



## 2008 Human Rights Report: Cyprus

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

[2008 Country Reports on Human Rights Practices](#)

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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 remained on the island. A buffer zone, or "green line," patrolled by the UN Peacekeeping Force in Cyprus (UNFICYP) separates the two parts.

### REPUBLIC OF CYPRUS

The ROC is a constitutional republic and multiparty presidential democracy. The area under control of the government has approximately 793,000 inhabitants. In 2006, 56 representatives were elected to the 80-seat Vouli Antiprosopon (House of Representatives) in free and fair elections. President Demetris Christofias was elected in February 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 reports of police abuse and degrading treatment of persons in police custody and of asylum seekers. Violence against women, including spousal abuse, was common, and several incidents of violence against children were reported. There were instances of discrimination against members of minority ethnic and national groups. Trafficking of women to the island, particularly 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.

During the year authorities completed an independent investigation of the 2005 police killing of a Syrian immigrant that the chief of police had reported was in self-defense. After reviewing the case, the Attorney General's Office ordered the prosecution of the police officers involved in the incident.

On June 24, the European Court of Human Rights (ECHR) found the government of Turkey in violation of the right to life in the cases of *Isaak v. Turkey* and *Solomou and others v. Turkey*. Isaak was killed in 1996 during a Greek Cypriot demonstration in the buffer zone by Turkish Cypriot counterdemonstrators, including three Turkish Cypriot police officers. Also in 1996 a Turkish police officer shot and killed Solomou when he entered the buffer zone and tried to climb a flagpole with the Turkish flag on it. The ECHR ordered Turkey to pay 215,000 euros (approximately \$301,000) to Isaak's family plus 12,000 euros (\$16,800) in court expenses and 125,000 euros (\$175,000) to Solomou's family plus 12,000 euros (\$16,800) in court expenses.

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) 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 2006 the CMP launched its project to exhume, identify, and return remains. As of December 12, the CMP had identified and returned to their families for burial the remains of 78 Greek Cypriots. Exhumations continued in different parts of the island. According to the CMP, 1,395 Greek Cypriots and 470 Turkish Cypriots remained missing.

On January 10, the ECHR delivered its judgment on the case of Varnava and others v. Turkey, filed by the relatives of nine Greek Cypriots missing since the events of 1974. The ECHR found Turkey in continuing violation of the right to life and the right to liberty and security on account of its failure to conduct an effective investigation into the whereabouts of the nine missing persons. Turkey appealed the decision, and the first hearing took place on November 19.

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.

On April 15, the Council of Europe's (COE) Committee for the Prevention of Torture (CPT) released a report on a CPT delegation's 2004 visit to detention centers and other facilities where persons are incarcerated. During the visit delegation members reported receiving many allegations of police mistreatment, usually at the time of arrest, but also during subsequent questioning. A significant proportion of the allegations were made by foreign nationals. The forms of mistreatment consisted mainly of slaps, kicks, and punches to the head and body, including the genitals, with the detained person sometimes handcuffed and/or undressed. The alleged mistreatment also included banging heads on a desk, blows with batons and other objects, and violence of a sexual nature. The delegation's report stated that, in a few cases, the alleged mistreatment was of such severity that it could be considered as amounting to torture. The delegation heard some allegations of inadmissible psychological pressure, including threats of an indecent or sexual nature exerted during questioning to obtain a statement or confession. The CPT report stated that, based on information gathered during the 2004 visit, the physical mistreatment of persons deprived of their liberty by police continued to be a serious problem in the country.

In one particular case cited by the CPT delegation, a detained foreign national alleged that he received police mistreatment consisting of kicks to the face, chest, and abdomen while in police custody in 2004. He further alleged that authorities made him undress during the night, hooded him, and shackled him in a standing position by the wrists and ankles to bars in the prison, whereupon officers hit him violently on various parts of the body, including the genitals. The CPT requested information on the results of an official investigation that was reportedly initiated into the allegations.

The press reported on June 26 that five Egyptians arrested for being in the country illegally claimed that they were beaten by police at Larnaca Airport and again while in detention at the Limassol police station. Reportedly one of the detainees was treated at the hospital for head injuries. The complaint was examined by the independent authority investigating complaints against the police, which found that police officers had committed no offense in

the case. The Attorney General's Office concurred with the decision.

In January 2007 three Syrian immigrants (Imbrahim Kasem, Ahmad Kasem, and Ahmad Kasem) alleged that 10 police officers beat them shortly after they visited their former employer to demand payment of money due. They claimed that the officers intercepted their car and beat them as they lay on the ground. Police then took them to Paphos police station, where they allegedly continued to beat them for several hours. The immigrant support group Action for Equality, Support, and Antiracism (KISA) filed a complaint with the Attorney General's Office and asked for an investigation. The police charged the three individuals with resisting arrest and hindering police officers from carrying out their duties. Authorities charged two with residing in the country illegally and charged the driver of the car with reckless driving and driving without a license and insurance. Authorities released all three. KISA claimed that, had the three appeared in court, the judge would have seen their injuries and ordered an investigation. Independent investigators appointed by the attorney general decided that the criminal charges filed by the police against the immigrants should be withdrawn and that the immigrants should be deported. The independent investigators also decided that the case against the police officers involved in the incident should be "filed."

In 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. Authorities charged 11 officers with numerous offenses, including assault and torture. The trial was completed during the year; a judgment was expected in February 2009.

#### Prison and Detention Center Conditions

Conditions in prisons, detention centers, and other government institutions generally met international standards, although there have been reports by international organizations regarding conditions in detention centers.

During the year the ombudsman and nongovernmental organizations (NGOs) received complaints that police subjected foreign inmates to physical abuse or discriminatory treatment. The ombudsman reported that it was not possible to examine some of the persons who had alleged physical violence because they had been deported by the time the complaints reached her office; investigations into the other complaints were ongoing at year's end. The ombudsman's investigation into complaints from Greek Cypriot prisoners that prison officials tolerated, and in some cases supported, violence among inmates was in progress at year's end, pending some clarifications from prison management. An NGO reported that foreign detainees and prisoners complained of physical violence in detention centers located in police stations and discrimination in the Central Prison. Foreign inmates are tasked with heavier work and have greater restrictions in visitation rights than local prisoners.

In its April 14 report, the CPT noted that, while most prisoners it interviewed in 2004 spoke in positive terms about their relation with prison staff, there were a few allegations of physical mistreatment (blows or excessive use of force) by custodial staff. The CPT also reported one instance of deliberate poor treatment of patients at the Athalassa psychiatric unit. A patient who was considered potentially dangerous was kept in a special room with a prison-like metal door at night and was not allowed to leave to use toilet facilities.

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 721 inmates. Approximately 62 percent of the detainees were foreigners imprisoned for forgery, criminal impersonation, theft, and other offenses. The ombudsman reported that nonseparation of convicted criminals from pretrial detainees or long-term from short-term prisoners due to overcrowding continued to be a problem. The government provided assistance for the rehabilitation of drug abusers through the use of multidisciplinary therapeutic teams consisting of a psychiatrist, a psychologist, two occupational therapists, a social worker, and four nurses. The Social Welfare Services offered limited support for the reintegration of former inmates into society.

A 2006 report by the 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 2006 report by the COE's European Commission against Racism and Intolerance expressed concern with the extensive use of detention for both migrants and asylum seekers and the conduct of law enforcement officials, including alleged cases of mistreatment.

The government permitted prison visits by independent human rights observers, and such visits, unrestricted and unannounced, occurred during the year. The ombudsman, the law commissioner, and the commissioner for the protection of personal data visited the prison on a regular basis. The parliamentary human rights committee also visited the prison compound to examine the living conditions of the detainees.

In May the CPT conducted one of its periodic spot checks and visited several sites, including the Central Prison, the psychiatric unit in Athalassa, and several police stations, and interviewed detainees and prisoners in private. CPT representatives met with the ministers of justice and interior to discuss their findings. The CPT's report on the visits had not been released by year's end.

#### d. Arbitrary Arrest or Detention

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

#### Role of the Police and Security Apparatus

The police enforce the law and address criminal activity. The Greek Cypriot National Guard (GCNG), backed by a contingent of Greek military forces, protects national security. The GCNG reports to the Ministry of Defense, which 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.

In 2006 the Council of Ministers appointed an independent committee to investigate complaints of police bribery, corruption, unlawful financial gain, violation of human rights, abuse of power, preferential treatment, and conduct unbecoming of police officers. In July 2007, to help it manage the large number of cases, the committee was given authority to appoint independent investigators from a list submitted by the attorney general. In 2007 the committee received 96 complaints. Of those, 21 were deemed outside the scope of the committee's responsibility and one complaint was withdrawn; 35 complaints were investigated by the members of the committee or independent investigators supervised by the committee; 13 complaints were still under investigation; the attorney general assigned 11 complaints to criminal investigators at the request of the committee; eight were submitted to the chief of the police; in three cases, investigation was suspended because the complainants refused to give testimony; and four complaints remained pending due to inadequate information provided by the complainants. Of the 35 investigations carried out, two resulted in criminal charges against officers; three resulted in disciplinary charges; and 28 failed to reveal any wrongdoing on the part of the police. In two cases, the committee established that police officers engaged in mistreatment of citizens, but it was not possible to identify the officers involved due to inadequate testimony. The committee chair confirmed that the attorney general adopted all the recommendations made by the committee.

During the year the attorney general ordered one criminal investigation against a member of the police for allegedly assaulting a civilian. Of the 14 cases pending before the courts at the end of the 2007, four resulted in convictions, four were pending at year's end, and one was dropped by the court; the attorney general suspended charges in two cases and dismissed the remaining three cases.

#### Arrest and Detention

The law requires judicially issued arrest warrants, and authorities respected 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 minimize pretrial detention, especially in cases of serious crimes. However, prior to May, 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, regardless of whether they had been charged with or convicted of a crime.

In September 2007, eight long-term detainees (seven Iranians and one Afghan) climbed onto the roof of the Nicosia Central Prison and threatened to commit suicide if they were not immediately released. They ended their protest after the minister of interior assured them that, with the ombudsman, he would examine their demands and come up with concrete decisions. The government subsequently deported one detainee and released another; it promised to release the remaining six detainees pending their acceptance of a proposal sponsored by the minister of interior, the details of which were not available. All eight had applied for asylum and had been rejected but remained on the island without a residency permit. They were consequently arrested for deportation; however, deportation was not possible, as they had destroyed their travel documents. Some of the detainees had been in detention for almost three years. In January the families of long-term detainees staged a protest outside the Ministry of Interior with the support of KISA. During the protest, police arrested the head of KISA, Doros Polycarpou, for using loudspeakers in public without a license. He was detained for a few hours and released. According to press reports, plainclothes police officers roughed up demonstrators who tried to prevent Polycarpou's arrest. In May the minister of interior announced that the government was no longer holding persons long-term in detention centers. The minister stated the government had released foreigners in detention who had destroyed their travel documents and given them one-year permits to stay and find work. However, an NGO reported that the released detainees were constantly harassed by police at their workplace and as a result were unable to keep a steady job.

Unlike in previous years, there were no reports that 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.

#### 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 provides that defendants and their attorneys have access to government-held evidence related to their cases. Defendants enjoy a presumption of innocence and have a right of appeal. The government generally respected these rights 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, and citizens successfully availed themselves of it.

#### Property Restitution

Turkish Cypriots have filed a total of 49 cases in the courts to reclaim property located in the government-controlled area, six of which were new cases filed during the year. During the year the Supreme Court dismissed one property case because it concerned Turkish Cypriot property that is under the guardianship of the Ministry of Interior. According to the law, these types of properties cannot be returned unless the owners resettle permanently in the government-controlled area. The applicant filed an appeal, and the case was pending before the Supreme Court at year's end. In another decision, the Supreme Court found in favor of the Turkish Cypriot plaintiff who had agreed to sell her property to a Greek Cypriot but later changed her mind when she realized that the market value was markedly higher than the agreed price. The Supreme Court ruled that the owner did not have to implement the agreement.

On April 22, the ECHR endorsed a friendly settlement brokered by the Turkish Cypriot "property commission" in May 2007 between Greek Cypriot Michael Tymvios and Turkey. The settlement would exchange Tymvios's property in the northern part of the island for Turkish Cypriot property in the government-controlled part and payment of one million dollars. However, in August Tymvios complained that the government, citing the guardianship law, refused to transfer ownership of the Turkish Cypriot property in the government-controlled area to him, despite the ECHR ruling.

#### 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 authorities. Independent newspapers and periodicals proliferated. 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.

In early 2006 the Council of Ministers rejected a 2005 decision by the board of the 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 government policies regarding the UN efforts in 2004 to reunify the island. The Cyprus Journalists' Union called on the government to reverse its decision and approve the appointment. Christoforou appealed to the Supreme Court, which ruled in his favor on June 10. In July the Attorney General's Office appealed the Supreme Court decision. The appeal was pending before the court at year's end.

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 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 chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including e-mail. The Internet was easily accessible and widely available to the public.

#### 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.

The government continued to exert political pressure on universities to refrain from any contact with universities in the Turkish Cypriot community because the government considered universities in the Turkish Cypriot community "illegal."

#### 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.

#### 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 Greek Orthodox Church of Greece, 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. The law and constitution also recognize Armenian Orthodox, Maronite Christians, and Roman Catholics. In January 2007 the Ministry of Defense announced it would lift an exemption that allowed these three "official religious groups" to avoid compulsory military service on religious grounds. After some initial resistance by the Maronites, the groups accepted the lifting of the exemption as a public obligation.

During the year there were reports that some religious denominations encountered government obstacles to purchasing or renovating property for a house of worship for their respective congregations. One religious community also reported repeated difficulties in obtaining visas from the Cypriot government for clergy from countries outside of the European Union (EU).

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

Missionaries have the legal right to proselytize, but the government closely monitored their activities. It is illegal for a missionary to use "physical or moral compulsion" to make religious conversions. 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 KISA reported that it continued to receive complaints from recognized political asylees of Muslim origin who had difficulty securing employment because of their religion. KISA also reported that asylum seekers of Muslim origin were often beaten by police and faced difficulties securing residence permits. The NGO alleged that the "general climate" was not amenable for asylum seekers from countries where Islam is prevalent and that citizens in general demonstrated "aggressive behavior" towards Muslim asylees. In 2006 the same 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. Late in 2007 the ombudsman submitted a report to the government proposing reconsideration of the policy concerning the right of employment for asylum seekers. The ombudsman did not receive any complaints relating to discrimination on religious grounds.

On June 8, a group of youths attacked foreign residents in Ypsonas village in Limassol causing serious bodily injuries to some and material damage to their properties. Police arrested 12 young men aged between 15 and 18; the case was under investigation by the Limassol criminal investigation department 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.

The Jewish community is composed of approximately 2,000 persons. The latter figure includes a very small number of native Jewish Cypriots and a greater number of Israeli, British, and other European Jews who are part of the

expatriate community, which includes both observant and nonpracticing members.

Diplomatic sources at the Israeli Embassy reported that there was anti-Semitic graffiti at several bus stops along one of the main roads in Nicosia; the reported graffiti have not been corroborated.

For a more detailed discussion, see the 2008 International Religious Freedom Report at [www.state.gov/g/drl/irf/rpt](http://www.state.gov/g/drl/irf/rpt).

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

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

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.

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

Unlike in previous years, there were no reports that 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.

The government issued 4,948 passports to Turkish Cypriots during the year.

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

#### Internally Displaced Persons (IDPs)

Although Greek Cypriots displaced as a result of the 1974 division of the island fall under the UN definition of IDPs, the government considered them refugees. At the end of the year these individuals and their descendants numbered approximately 202,500. 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. The government granted refugee and asylum status to individuals during the year. In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened, although one NGO claimed that some asylum seekers were deported before final adjudication of their application by the proper authorities. The ombudsman reported receiving complaints of delays in the examination of asylum applications as well as complaints that cases with considerable merit were closed. An investigation revealed that authorities were systematically closing cases of applicants who could not be located for an interview in connection with their application. The ombudsman submitted recommendations for more substantial attempts to notify applicants before their cases are closed. The ombudsman's office also reported that the government asylum department had taken action in many cases to ensure respect of the rights of the asylum seekers and refugees.

Those individuals determined to be refugees were permitted to stay and were given temporary work permits but were not granted permanent resettlement rights. During the year no refugees were deported, and authorities granted refugee status to 64 persons.

The government provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol and provided temporary protection to 163 persons during the year. 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 years, KISA 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, Apanemi, reported that several asylum seekers made complaints to the ombudsman alleging that they were physically and psychologically abused by police. A third NGO reported that asylum seekers complained about the denial of state medical care. Prior to October, NGOs and asylum seekers filed complaints with the ombudsman alleging that the government was permitting the exploitation of asylum seekers as cheap labor by restricting their employment to the farming sector. In October the law was amended to allow the employment of asylum seekers in several areas, such as labor in fisheries, forage production, waste management, gas stations and car washes, freight handling in the wholesale trade, building and outdoor cleaning, distribution of advertising/informative materials, and food delivery.

There were allegations by NGOs and refugees that the protection of refugees suffered because of an overtaxed, understaffed, and underfunded asylum service, and that there was systemic discrimination against asylum seekers. Out of 35,087 applications filed since 2002, only 208 applicants have been granted full refugee status, and only 463 applicants have been granted secondary refugee status. Refugees and NGOs alleged that the asylum service systematically closed files before due consideration, and that asylum cases with considerable merit became lost in the system and applicants received no response from the government. An NGO reported that asylum applicants are waiting for several years for a response. NGOs and asylum seekers alleged that payments of welfare benefits to refugees were often delayed.

A number of persons, mostly Iranians, who destroyed their travel documents and denounced their nationality or refused to divulge their country of origin, remained in long-term detention in Nicosia Central Prison through 2007 until their release in May. All were former asylum seekers whose applications were denied and were consequently arrested on detention and deportation orders for residing in the country illegally. In May the minister of interior announced that the government had released long-term detainees and given them one-year permits to stay and find work.

The country's only accommodation center for asylees, Kofinou, housed only women and families for most of the year. Asylum seekers were allowed to work after six months in the country but were limited to the areas noted above. Asylum seekers who refused an available job could be cut off from state benefits. To obtain welfare benefits,

asylum seekers had to have a valid address, which was impossible for many who were homeless. KISA reported that persons who were eligible for benefits received their checks only sporadically and that, on June 25, over 100 affected asylum seekers conducted a protest in response.

The government provided funding to local colleges to provide educational services to help recognized refugees integrate into society and to a local NGO to help torture victims. There were complaints regarding the remoteness and lack of facilities at Kofinou. However, conditions improved during the year after the government entered a private-public partnership with a university to run and maintain 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. Only Turkish Cypriots residing permanently in the government-controlled area are permitted to vote and run for office.

#### Elections and Political Participation

In 2006 elections were held for the 56 seats assigned to Greek Cypriots in the 80-seat House of Representatives.

In 2006 two leading members of the group of 78 Turkish Cypriots not residing in the government-controlled area who had been denied the opportunity to run, Ali Erel and Mustafa Damdelen, sued the government for failure to fully reinstate the Turkish Cypriot community's rights to vote and run for office. On April 30, the Supreme Court dismissed their application. On September 3, Erel and Damdelen applied to the ECHR for redress.

Political parties operated without restriction and outside of interference.

Women held eight of the 56 seats filled in the House of Representatives and two of the 11 ministerial posts. They also held senior positions in the judicial branch.

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

#### Government Corruption and Transparency

The law provides criminal penalties for official corruption, which vary depending on the charges. The government generally implemented these laws effectively. There were isolated reports of government corruption.

State and public officials are required by law to submit a compulsory asset declaration, but these declarations are not public documents. Officials who fail to submit their declarations are subject to pecuniary punishment. However, in June the Supreme Court ruled unconstitutional the law that requires public officials to declare their assets. The attorney general has appealed the decision.

While the government generally investigated and prosecuted cases of corruption, cases usually moved at a slow pace, and the evidence law, which prohibits wiretapping and electronic surveillance, made obtaining convictions challenging.

The escape of double murderer and rapist Antonis Procopiou Kitas on December 12 prompted a series of investigations into possible corruption of police and other government officials. Kitas fled from a Nicosia private

hospital where he had been staying for seven months although he was serving a life sentence. The minister of justice and public order resigned over the escape, while the government appointed five independent criminal investigators to investigate the escape and the possible involvement of police and government officials. The attorney general said the case "smacked of corruption, negligence, and indifference." Two separate investigations were also ordered into how Kitas acquired a new passport and into the conditions under which Kitas was allowed to stay at the hospital for such an extended period of time. All investigations and the search for Kitas were ongoing at year's end.

In June 2007 the minister of interior ordered an investigation into allegations that civil servants or government officials had tipped off land developers about future changes in development zones in the Akamas area. As a result of the alleged tip-off, developers bought large pieces of farm land in the area that were later included in the development zones and whose value increased 20-fold.

In December 2007 authorities arrested and charged an official of the road transport department with soliciting a bribe in order to expedite the registration of an imported used motor vehicle.

In 2006 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 House of Representatives and the Council of Ministers, and party leaders. The president asked the minister of defense, who was reportedly implicated, to investigate whether such requests constituted nepotism; the minister was replaced shortly after the allegations were made. As of year's end, the government had not released the results of the investigation.

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 provide access to government documents without first obtaining permission from the relevant minister. During the year there were no reported cases 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.

KISA complained in February 2007 that police applied discriminatory and intimidating tactics against it and its chairman, Doros Polykarpou, for the activities of the organization. In 2002 police filed a criminal case against KISA and Polykarpou in connection with a 2001 fundraising drive to cover a migrant worker's medical emergency. KISA's application for a permit to conduct the drive was rejected because there is no law regulating the collection of funds for health reasons. The case resulted in a fine. In 2006 police filed a second criminal case against Polykarpou for "disobeying a court order and receiving stolen goods," for spending funds raised in the 2001 drive, and a trial began in October 2007. In January the attorney general suspended criminal proceedings against Polycarpou.

A number of NGOs considered themselves human rights groups. Most were concerned exclusively with alleged violations of the rights of Greek Cypriots by Turkey. Other NGOs 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. Few international NGOs were active in the country.

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.

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 her independent investigations, the ombudsman generally enjoyed good cooperation with other government bodies. The ombudsman's annual reports focused on police misconduct, 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. On November 6, the ombudsman stated that the government had complied with 80 percent of her office's recommendations.

The legislative committee on human rights, which was 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 abuses, including trafficking in persons, prison conditions, and the rights of foreign workers. The executive branch did 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 and members of minority ethnic and national groups were problems.

#### Women

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. Police indicated that 28 cases of sexual assault were reported from January through October.

Violence against women, including spousal abuse, was common and there has been a sharp increase in the number of reported cases. 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. Doctors, hospital workers, and education professionals are required to report all suspected cases of domestic violence to 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.

During the year, 689 cases of domestic violence were reported to police. In 80 percent of the cases, the victims were female. Police investigated 341 criminal cases, and 188 cases were filed in court.

An NGO working with domestic abuse victims estimated that there was a 7.5 percent increase in the number of telephone calls to its hot line during the year compared to 2007. The NGO reported that 1,128 individuals, of whom 81.5 percent were women, 12.5 percent children, and 6 percent men, called claiming to be victims of domestic violence. The NGO also operated a shelter in Nicosia that served 120 victims of domestic violence during the year.

The law does not prohibit prostitution; however, it is illegal to live off the profits of prostitution, and police routinely arrested pimps under this section of the law. Procuring a woman for prostitution is a misdemeanor. Police reported the arrest and investigation of 38 individuals for suspected involvement in 15 cases of prostitution from January through October; at year's end, authorities continued to investigate six of the cases, six cases were pending trial,

two cases had completed trial and resulted in the conviction of four individuals, and one case had been otherwise resolved.

The law prohibits sexual harassment in the workplace, but there were reports that it was a widespread problem with most incidents unreported to authorities. In 2006 authorities investigated and prosecuted one of the country's ambassadors, Costas Papademas, for sexually harassing two female employees at the overseas mission he headed. In December 2007 the court found him guilty and sentenced him to seven months' imprisonment. However, on May 24, the Supreme Court acquitted Papademas, ruling that the main witnesses' testimony was unreliable. He served four months in prison in the interim. Although the case was widely reported in the press, reaction to his acquittal was muted.

Women generally have the same legal status as men under family law, property law, and in the judicial system. The National Mechanism for Women's Rights under the Ministry of Justice and Public Order is tasked with the promotion, protection, and coordination of women's rights. 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 and Social Insurance's enforcement was ineffective at the blue-collar level. Research by one NGO suggested that remuneration for female blue-collar workers was 25 to 30 percent less than for their male counterparts.

During the year an NGO representing divorced mothers worked with police to encourage efforts to collect delinquent child support payments. 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.

During the year the ombudsman's office received a complaint regarding discriminatory treatment of Romani children in public education. The ombudsman's investigation was still ongoing at year's end.

Child abuse was a problem. The Welfare Department stated that the cases were linked to domestic violence, alcohol abuse, psychological illness, and cultural perceptions. Police reported that 32 cases of child abuse were prosecuted during the year. Of those, eight resulted in convictions, one in acquittal, 20 were pending trial at year's end, and three were withdrawn, suspended, or interrupted. Of the 87 child abuse cases prosecuted in 2007, 38 resulted in convictions, seven in acquittals, 32 were pending trial at the end of 2008, and 10 were withdrawn, suspended, or interrupted.

During the year there were two reports that girls were trafficked for commercial sexual exploitation.

#### Trafficking in Persons

The law prohibits all forms of trafficking in persons; however, there were widespread reports that persons were trafficked through and within the country. On October 29, the government decided to abolish, effective November 1, the use of artiste category work permits for women from non-EU countries working in the cabaret industry. As of year's end, the government had not completed drafting regulations to implement the new policy. During the year police identified victims of sex trafficking and, for the first time, labor trafficking. The police antitrafficking unit remained understaffed, although in November a new member was added to its three-member staff.

The country was primarily a destination point for women trafficked for commercial sexual exploitation, and authorities were aware of and generally tolerated the situation despite the 2005 adoption of a national action plan

to combat trafficking in persons and sexual exploitation of children. STOP International alleged that the country was being used as a transit point for trafficking, but there were no definitive reports to substantiate the allegation. The country was a destination for women trafficked from the Dominican Republic, the Philippines, Russia, Moldova, Hungary, and Ukraine, as well as from Greece, Vietnam, Uzbekistan, Columbia, Romania, Belarus, Bulgaria, and the United Kingdom. Within the previous three years, 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 South and Southeast Asian countries were forced to work long hours, and there were allegations of labor trafficking, especially in the field of elder care. Many domestic workers are reluctant to report contract violations by their employers out of fear of losing their jobs and consequently their work and residency permits. An NGO reported that there were cases of domestic workers whose travel documents were withheld by their employers. In one case, a housemaid who accused her employer of rape was not allowed to change employers until the completion of her employer's trial. In addition, police filed two criminal cases against her for working illegally. There were no reliable statistics on the number of trafficking victims; however, 50 women pressed charges during the year.

Traffickers fraudulently recruited victims using the "artiste" employment permit category and often rotated victims among different cabarets and cities. In some cases, women reportedly were arbitrarily denied part or all of their salaries, forced to surrender their passports, raped, beaten, threatened, involuntarily detained, or forced into providing sexual services for clients. Contacts in the cabaret industry alleged that the "artistes" often owed money upon their arrival and had a verbal understanding with the cabaret owners to pay back the cost of their travel and lodging. Some NGOs alleged that government officials with oversight and policing responsibility over the sex industry frequented cabarets and nightclubs.

It is a felony to engage in the exploitation and trafficking of persons. However, through the end of October, only one person charged with trafficking was convicted and sentenced to two years' imprisonment. A 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 and Social Insurance, justice, health, and education and the attorney general shared responsibility for combating trafficking as part of the Multidisciplinary Team against Trafficking (MDAT), with the Ministry of Interior as the lead. The MDAT also included two NGOs.

Through the end of October, police arrested 95 individuals involved in cases related to prostitution and sexual exploitation. Of those, 67 individuals involved in 31 cases were arrested specifically on trafficking charges. Police statistics indicated that 24 cases were prosecuted and seven were still under investigation at year's end for possible prosecution. All 24 cases are still pending before the courts. Of the 23 trafficking cases pending for investigation at the end of 2007, only one resulted in a two-year conviction, 10 were pending trial, seven resulted in acquittals, two were under investigation, two were dismissed, and in one prosecution had been suspended at the end of 2008.

On December 11, police issued an arrest warrant for a 37-year-old Cypriot to assist the investigation of a crime ring suspected of trafficking and exploiting Romanian nationals in the country. According to press reports, police recovered 200 passports and 78 identity cards in a Nicosia apartment, while several arrests were made in Romania. The ring reportedly brought victims to Cyprus to work for a fee, then seized their passports and identification documents for the purpose of extorting more money. The Nicosia police chief stated on December 11 that police were investigating a serious human trafficking case that appeared to involve a large number of foreign nationals and Cypriots.

Police participated and assisted in 36 trafficking investigations in EU countries and 12 trafficking investigations in non-EU countries.

There were allegations of corruption and xenophobia in the police force, the Ministry of Interior, and the Attorney General's Office related to trafficking. In April four bishops from the Greek Orthodox Church alleged during parliamentary hearings that "certain government officials" were collaborating with traffickers. One bishop attacked the "artiste" visa and said it was basically permission for traffickers to do business. During the hearings the newspaper Alithia reported that police submitted a confidential report to a parliamentary committee stating that individuals dealing with trafficking in persons "have influence on government officials, which makes the arrest and prosecution of traffickers more difficult."

The new antitrafficking law expanded victims' rights. According to the law, identified victims of trafficking are granted at minimum a one-month residency permit to give them time to recover and decide whether they wish to cooperate with the police in the investigation and to testify at trial. The law obligates the government to protect and support trafficking victims with financial assistance, shelter, medical and psychiatric care, and psychological support, as well as legal aid and access to government-funded training and educational programs. The government is obligated to facilitate the victims' repatriation under safe and dignified conditions. By the end of October, police had identified 50 victims of trafficking, all of whom pressed charges against their traffickers. During the year government welfare services provided financial aid, counseling, and temporary shelter to 89 victims.

Despite the protections provided for under the new law, NGOs reported that trafficking victims who had provided court testimony in antitrafficking cases were excluded from the government's witness protection program, leaving them vulnerable, weakening antitrafficking cases, and providing a disincentive for future witness testimony. There were also allegations that the Attorney General's Office downgraded trafficking cases and systematically placed antitrafficking cases in district, not criminal, courts. NGOs allege that the district courts are not as well equipped to deal with antitrafficking cases, leading to a lack of convictions on trafficking charges and more lenient sentences.

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 used attorneys to bribe potential witnesses and pressured women to withdraw complaints or not to follow through with testifying in court. Of the 50 women who requested police protection during the year, the government reported that three testified and returned to their home countries, 38 were waiting to testify, and three returned to their home countries without testifying. The remaining six were residing in the country at year's end because they either were EU citizens or had testified in court and were awaiting completion of the trials. On average victims waited approximately one year before the commencement of their trials, which NGOs alleged resulted in weaker cases because of inconsistent testimony and because victims often left the country.

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 until the end of the year, when it closed down due to financial difficulties. A Russian-speaking psychiatrist was available to assist victims. During the year a total of 43 trafficking victims stayed in the shelter. Thirty of them cooperated with police, and 26 of them testified or were waiting to testify in court. Although the remaining four victims gave testimony to police, it was not deemed sufficiently substantive to build a legal case for prosecution against the traffickers. Only two of the court cases were completed; in both cases the defendants were acquitted. The two victims that testified in the completed trials returned to their home countries. There was cooperation but no formal referral process between police and the NGO shelter. Prior to the opening of the government-run shelter in November 2007, social welfare services typically housed victims in government-subsidized homes for the elderly or in hotels.

The State Department's annual Trafficking in Persons Report can be found at [www.state.gov/g/tip](http://www.state.gov/g/tip).

### 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. There were no appropriate institutions for adults suffering from mental disabilities who were 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 70,000 euros (approximately \$98,000) 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 2007 an association representing the parents of children with Down's syndrome complained that the government did not respond to their repeated calls for the creation of a specialized center for the treatment of their children, particularly those in need of temporary hospitalization. Some were housed at Athalassa psychiatric hospital, where they allegedly received inadequate care. The parents claimed that the children were naked, locked in their wards for too many hours each day, and were under the influence of sedative medication.

In February the president of Cyprus Mental Health Commission, Christodoulos Messis, said that, in order to reduce numbers, a great number of patients in the Athalassa psychiatric unit were being released into nursing homes for the elderly regardless of their age, with no plan of rehabilitation within the community. He criticized the mental health services for not creating appropriate halfway houses and boarding schools to host psychiatric patients wishing to reintegrate into society and return to active employment.

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, and 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 minority national and ethnic groups, particularly Turkish Cypriots, Roma, Filipinos, Pontian Greeks, and Sri Lankans.

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 religious activities.

On December 21, the press reported that a large group of schoolchildren beat a 15-year-old Cypriot girl of African descent after a school volleyball game. The attackers shouted racist slogans and did not stop the beating until police arrived. Her father was notified and took her to the hospital where she was treated for severe injuries. The

girl's father and KISA complained that the police did not take the girl to the hospital but instead kept her in a room at the school until her father arrived. Moreover, the police turned the father away three times when he attempted to file a report. Police made no arrests in connection with the incident even though it took place in front of a large group of witnesses. The minister of education, members of the House of Representatives, and other officials made statements strongly condemning the attack and admitting that Cypriot children were having difficulty accepting multiculturalism. The minister stated that the case had powerful elements of racism and aggression and underlined that the question of racism needed to be addressed by the political leadership and society in its entirety. However, the teachers' union, OELMEK, denied that there was racism in schools. The ombudsman opened an investigation into the incident.

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, seeking a declaration from the Supreme Court that a 2005 decision by the Council of Ministers to operate a mixed elementary school in Limassol with a specialized program and staff to serve the needs of the Turkish-speaking students was null and void. The union argued that, under the 1960 constitution, the Council of Ministers has no competence in matters of education of Turkish Cypriots. On March 26, the Supreme Court rejected the union's appeal. The government stated that, according to surveys of Turkish Cypriots in the government-controlled area, none had requested a Turkish-language school.

The ombudsman received complaints that the government denied 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. During the year the Council of Ministers approved 108 cases. The ombudsman's office had no authority to examine the complaints because the Council of Ministers' decision to apply different criteria for granting citizenship to children born to one Turkish parent was a political one. However, children of Turkish Cypriots married to Turkish citizens and living outside of Cyprus were automatically granted citizenship.

On June 12, the Turkish Cypriot press reported that Turkish Cypriot Emirali Parlan and his seven Turkish Cypriot colleagues working at a construction site in Paralimni said they were attacked and beaten by Greek Cypriot police. Parlan said that police officers first pointed their revolvers at the workers, handcuffed them to each other, then made them lie on the ground, beat them, and made them stay on the ground under the sun for a half-hour. Parlan claimed that he showed his Republic of Cyprus identification to police, but they dropped it on the ground and later left laughing as if nothing had happened. The incident was investigated by the independent Authority for Investigation of Allegations and Complaints against Police, which found that no offense was committed by police officers.

#### 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.

An NGO reported complaints of discrimination toward 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 language biased against Turkish Cypriots and Turks or that refrained from mentioning the Turkish-Cypriot community altogether. This was a particularly serious concern with history textbooks. Anecdotal evidence indicated that teachers used handouts and held discussions that included inflammatory language in the classroom. A special government committee was set up during the year to look at issues of education reform, including updating history textbooks. In September the education minister distributed a circular to all state schools that called for "the cultivation of a culture of peaceful coexistence, mutual respect, and cooperation between Greek Cypriots and Turkish Cypriots." However, some teachers, politicians, and religious leaders criticized the circular.

## 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 independent 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. The law allows unions to conduct their activities without interference, and the government generally protected this right in practice. 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, police, and the gendarmerie do not have the right to strike, but it is recognized for all other providers of essential services. An agreement between the government and essential services personnel provides for dispute resolution and protects workers in the sector.

### b. The Right to Organize and Bargain Collectively

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.

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.

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 women and children were trafficked for commercial sexual exploitation and domestic labor. NGOs reported isolated cases of asylum seekers trafficked for labor in agriculture.

### d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment of children, defined as persons under 15, except in certain cases such as a combined work-training program for children who have attained the age of 14 and employment in cultural, artistic,

sports, or advertising activities subject to certain rules. The law permits the employment of adolescents, defined as persons between the ages of 15 and 18, subject to certain rules and restrictions.

The government effectively enforced laws and policies to protect children from exploitation in the workplace; however, there were two reports of children trafficked for commercial sexual exploitation. The minimum age for employment in an "industrial undertaking" is 16. Ministry of Labor and Social Insurance inspectors are responsible for enforcing the child labor laws and did so effectively. There were isolated examples of children under 16 working for family businesses.

#### e. Acceptable Conditions of Work

The minimum wage was 743 euros (approximately \$1,040) per month for shop assistants, nurses' assistants, clerks, hairdressers, and nursery assistants. The minimum wage rose to 789 euros (\$1,100) after six months' employment. For asylum seekers working in the farm/agricultural sector, however, the minimum wage was either 375 euros (\$525) with accommodation and food provided or 675 euros (\$945) without accommodation and food. Neither amount provided a decent standard of living for a worker and family. Almost 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. The wages set for unskilled workers not covered by the collective bargaining agreements, i.e. non-EU artistes and domestic workers, were typically lower than the legal minimum wage.

The Ministry of Interior's Migration Services set the starting salary for foreigners working as housekeepers at a minimum of 282 euros (approximately \$395) per month, plus a minimum of 120 euros (\$168) 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 for social insurance. Medical insurance, visa fees, travel, and repatriation expenses are covered by the employers. Cabaret artists' contracts typically stipulated that workers receive at least 18 euros (\$25) per day, or 510 euros (\$714) per month. Foreign workers were allowed to claim pensions, and 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 was 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 and in the collective agreements in larger sectors. The same conditions applied to foreign workers. Ministry of Labor and Social Insurance inspectors are responsible for effectively enforcing these laws. However, labor unions reported problems in their enforcement in sectors not covered by collective agreements. They also reported that certain employers, mainly in the building industry, exploited illegal foreign workers by paying them wages that were much lower than those provided for in the collective agreements.

The Ministry of Labor and Social Insurance experienced a substantial increase in the number of complaints of labor exploitation. Foreign workers, primarily from Eastern Europe and East and South Asia, were reportedly forced to work up to 13 hours a day, seven days a week, for very low wages. NGOs and the ombudsman 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 and Social Insurance from being deported until their cases have been adjudicated, NGOs reported that many of them did not complain to authorities due to fear of deportation.

Health and safety laws apply to places of work in all economic sectors and were enforced by government 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 are 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 256,000 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 2005 in free and fair elections. Elections to the "Assembly of the Republic" in 2005 were also free and fair and resulted in the formation of a coalition "government." The 2006 elections for two empty seats in "parliament," together with the municipal elections, were generally free and fair. The "TRNC government" was restructured in 2006 when a minority coalition partner was replaced. 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. There was no regulatory infrastructure to handle asylum applications or to protect the rights of asylum seekers. Trafficking in persons was 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 authorities or their agents committed arbitrary or unlawful killings.

###### b. Disappearance

There were no reports of politically motivated disappearances.

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. In 2006 the CMP began its project to exhume, identify, and return remains. By year's end the CMP exhumed the remains of a total of 457 missing persons and returned the remains of 32 Turkish Cypriots to their families. Exhumations continued in different parts of the island.

According to the CMP, 1,395 Greek Cypriots and 470 Turkish Cypriots remained missing.

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

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

Prison and Detention Center Conditions

Prison conditions did not meet international standards. Inmates complained of overcrowding at the prison, but the authorities claimed that they addressed the problem. Inmates also raised complaints, via the media, regarding unsanitary living conditions and prison authorities' negligence. In the 291 person-capacity prison, the introduction of a bunk bed system raised official capacity from 291 to 441 persons; of the 331 prisoners held there at year's end, 54 percent were foreigners, mostly Turkish citizens. More than 35 percent of the prisoners were awaiting trial.

In May 2007 a riot broke out at the prison. The prison authorities summoned the special riot police to restore order. According to reports, the violence broke out over drug dealing. However, police allegedly targeted not only rioters, but the general prison population, subjecting scores of prisoners to truncheon blows. The Turkish Cypriot Doctors' Association obtained permission from the "Ministry of Interior" and, on May 10, entered the prison to examine the inmates. Of a random sample of 60 prisoners, 54 had heavy bruising of their legs, consistent with blows from truncheons. The "prime minister" subsequently announced that the police intervention would be investigated, but no results had been announced by year's end.

In September the media reported that a number of inmates were on hunger strike protesting the poor living conditions in the prison. In October a group of inmates set their beds on fire to protest what they considered to be severe punishment in the prison.

Juveniles were not held separately from adults.

The authorities permitted prison visits by independent human rights observers and journalists. A group from the Turkish Cypriot Doctors Association visited the prison in May 2007 to observe and investigate. A group from the Turkish Cypriot Bar Association and another from the Turkish Cypriot Human Rights Association visited the prison during the year.

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 a Turkish Cypriot general, who is nominally under the supervision of the "Prime Ministry," holding the "security portfolio." 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. 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.

## 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. Detainees were usually promptly informed of charges against them, although individuals believed to have committed a violent offense often were held for longer periods of time without charge. 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 destitute 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.

In September the lawyer representing Ferhat Beyoglu and Metin Taskin, both accused murder suspects, claimed in court that police were using torture to pressure his clients to plead guilty. The judge ordered a medical exam of the suspects, which resulted in no substantiation of the defendants' claims, and the trials proceeded.

In August, three Iranians arrested in Famagusta for possession of opium complained in court that they were tortured by narcotics police in order to force them to plead guilty. The lawyers for two of the three suspects complained that their clients were stripped naked and beaten in detention and pressured to sign a statement. The judge ordered the suspects to undergo a medical examination, which resulted in no substantiation of the defendants' claims, and the trials proceeded.

## 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. In 2007 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" provides for public trials, the defendant's right to be present at those trials, and the defendant's right to consult with an attorney in a timely manner. The authorities provided lawyers to the destitute for violent offenses only. Defendants are allowed to question witnesses against them and present evidence or witnesses on their behalf. The law also requires that defendants and their attorneys have access to evidence held by the "government" related to their cases. Defendants enjoy a presumption of innocence and have a right of appeal. Authorities generally respected these rights in practice.

In September the head of the Nicosia Bar, Baris Mamali, complained via the media that the rights of detainees were not sufficiently implemented, contravening "TRNC" constitutional articles 16-18. Mamali confirmed that legally granted rights such as the right to remain silent and the right to a lawyer were not uniformly applied. Mamali also stated that arbitrary and unjust arrests took place at times.

#### 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 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 "Property Commission" to handle claims by Greek Cypriots. In May 2006 the "Property Commission" began reviewing Greek Cypriot claims and had reportedly received 378 applications by year's end. By the end of December, 52 cases had been completed; three applicants received restitution of their properties outright (plus compensation), one received restitution pending a future settlement of the Cyprus problem, while 46 accepted compensation in lieu of restitution. Two property exchange (plus compensation) decisions were also taken. In 2006 the ECHR 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. Although the authorities reported otherwise, a Maronite representative confirmed that houses in three enclaved villages were occupied by the Turkish military during the year.

#### 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 at times obstructed in their reporting, fined, and threatened with more serious charges.

Individuals can and generally did publicly criticize the authorities without reprisal. However, in November two youths were arrested for forming a group on the Facebook Internet site that involved "gross personal insults" against "TRNC president" Mehmet Ali Talat. The youths were detained for three days and released pending trial.

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 is the only "government"-owned television/radio station.

#### Internet Freedom

The authorities did not restrict access to the Internet, and there were no reports that they monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. The Internet was easily accessible and widely available to the public.

#### Academic Freedom and Cultural Events

The authorities did not restrict academic freedom or cultural events.

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

The law provides for freedom of assembly and 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.

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 assert that vandals damaged vacant Greek Orthodox churches and removed religious icons in the area administered by Turkish Cypriots in previous years; there were no reported investigations of these incidents. Greek Cypriot claims included alleged Turkish Cypriot misuse of a Greek Orthodox church in the village of Trimithi as a ceramics showcase. Turkish Cypriot authorities denied the claim that using the church as a ceramics showcase constituted misuse.

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 2008 International Religious Freedom Report at [www.state.gov/g/drl/rls/hrrpt/2008/eur/119074.htm](http://www.state.gov/g/drl/rls/hrrpt/2008/eur/119074.htm).

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

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

Turkish Cypriot authorities' cooperation with the Office of the UN High Commissioner for Refugees (UNHCR) in providing protection and assistance to asylum seekers was uneven, due at least in part to complications arising from the unrecognized status of the "TRNC." No law exists regarding the handling of asylum applications, but procedures were conducted in accordance with an annually renewed project agreement between the UNHCR and the Turkish Cypriot authorities on the rehabilitation of asylum seekers. There is a Turkish Cypriot UNHCR representative in the area administered by Turkish Cypriots. Asylum seekers, if they qualify after a preliminary investigation, are referred to the UNHCR representative. During the year, seven Iraqis, seven Palestinians, three Cameroonians, one Afghani, and one Russian applied for asylum. At year's end, there were 15 asylum seekers with

work permits issued by the authorities in the area administered by Turkish Cypriots. The UNHCR provided assistance to the asylum seekers. There are no reliable estimates of the number of asylum seekers crossing into the government-controlled areas, as irregular crossings go unrecorded.

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.

In 2006 the immigration law was amended, and the authorities reported that all illegal immigrant workers were registered. According to the new law, all employers who wish to bring foreign workers need official permission from the "Department of Labor" to register workers. As a result of the new law, the number of illegal workers, and thus illegal immigrants, in the area administered by Turkish Cypriots decreased dramatically. The authorities deported illegal immigrants found without work permits. All illegal immigrants without work permits were prohibited from entering the "TRNC" at the ports of entry. Asylum seekers were generally treated as illegal immigrants, and were either deported or denied entry.

The authorities no longer maintained general restrictions on visitors to the 358 Greek Cypriots and 121 Maronites living in enclaves in the area administered by Turkish Cypriots, although there were reports that specific refugees from the enclaved villages were barred from returning to them.

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. Turkish Cypriots born after 1974 to parents who were ROC citizens before 1974 obtained ROC passports relatively easily, compared to Turkish Cypriots born after 1974 to one Cypriot parent. Children of Turkish Cypriot mothers and Turkish fathers were usually denied citizenship by ROC authorities. It was reported that children of Turkish Cypriot fathers and Turkish mothers also faced some obstacles. Children born to "TRNC" citizen parents of Turkish origin could not receive ROC citizenship and passports.

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 in the north. They were resettled, had access to humanitarian organizations, and were not subject to attack, targeting, or return under dangerous conditions.

#### Protection of Refugees

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 neither granted refugee or asylum status and did not establish a system for providing protection to refugees. In practice authorities did not provide protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. Individuals who requested asylum were supposed to be directed to the 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 at times 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.

In September 2007, 17 Iraqis and Palestinians were arrested for trying to enter the "TRNC" through illegal means in a fishing boat and handed over to the UNHCR. There were also reports of Syrians and other nationalities utilizing newly established ferry links between Syria and the "TRNC" to arrive on the island with the intent of later crossing illegally into the government-controlled area.

### 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 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.

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 2006 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.

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

The law provides criminal penalties for official corruption; however, authorities implemented the law inconsistently and officials sometimes engaged in corrupt practices. Corruption, cronyism, and lack of transparency were generally perceived to be serious problems in the legislative and executive branches.

In November a public servant was sentenced after a lengthy trial to four years in prison for defrauding the state electricity authority from 1998 to 2000.

The media reported in August that 116 corruption and/or abuse cases written up by the Court of the Exchequer since 1986 were still awaiting review by the "parliament."

In June 2007 recurrent and serious allegations of corruption led to the dismissal of the "minister of economy and tourism," who represented the junior coalition partner. The "minister" was replaced with a "member of parliament" from the same party. Many accounts claimed that the "minister" was soliciting bribes from individuals and companies which applied for licenses, land allocation and other services. The details and scope of the corruption was unknown. No investigation was carried out regarding the allegations by year's end.

Opposition parties continued to claim that the "government" mostly hired supporters of the two ruling coalition

parties for public sector jobs during the year.

The "constitution" provides for the right of free access to "government" information; however, there are no specific laws that provide for public access. Civil servants were not allowed to give access to "government" documents without first obtaining permission from their directors or the "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. Other NGOs 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.

#### 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 enforced it; however, violence against women, trafficking in persons, and discrimination against Greek Cypriots and Maronites were problems.

##### Women

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.

Violence against women, including spousal abuse, was a problem. The law prohibits domestic violence. Even though claims were usually considered a family matter and settled out of court, there were twelve domestic violence cases tried during the year, five of which were still pending. The completed seven cases resulted in various fines but no prison sentences. The authorities considered a case credible only if there was at least one witness in addition to the victim.

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 regulating the hiring of women at nightclubs and cabarets provides penalties for women and employers who "partially or completely earn a living from prostitution."

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 functioning "government" agencies, that worked to protect women's rights.

#### Children

The authorities were generally committed to children's rights and welfare

Turkish Cypriot authorities continued to screen all textbooks sent to the Rizokarpasso Gymnasium, a Greek Cypriot school, but did not send textbooks deemed as derogatory back to the government-controlled area.

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, which observers believed were underreported.

#### Trafficking in Persons

The law does not prohibit trafficking in persons, and there were widespread reports that women were trafficked to and within the area administered by Turkish Cypriots for the purpose of sexual exploitation. The green line reportedly serves as a porous crossing point for traffickers to move victims into the south.

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." By year's end, authorities had tried and concluded 34 prostitution-related cases. Of these, 13 involved charges of encouraging prostitution, five involved charges of engaging in prostitution, and 16 involved charges of profiting from prostitution. All the cases resulted in fines but no prison sentences.

The authorities examined the extent of the trafficking problem and began to offer some assistance to victims. The "Ministry of Health" collected questionnaires on working and living conditions from nightclub and cabaret employees and hired a Russian-speaking staff member to interview the women in private to ascertain whether they were coerced or forced to engage in prostitution.

In 2006 report by the NGO Prologue Consulting Ltd. concluded that many women working at nightclubs and cabarets were trafficked. Release of the report sparked numerous press reports and public debate. In February, at the first-ever antitrafficking conference held in the area administered by Turkish Cypriots, authorities condemned the practice.

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

There was one NGO available to provide assistance to trafficking victims.

The State Department's annual Trafficking in Persons Report can be found at [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### 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 423 persons with disabilities and provided financial aid to another 3,155 of the approximately 3,928 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 358 Greek Cypriot and 121 Maronite residents.

Under the Vienna III Agreement, UNFICYP 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 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 often were 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. 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 independent 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 semipublic sector workers, and nearly all public sector workers belonged to labor unions. The law allows unions to conduct their activities without interference, and the authorities generally protected this right in practice.

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 states that judges and members of the police and armed forces do not have the right to strike. Authorities have the power to curtail strikes in "essential services" Although this power was rarely used in practice, in October 2007 the "government" invoked its right to postpone a strike for 60 days at the "state" university, citing the crucial need of students to continue their education without interruption. The wage-related dispute between the "government" and the unions was mostly resolved.

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.

#### b. The Right to Organize and Bargain Collectively

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.

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.

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. Women were trafficked for commercial sexual exploitation. Legal and illegal migrant workers were subject to reduced wages or nonpayment of wages, beatings, and the threat of deportation.

#### 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. Labor inspectors 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.

In June the "Ministry of Labor" announced that 32 child workers were detected in inspections in May and that legal action was taken against the employers.

#### e. Acceptable Conditions of Work

Effective January 1, the minimum wage was 1,060 lira (approximately \$665), which did not provide a decent standard of living for a worker and family. In August the minimum wage was raised to 1,190 lira (\$750). Migrant workers often were 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 generally 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 program to better regulate legal foreign workers, the "Ministry of Labor and Social Security" and police routinely checked restaurants, hotels, nightclubs, casinos, and construction sites to ensure that workers had valid work "permits," that they had signed a contract with their employers, and that working conditions were safe and sanitary.

In September 2007 the "government" amended the labor law, prohibiting the employment of workers in the construction sector and related fields on Sundays. The "Ministry of Labor and Social Security" stated the amendment was needed in part to prevent employers from forcing employees to work seven days a week. The authorities and the police jointly implemented the law and warned or fined employers in contravention of it.

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.