the state of affairs arising from the coming into effect of CY’s Constitution, would be inconsistent with CY’s Constitution in any way, or absurd or paradoxical, such proceedings shall cease.

¹ For example, pension rights.

Existing International Agreements

17. Subject to [paragraph 7.3.3](#) under the heading “**GOVERNANCE**” of the main body of this document, despite the repeal of the Repealed Law:
 - a. The international agreements continuing to bind CY at T-O shall solely be those that will have already been binding on the State of Cyprus immediately prior to T-O.
 - b. All international agreements referred to in paragraph 17(a), above, shall have the same status and be accorded the same treatment as any other international agreements that may be entered into by CY in the future.

Saving

18. Notwithstanding anything contained in this [Appendix 3](#):
 - a. CY (including the federal government, the GCCS and the TCCS) shall neither have any rights nor any obligations (including any liabilities) vis-à-vis any foreign State (including any SNEFS or any national entity of any foreign State), any Type 1 Organization or any Type 2 Organization, (collectively, the “**Foreign Entities**”), arising out of the acts (including any contracts) or omissions of the AiN (collectively, “**AiN’s Acts/Omissions**”).
 - b. CY (including the federal government, the GCCS and the TCCS) shall neither have any rights nor any obligations (including any liabilities) vis-à-vis any person to the extent that, on the one hand, such rights or obligations originated as rights or obligations vis-à-vis any Foreign Entities, and, on the other hand, such rights or obligations arose out of AiN’s Acts/Omissions.
 - c. CY shall not be subject to any cancellation, limitation, restriction or prejudice of/to its independence, sovereignty, sovereign rights, territorial integrity, unity, constitutional order or security, to the extent that such cancellation, limitation, restriction or prejudice purportedly arises out of AiN’s Acts/Omissions.
 - d. Nothing contained in this [Appendix 3](#) or in CY’s Constitution at large, may be interpreted as recognizing in any way the validity of any authorities exercising effective control, at any point prior to T-O, in any part of the territory of CY, which authorities would not otherwise have been recognized as valid under international law.
 - e. To the extent that the application of the provisions of this [Appendix 3](#) may lead to two or more results that are inconsistent with each other, the result most in line with international law (without taking the provisions of this [Appendix 3](#) into consideration) shall prevail.
 - f. In the New Period, no Repealed Law, no Continuing Law, no Relevant Administrative or Judicial Act/Omission, no Relevant Right or Obligation and no pending proceedings may be recognized as valid, in any way, in so far as same constitutes/constituted, or arose out of, or has/had its/their basis in:

- (i) any crime of universal jurisdiction;
- (ii) any violation of any of the human rights enshrined in or under any of the international agreements referred to in [paragraph 17\(a\)](#), above; or
- (iii) any violation of any of the rules of international humanitarian law to the extent that such violation consisted of any act above and beyond the mere fact of purportedly varying the legal order which, on 14 July 1974, was in force in the areas currently lying north of the TFCFL.

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Resolutions of the General Assembly of the United Nations

Resolution 3212 (XXIX) (1974)³

Resolutions of the Security Council of the United Nations⁴

Resolution 186 (1964)

Resolution 367 (1975)

Resolution 541 (1983)

¹ Unless otherwise indicated, all of the Agreements referred to here are available on-line at: <https://www.gov.cy/pio/en/documents/agreements/>

² <https://www.foreignaffairs.gr/pdf-files/Joint-Declaration.pdf>

³ <https://www.gov.cy/pio/en/documents/important-general-assembly-resolutions/>

⁴ Unless otherwise indicated, all of the United Nations Security Council Resolutions referred to here are available on-line at:

<https://www.gov.cy/pio/en/documents/important-security-council-resolutions/>

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Re “GOVERNANCE”: Materials relevant to the concept of “*effective participation*” of groups in decisions and decision-making organs of States

United Nations

1992 *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities*⁷

2005 *Commentary of the Working Group on Minorities to the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities*⁸

2024 *Institutional designs promoting minorities’ effective participation towards diverse and inclusive societies - Report of the [UN] Special Rapporteur on Minority Issues, Nicolas Levrat*⁹

⁵ The following two points are especially worthy of note in respect of Resolution 716 (1991):

(1) The Secretary General’s Report of 8 March 1990 referred to in paragraph 4 of Resolution 716 (1991) (“the solution to the Cyprus problem is based on one State of Cyprus comprising two politically equal communities as defined by the Secretary General in the eleventh paragraph of annex I to his report of 8 March 1990”) is available on-line at: <https://digitallibrary.un.org/record/87130?v=pdf>

The relevant paragraph (paragraph 11) in “Annex I” of that Report reads as follows:

“The political equality of the two communities in and the bi-communal nature of the federation need to be acknowledged. While political equality does not mean equal numerical participation in all federal government branches and administration, it should be reflected *inter alia* in various ways: in the requirement that the federal constitution of the State of Cyprus be approved or amended with the concurrence of both communities; in the effective participation of both communities in all organs and decisions of the federal Government; in safeguards to ensure that the federal Government will not be empowered to adopt any measures against the interests of one community; and in the equality and identical powers and functions of the two federated States.”

(2) Resolution 716 (1991) was most recently directly referred to in Resolution 2771 (2025). According to paragraph 3 of Resolution 716 (1991) “the fundamental principles of a Cyprus settlement are [*inter alia*] the sovereignty of the Republic of Cyprus”. This reference confirms that in the context of the Cyprus settlement the Republic of Cyprus will not cease to exist but will acquire the status of a bi-zonal, bi-communal federal republic.

⁶ <https://digitallibrary.un.org/record/4073955?ln=en&v=pdf>

⁷ <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-rights-persons-belonging-national-or-ethnic#:~:text=their%20own%20associations.,Persons%20belonging%20to%20minorities%20have%20the%20right%20to%20establish%20and,are%20related%20by%20national%20or>

⁸ <https://digitallibrary.un.org/record/547650?v=pdf>

⁹ <https://www.ohchr.org/en/documents/thematic-reports/a79169-institutional-designs-promoting-minorities-effective>

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*Constitution of the Republic of Cyprus*¹⁵, Articles 187-199

*Constitution of India*¹⁶, Articles 372-376 and 392

*Constitution of the Republic of Namibia*¹⁷, Chapter 20 and Article 145

*Constitution of the Democratic Republic of Timor-Leste*¹⁸, Part VII

*The Zimbabwe Constitution (Transitional, Supplementary and Consequential Provisions) Order 1980*¹⁹

¹⁰ <https://rm.coe.int/16800c10cf>

¹¹ <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800bc7e8>

¹² <https://cdn.osce.org/sites/default/files/f/documents/O/9/32240.pdf>

¹³ <https://www.csce.gov/international-impact/lund-recommendations-20-years-later>

The 2001 “Ohrid Agreement” which ended the ethnic conflict in North Macedonia and which, according to Lentz, “built off the established approach of the Lund Recommendations”, is also available on-line at <https://www.osce.org/skopje/100622>

¹⁴ The fact that the northern part of the Republic of Cyprus is under illegal foreign (i.e. Turkish) occupation is confirmed by, inter alia, UN Security Council Resolution 550 (1984) (the Preamble of which speaks of “the occupied part of the Republic of Cyprus”) and paragraph 114 of the European Court of Human Rights’ 1 March 2010 Admissibility Decision in *Demopoulos a.o. v. Turkey* (where the Court observed that “it goes without saying that Turkey is regarded by the international community as being in illegal occupation of the northern part of Cyprus”).

¹⁵ https://www.olc.gov.cy/olc/olc.nsf/translationsen_en/translationsen_en?openDocument

¹⁶ <https://www.legislative.gov.in/static/uploads/2025/07/ca7ce5c746fa7480804bbdeb6cb704f0.pdf>

¹⁷ <https://www.lac.org.na/laws/annoSTAT/Namibian%20Constitution.pdf>

¹⁸ https://timor-leste.gov.tl/wp-content/uploads/2010/03/Constitution_RDTL_ENG.pdf

¹⁹ https://www.legislation.gov.uk/ukxi/1980/395/pdfs/ukxi_19800395_en.pdf

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²⁰ <https://www.icj-cij.org/sites/default/files/case-related/131/131-20040709-ADV-01-00-EN.pdf>

²¹ <https://2001-2009.state.gov/documents/organization/99774.pdf>

²² https://www.ohchr.org/sites/default/files/Documents/Publications/pinheiro_principles.pdf

²³ <https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-jud-01-00-en.pdf>

