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## U.S. Department of State

### Cyprus Country Report on Human Rights Practices for 1996

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#### CYPRUS

Cyprus has been divided since the Turkish military intervention of 1974, following a coup d'etat directed from Greece. Since 1974 the southern part of the country has been under the control of the Government of the Republic of Cyprus. The northern part is ruled by a Turkish Cypriot administration. In 1983 that administration proclaimed itself the "Turkish Republic of Northern Cyprus" ("TRNC"), which is recognized only by Turkey. The two parts are separated by a buffer zone patrolled by the United Nations Force in Cyprus (UNFICYP). A substantial number of Turkish troops remains on the island. In both the government-controlled areas and in the Turkish Cypriot community there is a generally strong regard for democratic principles. Glafcos Clerides was elected President of the Republic of Cyprus in 1993; in April 1995, Turkish Cypriots reelected Rauf Denktash as their leader.

Police in the government-controlled areas and in the Turkish Cypriot community are responsible for law enforcement. Police forces operating in the government-controlled areas are under civilian control, while Turkish Cypriot police forces are directed by military authorities. In general the police forces of both sides respect the rule of law, but instances of police abuse of power continued.

Both Cypriot economies operate on the basis of free market principles, although in each community there are significant administrative controls. The government-controlled part of the island has a robust, service-oriented economy, with a declining manufacturing base and a small agricultural sector. Tourism and trade generate 22 percent of gross domestic product and employ 26 percent of the labor force. In 1995 per capita income was approximately \$12,500, inflation was 2.6 percent, and unemployment was 2.6 percent. Growth in 1995 was 5 percent. The Turkish Cypriot economy, which relies heavily on

subsidies from Turkey, is burdened by an overly large public sector. It, too, is basically service-oriented but has a relatively smaller tourism base and a larger agricultural sector. In 1995 per capita income in the north was approximately \$3,300, and inflation was 72 percent (down from 212 percent in 1994). The economy in the north grew 2.7 percent in 1995.

The Republic of Cyprus and the Turkish Cypriot authorities generally respect human rights norms and practices. However, deadly intercommunal violence flared in 1996. In August Turkish Cypriot police killed two Greek Cypriot demonstrators. In September unknown assailants shot and killed a Turkish Cypriot soldier. In October Turkish Cypriot security forces, who again used unwarranted deadly force, shot and killed a Greek Cypriot civilian.

In July a prominent Turkish Cypriot journalist was murdered in what was apparently a politically motivated killing. Police brutality continued to be a problem; discrimination and violence against women also remained problems. Although the Turkish Cypriot authorities again took some positive steps to improve the conditions of Greek Cypriots and Maronites living in the territory under their control, the treatment of these groups still falls short of Turkish Cypriot obligations under the Vienna III agreement of 1975. The Turkish Cypriot authorities continued to impose significant restrictions on meetings between members of the two communities outside of the United Nations-controlled buffer zone. Although they had earlier permitted most meetings inside the buffer zone, in October Turkish Cypriot authorities began denying permission for virtually all meetings. They said that they were acting in response to an effort by a Greek Cypriot parliamentarian to discourage tourists from entering the north. Greek Cypriot women are still denied the right to pass citizenship to their children if they are married to foreign spouses.

## **RESPECT FOR HUMAN RIGHTS**

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

#### **a. Political and Other Extrajudicial Killing**

A prominent, leftist Turkish Cypriot journalist, Kutlu Adali, was murdered outside of his home in Nicosia on July 6 (see Section 2.a.). Police reportedly prevented Adali's family from entering their apartment for nearly a day following his murder, saying that they were searching for evidence. Turkish Cypriot authorities have not, however, so far conducted a credible investigation into Adali's murder.

In August Turkish Cypriot civilian police shot and killed one Greek Cypriot demonstrator and participated in the beating death of another Greek Cypriot protester. During demonstrations on August 11, Greek Cypriot demonstrators throwing rocks entered the buffer zone after Greek Cypriot civil authorities allowed them unimpeded access. Turkish Cypriot authorities also allowed a group of Turkish Cypriot civilians into the buffer zone and may have even facilitated their entry through a restricted military area. One Greek Cypriot demonstrator was caught by a group of Turkish Cypriots, including three uniformed policemen, and clubbed to death. On August 14, following the funeral of the first victim, Greek Cypriot demonstrators again entered the buffer zone after government authorities once more failed to block their entry. A Greek Cypriot civilian was killed by shots fired by members of the Turkish Cypriot police force, who used lethal force disproportionate to any threat posed by the demonstrators. The Government of Cyprus stated that it will press for legal action against the killers and issued arrest warrants for those it believes are responsible for the murders.

In September unknown assailants shot and killed a Turkish Cypriot soldier manning an observation post.

In October Turkish Cypriot forces, again using unnecessary deadly force, killed a Greek Cypriot civilian who crossed the cease-fire line into the area controlled by the Turkish Cypriots.

b. Disappearance

There were no reports of politically motivated disappearances.

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

Both the Constitution of the Republic of Cyprus and the basic law governing the Turkish Cypriot community specifically prohibit torture. The law in both communities provides for freedom from cruel, inhuman, or degrading treatment or punishment. Respect is generally accorded to these prohibitions throughout the island.

In January the Government fired five Limassol police officers, including the chief of police and a senior officer, in connection with revelations that came to light last year that they had used torture to force confessions from suspects. The Government had originally planned to fire 12 officers but dropped its cases against 7 of them claiming a lack of evidence.

Also in January, the Government stated that some Greek Cypriot police were involved in murder, narcotics, gambling, and prostitution. The accusations were made in connection with the resignation of the assistant chief of police, Costas Papacostas. The Government has taken no further action on these allegations, however.

The Republic's ombudsman issued a report confirming that police used torture against a suspected Turkish Cypriot drug smuggler, Erkan Egmez. Egmez was arrested in October 1995 and tortured while in police custody. No official action has been taken against any of the police involved.

In July the European Commission of Human Rights decided that the rights of Lefteris Andronicou and Elsi Constantinou had been violated by the Cyprus Government during a botched hostage rescue attempt in 1993. Both persons died in the attempt, which took place in the village of Chlorakas. The European Commission of Human Rights referred the case to the European Court of Human Rights. The Government announced that it would comply with the verdict of the court.

Parliament again failed to pass a proposed bill addressing police brutality; the bill was reintroduced in the fall.

While there were no public allegations of police brutality in the Turkish Cypriot community, there are credible reports of pervasive police abuse of power and harsh treatment of detainees.

Prison conditions are generally adequate in both communities. In August eight inmates were injured during a prison brawl in Larnaca between Greek Cypriot and Iraqi inmates. A Council of Europe delegation visited Greek Cypriot jails in May but, in accordance with the Council's policies, no report was made public.

d. Arbitrary Arrest, Detention, or Exile

Throughout Cyprus laws providing for freedom from arbitrary arrest and detention are respected by the police. Judicially issued arrest warrants are required. No one may be detained for more than 1 day without referral of the case to the courts for extension of the period of detention. Most periods of

investigative detention do not exceed 8 to 10 days before formal charges are filed. Attorneys generally have access to detainees, and bail is permitted.

Some abuses of power occur at the hands of the Turkish Cypriot police, generally at the time of arrest. Suspects often are not permitted to have their lawyers present when testimony is being taken, a right guaranteed under the Turkish Cypriot Basic Law. Suspects demanding the presence of a lawyer are routinely threatened with stiffer charges or even physically intimidated. A high percentage of convictions in the Turkish Cypriot community are obtained with confessions made during initial police interrogation under these conditions. There are also credible reports that police routinely abuse their right to hold persons up to 24 hours before having to go before a judge. Police officers use this tactic against persons believed to have behaved in a manner deemed insulting to the officer. The suspects are then released within 24 hours without charges having been filed.

Exile is specifically prohibited by the Constitution and by the basic law governing the Turkish Cypriot community.

#### e. Denial of Fair Public Trial

The judiciary is legally independent of executive or military influence in both communities. Cyprus inherited many elements of its legal system from the United Kingdom legal tradition, including the presumption of innocence, the right to due process, and the right of appeal. Throughout Cyprus a fair public trial is provided for in law and accorded in practice. Defendants have the right to be present at their trials, to be represented by counsel (at government expense for those who cannot afford one), to confront witnesses, and to present evidence in their own defense. There are no special courts to try security or political offenses. On the Turkish Cypriot side, civilians deemed to have violated military zones are subject to trial in a military court. These courts consist of one military and two civilian judges and a civilian prosecutor. Members of the Turkish Cypriot bar have complained that civilian judges tend to defer to their military colleagues in such hearings.

There were no reports of political prisoners.

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

Both the Cyprus Constitution and the basic law governing the Turkish Cypriot community include provisions protecting the individual against arbitrary interference by the authorities. A judicial warrant is required for a police official to enter a private residence. Turkish Cypriot police reportedly prevented the family of a murdered Turkish Cypriot journalist, Kutlu Adali, from entering his home for nearly a day, claiming that they were searching for evidence (see Section 1.a.)

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

#### a. Freedom of Speech and Press

Freedom of speech and the press are provided for by law and are freely practiced throughout the island. The proliferation of party and independent newspapers and periodicals in both communities enables ideas and arguments to circulate freely. Opposition papers frequently criticize the authorities. Several private television and radio stations in the Greek Cypriot community compete effectively with the government-controlled stations. Turkish Cypriot authorities retain a monopoly over local radio and television, but a new, private radio station is operating in addition to two smaller, university-run stations. International broadcasts are available without interference throughout the island, including telecasts

from Turkey and Greece.

In July journalist Kutlu Adali was killed (see Section 1.a.). Adali had written articles critical of Turkey's role in the north and particularly of the role of the Turkish military and of policies that allowed large numbers of Turkish workers into the north. Following Adali's murder, some Turkish Cypriot journalists have complained about surveillance and intimidation. Turkish Cypriot authorities have not responded adequately to such allegations.

Academic freedom is accorded wide respect throughout the island.

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

The freedom to associate, organize, and hold meetings is protected by law and respected in practice.

#### c. Freedom of Religion

Freedom of religion is respected in Cyprus. Although missionaries have the legal right to proselytize in both communities, missionary activities are closely monitored by the Greek Cypriot Orthodox Church and by both Greek Cypriot and Turkish Cypriot authorities. Turkish Cypriots residing in the southern part of the island and non-Muslims in the north are allowed to practice their religion. Restrictions on the right of Greek Cypriots resident in the north to visit Apostolos Andreas monastery have been eased. These Greek Cypriots may now visit the monastery every Sunday and on religious holidays. An application to replace a retiring priest is still pending.

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

Turkish Cypriots and Greek Cypriots enjoy freedom of movement within their respective areas. For most of the year, the Turkish Cypriot authorities generally approved applications for bicomunal meetings in the U.N.-controlled buffer zone. In October, however, they began to deny all applications for such meetings, citing the activities of a Greek Cypriot Member of Parliament. The Parliamentarian attempted to discourage tourists from crossing the buffer zone into the north. His associates struck at least one tourist and pounded on the cars of diplomats and others as they attempted to cross the zone. Turkish Cypriots who apply for permission to visit the south are required to justify their applications with formal invitations to events arranged by individuals or organizations resident in the Greek Cypriot community. Many of these applications are denied, often without an official reason, although the basis for most denials is clearly political and related to the state of intercommunal relations.

Turkish Cypriot authorities usually grant the applications of Greek Cypriot residents in the north to visit the government-controlled area. The limit on visits to the south is 15 days per month. The applicants must return within the designated period or risk losing their right to return and their property, although this rule is rarely enforced in practice. Turkish Cypriot authorities also permit close family relatives of Greek Cypriots resident in the north to visit twice per month (it was once per month until July) and allow one overnight stay per month. As in the past, Turkish Cypriot authorities permit school holiday visits by children under the ages of 16 (male) and 18 (female) residing in the government-controlled area. Turkish Cypriot authorities apply generally similar but slightly looser restrictions to visits by Maronite residents of the north to the government-controlled area and visits by Maronites living in the south to Maronite villages in the north.

Previously, persons of Greek Cypriot or Armenian origin, or even persons having Greek or Armenian names, faced considerable difficulties entering the north. In 1995 the Turkish Cypriot authorities

instituted a new policy under which third country nationals of Greek Cypriot origin would be permitted to visit the Turkish Cypriot-controlled areas. However, implementation of the procedures remains inconsistent, and several persons entitled to cross under the new guidelines were denied permission without apparent cause.

The Turkish Cypriot authorities since 1995 no longer require Greek Cypriots resident in the north to obtain police permits for travel to Famagusta or Nicosia. However, members of the Maronite community living in the north continued to need permits even to visit neighboring villages and are generally denied permission to visit areas in the north other than Morphou and Nicosia.

Republic of Cyprus authorities permit only day travel by tourists to the northern part of the island. They have declared that it is illegal to enter Cyprus except at authorized entry points in the south, effectively barring entry into the government-controlled area by foreigners who have entered Cyprus from the north. Following the March 1994 murder of the director of a Greek Cypriot association supporting Kurds in Turkey, the authorities placed significantly tighter controls on the movement of Turkish Cypriots to the areas under their control. Institutions and individuals sponsoring visits of Turkish Cypriots to the government-controlled areas must notify the police in advance and provide them with an exact itinerary.

The European Court of Human Rights ruled in an 11 to 6 vote in December that Turkey had committed a continuing violation of the rights of a Greek Cypriot woman by preventing her from going to her property located in north Cyprus. The ruling reaffirmed the validity of property deeds issued prior to 1974. The Court also found in this case that "It was obvious from the large number of troops engaged in active duties in northern Cyprus that the Turkish Army exercised effective overall control there. In the circumstances of the case, this entailed Turkey's responsibility for the policies and actions of the 'TRNC.'" Under the Council of Europe, each side has 6 months to make submissions regarding compensation.

In a similar development, the European Commission of Human Rights ruled that a complaint by the Government of Cyprus against Turkey was admissible. The case alleged that Turkey was responsible for the detention of persons missing since the 1974 conflict and for depriving Greek Cypriots from the northern part of Cyprus of the use of their lands. The Commission's procedural ruling made no judgment on the merits of the case.

The authorities respect the right to travel abroad and to emigrate. Turkish Cypriots have difficulty traveling to most countries because travel documents issued by the "Turkish Republic of Northern Cyprus" are recognized only by Turkey. Most Turkish Cypriots resort to utilizing Turkish travel documents instead.

Despite the absence of legislation, the Government of Cyprus regularly grants de facto first asylum. Cases are referred to the local office of the U.N. High Commissioner for Refugees for evaluation. There were approximately 60 such cases in 1996. If applicants are found to meet the criteria for refugee status, they are permitted to remain and are given temporary work permits. Applicants are not, however, generally granted permanent resettlement rights on the grounds that the Government already has enough responsibilities in caring for those displaced after the 1974 Turkish intervention. But they are permitted to remain until resettlement in a third country can be arranged. There were no reports of forced return of persons to a country where they fear persecution.

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

Multiparty political systems exist throughout Cyprus. Under the Republic's Constitution, political parties compete for popular support actively and without restriction. Suffrage is universal, and elections are held by secret ballot. Elections for the office of president are held every 5 years and for members of the House of Representatives every 5 years or less. The small Maronite, Armenian, and Latin communities elect nonvoting representatives from their respective communities, in addition to voting in elections for voting members. However, under the terms of the 1960 Constitution, Turkish Cypriots may only vote for the position of the Vice President and for Turkish Cypriot Members of Parliament. As a result, Turkish Cypriots living in the government-controlled area may not vote.

The Turkish Cypriots elect a leader and a representative body every 5 years or less. In April 1995, Turkish Cypriot voters elected Rauf Denktaş in elections deemed by observers to be free and fair. Greek Cypriots and Maronites living in the north are barred by law from participating in Turkish elections. They are eligible to vote in Greek Cypriot elections but must travel to the south to exercise that right. They may also choose their own village officials, but those elected are not recognized by the Government of Cyprus.

In both communities, women face no legal obstacles to participating in the political process. While clearly underrepresented in government, they hold some cabinet-level and other senior positions.

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

There are organizations in both parts of the island that consider themselves human rights groups, but they are generally concerned with alleged violations of the rights of their community's members by the other community. Groups with a broad human rights mission include organizations promoting awareness of domestic violence and others concerned with alleged police brutality.

There are no restrictions preventing the formation of human rights groups. Representatives of international human rights organizations have access throughout the island.

The United Nations, through the autonomous tripartite (United Nations, Greek Cypriot, Turkish Cypriot) committee on missing persons in Cyprus (CMP), is engaged in resolving the missing persons dilemma that remained from the intercommunal violence beginning in 1963-64 and the 1974 Turkish military intervention. The U.N. Secretary General has made continued support for the CMP contingent on evidence of a new spirit of cooperation between the Cypriot sides. In March Turkish Cypriot leader Denktaş told an interviewer that some of the Greek Cypriots listed as missing since 1974 were killed by Turkish Cypriot irregulars after having been captured by the Turkish army. In August Amnesty International alleged that the rules governing the CMP were inconsistent with relevant U.N. instruments, particularly the U.N. Declaration on the Protection of all Persons from Enforced Disappearance and recommend that the CMP be replaced by a U.N. commission of inquiry. In response the U.N. clarified publicly that the CMP was not an organ of the United Nations, and the Government of Cyprus stated that there was no plan to replace the CMP. Also during the year, a U.S. team continued efforts to ascertain the fate of five American citizens of Greek Cypriot origin who disappeared in the 1974 conflict.

#### **Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status**

Legislation in both communities provides for protection against discrimination based on sex, religion, or national, racial, or ethnic origin. While such laws are generally respected by each community, significant problems remain with the treatment of the Greek Cypriots and Maronites living in the north

and, to a lesser extent, with the treatment of Turkish Cypriots living in the government-controlled area.

## Women

There are reports of spousal abuse in the Greek Cypriot community, and the problem is believed to be significant. A 1994 law aimed at making spousal abuse easier to report and prosecute has had little effect because key provisions remain unfunded and unimplemented. Many suspected cases of domestic violence do not reach the courts, largely because of family pressure and the wife's economic dependence on her husband. An organization formed to address the domestic abuse problem reports an increasing number of calls over its hot line, although definitive statistics on the number of incidents are not available. Very few cases tried in the courts result in convictions. There is little public discussion of domestic violence in the Turkish Cypriot community, although a report issued by the Women's Research Center described such violence as common. A women's shelter opened in 1994. Domestic violence cases are rare in the Turkish Cypriot legal system as they are often considered a "family matter."

Throughout Cyprus women generally have the same legal status as men. However, under Turkish Cypriot law, the man is legally considered to be the head of the family and can decide on the family's place of residence and insist that his wife take his name. Turkish Cypriot women are not permitted to marry non-Moslem men. While legal provisions in both communities requiring equal pay for men and women performing the same job are effectively enforced at the white collar level, Turkish Cypriot women employed in the agricultural and textile sectors routinely are paid less than their male counterparts.

In the Greek Cypriot community, women face discrimination that denies them the ability to pass on citizenship to their children if they marry foreign spouses. Under existing law, only a Greek Cypriot male may transmit citizenship to his children automatically or obtain expeditious naturalization for his foreign spouse.

In the Turkish Cypriot community, women face discrimination in divorce proceedings with regard to property acquired during the marriage. Divorced women also face a pervasive problem of inadequate awards of child support or nonpayment of child support. Legal remedies are difficult to obtain or enforce.

Republic of Cyprus law forbids forced prostitution. However, there continue to be allegations that women, generally East Asian or Eastern European night club performers, are forced into prostitution in the Greek Cypriot community. To date there have been few arrests since the women, fearing retaliation by their employers, generally do not press charges. However, at least one trial was in progress by year's end. In the Turkish Cypriot community, there are an estimated 300 to 350 women--mostly from Eastern Europe--working as prostitutes. These women often must surrender their passports to the club owners and are sometimes prohibited even from making private phone calls.

Reports on the mistreatment of maids are frequent in the Greek Cypriot press. These reports usually involve allegations that maids, often from East or South Asia, have been forced to work under inhuman circumstances. While these women generally receive fair treatment when their cases come before the courts, many women do not file charges, fearing retribution from their employers.

## Children

Both the Government and the Turkish Cypriot authorities demonstrate a strong commitment to children's welfare. There is no pattern of societal abuse of children nor any difference in the health care and

educational opportunities available to boys and girls.

### People With Disabilities

In the Greek Cypriot community, disabled persons applying for a public sector position are entitled to preference if they are deemed able to perform the required duties and their qualifications equal those of other applicants. In the Turkish Cypriot community, regulations require businesses to employ 1 disabled person for every 25 positions they fill, although enforcement is ineffective. Disabled persons do not appear to be discriminated against in education and the provision of state services. Legislation also mandates that new public buildings and tourist facilities provide access for the disabled. The Turkish Cypriot community has not yet enacted legislation to provide for such access.

In August the University of Cyprus announced acceptance of its first legally blind student.

### National/Racial/Ethnic Minorities

Both the Government of Cyprus and the Turkish Cypriot administration have constitutional or legal bars against discrimination. The basic agreement covering treatment of Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south remains the Vienna III agreement signed in 1975. This document provides for voluntary transfer of populations, free and unhindered access by UNFICYP to Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south, and facilities for education, medical care, and religious worship. UNFICYP access to Greek Cypriots and Maronites living in the north remains limited. There are no Greek-language educational facilities for Greek Cypriot or Maronite children in the north beyond elementary education, forcing parents in many instances to choose between keeping their children with them or sending them to the south for further education (in which case they may no longer return permanently to the north). Despite recent improvements, Greek Cypriots and Maronites living in the north are unable to move about freely (see Section 2.d.) or to change their housing at will. Maronites living in the north also face a pervasive system of petty restrictions on their right of movement and generally lack public services available in most other Turkish Cypriot areas.

In February the rapporteur of the Council of Europe's Parliamentary Assembly visited Greek Cypriots living in the north. The rapporteur, the late Lord Finsberg, stated that he was "shocked" by the conditions he found among these Greek Cypriots. In May a Dutch member of the same organization also demanded substantial improvements in the living conditions of Greek Cypriots and Maronites living in the north. Some Turkish Cypriots living in the government-controlled area face difficulties in obtaining identification cards and other government documents, especially if they were born after 1974. Turkish Cypriots also appear to be subjected to harassment and surveillance by the Greek Cypriot police. A number of Turkish Cypriots who work in the government-controlled area but do not live there, along with their employers, received anonymous threats following the killing of two Greek Cypriots in August (see Section 1.a.). As a result, many of these Turkish Cypriots did not report to work and were dismissed. The Cyprus Government, which stated that it could not guarantee the safety of the Turkish Cypriot workers, undertook to provide unemployment benefits to those living in the mixed Greek Cypriot-Turkish Cypriot village of Pyla, located in the U.N.-patrolled buffer zone.

## Section 6 Worker Rights

### a. The Right of Association

All workers, except for members of the police and military forces, have the legal right to form and join

trade unions of their own choosing without prior authorization. In the government-controlled area, police officers also have the right to join associations that have the right to bargain collectively, although not to strike. More than 82 percent of the Greek Cypriot work force belong to independent trade unions. Approximately 50 to 60 percent of Turkish Cypriot private sector workers and all public sector workers belong to labor unions.

In the Turkish Cypriot community, union officials have alleged that various firms have been successful in establishing "company" organizations and then applying pressure on workers to join these unions. Officials of independent labor unions have also accused the Turkish Cypriot authorities of creating rival public sector unions to weaken the independent unions. The International Labor Organization (ILO) has not yet acted on these complaints. There are no complaints outstanding against the Government of Cyprus.

In both communities, trade unions freely and regularly take stands on public policy issues affecting workers and maintain their independence from the authorities. Two of the major trade unions, one in each community, are closely affiliated with political parties. Both of the remaining major unions are independent.

All workers have the right to strike, and several strikes, usually of short duration, occurred. In the northern part of the island, however, a court ruling from 1978 gives employers an unrestricted right to hire replacement workers in the event of a strike, thereby limiting the effectiveness of the right to strike. Authorities of both the Greek Cypriot and Turkish Cypriot communities have the power to curtail strikes in what they deem to be "essential services," although this right is rarely used.

Unions in both parts of Cyprus are able to affiliate with international trade union organizations.

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

Trade unions and confederations by law are free to organize and bargain collectively throughout Cyprus. This right is observed in practice in the government-controlled areas, and most wages and benefits are set by freely negotiated collective agreements. However, Greek Cypriot collective bargaining agreements are not enforceable under the law. In the rare instances when such agreements are believed to have been infringed, the Ministry of Labor is called in to investigate the claim. If the Ministry is unable to resolve the dispute, the union may call a strike to support its demands. In practice, however, such alleged violations are extremely rare; there were no reported instances in 1996.

In the Turkish Cypriot community, where inflation exceeded 70 percent over the year, wage levels are reviewed twice a year for the private sector and six times a year for public sector workers, and a corresponding cost-of-living raise is established. A special commission composed of five representatives each from organized labor, employers, and the authorities conducts the review. Union leaders contend that private sector employers are able to discourage union activity because enforcement of labor and occupational safety regulations is sporadic and penalties for antiunion practices are minimal. As in the Greek Cypriot community, parties to a dispute may request mediation by the authorities.

Small export processing zones exist in Larnaca Port and Famagusta, but the laws governing working conditions and actual practice are the same as those outside the zones.

#### c. Prohibition of Forced or Compulsory Labor

Forced or compulsory labor is prohibited by law, and this prohibition is generally observed.

#### d. Minimum Age for Employment of Children

In both the Greek Cypriot and Turkish Cypriot communities, the minimum age for employment of children in an "industrial undertaking" is 16 years of age. Turkish Cypriots may be employed in apprentice positions at the age of 15. There are labor inspectors in both communities. However, in family-run shops it is common to see younger children working, and according to press reports in August, children as young as 11 or 12 years of age were working in factories during their school holidays in the Turkish Cypriot community.

#### e. Acceptable Conditions of Work

The legislated minimum wage in the Greek Cypriot community, which is reviewed every year, is approximately \$484 (225 Cyprus pounds) per month for shop assistants, practical nurses, clerks, hairdressers, and nursery assistants. This amount is insufficient to provide an adequate living for a worker and family. All other occupations are covered under collective bargaining agreements between trade unions and employers within the same economic sector, and the wages set in these agreements are significantly higher than the legislated minimum wage. The legislated minimum wage in the Turkish Cypriot area, while subject to frequent review because of high inflation, is approximately \$150 (14.8 million Turkish lira) per month as of mid-1996. This amount is not adequate to support a worker and family. Unskilled workers typically earn about \$267 (26.4 million Turkish lira) per month, which is barely adequate to support a family.

A significant percentage of the labor force in the north consists of illegal workers, mostly from Turkey. According to some estimates, illegal workers constitute as much as 25 percent of the total work force there. There are frequent allegations that such workers are subject to mistreatment, including nonpayment of wages and threats of deportation.

In the Greek Cypriot community, the standard workweek is an average of 39 hours in the private sector. In the public sector, it is 37 1/2 hours during the winter and 35 hours in the summer. In 1992, however, Greek Cypriot unions won concessions that reduce the workweek for most blue collar workers by one-half hour per year until 1997 when a 38-hour workweek will be in place for most sectors of the economy. In the Turkish Cypriot community, the standard workweek is 38 hours in winter and 36 hours in summer. Labor inspectors effectively enforce these laws.

Greek Cypriot labor union leaders have complained that occupational and safety standards lack important safeguards. Factories are typically licensed by municipalities rather than the Government, resulting in an uneven application of environmental and work safeguards. A proposed bill to harmonize health and safety standards with those of the European Union failed to win approval in 1995. It continues to receive widespread support and is expected to pass eventually.

Occupational safety and health regulations are administered at best sporadically in the Turkish Cypriot area. In both areas, factory inspectors process complaints and inspect businesses in order to ensure that occupational safety laws are observed. Turkish Cypriot workers who file complaints do not receive satisfactory legal protection and may face dismissal.

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