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Cyprus

Country Reports on Human Rights Practices - [2005](#)

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

REPUBLIC OF CYPRUS

The Republic of Cyprus is a constitutional republic and multiparty presidential democracy with approximately 780 thousand citizens. President Tassos Papadopoulos was elected in February 2003 in free and fair elections. The 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. The following human rights problems were reported:

- police abuse
- violations of asylum seekers' rights
- violence against women
- trafficking in persons

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, one prisoner died in police custody.

According to press reports, on January 20 police found prisoner Jevor Hakorian unconscious in his cell in the Nicosia Central Prison. The police maintained that Hakorian was immediately taken to the Nicosia General Hospital where he was pronounced dead. The post-mortem examination found that he suffocated after swallowing his own stomach fluids. At year's end the police investigation was still continuing, pending final toxicological results from the government laboratory. The police indicated that a coroner's investigation was necessary to determine the final cause of death. No complaints have been filed against police in this case.

In May police reportedly killed an asylum seeker (see section 2.d.).

b. Disappearance

There were no reports of politically motivated disappearances.

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

The CMP made progress on a series of contentious issues during the year and exhumed the remains of approximately 25 unidentified bodies in June. These remains were stored with the remains of approximately 50 unidentified individuals that Turkish Cypriot authorities exhumed unilaterally during the first half of the year from a suspect site in advance of a planned construction project. In August the two sides agreed on a protocol for genetic testing that removed a key obstacle to progress in resolving the identification case-load. According to the government, 1,493 Greek 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.

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

In January the court acquitted a police officer charged with raping a Moldavian woman in her prison cell in February 2004. In July a police disciplinary committee called for the officer's resignation, but the officer appealed the decision. The committee ordered a new investigation, which concluded that the officer should be demoted rather than relieved of duty. The assistant chief of police appealed this decision, and the officer remained on suspension at year's end.

In April a naturalized citizen reported that police beat and locked him in a cell for 15 hours following a car accident in Limassol. The Limassol police chief denied the claims, and police headquarters maintained that the claimant had attacked the policemen and had hit an officer who had intervened in the altercation. The police pressed charges against him, while the alleged victim filed a complaint with the ombudsman. The Ombudsman's Office issued a report on the incident and the deputy chief of police ordered an investigation in August. The investigation was on going at year's end.

In July an Afghani man claimed that in 2004 police detained him and a Polish female friend and strip-searched them. After the interrogation, the man alleged the officers forcefully took him to his apartment and forced them to pose with two women in sexually suggestive photographs, which were later carried in a major newspaper. The police reported that the officers were off-duty at the time of the incident and that a disciplinary committee investigation was completed in August. At year's end the committee had not decided on disciplinary action against the officers, who remained suspended from duty.

In July police allegedly assaulted journalists and cameramen in Limassol during a strike by truck drivers (see section 2.a.).

In July the Criminal Court found a Nicosia police officer guilty of common assault after beating a teenage suspect in custody in 2004 while off duty. He was fined \$300 (150 CYP).

In August the ombudsman sent a report to the attorney general and the minister of justice supporting allegations made by a detainee that Limassol police mistreated him during his 2002 detention. The initial police investigation concluded that the complainant's claims were unfounded. However, the ombudsman's report confirmed that the complainant suffered serious bodily injuries at the hands of the police and recommended a second police investigation into the case. The police ordered a second investigation in July that was still ongoing at year's end.

In September the press reported that a Polish laborer died after being held in police custody. These reports alleged that the man was taken to a police station after a confrontation with his neighbors, where he experienced convulsions and fainting spells. The police confirmed that an ambulance took the man unconscious to the hospital where he later died. The ombudsman was investigating the case, and police have stated that the government doctor who conducted the post-mortem examination concluded that the cause of death was likely a pre-existing condition. At year's end the case was still under investigation pending toxicological and other medical results. According to the police, the man's roommates reported that the man regularly suffered from seizures, but they were unaware whether he suffered from a particular illness.

Unlike the previous year, there were no reports that police strip-searched Turkish Cypriots crossing the green line.

Prison and Detention Center Conditions

Prison conditions generally met international standards, although there were some problems.

The Ombudsman's Office and NGOs received complaints that police and prison officials subjected Turkish Cypriots and foreigners imprisoned in Nicosia's Central Prison to discriminatory treatment. Some inmates alleged that the police, prison wardens, and Greek Cypriot inmates regularly beat and abused them. They claimed that the authorities did not answer their calls for protection and prevented some inmates from reporting mistreatment without prison officials present. They also claimed that inmates incarcerated for non-violent crimes have been confined with dangerous criminals and raped.

The deputy director of the Office of the Commissioner of Human Rights at the Council of Europe (COE) told the press in November that there had been an improvement in conditions at the Nicosia central prison, but that more needed to be done. A report by the COE's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment on its 2004 visit to the prison and the Athalassa State Psychiatric Hospital had not been released by year's end.

During the year overcrowding remained Nicosia central prison's greatest problem despite renovation and expansion. The prison's new capacity was 340 although at times during the year it held up to 614 inmates. Approximately 14 percent of the inmates were foreigners who were imprisoned for entering or living in the country illegally. The government provided no assistance for the rehabilitation of drug abusers and limited support for inmates reintegrating into society following incarceration. Judges began to hand down sentences that included community service as a means of reintegrating inmates into society. In addition, one NGO (Ayios Onissimos) assisted inmates upon their release. In March the nongovernmental organization (NGO) Ethnopad (the National Organization for the Protection of Human Rights) made an impromptu visit to police holding cells (attached to the prison) where many illegal immigrants and/or asylum seekers were held and called on the government to institute reforms. ETHNOPAD also asked the government to address problems in the prison system and to stop

imprisoning debtors, drug addicts, and mental patients. On June 15 a new law was implemented that prohibited the imprisonment of debtors. Since the law has no retroactive effect, the president ordered a six-month suspension of pending arrest warrants against debtors. The press reported that there were approximately 125 thousand such warrants pending before June 15.

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

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

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

The Cyprus Police maintained internal security. The Greek Cypriot National Guard backed by a contingent of Greek military forces was responsible for external security but also had domestic security responsibilities. The Greek Cypriot National Guard is headed by a Greek military officer retired from the Greek Army who reports to the Greek Cypriot Ministry of Defense, which reports to the Greek Cypriot President. Greek military forces in Cyprus report directly to the Greek military. The police are the responsibility of the Ministry of Justice and Public Order. The president appoints the chief of the police. The police force is divided into headquarters (with six departments), six district divisions (including one inactive district located in the area under the Turkish Cypriot administration), and seven police units that provided specialized services. Although there were individual cases of misconduct reported within the police force, there were no serious cases of police corruption or bribery. The assistant chief of police for administration typically handled investigations into such cases and recommended appropriate disciplinary measures to the chief of police. The police reported that during the year they investigated four cases of alleged police misconduct, which resulted in no convictions. Criminal investigators appointed by the attorney general were investigating another three by year's end. In January the police established an internal recording system for incidents that were racially motivated. The police stated that this assists them in documenting "racism" as a motive for criminal activity. In March the police formalized the mission, operational procedures, role, and duties of an Office for Combating Discrimination. Also in March ethnic liaison officers were appointed at every divisional police headquarters. In November a 100-hour antiracism training seminar was conducted at the Police Academy in Nicosia.

Arrest and Detention

Judicially issued arrest warrants were required. Persons may not be detained for more than one day without referral of the case to the courts for extension of the period of detention. Most periods of investigative detention did not exceed 8 to 10 days before formal charges were filed. The attorney general's office generally made efforts to keep pretrial detention to a minimum, especially in cases of serious crimes. Attorneys generally had access to detainees. Bail was permitted. The government claimed the right to deport foreign nationals for reasons of public interest whether or not they had been charged with or convicted of a crime.

Authorities maintained approximately one hundred detention centers (local jails serving as alien detention facilities) (see section 2.d.). Those who are arrested for illegal entry without identification have also been detained indefinitely when authorities did not know where to deport them.

There were no reports of political detainees.

At year's end fewer than 10 people in detention were awaiting trial.

e. Denial of Fair Public Trial

The law provides 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.

Trial Procedures

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

Political Prisoners

There were no reports of political prisoners.

Property Restitution

At year's end Turkish Cypriots had filed 25 cases in Republic of Cyprus courts in an effort to reclaim their property in the government-controlled area now managed by the guardian of Turkish Cypriot properties.

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 and did not restrict academic freedom or the Internet.

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

In May the publisher of *Politis*, a large circulation newspaper that has been critical of the government, claimed that the government brought criminal charges against him for allegedly evading foreign exchange and corporate taxation laws 11 years ago in an attempt to silence his newspaper. The publisher denied the charges and claimed that he was singled out because of 2004 reporting that suggested the governor of the central bank had abused his position for personal gain.

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 areas.

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

In July the Journalists' Union (JU) accused the police of targeting press freedom as a result of their alleged assault on reporters and cameramen covering truck driver strikes. The ombudsman supported this claim and reported that the police displayed a lack of detailed planning during the strike and exhibited a negative disposition toward the public's right to information.

The ombudsman concluded that the arrest of the Cyprus Broadcasting Corporation (CyBC) cameraman was unjustified and was aimed at preventing him from filming clashes between police and the strikers. In September a report by an independent committee appointed by the government concluded that the police had not used excessive force, and that the mass media had portrayed the incident as more serious than it actually was. The JU expressed its disagreement with the committee's findings. The Cyprus Media Complaints Commission issued its own report in September stating that members of the police rapid reaction unit had used excessive force, especially during the arrest of the CyBC cameraman, based on eyewitness accounts and footage filmed by the cameraman.

b. Freedom of Peaceful Assembly and Association

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

c. Freedom of Religion

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

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

The government required other religious groups to register as a nonprofit company if they desired to engage in financial transactions, such as maintaining a bank account.

On July 10, the first Buddhist temple opened in Nicosia, and the first Jewish synagogue opened on September 12 in Larnaca.

Missionaries have the legal right to proselytize, but the government closely monitored missionary activities. It is illegal for a missionary to use physical or moral compulsion to make religious conversions. The police may investigate missionary activity based on a citizen's complaint. Police could 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. In the past there were occasional apprehensions, but no arrests under these laws; however, no detentions were reported 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. In previous years some Jehovah's Witnesses' parents reported that their children were not excused from all religious instruction.

Societal Abuses and Discrimination

In November there were press reports that the police and the municipality harassed the Buddhist temple. The municipality allegedly claimed that the temple did not have the proper license to operate as a temple, and police said they visited this site as required by law after receiving numerous anonymous and formal complaints about disturbances. There were also reports that police had visited the synagogue due to complaints of disturbances soon after its opening.

Although Turkish Cypriots reported that unused mosques in the South were vandalized, the government routinely carried out maintenance and repair of mosques in the area under its administration. In April unknown persons vandalized a recently rehabilitated Turkish Cypriot cemetery in Larnaca. The authorities had not identified any suspects at year's end.

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

For a more detailed discussion, see the [2005 International Religious Freedom Report](#).

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

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

The government did not restrict Greek Cypriots from traveling to the area administered by Turkish Cypriots, but generally discouraged them from staying at former Greek Cypriot-owned properties, gambling in the area administered by Turkish Cypriots, or buying or developing property there. The government prohibited Turkish nationals from crossing from the area administered by Turkish Cypriots to the South.

In June 2004 the government began to allow European Union (EU) citizens and citizens of other countries not subject to a visa requirement who entered Cyprus from ports in the area administered by Turkish Cypriots to cross the green line into the government-controlled areas. The government considered all ports of entry in the area administered by Turkish Cypriots to be illegal and continued to block any effort by Turkish Cypriot authorities or international parties to open Ercan Airport or any port in the area administered by Turkish Cypriots for travel to destinations other than Turkey. In October Cyprus vetoed an effort to improve regional cooperation on air traffic management between Eurocontrol and a group of five countries that included Azerbaijan. A senior official in the Ministry of Communications and Works stated publicly that this was in response to the establishment of direct flights between Baku and Ercan Airport.

In June authorities barred approximately 200 Bulgarians living in the area administered by Turkish Cypriots from crossing to the South to vote in the Bulgarian elections at the Bulgarian Embassy. The government considered them illegal settlers and did not allow them to cross the green line into the government-controlled areas.

Similar to last year, the number of Greek Cypriots and Turkish Cypriots crossing the green line increased. Greek Cypriots and Turkish Cypriots were required to show ID cards when crossing. 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 Airport without obstruction.

Many Turkish Cypriots have obtained Republic of Cyprus passports. During the year the government issued 9,561 passports to Turkish Cypriots.

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

Internally Displaced Persons (IDPs)

Although they would fall under the UN definition of IDPs, Greek Cypriots consider those displaced as a result of the division of the island to be refugees. In 1989 these people and their descendants numbered approximately 203 thousand; at year's end an estimate was unavailable.

Protection of Refugees

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

Qualified refugees were permitted to stay and given temporary work permits but they were not granted permanent resettlement rights. During

the year no refugees were forced to return, and refugee status was granted to 25 persons.

The government provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol and provided it to 117 persons during the year.

The government generally cooperated with the office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers.

In 2004 the ombudsman recommended increased access to places where detained asylum seekers could apply for asylum, and in February the ombudsman recommended increased access to lawyers for detained asylum seekers. By year's end the recommendations had not been implemented.

According to NGOs and the Ombudsman's Office, the inmates in detention centers were exclusively foreign and often asylum seekers who were arrested for illegal entry, despite their pending asylum claims. July and August press reports described cases in which asylum seekers had been held in detention for six months or longer while they awaited a decision.

In March the press reported that a Kurdish man was arrested when he went to the police station to apply for asylum 10 days after being smuggled from the area administered by Turkish Cypriots with his family. An NGO reported in September that the man was still in jail. The man's wife and two young children were being sheltered by a local women's support center after she claimed that the authorities abused her at the government's asylum seekers' reception center. The ombudsman was investigating the case at year's end.

In May the NGO Action for Equality, Support, and Anti-Racism publicly accused police of violating 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. In July an NGO accused the government of using legal technicalities to deport long term residents (sometimes as long as 11 years), only months before an EU directive would have come into effect (set for January 2006) permitting anyone who had been on the island legally for five years or more to stay on the island. The group also reported in July two suicide attempts by asylum seekers who had allegedly been denied their rights by the authorities. During the year an Iranian man whose application was denied doused himself with gasoline outside the asylum services offices and was about to light a match when a police officer stopped him; another man (nationality disputed, Iraqi Kurd or Syrian) slit his wrists in front of a police officer while in custody after having spent several months in detention on a deportation order.

In May the press reported that a police officer shot and killed a Syrian asylum seeker allegedly in self-defense; however, three other Syrians in the car claimed that they were all unarmed and insisted that the police had distorted the facts. The police reported that an investigation was completed and was pending at the attorney general's office at year's end. They maintained that there were five people in the car, that one was armed, and that the shooting was in self-defense.

Also in May a Somali asylum applicant claimed he was illegally arrested and deported to Israel, where he had previously been staying temporarily, during judicial proceedings surrounding his asylum application. The attorney general's office reported that, while the man was initially arrested for overstaying his visitor's permit and a deportation order was issued (the man's lawyer disputed the overstay charge), it was cancelled and he was not deported until after his asylum application was rejected. After the man was deported, his lawyer filed an appeal with the Supreme Court to challenge the legality of the man's arrest and initial deportation order. The lawyer was also appealing the rejection of the man's asylum application before the Supreme Court. At year's end the man was being detained in Israel, and the press reported that the Israeli Immigration Court had requested that the government coordinate his transfer back to Cyprus to continue his asylum appeal. The press reported in December that the Israeli court stated that the man's deportation from Cyprus to Israel was allegedly conducted "in secret" by Cypriot immigration authorities without notifying the Cypriot attorney general, the Cypriot courts, or Israeli authorities.

In September a local NGO reported several complaints from asylum seekers who alleged they were physically and psychologically abused by police; the complaints were directed to the ombudsman. Another NGO claimed that asylum seekers have complained about the denial of state medical care.

In November the Supreme Court granted residence to a Serbian asylum seeker who had been in Cyprus for seven years, citing the EU directive slated to grant permanent residence to those who have been in the country legally for five years or longer. In December the press reported that three asylum seekers who married Cypriots were arrested when they withdrew their asylum applications after allegedly being advised by police or immigration authorities to do so.

Local NGOs claimed that at least one family of an imprisoned asylum seeker was held in a retirement home and not allowed to leave. Local NGOs reported that the asylum seeker's reception center at Kofinou has implemented a policy of accepting only families, in an attempt to increase the safety of women and children living in close quarters at the center.

Also in November the government approved a directive to expedite asylum applications with the goal of shortening the stay of those who do not meet the requirements for refugee status. The NGO Action for Equality, Support, and Anti-Racism stated that the directive leaves open the possibility of implementing a "safe country of origin or transit" policy.

The Immigration Office of the Ministry of Interior has a standing request of the Education Ministry that requires proof of legal residence at the time of student registration and the reporting of the parents of those in illegal status. The ombudsman has expressed disagreement with this policy, and in December the House Human Rights Committee called on the Education Ministry to reconsider it. At year's end the policy remained in place.

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

The law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

In 2003, President Tassos Papadopoulos was elected in free and fair elections to a five-year term with the support of the AKEL (Restoration Party for the Working People), EDEK-Socialist Movement (United Central Democratic Union), and DIKO (Democratic Party) parties.

By year's end the government had not enacted legislation to comply with a 2004 European Court of Human Rights (ECHR) ruling designed to prevent the violation of the rights of Turkish Cypriots living in the government-controlled areas to free elections and to freedom from discrimination.

Women held 9 seats in the 56-seat parliament, and some held senior positions in the executive and judicial branches.

There were no members of minorities in the parliament. However, in addition to their political voting rights, the small Maronite, Armenian, and "Latin" (Roman Catholic) communities also elected special nonvoting representatives from their respective communities who sat in the parliament.

Government Corruption and Transparency

In June 2004 the media reported that a newly elected representative to the European Parliament had allegedly exported historical artifacts and solicited a bribe from a police officer to ensure that the officer would be acquitted of attempted manslaughter charges. Reports indicated the government attempted to cover up the incident until a newspaper published a confidential police report detailing the alleged exchanges between the pathologist and the police officer. In September 2004 the attorney general requested that the European Parliament lift the official's parliamentary immunity to enable the police to investigate the charges against him. On June 13, the European Parliament's Legal Affairs Committee sent a letter to the Supreme Court requesting clarification of which judicial body had the authority to ask for the lifting of the member of the European Parliament's immunity. On June 16, the Supreme Court responded that it had no authority to decide which body was empowered to make such a request. On September 27, the European Parliament voted in favor of lifting the member's immunity. The police have opened investigations into both sets of accusations, which were ongoing at year's end.

In May the press reported that the government was reviewing allegations of nepotism directed at the Justice Minister with regard to the hiring of prison staff.

In December the auditor general submitted her annual report outlining serious mismanagement within various departments of the government, and the government ordered an 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 give access to government documents without first obtaining permission from the relevant minister. However, 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 government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

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

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

Similar to last year, government suspicion of the UN Office for Project Services (UNOPS) in particular, and of domestic NGOs by association, continued during the year. In 2004 government officials and the Greek Cypriot media accused UNOPS of trying to win public support for the UN settlement plan by "bribing" individuals and NGOs with grants for specific pro-solution programs.

A delegation from the Council of Europe's European Commission against Racism and Intolerance visited the country in September to examine trafficking in women and the rights of foreign migrants and asylum seekers; however, its findings had not been released by year's end.

During the year the government ombudsman received complaints from citizens and foreigners living on the island and conducted independent investigations. The Ombudsman's Office enjoyed generally good cooperation with other government bodies. Following a 2003

council of ministers decision, the office of the ombudsman assumed responsibility for two new EU-mandated authorities, the Racism and Discrimination Authority and the Equal Rights in Labor Authority. The ombudsman releases a wide-ranging annual report and a limited number of single-issue reports. The Ombudsman's Office was well respected and considered effective; however, the government had not yet implemented many of its recommendations.

The parliament's committee on human rights is made up of 10 parliamentary members who serve 5-year terms. The committee discusses wide-ranging human rights issues, including trafficking in persons, prison conditions, and the rights of foreign workers. The executive branch does not exercise control over the committee, which can help formulate policy by introducing some types of legislation; it can also recommend amendments and approve or reject government-proposed legislation.

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 areas, and discrimination against Roma were problems.

Women

Violence against women, including spousal abuse, was common. The law establishes clear mechanisms to report and prosecute family violence and provides that the testimony of minors and experts such as psychologists may be used as evidence to prosecute abusers. The law provides for prison terms for the abuse of family members; however, very few court cases resulted in convictions. Doctors, hospital workers, and education professionals are required to report all suspected cases of domestic violence to the police. Many victims refused to testify in court, and, under the law, spouses cannot be compelled to testify against each other. In cases where a spouse was the victim and only witness and she refused to testify, the courts were forced to drop the case. At year's end there were no statistics available regarding the number of spousal abuse convictions.

An NGO working with domestic abuse victims reported that, during the year, the number of telephone calls to its hot line had increased by 12.7 percent. The NGO reported that 709 individuals, of whom 80 percent were women, 10 percent children, and 10 percent men, called claiming to be victims of domestic violence. The NGO also operated a shelter for victims of domestic violence in Nicosia that served 37 victims during the year.

The law criminalizes rape and spousal rape with a maximum sentence of life in prison. Most convicted offenders received considerably less than the maximum sentence. The police indicated that there were the following numbers of sexual assault convictions during the year: 6 rapes, 3 defilements of girls between 13 and 16 years of age, and 1 defilement of girls between 13 and 16 years of age under the domestic violence law.

The law does not prohibit "voluntary" prostitution; however, it is illegal to live off the profits of prostitution and police routinely arrested pimps under this section of the criminal code. Procuring a woman for prostitution is a misdemeanor. The police reported there were two convictions for "procuring" and eight convictions for living on the earnings of prostitution or persistently soliciting prostitution during the year.

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

The law prohibits sexual harassment in the workplace, and the government effectively enforced it. Nonetheless, there are reports that it was a widespread problem, but such incidents were largely unreported to authorities. One sexual harassment case reached the courts during the year.

In 2003 a senior editor at the semi-governmental news agency CyBC was found guilty of sexual harassment and actual bodily harm charges stemming from a 2002 incident involving a female television reporter and presenter. The courts fined the defendant approximately two thousand dollars (one thousand CYP). In June 2004 the Supreme Court ordered CyBC to lift its employment suspension of the defendant. The defendant appealed the fine, and on June 21 the Supreme Court acquitted the defendant and voided the fine.

Women generally have the same legal status as men under family law, property law, and in the judicial system. Laws requiring equal pay for men and women performing the same work were enforced effectively at the white-collar level. At the blue-collar level, research from one NGO suggested that remuneration for women was 25 to 30 percent less than for men. Although the country has a strong legal framework aimed at securing full equality between men and women at work, department of labor inspections do not enforce these laws effectively in the blue collar sector. The government agency tasked with the promotion, protection, and coordination of women's rights is the National Mechanism for Women's Rights of the Ministry of Justice and Public Order.

Press reports in May indicated there was a widespread problem of single mothers having difficulty obtaining child support payments and that police allegedly showed little interest in helping them report non-paying fathers. The courts maintain a system of wage and assets garnishing and ultimately imprisonment to enforce payments. During the year an NGO supporting single parents reportedly worked with police to encourage collection efforts.

Children

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

Free education was available through the age of 18. Education was compulsory up to the age of 15, or 9 years of education. The highest level of education achieved by most children was secondary school, and virtually all children attended school. Approximately 60 percent of these completed some form of university or tertiary education.

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

Child abuse was a problem. In 2004 there were 46 cases of child abuse reported to the welfare department. In 2004 272 children were taken into the care of social services, 171 of whom lived with foster parents, while 106 were housed in same-sex institutions. The welfare department said the majority of the cases, which were increasing compared with previous years, were linked to domestic violence, alcohol abuse, and parents suffering from psychological illness. The police reported that there were 30 criminal prosecutions pending before the courts concerning child abuse and/or sexual exploitation at year's end.

There was one report from a private researcher of child marriage in the Roma community.

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked to and through the country. Trafficking of women to the country for sexual exploitation was a problem. The law is gender-specific and does not address internal or labor trafficking. There were allegations of police corruption.

It is a felony to engage in the sexual exploitation and trafficking of adults (with or without their consent) and children. The court may order persons convicted of trafficking to pay part or all of the expenses incurred for the provision of protection, temporary shelter, medical care, and psychiatric care for victims. The court may also order persons convicted to pay compensation to the victim, including repatriation expenses. Responsibility for combating trafficking was shared by the ministries of justice, labor, and interior and the attorney general's office. During the year the police reported that two individuals were convicted specifically on charges of trafficking.

The police reported that of the 91 cases in 2004 in which people were charged with crimes related to prostitution and sexual exploitation, 33 had resulted in acquittals, 16 had resulted in convictions, 22 cases were still awaiting trial, 5 were still under investigation, 4 were dismissed, 8 were suspended due to lack of evidence, and 3 were dropped due to a lack of evidence by year's end.

The police also stated that of the 28 cases in 2004 in which individuals were charged directly with trafficking in persons, 17 persons were still awaiting trial, 6 were acquitted, 2 were convicted; 2 cases were suspended due to lack of evidence, and in 1 case the charges were withdrawn.

During the year the police opened 38 new cases involving 60 suspects of crimes related to prostitution and sexual exploitation. At year's end 22 of these cases were still pending trial, 10 were under investigation, 1 had been dismissed, 2 resulted in acquittals, and 3 resulted in convictions. A total of 42 people were charged with trafficking in persons for sexual exploitation during the year.

Information regarding whether the government had assisted international trafficking investigations was not available at year's end. The law prohibits the extradition of Cypriot citizens.

The country was both a destination and transit point for persons being trafficked for sexual exploitation, and authorities were aware of and generally tolerated the situation. The country was a destination for women trafficked from Eastern Europe, primarily Ukraine, Romania, Moldova, Russia, Belarus, and Bulgaria. There were no reliable statistics on the number of trafficking victims; however, 33 victims pressed charges during the year. Foreign women working as *artistes* or barmaids were vulnerable to trafficking and exploitation. In some cases women reportedly were forced to surrender their passports, perform sexual services for clients, or were not paid their full salaries. There was also evidence that female victims coming from China on student visas engaged in prostitution and in some cases were victims of sexual exploitation.

Some NGOs have alleged that government officials with oversight and policing responsibility over the sex industry frequented cabarets and nightclubs.

The law obligates the government to provide protection and support for trafficking victims by allowing them to remain in the country to press charges or by facilitating their return home. Of the 33 victims who pressed charges against their traffickers, 30 asked for police protection. The law also requires the government to provide shelter, medical, and psychiatric care to trafficking victims until they have recovered from the trauma of their experience. The government may appoint a guardian for victims to advise and give counsel and to represent the victim with the appropriate government agency. Victims may sue traffickers for damages.

The government maintained that most women who qualified as trafficking victims choose to return to their home countries voluntarily without testifying in court. There were reports that cabaret owners and *artiste* agents pressured women to withdraw complaints made about their situations or not to follow through with their intention to testify in court. Of the 47 women who requested police protection in 2004, the government reported that 36 of them had returned to their countries of origin, 11 remained, and 2 were awaiting trials to testify at year's end.

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 Russian Orthodox Church in Limassol operated a shelter for trafficking victims funded in part by the Orthodox Church of Cyprus. A

Russian psychiatrist was available to assist victims. During the year a total of 47 trafficking victims stayed in the shelter. Of these, 31 returned to their home country without filing charges; 8 were witnesses in police cases and have now found employment in different fields; six were recognized as victims of trafficking, but the police had not opened cases against their traffickers due to insufficient evidence; all six have been allowed to stay for six months and to change fields of employment. There was no formal referral process between the police and the shelter. Social welfare services typically housed victims in government-subsidized homes for the elderly and in hotels.

During the year an 18-year-old Ukrainian responded to an Internet advertisement for waitress work in Cyprus. She ended up in a cabaret in a rural area where the cabaret owner forced her to have sex with clients inside and outside the cabaret. She did not speak any English and her travel documents were withheld by the cabaret owner, who told her that she had to go with clients to repay her travel expenses. One client purchased her for the night, took her to his farm, had sex with her, and then made her clean his barn. Eventually the girl learned of the Russian Orthodox Church's shelter through another *artiste* and she managed to go there. She testified to the police against the cabaret owner, and the police opened a criminal case against him.

In February the Civil Registry and Migration Department of the Ministry of Interior produced a revised leaflet for women entering the country to work in cabarets. The leaflet is available at the airport in English, Russian, Romanian, and Bulgarian and lists the requirements for *artiste* work permits (including medical tests) and the rules governing their compensation. It states that employers commit a criminal offense by forcing *artistes* to prostitute themselves, but that an *artiste* likewise violates the law if she willingly prostitutes herself and she may consequently be deported. The leaflet does not mention trafficking, but states that its aim is to protect aliens from exploitation. It lists contact numbers for the social welfare services, the Ombudsman's Office, and several NGOs.

On May 12, the Council of Ministers adopted a national action plan to combat trafficking that includes the following steps, among others: a public information campaign, the creation of antitrafficking police units in all districts, revised rules for *artiste* visas, continued unannounced checks on cabarets and nightclubs employing *artistes*, increased governmental cooperation with NGOs, new trafficking legislation designed to better combat trafficking and allow the full implementation of international treaty obligations, measures to combat police corruption, the creation of a hot line for victims to be operated by an NGO, and the operation of a shelter for victims.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services, and in practice the government effectively 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 were not required to provide access for persons with disabilities. In November the Nicosia municipality implemented the construction of sidewalk ramps on four streets and additional parking spaces for people with disabilities in the downtown area.

There were no long-term care facilities specifically for persons with mental disabilities, but many such persons were housed at the Athalassa psychiatric hospital.

The amended People with Disabilities Law, which extends the ombudsman's authority to cover discrimination based on disabilities in both the private and public sector, had not been fully implemented by year's end. The press reported in November that persons with disabilities felt that the lack of access to public buildings in the country was a clear example of discrimination. Among the complaints enumerated were narrow sidewalks, lack of transport, absence of parking spaces, and absence of disabled-friendly toilets and elevators. The report also noted that during the year the government budget reportedly included approximately \$80 thousand (40 thousand CYP) for the construction of disabled-friendly establishments, despite the fact that no government buildings had ramps within regulation sizes or specially designated parking spaces. The Ministry of Labor and Social Insurance's Service for the Care and Rehabilitation of the Disabled was responsible for protecting the rights of the persons with disabilities. In addition the Minister of Labor and Social Insurance chaired the Pancyprian Council for Persons with Disabilities, which comprised representatives of government services, organizations representing persons with disabilities, as well as employer and employee organizations. The council monitored action for the protection of the rights of persons with disabilities and served as a forum for persons with disabilities to participate in decision-making.

National/Racial/Ethnic Minorities

The 1975 Vienna III Agreement remains the legal source of authority regarding the treatment of Turkish Cypriots living in the South. The government generally effectively enforced the agreement, which provides for the voluntary transfer of populations, free and unhindered access by the UNFICYP to Turkish Cypriots living in the south, and facilities for education, medical care, and freedom of religion. However, the Turkish Cypriot leadership complained that there is no school established in Limassol for Turkish Cypriot students as provided for under the terms of the 1975 Vienna III Agreement.

On July 29, a 28-year-old Greek Cypriot former policeman was arrested for attacking a Turkish Cypriot and his Greek Cypriot friend in a cafe in Nicosia. In March the same person, who was reportedly a known member of an ultra-nationalist organization, was involved in a similar incident in which he allegedly attacked and injured another Turkish Cypriot. He faced four charges in connection with both incidents, including assaulting and causing actual bodily harm and acting with intent to incite hostility between Greek Cypriots and Turkish Cypriots. In November he was acquitted of all charges. The judge stated that the prosecution failed to prove his guilt, citing conflicting testimony given by witnesses.

Some of the Turkish Cypriots living in the government-controlled areas reportedly faced difficulties in 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.

A local NGO reported complaints from Turkish Cypriots married to Turkish citizens whose children have not been automatically granted Cypriot citizenship despite legislation that mandates this. Instead of granting automatic citizenship, the Ministry of Interior currently seeks approval from the Council of Ministers before confirming that the children of Turkish Cypriots married to Turkish nationals are Cypriot citizens. They approved 1,063 cases over the past 2 years.

Turkish Cypriot authorities reported in September that there had been no response from Greek Cypriot police regarding a 12-year-old Turkish girl (resident in the area administered by Turkish Cypriots) who disappeared and was last seen in Paphos. The police reported that they had responded to an UNFICYP request for assistance, noting they had located the girl and that she was not a minor.

During the year a local NGO reported that Romani families living in Limassol faced housing problems and that many of their children did not attend school. A program run by the social welfare services for the integration of Roma into society was suspended following protests from neighbors who objected to the presence of the Roma in their area.

In September the Ministry of Education, under pressure from the parents' association of a school in Paphos district, suspended the Roma children living in the area until they were tested for hepatitis. Earlier in the summer, three Roma children had been diagnosed with hepatitis A and despite the fact that they were successfully treated, the parents' association insisted that Roma children represented a health hazard. When the test results indicated no illness, the children returned to school without incident. The ombudsman opened an investigation into the issue.

In November the press reported that a group called Football against Racism in Europe (FARE) stated that racism was a problem in the country. Despite a denial of the problem by the chairman of the Cyprus Football Association, an African player for a Cypriot team stated to the paper that he "almost always" hears monkey chanting during matches. Also in November the Cyprus Football Association fined a team \$800 (CYP 400) after its fans directed monkey chants at two African players on the opposing team.

Other Societal Abuses and Discrimination

Despite legal protections, homosexuals faced significant societal discrimination, and few homosexuals in the country were open about their sexual orientation. One NGO reported that there were complaints of discrimination toward homosexuals and HIV positive individuals. NGOs were reluctant to initiate awareness campaigns. During the year, there was a lack of education about HIV/AIDS. It was widely believed that HIV/AIDS is a concern only for homosexuals and intravenous drug users.

Incitement to Acts of Discrimination

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

In June the ombudsman issued a strong warning to insurance companies not to discriminate against customers based on their ethnic origin after the press reported that a total of 30 complaints had been filed against insurance companies at the GOC Motoring Center alleging that coverage was denied on the basis of race or nationality.

Section 6 Worker Rights

a. The Right of Association

All workers, except for members of the police and military forces, have the legal right to form and join unions of their own choosing without prior authorization, and workers did so in practice. Police officers were permitted only to join associations that have the right to bargain collectively but not to go on strike. More than 70 percent of the workforce belonged to independent unions. Antiunion discrimination is illegal, but union leaders contended that private sector employers were able to discourage union activity because the enforcement of labor regulations was sporadic and penalties for antiunion practices were minimal.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government generally protected this right in practice. The law provides for collective bargaining, and workers exercised this right in practice; however, collective bargaining agreements were not legally enforceable. Collective bargaining agreements covered all workers, citizen and foreign, with the exception of housekeepers and *artistes*; approximately 60 percent of workers were covered by such agreements. All workers have the right to strike: but authorities have the power to curtail strikes in "essential services," although this power was used rarely in practice. In July there was a truckers' strike in Limassol. In November the press reported there was a one-day rural bus strike that left thousands without transport. The law provides that members of the armed forces, the police, and the gendarmerie do not have the right to strike, but the right to strike is recognized for all other members of essential services. There have been strikes in the past in government-run hospitals, airports, and by the police, and the government did not take any actions against these workers. Members of essential services are protected by the agreement for the resolution of disputes in essential services, which is an agreement between the government and essential services personnel.

There are no special laws or exemptions from regular labor laws in the export processing zone in 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 it occurred (see section 5). There were also reports that foreign maids and illegal foreign workers were subject to the nonpayment of wages and the threat of deportation (see section 6.e.).

d. Prohibition of Child Labor and Minimum Age for Employment

The government 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. The Ministry of Labor's inspectors were responsible for enforcing the child labor laws and did so effectively.

e. Acceptable Conditions of Work

The legal minimum wage was approximately \$724 (362 CYP) per month for shop assistants, practical nurses, clerks, hairdressers, and nursery assistants. The minimum wage rose to approximately \$770 (385 CYP) after 6 months' employment. Neither amount provided a decent standard of living for a worker and family. All other occupations, including unskilled workers, were covered under collective bargaining agreements between unions and employers within the same economic sector. The wages set in these agreements were significantly higher than the minimum wage. The immigration services of the Ministry of Interior set the salary for foreigners working as housekeepers at \$300 (150 CYP) per month, plus \$80 (40 CYP) for lodging if the worker did not live-in, and an additional 16 percent that employers were required to pay directly to the state in the form of social insurance. Workers were not allowed to claim pensions, unless they became citizens (although in some cases there were bilateral agreements that allowed workers to claim credit in their countries of origin). Unions and labor confederations generally effectively enforced negotiated wage rates (collectively bargained rates), which were generally much higher than the minimum wage. The immigration services were responsible for enforcing the minimum wage for foreign workers, but did not actively do so.

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

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

Following the country's EU accession, the Ministry of Labor experienced a substantial increase in the number of complaints of labor exploitation. Foreign workers, primarily from Eastern Europe, East Asia, and South Asia, reportedly were forced to work up to 13 hours a day, 7 days a week, for very low wages. NGOs and the ombudsman also confirmed that employers often retained a portion of foreign workers' salaries as payment for accommodations.

There were reports of mistreatment of maids and other foreign 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 labor ministry from being deported until their cases have been adjudicated, NGOs reported that many women did not complain to authorities out of fear of deportation.

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

THE AREA ADMINISTERED BY TURKISH CYPRIOTS

Since 1974, the northern part of Cyprus, with a population of approximately 250 thousand persons, has been governed 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" on April 17 in free and fair elections. "Parliamentary" elections in February were free and fair and resulted in the formation of a coalition government. 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.

Authorities generally respected the human rights of citizens living under their control; however, there were problems in some areas. The following human rights problems were reported:

- police abuse of detainees
- arbitrary arrest and detention
- restrictions on citizens' privacy rights

- restrictions on asylum seekers
- trafficking in persons

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.

b. Disappearance

There were no reports of politically motivated disappearances.

The autonomous, tripartite (UN, Greek Cypriot, Turkish Cypriot) Committee on Missing Persons in Cyprus (CMP) continued its work to account for persons who remained missing after the intercommunal violence beginning in 1963-64 and the events beginning in 1974.

During the year the "TRNC" unilaterally exhumed approximately 50 sets of remains from a construction site; the CMP verified the number of exhumations. The remains were stored in a basement of a "government" office building along with 25 that the CMP exhumed. The identities of the remains had not been determined at year's end.

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

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

During the year there were two complaints filed regarding police abuse. In August a Turkish Cypriot security forces sergeant reported that police beat him at a police station after his arrest on assault charges. The alleged victim filed a complaint but the "attorney general's" office found no evidence of abuse and closed the case.

In September a man filed a complaint saying that three police officers beat him in detention after having been arrested. The investigation was ongoing at year's end.

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

Prison and Detention Center Conditions

Prison conditions generally met international standards, although there were some problems. Inmates complained of overcrowding at the prison. In May press reports quoted the prison director as saying that overcrowding was a problem, and that some inmates occasionally abused sedatives prescribed for them by the Nicosia psychiatric hospital. The press also quoted a "member of parliament" as saying that weapons were easily smuggled into the prison and that the prison administration should maintain tighter control. The "Ministry of Interior's" director of prisons stated in November that the prison's total capacity was 207 but that the total number of prisoners was 283. Approximately 67 percent of prisoners were foreigners, and 50 percent of prisoners were awaiting trial.

Juveniles were not held separately from adults.

Authorities permitted prison visits by independent human rights observers, although no such visits occurred during the year.

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

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

The "attorney general's" office acknowledged that there were cases of corruption and bribery within the police related to narcotics trafficking. In September two police officers on suspension for charges of writing bad checks were arrested in connection with alleged narcotics trafficking. The two were released on bail, but the investigation of all charges against them was ongoing, and they remained on suspension.

at year's end. In December the police chief in Iskele was arrested for collecting gambling debts for a criminal syndicate suspected of illegal involvement with casinos and betting houses. The chief was released on bail while awaiting trial. 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. During the year no investigations resulted in the prosecution of officers for the abuse of detainees.

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 respected this right effectively in practice. Also detainees were promptly informed of charges against them. However, for a serious crime a person could be held without being charged. Most periods of investigative detention did not exceed 8 to 10 days before formal charges were filed. Bail was permitted and routinely used. Detainees were usually allowed prompt access to family members and a lawyer of their choice. Authorities provided lawyers to those who could not afford one only in cases of serious crimes. 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.

There were no reports of political detainees.

After arrest, suspects must appear before a judge within 24 hours to avoid lengthy detention at police stations. Judges may order that suspects be held for investigative detention for up to 10 days before formal charges are filed. The law provides that pretrial detention for those accused of serious crimes cannot exceed three months; the prison director reported that in practice the average length of pretrial detention is approximately six weeks, but that it can be longer if the court's conditions for release are not met (unpaid bail, lack of guarantors). In November 50 percent of the prison population was awaiting trial.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and authorities generally respected this provision in practice.

Most criminal and civil cases begin in district courts, from which appeals are made to supreme courts. There were no special courts for security or political offenses.

Trial Procedures

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

Political Prisoners

There were no reports of political prisoners.

Property Restitution

During the year Greek Cypriots continued to pursue property suits against the Turkish government in the ECHR for the loss of property located in the area administered by Turkish Cypriots since 1974. 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 the landmark Xenides-Arestis case the ECHR determined that the Turkish Cypriot committee set up in 2003 to adjudicate claims by Greek Cypriots with land in the area administered by Turkish Cypriots, did not constitute an effective local remedy. This allowed for the direct appeal of the Xenides-Arestis case to the ECHR without having exhausted local remedies.

On December 19, the "TRNC" passed new legislation aimed at bringing the property commission in line with ECHR standards. On December 22, the ECHR ruled against Turkey in the Xenides-Arestis case, but gave the government of Turkey six months in which to provide an effective domestic remedy to deal with property claims. Until then, the court has postponed further consideration of the approximately 1,400 similar cases that Greek Cypriots have filed against Turkey at the ECHR.

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

The law prohibits such actions; however, there were reports that police subjected Greek Cypriots and Maronites living in the area administered by Turkish Cypriots to surveillance (see section 5). The Turkish military occupied houses in two of the four Maronite villages.

The press reported that in August a Turkish Cypriot man hung a flag of the Republic of Cyprus outside his home to mark the 45th anniversary of the Republic of Cyprus. Police arrived at his house, arrested him, and confiscated the flag, which is banned in the area administered by Turkish Cypriots. The man told newspapers that he planned to sue the police in the ECHR for compensation.

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 authorities generally respected these rights in practice; however, authorities continued to pursue criminal charges against a number of journalists.

At year's end, authorities had not yet dropped criminal charges filed in 2003 against five journalists with the daily newspapers Kibris and Ortam for insulting the army in their reports about police actions against demonstrators in the village of Doganci.

There were no government restrictions on the Internet or academic freedom.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

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

At year's end authorities had not yet dropped charges against organizers of the 2003 demonstration in the village of Doganci.

Freedom of Association

The law provides for freedom of assembly and association, and the authorities generally respected these rights in practice.

c. Freedom of Religion

The law provides for freedom of religion and prohibits religious discrimination, and authorities generally respected these rights in practice.

The law permits the Turkish Cypriot religious trust, the Evkaf (the Muslim institution that regulates religious activity for Turkish Cypriots), to regulate and administer its internal affairs and property in accordance with Evkaf laws and principles.

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 authorities.

In March authorities approved the name of a second Greek Orthodox priest to serve the Greek Cypriot enclaved community in the Karpas peninsula, but the priest could not go for personal reasons. In April the Greek Cypriot submitted another name but Turkish Cypriot authorities rejected the individual for unspecified "security reasons." At the end of the year, only one priest served the area.

In June authorities permitted Greek Cypriots to hold liturgical services at the St. Barnabas church in Famagusta for the first time since 1974.

In July authorities approved a church service at a Maronite church in Agia Marina for the first time since 1974 but later withdrew this permission. The road to the church crossed a Turkish military facility and military commanders reportedly refused permission for the services.

In September authorities again permitted a group of worshippers to attend a religious ceremony at Agias Mamas Church in Morphou.

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

Societal Abuses and Discrimination

During the September religious ceremony at Agias Mamas Church in Morphou, two cars owned by Greek Cypriots caught fire in the parking lot. Turkish Cypriot police determined that the cause of the fire was a short circuit in one of the car's electrical system, but the Greek Cypriot press reported that forensic examiners determined that the cause of the fire was arson. The Turkish Cypriot "government" offered to ensure that insurance companies would pay the Greek Cypriots' claims.

No suspects were ever identified or charged with the 2004 bombing inside the Agias Mamas Church that was allegedly orchestrated by Turkish Cypriot nationalists.

Greek Cypriots reported that vacant Orthodox churches had been vandalized and religious icons removed; there were no reported investigations of these incidents.

There were no reports of anti-Semitic acts. The Jewish community in the area administered by Turkish Cypriots is very small and composed primarily of non-resident businesspeople.

For a more detailed discussion, see the *2005 International Religious Freedom Report*.

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

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

In September authorities opened one additional checkpoint to facilitate travel across the green line.

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. Some Greek Cypriots refused to do this and therefore did not cross. Authorities announced limitations on the length of time Greek Cypriots could stay in the area administered by Turkish Cypriots when the green line first opened in 2003, but in practice these limitations were not enforced during the year. Members of each community were required to obtain insurance coverage in the community where they planned to drive their vehicles.

Authorities maintained restrictions on the 403 Greek Cypriots and 140 Maronites living in enclaves in the area administered by Turkish Cypriots. Authorities limited overnight stays by child relatives of enclaved Greek Cypriots and Maronites to a "reasonable period," with extensions possible. Immediate relatives of enclaved Greek Cypriots were exempt from the requirement that they stay at a hotel and instead could stay with their relatives. During the year two residents of enclaved Maronite communities were not allowed to return to their homes after reportedly visiting the government-controlled area. Turkish and Turkish Cypriot forces continued to operate a checkpoint adjacent to the Greek Cypriot village of Strovilia and the British eastern Sovereign Base Area that restricted UNFICYP movement.

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 have now obtained Republic of Cyprus passports from the government.

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 consider those displaced as a result of the division of the island to be refugees. These persons and their descendants number approximately 90 thousand to 100 thousand.

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 authorities have not established a system for providing protection to refugees. In practice authorities did not provide protection against *refoulement*, the return of persons to a country where they feared persecution. The authorities did not grant refugee status or asylum. Individuals who requested asylum were supposed to be directed to the UNHCR; however, there were reports that not all individuals who wished to seek asylum were permitted to do so.

Authorities' cooperation with the UNHCR was uneven. During the year, working with the assistance of a local NGO, the UNHCR examined the asylum claims of fewer than five persons who entered the area administered by Turkish Cypriots in accordance with "TRNC" procedures. Their cases remained pending at year's end. Authorities refused entry to approximately two thousand persons who arrived with or without proper documentation at ports of entry, denying them the opportunity to apply for asylum through the UNHCR.

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

The law provides Turkish Cypriots the right to change their government peacefully, and they exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

Turkish Cypriots choose a leader and a representative body every five years or less. In the February "parliamentary" elections, which were free and fair, parties favoring a solution to the division of the island based on the Annan plan emerged with a near majority of seats. A coalition "government" formed thereafter and elevated Ferdi Sabit Soyer, one of the leading figures of the area administered by Turkish Cypriot's largest pro-settlement party, to the position of "prime minister."

Greek Cypriots and Maronite residents were prohibited from participating in Turkish Cypriot elections; they were eligible to vote in Greek Cypriot elections but had to travel to the government-controlled areas to exercise that right. Officials in the area administered by Turkish Cypriots representing Greek Cypriots and Maronites were appointed by the Republic of Cyprus and were not recognized by Turkish Cypriot authorities.

There were no government restrictions on the political opposition and membership or non-membership in the dominant party did not confer formal advantages or disadvantages.

There were 3 women in the 50-seat "parliament".

There were no minorities represented in the "parliament."

Government Corruption and Transparency

Corruption, cronyism, and lack of transparency were perceived to be serious problems in the legislative and executive branches. In August press reports indicated that the previous "minister of economy and tourism," who resigned in 2004, had been forced to quit because she sought to close a casino in the area administered by Turkish Cypriots that was allegedly evading taxes.

By September the new "government" closed its investigations of three cases of the previous "government's" alleged practice of distributing land and bogus "citizenships" in an attempt to sway election results, as well as an investigation of the previous "government's" role in a banking sector bankruptcy case. All charges were dropped, however the new "government" did cancel land titles and bogus "citizenships" that were identifiable.

Unlike in 2003, there were no reports that parties in power before the December election had misused public resources in support of their campaigns.

The "constitution" provides for the right of free access to government information; however, there are no specific laws that assure public access. Civil servants were not allowed to give access to government documents without first obtaining permission from their directors or minister. However, 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. Officials generally were cooperative and responsive to their views.

Human rights groups were generally concerned almost exclusively with alleged violations of Turkish Cypriot rights by Greek Cypriots. NGOs with a broader human rights-related mission included groups promoting awareness of domestic violence and women's rights. 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 the unrecognized "TRNC."

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

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

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

Women

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

The law provides for no minimum sentence for individuals convicted of rape, including spousal rape; the maximum sentence is life imprisonment. The authorities and police effectively handled and prosecuted rape cases, including cases of spousal rape. There were no NGOs to support rape victims. The press reported only one rape during the year; a taxi driver allegedly raped a female passenger in June. The police investigation was ongoing at year's end.

The law does not specifically prohibit prostitution, but procurement for prostitution is a misdemeanor. A law designed to regulate the hiring of women in nightclubs provides penalties for women and employers who engage in prostitution. Turkish military forces frequent nightclubs and cabarets.

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

The law contains no provision specific to 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 were unreported. It was reportedly a serious problem.

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 enforced effectively at the white-collar level; however, women working in the agricultural and textile sectors were routinely paid less than their male counterparts. There were several NGOs, but no "government" agencies that worked to protect women's rights.

Children

Authorities were strongly committed to children's rights and welfare.

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

Authorities screened all textbooks sent to the Greek Cypriot Rizokarpasso Gymnasium, a primary and middle school in the enclaved communities that authorities reopened in 2004, the screening caused lengthy delays in their distribution and shortages of up-to-date textbooks. In September the press reported that students began classes without textbooks when authorities determined that the books contained offensive language. The authorities reportedly submitted a report to the UN on the books; the books were later released to the school. The school announced in October that it is expected to expand grade levels to include grades seven through nine; there are reports that two additional teachers were needed at the school but that the authorities had not approved them at year's end.

Boys and girls had equal access to publicly funded health care; however, patients faced long waits for services in public medical facilities. In November an NGO reported that children of unregistered (illegal) workers were allowed free but only basic medical treatment. Long-term treatment was not provided.

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

Trafficking in Persons

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

Procurement for prostitution is a misdemeanor, and a law designed to regulate the hiring of women in nightclubs provides penalties for women and employers who engage in prostitution. The "TRNC" does not extradite its "citizens"; however, the police reported that they had assisted international trafficking investigations through Turkey.

Turkish Cypriot authorities issue *artiste* visas to women, primarily from Eastern Europe, permitting their entry into the area administered by Turkish Cypriots to work in nightclubs. There were credible reports that many of these women engaged in prostitution and that some women were coerced. Authorities acknowledged the existence of trafficking; however, they often confused it with human smuggling or illegal immigration.

In September two victims of trafficking contacted Turkish Cypriot authorities for help, and the authorities reported the cases to the police. Authorities later reported that the two cases represented in fact a single incident and that the woman's employer had sent her back to her country of origin in an effort to avoid problems with the police.

The "Interior Ministry" reported that there were 378 women working at 45 night clubs and 10 pubs in the area administered by Turkish Cypriots at year's end. At a conference sponsored by an NGO and the Swedish embassy in October, a sociologist and pollster presented a research project on the women working in nightclubs and cabarets in the area administered by Turkish Cypriots. During interviews the women and their employers allegedly told representatives from the sociologist's organization that 90 percent of the women came to Cyprus on six-month contracts and that during that time they earned up to \$6 thousand (Turkish new lira 7,974). The women also reportedly said that many of them came via modeling agencies or were sold by agencies that had advertised for babysitters or caregivers for the elderly. The organization stated that large casinos had offered women as gifts to their "richest customers" and that boys as young as 16 regularly visited the night clubs.

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

During the summer the "ministry of health" began collecting questionnaires on working and living conditions from nightclub employees at their mandatory health checks. In December the "ministry" hired a Russian-speaking staff member to begin interviewing these women in private.

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 effectively enforced these provisions. In December a local NGO expressed concern over the need for improvements to special education and life-long rehabilitation opportunities and employment for people over age 18. The "state" employed approximately 280 people with disabilities and provided financial aid to 2,650 of the 3,500 people with disabilities in the area administered by Turkish Cypriots. The law does not mandate access to public buildings and other facilities for persons with disabilities, and the above NGO reported that this remains the single greatest problem for persons with disabilities in the area administered by Turkish Cypriots.

National/Racial/Ethnic Minorities

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

Greek Cypriots and Maronites in the area administered by Turkish Cypriots alleged that they were routinely subject to surveillance. Representatives of both communities complained that their phones were tapped and that Turkish Cypriot authorities occasionally broke into their homes.

UNFICYP access to Greek Cypriots and Maronites remained limited. Although the Vienna III Agreement provides for medical care by a doctor from the Greek Cypriot community, only care provided by Turkish Cypriot doctors registered with authorities was permitted. Greek Cypriots and Maronites were able to take possession of some of their properties but were still unable to leave any of their properties to heirs residing in the South. In December authorities announced that Maronites living in two of the four Maronite villages in the area administered by Turkish Cypriots could bequeath property to children living in the government-controlled area. However, in practice there were reports that this was not allowed. Authorities allowed the enclaved to make improvements to their homes and to apply for permission to build new structures on their property. Maronites living in the government-controlled area could use their properties only if they 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 the public at large often made them the scapegoats for criminality, adding that Turkish workers were often the targets of police raids aimed at finding the culprits of petty crime. The NGO reported that many Turkish workers lived within the walled city of Nicosia, with up to 20 persons sleeping in one room, often in derelict buildings. Those working in agriculture or on construction sites reportedly have been forced to sleep on the ground and those working in restaurants have been seen sleeping after hours on chairs in the establishments where they worked. The NGO also reported research that indicated that the population generally resented Turkish workers because of the perceived threat they posed to job prospects.

Other Societal Abuses and Discrimination

The law criminalizes homosexuality in the area administered by Turkish Cypriots. Homosexuality is socially highly proscribed and rarely discussed. There were no reports of discrimination against persons with HIV/AIDS.

Incitement to Acts of Discrimination

The Government of Cyprus complained that language used in Turkish Cypriot textbooks is derogatory of Greek Cypriots. However, "TRNC" school "authorities" continued to use textbooks at the primary and secondary levels that included such language. The "Ministry of Education" introduced a revised history syllabus and textbooks in schools after concluding in 2004 that the existing text encouraged students to view Greek Cypriots as enemies and the EU as a "rotten apple." Students in Greek Cypriot enclaved communities began classes without textbooks during the year when authorities determined that the books contained offensive language.

Section 6 Worker Rights

a. The Right of Association

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

Some companies had company-led unions and pressured workers to join them. Officials of independent labor unions stated that authorities created rival public sector unions to weaken the independent unions.

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

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government generally protected this right in practice. The law provides for collective bargaining, and workers exercised this right in practice; however, collective bargaining agreements were not legally enforceable. 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 semi-public sector (such as the state university), and 1 percent of workers in the private sector were unionized. Public and semi-public employees made up approximately 30 to 35 percent of the work force and benefited from collective bargaining agreements. Although the law provides for the right to strike, employers have an unrestricted right to hire replacement workers in the event of a strike, which limited the effectiveness of the right. The law does not ensure due process for essential service workers and in fact states that members of the armed forces, law officers, judges, members of the police, and civil defense personnel have no right to strike. Authorities have the power to curtail strikes in "essential services," although this power was used rarely in practice.

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

c. Prohibition of Forced or Compulsory Labor

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

d. Prohibition of Child Labor and Minimum Age for Employment

The government 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 years, and children may be employed in apprentice positions at the age of 15. Although there were labor inspectors who enforced the law effectively, it was common in family-run shops for children to work after school and children as young as age 11 worked in orchards during school holidays.

e. Acceptable Conditions of Work

The minimum wage of \$447 (Turkish new lira 594) per month did not provide a decent standard of living for a worker and family. Migrant workers were often offered substandard accommodation as part of their compensation, or were made to pay a certain amount from their salaries for accommodation. The "Ministry of Labor and Social Security" is responsible for enforcing the minimum wage, and it was generally enforced. One NGO reported that legal foreign workers in general were paid below the minimum wage.

The legal maximum workweek was 38 hours in the winter and 36 hours in the summer. Labor inspectors effectively enforced these laws, except in the case of migrant workers, who worked irregular hours and at times reportedly were required by their employers to work up to 14 hours per day, 7 days a week. The law requires overtime pay, but it was not uniformly enforced.

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

The authorities enforced occupational safety and health regulations sporadically. 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 endangering their continued employment.

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