

## **CYPRUS 2020 HUMAN RIGHTS REPORT**

Since 1974 the southern part of Cyprus has been under the control of the government of the Republic of Cyprus. The northern part of Cyprus, administered by Turkish Cypriots, proclaimed itself the “Turkish Republic of Northern Cyprus” in 1983. The United States does not recognize the “Turkish Republic of Northern Cyprus,” nor does any country other than Turkey. A substantial number of Turkish troops remain on the island. A buffer zone, or “Green Line,” patrolled by the UN Peacekeeping Force in Cyprus, separates the two sides. This report is divided into two parts: the Republic of Cyprus, and the area administered by Turkish Cypriots.

### **REPUBLIC OF CYPRUS**

#### **EXECUTIVE SUMMARY**

The Republic of Cyprus is a constitutional republic and multiparty presidential democracy. In 2018 voters re-elected President Nicos Anastasiades in free and fair elections. In 2016 voters elected 56 representatives to the 80-seat House of Representatives (Vouli Antiprosopon) in free and fair elections. The remaining seats are designated for Turkish Cypriots and are left vacant.

Police enforce the law and combat criminal activity. Police report to the Ministry of Justice and Public Order. The president appoints the chief of police. Civilian authorities maintained effective control over the security forces. Members of the security forces committed some abuses.

Significant human rights issues included: serious acts of corruption; crimes involving violence or threats of violence targeting members of national and ethnic minorities; and lack of investigation of and accountability for violence against women.

The government took steps to identify, investigate, prosecute, and punish officials who committed human rights abuses.

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

##### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings. The attorney general and deputy attorney general have the authority to order investigations and pursue prosecutions for arbitrary or unlawful killings committed by the government or its agents.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution and law prohibit such practices. There were reports that police at times engaged in abusive tactics and degrading treatment, sometimes to enforce measures adopted by the government to mitigate the spread of COVID-19. Members of ethnic and racial minorities were more likely to be subjected to such treatment.

On May 3, the Independent Police Complaints Authority reported receiving 39 complaints against police officers for abuse of power, inappropriate behavior, and unjustifiably issuing fines during the enforcement of COVID-19-related restrictions. Three complaints concerned the use of violence during arrest. For example according to a complainant's lawyer, on March 31, police in Nicosia pushed a garbage collector to the ground and brutally beat and handcuffed him. Police charged the alleged victim with reckless driving, resisting arrest, and failure to present his identification and proof of permission to be outside during curfew.

The most recent report of the Council of Europe's Committee for the Prevention of Torture (CPT), published in 2018, on the country's prison and detention centers noted persistent credible allegations of police mistreatment of detainees, including allegations received in 2017 that a woman was sexually abused; that three juvenile detainees reported officers kicked, punched, and hit them with clubs during questioning at the Limassol Central Police Station; and that persons detained by police, particularly foreigners, risked physical or psychological mistreatment at the time of apprehension, during questioning, and in the process of deportation.

The ombudsman, who also acts as the country's national preventive mechanism under the Optional Protocol to the UN Convention against Torture, reported a continued decrease in the number of complaints of mistreatment and discriminatory and degrading behavior, including complaints of verbal, physical,

and sexual abuse, from inmates in detention centers and the Cyprus Prisons Department (CPD), the country's only prison. The ombudsman reported complaints received during the year regarding abuse at police detention centers were generally insufficiently substantiated. The ombudsman reported that complaints received during the year regarding prisoner abuse at the CPD were still under investigation. Overall the ombudsman noted continued improvement in the treatment of prisoners and detainees in the CPD and in detention centers.

Impunity was not a significant problem in the security forces.

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

Physical conditions in some prison and detention centers, including detention centers for asylum seekers and undocumented migrants pending deportation, did not meet international standards.

Physical Conditions: Overcrowding remained a problem in the CPD. The prison's capacity is 547; the maximum number of inmates held during the year was 820. In its 2018 report, the CPT noted that in Blocks 1, 2, 5, and 8 of the CPD, many cells did not have toilets, and prisoners lacked reliable access to toilets at night. Overcrowding was not a problem in the area housing female inmates.

Prison authorities held juvenile pretrial detainees in cells separate from convicted juveniles, but the two groups shared the same grounds in their daily activities under the supervision of prison staff. Authorities reportedly held migrants detained on deportation orders together with detainees charged with criminal offenses in nearly all police stations. Such detentions were limited to a maximum of 48 hours except in cases when the Mennoyia Detention Center for undocumented migrants was full. The ombudsman noted that in practice authorities detained undocumented migrants for longer than 24 hours, which the ombudsman asserted violated international principles for the treatment of detainees.

The ombudsman reported that it had not received complaints from prisoners related to overcrowding or the failure to separate prisoners at the CPD. It did, however, on its own initiative launch an investigation into these problems during the year which was still ongoing.

In response to the March CPT *Statement of Principles Relating to the Treatment of Persons Deprived of their Liberty* in the context of the COVID-19 pandemic, the

government amended the prison law in April to reduce the prison population. Some prisoners received early release, were shifted to an open prison scheme (allowed to work outside the prison and visit family on some weekends), or were allowed to serve the remainder of their sentence under electronic surveillance (bracelet) at home.

During the year the ombudsman inspected Aradippou and Paphos police stations as well as the holding facility at Larnaca Airport. The ombudsman reported that persons convicted for criminal offenses and detained for deportation were held at Paphos police station longer than the 48 hours allowed by law. The report noted that the Paphos police station lacked entertainment and recreation facilities, written information on the rights of detainees were not available in every cell, and there was damage to the infrastructure of the detention center that had not been repaired. The ombudsman also noted insufficient access of detainees to telephone communication at the same police station. A report on the inspection of Aradippou police station was pending.

The nongovernmental organization (NGO) Action for Equality, Support, Antiracism (KISA) reported satisfactory physical conditions at the Mennoyia Detention Center for undocumented migrants.

Approximately 44 percent of prisoners in the CPD were non-Cypriots convicted for criminal offenses, mainly theft. Unlike some Cypriot prisoners, foreign prisoners without a temporary residence permit are not permitted to leave the prison to work, spend weekends with family, or apply for parole.

Administration: Authorities generally conducted investigations into credible allegations of mistreatment. In 2018 the CPT raised concerns that insufficient resources as well as personal ties between accused police officers and investigators (most of whom were former police officers) weakened investigations into allegations of police abuse.

The ombudsman conducted regular visits to the CPD and detention centers to assess whether conditions and treatment of prisoners and detainees met national and international standards and regulations. In September the ombudsman, acting as the national preventive mechanism, launched an investigation into the overall treatment of prisoners and detainees and the physical conditions at the CPD. By October 22, the ombudsman had conducted six visits to the CPD. Detention centers lacked facilities for religious observance, but religious representatives were permitted to visit inmates. The ombudsman received several complaints from

prisoners who claimed they faced health risks due to COVID-19 and requested to be released under conditions of electronic monitoring. The ombudsman was examining the complaints.

On September 22, the European Court of Human Rights (ECHR) declared inadmissible the application of a CPD prisoner that claimed his detention conditions aggravated the state of his mental health. The ECHR found that the prisoner, diagnosed with paranoid schizophrenia and convicted for murder, received adequate medical, psychiatric, and psychological support at the CPD.

Independent Monitoring: The government permitted visits to prison and detention centers by independent human rights observers, and unrestricted and unannounced visits occurred during the year. Prison officials from other EU countries and diplomats stationed in the country visited the prisons during the year. Representatives of the Council of Europe Group of Experts on Action against Trafficking in Human Beings, the Cyprus Red Cross, KISA, and the Cyprus Refugee Council visited the Mennoyia Detention Center multiple times during the year.

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

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements, with the exception of an incident involving several asylum seekers.

#### **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 unless a court grants an extension. Most periods of investigative detention did not exceed 10 days before the filing of formal charges. Authorities promptly informed detainees of the charges against them in a language they could understand. The attorney general made efforts to minimize pretrial detention, especially in cases of serious crimes.

There is a functioning system of bail. The government claimed the right to deport foreign nationals for specified reasons of public interest, regardless of whether criminal charges had been filed against them or they had been convicted of a

crime. Trial delays were common and partially caused by lengthy legal procedures, which created a larger workload for the courts.

Detainees generally had access to an attorney. The law permits detainees to speak to their attorney at any time, including before and during interrogation by police. The CPT reported in 2018, however, that police officers regularly prevented detainees from contacting a lawyer until they had given a written statement, and the bar association reported that the presence of lawyers was not permitted during police interviews.

In one example, in 2019 a British teenager claimed Ayia Napa police denied her access to a lawyer during questioning and pressured her to sign a statement revoking her claim of rape against several Israeli teenagers. After she signed the confession, police charged her with causing public mischief for filing a false police report. The British teenager's attorney told the press that police had questioned her for eight hours at the police station without a lawyer. On January 7, the court sentenced her to a four-month suspended sentence.

In criminal cases the state provides indigent detainees with an attorney. To qualify for free legal aid, however, detainees first require a court decision confirming their financial need. The Republic of Cyprus Bar Association prohibits lawyers from doing work pro bono. NGOs complained that this has a significant impact on their ability to take the government to court and hold officials accountable for the treatment of asylum seekers.

NGOs reported arbitrary arrests and detention of asylum seekers. According to the UNHCR, on May 11 and 15, police rounded up 67 asylum seekers from hotels and homes, handcuffed them, and transferred them by bus to Kokkinotrimithia reception center, where other refugees and asylum seekers were housed. They were confined to the center due to COVID-19-related movement restrictions. Police reportedly did not present arrest warrants, explain the reason for the arrests, or allow those arrested to bring any personal belongings, including medications.

The ombudsman reported some cases of authorities detaining migrants and asylum seekers, allegedly for the purpose of deportation, for extended periods despite there being no prospect they would actually be deported, either because their country of origin refused to accept them or the detainees refused to consent to the issuance of travel documents by their country of origin. The ombudsman reported that in those cases detention did not exceed the maximum of 18 months permitted by the law. A considerable number of detainees at the Mennoyia Detention Center were

awaiting a decision on their request for international protection or for adjudication of their appeals against the rejection of their asylum applications. KISA said that authorities continued to provide only limited information to detainees about the status of their cases. The ombudsman recommended that Civil Registry and Migration Department adopted its past recommendation to have its officers visit Mennoyia Detention Center more frequently to better inform detainees about their cases.

Unlike in some previous years, the ombudsman and NGOs did not encounter cases of detainees deported before final adjudication of their asylum applications. An NGO reported, however, that instead of deporting detainees before final adjudication of their cases, immigration authorities pressured them to sign a voluntary return consent by threatening them with indefinite detention. The ombudsman received a complaint from a female detainee at the Mennoyia Detention Center about the type and quality of food provided. During the course of the ombudsman's investigation, the detainee was provided the specific diet recommended by the doctor and the investigation was closed.

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

The law and constitution provide for an independent judiciary, and the government generally respected judicial independence and impartiality.

#### **Trial Procedures**

The law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants enjoy the right to a presumption of innocence. Officials informed defendants promptly and in detail of the charges against them. The constitution provides for fair and public trials without undue delay, and defendants have the right to be present and to consult with an attorney in a timely manner. Authorities provide an attorney for defendants who are unable to afford one and allow defendants adequate time and facilities to prepare a defense. Authorities provide free interpretation as necessary through all stages of the trial. Defendants have the right to confront prosecution or plaintiff witnesses and present evidence or witnesses on their behalf. Criminal defendants enjoy the right not to be compelled to testify or confess guilt. Defendants have the right to appeal. The Cyprus Bar Association reported that chronic court delays, particularly in civil trials, impaired the right to a fair trial.

## **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

## **Civil Judicial Procedures and Remedies**

Individuals and organizations can seek civil remedies for human rights violations through domestic courts. Individuals can appeal cases involving alleged human rights violations by the state to the European Court of Human Rights once they have exhausted all avenues of appeal in domestic courts.

## **Property Restitution**

According to the law, the minister of interior is the guardian of the properties of Turkish Cypriots who have not had permanent residence in the government-controlled area since 1974. Ownership remains with the original owner, but the sale or transfer of Turkish Cypriot property under the guardianship of the minister 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 Administrative Court.

During the year Turkish Cypriots filed four court cases seeking to reclaim properties located in the government-controlled area. The Administrative Court, the Supreme Court, and Larnaca District Court issued a ruling in five separate cases filed against the guardian by Turkish Cypriot property owners in previous years. The Administrative Court found in favor of one Turkish Cypriot owner who had not received a reply from the guardian to his request to have his property disengaged from the guardianship. The court ruled that the 16 months that had lapsed since he submitted the request until the time of the appeal was not a reasonable period of time and ordered the minister of interior to correct the omission.

For information regarding Holocaust-era property restitution and related issues, please see the Department of State's *Justice for Uncompensated Survivors Today (JUST) Act report to Congress*, released publicly on July 29, 2020, at <https://www.state.gov/reports/just-act-report-to-congress/>.

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

The law prohibits such actions, and there were no reports that the government failed to respect these prohibitions.

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

### **a. Freedom of Expression, Including for the Press**

The law provides for freedom of expression, including for the press, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press.

Freedom of Speech: The law criminalizes incitement to hatred and violence based on race, color, religion, genealogical origin, national or ethnic origin, or sexual orientation. Such acts are punishable by up to five years' imprisonment, a fine of up to 10,000 euros (\$12,000), or both.

Freedom of Press and Media, Including Online Media: Independent media were active and expressed a wide variety of views without restriction.

The law penalizes the use of geographical names and toponyms in the country other than those included in the gazetteer 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 other than those permitted, commits an offense punishable by up to three years in prison, a fine of up to 50,000 euros (\$60,000), 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.

The law criminalizes the use of computer systems to incite and promote racism, xenophobia, prejudice, racial discrimination, hate speech, and violence. Such acts are punishable by up to five years' imprisonment, a fine of up to 35,000 euros (\$42,000), or both.

## **Academic Freedom and Cultural Events**

The government maintains a policy of preventing visiting foreign academics and artistic groups from attending conferences or performing in the area administered by Turkish Cypriots, in accordance with laws that provide them the right to deny entry to visitors who declare a hotel in the area under Turkish Cypriot administration not originally owned by Turkish Cypriots as the place of stay. There were no reports of blocked visits during the year, although for much of the year foreign tourists were not permitted to enter the country due to COVID-19.

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

The constitution and law provide for the freedoms of peaceful 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 <https://www.state.gov/religiousfreedomreport/>.

## **d. Freedom of Movement**

The law provides for freedom of internal movement within government-controlled areas, foreign travel, emigration, and repatriation, and the government generally respected these rights.

In-country Movement: The government imposed restrictions on some internal movements and movements through crossing points to the areas administered by Turkish Cypriots to prevent the spread of COVID-19, and these restrictions were applied equally to all. Prior to the COVID-19 pandemic, the government did not restrict Greek Cypriots from traveling to the area administered by Turkish Cypriots, but the Ministry of Foreign Affairs warned foreigners against spending the night at Greek Cypriot-owned properties occupied by Turkish Cypriots or Turks, gambling in the area administered by Turkish Cypriots, or buying or developing property there. Authorities at ports of entry denied admission to nonresidents who listed hotels in the area administered by Turkish Cypriots as their intended place of residence during their visit. NGOs reported the government prohibited recognized non-Cypriot refugees with temporary residence status and asylum seekers from crossing to the area administered by Turkish Cypriots, asserting it could not assure their safety in an area not under its control. Local

media reported police officers at the crossing points occasionally harassed Greek Cypriots returning from the area under Turkish Cypriot administration.

On February 29, the government closed four of the nine buffer zone crossings as a temporary measure to prevent the spread of COVID-19. In mid-March, Turkish Cypriot authorities suspended the operation of the remaining crossings, effectively banning all travel across the buffer zone. Movement was partially restored in stages beginning June 8. The Ledra Street pedestrian crossing in Nicosia remained closed by the government as of December. Protests against the crossing point closures staged by Greek Cypriots and Turkish Cypriots in late February and early March led to skirmishes with police and the arrest of three protesters. In March Turkish Cypriot press reported Greek Cypriot police used pepper spray and clubs against Turkish Cypriot demonstrators at the Ledra Street crossing. Several demonstrators and journalists were taken to the hospital. The Turkish Cypriot Foreign Press Association condemned the use of force and claimed Greek Cypriot police violated press freedom.

#### **e. Status and Treatment of Internally Displaced Persons**

The government considers Greek Cypriots displaced as a result of the 1974 division of the island to be refugees, although they fell under the UN definition of internally displaced persons (IDPs). As of December 2019 there were 228,000 such individuals and their descendants. UNHCR provided assistance to Greek and Turkish Cypriot IDPs from 1974 to 1988, after which it transferred assistance programs to UN Peacekeeping Force in Cyprus (UNFICYP) and other UN agencies. 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.

#### **f. Protection of Refugees**

The government generally cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to refugees and asylum seekers. In 2019 the Asylum Service accepted the secondment of a UNHCR consultant and established a quality assurance unit to ensure the quality of the refugee status-determination procedures. The government did not accept UNHCR's offer to second officers to Social Welfare Services to help ensure the mandatory vulnerability assessments of asylum applicants were conducted in a timely and comprehensive manner.

Abuse of Migrants, Refugees, and Stateless Persons: NGOs reported that some Social Welfare Service officers and judges subjected asylum seekers to racist verbal abuse. On April 28, the NGO KISA reported that security personnel at the Social Welfare Services office in Lakatamia physically attacked two asylum seekers and an infant child who had visited the office to inquire about the delay in receiving their food coupons and rent subsidy. The Ministry of Labor reported the incident to the police and asked the private company providing security services to transfer the security guard involved from Social Welfare Services office. The security guard was charged and the case was pending trial at year's end.

In June UNCHR reported three unaccompanied minors at Kokkinotrimithia reception center renewed their claim that they were sexually harassed by adult residents of the center. The minors reported they were touched inappropriately while waiting in line for food or medical examinations and that adults violated their privacy while showering. The commissioner for the protection of the child, the ombudsman, members of the House of Representatives Standing Committee on Human Rights, and UNHCR criticized the government for keeping unaccompanied minors in the reception center until their age could be verified. The Asylum Service reported in September that according to its investigation the sexual harassment complaints were unfounded. It did, however, acknowledge it was a mistake and inappropriate to keep those who claimed they were unaccompanied minors with the general population. As a result the Asylum Service established a "safe zone" in the camp for persons claiming to be unaccompanied minors until their age could be verified. The Ministry of Labor reported that Social Welfare Services transferred two of the minors to a shelter for unaccompanied minors and the third to his sister's house. Authorities referred the cases to the Children's House, a multidisciplinary government center providing services to victims of child sexual abuse. According to the Ministry of Labor, two of the children interviewed by the center's specialists did not report that they had been sexually harassed at the center. The third minor did not report sexual harassment and refused to be interviewed.

The government's policy was not to hold irregular migrants in detention for long periods and to release them and provide them residency permits if they were not deported within 18 months. An NGO reported immigration authorities pressured migrant detainees to sign a voluntary return consent by threatening them with indefinite detention. The same NGO reported that some asylum seekers were detained for reasons of national security and remained in detention for several months without being informed of the evidence against them.

Refoulement: On March 20, marine police directed a boat carrying 115 Syrians to leave Republic of Cyprus territorial waters and return to Syria. Authorities cited COVID-related entry restrictions as the justification. The boat eventually capsized in waters under Turkish Cypriot administration, and Turkish Cypriot authorities deported the Syrians to Turkey. On June 4, a boat reportedly carrying 30 Syrians attempted to enter the country and was pushed back by marine police. The vessel eventually landed in the area under Turkish Cypriot administration. The Syrian passengers reportedly crossed irregularly into the government-controlled area. A third pushback of a boat reportedly carrying 10 Syrians was reported in late July. It also landed in the north and its passengers crossed irregularly into the government-controlled area. Between September 1 and 8, police pushed back six more boats arriving from Lebanon. According to UNHCR, government authorities kept two additional boats, reportedly carrying Syrian nationals, at sea for days. NGOs reported that passengers that came ashore on vessels from Lebanon were not given the opportunity to submit asylum claims. Instead they were immediately quarantined and quickly deported. NGOs claimed some asylum seekers were tricked into boarding buses they believed were going to a hospital, only to be taken to the port and deported on government-chartered vessels.

As of September 8, authorities reportedly deported a total of 115 persons who had arrived by boat from Lebanon. On September 9, a Ministry of Interior spokesperson stated that government officials had boarded the boats and verified the passengers were not asylum seekers but economic migrants. The ministry therefore decided to send them back to Lebanon. A UNHCR spokesperson responded on September 9 that UNCHR was not given access to the passengers of the boats that were pushed back and was therefore not in a position to verify that the passengers did not ask for asylum.

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for providing protection to refugees. On March 16, however, the government suspended asylum processing procedures as part of measures to prevent the spread of COVID-19. Registration of asylum applications resumed in late May. UNHCR and NGOs reported the suspension left many asylum seekers, including vulnerable populations, homeless and without benefits. The ombudsman received one official complaint from an asylum seeker who arrived on March 11 that authorities refused to accept the asylum seeker's application, citing COVID-19 measures and that their passport had expired. The ombudsman's investigation continued at year's end.

Due to a significant increase in asylum claims in recent years and long delays in the examination of applications, more than 18,700 asylum claims were pending examination as of the end of September. The Asylum Service, the ombudsman, UNHCR, and NGOs reported some accelerated examination of asylum applications but the existing backlog remained and delays persisted in the appeals process. The government, UNHCR, and NGOs agreed that a significant proportion of registered asylum claims were not credible. In June 2019 the government established an International Protection Administrative Court (IPAC) to streamline the examination of asylum appeals. NGOs reported the establishment of IPAC was an improvement over the previous system, but there was not sufficient data to evaluate its effect on the duration of appeals.

Freedom of Movement: The government temporarily converted the two reception centers for asylum seekers in Kokkinotrimithia and Kofinou into closed centers with restricted entry and exit as part of the country-wide COVID-19 lockdown. The closure sparked a series of protests by camp residents in Kokkinotrimithia, a center designed to hold asylum seekers no more than 72 hours, who demanded to be allowed to freely exit. While movement restrictions were eased at Kofinou on May 21, entry and exit to Kokkinotrimithia remained restricted due to an outbreak of scabies. On May 27, UNHCR reported the decision effectively confined some 773 asylum seekers, including unaccompanied minors and other vulnerable persons, to the camp while only two residents were actually treated for scabies.

Media and NGOs reported unsanitary and harsh conditions for some asylum seekers, with insufficient food and lack of basic hygiene facilities, soap, and electricity. On April 23, after a visit to Kofinou and Kokkinotrimithia reception centers, the ombudsman reported that some of the newly installed tents at Kokkinotrimithia were placed on dirt that turned into mud after a heavy rainfall and some did not have electricity. She recommended opening of the centers as soon as pandemic conditions allowed, resumption of asylum procedures, and expediting the interviews of those who claimed to be minors to ensure no minors were left in temporary reception facilities.

There were several reports of arbitrary arrest and detentions of asylum seekers, including the May detention and confinement of 67 asylum seekers reported by the UNHCR (see section 1.d., Arbitrary Arrest or Detention).

Several NGOs reported concerns about deteriorating conditions at the Pournara Migrant Reception Center in Kokkinotrimithia in October and November. The pandemic's effect on the economy impacted camp residents, and while asylum

seekers were free to leave once processed during that time period, many chose not to because they could not find jobs or afford outside accommodation. Adding to the hardship, according to NGOs and government officials, the Social Welfare Service was not functioning effectively, leaving many without basic necessities such as access to food, rent subsidies, or healthcare. UNHCR reported some asylum seekers stay at the center for months.

In November the center reported operating near capacity with 549 total residents, including 52 children. A total of 37 migrants had tested positive for COVID, and 260 residents were confined to the quarantine section of the camp. New arrivals had slowed during the period of April to June when flights to the country were halted or reduced, but from September through early November, the center had processed an average of 20 arrivals per day.

The ombudsman made an unannounced visit on December 4 and issued a report on December 10 with a set of recommendations, including 1) the immediate release of 200 residents who meet the established conditions to leave; 2) the immediate transfer of 13 unaccompanied minors, being held on the basis of COVID mitigation protocols, to other appropriate facilities; 3) the creation of a safe zone for unaccompanied minors in quarantine; 4) an immediate vulnerability assessment of all individuals in the center and transfer of vulnerable persons to other facilities; 5) institution of a preliminary medical screening for all asylum seekers upon admission into the center; 6) speeding up efforts for the establishment of a second, specially designed accommodation facility outside the center to transfer any COVID-19 positive asylum seekers in the center; and 7) immediately transferring individuals who complete 14 days in the quarantine area and test negative for COVID-19 to the main area of the center.

Employment: Authorities allowed asylum seekers whose cases were awaiting adjudication to work after a one-month waiting period. In May 2019 the Ministry of Labor expanded the number of sectors in which asylum seekers could work to include employment in animal shelters and kennels, night shifts in bakeries and dairies, auto-body paint and repair, garden cleaning, and as kitchen assistants and cleaners in hotels and restaurants. The law previously restricted asylum seekers to employment 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. NGOs and press reported refugees and asylum seekers lost jobs due to the long-term closure of many establishments in the tourism and hospitality sectors due to COVID-19 mitigation efforts. Prior to the pandemic, many were already

dealing with tenuous financial situations and had difficulties finding and maintaining employment due to limited access to the labor market, lack of skills or education, and the lack of social capital and networks.

There were reports of racism by Labor Department officers who met with valid residency applicants seeking a contract of employment. During the year the Ministry of Labor and Social Insurance received 2,771 labor contracts applications for asylum seekers and by year's end had approved 2,269 and rejected 54. NGOs reported the procedure for employing asylum seekers was slow and costly and discouraged employers from hiring asylum seekers.

Access to Basic Services: Recognized refugees have access to public services, such as education, health care, and the courts. The only permanent reception center for asylum seekers, located in Kofinou, remained full, and the majority of asylum seekers lacked proper housing. UNHCR and local NGOs noted a high number of asylum seekers faced homelessness and destitution. They reported that many asylum seekers slept in outdoor parks or temporarily stayed with friends, relatives, or strangers, often sleeping on floors without adequate access to hygiene facilities. The growing number of new arrivals, the limited supply of affordable accommodations, delays in the provision of government financial support, and the backlog in the examination of asylum applications increased the risk of homelessness, according to local NGOs.

Emergency measures introduced to contain the spread of COVID-19 included restrictions on freedom of movement, social distancing requirements, and limits on gatherings, as well as the closure of public spaces and certain businesses, government institutions, and facilities. NGOs and UNHCR reported that these actions had personal, public, economic, and social implications on the human rights and living conditions of refugees and asylum seekers. Primarily these included prolonged detention at overcrowded government reception facilities in poor conditions (see "Freedom of Movement" above); the loss of jobs and livelihoods (see "Employment" above); restrictions in access to healthcare; adverse mental health impacts; delays in social welfare payments; a lack of access to technology, education and personal development opportunities; delays in asylum and migration procedures; and limited access to the legal and judicial systems.

The ombudsman received several complaints concerning the delivery of welfare support and has requested the views of the Ministry of Labor on the matter. NGOs reported that during the lockdown to contain the COVID-19 pandemic, the government suspended housing subsidies provided to asylum seekers who were

reportedly forcibly removed from their rented accommodations and transferred to the Kokkinotrimithia reception center. An unspecified number of asylum seekers accommodated by the government in hotels were also moved to Kokkinotrimithia, which the government temporarily turned into a closed reception center for the duration of the restrictions (April 8 to June 15).

UNHCR, NGOs, and asylum seekers reported delays and inconsistencies in the delivery of benefits. On March 18, the Council of Ministers abolished the coupon system for welfare support provided to asylum seekers and replaced it with direct payments. In previous years the ombudsman and NGOs reported that the system of providing welfare support to asylum seekers via coupons did not appropriately accommodate the special needs of vulnerable groups. The coupons could be redeemed only in specific shops that may lack some supplies, were usually more expensive than other grocery stores, and were often inconveniently located. The NGO KISA reported these shops exploited the vulnerable position of asylum seekers and charged up to 20 percent in fees to cash government checks. In October the Social Welfare Service began printing and mailing benefit checks to asylum seekers or paying welfare benefits directly into beneficiaries' accounts, in accordance with the new system. NGOs complained that many asylum seekers lack reliable, stable mailing addresses and the ability to cash checks, and noted that banks are unwilling or reluctant to open accounts for asylum seekers. Homeless asylum seekers faced difficulties in opening a bank account without a valid address.

Asylum seekers who refused an available job could be denied state benefits. An NGO reported that mothers with young children and asylum seekers with medical conditions that prevented them from working in the permitted sectors of employment were sometimes refused state benefits. The Ministry of Labor reported that it examines the reasons an asylum seeker declined a job offer and if found valid, benefits remain in place.

In May 2019 the Council of Ministers introduced a series of changes to improve the housing condition of asylum seekers. It approved an increase, effective June 1, 2019, in the housing subsidy provided to asylum seekers by Social Welfare Services, established criteria for the number of persons who can reside in a rented establishment based on the number of rooms, and began providing the initial rent deposit directly to the asylum seekers instead of to the landlord. An NGO stated the increase was not sufficient to cover the steep rise in rent prices. The Council of Ministers also authorized continued financial support to asylum seeker families

even if a member of the family finds employment, provided that the salary does not exceed the total assistance to which the family is entitled.

Temporary Protection: The government also provided temporary protection, called subsidiary protection, to individuals who may not qualify as refugees. The government provides subsidiary protection status for citizens or residents of Syria who entered the country legally or illegally. All persons seeking such status were required to provide a Syrian passport or other identification. Authorities granted subsidiary protection to 1,209 persons during the first nine months of the year.

### **Section 3. Freedom to Participate in the Political Process**

The law and constitution provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. In national elections, Turkish Cypriots who resided in the area administered by Turkish Cypriots were ineligible to vote and run for office in the government-controlled area, although Greek Cypriots living in the north faced no such restrictions. In elections for the European Parliament, Cypriot citizens, resident EU citizens, and Turkish Cypriots who live in the area administered by Turkish Cypriots have the right to vote and run for office.

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

Recent Elections: In 2018 voters re-elected Nicos Anastasiades president in free and fair elections. In 2016 the country held free and fair elections for the 56 seats assigned to Greek Cypriots in the 80-seat House of Representatives. The 24 seats assigned to Turkish Cypriots remained vacant.

Participation of Women and Members of Minority Groups: No laws limit participation of women and members of minority groups in the political process, and they did participate. Women remained underrepresented in senior political positions. Only 27 percent of ministers and 21.4 percent of the members of House of Representatives were women.

In May 2019 more than 5,600 Turkish Cypriots voted in the European Parliament elections at 50 polling stations near buffer-zone crossing points, compared with 1,869 who voted in 2014. According to press reports, between 1,100 and 1,500 Turkish Cypriots were unable to vote because their names did not appear on the electoral list. Voters elected a Turkish Cypriot to one of the country's six seats in the European Parliament for the first time. The law provides for the registration of

all adult Turkish Cypriot holders of a government identity card who resided 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 citizens residing there. 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. This problem persisted but to a lesser extent than previous years, as the number of registered Turkish Cypriot voters increased from approximately 56,000 in 2014 to 81,000 in 2019. The media attributed much of this increase to the successful campaigning of the first Turkish Cypriot elected to European Parliament.

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

The law provides criminal penalties for corruption by officials, and the government generally implemented the laws effectively. Although the government generally investigated and prosecuted cases of corruption, there were numerous reports of government corruption during the year.

Corruption: On October 12, Al Jazeera aired an expose, *The Cyprus Papers--Undercover*, in which undercover reporters captured extensive evidence of government corruption related to the Citizenship by Investment scheme (CBI). In the video the president of the House of Representatives, Demetris Syllouris, House of Representatives member Christakis Giovani, and CBI facilitators indicated their willingness to assist a fictitious Chinese CBI applicant whom they were told had been convicted of money laundering and corruption. On October 13, the government announced it was terminating the CBI program, effective November 1, and Attorney General George Savvides ordered an investigation into any possible criminal offenses arising from the Al Jazeera report. Syllouris and Giovani resigned from the House of Representatives. On March 11, the former mayor of Larnaca, Andreas Louroudjiatis, was sentenced to five years' imprisonment for corruption, bribery, money laundering, and other related charges in connection to waste management plants operated by the municipalities of Larnaca and Paphos. The financial director of the Municipality of Paphos was sentenced to five years' imprisonment and two engineers of the town planning department were sentenced to 42-month and 18-month prison terms in relation to the incident. The company involved, Helector Cyprus Ltd, was fined 183,000 euros (\$220,000).

Financial Disclosure: The law requires the president, members of the Council of Ministers, members of the House of Representatives, and members of the State

Health Services Organization board to declare their income and assets. The publication of their declarations is obligatory, but there are no specific sanctions for noncompliance. Spouses and children of the same officials are required to declare their assets, but the publication of their declarations is prohibited. Other public officials are not required to declare their assets.

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

Domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views.

Government Human Rights Bodies: There is a government ombudsman, whose portfolio includes human rights, and a legislative Committee on Human Rights.

During her independent investigations, the ombudsman generally enjoyed good cooperation with other government bodies. NGOs complained, however, that the Office of the Ombudsman routinely refused to investigate their complaints on the grounds that similar complaints had been investigated in the past. The Office of the Ombudsman reportedly made increased interventions, including at least 52 ad hoc reports during the year to support vulnerable groups, such as migrants, refugees, asylum seekers, lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons, and women.

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 a wide range of human rights problems, including trafficking in persons, violence against women, sexual abuse of women and children, 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**

#### **Women**

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, with a maximum sentence of life in prison. The law also criminalizes domestic violence, with a maximum sentence of 10 years in prison for violations. The

government generally enforced the law effectively, although many cases continued to go unreported.

The law establishes clear mechanisms for reporting and prosecuting family violence. A court can issue a same day restraining order against suspected or convicted domestic violence offenders. The number of reported cases of domestic violence increased in recent years. In the first nine months of 2019, 519 cases of domestic violence were reported to police. As of October 2019, police had investigated 181 of the cases and filed 111 cases in court. The NGO Association for the Prevention and Handling of Violence in the Family (SPAVO) stated increased reporting reflected greater awareness of and access to services, rather than an increasing number of incidents. SPAVO said domestic violence victims often faced significant family and social pressure not to report abuse and to withdraw complaints filed with police. The media and NGOs criticized the Social Welfare Services for not providing sufficient support to female victims of domestic violence. In one example, in January a man stabbed and killed his estranged wife, Ghada Al Nouri, while three of their seven children were in the house. Al Nouri had reported abuse to police two weeks earlier, culminating in the man's arrest and issuance of a restraining order. The perpetrator was released on bail just days later, pending the start of his trial. The director of the Social Welfare Service denied reports that the service did not ensure the victim was protected, stating that social workers were in constant contact with the victim and had offered her the option to move to a safe house. In July the perpetrator was convicted and sentenced to 18 years in prison.

SPAVO reported a steep increase in domestic violence during and immediately after the mandatory lockdown imposed due to COVID-19. In the period March 16 to June 30, the association recorded a 50 percent increase in SPAVO's call center cases and a 46 percent increase in the number of victims at shelters, compared to the same period in 2019. Survivors of domestic violence had two shelters, each funded primarily by the government and operated by SPAVO.

Police conducted detailed educational programs for officers on the proper handling of domestic violence, including training focused on child abuse. NGOs reported, however, that some police officers continued to dismiss claims of domestic abuse by foreign women and children.

Sexual Harassment: The law prohibits sexual harassment in the workplace with a maximum penalty of six months in prison, a 12,000 euro (\$14,400) fine, or both. A code of conduct outlines the prevention and handling of sexual harassment and

harassment in the public service. NGOs and foreign domestic worker associations reported that authorities did not adequately investigate sexual harassment complaints submitted by foreign domestic workers.

Sexual harassment reportedly remained a widespread, but often unreported, problem. NGOs said permissive social attitudes, fear of reprisals, and lack of family support for victims discouraged victims from reporting instances of sexual harassment. The Department of Labor reported receiving eight sexual harassment complaints, including two from foreign domestic workers, but stated that all the complaints lacked supporting evidence. The ombudsman continued to receive and examine complaints of sexual harassment in the workplace. In July 2019 the major labor unions--the Confederation of Cypriot Workers and the Pancyprian Labor Federation--agreed with the Employers and Industrialists Federation on a code of conduct covering how to treat cases of harassment and sexual harassment at the workplace. Due to the pandemic, the ombudsman cancelled planned training and seminars on sexual harassment and gender mainstreaming for the public sector during the year.

In April 2019 a university student reported to police that her 48-year-old employer at a Nicosia kiosk tried repeatedly to touch, hug, and kiss her without her consent. Following an investigation, including the examination of video footage, police brought charges against the employer, who was released on bail and restraining orders pending trial.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: The law provides the same legal status and rights for women and men. The government generally enforced the law, but women experienced discrimination in employment and pay in the private sector. Although reporting by Eurostat showed pay parity between the genders in the public sector, NGOs reported vertical and occupational segregation remained a challenge.

## **Children**

Birth Registration: Children derive citizenship from their parents, and there was universal registration at the time of birth. Citizenship is denied, however, when either of the parents entered or resided in the country illegally. The government considers as illegal settlers Turkish citizens who entered and reside in the area under Turkish Cypriot administration. Children born to a Turkish Cypriot parent

are not automatically granted citizenship if one or both of their parents were a Turkish national who entered and resided in the country illegally. Their applications for citizenship are reviewed by the Council of Ministers, which has the right to override this provision of the law and grant them citizenship, provided the applicants meet a set of criteria adopted by the Council of Ministers in 2007.

Child Abuse: The law criminalizes child abuse. The maximum penalty for child abuse is one year imprisonment, a fine of up to 1,700 euros (\$2,000), or both.

Child, Early, and Forced Marriage: The legal age of marriage is 18, but persons ages 16 and 17 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 ages 16 and 17 if the parents unjustifiably refuse consent, or in the absence of legal guardians.

Sexual Exploitation of Children: The law prohibits commercial sexual exploitation of children, child pornography, offering or procuring a child for prostitution, and engaging in or promoting a child in any form of sexual activity. The maximum penalty for sexual abuse and exploitation of a child who is 13 through 17 years old is 25 years in prison. The penalty for sexual abuse and exploitation of a child younger than 13 is up to life in prison. Possession of child pornography is a criminal offense punishable by a maximum of life imprisonment. Authorities enforced these laws. The minimum age for consensual sex is 17.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases>.

## **Anti-Semitism**

There were approximately 4,500 persons in the Jewish community, which consisted of a very small number of native Jewish Cypriots and a greater number of expatriate Israelis, British, and Russians.

Unlike in previous years, the Jewish community reported that there were no attacks against members of their community.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The law protects the rights of persons with physical, sensory, intellectual, and mental disabilities and prohibits discrimination against them. The government generally enforced these provisions.

Children with disabilities attend mainstream schools. The government provides a personal assistant to children with disabilities attending public schools but not to children with disabilities attending private schools. The ombudsman issued a report in September noting that the law obligated private secondary education schools to provide personal assistants for children with disabilities.

During the year the ombudsman examined several complaints from persons with disabilities concerning accessibility issues and discrimination. In May the ombudsman's office reported that it examined a complaint submitted by parents of children with disabilities that their children were subjected to different conditions and procedures for their return to school under COVID-19-related restrictions. The ombudsman concluded that the additional conditions imposed by the Ministry of Education for their return to school violated the principle of equal treatment and nondiscrimination and called on the ministry to immediately revoke the additional requirements. The Ministry of Education complied with the recommendation.

Problems facing persons with disabilities included limited access to natural and constructed environments, transportation, information, and communications. The Cyprus Paraplegics Organization reported that several public buildings were still not accessible to wheelchair users. The ombudsman examined several complaints from persons with disabilities. In January the ombudsman reported that, in violation of relevant legislation, television broadcasters failed to provide audiovisual services accessible to persons with hearing disabilities. At the ombudsman's recommendation, the Cyprus Radio-Television Authority (CRA) requested all broadcasters comply with their legal obligations. All broadcasters submitted accessibility action plans to the CRA. The CRA will evaluate their implementation during the course of the next year.

During the year government services implemented recommendations in the ombudsman's April 3 report to ensure persons with physical and mental disabilities

and persons in social care shelters had access to COVID-19 information and protection measures. The ombudsman intervened in a case of several persons with disabilities who were not allowed to abstain from coming to their workplace after colleagues tested positive for COVID-19 and in a case of a single parent of disabled children who was not granted leave to care for them during the pandemic. Both cases were resolved in favor of the complainant.

In February, three nurses at the public Athalassa Psychiatric Hospital reported appalling physical conditions, serious overcrowding, and personnel and medication shortages to the *Cyprus Mail* newspaper. The nurses reported that the building's poor condition led to injuries of patients and staff. The ombudsman issued two reports in March and September that confirmed a shortage of nurses, the lack of a permanent pharmacist, and that past improvements to the building failed to create a suitable environment for patients.

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. Observers did not consider fines for violating the law against employment discrimination sufficient to prevent abuses (see also section 7.d.).

### **Members of National/Racial/Ethnic Minority Groups**

Minority groups in the government-controlled area of the country included Catholics, Maronites, Armenians, and Roma. Although legally considered one of the two main communities of Cyprus, Turkish Cypriots constituted a relatively small proportion of the population in the government-controlled areas and experienced discrimination.

Christ Mayuba, a British soccer player on a local professional team, reported to police that he was the victim of a verbal racist attack by spectators during a match in February. Although Mayuba's teammates stopped play as a show of support when a spectator called him a "slave," the referee ejected Mayuba and eventually gave the opposing team the win by forfeit. At first police stated that a preliminary investigation did not appear to confirm Mayuba's claims. The ombudsman conducted an investigation into the incident and concluded in March that Mayuba suffered verbal racial abuse. Following the ombudsman's report, the police launched an investigation and submitted its findings to the attorney general for the criminal prosecution of those involved.

NGOs reported police racial profiling and discriminatory treatment of ethnic minorities in the enforcement of movement restrictions imposed to mitigate the spread of COVID-19. KISA reported that police illegally entered the homes of migrants without a warrant and fined them for violating the rule prohibiting home gatherings of more than 10 persons in spite of the fact that they were residents of the house. It reported that police targeted migrants in the streets to issue fines and in some cases intimidated and physically mistreated them. For example KISA reported in May that police fined three migrants playing soccer in the street outside their home for violating COVID-related movement restrictions. All three were living in a single-room apartment in the old city of Nicosia. The NGO reported the police had shown tolerance in similar cases involving local citizens. Caritas received reports from migrant workers that police fined them on the bus because their facemask was not covering their nose, as stipulated by the relevant decree, but did not fine nonmigrants, including the bus driver, wearing the mask in the same manner.

There were incidents of violence against Turkish Cypriots traveling to the government-controlled areas as well as some incidents of verbal abuse or discrimination against non-Greek Cypriots. In July 2019 Turkish Cypriot leader Mustafa Akinci reported to the UN Secretary General's special representative in Cyprus that a Turkish Cypriot tourist bus driver was harassed by Greek Cypriots at Larnaca airport and called for a proper investigation. President Anastasiades instructed police to open an investigation into the complaint, which continued at year's end.

The Ministry of Education applied a code of conduct against racism in schools that provided schools and teachers with a detailed plan on handling, preventing, and reporting racist incidents.

A May 2018 European Commission report prepared as part of the Roma Civil Monitor pilot project stated that Cypriot Roma continued to face discrimination in housing, employment, and education. The report asserted government actions to promote the inclusion of Roma were insufficient.

The ombudsman continued to receive complaints that the government delayed approval of citizenship for children of Turkish Cypriots married to Turkish citizens residing in the area administered by Turkish Cypriots (see section 6, Birth Registration). The ombudsman reported that the government did not make progress towards implementing her past recommendations to ensure such applications were processed within a reasonable time and applicants are promptly

informed in writing when their application does not meet stated criteria. The government reported granting citizenship to 50 such children in 2019.

A member of the Armenian community reported difficulties in registering with the Cyprus Scientific and Technical Chamber, the body responsible for the accreditation of engineers, allegedly due to his ethnicity. The ombudsman continued to investigate the case at year's end.

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

Antidiscrimination laws exist and prohibit direct or indirect discrimination based on sexual orientation or 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.

Despite legal protections, LGBTI individuals faced significant societal discrimination, particularly in rural areas. As a result many LGBTI persons were not open about their sexual orientation or gender identity, nor did they report homophobic violence or discrimination.

On September 7, authorities deported a Brazilian man who had entered a civil partnership with a Cypriot national while both were in prison. The NGO Accept LGBTI Cyprus (ACCEPT) and members of the House of Representatives Human Rights Committee publicly called on the minister of interior to cancel the deportation. The Brazilian was arrested immediately after his release from prison and detained at the Paphos police station for several weeks, exceeding the maximum of 48 hours that detainees can legally be held at police stations. The ombudsman concluded that the prolonged detention violated his rights and called for his immediate transfer to the Mennoyia Detention Center for irregular migrants. The ombudsman's investigation did not examine the reasons for his deportation. ACCEPT protested his deportation in a press release September 9, asserting that authorities had followed irregular proceedings in breach of due process and violated the victim's rights.

ACCEPT reported police routinely declined to investigate violence against LGBTI individuals as possible hate crimes. According to ACCEPT, police inaction discouraged LGBTI individuals from reporting complaints. The NGO reported two known attacks during the year against LGBTI individuals. On March 7, two

young transgender individuals were attacked by a gang of seven hooded persons while leaving a party in Nicosia. The victims were hospitalized but did not report the attack to the medical personnel, or the police, and instead said that they fell down the stairs.

There were reports of employment discrimination against LGBTI applicants (see section 7.d.).

ACCEPT reported that transgender persons undergoing hormone replacement therapy experienced discrimination in access to health care following the introduction of the new national universal health insurance system in June 2019. The NGO reported that the same category of LGBTI individuals faced increased difficulties accessing hormone treatment due to the COVID-19 lockdown.

The law criminalizes incitement to hatred or violence based on sexual orientation or gender identity.

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

In 2018 the president of the HIV-Positive Persons Support Center stated that HIV-positive persons faced prejudice in employment both in the private and public sector as well as from society and their own families, largely due to lack of public awareness. Activists complained that raising public awareness of this problem was not a government priority and reported that even medical staff at hospitals were prejudiced and reluctant to examine HIV-positive individuals.

## **Section 7. Worker Rights**

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

The law provides for the right of workers to form and join independent unions, strike, and bargain collectively with employers. Both antiunion discrimination and dismissal for union activity are illegal.

The law requires labor unions to register with the registrar of labor unions within 30 days of their establishment. Persons convicted for fraud-related and immoral offenses are not allowed to serve as union officials. Unions' accounts and member registers can be inspected at any time by the registrar. An agreement among the government, labor unions, and employers' organizations established the procedure for dispute resolution for essential services personnel.

The government generally enforced applicable laws, and resources and investigations were adequate in the formal sector. Administrative procedures were efficient and immediate, but judicial procedures were subject to delays due to a case backlog. Penalties for violations, which occurred primarily in the informal sector, were not commensurate with those for other similar civil rights violations. Violations rarely occurred in the formal sector.

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, they are governed by a voluntary agreement between the government and employer organizations. Unions, employers, and employees effectively observed the terms of collective bargaining agreements. Workers covered by such agreements were employed predominantly in the larger sectors of the economy, including construction, tourism, health care, and manufacturing.

Private-sector employers were able to discourage union activity in isolated cases because of sporadic enforcement of labor regulations prohibiting antiunion discrimination and the implicit threat of arbitrary dismissal for union activities.

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

The law prohibits all forms of forced or compulsory labor. The penalties were not commensurate with those for other serious crimes. The government did not effectively enforce the law, and forced labor occurred. Inspections of the agricultural and domestic service sectors remained inadequate, and resources at the Department of Labor Inspections within the Ministry of Labor were insufficient.

Forced labor occurred primarily in agriculture and in domestic work. Foreign migrant workers, children, and asylum seekers were particularly vulnerable, according to NGOs. Employers reportedly 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 and in unsuitable living conditions. From January to September 2019, police identified six victims of labor trafficking. Some employers reportedly retained a portion of agriculture workers' salaries as payment for accommodations, in violation of the law. In one example police arrested a 68-year-old retired police officer in July after videos posted on social media recorded by his foreign domestic worker indicated that he physically assaulted and

terrorized her. Police charged him with trafficking in persons, labor exploitation, and other serious offenses. He was initially released on bail and then rearrested two weeks later after police found new evidence against him. The domestic worker was identified as a victim of trafficking and was transferred to the government shelter. A trial began September 28.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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

The law prohibits the employment of children, defined as persons younger than 15, except in specified circumstances, such as combined work-training programs for children who are at least 14, or employment in cultural, artistic, sports, or advertising activities, subject to rules limiting work hours. The law prohibits night work and street trading by children. The law permits the employment of adolescents, defined as persons ages 15 through 17, subject to rules limiting hours of employment and provided it is not harmful or dangerous. 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 the law, and penalties for violations were commensurate with those for other serious crimes.

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 could also investigate suspected cases of exploitation of children at work.

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

The law prohibits direct or indirect discrimination with respect to employment and occupation based on race, national origin or citizenship, sex, religion, political opinion, gender, age, disability, and sexual orientation. The government did not effectively enforce these laws or regulations and penalties for violations were not commensurate with those for other civil rights laws. Discrimination in employment and occupation occurred with respect to race, gender, disability, sexual orientation, and HIV-positive status.

Despite a strong legal framework, the Ministry of Labor and Social Insurance's enforcement of the law governing employment and labor matters with respect to

women was ineffective. The law requires equal pay for equal work. Women experienced discrimination in such areas as hiring, career advancement, employment conditions, and pay. European Institute for Gender Equality data indicated the average pay gap between men and women was 13.7 percent in 2017. NGOs reported the relatively small overall gender pay gap masked significant vertical and occupational gender segregation. The ombudsman reported receiving complaints related to gender discrimination and sexual harassment in the workplace.

Discrimination against Romani migrant workers occurred. Turkish Cypriots faced social and employment discrimination (see section 6).

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

Although there is no national minimum wage, there are minimum wages for groups deemed vulnerable to exploitation. The minimum wages for shop assistants, clerks, assistant baby and child minders, health-care workers, security guards, cleaners of business premises, and nursery assistants were above the poverty line. The Ministry of Interior established a minimum wage for foreign domestic workers that was well below the poverty line.

Collective bargaining agreements covered workers in almost all other occupations, including unskilled labor. The wages set in these agreements were significantly higher than the poverty level.

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 effectively 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 and Social Insurance is responsible for enforcing these laws. The penalty for violating the law was commensurate with those for similar crimes, but laws for wages and hours were not adequately enforced. Labor unions reported enforcement problems in sectors not covered by collective agreements, such as small businesses and foreign domestic workers. They also reported that certain employers, mainly in construction and agriculture, exploited undocumented foreign workers by paying them very low wages.

The law protects foreign domestic workers who file a complaint with the Ministry of Labor and Social Insurance from deportation until their cases have been adjudicated. The Department of Labor Relations reported that from January to December 10, it received 421 complaints from migrant workers against their employers. Of those, 406 were examined by year's end.

The ombudsman continued to receive complaints from foreign domestic workers concerning the conditions of their employment and authorities' handling of their requests to change employers. The ombudsman issued a report in November 2019 evaluating the government's policies on foreign domestic workers. The report noted in particular domestic workers' high dependence on their employers, combined with the lack of consequences for employers that violate the terms of the employment contract or physically abuse the employee, prevented domestic workers from filing complaints. Domestic workers also feared deportation. A domestic worker's residence permit can be cancelled at the employer's request in the event the employer files a complaint with the police about theft regardless of whether the alleged crime was investigated or proved. Some domestic workers complained their employers or employment agencies withheld their passports. The ombudsman's report also noted that the lack of action by authorities to stop the practice encourages employers and employment agencies to continue to illegally hold domestic workers' passports. NGOs reported many foreign domestic workers remained reluctant to report contract violations by their employers for fear of losing their jobs and, consequently, their work and residency permits. NGOs reported Department of Labor and police skepticism of complaints about sexual harassment and violence discouraged domestic workers from submitting complaints.

Occupational safety and health standards were appropriate for the main industries and the responsibility for identifying unsafe situations remains with safety and health experts. The Department of Labor Inspection in the Ministry of Labor and Social Insurance is responsible for enforcing health and safety laws. 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 these situations. Authorities enforced health and safety laws satisfactorily in the formal sector but not in the informal sector, which included approximately 8.5 percent of workers. The penalties for failing to comply with work safety and health laws were commensurate with those of other similar crimes.

The Ministry of Labor employed an insufficient number of inspectors to effectively enforce labor laws in the agricultural sector and in the informal economy, where the majority of employees were migrant workers and undocumented workers. Inspectors had the authority to make unannounced inspections and initiate sanctions in most industries but were not allowed to inspect the working conditions of domestic workers in private households without a court warrant. Four major industrial accidents occurred during the year that caused death or serious injury of workers.

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

### **EXECUTIVE SUMMARY**

The northern part of Cyprus has been administered by Turkish Cypriots since 1974 and proclaimed itself the “Turkish Republic of Northern Cyprus” in 1983. The United States does not recognize the “Turkish Republic of Northern Cyprus,” nor does any country other than Turkey. In 2020 Ersin Tatar was elected “president” in free and fair elections. In 2018 voters elected 50 “members of parliament” in free and fair elections. The “Turkish Republic of Northern Cyprus” “constitution” is the basis for the “laws” that govern the area administered by Turkish Cypriot authorities.

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,” which holds the security portfolio. Police and Turkish Cypriot security forces are ultimately under the operational command of the Turkish armed forces, as provided by the “constitution,” which entrusts responsibility for public security and defense to Turkey. Authorities maintained effective control over the security forces. Members of the security forces committed some abuses.

Significant human rights issues included: serious restrictions on freedom of expression and the press including criminal libel laws; refoulement of asylum seekers; serious acts of corruption; lack of investigation of and accountability for violence against women; trafficking in persons; and crimes involving violence or threats of violence targeting members of national minorities.

Authorities took steps to investigate officials following allegations of human rights abuses. There was evidence, however, of impunity.

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

**a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports the “government” or its agents committed arbitrary or unlawful killings. The police force and “military court” are responsible for investigating and pursuing prosecutions for alleged arbitrary or unlawful killings.

**b. Disappearance**

There were no reports of disappearances by or on behalf of “government” authorities.

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

The “law” prohibits such practices, but there were reports during the year that police abused detainees. The “law” does not refer explicitly to torture but does prohibit police mistreatment of detainees under the section of the “criminal code” that deals with assault, violence, and battery.

The “attorney general’s office” reported they received three complaints concerning police battery and use of force during the year and had launched investigations into all three cases.

The “attorney general’s office” reported investigating two complaints concerning police battery and use of force in 2019. One of the cases involved alleged police brutality. Based on hospital documents and nurse testimony, the “attorney general’s office” determined that the complainant’s injuries resulted from a traffic accident that occurred three days prior to the alleged abuse. The complainant was charged with providing false statements to the police. The “attorney general’s office” was considering whether any further action was needed at year’s end.

The “attorney general’s office” completed a 2018 investigation against a police officer. Due to the pandemic, the trial had not yet started at year’s end.

In August 2019 local press published a video showing a Turkish Cypriot police officer kicking a detained tourist in the presence of other officers at the Ercan (Tymbou) airport. According to local press, the detainee was drunk and yelled at police for getting his cell phone wet during the security screening. Police

suspended the officer from duty and completed the investigation. A “court” hearing was scheduled to take place in October.

In July a local newspaper interviewed two female international students who reported that while they were waiting for a cab, they were forced into a vehicle by four undercover police officers, beaten in the vehicle and police station, and then released 24 hours later without any explanation. The students reported that the police officers hit their heads on the concrete at the station. The women reported the incident to the press and filed a complaint at a police station. Press published photos of their bruised faces. The “attorney general’s office” reported appointing a “prosecutor” and launching an investigation.

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

Prison and detention center conditions did not meet international standards in a number of areas, in particular for sanitary conditions, medical care, heating, and access to food.

Physical Conditions: The “Central Prison,” the only prison in the area administered by Turkish Cypriots, is in the northern part of Nicosia and has a stated capacity of 311 inmates. According to authorities, additional rooms were converted into cells and a bunkbed system was installed to increase the capacity to 568. As of September it reportedly held 587 prisoners and pretrial detainees. Authorities reported that at its peak during the year, the total number of prisoners and pretrial detainees at the “Central Prison” reached 635. As of October there were no juveniles at the “Central Prison.”

Nongovernmental organizations (NGOs), media, and the “ombudsman” reported overcrowding remained a problem. An NGO reported receiving complaints about overcrowding and police mistreatment of detainees in police detention centers. Most of the complaints alleged inhuman detention conditions and that police officers verbally abused the detainees. The prison did not separate adults and juveniles, and there were no detention or correction centers for children. Due to lack of space, pretrial detainees and prisoners occupied the same cells. NGOs reported conditions were better in the women’s section of the prison.

In March media outlets reported the “Central Prison” was operating above capacity and inmates were sharing mattresses placed on the ground and in the corridors. In the same month, inmates began a hunger strike citing unhealthy conditions due to the COVID-19 pandemic and demanding temporary release. Their families

gathered outside the prison urging the “government” to improve prison conditions. When tensions rose after protesters started a fire, 10 persons were detained and then released.

In March a local newspaper reported that approximately 93 pretrial inmates were released due to a change in the “parole board regulations.” They had been unable to post bail and were being held pending trial but were offered lower bail amounts as part of their release. In April the “ministry of interior” claimed that the release of inmates from the “Central Prison” helped minimize the risk of COVID-19 but offered no specifics on those released.

NGOs reported that lack of security cameras at detention centers and in parts of the “Central Prison” allowed police officers and prison guards to abuse detainees with impunity. An NGO reported there were two deaths at the “Central Prison” that were not investigated and alleged that there were signs of drug overdose.

In June a local newspaper reported that the “Central Prison” had admitted a new convict without administering a COVID-19 test, in violation of standard practice, and therefore had risked the health of approximately 500 inmates.

NGOs reported that detainees frequently received no food while held, sometimes for periods longer than a day. They instead relied on relatives to bring them food.

NGOs reported sanitation remained a significant problem in the “Central Prison” and that inadequate access to hot water failed to meet inmates’ hygiene needs. Authorities said hygiene supplies were insufficient due to an increasing number of inmates. An NGO also reported the police detention facilities lack hygiene conditions, direct sunlight, proper ventilation, and access to water.

NGOs claimed that prison health care was inadequate, lacking sufficient medical supplies and a full-time doctor. NGOs reported testing for contagious diseases at the “Central Prison” was haphazard and inconsistent. In June the Prison Guards’ Association chair stated that overcrowding in prison cells created a breeding ground for contagious diseases. Authorities reported all inmates were subject to hospital health checks before entering the “Central Prison.” Authorities said a doctor visited the prison twice a week and was on call for emergencies. A dentist visited the prison once per week, a dietician visited twice per week, and there were two full-time psychologists at the prison, according to authorities.

An NGO reported the detention center at Ercan (Tymbou) airport lacked proper ventilation and access to natural light. The NGO said hygiene was a concern because there is only one bathroom inside each detention room and no regular cleaning.

Administration: The “ministry of interior” reported receiving only nonadministrative personal complaints, which the “Central Prison” administration took into consideration. Authorities stated facilities were available for Muslim prisoners and detainees to conduct their religious observance and that an imam visited the “Central Prison” on the religious days of Bayram.

Independent Monitoring: Authorities generally permitted prison monitoring and reported that foreign missions visited the “Central Prison” during the year. An NGO reported the physical conditions at the “Central Prison” could not be observed in detail, as their staff were not allowed to visit the cells. They were only allowed to conduct detainee interviews in the visitor waiting room or areas designated for private conversation.

Improvements: Authorities reported the “ministry of health” provided disinfectant and masks to the “Central Prison” to help mitigate the spread of COVID-19. Authorities also said they attempted to keep pretrial detainees and convicts separated as much as possible.

The “Central Prison” was closed to visitors during March and April due to COVID-19 concerns. Beginning in May, authorities enabled inmates to visit virtually with family and friends through online video conferencing.

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

The “law” prohibits arbitrary arrest and detention and provides for the right of any person to challenge his or her arrest or detention in court. Authorities generally observed these requirements.

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

“Judicial warrants” are required for arrests. According to the “law,” police must bring a detained person before a “judge” within 24 hours of arrest. Police can then keep the detainee in custody for up to three months, but a “judge” must review the detention after the third day and every eight days thereafter. Authorities generally respected this right and usually informed detainees promptly of charges against

them, although they often held individuals believed to have committed a violent offense for longer periods without charge.

Bail may be granted by the “courts” and was routinely used. “Courts” confiscated detainees’ passports pending trial. An NGO reported that translators were not available for non-Turkish speakers, forcing defense attorneys or NGOs to provide one. According to one lawyer, during the detention review process officials pressured detainees to sign a confession in order to be released on bail. The lawyer cited situations in which police used the threat of prolonged detention to induce detainees to plead guilty.

According to the “constitution,” indicted detainees and prisoners have the right of access to legal representation. Authorities usually allowed detainees prompt access to family members and a lawyer of their choice, but NGOs reported there were cases in which authorities prevented detainees from seeing a lawyer. Authorities provided lawyers to the indigent only in cases involving violent offenses. Police sometimes did not observe legal protections, particularly at the time of arrest. Suspects who demanded the presence of a lawyer were sometimes physically intimidated or threatened with stiffer charges.

A lawyer said a “Central Prison” “regulation” prohibits sentenced individuals in solitary confinement from meeting with a lawyer without the “prison director’s” permission. The “prison director” may deny the visit without providing justification.

In January a lawyer announced two university student clients were beaten by police and forced to sign a statement. The students allegedly had cannabis in their dormitories. During the hearing the lawyer testified that police beat his clients with a wooden mop handle, resulting in bruises on their faces and legs. The lawyer also claimed his clients were not provided appropriate medical treatment.

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

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

Most criminal and civil cases begin in “district courts”, from which appeals are made to the “supreme court.” 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 and public trial, and independent judicial authorities generally enforced this right.

Defendants enjoy the right to a presumption of innocence. NGO representatives and human rights lawyers said defendants generally enjoyed the right to be informed promptly and in detail of the charges against them. The “constitution” provides for fair, timely, and 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 (or, in cases of violent offenses, to have one provided at public expense if unable to pay). Criminal defendants enjoy the right to adequate time and facilities to prepare a defense.

There was insufficient free interpretation for some languages and insufficient professional translation in “courts.” Lawyers and NGOs claimed authorities haphazardly recruited nonprofessional translators who did not translate everything said during proceedings. Inadequate translation delayed hearings and prolonged defendants’ detentions.

Defendants may question prosecution witnesses and present evidence and witnesses on their behalf. They cannot be compelled to testify or confess guilt and have a right to appeal.

## **Political Prisoners and Detainees**

There were reports of detention and deportation to Turkey of persons with alleged ties to Fethullah Gulen and his movement. The Turkish government holds Gulen responsible for the 2016 coup attempt in Turkey and designated his network as the “Fethullah Gulen Terrorist Organization” (“FETO”). In July the Turkish “ambassador” said the “Turkish Republic of Northern Cyprus” (“TRNC”) was the first “foreign country” to define FETO as a terror organization and that cooperation between Turkish and “TRNC” authorities would continue toward identifying additional members of Gulen’s network.

In June police arrested Caner Sahmaran, a fellow police officer on charges of being affiliated with the Gulen movement. Police confiscated approximately \$35,000 in cash, mobile telephones, and other electronics during the arrest.

## **Civil Judicial Procedures and Remedies**

Individuals or organizations may seek civil remedies for human rights violations through domestic “courts.” After exhausting local remedies, individuals and organizations may appeal adverse decisions that involve human rights to the European Court of Human Rights (ECHR).

### **Property Restitution**

Greek Cypriots continued to pursue property suits in the ECHR against the Turkish government for the loss of property in the area administered by Turkish Cypriot authorities since 1974.

A property commission handles claims by Greek Cypriots. As of October the commission has paid more than 312 million British pounds (\$414 million) in compensation to applicants.

For information regarding Holocaust-era property restitution and related issues, please see the Department of State’s *Justice for Uncompensated Survivors Today (JUST) Act report to Congress*, released publicly on July 29, 2020, at <https://www.state.gov/reports/just-act-report-to-congress/>.

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

The “law” prohibits such actions. There were reports police subjected Greek Cypriots and Maronites living in the area administered by Turkish Cypriot authorities to surveillance. A Maronite representative asserted that during the year the Turkish armed forces occupied 18 houses in the Maronite village of Karpasia.

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

### **a. Freedom of Expression, Including for the Press**

The “law” provides for freedom of expression, including for the press, and authorities generally respected this right. Individuals were usually able to criticize authorities publicly without reprisal, with some exceptions.

Freedom of Speech: It is a criminal offense to insult the “government,” the Turkish government, or “government” officials. This often led journalists and

others to self-censor. According to a journalist association, authorities advised some journalists not to criticize the Turkish government. A journalist association reported that due to perceived pressure and potential reaction from Turkey, some journalists did not express their thoughts and preferred to remain silent.

In April then “prime minister” Ersin Tatar filed a criminal complaint with police after a well-known visual arts and communications lecturer, Senih Cavusoglu, posted on social media a photoshopped image of Tatar portraying him in a straitjacket with the caption, “boss went mad.” Police called Cavusoglu in for interrogation, but no criminal charges had been filed at year’s end.

In June former “president” Mustafa Akinci filed a complaint with the “attorney general’s office” to block access to a video posted online showing a man stuck at Istanbul airport. The person filming the video can be seen making derogatory comments towards Akinci. The “presidency” confirmed that “the government” banned access to the video in June for allegedly threatening liberal and democratic thought as well as to a second video that allegedly proposed to kill Akinci by stating, “There’s an easy way; send two people and make it seem like Akinci had an accident.” In July the “presidency” announced Akinci withdrew his complaint on the airport video after the person posting it allegedly apologized and erased the video on social media.

Freedom of Press and Media, Including Online Media: While authorities usually respected press and media freedom, at times they obstructed journalists in their reporting.

In October the Turkish Cypriot Journalists Association criticized then “prime minister” Ersin Tatar for claiming that a local online news website *Ozgur Gazete* was allegedly “collaborating with foreign intelligence organizations to affect elections.” The association said Tatar’s statement threatened freedom of the press. Basin-Sen, another journalist union, said Tatar targeted journalists in an attempt to prevent reporting of such stories.

Violence and Harassment: There were reports defendants in some “court” cases allegedly threatened journalists, who also faced pressure for their reporting from companies that advertised in their publications.

A journalist association reported some journalists were verbally and physically attacked at “court” hearings by detainees or their families or friends. Journalists also reported they were at times prevented from doing their jobs, verbally and

sexually assaulted, and their equipment damaged while reporting at “courts,” hospitals, and police stations.

Censorship or Content Restrictions: Journalists cannot interview or report on persons under control of the armed forces.

Journalists practiced self-censorship for fear of losing their jobs. A journalist reported some press representatives censored themselves when reporting on Turkey’s role in Cyprus and on the Turkish leadership.

Reporters without Borders (RSF) reported that *Kibris*, the largest Turkish Cypriot daily, censored a pre-election poll favoring the incumbent, who was at odds with the president of Turkey, in favor of his challenger who was reportedly closely aligned with the Turkish president. RSF also reported that the owner of the newspaper allegedly met with the Turkish president prior to the poll’s publication.

An activist reported that in May a local Turkish Cypriot television channel DIYALOG TV was removed from Turkey’s TURKSAT satellite network, allegedly due to criticism aired on the channel that targeted Turkish president Recep Tayyip Erdogan. Turkish Cypriot television channels can only broadcast through TURKSAT. DIYALOG TV continued to broadcast only on social media.

Libel/Slander Laws: The “law” criminalizes libel and blasphemy, although in practice “courts” often declined to convict defendants on those charges, citing free speech precedents.

In July a cybercrime “law” was passed in “parliament” and approved by the “presidency.” According to the “law” any attacks (physical or verbal) made with deliberate intent to harm individuals, institutions, or organizations over the internet is considered a crime. Penalties range from six to 200 times the minimum monthly wage and from one to 10 years imprisonment.

### **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.

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

There were some “government” restrictions on cultural events. There were no reports of blocked visits during the year, although for much of the year foreign tourists were not permitted to enter.

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

The “government” sometimes limited freedoms of peaceful assembly and association.

According to local press reports, in July police prevented TC Secondary Education Teacher’s Union (KTOEOS) members from entering and conducting a sit-in protest inside the “public service commission’s” building. KTOEOS members continued their demonstration outside the building and protested the “commission” for hiring temporary teachers and delaying appointment exams for permanent teachers until after elections.

#### **Freedom of Peaceful Assembly**

The “law” provides for the right of peaceful assembly, and the government usually respected this right, although some restrictions were reported. A labor union reported “police” interfered in demonstrations and at times used force against peaceful demonstrators.

Some union representatives reported “police” obstructed unions and civil society organizations from demonstrating and opening banners in front of the Turkish “embassy” during demonstrations and protests.

#### **Freedom of Association**

While the “law” provides for the freedom of association, and while the “government” usually respected this right, some organizations faced lengthy registration processes.

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

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement**

The “law” provides for freedom of movement, foreign travel, emigration, and repatriation. Authorities generally respected these rights.

In-country Movement: Authorities required individuals to show identification when crossing the “Green Line.” Due to the COVID-19 pandemic, some border crossings on the island were closed during the year, at times causing altercations with authorities (see section 2.d. of the Republic of Cyprus report).

In March approximately 200 Turkish Cypriot demonstrators in the north gathered at Ledra Street checkpoint to protest the Greek Cypriot decision to close four checkpoint crossings as measures against COVID-19. Press reported Greek Cypriot police used pepper spray and clubs on peaceful Turkish Cypriot demonstrators calling for the opening of the closed checkpoint. Several Turkish Cypriot demonstrators and journalists were taken to hospital. Several were treated in ambulances onsite for pepper spray inhalation.

UNFICYP officials requested that Turkish Cypriots not go to the government checkpoint for their own safety and asked families and children to leave the demonstration site immediately. The Turkish Cypriot Foreign Press Association and Journalists Association condemned the use of pepper spray on demonstrators and claimed government police violated press freedom. Former “president” Akinci condemned the use of pepper spray by Greek Cypriot police and added that it was a disproportionate use of force.

The Turkish Cypriot Bar Association stated, “Tear gas and pepper spray are life threatening chemical weapons whose use is even prohibited in international warfare under both the 1925 Geneva Protocol and the Chemical Weapons Convention, and can only be used during domestic violent riots by the police.”

Foreign Travel: 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 were both Republic of Cyprus citizens prior to 1974, obtained passports relatively easily compared to Turkish Cypriots born after 1974 to only one Cypriot parent.

### **e. Status and Treatment of Internally Displaced Persons**

Turkish Cypriots considered those displaced as a result of the island’s 1974 division to be refugees, although they fell under the UN definition of internally

displaced persons (IDPs). At the time of the division, the number of IDPs in the north was approximately 60,000.

#### **f. Protection of Refugees**

Turkish Cypriot authorities at times cooperated with Office of the UN High Commission for Refugees (UNHCR) NGO implementing partner, the Refugee Rights Association, and other humanitarian organizations with regard to asylum seekers and refugees. UNHCR reported cooperation was more frequent during the first half of the year, when authorities allowed Refugee Rights Association lawyers to interview Syrian asylum seekers seeking access to international protection in Cyprus. Following the introduction of a “visa” requirement for Syrian nationals in June, cooperation between Turkish Cypriot authorities and UNHCR was less frequent. With the involvement of these organizations, several asylum seekers gained access to asylum procedures in Turkey or in the government-controlled area.

Abuse of Migrants, Refugees, and Stateless Persons: UNHCR reported asylum seekers generally were treated as illegal migrants because an official framework for asylum does not exist in the area administered by Turkish Cypriots. Most were either denied entry or deported, irrespective of the risk of refoulement.

In May some 100 Syrian asylum seekers who had been housed in a building in Iskele were deported to Turkey. The asylum seekers had arrived in the north on March 21 and were a part of a group of 175 asylum seekers who were denied entry by Republic of Cyprus officials. The Refugee Rights Association (RRA) reported sending their staff to monitor the housing in Iskele. Each family of asylum seekers were provided separate apartments. The RRA also reported that a nurse was on duty 24 hours a day and food and water was provided by the Iskele “municipality.” Each apartment had its own balcony, proper bedding, and a kitchen. Some apartments were crowded and leaving them was forbidden. Doors were locked at all times other than for food delivery.

On July 9, a boat carrying 30 Syrian asylum seekers who landed near Morphou were shot at by “TRNC” police, allegedly for not stopping despite warnings and for trying to flee. The boat’s captain and two of the asylum seekers were shot and injured by police after attempting to flee. The “president” requested a police investigation of the incident which had not yet concluded at year’s end. Several refugee rights groups, including the Turkish NGO Refugee Rights Center, issued a statement criticizing police for shooting at asylum seekers seeking safety.

Refoulement: Authorities did not provide protection against the expulsion or return of refugees to countries where their lives or freedom could be threatened. According to NGOs “authorities” at ports often denied entry to asylum seekers and extradited a number of persons designated by the Turkish government as alleged affiliates of Gulen. Some observers considered these deportations refoulement, as the individuals were denied the opportunity to seek refuge in the territory of Cyprus and were at substantial risk of mistreatment in Turkey or forcible return to Syria by Turkish authorities (also see section 2.f., Protection of Refugees in the *Country Reports on Human Rights Practices* for Turkey).

Access to Asylum: The “law” does not provide for the granting of asylum or refugee status, and authorities have not established a system for providing protection to refugees. An NGO reported approximately 100 persons of concern to UNHCR were able to stay in the area administered by Turkish Cypriots with UNHCR protection papers.

There were reports Turkish Cypriot authorities continued to deport numerous asylum seekers during the year before UNHCR’s implementing partner could interview them to obtain information necessary for assessing their asylum claims. Some potential asylum seekers who attempted to enter the area administered by Turkish Cypriot authorities illegally were arrested, taken to “court,” and deported after serving their prison sentences.

Freedom of Movement: Asylum seekers in the area administered by Turkish Cypriots could not travel abroad because they would be unable to return due to their lack of “legal” status.

Employment: According to immigration “law,” employers need official permission from the “department of labor” to register foreign workers. Persons holding UNHCR protection papers receive the same access to the labor market as third country nationals, although NGOs reported “authorities” refused to issue work permits to some individuals with UNHCR protection papers. An NGO reported that many refugees were unemployed during the COVID-19 mitigation lockdown and suffered economically. The NGO also reported asylum seekers were prohibited from receiving “state” social welfare benefits. UNHCR reported access to employment improved during the year after authorities lifted requirements that job seekers post a guarantee and hold a valid passport.

Access to Basic Services: Persons holding UNHCR protection papers could access basic services, including primary health care and education, but persons of concern to UNHCR lacked access to residence permits or welfare assistance, which rendered them at risk of exploitation and put vulnerable individuals at risk of destitution.

### **Section 3. Freedom to Participate in the Political Process**

The “law” provides Turkish Cypriots the ability to choose their “government” in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

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

Recent Elections: Turkish Cypriots choose a leader and a representative body at least every five years. In 2018 Turkish Cypriots held “parliamentary elections” that observers considered free and fair. In October Turkish Cypriots elected Ersin Tatar as “president” in elections that were also considered free and fair.

Political Parties and Political Participation: While membership in the dominant party did not confer formal advantages, there were widespread allegations of political cronyism and nepotism.

In August the Turkish Cypriot Public Sector Employee’s Union (KTAMS) announced in a press release that over 290 persons were employed by the National Unity Party-HP “government” unjustly and unfairly, and that the move was an “election investment” right before the “presidential” elections. Unions said the “government’s” approach was partisan.

In September Rebirth Party “member of parliament” Bertan Zaroglu, who had tested positive for COVID-19, released a recording complaining about the hygiene of the hospital room that he was placed in. Local press reported that Zaroglu allegedly called the National Unity Party “minister of health,” yelled at him, and then the “ministry” placed him at a hotel because of his status as a “member of parliament.” Press outlets also reported that Zaroglu left the hospital room and drove himself to the hotel, risking spreading the virus to others. He was subsequently transferred to Turkey for further treatment.

Participation of Women and Members of Minority Groups: No “laws” limit participation of women or members of minority groups in the political process, and

they did participate. Women remained underrepresented in senior political positions. Only nine of the 50 “members of parliament” were women.

Turkish Cypriot authorities did not permit Greek Cypriots and Maronites residing in the north to participate in elections they administered. Greek Cypriots and Maronites residing in the north were eligible to vote in elections in the government-controlled area but had to travel there to do so. Greek Cypriot and Maronite communities in the area administered by Turkish Cypriot authorities directly elected municipal officials, but Turkish Cypriot authorities did not recognize them. There was no minority representation in the 50-seat “parliament” or in the “cabinet.”

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

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

Corruption: In 2018 National Unity Party “member of parliament” Aytac Caluda was investigated for claims of misconduct/malpractice, allegedly losing 283 million Turkish lira (\$37 million) in “state” funds for signing foreign worker permits without necessary prepermissions and waiving the fee. Caluda’s “parliamentary” immunity was lifted in 2018 for the investigation. In March the “high court” announced that Caluda could not be prosecuted because the alleged crimes did not fall under “high court” jurisdiction. The “attorney general’s office” reported that another court hearing was scheduled for December.

In July a civil servant working as a cashier at the “tax department” was arrested for embezzling one million Turkish lira (\$130,000) in driver’s license fees since 2016. The “court” ordered an asset freeze for the cashier. According to a police report, other senior officials did not report the missing funds and will also be investigated. The case was under investigation at year’s end.

Financial Disclosure: The “law” requires persons who hold elective office, appointees of the “council of ministers,” “judges” and “prosecutors,” the “ombudsman,” the chair of the “attorney general’s office,” and members of the “attorney general’s office” to declare their wealth and assets. Every five years

employees subject to this “law” must declare any movable and immovable property, money, equity shares, stocks, and jewelry worth five times their monthly salary as well as receivables and debts that belong to them, their spouses, and all children in their custody. The disclosure is not publicly available. Once a declaration is overdue, the employee receives a written warning to make a disclosure within 30 days. If an employee fails to do so, authorities file a complaint with the “attorney general’s office.” Penalties for noncompliance include a fine of up to 5,000 Turkish lira (\$650), three months’ imprisonment, or both. The penalties for violating confidentiality of the disclosures include a fine of up to 10,000 Turkish lira (\$1,300), 12 months’ imprisonment, or both.

In January 2019 local press reported that former National Unity Party leader and “prime minister” Huseyin Ozgurgun inaccurately declared his assets, according to an “attorney general” investigation. Although police charged Ozgurgun with failing to accurately declare wealth and for abuse of public office for private gain and the “parliament” voted to remove Ozgurgun’s immunity, no trial has yet been held as Ozgurgun has been living in Turkey since January. Ozgurgun announced that he resigned from his position as “member of parliament.” In October the “parliament” announced an asset freeze for all of Ozgurgun and his spouse’s assets in the “TRNC.”

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

A limited number of domestic human rights organizations operated in the area administered by Turkish Cypriot authorities. Authorities were rarely cooperative or responsive to their views and requests. NGOs promoted awareness of domestic violence; women’s rights; rights of asylum seekers, refugees, and immigrants; trafficking in persons; police abuse; and the rights of lesbian, gay, bisexual, transgender, or intersex (LGBTI) persons. These groups had little effect on “legislation” to improve the protection of human rights. Local NGOs liaised with the United Nations, UNHCR, and international NGOs on human rights issues.

“Government” Human Rights Bodies: There is an “ombudsman,” whose portfolio includes human rights issues. The “ombudsman” investigates and reports on institutions that exercise administrative and executive powers and ensures that “legislation” and “court” decisions are properly implemented. The “ombudsman” can initiate investigations in response to media reports, complaints from individuals and organizations, or on its own initiative. The “ombudsman” was not always effective because it could not enforce its recommendations.

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

### Women

Rape and Domestic Violence: The “law” criminalizes rape, including spousal rape, and provides for a maximum sentence of life imprisonment. Authorities and police did not enforce the “law” effectively. No “laws” specifically address domestic violence. The “law” prohibits domestic violence under various assault and violence or battery clauses, with a maximum sentence of four years’ imprisonment.

Violence against women, including spousal abuse, remained a major problem. The Nicosia Turkish Municipality operated a shelter for victims of domestic violence, and there were local NGOs that supported rape and domestic violence victims. Turkish Cypriot authorities also reported establishing gender focal points at relevant “ministries” to respond to complaints of violence against women.

In one example police arrested a man in April 2019 on suspicion of killing his 47-year-old wife in Alaykoy (Yerolakkos). The victim’s daughter and sister told press outlets the suspect had physically abused and threatened to kill the victim on many occasions. They claimed the victim complained to police many times and alleged that police did not take her complaints seriously. In 2019 the suspect was sent to prison pending trial, which continued at year’s end.

Nicosia district police in the area administered by Turkish Cypriots operated the specialized Combating Violence against Women Unit to respond to complaints of domestic violence, including calls to a dedicated hotline. Turkish Cypriot police reported they investigated 801 reports of abuse against women from January to September. The unit reported they received 241 complaints regarding physical violence, 135 complaints of verbal violence, and 124 general disturbances. The unit reported they receive 89 cases per month on an average basis. The unit reported there was a 12 percent decrease in the number of cases during the lockdown between March and May.

In April the Nicosia Turkish Municipality’s Domestic Violence Project coordinator reported that “there is an increase in domestic violence cases due to COVID-19 because women are forced to stay at home” and that women’s access to support mechanisms was limited. The coordinator noted that, according to an EU-funded survey conducted in the area administered by Turkish Cypriots, in January, 40

percent of women were subject to physical violence, 60 percent were subject to psychological violence, and 25 percent to sexual violence.

In May the Side-by-Side against Violence project coordinator stated that 35 female survivors of violence applied for protection in March and April, marking an increase in domestic violence cases due to COVID-19 and lockdown. The group stated that the municipality received an average of seven complaints monthly in 2019.

At the end of August, the Combating Violence against Women Unit reported that it received 1,765 complaints from women since it opened in 2018. The unit reported that 41 percent of the complaints were for verbal violence; 38 percent were for physical violence; 5 percent were for violence towards property (including cell phones, houses, cars, etc.); and 4 percent concerned sexual violence, including rape, sexual abuse, and sexual harassment.

In January the Kyrenia “court” sentenced a man to six years in jail for torturing his wife with a belt. The penalty was reported to be the highest given by a “court” for domestic violence in the history of the community.

On March 8, International Women’s Day, a 45-year-old woman, Elif Lort, was stabbed repeatedly in the middle of the street in Kyrenia by her husband. Lort died in the hospital; police apprehended and arrested the husband. An investigation was ongoing at year’s end.

Sexual Harassment: The “criminal code” prohibits sexual harassment and considers it a misdemeanor punishable by up to 12 months’ imprisonment, an unspecified fine, or both. According to NGOs sexual harassment went largely unreported. A group of international students reported widespread sexual harassment of female international students and that police routinely dismissed complaints of sexual harassment from international students.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of “government” authorities.

Discrimination: The “law” provides the same “legal” status and rights for women and men, but authorities did not enforce the “law” effectively. Women experienced discrimination in such areas as employment, credit, owning or managing businesses, education, and housing. For example, female teachers were

reportedly instructed to schedule their pregnancies in order to deliver during summer break.

## **Children**

Birth Registration: Children derive “citizenship” from their parents, and there was universal registration at birth, including of children born to migrants.

Child Abuse: The “law” does not explicitly prohibit child abuse, but it does prohibit sexual abuse of children, which carries a penalty of up to six years’ imprisonment. There were reports of child abuse. As with domestic violence, there were social and cultural disincentives to seeking legal remedies for such problems.

Child, Early, and Forced Marriage: The minimum age of marriage for girls and boys is 18. A “court” may allow marriages of minors who are 16 or 17 if they receive parental consent.

Sexual Exploitation of Children: The “law” prohibits commercial sexual exploitation of children, and authorities generally enforced the prohibition. The age of consent is 16. Statutory rape or attempted statutory rape of a minor younger than 16 is a felony, and the maximum penalty is life imprisonment. If the offender is younger than 18 and two years or fewer apart in age from the victim, the act is a misdemeanor punishable by up to two years in prison, an unspecified fine, or both. The new cybercrime “law” enacted in July makes possession or production of child pornography punishable by up to 15 years in prison.

## **Anti-Semitism**

There were approximately 150 persons in the Jewish community, which primarily consisted 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 <https://www.state.gov/trafficking-in-persons-report/>.

## **Persons with Disabilities**

The “law” protects the rights of persons with physical, sensory, intellectual, and mental disabilities, including their access to social benefits, and prohibits discrimination against them. Authorities did not effectively enforce all parts of the “law.” For example the disability community complained of the absence of accessible infrastructure in public areas, including lack of sidewalks, blocked sidewalks, and inaccessible public transportation.

The Turkish Cypriot Orthopedic Disabled Persons Association reported many buildings, sidewalks, and public bathrooms were not accessible to persons with disabilities. The association claimed the “government” had not employed a single person with disabilities since 2006, although the “law” requires 4 percent of public-sector positions be filled by persons with disabilities.

Children with disabilities attend specific schools that are “state” funded.

Authorities reported as of August 2019, more than 270 persons with disabilities worked in the “government.” In September the “council of ministers” decided to provide social security and provident fund contributions to persons with disabilities employed in the private sector to create incentives for private-sector employment. Authorities also reported that nearly 4,986 persons with disabilities received financial aid from the “government” as of September.

### **Members of National/Racial/Ethnic Minority Groups**

The “law” prohibits discrimination, and the 1975 Vienna III Agreement remains the legal source of authority regarding the treatment of the 310 Greek Cypriot and 62 Maronite residents in the area administered by Turkish Cypriot authorities.

Greek Cypriots and Maronites living in the area administered by Turkish Cypriots could take possession of some of their properties in that area but were unable to leave their properties to heirs residing in the government-controlled area. 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.

Foreign domestic workers faced discrimination and, at times, violence.

Public Sector Workers Union (KTAMS) reported that many foreign workers receive salaries below minimum wage.

An NGO reported that seasonal workers who came from Turkey during the pandemic were not paid and were stranded in Cyprus for several months until authorities ultimately provided transportation back to Turkey. In February, approximately 300 Bangladeshi, Pakistani, and Sri Lankan foreign workers employed by Omag Construction reported to police that they had not received their salaries for four months. The foreign workers told police they each gave \$1,390 to the company for “visa/permit fees,” and were threatened by people at Omag Construction posing as police officers to remain silent about not receiving their wages. The workers also reported they believed the false “police officers” to be members of the mafia and that they had taken three of the workers, who had not been heard from since.

On March 13, the “council of ministers” adopted a decision to prevent the spread of the coronavirus and barred private sector workers in the north, including domestic workers, from traveling to households to work. The “government” announced a 1,500 Turkish lira (\$195) monthly assistance payment for some private sector workers affected by COVID-19 pandemic-related business closures but limited the subsidy to “TRNC” and Turkish citizens and excluded all other foreign workers.

There were reports of social and job discrimination against Kurds in the area administered by Turkish Cypriots, as well as allegations that police closely monitored Kurdish activities.

Some of the approximately 10,000 African students reportedly studying at universities in the area administered by Turkish Cypriot authorities reported racial discrimination in housing, employment, and interactions with law enforcement. Thirty to forty thousand foreign students, excluding Turkish students, study at universities in the area administered by Turkish Cypriots. In April the Voice of International Students in Cyprus (VOIS) said authorities excluded foreign students from receiving food packages that citizens were receiving. VOIS claimed that authorities ignored foreign students and deprived them of medical and other support during the lockdown and pandemic. A student organization reported an African student, a single mother, asked authorities at the Famagusta police station to arrest her hoping that she and her child would be provided food in jail.

In March, VOIS criticized former “prime minister” Ersin Tatar for making a racist statement on television when he said, “The responsibility to take care of the thousands of African students who live in the ‘TRNC’ lies on those who brought them here. Either universities or employers. Before the COVID-19 crisis this was

already a problem. This is now an opportunity to clean them out. This is not racism, but we have to protect our citizens.”

In June, VOIS announced the results of an online survey of foreign university students living in the area administered by Turkish Cypriots: 88.2 percent of those interviewed said they had been victims of racism; 52.6 percent of this racial discrimination happened on campus, and 40 percent happened off campus. In addition 81.4 percent said racism was a serious problem in the area administered by Turkish Cypriots that needed to be addressed within society.

The RRA said the minister of interior did not provide enough support to foreign students. The RRA identified the groups at highest risk, whose numbers were unknown, as unregistered students, workers, and migrants. The RRA also said NGOs were unable to leave their houses to investigate complaints or distribute donations to those in need due to COVID-19 related restrictions.

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

The “law” prohibits discrimination against LGBTI persons in housing, employment, nationality laws, and access to government services based on sexual orientation or gender identity. Authorities did not effectively enforce the “law.”

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

The Queer Cyprus Association said LGBTI persons often could not access legal remedies to discrimination based on sexual orientation or gender identity because authorities declined to enforce them.

## **Section 7. Worker Rights**

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

The “law” provides for the rights of workers, except members of police and other 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 their right to strike, with the provision that a union notify authorities in writing if members planned to strike for longer than 24 hours. The “law” does not permit “judges,” members of the police force, or other Turkish Cypriot security forces to strike. The “council of ministers” has the power to prohibit a strike in any individual sector 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. The “ministry of labor” reported that employers could not condition employment on membership or nonmembership in a union or participation in strikes. The “law” does not provide for reinstatement of workers fired for union activities.

The “government” did not effectively enforce applicable “laws.” Despite having freedom of association and the right to engage in collective bargaining, very few private-sector workers were unionized, according to labor union representatives. A union representative said that if private-sector workers affected business operations while exercising their rights, employers would likely dismiss them. Some companies pressured workers to join unions that the company led or approved. Officials of independent unions claimed authorities created public-sector unions as rivals to weaken the independent unions.

Turkish Cypriot Public Sector Workers Union (KTAMS) reported that 35 percent of the public sector and 0.5 percent of the private sector workers are members of labor unions. Police and members of other Turkish Cypriot security forces cannot join unions.

Labor authorities did not effectively enforce the “law.” Penalties for employers convicted of violating the “law” were not commensurate with those for violating other “laws” involving the denial of civil rights and were sporadically enforced.

In March the DEV-IS labor union began an indefinite strike for their members employed at the Buyukkonuk municipality. The union claimed their members had not received their salaries since November and their customary 13th month bonus from 2019. On the eighth day of the strike, the “council of ministers” banned the strike on the grounds that “it prevented the provision of essential services.” Union members employed at the municipality then began a work slowdown. Police launched an investigation on the grounds that they did not comply with the “council of ministers” decision. In April, DEV-IS members and the “mayor” of

Buyukkonuk were invited to the “ministry of interior” to sign an agreement that included the payment of December and January salaries, and the payment of the 13th month bonus in installments. The union reported the 13th month bonus has not been paid, but all other salaries were paid with a one month delay.

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.

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

The “law” prohibits all forms of forced or compulsory labor, but the “government” did not effectively enforce it. Penalties for violations of the “law” were not commensurate with those for other serious crimes.

There were reports of forced labor during the year, primarily in agriculture, construction, and the industrial sector. A labor union representative reported migrant workers in the construction and agricultural sectors were subjected to reduced wages, nonpayment of wages, beatings, and threats of deportation.

A researcher reported that universities were used to smuggle and traffic large numbers of Africans and South Asians. Some foreign students who could not pay their tuition after arriving in the area administered by Turkish Cypriots became vulnerable to exploitation, including forced labor.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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

The “law” prohibits the worst forms of child labor. The minimum age for restricted employment is 15, the last year at which education is compulsory. Employers may hire children between the ages of 15 and 18 in apprentice positions under a special status. Children older than 15 are restricted to not more than six hours of work per day and 30 hours per week. The “law” prohibits children between the ages of 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 are entitled to the hourly wage of a full-time employee.

Authorities reported they received three complaints to the child labor hotline during the reporting period: two children working at construction sites and one at a market.

The “ministry of labor and social security” is responsible for enforcing child labor “laws” and policies. Resources and inspections were not sufficient and penalties for violations were not commensurate with those of other serious crimes.

Authorities did not always effectively enforce the “laws,” and NGOs reported that primarily Turkish children often worked alongside their families in the agricultural, manufacturing, automotive, and construction sectors. NGOs reported children worked in dangerous conditions, such as on construction sites, and were subjected to heavy physical work despite “legal” prohibitions.

Child labor in the urban informal economy was also a problem, albeit to a lesser extent than in agriculture and manufacturing. It was common in family-run shops for children to work after school and for young children to work on family farms.

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

The “law” generally prohibits discrimination with respect to employment or occupation on the basis of race, sex, gender, disability, language, sexual orientation or gender identity, and social status. The “law” does not specifically address discrimination with respect to religion, political opinion, or HIV-positive status, which were addressed by general “regulations.” Authorities did not effectively enforce the “law” and penalties for violations were not commensurate with those for violating other “laws” related to civil rights. Discrimination in employment and occupation occurred with respect to race, ethnicity, sex, disability, and gender.

Authorities reported there were more than 49,495 registered foreign workers in the area administered by Turkish Cypriot authorities, mainly from Turkey, Pakistan, Turkmenistan, Bangladesh, and the Philippines. Foreign migrant workers faced societal discrimination based on their ethnicity, race, and religious belief. Greek Cypriots faced social and employment discrimination.

Women faced sexual harassment in the workplace, but most instances of sexual harassment went unreported. Women held far fewer managerial positions than men.

LGBTI individuals often concealed their sexual orientation and gender identity in the workplace to avoid discrimination. Persons with disabilities routinely found it physically difficult to access workplaces.

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

The “government” increased the minimum wage during the year, but it remained below the poverty level for a family of four, as inflation and the cost of living outpaced the increase. The “ministry of labor and social security” is responsible for enforcing the minimum wage, but it did not effectively do so. The penalties for noncompliance were not commensurate with those for other similar crimes.

According to the “statistics department,” the poverty threshold was estimated at 3,769 Turkish lira (\$450) per month.

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

Occupational safety and health standards were insufficient. Authorities did not effectively enforce safety and health standards, and the number of inspectors was not sufficient to enforce compliance. Multinational companies reportedly met health and safety standards. Workers could not remove themselves from situations that endangered health or safety without jeopardizing their employment.

Authorities could conduct unannounced inspections or initiate sanctions, but according to unions and associations, inspections were not adequately carried out. Authorities commonly deported migrant workers claiming violations. Authorities did not penalize violators, and inspections were not adequate to protect worker rights. The “government” has not established social protections for workers in the informal economy. Accommodations for migrant workers, either as part of their compensation or for those made to pay, were substandard.

There was little improvement in working conditions, particularly in hazardous sectors and for vulnerable groups. Authorities reported there were 179 major industrial accidents occurred during the year that caused two deaths. “Authorities”

also reported they provided eight persons with pensions (based on their) incapacity to work.