



U.S. DEPARTMENT of STATE

Cyprus

Country Reports on Human Rights Practices - [2006](#)

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

REPUBLIC OF CYPRUS

The Republic of Cyprus is a constitutional republic and multiparty presidential democracy. The area under control of the government has approximately 780,000 inhabitants. On May 21, 56 representatives were elected to the 80-seat Vouli Antiprosopon (House of Representatives) in free and fair elections. This election marked the first time in decades that Turkish Cypriots residing in the government-controlled area were permitted to vote in elections and run for office. President Tassos Papadopoulos was elected in 2003 in free and fair elections. Civilian authorities maintained effective control of the security forces.

The government generally respected the human rights of its citizens; however, there were problems in some areas. There were some reports of police abuse and degrading treatment of persons in police custody and of asylum seekers. Violence against women, including spousal abuse, was common. Trafficking of women to the island, especially for sexual exploitation, continued to be a problem.

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 that the government or its agents committed arbitrary or unlawful killings during the year.

The chief of police reported that the May 2005 killing by the police of a Syrian asylum seeker was in self-defense (see section 2.d.).

b. Disappearance

There were no reports of politically motivated disappearances.

The government participated in the autonomous, tripartite (UN, Greek Cypriot, Turkish Cypriot) UN Committee on Missing Persons (CMP) in Cyprus as part of its continuing efforts to account for persons missing as a result of the intercommunal violence in 1963-64 and the conflict in 1974.

In August the CMP launched its project to exhume, identify, and return remains. On December 21, the CMP announced that it would perform DNA tests on the remains of 160 individuals held at its Anthropological Laboratory. The CMP anticipated returning the first remains to families of the deceased by April 2007. Exhumations continued in different parts of the island. According to the CMP, 1,468 Greek Cypriots and 502 Turkish Cypriots remained missing.

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

The constitution and law prohibit such practices; however, there were reports that police abused detainees.

There continued to be reports that police engaged in heavy-handed tactics and degrading treatment of suspects.

In an incident not previously reported, on December 20, 2005, plainclothes police officers stopped two cars in Nicosia and proceeded to handcuff and beat the drivers, 27-year-old students Marcos Papageorghiou and Yiannos Nicolaou. The 40-minute beating was videotaped by an unidentified witness. The police then took the students to a police station, where they allegedly continued to beat them, causing serious injuries requiring hospitalization. The police officers involved claimed that the students were drunk and resisted arrest and that force

was necessary to restrain them. They further claimed that the students suffered the injuries by throwing themselves on the ground. The chief of police appointed an investigator; however, the police investigation was suspended a few days later when the attorney general appointed an independent criminal investigator. Eleven police officers (Andreas Efstathiou, Haris Haritou, Andreas Panayi, Georgios Pavlou, Giorgios Kyllilis, Costas Toumbas, Iordanis Iordanous, Andreas Christou, Christiana Antoniou, Tefkros Charalambous, and Georgios Vanezis) were charged with numerous offenses, such as assault and torture. At year's end, the trial was ongoing; however, the police had initiated disciplinary procedures against 13 police officers involved in the incident. The April 7 report by the Office of the Commissioner for Administration (ombudsman) on the incident concluded that the victims suffered inhuman and degrading treatment tantamount to torture.

On January 13, the press reported that a Nicosia police sergeant was charged with forcing a Bulgarian woman to perform a sex act. According to press reports, the officer offered to give her a ride home from the pub where she worked but, as soon as she got in the car, allegedly became violent and demanded oral sex. A disciplinary committee appointed by the chief of police demoted the officer to police constable.

Also in January, members of the police antinarcotics unit (YKAN) allegedly beat a Turkish Cypriot suspect during the execution of a search warrant at his house in Larnaca. The chief of police ordered two criminal investigations, one against the members of YKAN and one against the suspect. The results of the investigations have not been made public, and the files were with the attorney general for evaluation at year's end.

On March 30, a police officer allegedly beat prisoner Georgios Georgiou in his cell. The police officer was charged with assault causing actual bodily harm. The case was set for a February 20, 2007, hearing. The police initiated disciplinary procedures against the officer, but they were interrupted on August 21 when the ombudsman asked to review the case.

The attorney general decided that the alleged victim of a police beating following a car accident in Limassol, reported in April 2005, had not been treated in a discriminatory or racist manner, and he ordered the police to proceed with the individual's prosecution. The alleged victim was charged with attacking and hitting a police officer on duty.

The police investigation into the September 2005 death of a Polish laborer who had been held in police custody revealed that the death was due to a pre-existing condition. No external or internal injuries were found during the post mortem examination. However, the coroner had not yet completed his own investigation at year's end.

The police officer acquitted of raping a Moldovan woman in her prison cell in 2004 was required to resign on April 7.

The disciplinary committee investigating the 2004 case of two police officers who forced an Afghani man to pose with two women in sexually suggestive photographs found them guilty on the charge of misconduct. One officer was fined 10 days' salary, amounting to approximately \$1,000 (462 pounds), and the other was penalized with a two-year deferment of salary increases, amounting to approximately \$33,000 (14,800 pounds).

The second police investigation into the allegations made by a detainee that police mistreated him during his 2003 detention in Limassol was suspended because the complainant did not respond to repeated police calls for an interview.

Prison and Detention Center Conditions

Conditions in prisons, detention centers, and other government institutions generally met international standards, although there were some problems.

In February police reported that final toxicological results showed that the January 2005 death of prisoner Jevor Hakorian in police custody was caused by drug use and suffocation induced by the swallowing of stomach fluids. The coroner's report was pending at year's end.

Both the ombudsman and nongovernmental organizations (NGOs) received complaints that police and prison officials subjected foreign inmates in the Nicosia central prison to discriminatory treatment as well as beatings and other forms of abuse. Foreign inmates also claimed that prison officials did not answer their calls for protection from fellow inmates and prevented them from reporting mistreatment without prison officials also being present. NGOs further reported that inmates incarcerated for nonviolent crimes were confined with dangerous criminals and rapists. Unlike in previous years, there were no reports that prison officials subjected Turkish Cypriots to discriminatory treatment.

During the year overcrowding remained Nicosia central prison's greatest problem despite renovation and expansion. The prison's capacity was 340, although at times it held up to 670 inmates. Approximately 14 percent of the inmates were foreigners imprisoned for entering or living in the country illegally. The government provided no assistance for the rehabilitation of drug abusers and only limited support for reintegration for former inmates.

A March 29 report by the Council of Europe's (COE) commissioner for human rights noted that, while prison conditions were generally satisfactory, overcrowding remained a problem. The report also expressed concern over the government's failure to provide facilities and resources for the psychiatric treatment of prisoners. The report noted government efforts to improve the professional training of the prison staff and the abolition of imprisonment for nonpayment of civil debt.

A May 16 report by the COE's European Commission against Racism and Intolerance (ECRI) stressed that the continuing lack of a comprehensive immigration and integration policy resulted in a particular vulnerability for migrants, including domestic and other foreign

workers, to human rights violations, exploitation and discrimination in detention centers. The report further stated that similar problems were experienced by asylum seekers, who confronted serious difficulties in exercising their rights. ECRJ expressed concern with the extensive use of detention for both migrants and asylum seekers and the conduct of law enforcement officials, which included alleged cases of ill treatment.

Juveniles were generally held separately from adults, although there were isolated exceptions due to overcrowding.

The government permitted prison visits by independent human rights observers, and such visits, unrestricted and unannounced, occurred during the year.

In September Cyprus Mental Health Commission President Christodoulos Mesis criticized conditions at the Athalassa Psychiatric Hospital (see section 5).

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

The Cyprus police maintain internal security. The Greek Cypriot National Guard (GCNG), backed by a contingent of Greek military forces, is responsible for external and domestic security. The GCNG reports to the Ministry of Defense, which in turn reports to the president. The police report to the Ministry of Justice and Public Order. The president appoints the chief of police. The police force is composed of a headquarters with six functional departments, six geographic district divisions, including one inactive district for the area administered by Turkish Cypriots, and seven police units that provide specialized services. Although there were reported cases of misconduct, there were no serious cases of police corruption or bribery.

On April 5, the Council of Ministers appointed an independent committee charged with investigating complaints against the police concerning bribery, corruption, unlawful financial gain, violation of human rights, abuse of power, preferential treatment, and conduct unbecoming of police officers. Previously, the assistant chief of police for administration handled investigations and recommended appropriate disciplinary measures to the chief of police. In August the committee chair complained that the body could not handle the workload and suggested that it instead supervise investigations to be carried out by the police. In the first five months after its inception, the committee received 40 complaints. More than half of the complaints were dismissed because they could not be substantiated.

There were 34 criminal investigations against members of the police during the year. Ten of the investigations were presented to a court; however, there was no information regarding the outcome of these cases.

Arrest and Detention

The law requires judicially issued arrest warrants, and authorities recognized this requirement in practice. Persons may not be detained for more than one day without referral of the case to a court for extension of detention. Most periods of investigative detention did not exceed 10 days before formal charges were filed. The attorney general generally made efforts to keep pretrial detention to a minimum, especially in cases of serious crimes; however, aliens arrested for illegal entry without identification were detained indefinitely when authorities did not know where to deport them. Attorneys generally had access to detainees. Bail was permitted. The government 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.

By year's end there were fewer than 10 persons in detention awaiting trial.

The government arrested persons crossing the green line in possession of evidence of purchasing or developing Greek Cypriot property in the area administered by Turkish Cypriots. On June 27, the government arrested Turkish Cypriot architect Osman Sarper, crossing from the north to the south, who was allegedly found to be in possession of architectural blueprints for structures being built on Greek Cypriot properties in the area administered by Turkish Cypriots. He was charged with intent to commit a crime, illegal possession and use of property, and attempt to conceal a crime, and was released on bail.

On October 20, the government passed a law making the purchase, rent, or sale of property without consent of the registered owner a felony. On November 18, the government arrested a Russian couple in possession of a contract for the purchase of Greek Cypriot property in the area administered by Turkish Cypriots. The wife, who had signed the documents, was charged under the new law with conspiracy to commit a felony and could face up to seven years' imprisonment. She was released on November 23 after paying bail of approximately \$100,000 (50,000 pounds). Her trial began on December 15 and was ongoing at year's end.

e. Denial of Fair Public Trial

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

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

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. The constitution provides for public trials, albeit not by jury, and defendants have the right to be present and to consult with an attorney in a timely manner. An attorney is provided for those who cannot afford one, and defendants are allowed the right to question witnesses against them and present evidence or witnesses on their behalf. The law also guarantees that defendants and their attorneys have access to government-held evidence related to their cases. Defendants enjoy a presumption of innocence and have a right of appeal. The government generally respected these rights in practice.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary for civil matters, permitting claimants to bring lawsuits seeking damages for human rights violations.

Property Restitution

By year's end, Turkish Cypriots had filed 35 cases in the courts in an effort to reclaim property located in the government-controlled area.

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

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

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice.

Individuals could criticize the government publicly or privately without reprisal, and the government did not attempt to impede criticism.

Opposition newspapers frequently criticized the authorities. Independent newspapers and periodicals proliferated. There were seven major daily newspapers, one weekly, and six major magazines. Several private television and radio stations competed effectively with government-controlled stations. International broadcasts were available without interference throughout the island, including telecasts from Turkey and Greece.

On September 11, a customs officer at the Ledra Palace checkpoint searched the bag of Turkish Cypriot journalist Murat Kanatli. The chairman of the Cyprus Journalists' Union demanded a formal investigation into the incident, alleging that the journalist was being harassed for simply being Turkish Cypriot. Police said they suspected the journalist of carrying drugs.

There were multiple reports of verbal harassment of Turkish Cypriot journalists by members of ultranationalist Greek Cypriot groups.

In early November the Council of Ministers rejected a December 2005 decision by the Board of Cyprus News Agency to appoint Christoforos Christoforou as its new director. Some newspapers and opposition parties attributed the rejection to Christoforou's authorship of articles criticizing the government's policies regarding UN efforts to reunify the island culminating in 2004. The Cyprus Journalists' Union called on the government to reverse its decision and approve the appointment.

The government imposed significant restrictions on Turkish (as opposed to Turkish Cypriot) journalists crossing the green line to cover news events in the government-controlled area.

During the year Turkish Cypriot advertisers repeated claims initially made in 2004 by the vice chairman of the Turkish Cypriot Advertisers Association that Greek Cypriot newspapers refused to carry advertisements for businesses located in the area administered by Turkish Cypriots.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chatrooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail.

Academic Freedom and Cultural Events

There were generally no government restrictions on academic freedom or cultural events; however, certain oversight efforts threatened academic independence and activities (see section 2.b.).

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law and constitution provide for freedom of assembly, and the government respected it in practice.

Freedom of Association

The law and constitution provide for freedom of association, and the government generally respected it in practice. However, parliamentary hearings purportedly aimed at providing government oversight over NGOs, especially those involved in bicomunal programs, threatened the independence and activities of such civil society groups, as well as academic institutions.

Referring in part to the parliamentary hearings, the UN secretary general's December report on country operations stated, "[T]here has been a disturbing trend impinging on the ability of organizations and individuals to carry out activities and projects designed to contribute to bicomunal contacts and cooperation throughout the island. As a result, the UN, particularly [the UN Development Programme], has been hampered in its ability to support and implement such projects benefiting both Greek Cypriots and Turkish Cypriots in areas of common concern."

c. Freedom of Religion

The law and constitution provide for freedom of religion, and the government generally respected this right in practice.

The law and constitution specify that the Greek Orthodox Church of Cyprus, which is 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 law also states that the Turkish Cypriot religious trust, the Vakif, 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 Vakif laws and principles. No legislative, executive, or other act may contravene or interfere with the Orthodox Church or the Vakif. Armenian Orthodox, Maronite Christians, and Roman Catholics ("Latins") are also recognized by the law and constitution.

The government required other religious groups to register as nonprofit companies if they desired to maintain a bank account or engage in other financial transactions.

Missionaries have the legal right to proselytize, but the government closely monitored missionary activities. It is illegal for a missionary to use "physical or moral compulsion" to make religious conversions. The police may investigate missionary activity based on a citizen's complaint. Police can also open an investigation if missionaries are suspected of involvement in illegal activities threatening the security of the government, constitutional or public order, or public health and morals. No detentions or arrests were reported under these laws during the year.

The government required children in public primary and secondary schools to take instruction in the Greek Orthodox religion. Parents of other religions may request that their children be excused from such instruction and from attending religious services.

Societal Abuses and Discrimination

In May an NGO reported that it had filed complaints with the ombudsman's office and an independent investigatory committee regarding police treatment of Muslim asylum seekers. Some asylum seekers reportedly had difficulty securing employment, and one asylee alleged that he could not secure housing because of religious discrimination.

On November 22, 15 to 20 Greek Cypriot teenagers, believed to be members of an ultranationalist group, National Voice of Youth with a Greek Soul, entered the grounds of the English School in Nicosia wearing masks and armed with planks of wood. They attacked a group of the school's Turkish Cypriot students, causing minor injuries. Incendiary reports in the Greek Cypriot press about an earlier incident at the same school, in which an 11-year-old male Turkish Cypriot student verbally insulted a Greek Cypriot student wearing a Christian cross, were blamed for inciting the latter event. The government condemned the November 22 attack as an aberration, not indicative of a broader atmosphere of discrimination or racial hatred against Turkish Cypriots. Criminal charges were pending against 13 suspects in the case at year's end.

Although Turkish Cypriots claimed that unused mosques in the government-controlled area had been vandalized, the government routinely carried out maintenance and repair of mosques in the area under its administration. At year's end authorities still had not identified any suspects in an April 2005 vandalizing of a recently rehabilitated Turkish Cypriot cemetery in Larnaca.

There were no reports of anti-Semitic acts. The Jewish community included approximately 300 expatriate residents and fewer than 10 Cypriots.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

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

The law provides for these rights, and the government generally respected them in practice.

The government did not restrict Greek Cypriots from traveling to the area administered by Turkish Cypriots, but it generally discouraged them from spending the night at Greek Cypriot properties, gambling in the area administered by Turkish Cypriots, or buying or developing property there. The government in many cases prohibited Turkish nationals from crossing from the area administered by Turkish Cypriots to the government-controlled area in the south (see section 2.a.).

The government allowed European Union citizens and citizens of other countries not subject to a visa requirement who entered Cyprus from ports of entry in the area administered by Turkish Cypriots to cross the green line into the government-controlled area; however, the government maintained that all ports of entry in the area administered by Turkish Cypriots are illegal.

Greek Cypriots and Turkish Cypriots were required to show identification cards when crossing the green line. Members of each community were required to obtain insurance coverage in the community where they planned to drive their vehicles. Turkish Cypriots flew in and out of Larnaca and Paphos airports without obstruction.

The government arrested persons crossing the green line in possession of contracts or blueprints related to purchasing or developing Greek Cypriot property in the area administered by Turkish Cypriots (see section 1.d.). The government issued 6,353 passports to Turkish Cypriots during the year.

The law prohibits forced exile, and the government did not employ it.

Internally Displaced Persons (IDPs)

Although persons who were displaced as a result of the 1974 division of the island fall under the UN definition of IDPs, the government considered them refugees. At year's end these people and their descendants numbered approximately 238,000. Depending on their income, IDPs and their descendants are eligible for financial assistance from the government. They have been resettled, have access to humanitarian organizations, and are not subject to attack, targeting, or return under dangerous conditions.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against refoulement, the return of persons to a country where they feared persecution, although one NGO claimed that asylum seekers were deported. The government granted refugee status or asylum.

Qualified refugees were permitted to stay and given temporary work permits but were not granted permanent resettlement rights. During the year no refugees were deported, and authorities granted refugee status to 36 persons.

The government provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol and provided it to 160 persons during the year. The government generally cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers.

According to the ombudsman and NGOs, the inmates in detention centers were exclusively foreign and often asylum seekers who were arrested for illegal entry. Similar to the previous year, the NGO Action for Equality, Support, and Anti-Racism maintained that police violated the law and the human rights of asylum seekers by carrying out illegal arrests, detentions, and deportations. The group claimed that authorities treated asylum seekers as illegal immigrants or economic migrants and jailed or deported them. Another local NGO reported that several asylum seekers made complaints to the ombudsman alleging they were physically and psychologically abused by police, and a third NGO claimed that asylum seekers complained about the denial of state medical care.

In February 2005 the ombudsman recommended that the government increase access to lawyers for detained asylum seekers, and in 2004 he recommended that the government provide detained asylum seekers increased access to places where they could apply for asylum. Neither recommendation had been implemented by year's end.

On May 4, Asian and Middle Eastern detainees, some of whom were asylum seekers and all of whom were being held as illegal immigrants, set fire to their cells in Nicosia central prison in protest of their long detention, more than 20 months for some. Five detainees and two police officers were sent to the hospital with injuries.

A Kurdish man arrested in March 2005 when he applied for asylum was released. His asylum application was accepted, and he continued to reside in the country with his family.

The May 2005 police shooting, allegedly in self-defense, of a Syrian asylum seeker was pending investigation by an independent criminal investigator appointed by the attorney general. The coroner's investigation had not yet been completed at year's end.

The May 2005 appeal of the Somali asylum seeker who claimed that he was illegally arrested and deported to Israel despite a pending asylum application was awaiting a decision by the Supreme Court at year's end.

In December 2005 the press reported that three asylum seekers who married Cypriots were arrested when they withdrew their asylum applications after allegedly being advised by police or migration authorities to do so. The police denied having provided such advice. There were no further accounts regarding these asylum seekers, although a local NGO reported that some asylum seekers in the same situation were deported.

The reception center for asylum seekers at Kofinou continued to accept only families in an attempt to increase the safety of women and children living in close quarters at the center.

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

The law and constitution provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

On May 21, elections were held for the 56 seats assigned to Greek Cypriots in the 80-seat House of Representatives. These elections marked the first time in decades that Turkish Cypriots residing in the government-controlled area could vote and stand for election, in accordance with a 2005 European Court of Human Rights (ECHR) ruling. However, no Turkish Cypriot residing in the government-controlled area ran for the 24 seats reserved for the Turkish Cypriot community, and the attorney general denied 78 Turkish Cypriots residing in the area administered by the Turkish Cypriots the right to run. The law affords the right to participate in elections only to Turkish Cypriots who habitually reside in the government-controlled area. On April 28, two leading members of the group of 78, Ali Erel and Mustafa Damdelen, sued the government for failure to fully reinstate the Turkish Cypriot community's rights to vote and run for election.

Free and fair elections for local authorities were held on December 17.

Women held eight of the 56 seats filled in the House of Representatives as well as senior positions in the executive and judicial branches.

There were no members of minorities in the House of Representatives, and the 24 seats assigned to Turkish Cypriots went unfilled. However, the small Armenian Orthodox, Maronite Christian, and Roman Catholic ("Latin") communities elected special nonvoting observer representatives from their respective communities to the House of Representatives.

Government Corruption and Transparency

There was one high-profile report of government corruption during the year. In November a local newspaper published the names of politicians who allegedly had asked the Ministry of Defense for favorable transfers of National Guard recruits. The list included prominent officials such as the president of the House of Representatives, members of the Council of Ministers, party leaders, and members of parliament. The president asked the minister of defense to investigate whether such requests constituted nepotism.

The government made no progress in the investigations of the May 2005 allegations of nepotism directed at the former justice minister with regard to the hiring of prison staff or of the government mismanagement outlined in a December 2005 auditor general's report.

The 2004 charge against European Parliament member Marios Matsakis that he solicited a bribe from a police officer was dropped on October 9; however, Matsakis continued to face the charge of illegally exporting historical artifacts.

The constitution provides for the right of access to government information; however, there are no specific laws that assure public access. Civil servants were not allowed to give access to government documents without first obtaining permission from the relevant minister. There were no reported cases during the year of persons being denied access to government information.

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

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

A number of NGOs considered themselves human rights groups; most, however, were concerned exclusively with alleged violations of the rights of Greek Cypriots by Turkey. NGOs with a broader human rights-related mission included groups promoting migrant support and awareness of domestic violence and those concerned with allegations of police brutality. Domestic NGOs were numerous but had limited impact on public opinion or specific legislation. International NGOs active in Cyprus were few.

The UN, through the CMP, continued its efforts to account for persons missing after the intercommunal violence in 1963-64 and the conflict of 1974 (see section 1.b.).

On May 16, the ECRI released a report on trafficking in women and the rights of minorities and other vulnerable groups in the country.

During the year the ombudsman received complaints from citizens and foreigners living on the island who believed their rights had been

violated by the government. During his independent investigations, the ombudsman generally enjoyed good cooperation with other government bodies. The ombudsman's annual reports focused on police brutality, treatment of patients at state hospitals and of asylum seekers and foreign workers, and gender equality in the workplace. The office of the ombudsman was well respected and considered effective; however, the government had not implemented many of its recommendations.

The legislative committee on human rights, which is generally considered by most local NGOs as effective, is made up of 10 members of the House of Representatives who serve five-year terms. The committee discusses wide-ranging human rights issues, including trafficking in persons, prison conditions, and the rights of foreign workers. The executive branch does not exercise control over the committee.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally effectively enforced it. However, violence against women, child abuse, trafficking in persons, discrimination against Turkish Cypriots living in the government-controlled area, and discrimination against Roma were problems.

Women

Violence against women, including spousal abuse, was common. The law establishes clear mechanisms to report and prosecute family violence and provides that the testimony of minors and experts, such as psychologists, may be used as evidence to prosecute abusers. The law provides for prison terms for the abuse of family members. In contrast with previous years, a larger percentage of cases related to domestic violence charges resulted in convictions. Doctors, hospital workers, and education professionals are required to report all suspected cases of domestic violence to the police. However, many victims refused to testify in court, and by law spouses cannot be compelled to testify against each other. In cases of domestic violence where the spousal victim was the only witness and refused to testify, the courts were forced to drop the case.

An NGO working with domestic abuse victims estimated a 7 to 8 percent decrease in the number of telephone calls to its hot line compared to 2005. The NGO reported that, from January 1 to October 30, 521 individuals, of whom 74 percent were women, 19 percent children, and 7 percent men, called claiming to be victims of domestic violence. The NGO also operated a shelter in Nicosia that served 51 victims of domestic violence during the same period.

The law criminalizes rape and spousal rape with a maximum sentence of life in prison. Most convicted offenders received considerably less than the maximum sentence. The police indicated that there were 11 convictions related to sexual assault charges during the year.

The law does not prohibit "voluntary" prostitution; however, it is illegal to live off the profits of prostitution, and police routinely arrested pimps under this section of the criminal code. Procuring a woman for prostitution is a misdemeanor. The police reported five convictions on prostitution-related charges.

Women were trafficked for sexual exploitation (see section 5, Trafficking).

The law prohibits sexual harassment in the workplace, but there were reports that it was a widespread problem with most incidents going unreported to authorities. During the year authorities investigated one of the country's ambassadors for sexually harassing two female employees at the overseas mission he headed. On December 20, the court found him guilty, and he was awaiting sentencing at year's end.

Women generally have the same legal status as men under family law, property law, and in the judicial system. The government agency tasked with the promotion, protection, and coordination of women's rights is the National Mechanism for Women's Rights under the Ministry of Justice and Public Order. Laws requiring equal pay for men and women performing the same work were enforced effectively at the white-collar level, but, despite a strong legal framework, the Ministry of Labor's enforcement was ineffective at the blue-collar level. Research from one NGO suggested that remuneration for female blue-collar workers was 25 to 30 percent less than for their male counterparts.

In February an NGO representing divorced mothers asked the legislative committee on human rights to approve new legislation to tackle the problem of collecting child support payments from delinquent fathers. During the year the same NGO worked with police to encourage collection efforts. The courts may garnish wages and assets and ultimately imprison persons to enforce child support payments.

Children

The government was strongly committed to children's rights and welfare.

The government provided free education through the age of 18. Education was compulsory up to the age of 15, or nine years of education. Approximately 60 percent of children completed some form of university or other post-secondary education.

Approximately 85 percent of the population was eligible to receive free public health care, and boys and girls had equal access to health care.

Child abuse was a problem. The Welfare Department said the majority of cases, which increased over previous years, were linked to domestic violence, alcohol abuse, and psychological illness. The police reported that, as of the end of August, there were 18 criminal prosecutions pending before the courts for child abuse or sexual exploitation. In 2005 a total of 44 cases of child abuse were prosecuted,

resulting in 26 convictions, four acquittals, and three dismissals. The rest were pending in the courts at year's end.

Trafficking in Persons

The law prohibits trafficking in persons, with a specific focus on countering trafficking for sexual exploitation. It does not address internal or labor trafficking. Nevertheless, there were widespread reports that persons were trafficked to the country, and trafficking of women to the country for sexual exploitation continued to be a problem. There were also allegations of police corruption related to trafficking.

The country was primarily a destination point for women trafficked for sexual exploitation, and authorities were aware of and generally tolerated the situation despite adoption in 2005 of a plan of action to combat trafficking in persons and sexual exploitation of children. Unlike the previous year, there were no reports of the country being used as a transit point for trafficking. The country was a destination for women trafficked from Eastern Europe, primarily Ukraine, Romania, Moldova, Russia, Belarus, and Bulgaria, as well as the Philippines and the Dominican Republic. There was also one reported case during the year of a woman from Morocco. There was evidence that female victims coming from China on student visas engaged in prostitution and, in some cases, were victims of sexual exploitation. NGOs reported that female domestic workers from India and Sri Lanka were forced to work long hours. There were no reliable statistics on the number of trafficking victims; however, 81 women pressed charges during the year.

Traffickers fraudulently recruited victims using the artiste employment permit category and often rotated victims between different cabarets and cities. In some cases, women reportedly were arbitrarily denied part or all of their salaries, forced to surrender their passports, and pressed into providing sexual services for clients. Some NGOs alleged that government officials with oversight and policing responsibility over the sex industry themselves frequented cabarets and nightclubs.

It is a felony to engage in the sexual exploitation and trafficking of persons. The court may order persons convicted of trafficking to pay part or all of the expenses incurred for the provision of protection, temporary shelter, medical care, and psychiatric care for victims, as well as compensation to the victim, including repatriation expenses. The Ministries of Interior, Labor, Justice, and Commerce, and the attorney general, share responsibility for combating trafficking, with the Ministry of Interior as the lead.

During the year police arrested 110 individuals involved in cases related to prostitution and sexual exploitation. Of those, 83 were arrested specifically on trafficking charges. Police statistics showed that 41 cases were prosecuted, and police investigated an additional 17 cases for possible prosecution. Of the 41 prosecutions, three resulted in acquittals, two were *nolle prosequi*, and five concluded in convictions with prison sentences ranging from four to 14 months. The remainder were being tried at year's end.

The police participated and assisted in 24 international trafficking investigations.

The law obligates the government to provide protection and support for trafficking victims by allowing them to remain in the country to press charges or by facilitating their return to home countries. Victims may sue traffickers for damages. The law also requires the government to provide shelter, medical, and psychiatric care to trafficking victims. The government may appoint a guardian to advise, give counsel to, and represent the victim with the appropriate government agency. By year's end, police had identified 90 victims of trafficking, 81 of whom testified or pressed charges against their traffickers. As of October 31, government welfare services had provided financial aid, counseling, and temporary shelter to 84 victims.

The government maintained that most women who qualified as trafficking victims chose to return voluntarily to their home countries without testifying in court. There were reports that cabaret owners and agents for dancers pressured women to withdraw complaints to police or not to follow through with their intention to testify in court. Of 90 women who requested police protection during the year, the government reported that 59 returned to their home countries and 31 were waiting to testify at trials.

NGOs that protect the rights of women and immigrant workers were available to assist trafficking victims and reported that they received one to two requests for assistance per month.

The NGO Stigma in Limassol operated a shelter for trafficking victims funded in part by the Greek Orthodox Church of Cyprus. A Russian-speaking psychiatrist was available to assist victims. During the year a total of 71 trafficking victims stayed in the shelter. Of these, 35 cooperated with the police and testified in court against their traffickers, nine gave testimony to police but chose repatriation before appearing in court, six were involved in cases under investigation, and the remaining 24 cooperated with police, but their testimony was not deemed adequate for substantiating cases against their traffickers. There was no formal referral process between the police and the shelter. Social welfare services typically housed victims in government-subsidized homes for the elderly or in hotels.

An 18-year-old Ukrainian who in 2005 was fraudulently recruited to work in a rural cabaret and forced to have sex with clients testified in court against her employer. However, after the completion of her testimony, the government did not respond to her request for a residency permit to remain and to work in the country. The trial was ongoing at year's end, and the government had not yet responded to her request.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services, and in practice the government generally enforced these provisions. The law mandates that public buildings and tourist facilities built after 1999 be accessible to all; however, government enforcement of the law was ineffective, and older buildings frequently lacked access for persons with disabilities. Further, there are no appropriate institutions for adults who suffer from mental disabilities and are in need of long-term care.

The amended People with Disabilities Law, which extended the ombudsman's authority to cover discrimination based on disabilities in both the private and public sectors, had not been fully implemented by year's end. Problems facing persons with disabilities included narrow or nonexistent sidewalks, lack of transport, and absence of parking spaces, accessible toilets, and elevators. The government budget reportedly included approximately \$90,000 (40,000 pounds) to improve access to government buildings.

There were no long-term care facilities specifically for persons with mental disabilities, but many such persons were housed at the Athalassa psychiatric hospital. In September Cyprus Mental Health Commission President Dr. Christodoulos Messis criticized the hospital, calling it "unacceptable."

The Ministry of Labor and Social Insurance's Service for the Care and Rehabilitation of the Disabled was responsible for protecting the rights of persons with disabilities. In addition, the minister chaired the Pancyprian Council for Persons with Disabilities, which included representatives of government services, organizations representing persons with disabilities, as well as employer and employee organizations. The council monitored action for the protection of the rights of persons with disabilities and served as a forum for persons with disabilities to contribute to public policy.

National/Racial/Ethnic Minorities

There were reported incidents of government and societal discrimination against members of national and ethnic groups, particularly Turkish Cypriots and Roma.

The 1975 Vienna III Agreement remains the legal source of authority regarding the treatment of Turkish Cypriots living in the government-controlled area. The government generally effectively enforced the agreement, which provides for the voluntary transfer of populations, free and unhindered access by UNFICYP to Turkish Cypriots living in the south, and facilities for education, medical care, and freedom of religion.

Some Turkish Cypriots living in the government-controlled area reportedly faced difficulties obtaining identification cards and other government documents, particularly if they were born after 1974. Turkish Cypriots made few formal complaints to UNFICYP about their living conditions in the south. Complaints most often concerned the lack of affordable accommodation.

After complaining repeatedly about the lack of a Turkish-language school in Limassol, the Turkish Cypriot teachers' union filed suit to guarantee the right of Turkish Cypriots residing in the government-controlled area to an education in their native language. The Supreme Court trial began on May 5 but was adjourned several times and was scheduled to recommence on February 6, 2007. The government stated that, according to surveys of Turkish Cypriots in the government-controlled area, none had requested a Turkish-language school.

A local NGO continued to report complaints that the government ignored the law mandating automatic citizenship for children of Turkish Cypriots married to Turkish citizens. Instead of granting citizenship automatically, the Ministry of Interior routinely sought approval from the Council of Ministers before confirming the citizenship of such children. The Council of Ministers approved 113 cases during the year.

The ombudsman's investigation into the September 2005 Ministry of Education decision to suspend from school all Romani children living in the Paphos District until they were tested for hepatitis was ongoing at year's end.

There were repeated incidents of vandalism of Turkish Cypriots' vehicles, specifically at bicomunal activities, including the January 18 Together for Peace and the February 13 Cyprus Literature Union events. There was also a physical attack on Turkish Cypriot students in Nicosia by a group of Greek Cypriot teenagers (see section 2.c.).

Other Societal Abuses and Discrimination

Despite legal protections, homosexuals faced significant societal discrimination, and few homosexuals in the country were open about their sexual orientation. One NGO reported that there were complaints of discrimination toward homosexuals and persons with HIV/AIDS. NGOs were reluctant to initiate awareness campaigns.

Incitement to Acts of Discrimination

The government continued to use textbooks at the primary and secondary school levels that included inflammatory language derogatory of Turkish Cypriots and Turks. This was a particularly serious concern with history textbooks.

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 unions of their own choosing without prior authorization, and workers did so in practice. Police officers were permitted to join only associations that have the right to bargain collectively but not to go on strike. More than 70 percent of the workforce belonged to independent unions. Antiunion discrimination is illegal, but 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.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government generally protected this right in practice. The law provides for collective bargaining, and workers exercised this right in practice; however, collective bargaining agreements were not legally enforceable. Collective bargaining agreements covered all workers, citizen and foreign, with the exception of housekeepers and cabaret workers; approximately 60 percent of workers were covered by such agreements. All workers have the right to strike; however, authorities have the power to curtail strikes in "essential services," although this power was used rarely in practice. The law provides that members of the armed forces, the police, and the gendarmerie do not have the right to strike, but the right to strike is recognized for all other providers of essential services. There have been strikes in the past at government-run hospitals and airports, as well as by police; the government did not take any actions against these workers. An agreement between the government and essential services personnel provides for dispute resolution and protects workers in the sector.

There are no special laws for or exemptions from regular labor laws in the export processing zone at the port of Larnaca.

c. Prohibition of Forced or Compulsory Labor

The government prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

The government effectively enforced laws and policies to protect children from exploitation in the workplace. The minimum age for employment in an "industrial undertaking" is 16. Ministry of Labor inspectors are responsible for enforcing the child labor laws and did so effectively.

e. Acceptable Conditions of Work

The minimum wage was approximately \$800 (362 pounds) per month for shop assistants, practical nurses, clerks, hairdressers, and nursery assistants. The minimum wage rose to approximately \$850 (385 pounds) after six months' employment. Neither amount provided a decent standard of living for a worker and family. All other occupations, including unskilled workers, were covered under collective bargaining agreements between unions and employers within the same economic sector. The wages set in these agreements were significantly higher than the minimum wage. Migration services of the Ministry of Interior set the starting salary for foreigners working as housekeepers at approximately \$340 (150 pounds) per month, plus approximately \$90 (40 pounds) for lodging if the worker was not a live-in, and an additional 16 percent, which employers were required to pay directly to the government in the form of social insurance. Workers were not allowed to claim pensions unless they became citizens, although in some cases there were bilateral agreements that allowed workers to claim credit in their home countries. Unions and labor confederations generally effectively enforced negotiated wage rates (collectively bargained rates), which were generally much higher than the minimum wage. Migration services were responsible for enforcing the minimum wage for foreign workers but did not actively do so.

The legal maximum workweek was 48 hours, including overtime. Unions and employers within the same economic sector collectively determined the actual working hours. In the private sector, white-collar employees typically worked 39 hours a week, and blue-collar employees worked 38 hours a week. In the public sector, the workweek was 38 hours in the winter and 35 hours in the summer. The law does not require premium pay for overtime or mandatory rest periods; this is usually stipulated in the contracts of workers in larger sectors. Labor inspectors effectively enforced these laws.

By law there was no premium pay for overtime for foreign workers; however, limits on workweeks are stipulated in their contracts and varied according to the economic sector.

The Ministry of Labor experienced a substantial increase in the number of complaints of labor exploitation. Foreign workers, primarily from Eastern Europe and East and South Asia, reportedly were forced to work up to 13 hours a day, seven days a week, for very low wages. NGOs and the ombudsman also confirmed that employers often retained a portion of foreign workers' salaries as payment for accommodations.

There were reports of mistreatment of maids and other foreign domestic workers. Such reports usually involved allegations that maids, primarily from East or South Asia, were mistreated by their employers or fired without cause in violation of their contracts. Although the law protects domestic workers who file a complaint with the Ministry of Labor from being deported until their cases have been adjudicated, NGOs reported that many of them did not complain to authorities out of fear of deportation.

Health and safety laws apply to places of work in all economic sectors and were enforced by Ministry of Labor inspectors. Factory inspectors processed complaints and inspected businesses to ensure that occupational safety laws were observed. Their inspections were supported by close government cooperation with employer/employee organizations. However, the law does not apply to private households where persons were employed as domestic servants. Workers have the right to remove themselves from work situations that endanger health or safety without jeopardy to their continued employment, and authorities effectively enforced this right.

THE AREA ADMINISTERED BY TURKISH CYPRIOTS

Since 1974, the northern part of Cyprus, with a population of approximately 250,000 persons, has been run by a Turkish Cypriot

administration that proclaimed itself the "Turkish Republic of Northern Cyprus (TRNC)" in 1983. The United States does not recognize the "TRNC," nor does any country other than Turkey. Mehmet Ali Talat was elected "president" in April 2005 in free and fair elections. Elections to the "Assembly of the Republic" in February 2005 were also free and fair and resulted in the formation of a coalition government. The June 25 elections for two empty seats in "parliament," together with the municipal elections, were generally free and fair. The "TRNC government" was restructured in September when a minority coalition partner left. The "TRNC constitution" is the basis for the laws that govern the area administered by Turkish Cypriots. Police and security forces were ultimately under the operational command of the Turkish military, per transitional article 10 of the "TRNC constitution," which cedes responsibility for public security and defense "temporarily" to Turkey.

Turkish Cypriot authorities generally respected the human rights of citizens living under their control; however, there were problems in some areas. Police abuse of detainees and arbitrary arrest and detention continued to be problems. There were also restrictions on citizens' privacy rights and on the rights of asylum seekers. The "government" proposed legislation to govern the treatment of asylum seekers, but by year's end there did not exist a regulatory infrastructure to handle asylum applications or specifically to protect the rights of asylum seekers. Trafficking in persons continued.

With assistance from European Union experts, the authorities began to implement a program to improve the penal code. Also, a new ombudsman was appointed after a four-year vacancy.

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 that the authorities or their agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

The authorities participated in the autonomous, tripartite (UN, Greek Cypriot, Turkish Cypriot) UN Committee on Missing Persons (CMP) in Cyprus as part of its continuing efforts to account for persons who remained missing after the intercommunal violence in 1963-64 and the conflict of 1974. According to the CMP, 1,468 Greek Cypriots and 502 Turkish Cypriots remained missing.

During the year the CMP verified a number of exhumations carried out previously by the "TRNC." The remains were transferred to the CMP for identification. Exhumations continued in different parts of the island.

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

The law prohibits such practices; however, there were reports that police abused detainees.

Kudret Celebi, charged with rape (see section 5), claimed that he was tortured by police in November after his escape and recapture. Celebi said that police guards handcuffed him naked to a bunk and beat him, and that the guards forced him to walk through crowds of inmates so that they could hit him. After hearing Celebi's complaints, the judge ordered a medical examination of his person. No further actions by the authorities were reported.

The authorities had no record of a complaint regarding a police beating reported by the press in September 2005. The press made no further mention of the case.

Unlike in previous years, police did not prevent any public demonstrations.

Prison and Detention Center Conditions

Prison conditions generally met international standards, although there were some problems. Inmates complained of overcrowding at the prison, and the authorities publicly acknowledged the problem. In the 207-person capacity prison, there are 349 prisoners, 68 percent of whom are foreigners, mostly Turkish citizens. More than 40 percent of the prisoners were awaiting trial. According to press reports, the authorities were contemplating returning the Turkish prisoners to Turkey to overcome overcrowding, but no concrete action was taken.

Violent offenders were generally kept separate from prisoners convicted of less serious crimes; however, juveniles were not held separate from adults.

The authorities permitted prison visits by independent human rights observers and journalists.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

Police are responsible for law enforcement. The chief of police reports to the Turkish Cypriot general holding the "security portfolio," who is nominally under the supervision of the "prime ministry." However, the police and security forces are ultimately under the operational command of the Turkish military per transitional article 10 of the "TRNC constitution," which "temporarily" cedes responsibility for public security and defense to Turkey. Some politicians called for the police to be brought under the control of the civilian "TRNC government," but there were no changes during the year. Despite this, security forces were generally cooperative with civilian authorities and effective in matters of law enforcement. The police are divided into eight functional divisions and five geographic divisions.

The office of the "attorney general" continued to work in conjunction with the inspection division (or occasionally the criminal investigative division) to conduct investigations into allegations of police misconduct. There were no investigations resulting in the prosecution of officers for the abuse of detainees during the year.

Two police officers, Salih Karahuseyin and Ufuk Derebeyler, arrested in September 2005 in connection with alleged narcotics trafficking, were released on bail the same month and fled the area administered by Turkish Cypriots. The authorities believed that the two escaped to the government-controlled area.

The Iskele police chief, Veli Gurpinar, arrested in December 2005 for collecting gambling debts for a criminal syndicate, was released on bail and temporarily suspended. The "attorney general" decided that there was insufficient evidence to pursue the case and reinstated Gurpinar.

Arrest and Detention

Judicially issued arrest warrants were required to arrest a person. No person could be detained for more than 24 hours without referral of the case to the courts for extension of the period of detention. The authorities generally respected this right in practice. Also, detainees were promptly informed of charges against them, although individuals believed to have committed a violent offense were often held for longer periods of time without being charged. Judges could order that suspects be held for investigative detention for up to 10 days before formal charges are filed, or up to three months for those accused of serious crimes. Bail was permitted and routinely used. Detainees were usually allowed prompt access to family members and a lawyer of their choice. The authorities provided lawyers to the indigent for violent offenses only. Particularly at the time of arrest, police sometimes did not observe legal protections. Some suspects were not permitted to have their lawyers present when testimony was taken, in contravention of the law. Suspects who demanded the presence of a lawyer were sometimes threatened with stiffer charges or physically intimidated.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the authorities generally respected judicial independence in practice.

Most criminal and civil cases begin in district courts, from which appeals are made to the "Supreme Court." There were no special courts for political offenses. New legislation was passed transferring jurisdiction from military to civilian courts for cases in which civilians are accused of violating military restrictions, such as filming or photographing military zones.

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. The "TRNC constitution" guarantees 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. The authorities provided lawyers to the indigent for violent offenses only. Defendants are allowed to question witnesses against them and present evidence or witnesses on their behalf. The law also guarantees that defendants and their attorneys have access to "government"-held evidence related to their cases. Defendants enjoy a presumption of innocence and have a right of appeal. The authorities generally respected these rights in practice.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

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

Property Restitution

During the year Greek Cypriots continued to pursue property suits in the European Court of Human Rights (ECHR) against the Turkish government for the loss since 1974 of property located in the area administered by Turkish Cypriots. Under ECHR rules, an appellant does not have standing to bring a case before the ECHR until that appellant exhausts all local remedies, unless no adequate local remedy exists. In response to the ECHR's December 2005 ruling in the landmark Xenides-Arestis case that Turkey's "subordinate local authorities" in Cyprus had not provided an adequate local remedy, Turkish Cypriot authorities established a new "Property Commission" to handle claims by Greek Cypriots. The Property Commission began reviewing Greek Cypriot claims in May and reportedly received more than 80

applications. By year's end, three applicants had received outright restitution of their properties, while another seven had accepted compensation payments instead. In December the EHCR ruled that the commission had satisfied "in principle" the ECHR's requirement for an effective local remedy.

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

The law prohibits such actions; however, there were reports that police subjected Greek Cypriots and Maronites living in the area administered by Turkish Cypriots to surveillance (see section 5). Although the authorities reported otherwise, a Maronite representative confirmed that houses in three enclaved villages were occupied by the Turkish military during the year.

The case against a Turkish Cypriot man, Kamil Hur, who hung a Republic of Cyprus (ROC) flag outside his home in August 2005, was dropped. Contrary to his 2005 statements to the press, Hur did not sue the police.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the authorities generally respected these rights in practice; however, journalists were obstructed in their reporting, fined, and threatened with more serious charges.

Individuals can and do publicly criticize the authorities without reprisal. There were no reports of the authorities attempting to impede criticism.

The independent media were active and expressed a wide variety of views without restriction. International media were generally allowed to operate freely. Bayrak Radyo Televizyon Kurumu (BRTK) is the only "government"-owned television/radio station.

In November two French journalists were arrested for filming in the military zone of Varosha near Famagusta and fined approximately \$700 (1,000 Turkish lira) each. A local press nongovernmental organization (NGO) paid their fines.

In December eight Turkish Cypriot journalists were arrested while filming a house fire next to the military zone on the green line in Nicosia. The journalists were held for a few hours and subsequently released without charge.

The 2003 criminal charges against five local journalists for criticizing the army were dropped.

Internet Freedom

The authorities did not restrict access to the Internet, and there were no reports that they monitored e-mail or Internet chatrooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail.

Academic Freedom and Cultural Events

The authorities did not restrict academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, and the authorities generally respected this right in practice.

The charges against organizers of the 2003 demonstration in the village of Doganci were dropped.

Freedom of Association

The law provides for freedom of association, and the authorities generally respected this right in practice.

c. Freedom of Religion

The law provides for freedom of religion, and the authorities generally respected this right in practice.

Greek Cypriots and Maronites were still prohibited from visiting religious sites located in military zones. Greek Cypriots and Maronites were required to apply for permission to conduct church services anywhere other than the seven churches designated by the authorities.

For the third year in a row, Turkish Cypriot authorities authorized Orthodox worshippers from the south to conduct a ceremony at St. Mamas

Church in Morphou in September.

Missionaries have the legal right to proselytize, but the authorities closely monitored such activities.

Societal Abuses and Discrimination

Greek Cypriots living in the government-controlled area continued to report that vandals damaged vacant Greek Orthodox churches and removed religious icons in the area administered by Turkish Cypriots; there were no reported investigations of these incidents.

There were no reports of anti-Semitic acts. The Jewish community is very small and composed primarily of nonresident businesspersons.

For a more detailed discussion, see the 2006 International Religious Freedom Report.

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

The law provides for these rights, and the authorities generally respected them in practice.

Greek Cypriots and Turkish Cypriots were required to show identification cards when crossing the green line. In addition, Greek Cypriots and foreigners crossing into the area administered by Turkish Cypriots were required to fill out a "visa" form. During the year the authorities did not enforce limitations announced in 2003 on duration of stay for Greek Cypriots.

The authorities no longer maintained general restrictions on visitors to the 403 Greek Cypriots and 140 Maronites living in enclaves in the area administered by Turkish Cypriots, although there were reports of specific refugees from the enclaved villages being barred from returning to their villages. A Maronite representative reported that the two Maronites barred from returning to their enclaved village in 2005 after visiting the government-controlled area were allowed to return.

Turkish Cypriots had difficulty traveling to most countries because only Turkey recognizes travel documents issued by the "TRNC." Some Turkish Cypriots used Turkish travel documents, but many obtained travel documents issued by the ROC.

The law prohibits forced exile, and the authorities did not employ it.

Internally Displaced Persons (IDPs)

Although they would fall under the UN definition of IDPs, Turkish Cypriots considered those displaced as a result of the division of the island to be refugees. These persons and their descendants numbered approximately 90,000 to 100,000. They were resettled, had access to humanitarian organizations, and were not subject to attack, targeting, or return under dangerous conditions.

Protection of Refugees

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees or its 1967 protocol, and the authorities did not grant refugee status or asylum, nor have they established a system for providing protection to refugees. In practice, the authorities did not provide protection against refoulement, the return of persons to a country where they feared persecution. Individuals who requested asylum were supposed to be directed to the Office of the UN High Commissioner for Refugees (UNHCR). However, the authorities' cooperation with the UNHCR was uneven due at least in part to complications arising from the unrecognized status of the "TRNC." There were reports that the authorities refused entry to persons who arrived with or without proper documentation at ports of entry, denying them the opportunity to apply for asylum through the UNHCR.

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

The law provides Turkish Cypriots 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.

Elections and Political Participation

Turkish Cypriots choose a leader and a representative body every five years or less. In the February 2005 "parliamentary" elections, which were free and fair, parties favoring a solution to the division of the island based on the UN settlement plan, known as the Annan Plan, took a near majority of seats. A coalition "government" emerged and elevated Ferdi Sabit Soyer, one of the leading figures of the largest prosettlement party in the area administered by Turkish Cypriots, to the position of "prime minister." Municipal elections held in June, together with by-elections for two empty seats in "parliament," were also generally free and fair. Soyer's coalition "government" collapsed in September but was quickly reformed with a different partner. Opposition politicians accused Soyer's party and the ruling Justice and Development Party in Turkey of using bribery to engineer the "government" collapse, but no corroborating evidence emerged, and no formal investigation was opened.

Greek Cypriots and Maronite residents were prohibited from participating in Turkish Cypriot "national" elections; they were eligible to vote in Greek Cypriot elections but had to travel to the government-controlled area to exercise that right. In December Greek Cypriot and Maronite

communities in the area administered by Turkish Cypriots directly elected municipal officials for the first time; previously, the ROC appointed these representatives. The Turkish Cypriot authorities did not recognize these ROC officials.

The authorities did not restrict the political opposition, and membership or nonmembership in the dominant party did not confer formal advantages or disadvantages. However, there were widespread allegations of societal cronyism and nepotism.

There were three women in the 50-seat "parliament," including the "speaker."

There were no minorities represented in the "parliament."

Government Corruption and Transparency

Corruption, cronyism, and lack of transparency were generally perceived to be serious problems in the legislative and executive branches.

The "constitution" provides for the right of free access to "government" information; however, there are no specific laws that assure public access. Civil servants were not allowed to give access to "government" documents without first obtaining permission from their directors or "minister." There were no reported cases of persons being denied access to "government" information during the year.

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

A number of domestic and international human rights groups generally operated without restriction from the authorities, investigating and publishing their findings on human rights cases. The authorities often were cooperative and responsive to their views.

Local human rights groups were concerned almost exclusively with alleged violations of Turkish Cypriot rights by Greek Cypriots. NGOs with a broader human rights-related mission included groups promoting awareness of domestic violence, women's rights, and trafficking in persons. These groups were numerous but had little impact on public opinion or specific legislation. A few international NGOs were active in the area administered by Turkish Cypriots, but many were hesitant to operate there due to political sensitivities related to working in this unrecognized area.

The UN, through the CMP, continued its efforts to account for persons who remained missing after the intercommunal violence beginning in 1963-64 and the conflict of 1974 (see section 1.b.).

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, and the authorities generally effectively enforced it; however, violence against women, trafficking in persons, and discrimination against Greek Cypriots and Maronites were problems.

Women

Violence against women, including spousal abuse, was a problem. The law prohibits domestic violence; however, no cases of domestic violence were tried during the year, as claims were typically considered a family matter and settled out of court. Additionally, the authorities considered a case credible only if there was at least one witness in addition to the victim.

The law provides for no minimum sentence for individuals convicted of rape, including spousal rape; the maximum sentence is life imprisonment. The authorities and police effectively handled and prosecuted rape cases, including cases of spousal rape. There were no NGOs to support rape victims.

Kudret Celebi and Erkut Latif were arrested for raping a 14-year-old girl in the village of Akdogan on February 11. Prior to the trial, the two men escaped from prison to the government-controlled area. They were caught in November and at year's end were in prison awaiting trial.

Turkish taxi driver Mucahit Yanarates was sentenced March 22 to four years' imprisonment for raping Moldovan Mariana Gaiduc at Silver Beach in Famagusta in June 2005. Gaiduc, who worked as a dancer at the Gold Night nightclub in Famagusta, was picked up by Yanarates, who later raped her in a deserted beach area. Yanarates escaped from prison on June 7; media reported that he was captured by ROC police and deported to Turkey via Greece.

The law does not specifically prohibit prostitution; however, encouraging or forcing a person to engage in prostitution is illegal, and procurement of a prostitute is a misdemeanor. The law designed to regulate the hiring of women at nightclubs and cabarets provides penalties for women and employers who "partially or completely earn a living from prostitution." Unlike in previous years, there were no reports to indicate that Turkish military forces frequented nightclubs and cabarets.

In July the Nicosia District Court ordered the first prostitution-related imprisonment in the area administered by Turkish Cypriots. After pleading no contest to the charges, the manager of Mexico nightclub, Mesut Kilicarslan, was sentenced to 15 days in prison for encouraging and profiting from prostitution.

There were reports that women were trafficked to and within the area administered by Turkish Cypriots for the purpose of sexual exploitation (see section 5, Trafficking).

The law does not specifically prohibit sexual harassment; however, victims could pursue such cases under other sections of the law. Sexual harassment was not discussed widely, and any such incidents largely went unreported.

Women generally have the same legal status as men under property law, family law, and in the judicial system. Laws requiring equal pay for men and women performing the same work were generally enforced at the white-collar level; however, women working in the agricultural and textile sectors were routinely paid less than their male counterparts. There were several NGOs, but no "government" agencies, that worked to protect women's rights.

Children

The authorities were generally committed to children's rights and welfare, although the Greek Cypriot school faced some obstacles.

Education through the age of 15 was free and compulsory. Approximately 90 percent of children attended school up to the secondary level. Approximately 70 percent completed some kind of post-secondary education.

The Turkish Cypriot authorities continued to screen all textbooks sent to the Greek Cypriot Rizokarpasso Gymnasium, a primary and secondary school in the enclaved communities. Textbooks deemed derogatory were sent back to the government-controlled area, creating temporary shortages of up-to-date textbooks. A delay in the processing of work permits for the two teachers caused the school to open late. One teacher later quit reportedly due to regular harassment by the authorities.

Boys and girls had equal access to publicly funded health care; however, patients faced long waits for services in public medical facilities. Access to health care by children of unregistered workers was no longer a problem because the authorities either registered or deported all illegal workers.

There were no reported cases of child abuse; however, as with domestic violence, there were social and cultural disincentives to seek legal remedies for such problems.

Trafficking in Persons

The law does not prohibit trafficking in persons, and there were some reports that women were trafficked to and within the area administered by Turkish Cypriots for the purpose of sexual exploitation.

The authorities issued worker "visas" to women, primarily from Eastern Europe, permitting their entry into the area administered by Turkish Cypriots to work in nightclubs and cabarets. There were credible reports that many of these women engaged in prostitution and that some women were coerced. The authorities acknowledged the existence of trafficking; however, they often confused it with human smuggling or illegal immigration. According to researchers, women working in nightclubs and cabarets often were sold by agencies that had advertised for models, babysitters, or elder caregivers. They also said that large casinos had offered women as "gifts to their richest customers." In irregular raids on 45 nightclubs and cabarets, 204 suspects were charged with 157 prostitution-related crimes.

In April police assisted a Ukrainian victim of trafficking to leave the area administered by Turkish Cypriots when the Ukrainian Embassy said she had contacted her family to report abuse by her employer.

The authorities examined the extent of the trafficking problem and began to offer some assistance to victims. In 2005 the "Ministry of Health" began collecting questionnaires on working and living conditions from nightclub and cabaret employees. In December 2005, the "ministry" hired a Russian-speaking staff member to interview the women in private in order to investigate whether they were coerced or forced to engage in prostitution. In April the "ministry" established a hot line number for victims, but it did not publicize the number adequately. On December 10, the NGO Prologue Consulting Ltd. released a report concluding that many women working at nightclubs and cabarets had been trafficked. Release of the report sparked numerous press reports and public debate.

The police reported that they had assisted international trafficking investigations through Turkish authorities.

There were no NGOs available to provide assistance to trafficking victims.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services, and in practice the authorities effectively enforced these provisions. The "government" employed 486 persons with disabilities and provided financial aid to 2,803 of the approximately 3,470 known persons with disabilities in the area administered by Turkish Cypriots. The law does not mandate access to public buildings and other facilities for persons with disabilities. A local NGO reported that this remained the greatest problem for persons with disabilities in the area administered by Turkish Cypriots.

National/Racial/Ethnic Minorities

The law prohibits discrimination, and the 1975 Vienna III Agreement remains the legal source of authority regarding the treatment of Greek Cypriots and Maronites; however, the authorities' noncompliance with some of the agreement's provisions made daily life difficult for the 403 Greek Cypriot and 140 Maronite residents.

Greek Cypriots and Maronites in the area administered by Turkish Cypriots alleged that they were subject to surveillance, although less so than in previous years, and representatives of both communities complained that their telephones were tapped. Unlike in previous years, neither community reported the authorities breaking into their homes.

Under the Vienna III agreement, the UN Force in Cyprus visited the enclaved Greek Cypriots weekly and the Maronites twice a month; any additional visits had to be preapproved by the authorities. Although the Vienna III Agreement provides for medical care by a doctor from the Greek Cypriot community, the authorities only permitted care provided by registered Turkish Cypriot doctors; enclaved persons also traveled to the government-controlled area for medical care.

Greek Cypriots and Maronites were able to take possession of some of their properties but were still unable to leave any of their properties to heirs residing in the government-controlled area. The authorities allowed the enclaved residents to make improvements to their homes and to apply for permission to build new structures on their properties. Maronites living in the government-controlled area could use their properties only if those properties were not under the control of the Turkish military or allocated to Turkish Cypriots.

A majority of foreign workers in the area administered by Turkish Cypriots were Turkish. One NGO reported that Turkish workers were often targeted by police investigations during the year, albeit less frequently after the authorities registered all foreign workers. The same NGO also reported that many Turkish workers lived in derelict buildings in Nicosia, with up to 20 persons sleeping in one room. Those working in the agricultural or construction sectors reportedly were forced to sleep on the ground, and those working at restaurants were seen sleeping after hours on chairs in the establishments where they work.

Other Societal Abuses and Discrimination

The law criminalizes homosexuality in the area administered by Turkish Cypriots, but a draft gay rights bill was being discussed in "parliament" at year's end. The new legislation would forbid discrimination against homosexuals and end the criminalization of homosexual behavior. Homosexuality remained highly proscribed socially and rarely discussed.

There were no reports of discrimination against persons with HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

All workers except members of the police and military forces have the legal right to form and join unions of their own choosing without prior authorization, and workers did so in practice. Approximately 1 percent of private sector workers, 60 to 70 percent of semi-public sector workers, and nearly all public-sector workers belonged to labor unions.

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

The law does not prohibit antiunion discrimination, and union leaders claimed that private sector employers were able to discourage union activity because the enforcement of labor regulations was sporadic and penalties--such as reassignment to an undesirable location or denial of promotion--for antiunion practices were nominal.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the authorities generally protected this right in practice. The law provides for collective bargaining, and workers exercised this right in practice; however, collective bargaining agreements were not legally enforceable. The "Ministry of Economy" and union officials estimated that 98 percent of workers in the public sector, 60 to 70 percent of workers in the semipublic sector, e.g., the "state" university, and 1 percent of workers in the private sector were unionized. Public and semipublic employees made up approximately 30 to 35 percent of the work force and benefited from collective bargaining agreements. Although the law provides for the right to strike, employers have an unrestricted right to hire replacement workers in the event of a strike, which limited the effectiveness of the right to strike. The law does not ensure due process for essential service workers and, in fact, states that judges and members of the police and the armed forces do not have the right to strike. The authorities have the power to curtail strikes in "essential services," although this power was rarely used in practice.

There are no special laws for or exemptions from regular labor laws in the export processing zone at the port of Famagusta.

c. Prohibition of Forced or Compulsory Labor

The authorities prohibited forced or compulsory labor, including by children; however, there were reports that such practices occurred (see section 5). Legal and illegal migrant workers were subject to reduced wages or nonpayment of wages, beatings, and the threat of deportation (see section 6.e.).

d. Prohibition of Child Labor and Minimum Age for Employment

The authorities effectively enforced the laws and policies to protect children from exploitation in the workplace.

The minimum age for employment in an "industrial undertaking" is 16, and children may be employed in apprentice positions at 15. There were labor inspectors who enforced the law effectively. It was common in family-run shops for children to work after school, and children as young as 11 worked in orchards during school holidays.

e. Acceptable Conditions of Work

As of August the minimum wage was approximately \$600 (860 Turkish lira) per month, which did not provide a decent standard of living for a worker and family. Migrant workers were often offered substandard accommodation as part of their compensation or were made to pay for accommodation. The "Ministry of Labor and Social Security" is responsible for enforcing the minimum wage, and it was generally enforced. However, one NGO reported that legal foreign workers in general were paid below the minimum wage.

The legal maximum workweek was 38 hours in the winter and 36 hours in the summer. Labor inspectors effectively enforced these laws, except in the case of migrant workers, who worked irregular hours and at times reportedly were required by their employers to work up to 14 hours per day, seven days a week. The law requires overtime pay, but it was not uniformly enforced.

As part of an overall scheme to better regulate legal foreign workers, the "Ministry of Labor" and police routinely checked restaurants, hotels, nightclubs, casinos, and construction sites to make sure that workers had valid work "visas," that they had signed a contract with their employers, and that working conditions were safe and sanitary.

The authorities sporadically enforced occupational safety and health regulations. Although factory inspectors processed complaints and inspected businesses to ensure that occupational safety laws were observed, workers who filed complaints did not receive satisfactory legal protection and could face dismissal. Workers did not have the legal right to remove themselves from situations that endangered health or safety without risking their continued employment.