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U.S. Department of State

Cyprus Country Report on Human Rights Practices for 1997

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CYPRUS

Prior to 1974, Cyprus experienced a long period of intercommunal strife between its Greek and Turkish Cypriot communities. The island has been divided since the Turkish military intervention of 1974, following a coup d'etat directed from Greece. Since 1974 the southern part of the 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 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 21 percent of gross domestic product and employ 27 percent of the labor force. In 1996 per capita income was approximately \$13,580, inflation was 3 percent, and unemployment was 3.1

percent. Growth in 1996 slowed to 1.9 percent (from 6 percent in 1995). 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 1996 per capita income in the north was approximately \$3,450, and inflation was 87 percent. The economy in the north recorded negative growth of 1.1 percent in 1996 (after 2.7 percent growth in 1995).

The Republic of Cyprus and the Turkish Cypriot authorities generally respect human rights norms and practices. Police brutality continued to be a problem; discrimination and violence against women also remained problems. Although the Turkish Cypriot authorities have taken 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 restrictions on meetings between members of the two communities outside the United Nations-controlled buffer zone. They approved most applications for meetings in the buffer zone. 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

There were no reports of political or other extrajudicial killings.

Turkish Cypriot authorities have not conducted a credible investigation of the 1996 murder of a prominent leftist Turkish Cypriot journalist, Kutlu Adali, who had written articles critical of Turkey's role in the north and particularly on the role of the Turkish military and of policies which allowed large numbers of Turkish workers into the north.

In August 1996, Turkish Cypriot civilian police killed a Greek Cypriot demonstrator who had entered the U.N. buffer zone and participated in the beating death of another. There has not been any significant investigation by Turkish Cypriot authorities of the killings. The Government of Cyprus stated that it will press for legal action against the killers, and the victims' families have filed a case against Turkey at the European Commission of Human Rights.

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.

A series of allegations emerged of Cypriot police brutality against suspects in detention, mostly involving non-Cypriots. Turkish Cypriots allege that two Turkish Cypriots, arrested near the buffer zone by Greek Cypriot police in October on smuggling charges, were tortured. However, U.N. officials who

examined the two men found no evidence that supported their claims. Turkish Cypriot authorities also claimed that their arrest was a frameup. The men are scheduled for trial in January 1998; they have had access to attorneys.

Three high-ranking Greek Cypriot police officials were fired in 1996 after an independent commission concluded that torture was used systematically at a Limassol police station. The three regained their positions in December when the Supreme Court ruled that their firings were unconstitutional, although they were not exonerated. Official action is still pending against the Cypriot police involved in a 1995 case of torture of a suspected Turkish Cypriot drug smuggler, Erkan Egmez. Egmez was released and has returned to the north.

In July 1996, the European Commission of Human Rights decided that the rights of Lefteris Andronicou and Elsi Constantinou had been violated by the Cyprus government in a botched hostage rescue attempt in 1993 during which they were killed. The Cypriot Government appealed the case to the European Court of Human Rights, which decided in October that excessive force was not used by Cypriot police in the rescue attempt and that no human rights violations had occurred.

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 routine harsh treatment of detainees (see Section 1.d.).

Prison conditions are generally adequate in both communities.

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 a 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 police to enter a private residence.

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. Following passage of new legislation during the year, Turkish Cypriot authorities no longer have a monopoly over local radio and television. Three new, private radio stations are operating, in addition to two smaller, university-run stations, and two private television stations are broadcasting, with a third planned. International broadcasts are available without interference throughout the island, including telecasts from Turkey and Greece.

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 generally 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.

Mormon missionaries in the Greek Cypriot community experienced increased harassment during the year. Several anti-Mormon programs were aired on the Orthodox Church-owned television station. In April four missionaries were briefly detained by local police. In September Mormon missionaries in the major cities of Nicosia, Limassol, and Larnaca were called to police offices and interrogated extensively about their religious beliefs and church membership. They were not alleged to have committed any crimes but were told that the Orthodox Church opposed their presence in Cyprus. When informed of

these events, senior Cypriot police authorities expressed their concern and promised to investigate; they later said that the events had been the "freelance" work of individual police and that they would not happen again. No further incidents have been reported.

In December two Jehovah's Witnesses were imprisoned for 16 and 18 months respectively for refusing to perform required military service. They also refused alternative unarmed military service, which is available but requires an additional 10 to 16 months of service.

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, in groups of 20 or more, 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. Until late December, Turkish Cypriot authorities approved most applications for bicomunal meetings in the U.N.-controlled buffer zone, but on December 27 they suspended all of these meetings pending a reevaluation of bicomunal activities. 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, as are many applications by Greek Cypriots from the south to visit the area under Turkish Cypriot administration. 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 1996) 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. This year 700 grown children and grandchildren of Greek Cypriots living in the north visited the north and stayed overnight during the Christmas and New Year holidays. Similar restrictions exist for 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, but they are applied much more loosely than restrictions on Greek Cypriots, and Maronite travel is relatively free.

The case of Eleni Foka, a Greek Cypriot teacher in the north, attracted considerable public attention. Foka alleged that she had been mistreated by Turkish Cypriot authorities, and she destroyed her "TRNC" identity card. Later, she was denied permission by Turkish Cypriot authorities to travel to the government-controlled area for medical attention unless she renewed her identity card. After several months, Foka was permitted to come to the south for medical treatment, but she has not been able to return to the north. Her case remains under discussion by Greek and Turkish Cypriot authorities. In the meantime, both Foka and a retiring Greek Cypriot teacher have been replaced in the north by new Greek Cypriot teachers.

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 Cypriots 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.

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. Members of the Maronite community living in the north need permits to travel in the north. While most obtain them without difficulty, the permit process allows authorities to restrict the Maronites' movements should they so desire.

The 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. As a rule, Turkish Cypriot authorities allow visits to the north by persons who initially enter Cyprus in the south, but they have denied entry to persons of Turkish Cypriot origin who enter Cyprus in the south. Following the 1994 murder of the director of a Greek Cypriot association supporting Kurds in Turkey, the Greek Cypriot authorities placed significantly tighter controls on the movement of Turkish Cypriots to the south. 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.

Following agreement in April on reciprocal visits to religious sites, the Cypriot Government permitted over 400 Turkish Cypriots to make a pilgrimage to a Moslem shrine in the south, the first such visit since 1974. However, later in April, a Greek Cypriot group of approximately 600 persons did not make the reciprocal visit to an Orthodox monastery in the north because of Turkish Cypriot demands that 3 names on the list of visitors be removed. In August Turkish Cypriot authorities permitted unhindered passage of 650 Greek Cypriots to the monastery for an Orthodox holy day. In November another group of approximately 1,200 Greek Cypriots was allowed to visit the monastery.

In December 1996 the European Court of Human Rights ruled 11 to 6 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 northern 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.'" A hearing by the Court on compensation was held on November 27, and a ruling is expected in 1998.

In a similar development, the European Commission of Human Rights ruled that a complaint by the Government of Cyprus against Turkey was admissible. The complaint 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.

Although asylum legislation remains pending in the legislature, the Government of Cyprus regularly grants de facto first asylum. Cases are referred to the local office of the United Nations High

Commissioner for Refugees (UNHCR) for evaluation. There were approximately 70 such cases in 1997. 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. Applicants are permitted to remain until resettlement in a third country can be arranged. There were no reports of the forced return of persons to a country where they fear persecution. In both the north and the south, cooperation with U.N. refugee authorities is excellent. UNHCR is not aware of any cases of asylum seekers in the north in recent years.

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. Since the breakdown in 1963 of bicomunal governing arrangements, and since the 1974 partition of the island, Turkish Cypriots living in the government-controlled area are barred from voting there, although they may travel to the north to vote in elections.

Turkish Cypriots living in northern Cyprus elect a leader and a representative body every 5 years or less. In 1995 Turkish Cypriot voters elected Rauf Denktash as their leader 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 Cypriot elections. They are eligible to vote in Greek Cypriot elections but must travel to the south to exercise that right. They also may 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, judicial, 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 generally are 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 attempting to resolve the missing persons dilemma that remained from the intercommunal violence beginning in 1963-64 and the 1974 Turkish military intervention. However, the CMP has made little progress. On July 31, the leaders of the Greek and Turkish Cypriot communities agreed to collect and share information on missing persons by the end of September, outside of the CMP process. Although there was ultimately no exchange of information in September, both sides stressed their willingness to implement the agreement as rapidly as possible, and the collection of data continues. Meanwhile, the United States continued its efforts to ascertain the fate

of five American citizens missing since 1974.

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

Spousal abuse in the Greek Cypriot community is receiving increasing attention, 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 definite statistics on the number of incidents are not available. A shelter for battered women is scheduled to open in early 1998. 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 since they are often considered a "family matter."

Throughout Cyprus, women generally have the same legal status as men. However, under current Turkish Cypriot law, the man is legally considered the head of the family and can decide 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 in Cyprus, but can do so outside Cyprus and then return with their husbands and live in the north without difficulty. 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, credible reports continue 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 and unable to support themselves, generally do not press charges. Two employers were convicted early in the year on charges of forcing women into prostitution and were sentenced to jail terms of 6 and 10 months respectively. 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 sometimes are 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 treated inhumanely by their employers or fired without cause in violation of their contracts. Many women do not complain to the authorities, fearing retribution from their employers. Those who do file charges run the risk of being fired and then deported.

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 Cyprus generally, disabled persons do not appear to be discriminated against in education or the provision of state services. 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. Legislation also mandates that new public buildings and tourist facilities provide access for the disabled. In the Turkish Cypriot community, regulations require businesses to employ 1 disabled person for every 25 positions they fill, although enforcement is inconsistent. While there is increasing awareness of the issue, the Turkish Cypriot community has not yet enacted legislation to mandate access for the disabled to public buildings and other facilities.

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 the UNFICYP to Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south, and facilities for education, medical care, and 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). Greek Cypriots living in the north complain of lack of access to telephones and vandalism of Orthodox churches. Despite recent improvements, Greek Cypriots and Maronites living in the north are unable to move about freely (see section 2.d.) and to change their housing at will. Maronites in the north also lack many public services available in most other Turkish Cypriot areas. In May the Rapporteur of the Council of Europe's Parliamentary Assembly visited Greek Cypriots living in the north. The Rapporteur, Andras Barsony, stated that the conditions he found among these Greek Cypriots were "appalling," although he said there had been improvements since the previous year.

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. One Turkish Cypriot man was murdered in the south in August by unknown assailants. While authorities in the north alleged the man was targeted because he was Turkish, the evidence suggests that he was involved in criminal gang activities that led to his killing. A number of Turkish Cypriots who worked in

the government-controlled area but did not live there lost their jobs following the August 1996 killing of two Greek Cypriots in the buffer zone. The Cyprus Government, which stated it could not guarantee the safety of the Turkish Cypriot workers, provided 6 months of unemployment benefits to those living in the mixed Greek Cypriot-Turkish Cypriot village of Pyla, but no one has been rehired.

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 belongs 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 also have 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 other 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 legally enforceable. In the rare instances when such agreements are believed to have been infringed, the Ministry of Labor investigates 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 was only one strike during the year.

In the Turkish Cypriot community, where inflation exceeded 80 percent during the year, wage levels are reviewed twice a year for private sector workers 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, including that performed by children, is prohibited by law, and this prohibition is generally observed.

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

Laws prohibit forced and bonded child labor, and these laws are effectively enforced in both the Greek Cypriot and Turkish Cypriot communities (see Section 6.c.). In both 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 after school, and according to press reports, children as young as 11 or 12 years of age work in factories or orchards 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 \$448 (236 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, was approximately \$210 per month as of mid-year. This amount is not adequate to support a worker and family. Unskilled workers typically earn about \$267 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 in the private sector averages of 39 hours for white-collar workers and 38 hours for blue-collar workers. In the public sector, it is 37½ hours during the winter and 35 hours in the summer. In the Turkish Cypriot community, the standard workweek is 38 hours in winter and 36 hours in summer. Labor inspectors effectively enforce these laws.

Steps were taken during the year to improve health and safety standards in the workplace in the government-controlled area. On January 1, a law took effect harmonizing health and safety standards with those in the European Union (EU). The new law incorporates EU principles and standards for health and safety in the workplace and complies fully with the ILO Convention of 1981 on occupational health and safety. A second law entered into effect on November 1, requiring employers to provide liability insurance coverage for work-related injuries.

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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