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Prior to 1974, Cyprus experienced a long period of intercommunal strife between its Greek and Turkish Cypriot communities. In response the U.N. Peacekeeping Force in Cyprus (UNFICYP) began operations in March 1964. The island has been divided since the Turkish military intervention of 1974, following a coup d'etat directed from Greece. Since 1974 the southern part of the island has been under the control of the Government of the Republic of Cyprus. The northern part is ruled by a Turkish Cypriot administration. In 1983 that administration proclaimed itself the "Turkish Republic of Northern Cyprus" ("TRNC"). The "TRNC" is not recognized by the United States or any country except Turkey. A buffer zone patrolled by the UNFICYP separates the two parts. A substantial number of Turkish troops remained on the island. Glafcos Clerides was reelected President of the Republic of Cyprus in 1998. In April 2000, following the first round of Turkish Cypriot elections, Rauf Denktash was declared "President" after "Prime Minister" Dervish Eroglu withdrew. The judiciary is generally independent in both communities.

Police in the government-controlled area and the Turkish Cypriot community were responsible for law enforcement. Police forces in the government-controlled area were under civilian control, while the Turkish Cypriot police forces were under military authority. Some members of the police on both sides committed abuses.

Both Cypriot economies operated on the basis of free market principles, although there were significant administrative controls in each community. Approximately 793,000 persons lived on the island of Cyprus. The government-controlled part of the island had a robust, service-oriented economy, with a declining manufacturing base and a small agricultural sector. Tourism and trade generated 23 percent of gross domestic product and employed 29 percent of the labor force. During the year, per capita income was \$14,499; inflation was 3.4 percent; and unemployment was 3.0 percent. Growth was 2.0 percent, compared with 4.0 percent in 2001.

The Turkish Cypriot economy was handicapped by restrictions imposed by the Government of Cyprus and other international institutions. It relied heavily on subsidies from Turkey and was burdened by a very large public sector, which employed approximately 20 percent of the labor force. It basically was service-oriented, but had a smaller tourism and trade base, which accounted for 9.7 percent of gross national product (GNP), and it had a larger agricultural sector. The GNP per capita in the north was approximately \$4,610; inflation was 76.8 percent in 2001 compared with 53.2 percent in 2000, according to the latest figures available. Growth in the north was about 2.6 percent during the year, compared with 5.4 percent in 2001.

The Government of the Republic of Cyprus generally respected the human rights of its citizens; however, there were problems in some areas. Instances of police brutality against detainees continued to be a problem. Police reportedly subjected Turkish Cypriots to surveillance. The Government placed some restrictions on persons traveling to the north. Violence against women persisted. Trafficking in women for prostitution remained a problem. Reform of Cyprus's political and economic structure led to an invitation in December to join the European Union (EU) in May 2004. Cyprus was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

The Turkish Cypriot authorities generally respected the human rights of citizens living under its control; however, there were several problems. Police abused suspects and detainees. Civilians continued to be tried in military courts. The authorities subjected members of the Greek Cypriot community living in the north to surveillance. The authorities harassed some members of the press. The authorities also continued to restrict freedom of movement. Since 1997 the Turkish Cypriot authorities have banned most bicomunal contacts between Turkish Cypriots and Greek Cypriots, including previously frequent meetings in Nicosia's buffer zone. At times they attempted to prevent Turkish Cypriots from traveling to bicomunal meetings off the island as well. Cooperation between the authorities

and the U.N. High Commissioner for Refugees (UNHCR) was uneven. The Turkish Cypriot authorities took some steps to improve the conditions of Greek Cypriots and Maronites living in the territory under their control, but the treatment of these groups still fell short of Turkish Cypriot obligations under the Vienna III Agreement of 1975. Violence against women and trafficking in women for prostitution were problems.

In May 2001, the European Court of Human Rights (ECHR) ruled that Turkey was responsible for violations of human rights in Cyprus stemming from the 1974 Turkish military intervention. The result of a complaint by the Government of Cyprus, the decision rejected the Turkish argument that the "TRNC" is an independent state and instead ruled that it is "a subordinate local administration of Turkey operating in northern Cyprus."

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

Turkish Cypriot authorities still had not conducted a credible investigation of the 1996 murder of a prominent leftist Turkish Cypriot journalist, Kutlu Adali, who wrote articles critical of Turkey's role in the north.

The cases before the ECHR of two Greek Cypriot demonstrators killed in 1996 remained pending at year's end. Turkish Cypriot civilian police killed one demonstrator who had entered the buffer zone and participated in the beating death of the other.

b. Disappearance

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

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

Both the Constitution of the Republic of Cyprus and the basic law governing the Turkish Cypriot community specifically prohibit torture. The law in both the government-controlled area and the Turkish Cypriot community prohibited such practices, and the Government and the Turkish Cypriot authorities generally respected these provisions in practice; however, there were reports of instances of both Greek Cypriot and Turkish Cypriot police brutality against suspects and detainees during the year, involving Cypriots as well as non-Cypriots.

In response to an increase in police brutality in the government-controlled area, the Attorney General was given authority to assign independent investigators to cases. Four cases of police brutality were brought before the court and have hearings scheduled for June 2003.

There were credible reports of pervasive police abuse of power and routine harsh treatment of detainees in the Turkish Cypriot community (see Section 1.d.).

In 2001 Turkish Cypriot Teachers' Trade Union members alleged that they were beaten by police with batons while protesting the suspension of a history teacher who had published an article critical of Turkey and its military in an opposition newspaper. The Turkish Cypriot authorities brought criminal charges against the teacher and the trade union that were pending at year's end (see Section 2.a.).

In May 2001, the ECHR found the Government of Cyprus responsible for inhuman treatment of nine Turkish Cypriots in 1994. In July and August of 2001, the Government compensated the plaintiffs in accordance with the decision.

Prison conditions generally met international standards, although there were some problems. According to a report issued in 2000 by the government Ombudsman, prisoners with psychiatric problems in the south did not receive proper medical care. During the year, the Ombudsman reported some improvements in this respect, including the daily visits of a social worker, psychiatrist, psychologist, doctor, and two nurses. In the south, women prisoners were held separately from men, and children were held separately from adults. Pretrial detainees were held separately from convicted criminals.

In the north, women were held separately from men; however, there were no separate cells for juveniles in prison. Pretrial detainees were held separately from convicted criminals in the north.

The Cypriot Government and the Turkish Cypriot authorities permit prison visits by independent human rights observers, although no such visits occurred during the year.

d. Arbitrary Arrest, Detention, or Exile

Laws throughout Cyprus prohibit arbitrary arrest and detention; however, Turkish Cypriot police at times did not observe legal protections. Throughout Cyprus judicially issued arrest warrants were required. No person may be detained for more than a day without referral of the case to the courts for extension of the period of detention. Most periods of investigative detention did not exceed 8 to 10 days before formal charges were filed. Attorneys generally had access to detainees; bail was permitted. The Government of Cyprus claimed the right to deport foreign nationals for reasons of public interest whether or not they had been charged with or convicted of a crime.

Turkish Cypriot police at times did not observe legal protections, particularly at the time of arrest. In some instances, suspects were not permitted to have their lawyers present when testimony was taken, in contravention of Turkish Cypriot basic law. Suspects who demanded the presence of a lawyer may be threatened with stiffer charges or even physically intimidated. A high percentage of convictions in the Turkish Cypriot community were obtained with confessions made during initial police interrogation under these conditions. According to credible reports, Turkish Cypriot police were known to abuse their authority to hold persons for up to 24 hours before having to go before a judge; suspects then were released within 24 hours without charges having been filed. Police officers used this tactic against persons suspected of serious crimes or believed to have behaved in a manner deemed insulting to the officer.

In 2000 Greek Cypriot police arrested Omer Gazi Tekogul for drug possession near the village of Pyla, located in the U.N. buffer zone. A Turkish Cypriot official told the UNFICYP that Greek Cypriots would "disappear" in retaliation (a statement later repudiated by Rauf Denktash). In 2001 Turkish Cypriot authorities arrested Greek Cypriot Panicos Tziakourmas for drug possession. A British Sovereign Base Area (SBA) police investigation suggested that Tziakourmas was seized by Turkish Cypriots on SBA territory and that there was no evidence of marijuana. In March 2001, Tekogul was found guilty, but later was pardoned by President Clerides. In April 2001, Tziakourmas also was found guilty, but his sentence was limited to time served. In June 2001, he filed a case with the ECHR alleging the abuse of his rights by Turkish Cypriot authorities during his arrest and conviction. This case remained pending at year's end.

The Constitution and the basic law governing the Turkish Cypriot community prohibit forced exile, and neither the Government nor the Turkish Cypriot authorities employed it.

e. Denial of Fair Public Trial

The Constitution and the basic law governing the Turkish Cypriot community provide for an independent judiciary, and both the Government and the Turkish Cypriot authorities generally respected these provisions in practice.

In both the government-controlled area and the Turkish Cypriot community, most criminal and civil cases begin in district courts, from which appeals are made to Supreme Courts. No special courts existed for security or political offenses, although civilians in the Turkish Cypriot community may be tried in military courts.

Cyprus inherited many elements of its legal system from the United Kingdom, including the presumption of innocence, the right to due process, and the right of appeal. Throughout Cyprus the right to a fair public trial is provided for in law and generally was accorded in practice. Defendants have the right to be present at their trials, to be represented by counsel (at public expense for those who cannot afford one), to confront witnesses, and to present evidence in their own defense.

In the Turkish Cypriot community, civilians charged with violating military zones or military regulations or defaming the military were subject to trial in a military court. These courts consisted of one military and two civilian judges and a civilian prosecutor. In April 2001, the Turkish Cypriot "Constitutional Court" ruled that it was unconstitutional to have military judges sit on judicial boards. In May 2001, the ECHR found that the Government of Turkey violated the right of Turkish Cypriots to a fair trial by authorizing civilians to be tried in military courts. Since March in accordance with the court decision, military courts no longer include military judges and instead consist of three civilian judges and a civilian prosecutor.

In October a military court questioned six journalists for defamation of the military.

There were no reports of political prisoners.

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

Both the Constitution of Cyprus and the basic law governing the Turkish Cypriot community prohibit such actions; however, police on both sides have subjected members of the other community resident in their area to surveillance (see Section 5). A judicial warrant is required for a police official to enter a private residence. The Turkish Cypriot authorities restricted the ability of Greek Cypriots and Maronites living in the north to change their place of residence (see Section 5).

Since 2000 Turkish Cypriot authorities have recognized marriage certificates issued by the Government of Cyprus and have allowed Greek Cypriots and Maronites resident in the north to bring their spouses to reside with them.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Laws provide for freedom of speech and of the press, and these rights were generally respected in practice throughout the island; however, there was at least one reported instance of harassment of a newspaper in the Turkish Cypriot community.

Opposition newspapers frequently criticized the authorities. Independent newspapers and periodicals proliferated in both communities. In the government-controlled area, there were seven major daily newspapers, one weekly, and six major magazines. Several private television and radio stations in the Greek Cypriot community competed effectively with the government-controlled stations.

In the north, there were 12 newspapers. In addition to three smaller, university-run radio stations, eight private radio stations operated in the Turkish Cypriot community, along with three radio stations run by the authorities, and a new radio station run by the Turkish Cypriot security forces. There were two television channels run by the authorities and four private television channels.

International broadcasts were available without interference throughout the island, including telecasts from Turkey and Greece.

The Turkish Cypriot opposition newspaper Avrupa was reportedly subject to harassment. In 2001 a bomb damaged the newspaper's offices; there were no arrests. In addition, Turkish Cypriot authorities confiscated furniture and computers for nonpayment of fines arising from a lawsuit by Turkish Cypriot officials against Avrupa's editor/owner. The owner closed Avrupa, renamed it Afrika, and kept the same editorial staff.

In August a Turkish Cypriot court found two journalists from Afrika guilty of libel and defamation for an article that referred to Turkish Cypriot leader Rauf Denktash. Originally sentenced to 6 months' imprisonment, their sentences were reduced to 1 month and 25 days.

In October several journalists from Afrika were brought before Turkish Cypriot district and military courts on charges of libel and defamation of both civilian and military subjects. These cases remained pending at year's end. Afrika continued daily publication.

Restrictions at times were imposed on the ability of journalists to cross the buffer zone to cover news events. The Government denied entry to the south to visiting Turkish journalists who arrived in Cyprus through ports of entry in the north. In retaliation Turkish Cypriot authorities at times required Greek Cypriot journalists to purchase a "visa" to enter the north, which the journalists refused to do. Turkish Cypriot policy, while applied inconsistently, was to permit Greek Cypriot journalists traveling as a group to cover events in the north without paying a "visa" fee, but not to allow individual Greek journalists entry unless they paid the fee. Greek Cypriot journalists covering certain events in the north also were asked to wear identification issued by Turkish Cypriot authorities and bearing the flag of the self-proclaimed "TRNC." In response Greek Cypriot journalists chose not to travel north to cover these events.

In October Turkish Cypriot authorities expelled a group of Spanish journalists from the Turkish Cypriot community

for convening without permission. The expulsion came after their meeting with the director of the most widely read newspaper in that community.

In 2001 a Turkish Cypriot teacher was suspended for publishing an article critical of Turkey and its military in an opposition newspaper. The Turkish Cypriot authorities filed criminal charges against the teacher and the trade union that protested on her behalf for defamation and trespassing, respectively. Their cases remained pending at year's end (see Section 1.c.).

Unrestricted access to the Internet was widely available throughout Cyprus, although some users reported difficulties in sending e-mail between service providers in the two communities.

Neither the Government nor the Turkish Cypriot authorities restricted academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution of the Republic of Cyprus provides for freedom of assembly and association, and the Government generally respected these rights in practice.

Although Turkish Cypriot authorities also generally respected these rights, which are provided for in the basic law, they imposed restrictions on bicomunal meetings (see Section 2.d.).

c. Freedom of Religion

The Constitution of the Republic of Cyprus provides for freedom of religion, and the Government generally respected this right in practice. The basic law governing the Turkish Cypriot community refers specifically to a "secular republic," and also provides for freedom of religion, and the authorities generally respected this right in practice. Both the Government and the Turkish Cypriot administration have constitutional or legal prohibitions against religious discrimination. Turkish Cypriots residing in the southern part of the island and non-Muslims living in the north were allowed to practice their religions.

The 1960 Constitution of the Republic of Cyprus specifies that the Greek Orthodox Church, which is autocephalous and not under the authority of the mainland Greek Orthodox Church, has the exclusive right to regulate and administer its internal affairs and property in accordance with its holy canons and charter. The Constitution also states that the Turkish Cypriot religious trust, the Vakf (the Muslim institution that regulates religious activity for Turkish Cypriots), has the exclusive right to regulate and administer its internal affairs and property in accordance with Vakf laws and principles. No legislative, executive, or other act may contravene or interfere with the Orthodox Church or the Vakf. There are three other religious groups recognized by the Constitution: Armenian Orthodox, Maronite Christians, and Latins (Roman Catholics).

Religions other than the five recognized religions were not required to register with government authorities; however, if they desired to engage in financial transactions such as maintaining a bank account, they had to register as a nonprofit company, and most did so.

Greek Cypriot residents of Rizokarpasso may visit the Apostolos Andreas monastery without restriction, but others in the north must apply to the local authorities for permission. Maronites may not visit certain religious sites in the north located in military zones. Armenians may not visit any religious sites in the north.

Reciprocal visits to religious sites, originally agreed to in 1997, have been suspended since 2000. In May 2001, the ECHR ruled that the Government of Turkey was responsible for restrictions imposed on Greek Cypriots resident in the north to their access to places of worship and participation in other areas of religious life. In April 2001, Turkish Cypriot authorities and the Government of Cyprus agreed to assign a second Orthodox priest to work in the north. A candidate was not identified by year's end.

Although missionaries had the legal right to proselytize in both communities, missionary activities were monitored closely by both the Government and Turkish Cypriot authorities. Under laws that make it illegal for a missionary to use "physical or moral compulsion" in an attempt to make religious conversions, the police could initiate investigations of religious activity based on a citizen's complaint. They could also initiate an investigation if missionaries might be involved in illegal activities threatening the security of the Republic, constitutional or public order, or public health and morals. There were occasional apprehensions under these laws that resulted in publicity but no arrests. In June Turkish Cypriot police detained three foreign citizens who were walking along a busy road with a large Christian cross. They were warned that their activity was unwise in a Muslim area and

released.

There were no reports of religious prisoners or detainees in either the government-controlled area or the Turkish Cypriot community.

Instruction in the Greek Orthodox religion is mandatory for all Greek Orthodox children and is taught in all public primary and secondary schools, in the government-controlled area. Jehovah's Witnesses and Maronite parents may request that their children be excused from such instruction. Such requests routinely were granted.

The 1975 Vienna III Agreement remains the basic agreement covering treatment of Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south. Among other things, this agreement provides for facilities for religious worship. Greek Cypriots living in the north reported that vacant Orthodox churches there were vandalized and religious icons were removed. In August Turkish Cypriot police arrested a suspect for stealing icons from a church now used as an icon museum. Although Turkish Cypriots reported that unused mosques in the south also were vandalized, the Government routinely carried out maintenance and repair of mosques in the south.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Both the Cyprus Constitution and the basic law governing the Turkish Cypriot community provide for these rights, and they were generally respected in practice. Both the Government and the Turkish Cypriot authorities generally respected the right to travel abroad and to emigrate. Turkish Cypriots had difficulty traveling to most countries because travel documents issued by the "TRNC" are recognized only by Turkey. Most Turkish Cypriots used Turkish travel documents instead.

Republic of Cyprus authorities discouraged travel to the northern part of the island. They permitted day trips only by tourists to the north, sometimes arbitrarily refused permission to non-Cypriots to cross into the northern part of the island, and pressured foreigners working in Cyprus not to cross to the north. They declared it illegal to enter Cyprus except at authorized entry points in the south, effectively barring entry into the government-controlled area by foreigners who entered the country from the north.

Turkish Cypriots traveling to the south had to seek prior permission from the Turkish Cypriot authorities and had to provide them with an itinerary and the purpose of their travel. To pass the Greek Cypriot checkpoint, Turkish Cypriots had to provide their itinerary and the date they intended to return home to the Greek Cypriot checkpoint police. They did not need to notify the checkpoint police in advance, but did need to prove they were Turkish Cypriots. The Government did not limit the length of their stay in the south. Some Turkish Cypriots reported being followed by Greek Cypriot police during visits to the south.

Turkish Cypriot authorities generally allowed visits to the north by persons whose initial point of entry into Cyprus was in the south, but they denied entry to foreigners of Turkish Cypriot origin who had entered Cyprus through the south. In 1995 the Turkish Cypriot authorities instituted a policy under which foreign nationals of Greek Cypriot origin would be permitted to visit the Turkish Cypriot-controlled areas; however, implementation of the procedures remained inconsistent and visitors of Greek Cypriot or Armenian origin, or persons thought to have Greek or Armenian names, faced considerable difficulties entering the north. In August 2001, Turkish Cypriot authorities refused entry to a foreign government delegation, which included a Greek-surnamed foreign national, on the grounds that the delegation had not provided enough notice.

All visitors had to obtain a formal "TRNC visa" to enter the north. Maronites were charged the same fee of \$1.83 (1 Cyprus pound) each time they crossed. Requests to cross into the north had to be submitted 48 hours in advance.

Since 2000 Turkish and Turkish Cypriot forces operated a checkpoint in a location adjacent to the Greek Cypriot village of Strovilia and the British eastern SBA. Although access to Strovilia had been previously largely unimpeded, the checkpoint provided Turkish forces the ability to control the approach to the village. Despite protests from the UNFICYP and others, Turkish forces remained at the contested checkpoint at year's end in violation of the status quo. Turkish forces restricted UNFICYP movement, including refusing to allow the UNFICYP to operate a checkpoint in Kokkina.

In July 2000, the Government denied Turkish Cypriots land passage to Kokkina, a coastal area containing a Turkish Cypriot memorial and surrounded by government-controlled area. These visits were part of a 1997 reciprocal visit arrangement that also included travel to certain religious sites. In August and November 2000,

Turkish Cypriot officials denied access to southern Greek Cypriots to visit one of these sites. Reciprocal visits have been suspended since 2000.

During the year, the Council of Europe continued to call on the Turkish Government to comply with the ECHR's decision in 1996 calling for it to compensate a Greek Cypriot woman who was prevented from going to her property in northern Cyprus. The ruling reaffirmed the validity of property deeds issued prior to 1974. Approximately 80 similar cases filed by Greek Cypriots through the Office of the Attorney General against Turkey were declared admissible by the ECHR, but no judgments had been issued in any of the other cases by year's end. Reports indicated that other cases not filed through the Attorney General's Office may also be pending.

Turkish Cypriot authorities in the past had approved most applications for Turkish Cypriots to participate in bicomunal meetings in the U.N.-controlled buffer zone, but in December 1997, they suspended Turkish Cypriot participation in these meetings pending a reevaluation of bicomunal activities. The "suspension" soon became a defacto Turkish Cypriot ban on bicomunal contacts on Cyprus. However, since June 2000, Turkish Cypriot authorities eased the ban, and on a case-by-case basis allowed some Turkish Cypriots to participate in bicomunal events in and across the buffer zone.

Greek Cypriots still had to obtain a Turkish Cypriot "visa" to visit the north. Turkish Cypriot authorities also attempted to interfere with some bicomunal events taking place outside Cyprus by requiring civil servants to seek permission from their employer and the Turkish Cypriot "Ministry of Foreign Affairs" before they could participate. Enforcement of the policy has been inconsistent, with some public officials permitted to attend off-island bicomunal events. Private citizens have been allowed to travel to off-island bicomunal events.

In September the Turkish Cypriot Public Service Commission formally reprimanded five Turkish Cypriot teachers who went to Istanbul to participate in a bicomunal choir activity for traveling abroad and not being present for their duties without receiving permission from the authorities; the reprimand was placed in their personnel files and may affect their immediate opportunities for promotion.

In 2000 Turkish Cypriot authorities announced the easing of restrictions on the 417 Greek Cypriots and 147 Maronites living in the north. Turkish Cypriot authorities usually granted applications of Greek Cypriot residents in the north to visit the government-controlled area. Visits to the south were limited to a total of 6 months per year. The applicants had to return within the designated period or they risked losing their right to return home and to keep their property, although this rule rarely was enforced in practice. Overnight stays by relatives of Greek Cypriots and Maronites living in the north also were limited to a "reasonable period" (to be determined by Turkish Cypriot authorities), with extensions possible. There were also reports that Turkish Cypriot authorities prevented unlimited travel to the north by family relatives. Greek Cypriots visiting from the south could not travel to the north in their personal vehicles; they were obliged to use taxis or buses and pay crossing fees of \$1.83 (1 Cyprus pound).

Similar restrictions existed for visits by Maronite residents of the north to the government-controlled areas, but were applied much more loosely than those for Greek Cypriots, and Maronite travel is relatively unrestricted. Maronites whose relatives live in the northern part may travel to the north in their own vehicles, but still had to pay crossing fees.

Turkish Cypriot authorities permitted school holiday and weekend visits for all full-time Greek Cypriot and Maronite students, regardless of age and gender, who moved south to continue their studies. However, male Greek Cypriot students must demonstrate they are not yet performing military duties. Greek Cypriots and Maronites resident in the north no longer require police permits for internal travel and may use private vehicles registered and insured in the north. Implementation of this policy has been inconsistent.

The Government generally cooperated with the office of the UNHCR. Cyprus continued to attract a growing number of asylum seekers (652 applications by November), many of whom arrived in small boats. Many claimed to be from the Middle East, including Iraq. These cases were referred to the Government's asylum unit, established on January 1 (implementing legislation was enacted on January 7). If given refugee status, the applicant was granted a 3-year residence permit renewable for an additional 3 years. If applicants met the criteria for refugee status, they were permitted to stay and were given temporary work permits. However, refugees generally were not granted permanent resettlement rights, although they were permitted to remain until resettlement in another country could be arranged.

The Government's asylum unit handled all cases submitted after January. All cases submitted before that date were handled by the UNHCR, whose decisions were considered binding by the Government. At year's end, there

were approximately 900 cases pending before the UNHCR. A 130-bed detention facility to house arriving migrants until their cases are evaluated was constructed and will open once administrative and support staff have been hired.

In the north, cooperation between the Turkish Cypriot authorities and the UNHCR was uneven. During the year, working with the assistance of a local nongovernmental organization (NGO), the UNHCR began examination of the asylum claims of four persons who entered the north in accordance with official procedures. Their case remained pending at year's end. Forty-four asylum seekers who arrived in the north without proper documentation were arrested and subsequently deported to their country of origin.

There were no reports of the forced return of persons to a country where they feared persecution.

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

Multiparty political systems exist throughout Cyprus. The Republic's Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Political parties competed for popular support actively and without restriction. Elections for the office of President are held every 5 years; in February 1998, President Clerides won reelection to another 5-year term. Elections for members of the House of Representatives are held every 5 years or less.

The basic law provides Turkish Cypriots living in northern Cyprus with the right to change their government peacefully, and they exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. A leader and a representative body are elected every 5 years or less; in December 1998, they chose a new "National Assembly." In April 2000, Rauf Denktash was named Turkish Cypriot leader after his opponent, "Prime Minister" Dervish Eroglu, withdrew between the first and second rounds of voting.

Under the 1960 Constitution, voting takes place on a communal basis. Since the breakdown in 1963 of bicommunal governing arrangements, and the 1974 de facto partition of the island, Turkish Cypriots living in the government-controlled area were barred from voting there, although they may travel to the north to vote in elections. Similarly Greek Cypriots and Maronites living in the north are barred by law from participating in Turkish Cypriot elections; they are eligible to vote in Greek Cypriot elections but must travel to the south to exercise that right. Officials in the north representing Greek Cypriots and Maronites are appointed by the Government of Cyprus and are not recognized by Turkish Cypriot authorities.

In both communities, women faced no legal obstacles to participating in the political process. Women held some cabinet-level, judicial, and other senior positions. In the House of Representatives, women held 6 of 56 seats; in the "National Assembly" in the north, women held 4 of 50 seats.

In addition to their political voting rights, the small Maronite, Armenian, and Latin (Roman Catholic) communities also elected special nonvoting representatives from their respective communities who sat in the Government's legislative body.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

No restrictions prevent the formation of human rights groups. A number of NGOs in both areas of the island considered themselves human rights groups; however, they generally were concerned with alleged violations of the rights of their community's members by members of the other community. Groups with a broader human rights-related mission included organizations promoting awareness of domestic violence, and those concerned with allegations of police brutality. Representatives of international human rights organizations had access throughout the island. All of these groups generally operated without restrictions by the authorities, and officials were cooperative and responsive to their views.

The United Nations, through the autonomous tripartite (U.N., Greek Cypriot, Turkish Cypriot) Committee on Missing Persons in Cyprus (CMP), is attempting to resolve the problem of missing persons who remained unaccounted for after the intercommunal violence beginning in 1963-64 and the events beginning July 1974. The CMP made little progress due primarily to Turkish Cypriot reluctance to proceed without first fully accounting for those who may have been killed in internal Greek Cypriot fighting in July 1974, prior to the landing of Turkish forces on the island. In December 2001, the leaders of both communities met to discuss the missing and agreed to redouble efforts to resolve the issue in cooperation with the CMP. As part of the direct talks that began in January,

the two leaders exchanged several documents, but did not progress beyond this exchange.

Since June 1999, the Government has conducted exhumations of gravesites in the south that were thought to contain the remains of persons missing since 1974. By year's end, the remains of 127 Greek Cypriots were identified through DNA testing. Of those, 31 were listed among those missing since 1974. The remaining 96 were known to be dead, but the location of their graves previously was unknown. The Turkish Cypriot authorities did not cooperate in this DNA identification effort. In July 2000, the Government released a list of 1,493 missing Greek Cypriots whose cases were submitted to the CMP for investigation.

In May 2001, the ECHR ruled that the Government of Turkey was responsible for continuing human rights violations against Greek Cypriots missing since the 1974 Turkish military intervention and their surviving relatives. The ECHR declined jurisdiction to examine some of the Government's complaints regarding the violation of rights of Turkish Cypriots, ruling that such persons could and should first exhaust domestic remedies provided by Turkey through judicial bodies established in the north.

Section 5. Discrimination Based on Race, Sex, Disability, Language, or Social Status

Laws in both communities provide for protection against discrimination based on sex or national, racial, or ethnic origin. While each community generally respected such laws, serious problems remained concerning the treatment of the Greek Cypriots and Maronites living in the north and, to a lesser extent, concerning the treatment of Turkish Cypriots living in the government-controlled area.

Women

Spousal abuse in the government-controlled area was a problem and continued to receive increased attention. An NGO formed to address domestic abuse reported an increase of 38 percent in the number of cases handled during the year, compared to 2001. Women constituted 81 percent of the reported victims, children 10 percent, and men 9 percent. However, the NGO noted that the 2001 figures were unreliable due to short staffing of the NGO's hot line. A small professional staff ran the NGO and relied on a volunteer staff to answer calls received by its hot line. The NGO also operated a shelter for battered women and children in Nicosia, which served 38 women and 30 children during the year, a 26 percent increase in women and 33 percent increase in children sheltered compared to 2001.

The law makes family violence easier to report and prosecute and provides that the testimony of minors and experts such as psychologists may be used as evidence to prosecute abuses. The law also provides for prison terms for the abuse of family members. Many suspected cases of domestic violence did not reach the courts, largely because of family pressure and wives' economic dependence on their husbands. Very few cases tried in the courts have resulted in convictions.

Domestic violence in the Turkish Cypriot community was reportedly a problem, but little public discussion of such violence occurred. Domestic violence cases were rare in the Turkish Cypriot legal system, since they are typically considered a "family matter."

"Honor" crimes, in which women are victimized and even killed by relatives for alleged acts that "dishonor" the family, have not occurred for many years in either the government-controlled area or in the Turkish Cypriot community. No "honor" crime-related deaths or injuries were reported on the island during the year.

Republic of Cyprus law does not prohibit "voluntary" prostitution; however, sexual exploitation and trafficking of adults and children is a felony. Reports continued to come from credible sources that women were trafficked for sexual exploitation and forced into prostitution in both communities (see Section 6.f.).

The Greek Cypriot press reported on the mistreatment of some maids and other foreign workers (see Sections 6.c. and 6.e.).

There is no law against sexual harassment in the government-controlled area. Although prohibited by law in the north, sexual harassment was not discussed widely, and any such incidents largely were unreported. Throughout Cyprus, women generally had the same legal status as men. Both Greek and Turkish Cypriot women married to foreigners have the right to transmit citizenship automatically to their children.

A 1998 Turkish Cypriot law on marriage and divorce provides for more equal treatment of husbands and wives. Under the law, the man no longer is considered the legal head of family and does not have the exclusive right to

decide the family's place of residence. The wife may retain her surname, but must also add the husband's surname. Turkish Cypriot women may marry non-Muslim men. In cases of divorce, the court decides on a fair distribution of the family's assets, with each partner assured a minimum of 30 percent. In dividing assets, the judge must take into account which partner is receiving custody of the children and provide sufficient means to support them.

Legal provisions in both the government-controlled area and the Turkish Cypriot community that require equal pay for men and women performing the same job were enforced effectively at the white collar level, but Turkish Cypriot women in the north employed in the agricultural and textile sectors routinely were paid less than their male counterparts.

Children

Both the Government and the Turkish Cypriot authorities were strongly committed to children's rights and welfare; they fund public education and health care for those who cannot afford it. In the government-controlled area, approximately 85 percent of the population was eligible to receive public health care. There was no difference in the health care and educational opportunities available to boys and girls. In the government-controlled areas, free education was available at all levels through the age of 18. Education was compulsory up to the age of 15 or completion of secondary school. In the Turkish Cypriot community, education through the age of 15 was free and compulsory.

Despite improvements in living conditions for Greek Cypriots and Maronites, there were no Greek-language educational facilities beyond the elementary level in the north. For this reason, parents often were forced to choose between keeping their children with them, or sending them to the south for further education. In this case, Turkish Cypriot authorities did not permit these children to return to live permanently in the north.

Turkish Cypriot authorities screened all textbooks sent from the south to Greek Cypriot elementary schools in the north, which caused lengthy delays in their distribution, and shortages of up-to-date textbooks. The Government reported that Turkish Cypriot authorities removed pages from textbooks sent from the south. In August 2001, a request by the Government to send a fourth teacher to the Greek Cypriot school in the north was rejected by Turkish Cypriot authorities.

There was no societal pattern of abuse of children.

Persons with Disabilities

In Cyprus persons with disabilities did not generally face discrimination in education or the provision of state services. In the Greek Cypriot community persons with disabilities who apply for a public sector position are entitled to preference if they are deemed able to perform the required duties and if their qualifications are equal to those of other applicants. The law provides for equal opportunities for persons with disabilities, which includes regulations promoting equal opportunities in the areas of employment, transportation, and recreation. In the Turkish Cypriot community, regulations require businesses to employ 1 person with disabilities for every 25 positions they fill, although enforcement was inconsistent.

The law in the Greek Cypriot community mandates that new public buildings and tourist facilities be accessible to all, although little has been done to enforce the law, despite the enactment in 2000 of relevant regulations. While there is increasing awareness of the issue of accessibility to public buildings for persons with disabilities, the Turkish Cypriot authorities have not enacted legislation to mandate access to public buildings and other facilities for persons with disabilities.

National/Racial/Ethnic Minorities

Constitutional or other legal mechanisms prohibit discrimination in both communities. The 1975 Vienna III Agreement remains the legal basis covering the treatment of Greek Cypriots and Maronites living in the north, and Turkish Cypriots living in the south. The agreement provides for the voluntary transfer of populations, free and unhindered access by the UNFICYP to Greek Cypriots and Maronites living in the north, and Turkish Cypriots living in the south, and facilities for education, medical care, and freedom of religion. In practice, noncompliance with some of the provisions of the Vienna III Agreement by Turkish Cypriot authorities made daily life difficult for Greek Cypriots and Maronites living in the north. At year's end, there were 417 Greek Cypriots and 147 Maronites resident in the north.

Government of Cyprus figures for the number of Turkish Cypriots living in the government-controlled area range from 360 (in the 2001 census) to 1,204 (according to the Ministry of Interior). Some of the Turkish Cypriots living in the government-controlled area faced difficulties in obtaining identification cards and other government documents, especially if they were born after 1974. Turkish Cypriots reportedly were subjected to surveillance by the Greek Cypriot police (see Section 1.f.). However, they made few formal complaints to UNFICYP about their living conditions in the south.

UNFICYP access to Greek Cypriots and Maronites living in the north remained limited. Despite improvements in living conditions for Greek Cypriots and Maronites, no Greek-language educational facilities for Greek Cypriot or Maronite children in the north exist beyond the elementary level (see Section 5). Both Greek Cypriots and Maronites living in the north were unable to change their place of residence at will. Although the Vienna III Agreement provides for medical care by a doctor from the Greek Cypriot community, only care provided by a Turkish Cypriot doctor registered with Turkish Cypriot authorities was permitted. Additional telephone lines have been installed for Greek Cypriots living in the north, although they, like Turkish Cypriots, must pay higher, "international" fees to make calls to the south.

Maronites continued to lack some public services available in most other Turkish Cypriot areas. Greek Cypriots and Maronites resident in the north were still unable to leave property to heirs residing in the south.

Section 6. Worker Rights

a. The Right of Association

All workers except for members of the police and military forces have the legal right to form and join trade unions of their own choosing without prior authorization; however, in the government-controlled area, police officers were permitted only to join associations that have the right to bargain collectively but not to go on strike. More than 70 percent of the Greek Cypriot workforce belonged to independent trade unions. Approximately 50 to 60 percent of Turkish Cypriot private sector workers, and all public sector workers, belonged to labor unions.

In the Turkish Cypriot community, union officials alleged that various firms were successful in establishing "company" organizations and then pressing workers to join these unions. Officials of independent labor unions also accused the Turkish Cypriot authorities of creating rival public sector unions to weaken the independent unions.

In both the government-controlled area and the Turkish Cypriot community, trade unions freely and regularly took stands on public policy issues affecting workers and maintained their independence from the authorities. Two of the major trade unions, one in each community, were affiliated closely with political parties. Both of the other major unions were independent.

Antiunion discrimination is not illegal in the Turkish Cypriot community. Union leaders contended that private sector employers were able to discourage union activity because the enforcement of labor regulations was sporadic, and penalties for antiunion practices were minimal. As in the government-controlled area, parties to a dispute may request mediation by the authorities. Antiunion discrimination is illegal in the government-controlled area.

Unions in both parts of Cyprus may and did affiliate with international trade union organizations, although Greek Cypriot unions sometimes objected to recognition of Turkish Cypriot unions formed after 1963.

b. The Right to Organize and Bargain Collectively

By law trade unions and confederations are free to organize and bargain collectively throughout Cyprus. This right was generally observed in practice in the government-controlled areas, and most wages and benefits were set by freely negotiated collective agreements; however, Greek Cypriot collective bargaining agreements were not enforceable. In the rare instances in which persons claimed that such agreements were infringed upon, the Ministry of Labor has been requested to investigate. If the Ministry is unable to resolve the dispute, the union may call a strike to support its demands.

In the Turkish Cypriot community, wage levels were reviewed several times a year for both private and public sector workers, and a corresponding cost-of-living raise was established. A special commission composed of five representatives each from organized labor, employers, and the authorities conducted the review.

All workers have the right to strike; however, in the northern part of the island, employers have an unrestricted right to hire replacement workers in the event of a strike, thereby limiting the effectiveness of the right to strike. In addition, authorities in both the government-controlled area and the Turkish Cypriot community have the power to curtail strikes in "essential services," although this power was used rarely in practice. There were no major strikes during the year.

Small export processing zones (EPZs) existed in the port of Larnaca and in Famagusta; the laws governing working conditions and actual practice in the EPZs are the same as those outside the zones.

c. Prohibition of Forced or Bonded Labor

Laws prohibit forced or bonded labor throughout the country, including by children. Foreign maids and illegal foreign workers reportedly were subject to the nonpayment of wages and the threat of deportation (see Section 6.e.).

d. Status of Child Labor Practices and Minimum Age for Employment

In both the government-controlled area and the Turkish Cypriot community, the minimum age for employment in an "industrial undertaking" is 16 years of age. Turkish Cypriots may be employed in apprentice positions at the age of 15. There were labor inspectors in both communities who enforced the law effectively. However, in family-run shops it was common for younger children to work after school, and according to press reports, children as young as 11 or 12 years of age worked in orchards during their school holidays in the Turkish Cypriot community.

In 2001 a law enacted by the Government updated provisions of previous legislation in line with the EU "acquis." The new legislation significantly increased fines for child labor abuses and added regulations that deal with culture, sports, and advertising.

e. Acceptable Conditions of Work

The legislated minimum wage in the government-controlled area, which is reviewed every year, was approximately \$538 (294 Cyprus pounds) per month for shop assistants, practical nurses, clerks, hairdressers, and nursery assistants. The wage rose to \$581 (318 Cyprus pounds) after 6 months' employment. Neither amount was sufficient to provide a decent standard of living for a worker and family. Unskilled workers typically earned about \$475 (260 Cyprus pounds) per month, which was barely adequate to support a family. All other occupations were covered under collective bargaining agreements between trade unions and employers within the same economic sector, and the wages set in these agreements were significantly higher than the legislated minimum wage (see Section 6.b.). The legislated minimum wage in the Turkish Cypriot community, while subject to frequent review because of high inflation, was approximately \$238 (380 million Turkish lira) per month at year's end. This amount was insufficient to provide a decent standard of living for a worker and family.

In the government-controlled area, the legal maximum workweek in the private sector was an average of 39 hours for white-collar workers and 38 hours for blue-collar workers. In the public sector, it was 38 hours during the winter and 35 hours in the summer. In the Turkish Cypriot community, the legal maximum workweek was 38 hours in the winter and 36 hours in the summer. Labor inspectors effectively enforced these laws.

Steps have been taken to improve health and safety standards in the workplace in the government-controlled area. A 1997 law harmonized health and safety standards with those in the EU. The law incorporates EU principles and standards for health and safety in the workplace and complies fully with the 1981 International Labor Organization convention on occupational health and safety. A second 1997 law requires employers to provide insurance liability coverage for work-related injuries. According to labor union officials, these laws were enforced effectively.

Occupational safety and health regulations were enforced sporadically in the Turkish Cypriot community. In both the government-controlled and the Turkish Cypriot areas, factory inspectors processed complaints and inspected businesses in order to ensure that occupational safety laws were observed. Workers in the government-controlled area may remove themselves from dangerous work conditions without risking loss of employment. Turkish Cypriot workers who file complaints do not receive satisfactory legal protection and may face dismissal.

There were reports about the mistreatment of maids and other foreign workers in the Greek Cypriot press. Such reports usually involved allegations that maids, often from East or South Asia, were mistreated by their employers or fired without cause in violation of their contracts. Many women did not complain to authorities, fearing

deportation. A law passed in 2001 protects domestic workers who file a complaint with the Labor Ministry from being deported until their cases have been adjudicated.

A significant percentage of the labor force in the north consisted of illegal migrants, mostly from Turkey. According to some estimates, illegal workers constituted as much as 10-15 percent of the total work force there. There were frequent allegations that such workers were subject to mistreatment, including the nonpayment of wages and threats of deportation.

f. Trafficking in Persons

The law in the government-controlled area criminalizes trafficking, but the regulations in the Turkish Cypriot community do not specifically prohibit trafficking. During the year, there continued to be credible reports that women were trafficked into both communities for the purpose of prostitution.

In 2000 the Cypriot legislature passed a law making it a felony to engage in the sexual exploitation and trafficking of adults (with or without their consent) and children. The law provides for punishment of up to 20 years' imprisonment for trafficking. There were no reported convictions during the year; however, three individuals were charged with trafficking ("exploitation") under the new law in 2001, and their cases were pending at year's end. A holdover from British preindependence law makes it illegal in both communities to procure a woman for prostitution, although the crime is only a misdemeanor. During the year, the office of the Ombudsman began preparing a report on trafficking in persons in Cyprus, to be published in 2003.

In January 2000, the Turkish Cypriot "National Assembly" passed a law designed to regulate the hiring of women in nightclubs, including penalties for women and employers who engage in prostitution; the law does not prohibit trafficking. Turkish Cypriot authorities denied the existence of trafficking, and no resources specifically were earmarked to combat it. While past corruption among law enforcement and immigration personnel was an obstacle to the effective policing and prevention of trafficking in both communities, the Government and the Turkish Cypriot authorities have increased their focus on combating and preventing trafficking.

Traffickers in Eastern Europe recruited young women for prostitution in the government-controlled area. The women came principally from Ukraine, Romania, Moldova, Russia, and Bulgaria. Most of them entered the country on temporary 3-month work permits. In some instances, the women reportedly were forced to surrender their passports or stay beyond the period of their work permits, and in some cases, they reportedly were not paid their full salaries. A similar pattern existed in the recruitment and hiring of Eastern European women to work in the Turkish Cypriot community, and reports persisted regarding coercion of nightclub workers, such as the confiscation of their passports. Estimates on the extent of the problem were difficult to obtain.

The law obligates the State to provide protection and support for victims. The Government made some efforts to protect women who brought complaints against employers by allowing them to remain in the country to press charges, or by facilitating their return home. Under the law, the Government must also provide shelter, medical, and psychiatric care until the victims have recovered from the trauma of their experiences. The Government reported receiving complaints against employers for exploitation. While the cases were pending, the women stayed in Cyprus at government expense. However, by year's end, all had chosen to leave Cyprus just before the trial date, and the Government was left each time with no witnesses.

Persons convicted of trafficking may be required by the court to pay for this provision of shelter and medical care, in addition to any repatriation costs. The Government may appoint a guardian for victims to advise and give counsel, and to represent the victim with the appropriate government agency. Victims may sue traffickers for damages. There were no similar legal provisions in the Turkish Cypriot community; consequently, many of the women were reluctant to press charges, fearing retaliation by employers or deportation.

NGOs that protect the rights of women and immigrant workers were available to assist victims of trafficking; however, they reported that they rarely received any requests for assistance.