

## **CYPRUS 2014 HUMAN RIGHTS REPORT**

Since 1974 the southern part of Cyprus has been under the control of the government of the Republic of Cyprus, while the northern part, administered by Turkish Cypriots, proclaimed itself the “Turkish Republic of Northern Cyprus” (“TRNC”) in 1983. The United States does not recognize the “TRNC,” nor does any country other than Turkey. A substantial number of Turkish troops remained on the island. A buffer zone, or “Green Line,” patrolled by the UN Peacekeeping Force in Cyprus (UNFICYP), separates the two parts.

### **REPUBLIC OF CYPRUS**

#### **EXECUTIVE SUMMARY**

The Republic of Cyprus is a constitutional republic and multi-party presidential democracy. In 2013 voters elected President Nicos Anastasiades in free and fair elections. In 2011 voters elected 56 representatives to the 80-seat House of Representatives (Vouli Antiprosopon) in free and fair elections. Authorities maintained effective control over the security forces.

The most significant problems during the year remained trafficking in persons for sexual exploitation and labor; police abuse and degrading treatment of persons in custody and asylum seekers; and violence against women, including spousal abuse.

Other problems included prison overcrowding, lack of full access to and administration of some religious sites, incidents of violence against children, and instances of discrimination and violence against members of minority ethnic and national groups.

The government investigated and prosecuted corruption and abuse cases against officials.

#### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

##### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that the government or its agents committed arbitrary or unlawful killings during the year.

##### **b. Disappearance**

There were no reports of politically motivated disappearances, abductions, or kidnappings during the year.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices. There were reports, however, that police abused detainees. Reports continued that police engaged in heavy-handed tactics and degrading treatment of suspects.

There were several allegations of police abuse during the year. On July 19, the *Phileleftheros* newspaper reported that an investigator, appointed by the Independent Authority to examine the complaint of a man who lost an eye in scuffles with police during a soccer match in December 2013, concluded that an unidentified police officer hit the complainant with a baton. Police maintained that the complainant was injured when he fell on the ground and charged him with assaulting police officers. The Attorney General's Office was investigating the case at year's end.

In December the Council of Europe's Committee for the Prevention of Torture (CPT) released the report on its September-October 2013 visit to the country. In the report the CPT noted receiving a number of allegations that police mistreated persons in custody, mostly foreign nationals, during transport or interviews at a police station. Alleged mistreatment consisted primarily of slaps, punches, and kicks to the head and other parts of the body and mainly involved members of the immigration and aliens police and the Crime Investigation Department. The CPT gathered medical and other evidence that was consistent with the allegations. In one of several similar examples in the report, the CPT cited the case of a man who was arrested in September 2013, handcuffed behind his back, and taken to the Paphos Gate police station in Nicosia. At the station a group of seven officers allegedly punched and kicked the man, and one officer hit him with a stick on the left side of his face. The CPT noted the mistreatment appeared aimed at coercing the man to sign a statement. Under medical examination the man displayed abrasions on the right shoulder and on the left side of his chest as well as swelling over the left side of his face. Both wrists were swollen and had visible handcuff marks.

In April the Independent Authority for the Investigation of Allegations and Complaints against the Police cleared three police officers of wrongdoing for a

2013 incident in which they broke an Ivoirian man's leg while trying to subdue him. The investigation concluded that police did not use violence and that the complainant sustained his injuries as a result of his unjustified reaction to the police request to show identity papers.

The ombudsman, whose portfolio includes human rights and a legislative committee on human rights, and nongovernmental organizations (NGOs) received a number of complaints of physical abuse or degrading or discriminatory treatment from both prisoners and detainees. Previous investigations led the ombudsman to suggest activating prison security cameras for a longer period, but the policy of the Prison Department on this matter did not appear to have changed. An NGO reported that in February police arrested a Sri Lankan woman while she and her three-year-old son were visiting her husband at Lakatamia detention center and threatened her with deportation without her child. The child was placed in foster care until the mother was released a month later. The Sri Lankan national was married to an EU citizen and had temporary residence. In January 2013 she filed a complaint against three police officers, alleging that they had arrested her without cause and beat her while she was 11 weeks' pregnant, causing her to suffer a miscarriage. The Independent Authority investigated the first complaint and in April reported that the attorney general ordered the criminal prosecution of the three officers.

### **Prison and Detention Center Conditions**

Prison and detention center conditions did not meet international standards in a number of areas, and prison overcrowding was a problem.

Physical Conditions: Overcrowding continued to be a problem for Nicosia Central Prison, the only prison in the Republic of Cyprus, but to a lesser extent than in previous years. The prison's official capacity was 469 inmates; the maximum number of inmates held during the year was 584. Since April the maximum number of inmates did not exceed 550, compared with 732 in 2013. The December CPT report noted, however, that the separate female section of Central Prison was seriously overcrowded, accommodating 42 women in facilities with an official capacity of 23 at the time of the CPT visit in September 2013.

The ombudsman reported a considerable decrease in the number of prisoners due to the concerted effort of the prison's new management. During the year the prison began early release of prisoners convicted of lesser offenses and those with good behavior. Other measures introduced to ease overcrowding included the creation

of a parole board, electronic monitoring of prisoners, pardoning prisoners convicted of lesser offenses or suspending their sentences, and transferring foreign prisoners to serve their sentences in their home countries.

Prison authorities held juvenile pretrial detainees in cells separate from convicted juveniles, but the two groups shared the same grounds in their daily activities.

In previous years the ombudsman reported that overcrowding made it difficult for prison authorities to maintain separation of convicted criminals from pretrial detainees and that authorities held long- and short-term prisoners together. According to the ombudsman, overcrowding had serious repercussions on the health of both prisoners and staff due to the lack of sufficient hygiene facilities and a health center, which has since been constructed. Prison authorities confirmed that overcrowding prevented separation of prisoners by health condition and also prevented separate detention space for drug users.

Prisoners complained of mistreatment while in confinement and abuse in police stations prior to their transfer to the prison. Sex offenders complained prison staff did not intervene when they were threatened and, in some cases, beaten by other inmates. Most juvenile prisoners complained of verbal abuse by prison staff. Problems reported in detention centers included the lack of outdoor exercise areas in three of the four centers inspected, the absence of any creative activities, and delays in accessing medical services. Detainees complained about the quality and, in some cases, the quantity of food. The report also established that authorities held individuals detained on deportation orders in nearly all police stations together with detainees charged with criminal offenses.

Approximately 53 percent of prisoners were non-Cypriots held for illegal entry, stay, and employment; theft; burglary; drugs; unpaid fines; and other offenses.

Several individuals died during the year in the Central Prison and in police detention centers. On January 12, authorities found an Iranian man, serving a long drug trafficking-related sentence, dead and hanging by a bed sheet in his cell in the Central Prison. On January 14, a Bulgarian man, convicted of rape in 2010 and serving a 12-year sentence, was found dead in his cell, hanging by a bed sheet. On March 15, a Latvian man hanged himself using his bed sheet in a Limassol police headquarters holding cell. The man had been arrested for theft and was due to be released in three days. On August 25, a Cypriot man serving a life sentence for murder was found hanged in his cell in the Central Prison. Authorities arrested

three prison wardens and charged them with neglecting their duties, falsifying prison records, and providing a false statement to the police.

On January 9, a Romanian inmate in the Central Prison claimed he was gang-raped by four other prisoners. Officials transferred him to a hospital, where the state pathologist confirmed the rape. Prisoners at the Central Prison rioted after the news of the rape and the January suicides. On January 14, the minister of justice announced the immediate removal of the acting chief of the prison, the suspension of one officer and seven prison guards, the creation of a special police unit to investigate the suicides and the rape, and other measures to improve the management and condition of the prisons and to combat corruption. President Anastasiades visited the rape victim at the hospital and encouraged him to testify against the perpetrators. The attorney general ordered the prosecution of the four suspected rapists.

Prisoners in the central prison and detainees in detention centers had access to potable water and generally sufficient food.

The ombudsman reported that detainees held at the Mennoyia detention center continued to submit complaints during the year. For example, the ombudsman received a complaint from a migrant woman detained for deportation that police physically abused her. The Ombudsman's Office was investigating the complaint. The Ombudsman's Office also examined several complaints of mistreatment against a specific police officer working at the center. The investigation did not lead to concrete conclusions, but at the ombudsman's recommendation, the center's management issued written guidelines instructing personnel to show respect for the rights of detainees, use only necessary and proportional force, care for the special needs of detainees in a compassionate and humanitarian manner, and improve recordkeeping. The ombudsman also reported the new management of the center made improvements to the living conditions of detainees, such as access to medical care on a daily basis and frequent access to physiological care. It also increased efforts to resolve problems related to the detainees dietary needs and extended camera coverage in specific areas recommended by the ombudsman.

In its annual report for 2013, released in November, the Independent Authority for the Prevention of Torture (IAPT), one of the competencies of the Office of the Ombudsman, reported that its visits to Mennoyia detention center established that, while the facilities were satisfactory overall, detainees submitted complaints mainly about four issues. Detainees cited problems with the quality and quantity of food, the lack of translation services to inform some detainees about their rights

in a language they understood, the ending of visiting hours earlier than the time specified by regulations, and the requirement that detainees inform authorities about expected visits 24 hours in advance, a demand that was not consistent with regulations. The ombudsman established that immigration police officers entered the facilities in plain clothes and interviewed detainees in areas not covered by closed-circuit television. Detainees were transferred within the detention center and handcuffed; many of them complained that they were not given access to the asylum procedure. The ombudsman also reported that after she submitted a relevant report to the minister of justice, the commander of the Police Aliens and Immigration Department instructed detention authorities to implement all the recommendations in the report.

The same report contained the findings of the IAPT visit to Pera Chorio police detention center in July 2013. The detention center is for women only. The IAPT found that living conditions, i.e. hygiene, the outdoor area for exercise, and the area to receive visitors, were satisfactory but that the center did not offer any recreation facilities and that women detained for deportation were held together with women facing criminal charges. The IAPT received one complaint from a detainee that she was not informed of her rights in her own language. The IAPT reported that after the submission of a relevant report making recommendations for improvements, detention center authorities implemented the recommendations, separating detainees, installing a television, and stocking books and magazines in several languages. They also issued new instructions to personnel to ensure detainees are informed of their rights in a language they understand.

Administration: Recordkeeping on prisoners was adequate. Authorities used community service as an alternative to prison confinement for nonviolent offenders. Prisoners in the central prison had access to a church and mosque, and prison officials stated they facilitated religious observance. Detention centers did not have facilities for religious observance. Prisoners and detainees could submit complaints to the ombudsman without censorship.

Independent Monitoring: The government permitted prison visits by independent human rights observers, and such visits, unrestricted and unannounced, occurred during the year. The ombudsman, the National Preventive Mechanism, and the prison board visited Nicosia Central Prison on a regular basis. The House of Representatives Committee on Equal Opportunities for Men and Women, the commissioner for children's rights, and the commissioner for the protection of personal data also visited the prison.

Improvements: During the year the government appointed an expert on detention practices to advise the minister of justice, liaise with the prisons department, oversee reforms in the prison, and consult with the ombudsman, NGOs, and government agencies on improving prison conditions. The government also appointed an independent committee to review prison laws and regulations and make recommendations by the end of the year to bring them up to international human rights standards and European Court of Human Rights case law. The government reported that the new human rights policy approach to prisoners had ended all unnecessary disciplinary measures. Prison officers accused of mistreating inmates were suspended from duty, and all allegations of mistreatment were investigated by prison management, police, the ombudsman, and investigators appointed by the attorney general.

Authorities continued construction to increase capacity and improve sanitary conditions at the Nicosia Central Prison. Prison capacity increased to 469 from 455. Expansion work and renovations continued. The Ministry of Justice reported construction had started on new private cells in the women's section of the prison. Authorities also made improvements to lighting, ventilation, cell size, equipment, and sanitation facilities. The prison theater, previously used as a dormitory for inmates, was returned to its function as a theater. Most wings were equipped with gyms for daily training. All cells conformed to CPT standards, and most were equipped with entertainment equipment such as televisions and CD and DVD players. Each cell had no more than two inmates. Authorities amended visitation rights so that all inmates were allowed to have open visits and inmates with children were allowed to meet them in the open prison area. Prior restrictions on visits by religious representatives were lifted. Prison management increased the quantity of food and the frequency of prisoners' telephone calls from six to 10 per day. The Prison Department with the Ministry of Health began providing detoxification, evaluation, and rehabilitation services for drug addicts.

During the year authorities opened a health center in the Central Prison and increased the number of mental health professionals, making mental health services available 24 hours a day. Following a spate of suicides in 2013 and early 2014, the Ministry of Justice, in collaboration with the ombudsman, issued a manual with guidelines for the prevention of suicides in prisons and detention centers.

Following a change in prison management in January and efforts to alleviate the problems recorded in her previous reports, the ombudsman reported a decrease in

complaints concerning physical abuse and degrading and discriminatory treatment of prisoners and detainees in the Central Prison.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

#### **Role of the Police and Security Apparatus**

The police force is charged with enforcing the law and combating criminal activity. The Cyprus National Guard, backed by a contingent of Greek military forces, the Hellenic Force in Cyprus, protects national security. The national guard reports to the Ministry of Defense, which reports to the president. Police report to the Ministry of Justice and Public Order. The president appoints the chief of police. The police force has a headquarters with six functional departments; six geographic district divisions, including one inactive district for the area administered by Turkish Cypriots; and seven police units that provide specialized services.

The Independent Authority for the Investigation of Allegations and Complaints against the Police, an independent committee appointed by the Council of Ministers, investigated alleged police human rights abuses. The body has authority also to investigate complaints of police bribery, corruption, unlawful financial gain, abuse of power, preferential treatment, and conduct unbecoming police officers. The Independent Authority appointed independent investigators from a list submitted by the attorney general to look into complaints.

The Independent Authority received 145 complaints in 2012. Of those complaints, 67 concerned alleged violations of human rights, 65 concerned favoritism or behavior on the part of police that undermined police standing in society, and three concerned alleged corruption. Officials deemed nine complaints outside the scope of the authority and did not investigate them. The Independent Authority appointed criminal investigators in 58 cases. A preliminary investigation was carried out in 51 of the cases, 12 cases were referred to the chief of the police, five cases were withdrawn by the complainants, and 10 complaints remained under investigation pending additional data.

During the year the attorney general ordered the prosecution of police officers in four cases. Four of five cases of police officers prosecuted in 2013 were pending

trial at year's end. The attorney general suspended the prosecution of the fifth police officer. In 2012 the Attorney General's Office ordered the prosecution of one police officer, whose trial remained pending at year's end.

### **Arrest Procedures and Treatment of Detainees**

The law requires judicially issued arrest warrants, and authorities respected this requirement. Authorities may not detain a person for more than one day without referral of the case to a court for extension of detention. Most periods of investigative detention did not exceed 10 days before the filing of formal charges. Detainees were promptly informed of the charges against them, and the charges were presented in a language they could understand. The attorney general generally made efforts to minimize pretrial detention, especially in cases of serious crimes.

While attorneys generally had access to detainees, the December CPT report noted that persons apprehended by police were usually able to speak in private with an ex officio lawyer only at the time of their first court appearance. In criminal cases the state provides indigent detainees with an attorney. To qualify for free legal aid, however, detainees require a court decision, based on their financial need, before a lawyer is assigned. In its December report, the CPT noted this system inevitably delays detainees' access to a lawyer.

There is a system of bail. The government claimed the right to deport foreign nationals for reasons of public interest, regardless of whether they had been charged with, or convicted of, a crime. While lengthy pretrial detention was not a problem, trial delays were common and partially caused by lengthy legal procedures, which caused a larger workload for the courts.

Authorities detained aliens without identity documents when they did not know where to deport such persons, but the government's policy was not to hold them for long terms in detention centers. If deportations could not be executed within a maximum of 18 months, the government's policy was to release undocumented migrants and reject asylum seekers and give them residence permits for a limited period, provided they had not been found guilty of a crime. Residence and employment permits were renewable, provided the released detainees signed a contract of employment approved by the Department of Labor.

Detention of Rejected Asylum Seekers or Stateless Persons: The ombudsman received a number of complaints concerning detainees held for considerable time

on the basis of deportation orders but not beyond the 18-month limit stipulated by law. The ombudsman repeatedly called on the government not to detain foreigners for deportation when there was no prospect of deportation because they did not have travel documents.

An NGO reported that authorities re-arrested on different charges rejected asylum seekers who had already served an 18-month detention. For example, the NGO reported that a detainee in the Mennoyia center who had been held for 18 months was arrested and sent to the Central Prison on the charge of being uncooperative with police. After the court dismissed the case, police arrested him for deportation and sent him back to Mennoyia. In January, July, and August foreign detainees at the center staged protests, some against their detention and others about living conditions.

NGOs and the Ombudsman's Office, in its capacity as the national preventive mechanism, reported that detainees submitted complaints of heavy-handed tactics by police guards, inadequate medical care, restriction of visitation times, and use of handcuffs during transfers from one location in the detention center to another. The ombudsman's investigation did not establish use of excessive violence but found most other complaints to be valid.

In a report released in January, after visits to seven detention centers in June 2013, the NGO Movement for Equality, Support, and Antiracism (KISA) reconfirmed the ombudsman's findings and concluded that detention facilities did not respect migrants' fundamental rights. The NGO Cyprus Stop Trafficking reported considerable improvements at Mennoyia detention center after a June 2014 visit. KISA agreed that conditions at the center had improved after the change of management but did not entirely end the inhuman and degrading treatment of detainees. An NGO reported that in August and September, police beat two detainees from Pakistan, took them to the hospital prior to their deportation, asked the doctors to administer sedatives, and then deported them.

An NGO reported that a number of undocumented foreigners arrested for illegal stays in the country remained in long-term detention. The same NGO reported authorities released undocumented aliens only if they signed a document consenting to the issuance of travel documents by their home country. The NGO also reported released detainees did not have access to health care or social benefits and were not entitled to permanent residency permits unless they had a job.

Various NGOs confirmed that residency permits contingent upon employment were virtually unobtainable, given weak economic conditions and the limited types of work available authorized by the labor department. There were reports of racism by labor officers who met with valid residency applicants seeking a contract of employment. The Ministry of Labor and Social Insurance approved 11 labor contracts for asylum seekers, of which nine contracts were in farming and agriculture, one in wholesale trade, and one in food delivery.

#### **e. Denial of Fair Public Trial**

The law and constitution provide for an independent judiciary, and the government generally respected this provision.

Most criminal and civil cases begin in district courts, from which appeals may be made to the Supreme Court. There are no special courts for security or political offenses. Military tribunals have jurisdiction over members of the national guard.

#### **Trial Procedures**

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. Officials informed defendants promptly and in detail of the charges against them. The constitution provides for public trials, and defendants have the right to be present and to consult with an attorney in a timely manner. There are no jury trials. Authorities provide an attorney for those who cannot afford one, and defendants have the right to question witnesses against them and present evidence or witnesses on their behalf. The law also provides that defendants and their attorneys have access to government-held evidence related to their cases. Defendants enjoy a presumption of innocence and have a right of appeal. The government generally respected these rights.

#### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

#### **Civil Judicial Procedures and Remedies**

There is an independent and impartial judiciary in civil matters, permitting claimants to bring lawsuits seeking damages for or cessation of human rights violations, and citizens used this procedure.

## Regional Human Rights Court Decisions

Individuals could appeal cases involving alleged human rights violations by the state to the European Court of Human Rights (ECHR) once they exhausted all avenues of appeal in the domestic court system. There were reports that the government failed to comply with ECHR decisions. In a decision in the case of *M.A. v. Cyprus*, issued in July 2013, the ECHR found the government in violation of the European Convention on Human Rights due to the lack of an effective remedy with automatic suspensive effect that would allow the applicant to challenge his deportation. Although officials released the applicant from detention and granted him refugee status, the government had not introduced the required remedy by year's end.

In response to the ECHR's 2005 ruling in the *Xenides-Arestis* case that Turkey's "subordinate local authorities" in Cyprus had not provided an adequate local remedy, a property commission was established in the Turkish Cypriot-administered area to handle property claims by Greek Cypriots. In 2006 the ECHR ruled that the commission had satisfied "in principle" the ECHR's requirement for an effective local remedy. In a 2010 ruling, the ECHR recognized the property commission as a domestic remedy.

## Property Restitution

According to the law, the minister of interior is the guardian of the properties of all Turkish Cypriots who have not had permanent residence in the government-controlled part since 1974. Ownership remains with the original owner, but the sale or transfer of Turkish Cypriot property under the guardianship of the minister of interior requires the approval of the government. The minister has the authority to return properties to Turkish Cypriot applicants after examining the circumstances of each case. Owners can appeal the minister's decisions to the Supreme Court.

During the year Turkish Cypriots filed 23 court cases seeking to reclaim property located in the government-controlled area. Claimants filed four cases with the Supreme Court and 19 cases with the Civil Court. The District Court of Larnaca ordered the guardian of Turkish Cypriot properties to pay 2,492,719 euros (\$3.1 million) plus interest to the Turkish Cypriot property owner. The government had expropriated the property and paid the compensation to the guardian. The court ruled that the guardian had no right to retain the compensation. The Supreme Court found in favor of the guardian in the case of one Turkish Cypriot owner

whose application to regain possession of his property was rejected by the guardian. The District Court of Nicosia dismissed one case filed by a Turkish Cypriot owner against a guardian.

The ombudsman, using her oversight authority regarding matters of alleged racism and discrimination, examined several complaints of delays in the examination of claims of Turkish Cypriot properties in the government-controlled area. Authorities approved some of the claims after the intervention of the ombudsman.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The law prohibits such actions, and the government generally respected these prohibitions.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

The law provides for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press.

A 2013 law penalizes the use of geographical names and toponyms in the country other than those included in the gazetteer that the government presented at the 1987 Fifth UN Conference on the Standardization of Geographical Names. According to the law, anyone who publishes, imports, distributes, or sells maps, books, or any other documents in print or digital form that contain geographical names and toponyms on the island of Cyprus other than those permitted, commits an offense punishable with up to three years in prison, a fine of up to 50,000 euros (\$62,500), or both.

#### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to International Telecommunication Union statistics, approximately 65 percent of the population used the internet in 2013.

## **Academic Freedom and Cultural Events**

There were generally no government restrictions on academic freedom or cultural events, but certain oversight efforts threatened academic independence and activities. The government continued to exert political pressure on universities to refrain from any contact with universities in the Turkish Cypriot community because the government considered them illegal.

### **b. Freedom of Peaceful Assembly and Association**

The law and constitution provide for the freedoms of assembly and association, and the government generally respected these rights.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The law provides for freedom of movement within government-controlled areas, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

In-country Movement: The government did not restrict Greek Cypriots from traveling to the area administered by Turkish Cypriots, but it generally advised them against spending the night at Greek Cypriot properties, gambling in the area administered by Turkish Cypriots, or buying or developing property there. NGOs reported that the government prohibits recognized non-Cypriot refugees with temporary residence status and asylum seekers from crossing to the area administered by the Turkish Cypriots, asserting it cannot guarantee their safety in an area not under its control.

The government allowed EU citizens and citizens of other countries not subject to a visa requirement, who entered from ports of entry in the area administered by Turkish Cypriots, to cross the "Green Line" into the government-controlled area.

The government maintained that all ports of entry in the area administered by Turkish Cypriots are illegal.

Greek Cypriots and Turkish Cypriots are required to show identification cards when crossing the “Green Line.” Authorities require members of each community to obtain insurance coverage in the community where they plan to drive their vehicles. Turkish Cypriots flew in and out of Larnaca and Paphos airports without obstruction. The government issued 8,803 passports to Turkish Cypriots from January through August; no applicants were denied issuance.

### **Internally Displaced Persons (IDPs)**

The government considers Greek Cypriots displaced as a result of the 1974 division of the island to be refugees, although they fall under the UN definition of IDPs. As of October these individuals and their descendants numbered 216,867. The UNHCR did not provide assistance to Cyprus IDPs and officially considered the IDP population to be zero. Depending on their income, IDPs were eligible for financial assistance from the government. They were resettled; had access to humanitarian organizations; and were not subject to attack, targeting, or mandatory return under dangerous conditions.

### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. From January to August 31, authorities recognized 43 persons as refugees.

Several NGOs reported prolonged detention of most detainees awaiting asylum determination beyond the six months despite the government policy and, in a few cases, beyond the maximum 18 months permitted by law. The ombudsman reported long delays, sometimes up to years, in the examination of the applications of Syrian nationals.

In 2012 the Ministry of Interior announced the government would provide a special residency status for citizens or residents of Syria entering the country “legally or illegally.” Authorities would offer the same “humanitarian status” to asylum seekers from Syria already in the country, even if their applications had been rejected in the past. All persons seeking such status would be required to provide a Syrian passport or other identification. The Ministry of Interior stated that such status was for Syrians who did not wish to apply for international

protection. From January to August 31, authorities granted refugee status to two Syrians and subsidiary protection status to another 553. In September, Cypriot authorities rescued 345 Syrian and Palestinian Syrian refugees off the coast of Cyprus. In October, 44 of the refugees crossed to the north from the south hoping to be sent to Turkey and were returned to the south. All 345 were given three-month “humanitarian residency status.” As of the end of October, one asylum seeker had been granted full refugee status, 14 had applied for asylum, and three minors were reunified with their families in other EU countries.

NGOs and asylum seekers reported delays and inconsistencies in the delivery of benefits to eligible asylum seekers. The ombudsman’s investigation showed that the problems stemmed from the procedure instituted by parliament requiring parliamentary approval for the release of funds for relevant benefits.

Refoulement: The ombudsman and NGOs reported that asylum seekers whose applications for asylum had been rejected were deported before final adjudication of their cases. The ombudsman examined a complaint from an asylum seeker who was arrested for deportation while his court case challenging the rejection of his asylum application was pending. The ombudsman concluded that possible deportation could amount to infringement of the principle of nonrefoulement and suggested termination of his detention. Nonetheless, authorities deported the asylum seeker.

Employment: The government granted individuals determined to be refugees permission to stay, gave them temporary work permits, and in some cases granted permanent resettlement rights. The law allows asylum seekers to work in fisheries, the production of animal feed, waste management, gas stations and car washes, freight handling in the wholesale trade, building and outdoor cleaning, distribution of advertising and informational materials, and food delivery. Two NGOs claimed, however, that the Labor Office continued to refuse to approve and renew labor contracts for asylum seekers outside the farming and agriculture sector.

Authorities allowed asylum seekers whose cases were awaiting adjudication to work after residing six months in the country but limited them to the areas permitted by law. During the six-month period, asylum seekers had access to a subsistence allowance and could live in the refugee reception center located in Kofinou. There were complaints regarding the remoteness of Kofinou, but the government improved psychological support, activities for children, and transportation available to refugees and increased the center’s capacity to 400, up

from 70 in 2013. The government operated the center under a private-public partnership with the local authorities.

Access to Basic Services: Asylum seekers who refused an available job could be denied state benefits. To obtain welfare benefits, asylum seekers needed a valid address, which was not possible for those who were homeless. NGOs reported delays in the delivery of checks to asylum seekers who were eligible for benefits. According to NGOs, asylum seekers reported that authorities discriminated against them in the provision of state medical care, specifically denying their dependents access to long-term special needs treatment, which led to irreversible damage to their health.

Durable Solutions: In 2012 the government began providing funding to a local educational institute to teach Greek and to a private university to provide psychological and social support to asylum seekers and beneficiaries of international protection. The government funded another educational institute to provide vocational training for beneficiaries of international protection. It funded a local NGO to provide free legal advice to asylum seekers, another local NGO to conduct a public awareness campaign on issues relating to asylum seekers, and a local university to provide training to health ministry employees on the needs of torture victims. It also organized training seminars for primary school teachers, school psychologists, and school counselors and advisers.

Temporary Protection: From January to August 31, authorities granted humanitarian status to four persons and subsidiary protection to 575 individuals.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The law and constitution provide citizens the ability to change their government through free and fair elections, which citizens exercised through elections based on universal suffrage. In national elections only Turkish Cypriots who reside permanently in the government-controlled area are permitted to vote and run for office. In elections for the European Parliament, Cypriot citizens, resident EU citizens, and Turkish Cypriots who live in the area administered by the Turkish Cypriots have the right to vote and run for office.

#### **Elections and Political Participation**

Recent Elections: In 2013 voters elected Nicos Anastasiades president in free and fair elections. In 2011 the country held free and fair elections for the 56 seats assigned to Greek Cypriots in the 80-seat House of Representatives. In May the country held elections for six seats in the European Parliament.

Some Turkish Cypriots complained that problems in the electoral roll disenfranchised a number of Turkish Cypriot voters. A law enacted in March automatically registered all adult Turkish Cypriot holders of a Republic of Cyprus identity card residing in the area administered by Turkish Cypriots in the electoral roll for the European Parliament elections. Turkish Cypriots not residing in that area needed to apply for registration in the electoral roll, as did all other Cypriot citizens. The government did not automatically register an unspecified number of Turkish Cypriots residing in the north because they were incorrectly listed in the official civil registry as residents of the government-controlled area.

Participation of Women and Minorities: Women held six of the 56 seats filled in the House of Representatives and one of 11 ministerial posts. The governor of the Central Bank of Cyprus was a woman. Three of the 13 Supreme Court judges were women.

There are no mandatory quotas for members of minorities in the House of Representatives. The small Armenian Orthodox, Maronite Christian, and “Latin” (Cypriot Roman Catholics of European or Levantine descent) communities elected special nonvoting observer representatives from their respective communities to the House of Representatives. The 24 seats assigned to Turkish Cypriots were unfilled.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, which vary depending on the charges, and the government generally implemented these laws effectively. There were isolated reports of government corruption. The government generally investigated and prosecuted cases of corruption at a faster pace than in previous years. The evidence law’s prohibition on wiretapping and electronic surveillance made obtaining convictions difficult.

Corruption: During the year the government initiated several investigations against public officials on suspicion of corruption, and the president publicly declared zero tolerance for corruption. Police are responsible for investigating information and complaints of corruption in all branches of the government. An

inquiry opened in 2013 into a multi-million euro real estate deal involving the board of a semigovernmental organization resulted in the arrest and prosecution of seven individuals, including two members of the board of the organization and a high-profile political party official. The trial continued at year's end. In October police arrested the mayor of Paphos and another municipality employee in connection with an investigation into a major property fraud case. The mayor was also under investigation for a suspected fraudulent fundraiser. He was released after four days in custody. Both investigations continued as of the end of October. On October 27, Nicosia District Court sentenced a former governor of the Central Bank and former cabinet minister to five months' imprisonment and a 13,500 euros (\$17,000) fine for tax evasion.

Financial Disclosure: Public officials are not required to declare their assets.

Public Access to Information: The constitution provides citizens the right of access to government information, but no specific laws grant public access. The law prohibits civil servants from providing access to government documents without first obtaining permission from the relevant minister.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. There is a government ombudsman, whose portfolio includes human rights, and a legislative committee on human rights.

Government Human Rights Bodies: During her independent investigations, the ombudsman generally enjoyed good cooperation with other government bodies. The ombudsman's reports focused on police misconduct, treatment of patients at state hospitals, treatment of asylum seekers and foreign workers, and gender equality in the workplace. The Office of the Ombudsman was respected and considered effective.

The legislative Committee on Human Rights, which most local NGOs considered effective, consists of nine members of the House of Representatives who serve five-year terms. The committee discussed wide-ranging human rights problems, including trafficking in persons, prison conditions, and the rights of foreign workers. The executive branch did not exercise control over the committee.

## Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government effectively enforced these prohibitions.

### Women

Rape and Domestic Abuse: The law criminalizes rape, including spousal rape, with a maximum sentence of life in prison for violations. Most convicted offenders received considerably less than the maximum sentence. Police indicated there were 16 sexual assault cases and 18 rape cases reported between January 1 and August 31.

There were reports of violence against women, including spousal abuse, and the number of reported cases has sharply increased in recent years. The law establishes clear mechanisms for reporting and prosecuting family violence and provides that the testimony of minors and experts, such as psychologists, may be used as evidence to prosecute abusers. The law provides for the imprisonment of persons found guilty of abusing family members. The court can issue a same-day restraining order against suspected or convicted domestic-violence offenders. Doctors, hospital workers, and education professionals are required to report all suspected cases of domestic violence to police. Many victims refused to testify in court, however, and by law one spouse cannot be compelled to testify against the other. Courts were obliged to drop cases of domestic violence if the spousal victim was the only witness and refused to testify.

As of the end of August, police had received 455 reports of domestic violence. They initiated criminal investigations in 195 of these. In 75 percent of the cases, the victims were women. Of the domestic violence cases filed in 2013, the courts returned 29 guilty verdicts and four acquittals with 153 cases pending trial.

The Association for the Prevention of Domestic Violence carried out a national study on domestic violence against women in 2012. The results indicated that at least 28 percent of women over the age of 18 had suffered some form of violence at home, including physical and sexual violence but also economic, social, and emotional/psychological violence. Approximately 57 percent of the women who reported having been victims of violence did not tell other persons about their abuse. The highest proportion of female victims of violence (36 percent) was in the 45-to-64-year-old group.

There was one shelter for victims of domestic violence, which was funded primarily by the government and run by the NGO Association for the Prevention of Domestic Violence. The same NGO reported an increase in calls to its hotline for victims of domestic violence, compared with the previous three years. The NGO reported receiving an average of 80 calls per month. The NGO operated a shelter for women and children in Nicosia that in October was serving 50 victims of domestic violence.

On April 8, the ombudsman and the commissioner for the protection of children's rights issued a joint statement calling on the government to terminate the practice of detaining migrant mothers of young children for the purpose of deportation and instead implement alternative measures as provided for by EU law and the UN Convention on the Rights of the Child. The Council of Europe commissioner for human rights also declared that arresting migrant women because of their irregular entry or stay in the country, especially women accompanied by dependent children, without examining alternatives to their detention did not conform to international human rights standards. The NGO Cyprus STOP Trafficking staged a hunger strike to protest the detention of migrant mothers and separation of their children. On April 8, the minister of interior ordered the release of the mothers.

Police conducted detailed educational programs related to the handling of domestic violence for their forces, including training focused on child abuse. NGOs noted, however, that police dismissed claims of domestic abuse by foreign women and children.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. There were no reports of the practice performed in the country, but in the past there were cases of female asylum seekers who underwent FGM/C in their countries of origin.

Sexual Harassment: The law prohibits sexual harassment in the workplace, but it was reportedly a widespread problem, with most incidents unreported to authorities. A 2009 Cyprus University of Technology report indicated that 6 percent of employees in the country had experienced sexual harassment in the workplace. From January through September, the Department of Labor received two complaints regarding sexual harassment, both from foreign residents. In 2013 the Department of Labor received 13 sexual harassment complaints, of which 10 were submitted by foreign, non-EU nationals and three by Cypriot citizens. Of those complaints, one was pending trial, one was under investigation, five were withdrawn, three were not investigated because they were outside the Labor

Department's purview, and three could not be investigated further due to lack of evidence.

Reproductive Rights: Couples and individuals generally were able to decide freely the number, spacing, and timing of their children; to have the information and means to do so; and to attain the highest standard of reproductive health free from discrimination, coercion, and violence. There was easy access to contraception and skilled attendance during childbirth.

Discrimination: Women generally have the same legal status as men under family and property law, employment/labor law, and in the judicial system. The National Mechanism for Women's Rights under the Ministry of Justice and Public Order promoted, protected, and coordinated women's rights. The law requires equal pay for equal work or work of equal value.

Despite a strong legal framework, the Ministry of Labor and Social Insurance's enforcement was ineffective for many workers in more service- and retail-oriented sectors. Research by one NGO suggested that remuneration for female blue-collar workers was 25 to 30 percent less than for their male counterparts. The ombudsman reported serious cases of gender discrimination in the workplace, particularly against pregnant women, who were not promoted or were dismissed from employment. The Ombudsman's Office continued to receive complaints concerning dismissal of pregnant women and discriminative treatment of pregnant women in the workplace.

The ombudsman's 2012 report expressed concern over the continuing phenomenon of gender discrimination at the workplace, particularly the dismissal of working women as well as the hiring of fewer women. The ombudsman reported that women submitted 84 percent of the gender-discrimination complaints, of which 28 percent concerned discrimination on the grounds of maternity, pregnancy, or childbirth; 15 percent dismissal due to pregnancy; and 15 percent discrimination in hiring, career advancement, and salary (see also section 7.d.).

## **Children**

Birth Registration: Children derive citizenship from their parents, and there was universal birth registration at the time of birth.

Child Abuse: From January through August 31, police investigated 126 child abuse cases.

Early and Forced Marriage: The legal age of marriage is 18, but persons between the ages of 16 and 18 may marry, provided there are serious reasons justifying the marriage and their legal guardians provide written consent. A district court can also allow the marriage of persons between the ages of 16 and 18 if the parents unjustifiably refuse consent or in the absence of legal guardians. Marriage for persons under the age of 18 in 2012 was well below 1 percent of all marriages.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. There were no reports of the practice on children.

Sexual Exploitation of Children: The minimum age for consensual sex is 17, and sexual intercourse with a person under the age of 17 is a criminal offense. The penalty for sexual intercourse with a girl between the ages of 13 and 17 is a maximum of three years' imprisonment. The criminal penalty for sexual intercourse with a girl under 13 is up to life in prison. Possession of child pornography is a criminal offense punishable by a maximum of 10 years' imprisonment.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information, see the Department of State's report at [travel.state.gov/content/childabduction/english/country/Cyprus.html](http://travel.state.gov/content/childabduction/english/country/Cyprus.html).

### **Anti-Semitism**

There were approximately 2,500 persons in the Jewish community, which consisted of a very small number of native Jewish Cypriots and a greater number of expatriate Israeli, British, and other European Jews.

There were reports of verbal harassment of members of the Jewish community along with incidents of property damage.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or in the provision of other state services. The law provides persons with disabilities the right to participate effectively and fully in political and public life, including by exercising their right to vote and stand for election. The government generally enforced these provisions. While the law mandates universal accessibility for public buildings and tourist facilities built after 1999, government enforcement was ineffective. Older buildings frequently lacked access for persons with disabilities. No appropriate institutions existed for adults with mental disabilities who required long-term care.

In 2012 the government extended the ombudsman's authority to cover discrimination based on disabilities in both the private and public sectors. Problems facing persons with disabilities included access to natural and constructed environments, transportation, information, and communications. The ombudsman submitted a report to the competent government authorities with recommendations on how to ensure accessibility of persons with visual and hearing disabilities to audio and visual media services.

The state provided facilities to enable children with disabilities to attend all levels of education. In April the Ministry of Education in collaboration with the ombudsman prepared a code of good practices regarding attendance of students with special needs in special units of public schools. Authorities provided a personal assistant for students with disabilities when necessary.

Since there were no long-term care facilities specifically for persons with mental disabilities, many resided at the Athalassa Psychiatric Hospital. In 2013 the House of Representatives Committee on Human Rights noted there was no infrastructure to support mental-health patients when they left the psychiatric hospital and no programs for their social integration or aftercare in general. The Ombudsman's Office reported that it closely monitored implementation of the recommendations included in her 2012 report for improving patients' living conditions at Athalassa Psychiatric Hospital. In 2013 the ombudsman reported the hospital had created a separate department for children and juveniles. The de-institutionalization of persons with mental disabilities remained a matter of great concern for the ombudsman.

The Paraplegics Association reported that the government did not take measures to provide that all public buses were accessible to wheelchair users. The association reported that some older buses as well as intercity buses and those providing

transport to and from the airports were not accessible while the newer ones had only one space for wheelchair users.

The Ministry of Labor and Social Insurance's Service for the Care and Rehabilitation of the Disabled is responsible for protecting the rights of persons with disabilities. The minister of labor and social insurance chaired the Pancyprian Council for Persons with Disabilities, which included representatives of government services, organizations representing persons with disabilities, and employer and employee organizations. Observers did not consider fines for violating the law against employment discrimination sufficient to deter employers from discriminating against persons with disabilities (see also section 7.d.).

### **National/Racial/Ethnic Minorities**

On March 26, approximately 100 members of the extreme nationalist ELAM (National Popular Front, an affiliate of the Greek Golden Dawn party) stormed Panos Solomonides Cultural Center in Limassol, where former Turkish Cypriot leader Mehmet Ali Talat was giving a speech to a Greek Cypriot audience on the benefits of a Cyprus solution. The demonstrators managed to force their way into the event hall moments before the event started, but police removed them. Later, during the actual event, demonstrators forced a side door open and threw a lit flare inside. The event continued to its conclusion despite the disruptions. The Greek Cypriot leadership universally condemned ELAM. President Anastasiades fired the police chief the following day and apologized to Talat. Police arrested three suspects and charged them for the incident, which resulted in the slight injury of a Turkish Cypriot journalist and material damage to the building. The court subsequently released the suspects.

KISA reported that an attack against a Polish and a Bulgarian national in Nicosia on September 9 was racially motivated. Police arrested three Greek Cypriots for attacking the two foreigners with a small knife and causing slight injuries to one of them. The victims stated they did not want to file a complaint, but police opened an investigation.

In August 2013 the UN Committee on the Elimination of Racial Discrimination issued a report on the country covering the period 2001-11. The report noted that despite legislative and institutional advances, the country had not adequately implemented the International Convention on the Elimination of All Forms of Racial Discrimination.

On March 19, the European Commission against Racism and Intolerance issued an interim report on the implementation of its 2011 recommendations for Cyprus. It noted the country had made considerable improvements in providing additional resources to schools in neglected areas with students from families with low socioeconomic and education level and noted specifically the 18th Primary School with its high concentration of Turkish Cypriot and Romani pupils. Nonetheless, it found continued inadequacies in the school's teaching staff, including a need for Turkish-speaking teachers and classroom assistants as well as specialist Greek-language teachers. The interim report noted that police had further developed the crime report system to accurately record and trace racist and xenophobic incidents and that police posted the relevant data on its website in Greek and English.

The *2014 EU Roma Health Report*, released on September 4, noted the Romani population faced difficulties in housing, education, and employment. Roma residing in the government-controlled areas lived either in abandoned Turkish Cypriot houses or in prefabricated houses that the government freely provided and maintained. These accommodations had basic facilities, such as water, electricity, sewage systems, and solar heaters, but the houses were in isolated areas, primarily to satisfy the local communities who treated Roma with hostility and did not wish to live close to them. The report stated that Roma faced extreme poverty, exclusion, and hostility from the host population and suspicion and intolerance from authorities. Roma had suboptimal opportunities for employment. The main barrier was language because they did not speak either Greek or English, although the government provided Greek lessons free of charge to all citizens.

The Ministry of Education reported that since 2012 it had increased efforts to locate and enroll Roma children in schools nearest their residence but with limited success, due to the constant movement of their families to and from the Turkish Cypriot-administered areas. In 2013 most Romani children living in Polemidia were enrolled in the two closest schools. The Ministry of Education provided bilingual Turkish/Greek-speaking teachers to facilitate communication between teachers, students, and parents; organized seminars for parents and legal guardians to help them integrate into the local communities; and adjustments to the educational program of Romani pupils to meet their needs. During the 2013-14 school year, the Ministry of Education's Adult Education Centers provided free lessons on the language, history, and cultural heritage of the Romani community.

In June the minister of education announced a code of conduct against racism in schools that provides schools and teachers with a detailed plan on handling and

preventing racist incidents. The pilot program began in a number of schools in September.

The Task Force on School Violence--a multidisciplinary team of experts that provides immediate support and guidance to schools facing violence, youth delinquency, and incidents of racism--reported that one of the 180 cases handled during the 2013-14 school year involved racism. The team developed a number of different action plans to address the problem and continued working on the case.

Some Turkish Cypriots living in the government-controlled area reportedly faced difficulties obtaining identification cards and other government documents, particularly if they were born after 1974. One Turkish Cypriot made a formal complaint to the UNFICYP about living conditions in the south, which was unsubstantiated.

The ombudsman received complaints that the government denied automatic citizenship to children of Turkish Cypriots married to Turkish citizens who resided in the area administered by Turkish Cypriots. Instead of granting citizenship automatically to such children, the Ministry of Interior routinely sought approval from the Council of Ministers before confirming their citizenship. From January to August, the Council of Ministers approved three cases. The Ombudsman's Office had no authority to examine the complaints because the Council of Ministers' decision to apply different criteria for granting citizenship to children born to one Turkish parent was political. Authorities automatically grant citizenship to children of Turkish Cypriots married to Turkish citizens and living outside the country.

NGOs complained that migration department officials routinely called into question applications for residency for children born to Cypriot fathers and foreign mothers and required DNA testing to prove parentage despite birth certificates.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

Antidiscrimination laws exist and prohibit direct or indirect discrimination based on sexual orientation, but not on gender identity. Antidiscrimination laws cover employment and the following activities in the public and private domain: social protection, social insurance, social benefits, health care, education, participation in unions and professional organizations, and access to goods and services. NGOs dealing with lesbian, gay, bisexual, and transgender (LGBT) matters claimed that

housing benefits favored “traditional” families. Hate crime legislation does not include language on sexual orientation or gender identity.

Despite legal protections, LGBT individuals faced significant societal discrimination, and few LGBT persons were open about their sexual orientation or gender identity, nor did they report homophobic violence or discrimination. A survey published in the *International Journal of Manpower* in August suggested that LGBT job applicants faced significant bias compared with heterosexual applicants. The survey found that gay male applicants who made their sexual orientation clear on their job application were 39 percent less likely to get a job interview than equivalent male applicants who did not identify themselves as gay. Openly lesbian applicants were 42.7 percent less likely than equivalent female applicants to obtain a job interview (see also section 7.d.).

On November 20, police raided a photographic exhibition organized by Accept LGBT Cyprus in the municipal market of Nicosia and confiscated all 34 photographs exhibited. Using a court warrant, police kept eight of the photographs depicting naked male bodies and returned the rest to the organizers. Police asserted citizens had submitted complaints that children were exposed to pornographic material. The Attorney General’s Office was examining the case to determine whether to bring charges. Accept LGBT and several other groups and organizations criticized the police intervention, arguing that it acted on an antiquated law that police applied selectively.

On May 31, Accept LGBT Cyprus organized the first gay pride parade in Nicosia, attended by more than 3,000 individuals, including several public officials. The press covered the event extensively and positively. Opposition was limited to a press release issued by the Church of Cyprus and a small counterdemonstration led by clerics.

In a press interview on May 19, the president of Accept LGBT Cyprus noted that recent surveys showed society was becoming less homophobic and supported LGBT rights more.

In April the Ministry of Education permitted the Ombudsman’s Office and Accept LGBT Cyprus to deliver lectures on combating homophobia and homophobic bullying to students and educators in secondary education.

A group of Youth Council educators and the family-planning organization conducted a campaign, Shield against Homophobia in Education. In 2012 the

campaign sponsored a pilot program attended by 90 teachers and educational psychologists and conducted a survey on homophobia in education based on a random sample of educators participating in the program. The survey revealed the presence of homophobia in education in the form of homophobic language in the educational system and in homophobic bullying. The survey indicated homophobic attitudes prevailed among educators, students, and parents. Educators in the program acknowledged that they were not equipped to deal with sexuality issues in schools.

### **HIV and AIDS Social Stigma**

In January 2013 the president of the HIV-Positive Persons Support Center stated that HIV-positive persons faced prejudice from the society and also from their families, largely due to lack of public awareness. She also claimed raising public awareness on this issue was low in the government's priorities. In July 2013 the ombudsman reported the Ministry of Health failed to act in good faith and did not apply the principle of proper governance in the handling of a case of an HIV-positive employee at a state hospital. The employee had petitioned the ministry to transfer to a position that would pose less of a threat to his health. The ministry reportedly assured the employee it would invite him to apply when a more appropriate position opened but neglected to do so, and a suitable position was filled by another individual, according to the report.

### **Promotion of Acts of Discrimination**

Government-approved textbooks used at the primary and secondary schools included language that was biased against Turkish Cypriots and Turks or refrained from mentioning the Turkish Cypriot community altogether. In addition, there were anecdotal reports of teachers using handouts or leading classroom discussions that included inflammatory language against Turkish Cypriots and Turks.

In 2011 the Ministry of Education and Culture began pilot implementation of new curricula prepared by a special government committee established to examine education reform on all subjects, including history. Due to controversy over the new language, however, the committee responsible for revising the history curriculum sought help from external academics and experts to revise and improve the curriculum based on the committee's findings. While teachers were instructed to use a variety of sources to promote critical thinking and avoid indoctrination by encouraging class discussion and asking students to consult alternative sources, an

NGO involved with the training commented that without evaluation it was not possible to determine whether teachers were implementing the instruction.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law, including supporting statutes and regulations, provides for the right of workers to form and join independent unions, strike, and bargain collectively with employers. Antiunion discrimination is illegal. Dismissal for union activity is illegal with reinstatement, a fine, compensation options, or both if the courts find dismissal illegal. The law excludes essential services from joining unions and striking. Police officers could form associations that had the right to bargain collectively.

Authorities have the power to curtail strikes in essential services defined by the law as the armed forces, police, and gendarmerie. An agreement between the government and essential services personnel provides for dispute resolution and protects workers in the sector.

The government generally enforced applicable laws. Resources and investigations were adequate in the formal sector. Penalties require payment of pecuniary damages and compensation, but unions did not consider them sufficient to deter violations. Administrative procedures were efficient and immediate, but judicial procedures were subject to delays due to a backlog.

Authorities generally respected freedom of association and the right to collectively bargain. The government generally protected the right of unions to conduct their activities without interference, and employers generally respected the right of workers to form and join independent unions and to bargain collectively. Although collective agreements are not legally binding, employers and employees effectively observed their terms. Workers covered by such agreements were predominantly in the larger sectors of the economy, including construction, tourism, the health industry, and manufacturing.

Private sector employers were able to discourage union activity because the enforcement of labor regulations prohibiting antiunion discrimination was sporadic and penalties for antiunion practices were insufficient.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, but forced labor occurred. The government did not effectively enforce the law. Inspections of agriculture and domestic service sectors remained inadequate, and resources at the Department of Labor Inspections within the Ministry of Labor were insufficient. The maximum penalty is six years' imprisonment for forced labor of adults and 10 years' imprisonment for forced labor of minors, but actual penalties imposed were not sufficient to deter violations.

Forced labor occurred in the agriculture and domestic-labor sectors. The Ministry of Labor and Social Insurance continued to receive complaints of labor exploitation among men and women. Foreign migrant workers, children, and asylum seekers were particularly vulnerable. Employers forced foreign workers, primarily from Eastern Europe and East and South Asia, to work up to 15 hours a day, seven days a week, for very low wages. Employers often retained a portion of foreign workers' salaries as payment for accommodations. The ombudsman reported that her office received a number of complaints during the year from foreign domestic workers and workers in the agricultural and farming sector. The complaints concerned excessive working hours and withholding of travel documents by the employers.

Domestic workers remained reluctant to report contract violations by their employers due to fear of losing their jobs and, consequently, their work and residency permits. The ombudsman and NGOs reported in September that ineffective investigation of sexual harassment, violence, and mistreatment of complaints submitted by domestic workers to the Department of Labor discouraged domestic workers from submitting complaints. They reported that authorities treated sexual harassment complaints submitted by foreign domestic workers merely as requests for a change of employer. The victims were routinely allowed to change employer, but sexual harassment complaints were rarely examined. The ombudsman made recommendations to the Department of Labor in 2013 to improve the situation of domestic workers in forced labor; none of the recommendations had been implemented by year's end.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the employment of children, defined as persons under the age of 15, except in specified circumstances, such as combined work-training programs for children age 14 or employment in cultural, artistic, sports, or advertising activities, subject to rules limiting work hours. The law prohibits nighttime work and engagement of children in street trading. The law also permits the employment of adolescents, defined as persons between the ages of 15 and 18, provided it is not harmful, damaging, or dangerous and subject to rules limiting hours of employment. The law prohibits employment of adolescents between midnight and 4 a.m. The minimum age for employment in industrial work is 16.

The government effectively enforced laws and policies to protect children from exploitation in the workplace. Ministry of Labor and Social Insurance inspectors were responsible for enforcing child labor laws and did so effectively. The Social Welfare Services department of the ministry and the Commissioner for the Rights of the Child can also investigate suspected cases of exploitation of children at work. Employment of children in violation of the law is punishable with up to two years' imprisonment, a fine of up to 17,000 euros (\$21,300), or both. There were isolated examples of children under 16 working for family businesses. Children subjected to conditions of forced labor often were unaccompanied migrants.

#### **d. Discrimination with Respect to Employment or Occupation**

Laws and regulations prohibit direct or indirect discrimination with respect to employment or occupation regarding race, nationality, gender, disability, and sexual orientation. The government did not effectively enforce these laws or regulations. Discrimination in employment and occupation occurred with respect to race, gender, disability, sexual orientation, and HIV-positive status. Discrimination against Romani migrant workers occurred (see section 6).

#### **e. Acceptable Conditions of Work**

Although there is no national minimum wage, there is a minimum wage for groups deemed vulnerable to exploitation. The official poverty income level is set at 60 percent of the national median equalized disposable income, as per the EU commonly agreed definition. In 2011 (the latest estimate available) the official poverty income level was 10,324 euros (\$12,900) per year for a single person. The minimum wage for shop assistants, nurses' assistants, clerks, hairdressers, and nursery assistants was 870 euros (\$1,090) per month for the first six months and 924 euros (\$1,160) per month thereafter. For unskilled workers in the agricultural sector, the minimum monthly wage was 455 euros (\$570) with accommodation

and food provided. Minimum salaries in these sectors are the same for local and foreign workers.

The government sets minimum salaries for third-country nationals working as domestic workers and as cabaret performers. The minimum starting salary for live-in housekeepers was 460 euros (\$580) per month. The employers covered accommodation, food, medical insurance, visa fees, travel, and repatriation expenses. Cabaret performers' contracts typically stipulated that they receive at least 205 euros (\$260) per week for 36 hours of work. Collective bargaining agreements covered workers in almost all other occupations, including unskilled labor. The wages set in these agreements were significantly higher than the minimum wage.

Foreign workers were able to claim pensions, and some bilateral agreements allowed workers to claim credit in their home countries. The Migration Service was responsible for enforcing the minimum wage for foreign workers but did not actively do so.

The legal maximum workweek is 48 hours, including overtime. The law does not require premium pay for overtime or mandatory rest periods. The law stipulates that foreign and local workers receive equal treatment. The Department of Labor Relations within the Ministry of Labor is responsible for enforcing these laws. Labor unions, however, reported enforcement problems in sectors not covered by collective agreements. They also reported that certain employers, mainly in the construction industry, exploited undocumented foreign workers by paying them very low wages. The penalty for violating the law on the maximum workweek is up to one year in prison, a fine up to 3,417 euros (\$4,270), or both. The penalty for violating the minimum wage law is a fine of 170 euros (\$213) and 43 euros (\$54) for each day the offense continues after the conviction. The court may order the employer to pay the employee the difference in the amount paid and the amount that should have been paid.

Sexual harassment of female domestic workers continued. Several NGOs and the ombudsman confirmed the need to address labor exploitation of foreign workers.

In violation of their contracts, some foreign domestic workers, primarily from East or South Asia, were mistreated or fired without cause. For example, some domestic workers, particularly live-in maids, reported working excessive hours for employers at all hours of the night and day without additional compensation or time off. Although the law protects domestic workers who file a complaint with

the Ministry of Labor and Social Insurance from being deported until their cases have been adjudicated, NGOs and the ombudsman reported that many domestic workers did not complain to authorities about mistreatment due to fear of deportation. In August the Ombudsman's Office at the request of KISA investigated the case of an Indian domestic worker arrested and charged after her employer's daughter reported the worker had physically attacked and injured her. The ombudsman's interim report stated there were credible suspicions of foul play by the employers, the police, and Larnaca hospital personnel to cover up labor exploitation, sexual harassment, and abuse of the domestic worker. The Attorney General's Office rejected KISA's request for the release of the alleged victim.

The Department of Labor Inspection is responsible for enforcing health and safety laws. Authorities enforced health and safety laws satisfactorily in the formal sector. Labor unions stated that more work was required to protect undocumented workers. The department employed 20 full-time inspectors. The penalty for failing to comply with work safety and health laws was up to four years' imprisonment, a fine not to exceed 80,000 euros (\$100,000), or both. From January to August, authorities prosecuted 18 persons for violations.

Factory inspectors processed complaints and inspected businesses to verify that employers observed occupational safety laws. Authorities did not inspect private households where persons were employed as domestic workers.

From January to the end of August, four persons died in work-related accidents. Workers have the right to remove themselves from situations that endanger health or safety without jeopardy to their employment, but authorities did not effectively protect employees in this situation.

## **THE AREA ADMINISTERED BY TURKISH CYPRIOTS**

### **EXECUTIVE SUMMARY**

Since 1974 the northern area of Cyprus has been administered by Turkish Cypriots, who in 1983 declared the northern area the "Turkish Republic of Northern Cyprus" ("TRNC"). The United States does not recognize the "TRNC," nor does any country other than Turkey. Dervis Eroglu was elected "president" in 2010 in free and fair elections. Elections to the "Assembly of the Republic" during the year were also free and fair and resulted in the formation of a coalition "government" of the Republican Turkish Party and Democrat Party National Forces. The "TRNC constitution" is the basis for the "laws" that govern the area administered by

Turkish Cypriot authorities. Police and “Turkish Cypriot security forces” were ultimately under the operational command of the Turkish military, per Transitional article 10 of the “TRNC constitution,” which cedes responsibility for public security and defense “temporarily” to Turkey. Authorities maintained effective control over the security forces.

The most significant problems reported during the year included police abuse of detainees, trafficking in persons including minors for sexual exploitation, and restrictions on the rights of asylum seekers. There was no regulatory infrastructure to handle applications for asylum seekers or to protect their rights.

Other problems reported included mistreatment of persons in custody and in prison; overcrowding in prisons; lack of separation of incarcerated adults and juveniles; limited access to some places of worship; vandalism and removal of religious icons from vacant places of worship, including some sites that were damaged, close to collapse, or had been converted to other uses; corruption and cronyism in the executive and legislative branches; and domestic violence against women.

Authorities took steps to investigate police officials following press allegations of abuses and corrupt practices. There was evidence, however, that officials sometimes engaged in corrupt practices with impunity.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that authorities or their agents committed arbitrary or unlawful killings.

### **b. Disappearance**

There were no reports of politically motivated disappearances during the year.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The “law” prohibits such practices; however, there were reports that police abused detainees. The “law” does not refer to “torture,” which falls under the section of the criminal code that deals with assault, violence, and battery.

According to the “Attorney General’s Office,” police instructed their staff regarding behavioral methods and approaches towards suspect investigation, as well as suspect rights. A few pending cases of police abuse from 2013 resulted in warnings to officers.

According to the “Attorney General’s Office,” during the year there were three new complaints regarding police mistreatment or battery; of those, two investigations were in progress and one was completed.

In July a murder suspect committed suicide while awaiting trial in custody at police headquarters. The suspect’s family accused police of psychologically torturing the suspect. Prominent lawyers, human rights advocates, and bar associations raised concerns over police negligence and stated the case could involve serious human rights violations.

There were reports of police impunity. In May the press reported that a court dismissed a case brought by a foreign citizen residing in the north against the police for alleged torture and forced testimony. The man had been charged with burglary in 2011 but was acquitted due to a lack of evidence. Authorities promoted two of the accused police officers in September.

### **Prison and Detention Center Conditions**

Prison and detention center conditions did not meet international standards in a number of areas, and prison overcrowding was a particular problem.

Physical Conditions: Of the 249 prisoners and detainees held as of August 21, 41 percent were foreigners, two-thirds of whom were Turkish citizens. The prison system held nine female prisoners and one juvenile. Approximately 35 percent of the prison population consisted of persons awaiting trial.

The area’s prison, located in the northern part of Nicosia and built in 1982, has a capacity of 291. The Journalists’ Association disagreed with the stated capacity and reported the prison was overcrowded and that the number of inmates and detainees incarcerated there exceeded the prison’s capacity. In March trade unions reported deficiencies in the prison, including working conditions and the status of guards and infrastructure. Authorities claimed they had addressed the problems. The prison did not separate adults and juveniles, and there were no detention or correction centers for children. There were concerns that women and children

were detained for no legal cause. An NGO representative stated that facilities lacked health and other services and that inmates had limited access to washing water and hot water. Authorities stated the facility provided health services to inmates twice a week and these services were available for emergencies. Prisoners and detainees received health checks upon entry into the prison.

In September, 173 inmates from the prison held a two-day hunger strike to protest poor prison conditions. According to press reports, the inmates were protesting policy changes at the prison concerning the entry of goods into the prison, the parole board, and the “criminal procedure law.” According to a union representative, the prison’s infrastructure and capacity were not adequate to provide services to inmates.

Human rights advocates reported the prison had an inadequate level of health care and a lack of medical supplies; no full-time doctor, psychiatrist, or psychologist; and an insufficient number of social workers. Human rights activists also reported major problems in security, including a lack of measures to reduce violence between inmates and detainees, and overcrowded cells.

There were no reports of deaths in the prison or detention centers. Prisoners had access to sufficient food and potable water.

In February the press reported that prison guards held a two-hour warning strike to protest the limited amount of security they were allowed to provide, after a visitor attacked a guard.

Administration: Recordkeeping on inmates was inadequate. Community service is not an alternative to prison confinement for nonviolent offenders. According to the “law,” alternatives to prison sentences, which were used most often for nonviolent offenses, include warnings, conditional and unconditional release, and bail. In some cases of domestic violence or drug use, the “court” may also suggest psychological and social counseling. According to authorities, prisoners and detainees could submit complaints to judicial authorities without censorship and request investigation of credible allegations of inhuman conditions. Authorities reported they did not receive any complaints.

Authorities stated that all prisoners could observe their religious practices and that an imam visited the prison once a week to conduct prayers. Authorities allowed prisoners with heavy and light penalties to receive visitors every 15 days. Detainees could receive visitors every 30 days for a maximum of 30 minutes

except during holidays. Authorities permitted convicted inmates and detainees a maximum of 40 minutes of telephone calls three days a week.

The scope of the “ombudsman’s” duties does not include advocating for reduced or alternative sentences or addressing the status of juvenile prisoners or improving detention or bail conditions.

Independent Monitoring: Authorities stated that prison monitoring was permitted, but no local or international NGO had applied to do so. Over the past few years, press and media representatives visited the prison. According to one journalist, authorities permitted prison visits only when organized by Turkish Cypriot authorities and thus were excessively monitored and controlled. Authorities invited journalists to participate in various workshops and language course completion ceremonies for inmates.

Improvements: Authorities took some steps to improve conditions and morale in the prisons. In August authorities reported they opened a movie theater at the prison and organized literature nights for the inmates and detainees. In addition, the prison administration provided road safety courses and completion certificates to inmates and detainees. Authorities also announced the launch of a “reintegration into society” project, and the prison administration worked with the chambers of small shopkeepers and artisans to introduce vocational courses in 11 fields. Prison administrators, in cooperation with local universities, organized training in computers, language, effective communication, and solution-generating skills. Inmates could sell arts and crafts produced in prison at a fair on May 29.

In April prison administrators updated and revised the prison “legislation” to allow expansion and enlargement of the meeting area for families or guests of inmates and detainees. In addition, the administration created a reward system, allowing inmates and detainees to be rewarded with telephone conversations and more frequent television privileges for obeying prison commands.

#### **d. Arbitrary Arrest or Detention**

The “law” prohibits arbitrary arrest and detention, and authorities generally observed these prohibitions.

#### **Role of the Police and Security Apparatus**

Police are responsible for enforcement of the “law.” The “chief of police” reports to a “general,” who is nominally under the supervision of the “Prime Ministry,” holding the “security portfolio.” Police and “Turkish Cypriot security forces” are ultimately under the operational command of the Turkish military, per Transitional article 10 of the “TRNC constitution,” which “temporarily” cedes responsibility for public security and defense to Turkey. Security forces generally cooperated with civilian authorities and were effective in enforcing the “law.” Allegations of unfair police promotions sparked discussion in “parliament” regarding the civilianization of the police. Police forces consist of eight functional divisions and five geographic divisions.

The “Attorney General’s Office” continued to work with the police inspection division (or occasionally the criminal investigative division) to investigate allegations of police misconduct.

### **Arrest Procedures and Treatment of Detainees**

Judicially issued warrants are required for arrests. No person may be detained longer than 24 hours without referral of the case to the “courts” for a longer period of detention. Authorities generally respected this right and usually informed detainees promptly of charges against them, although authorities often held individuals believed to have committed a violent offense for longer periods without charge. According to the “law,” any detained person must be brought before a “judge” within 24 hours. The person can then be detained in police custody for a period of up to three months, but a “judge” must review the detention after the third day and every eight days thereafter. Bail existed and was routinely used. Authorities usually allowed detainees prompt access to family members and a lawyer of their choice. Authorities provided lawyers to the indigent only for cases involving violent offenses.

Police sometimes did not observe legal protections, particularly at the time of arrest. Some “courts” did not permit suspects to have their lawyers present when giving testimony, in contravention of the “law.” Suspects who demanded the presence of a lawyer were sometimes physically intimidated or threatened with stiffer charges.

### **e. Denial of Fair Public Trial**

The “law” provides for an independent judiciary, and authorities generally respected judicial independence.

Most criminal and civil cases begin in district “courts,” from which appeals are made to the “Supreme Court.” There were no special “courts” for political offenses. Civilian “courts” have jurisdiction in cases where civilians face charges of violating military restrictions, such as filming or photographing military zones.

### **Trial Procedures**

The “law” provides for the right to a fair trial, and independent judicial authorities generally enforced this right. The “TRNC constitution” provides for public trials, the defendant’s right to be present at those trials, and the defendant’s right to consult with an attorney in a timely manner. Authorities provide lawyers to indigent defendants only in cases involving violent offenses. Defendants may question witnesses against them and present evidence and witnesses on their behalf. The “law” also requires that defendants and their attorneys have access to evidence held by the “government” related to their cases. Defendants enjoy a presumption of innocence and have a right to appeal. Authorities generally respected these rights and generally respected “court” orders.

In August an NGO representative and human rights lawyer noted that defendants did not fully enjoy the right to be informed promptly and in detail of the charges brought against them. The representative added that there was a lack of sufficient interpretation for some languages as well as a lack of professional translation. For example, authorities recruited nonprofessional translators haphazardly, and they did not translate everything said during “court” hearings. Insufficient translation also delayed hearings and caused longer detention periods for suspects.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

There was generally an independent and impartial “judiciary” for civil matters, permitting claimants to bring lawsuits seeking damages for human rights violations. There were generally no problems enforcing domestic “court” orders.

### **Property Restitution**

Greek Cypriots continued to pursue property suits in the ECHR against the Turkish government for the loss since 1974 of property located in the area administered by Turkish Cypriots. Turkish Cypriots pursued claims against the Republic of Cyprus as well. Under ECHR rules, if adequate local remedies exist, an appellant does not have standing to bring a case before the ECHR until that appellant exhausts all local remedies.

In response to the ECHR's 2005 ruling in the *Xenides-Arestis* case that Turkey's "subordinate local authorities" in Cyprus had not provided an adequate local remedy, a property commission was established to handle claims by Greek Cypriots. In 2006 the ECHR ruled that the commission had satisfied "in principle" the ECHR's requirement for an effective local remedy. In a 2010 ruling, the ECHR recognized the property commission as a domestic remedy. As of September 11, a total of 5,283 applications had been filed with the commission, 412 of which were concluded through friendly settlements and 10 through formal hearings. The commission has paid more than 113 million pounds sterling (\$177 million) to the applicants in compensation.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The "law" prohibits such actions. There were reports that police subjected Greek Cypriots and Maronites living in the area administered by Turkish Cypriots to surveillance. Although authorities reported otherwise, a Maronite representative asserted that during the year, the Turkish military occupied 18 houses in the village of Karpashia.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

The "law" provides for freedom of speech and press, and authorities generally respected this right. Individuals were generally able to criticize authorities publicly without reprisal, with some exceptions.

Press Freedoms: While authorities generally respected press freedom, journalists were at times obstructed in their reporting or practiced self-censorship for fear of losing their jobs in connection with investigating a story. One media representative complained that press and media representatives were prevented from getting close enough to conduct on-site reporting during incidents or follow-up reporting at "court" hearings. The independent media were active and

expressed a wide variety of views. Authorities generally allowed international media to operate freely. Bayrak Radyo Televizyon Kurumu was the only “government”-owned television and radio station. Journalists alleged press freedom was limited, noting political interests often used the media according to the bias of the media owners; journalists whose reporting was contrary to these views could face dismissal or loss of other rights.

Violence and Harassment: The Turkish Cypriot Journalists Association reported that authorities denied access and prevented journalists from investigating suicides or allegations of police torture or battery within the military or police systems, because journalists cannot access or report on those under military control. Defendants in “court” cases allegedly threatened journalists, who also faced pressure for their reporting from companies that advertised in their publications.

### **Internet Freedom**

Authorities did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that they monitored private online communications without appropriate legal authority. Although technological developments improved the delivery methods for journalists, they reported continued difficulties in accessing public information. Turkish Cypriot authorities announced that the Twitter ban in Turkey in March and April would not affect the area administered by Turkish Cypriots, although some local companies experienced technical problems due to the internet connections from Turkey.

In August a polling company and a local newspaper carried out a survey on internet usage in the north. According to the results, 66 percent of the population in the area administered by the Turkish Cypriots has internet access.

### **Academic Freedom and Cultural Events**

Authorities did not restrict academic freedom or cultural events.

### **b. Freedom of Peaceful Assembly and Association**

The “law” provides for the freedoms of assembly and association, and authorities generally respected these rights, although some organizations faced lengthy registration periods.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

#### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The “law” provides for freedom of movement within the area administered by Turkish Cypriots, foreign travel, emigration, and repatriation, and authorities generally respected these rights.

An intermediary NGO handled cooperation between the UNHCR and Turkish Cypriot authorities. Since no “law” exists regarding the handling of asylum applications, the UNHCR representative in Cyprus adjudicated asylum claims.

In-country Movement: Authorities required Greek Cypriots and Turkish Cypriots to show identification cards when crossing the “Green Line.” Greek Cypriots and foreigners crossing into the area administered by Turkish Cypriots were also required to fill out a “visa” form.

Only Turkey recognizes travel documents issued by the “TRNC.” Some Turkish Cypriots used Turkish travel documents, but many obtained travel documents issued by the Republic of Cyprus. Turkish Cypriots born after 1974 to parents who, prior to 1974, were both Republic of Cyprus citizens obtained passports relatively easily, compared with Turkish Cypriots born after 1974 to only one Cypriot parent.

#### **Internally Displaced Persons (IDPs)**

Turkish Cypriots considered persons displaced as a result of the division of the island to be refugees, although they fell under the United Nation’s definition of IDPs. At the time of the division, this number was approximately 60,000 in the north. They were resettled, had access to humanitarian organizations, and were not subject to attack, targeting, or return under dangerous conditions.

#### **Protection of Refugees**

Access to Asylum: The 1951 Convention relating to the Status of Refugees is incorporated into Turkish Cypriot domestic “law,” as were all other “laws” that originated from the British colonial period and the pre-1963 Republic of Cyprus

period and were later “ratified” by the Turkish Cypriot administration. There is no “law” or system in place for dealing with asylum seekers or the protection of refugees. Turkish Cypriot authorities evaluated individuals on a case-by-case basis and generally cooperated with the UNHCR local implementing NGO partner, the Refugee Rights Association (RRA). As of August 2, authorities facilitated the access of 41 asylum seekers to UNHCR representatives in the UN buffer zone, but there were no reliable estimates of the total number of asylum seekers who crossed into the government-controlled area, since irregular crossings went unrecorded.

There were reports that Turkish Cypriot authorities deported numerous asylum seekers during the year before a determination was made regarding their status and that not all received facilitated access to continue their claims with the UNHCR, leading to either imprisonment or systematic deportations. Some potential asylum seekers who attempted to enter the area administered by Turkish Cypriots illegally were arrested, taken to “court,” and deported after serving their sentences.

In February the press reported that police arrested 15 persons--the Turkish captain and 14 Syrians, including a pregnant woman and a one-month-old baby--in a sinking boat in the open waters off Karpas. The press reported that the captain had received \$2,000 per person to bring them to the north. The 14 Syrian passengers were sent to Turkey.

In September the press reported that police arrested seven Syrians smuggled from Turkey into the north, four of whom were children between the ages of three and eight. Authorities detained the parents and a third adult, and the children were given to “Social Services” for care. The Turkish Cypriot authorities returned all seven to Turkey. The press claimed the smugglers had promised to take the Syrians to Greece but left them on the Kyrenia coast instead.

Refoulement: Authorities did not provide protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. During the year the RRA stated that despite its efforts, authorities at ports often denied entry to asylum seekers, and that those trying to enter the north illegally were usually detained and subsequently deported.

Human rights associations continued to work with authorities, including the UNHCR, to provide protection for asylum seekers from refoulement, at times without success. With the involvement of these associations and increased facilitation from Turkish Cypriot authorities, several asylum seekers traveled to

Turkey or entered the government-controlled area, through the UN-patrolled area, and started the asylum process there.

Employment: A “regulation” provides that any employer of illegal workers may be fined 7,800 Turkish lira (\$3,440) or face business closure for two months. During the year the “Labor Authority” stated that it identified workers without work permits. As of July 31, the “Labor Authority” monitored 828 workers and fined 140 employers with 257 illegal workers. Authorities fined these employers 2,032,000 Turkish lira (\$895,000) for allowing illegal employment.

According to the immigration “law,” employers need official permission from the “Department of Labor” to register foreign workers. Authorities prohibited entry or deported illegal immigrants without work permits. Authorities sometimes treated asylum seekers as illegal immigrants and either deported them or denied them entry.

Access to Basic Services: According to the RRA, at the end of June, there were 66 asylum seekers and refugees residing and working (for below-minimum wages and sometimes in exchange for food) or attending school in the area administered by Turkish Cypriots. They could not travel abroad because they would be unable to return due to their lack of status, which rendered them illegal according to Turkish Cypriot immigration rules. The UNHCR provided financial assistance to asylum seekers only in exceptional cases. The “Ministry of Health” agreed to extend its policy of providing free health services to asylum seekers and refugees.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The “law” provides Turkish Cypriots the ability to change their “government” through free and fair elections, which they exercised through elections held on the basis of universal suffrage.

#### **Elections and Political Participation**

Recent Elections: Turkish Cypriots choose a leader and a representative body every five years or less. In July 2013 Turkish Cypriots held early “parliamentary” elections. None of the political parties received enough votes in the elections to form a single-party “government.” The Republican Turkish Party and the Democrat Party-National Forces reached agreement to establish a coalition

“government.” In 2010 Turkish Cypriots elected Dervis Eroglu “president” in free and fair elections.

Political Parties and Political Participation: Turkish Cypriot authorities did not permit Greek Cypriots and Maronite residents to participate in Turkish Cypriot elections. The two groups were eligible to vote in Greek Cypriot elections but had to travel to the government-controlled area to exercise that right. Greek Cypriot and Maronite enclave communities in the area administered by Turkish Cypriots directly elected municipal officials. Turkish Cypriot authorities did not recognize these officials.

While membership or nonmembership in the dominant party did not confer formal advantages or disadvantages, there were widespread allegations of societal cronyism and nepotism.

Participation of Women and Minorities: There were no women or minorities in the “cabinet.” After “parliamentary” elections in September 2013, there were four women in the 50-seat “parliament,” including the “president of parliament.” There was no minority representation in the “parliament.”

#### **Section 4. Corruption and Lack of Transparency in Government**

The “law” provides criminal penalties for official corruption. Authorities did not implement the “law” effectively, and “officials” sometimes engaged in corrupt practices with impunity. Observers generally perceived corruption, cronyism, and lack of transparency to be serious problems in the legislative and executive branches.

Corruption: In June the local press alleged corrupt practices involving the use of a private tourism agency for official travel abroad by the “presidency.” The “presidency” issued a statement saying that the claims were false, and authorities did not open an investigation into the allegation. In October a “criminal registrar” officer who worked in Morphou and Lefke “district courts” was arrested and accused with embezzling more than one million Turkish lira (\$441,000) over eight years. An investigation was in progress at years’ end.

Financial Disclosure: According to the “Declaration of Wealth Law,” all “government employees” must declare their wealth and assets.

Public Access to Information: The “constitution” provides free access to “government” information, and the “law” provides for public access. “Civil servants” were not allowed to provide access to “government” documents without first obtaining permission from their superiors or “minister.” NGO representatives complained that there were delays, out-of-date information, and problems concerning access.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A limited number of domestic human rights groups operated in the area administered by Turkish Cypriots. Authorities’ cooperation with NGOs improved beginning in 2013.

Many local human rights groups were concerned with human rights conditions in the area administered by Turkish Cypriots. NGOs promoted awareness of domestic violence; women’s rights; rights of asylum seekers, refugees, and immigrants; trafficking in persons; torture; and LGBT persons’ rights. These groups had little impact on specific “legislation” to improve the protection of human rights.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The “law” prohibits discrimination based on race, gender, disability, language, or social status. Authorities generally enforced these prohibitions. On January 27, the “parliament” passed reforms that decriminalize homosexuality, outlaw gender or sexual identity discrimination, eliminate the death penalty, and increase penalties for child abuse and abuse of the disabled.

The amendments to the “criminal code” outlaw discrimination based on one’s sex, sexual preference, or sexual identity; increase penalties for sexual abuse of children, including child prostitution; increase penalties for abuse of the mentally disabled; increase penalties for violation of sexual inviolability; declare sexual inviolability is a human right; include men in this protection (which previously applied only to women); increase penalties for rape; and increase penalties (to life imprisonment) for sexual activity with minors or persons with mental disabilities-- in a new category similar to statutory rape. The amendment decriminalizing homosexuality created controversy, with religious and conservative groups criticizing liberal human rights advocates. Human rights activists reported there

remained a lack of awareness-raising campaigns that would reduce discrimination. The “legislation” went into effect on February 12.

## **Women**

Rape and Domestic Violence: The “law” does not provide a minimum sentence for individuals convicted of rape, including spousal rape; the maximum sentence is life imprisonment. Authorities and police effectively handled and prosecuted rape cases. There were no NGOs whose specific mission was to support rape victims. One NGO representative reported there was societal pressure against reporting incidents of spousal rape.

Violence against women, including spousal abuse, was a problem. The “law” prohibits domestic violence under a general assault/violence/battery clause in the criminal “code.” While allegations of domestic violence were usually considered a family matter and settled out of “court,” a few cases of domestic violence were prosecuted that resulted in fines and bail but no prison sentences.

According to police reports, between January 2013 and April 2014, a total of 264 women were exposed to violence. The report stated that 97 percent of these women applied to “social services” through the police for further assistance.

Female Genital Mutilation/Cutting (FGM/C): The law does not prohibit FGM/C. There were no reports of the practice.

Sexual Harassment: The amendments to the “criminal code” that went into effect on February 12 prohibit sexual harassment. Incidents of sexual harassment went largely unreported, according to NGOs.

Reproductive Rights: Couples and individuals have the right to attain the highest standard of reproductive health. They have the ability, information, and means to decide freely the number, spacing, and timing of their children. They had access to contraception, skilled attendance during childbirth, and obstetric and postpartum care.

Discrimination: Women generally have the same legal status as men under property “law,” family “law,” and in the “judicial system.” The “government” generally enforced “laws” requiring equal pay for men and women performing the same work at the white-collar level. Women working in the agricultural and textile sectors routinely received less pay than their male counterparts. Several NGOs

worked to protect women's rights, but no specific "government" agency had this responsibility (see section 7.d.).

## **Children**

Birth Registration: Children derive "citizenship" from their parents, and there was universal registration at birth.

Child Abuse: There were some media reports of child abuse, most commonly in the form of sexual battery or rape. As with domestic violence, there were social and cultural disincentives to seeking legal remedies for such problems, which observers believed were underreported.

Forced and Early Marriage: The minimum age of marriage for girls and boys is 18. A "court" may allow marriages for minors who are between the ages of 16 and 18 if they receive parental consent. The rate of marriage in 2012 (the most recent data available) for girls under the age of 18 was 1.2 percent.

Female Genital Mutilation/Cutting (FGM/C): The law does not prohibit FGM/C. There were no reports of the practice.

Sexual Exploitation of Children: The "criminal code" penalizes sexual relations with underage children. The maximum penalty for sex with a minor under the age of 16 is life imprisonment. The maximum penalty for sex with minors older than 16 but younger than 18 is three years' imprisonment. There are no "laws" regarding child pornography. The age of consent is 16.

## **Anti-Semitism**

The small Jewish community consisted primarily of nonresident businesspersons. There were no reports of anti-Semitic acts.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## **Persons with Disabilities**

The “law” prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or in the provision of other “state” services, and authorities effectively enforced these provisions. The “government” employed 573 persons with disabilities and provided financial aid to the remaining 4,062 persons with disabilities in the area administered by Turkish Cypriots. The “law” does not mandate access to public buildings and other facilities for persons with disabilities, and the disabled community complained of lack of infrastructure in public spaces, including lack of sidewalks, blocked sidewalks, and the inability to use public transportation.

### **National/Racial/Ethnic Minorities**

The “law” prohibits discrimination, and the 1975 Vienna III Agreement remains the legal source of authority regarding the treatment of the 338 Greek Cypriot and 104 Maronite residents in the area administered by Turkish Cypriots.

Under the Vienna III Agreement, the UNFICYP visited Greek Cypriot residents of the enclave weekly and Maronites twice a month; additional visits require preapproval by Turkish Cypriot authorities. Although the Vienna III Agreement provides for medical care by a doctor from the Greek Cypriot community, authorities permitted such care only by registered Turkish Cypriot doctors. Individuals living in enclaves also traveled to the government-controlled area for medical care.

Greek Cypriots and Maronites were able to take possession of some of their properties but were unable to leave their properties to heirs residing in the government-controlled area. A Maronite representative asserted that Maronites were not allowed to bequeath property to heirs who do not reside in the area administered by Turkish Cypriots and possess “TRNC” identification cards. Authorities allowed the enclaved residents to make improvements to their homes and apply for permission to build new structures on their properties. Maronites living in the government-controlled area could use their properties in the north only if those properties were not under the control of the Turkish military or allocated to Turkish Cypriots.

A small Kurdish minority lived in the area administered by Turkish Cypriots, a group that emigrated from Turkey in the 1980s. There were reports of social and work discrimination against the Kurds as well as allegations that police closely monitored Kurdish activities, specifically the annual Nowruz Festival.

Authorities noted that the majority of foreign workers were from Turkey and worked in the service (hotel, restaurant, catering) and construction sectors. According to the Turkish Cypriot Human Rights Foundation's 2013 report, *The Human Rights of Migrant Workers in North Cyprus*, other foreign workers and students generally came from Bulgaria, Pakistan, Uzbekistan, Turkmenistan, Philippines, China, Vietnam, Azerbaijan, Kyrgyzstan, Bangladesh, Kazakhstan, and several African countries. The report noted that employers paid foreign workers below the minimum wage and required excessive hours of work (see section 7).

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

On January 27, the Turkish Cypriot "legislature" decriminalized same-sex sexual activity. The "law" also prohibits discrimination based on sexual orientation or gender identity.

Homosexuality remained highly proscribed socially and was rarely discussed, despite the decriminalization of homosexual activity and the amendments to the "criminal code." Few LGBT persons were publicly open about their sexual orientation or gender identity.

While there were no cases recorded of official or societal discrimination based on sexual orientation in employment, housing, or access to education or health care, members of the LGBT community noted that an overwhelming majority of LGBT persons hid their sexual orientation or gender identity to avoid such problems.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The "law" provide for the rights of workers, except members of police and "Turkish Cypriot security forces," to form and join independent unions of their own choosing without prior authorization. The "law" allows unions to conduct their activities without interference and provides for the right to strike with the requirement that a union notify authorities in writing if the duration of strike is longer than 24 hours. The "law" does not provide for reinstatement of workers fired for union activities nor permit "judges," members of the police force, and "Turkish Cypriot security forces" to strike. The "council of ministers" has the

power to curtail a strike twice a year for up to 60 days if it affects the general health, security, or public order or if it prevents the provision of essential services. There is no list of what constitutes essential services. The “law” provides for collective bargaining but does not prohibit antiunion discrimination.

According to union representatives, the “government” did not effectively enforce applicable “laws.” Despite having the rights of freedom of association and collective bargaining, there was almost no unionization among the estimated 70,000-80,000 workers in the private sector. According to a union representative, if private sector workers affected business operations while seeking their rights, the employer would likely replace the employees. The labor authorities and the “state” did not provide adequate resources, inspections, or improvements and did not implement labor “laws.” There was one labor inspector, and a written complaint from a union was required to begin an investigation. If necessary the “registrar’s office” filed a complaint with the “attorney general’s office.” The penalties for violations were sufficient and were listed in the “Right to Collective Bargaining, Strike, and Referendum Law.” Any employer that violates articles of the “law” can be fined from two to eight times the monthly minimum wage of 1,415 Turkish lira (\$623).

Workers formed and joined independent unions. Some companies pressured workers to join unions that the company led or approved. Officials of independent unions claimed that authorities created rival public sector unions to weaken the independent unions.

Workers exercised the right to bargain collectively. Public and semipublic employees benefited from collective bargaining agreements. Semipublic employees worked for companies run jointly by public and private enterprises where, for example, the “government” handled administration while the company’s budget came from private sources.

Private sector employers were able to discourage union activity because the enforcement of labor “regulations” in the private sector was sporadic.

## **b. Prohibition of Forced or Compulsory Labor**

“Laws” prohibit all forms of forced or compulsory labor. The “government” did not effectively enforce the “law.” Information regarding the adequacy of inspections and resources was not available. Forced labor was reportedly punishable by up to one year in prison, a term that was not commensurate with

other serious crimes and not adequate to deter violations. There were reports of forced labor during the year.

Conditions of forced labor existed for men and women employed in industrial, construction, agriculture, restaurant, and retail sectors. Migrant workers in the construction and agricultural sectors were subjected to reduced wages and nonpayment of wages, beatings, and threats of deportation.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for employment is 15, the last year for which education is compulsory. Employers may hire children between the ages of 15 and 18 in apprentice positions under a special status. Children over the age of 15 can work, although they are restricted to not more than six hours a day and 30 hours a week. The "law" prohibits children between 15 and 18 from working during mealtimes, at night, in heavy physical labor, and under dangerous conditions. The "law" also states that every six months the employer must prove, with medical certification, that the physical work done by a child is suitable for children. Written parental consent is also required, and children retain the right to the wage of a full-time employee, although the children can work a maximum of six hours. The "law" generally provides protection for children from exploitation in the workplace.

The "Ministry of Labor and Social Security" is responsible for enforcing child labor "laws" and policies. Resources and inspections were not adequate to deter violations. Penalties for violations consist of fines and "court" procedures. An employer is fined 7,800 Turkish lira (\$3,440) per incident of child labor involving a foreigner.

NGOs alleged authorities did not always effectively enforce the "laws," and employers used children, mainly from Turkey, for labor, primarily in the agricultural and manufacturing sectors and at industrial areas working in the automotive and construction sectors with their families. NGOs reported children worked in dangerous conditions, such as on construction sites, and were subjected to heavy physical work despite "laws" to the contrary.

According to one NGO, child labor in the urban informal economy was also a problem, albeit to a lesser extent than in the agricultural and manufacturing sectors.

The sight of children selling paper towels or other small items on the street became more commonplace, particularly in neighborhoods in Nicosia with large immigrant populations. It was common in family-run shops for children to work after school and for young children to work on their family farms.

#### **d. Discrimination with Respect to Employment or Occupation**

“Laws” generally prohibit discrimination with respect to employment or occupation regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, and social status. The “government” did not effectively enforce these “laws.” Discrimination in employment and occupation occurred with respect to race, ethnicity, sex, and gender (see section 6).

Foreign migrant workers faced societal discrimination, with respect to ethnicity, race, and religious belief.

#### **e. Acceptable Conditions of Work**

In January “the government” increased the minimum wage from 1,415 Turkish lira (\$623) per month to 1,560 Turkish lira (\$687). A public sector union reported to the press that the “hunger level” was 1,290 Turkish lira (\$568) per month and poverty level was 5,856 Turkish lira (\$2,580) per month for a four-member family. Limited information was available on conditions of work. Accommodations for migrant workers, either as part of their compensation or for those made to pay, were substandard.

The standard workweek for the private and public sectors is 40 hours. There is premium pay for overtime in the public sector. Premium pay for overtime is also required, but frequently was not paid, in the private sector. The “law” prohibits compulsory overtime and provides for paid annual holidays.

Occupational safety and health standards are not current. Enforcement and labor inspections, including of working conditions, were reportedly almost nonexistent, and authorities did not effectively enforce standards in all sectors. The “Ministry of Labor and Social Security” is responsible for enforcing the minimum wage. Employers paid undocumented migrant workers below the minimum wage, and enforcement of occupational safety and health regulations was sporadic. While labor authorities conducted regular inspections, there was little improvement in working conditions, particularly for hazardous sectors and vulnerable groups. The practice was to deport those workers claiming violations. Authorities did not apply

penalties to violators, and resources and inspections were not adequate to protect worker rights. The “government” has not established social protections for workers in the informal economy.

As of June there were 143 workplace accidents, two of which were fatal. Authorities were reportedly investigating the fatal accidents. On September 15, following the death of a Syrian worker at a construction site, several newspapers reported an increase in work-related deaths. According to a local newspaper, from 2006 through August, there were 2,236 work accidents, 55 of which resulted in deaths and 555 of which were in the construction industry.

Workers were not able to remove themselves from situations that endangered health or safety without jeopardy to their employment. Authorities did not protect workers in these situations.