

**Arrangement between the Government of the Republic of Cyprus and the Government of the United Kingdom of Great Britain and Northern Ireland relating to the regulation of development in the Sovereign Base Areas**

The Government of the Republic of Cyprus and the Government of the United Kingdom of Great Britain and Northern Ireland, jointly referred to as 'the Governments',

RECALLING the Exchange of Notes between the Governments concerning the administration of the Sovereign Base Areas, dated 16 August 1960, and the declaration attached thereto ('The Declaration') by the Government of the United Kingdom of Great Britain and Northern Ireland;

NOTING that Her Majesty's Government declared in the Declaration that the main objects to be achieved were:

- (1) Effective use of the Sovereign Base Areas as military bases;
- (2) Full co-operation with the Republic of Cyprus;
- (3) Protection of the interests of those resident or working in the Sovereign Base Areas;

NOTING the strongly expressed desire of the residents of the Sovereign Base Areas ("SBAs") for greater flexibility in relation to non-military development;

NOTING the view of the Government of the United Kingdom of Great Britain and Northern Ireland that this desire can be addressed within the spirit of the Declaration and in a way compatible with its military needs;

NOTING the strong wish of the Governments to work closely together to respond to that desire;

CONSIDERING that certain elements of the Declaration, including in relation to non-military development, need to be adjusted to give better effect to the main objects of the Declaration;

HAVE REACHED the following Arrangement regarding non-military development in the SBAs:

**SECTION 1**

- (a) The competent authorities of the Republic of Cyprus, in consultation with and subject to the consent of the competent authorities of the SBA administration, will define planning zones and relevant planning policies for the areas mentioned in Section 1 of Annex A of the Treaty Concerning the Establishment of the Republic of Cyprus ('Treaty of Establishment'), with the exception of land designated as military sites, being that land that is owned or leased by or on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland (as distinct from the SBA administration) as indicatively shown on the attached maps.

- (b) Where the Government of the United Kingdom of Great Britain and Northern Ireland decides to dispose of land which is designated as a military site or gives up its lease thereto, the said land will cease being designated as a military site and will be subject to the relevant provisions of this Arrangement. Where new land is acquired or leased by the Government of the United Kingdom of Great Britain and Northern Ireland in the SBAs, it will be designated as a military site and will be excluded from the relevant provisions of this Arrangement.
- (c) The Government of the Republic of Cyprus may, in exceptional cases of public interest, request the inclusion in the planning zones and relevant planning policies as provided for in Section 1(a) of land which is exempted therefrom and the Government of the United Kingdom of Great Britain and Northern Ireland will give sympathetic consideration to this request, taking into consideration its military requirements.

## **SECTION 2**

Subject to the provisions of Section 1, the procedures normally implemented in the Republic of Cyprus for the determination or the amendment of planning zones and planning policies will be applied for the purposes of defining or amending the planning zones and planning policies mentioned in that Section, in particular as regards the participation of local authorities and the general public, in order to promote the principles of transparency and public participation.

## **SECTION 3**

The competent authorities of the Republic of Cyprus that will undertake the planning procedure, in consultation with the SBA administration, will have the full support of the SBA administration, where appropriate, including the provision of available data, plans, maps and other information needed for the purpose of preparing the planning zones and planning policies as set out in Section 1.

## **SECTION 4**

Planning zones and policies defined in accordance with Sections 1 and 2 will be given effect, as necessary, through SBA legislation and will be published.

## **SECTION 5**

The competent authorities of the Republic of Cyprus will consider and grant or refuse building and land parcellation permits under the relevant SBA legislation, subject to the prior consent of the competent authorities of the SBA administration, and investigate compliance and non-compliance with that legislation. Consideration of the planning aspects of individual development or building proposals will also be undertaken by the competent authorities of the Republic of Cyprus, in accordance with SBA legislation.

## **SECTION 6**

The Government of the United Kingdom of Great Britain and Northern Ireland will not itself set up civilian commercial or industrial enterprises except in so far as these are connected with military requirements but the establishment within the SBAs of civilian commercial or industrial enterprises will be allowed where consistent with the planning zones and planning policies set out in Section 1 and with any other relevant law in the SBAs. The Government of the United Kingdom of Great Britain and Northern Ireland will also give sympathetic consideration to any proposals from the Government of the Republic of Cyprus to establish public utilities or other public services in the SBAs.

## **SECTION 7**

(a) Citizens of the Republic of Cyprus will continue to have the right to own land in the SBAs.

(b) The SBA administration will accord other EU nationals and nationals of third countries the right to own land in the SBAs on, as far as is possible, the same basis as those rights are accorded to such persons in the Republic of Cyprus. The Land Registry of the Republic of Cyprus will continue to perform in relation to land within the SBAs all the functions that it currently performs.

(c) There will continue to be freedom of access to the SBAs to the extent envisaged in the Declaration and in compliance with relevant EU obligations. The SBA administration will permit persons to remain within the SBAs, other than for temporary purposes, only in so far as those persons are permitted to remain in the Republic of Cyprus, unless exceptional circumstances require otherwise.

## **SECTION 8**

(a) The Republic of Cyprus will, for all persons within the SBAs (other than Excluded Persons), provide public services provided for Cypriots within the SBAs and perform administrative duties performed for Cypriots within the SBAs on the basis set out in Paragraph 4 of the Declaration.

(b) Arrangements will be made to enable legal proceedings concerning civil rights and obligations in which none of the parties are Excluded Persons to take place within the Courts of the Republic, and for the enforcement within the SBAs of the judgments and orders of such Courts in such proceedings.

(c) Arrangements will also be made to enable certain criminal proceedings in which neither the complainant nor the accused is an Excluded Person to be tried by the Courts of the Republic.

(d) Persons tried in the Courts of the Republic in pursuance of such arrangements will, if convicted and sentenced to imprisonment, serve their sentences in the prisons of the Republic.

(e) The Government of the Republic of Cyprus and the SBA administration will also examine what further measures might assist in ensuring the effective operation of the criminal justice system across the jurisdictions of the Republic and the SBAs.

(f) The Republic of Cyprus will, as far as possible, accord all persons within the SBAs (other than Excluded Persons) the same rights to vote and to stand as a candidate in elections as would be accorded were they within the Republic of Cyprus.

(g) In this Section an “Excluded Person” means any person who is not a citizen of the Republic of Cyprus and is in the SBAs by reason only of the use of the SBAs as military bases by the United Kingdom of Great Britain and Northern Ireland.

## **SECTION 9**

Any new requirements for public infrastructure arising in the planning zones and from planning policies defined in accordance with Section 1, including but not limited to public roads, public utility services and public green spaces, and the maintenance thereof, will be undertaken by the Republic of Cyprus. Where this infrastructure is necessary for the military requirements of the UK, the expenditure will be shared fairly between the Governments. Where public infrastructure is not necessary for UK military purposes but a benefit may arise, the Governments will consider how to share fairly the expenditure.

## **SECTION 10**

(a) Where the Government of the United Kingdom and/or the SBA administration is, as a result of a Court decision which has become final, called upon to pay to any third party compensation or damages as a result of a decision, act or omission in which officers, authorities or bodies of the Republic of Cyprus have participated when carrying out functions arising out of this Arrangement on behalf of the SBA administration, the Government of the Republic of Cyprus will indemnify the Government of the United Kingdom and/or the SBA administration, as applicable, up to a level which is fair under the circumstances.

(b) Where the Government of the Republic of Cyprus, the Government of the United Kingdom of Great Britain and Northern Ireland or the SBA administration becomes aware of any proceedings or likely proceedings which may give rise to a payment which the Government of the Republic of Cyprus should indemnify, there will be full co-operation between them as regards the conduct of any proceedings or the response to such a claims and in particular on the appropriate amount (if any) of any compensation claimed or paid or expenses incurred.

## **SECTION 11**

(a) The Declaration by Her Majesty’s Government regarding the Administration of the Sovereign Base Areas, which was the subject of an exchange of notes between the Governments on 16<sup>th</sup> August 1960, will continue to the extent that its provisions are not incompatible with those of the present Arrangement.

(b) This Arrangement is not to be interpreted so as to conflict with any international obligations of the United Kingdom of Great Britain and Northern Ireland in respect of the SBAs.

(c) Except where otherwise expressly provided or where the context so requires, terms defined in the Treaty of Establishment have the same meaning when used in this Arrangement.

## **SECTION 12**

A Joint Cooperation Committee will be established to enable ongoing consultation and facilitate co-operation to ensure the effective implementation of this Arrangement.

## **SECTION 13**

Any dispute arising between the Governments concerning the interpretation or the implementation of this Arrangement will be settled first through negotiations within the Joint Cooperation Committee or, failing that, through negotiation between the Governments.

## **SECTION 14**

This Arrangement may be amended at any time by the mutual written consent of the Governments.

## **SECTION 15**

The present Arrangement will enter into effect upon signature.

IN WITNESS whereof, the undersigned, being duly authorized thereto by their respective Governments, have signed this Arrangement.

Signed in duplicate in London this 15<sup>th</sup> day of January 2014 in the English language.

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For the Government of the  
Republic of Cyprus

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For the Government of the United Kingdom  
of Great Britain and Northern Ireland