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**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

## Question of human rights in Cyprus

### Report of the Office of the United Nations High Commissioner for Human Rights\*

#### *Summary*

The present report provides an overview of human rights issues in Cyprus from 1 December 2022 to 30 November 2023, including with respect to the right to life and the question of missing persons; the principle of non-discrimination; freedom of movement and the right to seek asylum; property rights; freedom of religion or belief and cultural rights; freedom of opinion and expression; the right to education; and the importance of adopting a gender perspective in the peace process. While the island gradually returned to normality despite the continued presence of the coronavirus disease (COVID-19), the socioeconomic disparity between the two communities has widened further.

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## I. Introduction

1. The Office of the United Nations High Commissioner for Human Rights (OHCHR) prepared the present report pursuant to Commission on Human Rights resolutions 4 (XXXI), 4 (XXXII), 17 (XXXIV) and 1987/50 and Human Rights Council decision 2/102.
2. Cyprus has remained divided since the Turkish intervention of 1974, with a buffer zone maintained by the United Nations Peacekeeping Force in Cyprus (UNFICYP). In its resolution 2674 (2023), the Security Council, in addition to extending the mandate of UNFICYP until 31 January 2024, noted with regret the lack of progress towards restarting formal negotiations, encouraged further rounds of informal talks under the auspices of the United Nations and urged both sides to engage actively with the Secretary-General and his team to that end and to reach an agreement on a United Nations envoy.
3. Public interest increased in a renewed dialogue on the Cyprus issue following the election in February 2023 of a new Greek Cypriot leader, who stated that the Cyprus issue was his top priority, and elections in Greece and Türkiye. While the Greek Cypriot leader and Turkish Cypriot leader met twice in 2023, they held no substantive exchanges, and both sides maintained their divergent positions, including on core peace process issues.
4. The Secretary-General, together with senior United Nations officials, continued to engage with the two sides and the guarantor powers and underscored his commitment to finding a way forward to address the Cyprus issue, including on the appointment of an envoy on Cyprus.
5. In the absence of active peace talks, the regular meetings held between the Special Representative of the Secretary-General in Cyprus and Head of UNFICYP, who also acts as the Deputy Special Adviser to the Secretary-General on Cyprus, with representatives of the leaders of the two communities remained a crucial channel for contact and cooperation on issues of shared importance.
6. Developments in the Pyla/Pile plateau in August 2023, however, contributed to a gap in political meetings between the representatives of the two leaders, demonstrating how buffer zone issues can negatively affect the situation on the island. UNFICYP took actions to block the unilateral construction by the Turkish Cypriot authorities of a road to connect the villages of Arsos/Yiğitler and Pyla/Pile, which led to an assault against UNFICYP peacekeepers. The political meetings resumed once the two sides and UNFICYP reached an understanding allowing for civilian development on the plateau to benefit both Turkish Cypriots and Greek Cypriots in the area, including the construction of the Arsos/Yiğitler-Pyla/Pile road and other roads, following intense political engagement. This positive outcome was achieved thanks to the political will of both sides and the constructive approach they took to reach a compromise. The international community's support, including the guarantor powers, was also crucial.
7. To prepare the present report in the absence of a field presence in Cyprus, OHCHR relied on a variety of sources with knowledge of the situation of human rights on the island and on the recent findings of international and regional human rights mechanisms and of the Secretary-General, the Security Council, and European Union institutions. A representative of OHCHR also visited Cyprus from 16 to 20 October 2023, during which they engaged with stakeholders. OHCHR expresses its appreciation for the cooperation provided during its visit by UNFICYP, the Greek Cypriot authorities, the Turkish Cypriot authorities and other stakeholders. UNFICYP, the Secretary-General's good offices mission, the Committee on Missing Persons in Cyprus, the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Programme, the International Organization for Migration and other stakeholders were also consulted in the preparation of the report.

## II. Challenges for the implementation of international human rights standards

8. United Nations human rights mechanisms previously voiced their concerns about the factors impeding the implementation of international human rights law and standards on the whole island because of its continued division. They noted that the Republic of Cyprus was unable to ensure the application of international human rights instruments to which it is a party in areas outside its effective control and the general absence of information about the situation of human rights in the northern part of Cyprus.<sup>1</sup> Monitoring and reporting by international mechanisms on that situation in the northern part of Cyprus have thus remained limited.

9. Against that background, OHCHR delivered an intercommunal capacity-building training course on 19 October 2023 for about 40 civil society actors in Cyprus on engagement with United Nations human rights mechanisms and follow-up to their recommendations. On 9 November, OHCHR organized another capacity-building meeting in Geneva on the same topic with members of Human Rights Platform,<sup>2</sup> which the European Union continued to support through a direct grant under its Aid Programme for the Turkish Cypriot community.<sup>3</sup>

10. The Human Rights Platform monitored and reported on the situation of human rights and conducted advocacy and capacity-building activities within the Turkish Cypriot community. In addition to supporting victims of human rights violations, the Platform published its first monitoring reports on human trafficking; refugees' rights; LGBTIQ+ rights; the rights to freedoms of peaceful assembly, association and expression; and detention conditions and freedom from torture.<sup>4</sup>

11. The 12 technical committees, facilitated by the Secretary-General's good offices mission with the support of UNFICYP, continued to be indispensable for interaction and cooperation between the two sides on mutually important issues, despite the negative political atmosphere, including the situation in and around the buffer zone. While the work of the Technical Committees on Cultural Heritage and on Education faced challenges, other technical committees continued to work once understanding were reached concerning the Pyla/Pile plateau. The Technical Committees on Broadcasting, Culture, Environment, and Economic and Commercial Matters approved projects in the last quarter of 2023.

## III. Human rights concerns

12. The division of Cyprus since the Turkish intervention of 1974 continued to affect the realization of human rights throughout the island, including with respect to the right to life and the question of missing persons; the principle of non-discrimination; freedom of movement and the right to seek asylum; property rights; freedom of religion or belief and cultural rights; freedom of opinion and expression; and the right to education. In addition, it remained important that a gender perspective be adopted in the context of the peace process.

13. In its resolution 2674 (2023), the Security Council echoed the Secretary-General's finding that the socioeconomic disparity between the two communities had widened further, disproportionately affecting the Turkish Cypriot Community. The Secretary-General had noted that obstacles to greater economic interaction between the two communities continued to prevent interdependence and to limit daily intercommunal exchanges that would foster conditions for sustainable peace. He noted that deeper economic, social, cultural, sporting and other contacts would help to address the increasing concerns of Turkish Cypriots regarding their isolation and to promote intercommunal trust.<sup>5</sup>

<sup>1</sup> CRC/C/CYP/CO/5-6, para. 4.

<sup>2</sup> <https://insanhaklariplatformu.eu/about?lang=en>.

<sup>3</sup> European Commission, Report to the European Parliament and the Council (COM(2023) 355), 29 June 2023, p. 6; see also Council Regulation (EC) No. 389/2006 of 27 February 2006.

<sup>4</sup> <https://insanhaklariplatformu.eu/kaynak?lang=en>.

<sup>5</sup> S/2023/498, paras. 61–62.

## A. Right to life and the question of missing persons

14. According to article 3 of the Universal Declaration of Human Rights, everyone has the right to life, liberty and security of person.<sup>6</sup> Article 1 of the Declaration on the Protection of All Persons from Enforced Disappearance provides that any act of enforced disappearance is an offence to human dignity, placing the persons subjected thereto outside the protection of the law and inflicting severe suffering on them and their families. Any act of enforced disappearance also violates or constitutes a grave threat to the right to life.

15. As a result of the intercommunal fighting of 1963 and 1964 and the events of July 1974 and thereafter, both communities officially reported 1,510 Greek Cypriots and 491 Turkish Cypriots as missing to the Committee on Missing Persons in Cyprus. The tripartite Committee continued its bicomunal project on the exhumation, identification and return of the remains of missing persons thanks to funding from donors, with the European Union being the main contributor. As at 30 November 2023, the Committee had exhumed the remains of 1,223 individuals on both sides of the island and identified 1,036 missing individuals. During the reporting period, 27 persons were exhumed, and eight individuals were identified as missing persons and returned to their families for dignified burial. Three other individuals not on the official list of missing persons were identified and returned to their families.

16. As at 30 November 2023, the Committee had identified 91 potential burial sites ready for excavation. The Committee conducted excavations in seven of the military areas in the northern part of Cyprus to which access had been granted in June 2019, with six recoveries made.

17. On 28 July 2023, the Greek Cypriot leader and the Turkish Cypriot leader jointly visited the Committee's anthropological laboratory and reaffirmed their strong support for its humanitarian operation. It was the first joint visit since 2015.

18. In order to obtain additional information on the location of possible burial sites, the Committee continued its efforts to gain access to information from the archives of countries and organizations that had maintained a military, police or humanitarian presence in Cyprus in 1963–64 and 1974. The Turkish Cypriot office of the Committee continued to have access to Turkish army aerial photos taken in 1974 and the Greek Cypriot office of the Committee continued to research the Republic of Cyprus National Guard archives of 1974.<sup>7</sup> The Committee completed its own review of Cyprus-related archives at United Nations Headquarters in New York, UNFICYP in Nicosia, the headquarters of the International Committee of the Red Cross in Geneva and the British National Archives in London.

19. In its resolution 2674 (2023), the Security Council commended the ongoing work of the Committee and called upon all parties to enhance their cooperation with it, including by providing full access without delay to all areas and responding in a timely manner to requests for archival information on possible burial sites.

20. In its concluding observations on the fifth periodic report of the Republic of Cyprus, the Human Rights Committee noted the State party's efforts to identify Greek Cypriots and Turkish Cypriots who remain missing and to investigate these disappearances. It expressed concern, however, at the lack of recent prosecutions and of a specific programme to ensure appropriate redress for families of victims. The Committee recommended that the State party should continue to support the Committee on Missing Persons, ensure that families of victims obtain full reparation, reconsider creating a truth and reconciliation commission and consider ratifying the Convention for the Protection of All Persons from Enforced Disappearance.<sup>8</sup>

21. The Ministers' Deputies of the Council of Europe continued to supervise the execution of judgments regarding Greek Cypriot missing persons and their families. On 9 March 2023, they acknowledged the progress made with regard to the fate of Greek Cypriot missing persons since the *Cyprus v. Turkey* judgment in May 2001, in particular the assistance given

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<sup>6</sup> See also the International Covenant on Civil and Political Rights, art. 6 (1).

<sup>7</sup> S/2023/498, para. 53.

<sup>8</sup> CCPR/C/CYP/CO/5, paras. 17–18.

by the Turkish authorities to the Committee on Missing Persons and the work of the Missing Persons Unit. The Ministers' Deputies called upon the Turkish authorities to continue to ensure that the Committee had access to all areas that could contain the remains of missing persons and to all relevant information on any places where remains might be found. They invited the Turkish authorities to ensure the continuation of the investigations conducted by the Missing Persons Unit and to submit updated information regarding its work. The Ministers' Deputies deplored the absence of a response to its interim resolutions concerning the payment of the just satisfaction awarded in *Cyprus v. Turkey* and in *Varnava and Others v. Turkey*, and urged Türkiye to effectuate these payments without further delay.<sup>9</sup>

22. On 7 June 2023, the Ministers' Deputies issued a decision on the supervision of the execution of the judgments in *Kakoulli and Isaak groups v. Turkey*. They recalled that the cases in question concerned four killings and one life-threatening injury of Greek Cypriots in 1996, three of which took place in or around the buffer zone, due to the excessive use of force or firearms by Turkish or Turkish Cypriot military or police, and the lack of effective and impartial investigations. They noted that no similar incidents involving the use of firearms by the military and police had occurred since 1996, which reflected the positive impact of training, and that primary legislation concerning the police and the military had been applied in a manner that had not resulted in the loss of life. The Ministers' Deputies welcomed the information according to which sufficient arrangements existed to ensure that investigative officers did not belong to the same military body as those involved in an offence, and found that no further measures were needed. They welcomed the willingness of the Turkish authorities to continue their close cooperation with the secretariat to clarify the outstanding questions regarding their obligation to carry out effective investigations in these cases.<sup>10</sup>

23. The presence of landmines and explosive remnants of war can negatively affect several rights, including the right to life. In its resolution 2674 (2023), the Security Council again urged the leaders of both communities to agree on and continue a plan of work to achieve a mine-free Cyprus, and to overcome existing barriers to make expeditious progress towards clearing the 29 remaining suspected hazardous areas on the island.

24. Despite this request, no progress was made regarding the clearing of the 29 remaining areas owing to the current political climate. While the Turkish Cypriot security forces expressed potential interest in the subject if it were to involve reciprocity from the other side, the National Guard did not wish to discuss the matter. The United Nations Mine Action Service continued to research options for the next phase of clearance activities to be presented to the two sides.<sup>11</sup>

## B. Non-discrimination

25. According to article 1 of the Universal Declaration of Human Rights, all human beings are born free and equal in dignity and rights. Article 7 provides that all people are equal before the law and are entitled without any discrimination to equal protection of the law.<sup>12</sup> Furthermore, all people are entitled to equal protection against any discrimination and against any incitement to such discrimination.

26. The division of Cyprus and its ongoing effects continued to prevent the full realization of the rights to equality and non-discrimination for all persons. Many people, including their descendants, were internally displaced by the events of 1963/4 and 1974. An estimated

<sup>9</sup> Council of Europe Committee of Ministers, 1459th meeting, 7–9 March 2023, on *Cyprus v. Turkey* (CM/Del/Dec(2023)1459/H46-25) and *Varnava v. Turkey* (CM/Del/Dec(2023)1459/H46-30).

<sup>10</sup> Council of Europe Committee of Ministers, 1468th meeting, 5–7 June 2023, on *Kakoulli and Isaak groups v. Turkey* (CM/Del/Dec(2023)1468/H46-34).

<sup>11</sup> S/2023/498, para. 25.

<sup>12</sup> See also the International Covenant on Civil and Political Rights, art. 26; and the International Covenant on Economic, Social and Cultural Rights, art. 2 (2).

246,000 persons remain displaced in Cyprus, which had the fifth highest number of internally displaced persons in Europe and Central Asia in 2022.<sup>13</sup>

27. UNFICYP continued to engage with the Greek Cypriot and Maronite communities living in the north, including through humanitarian deliveries and post-mortem transfers, and to facilitate access to social welfare benefits for eligible Turkish Cypriots in the south.<sup>14</sup>

28. In its concluding observations on the fifth periodic report of the Republic of Cyprus, the Human Rights Committee expressed concern about reported obstacles hindering Turkish Cypriot voting rights, such as the distance from polling places and lack of access to information, and the resulting limited representation of Turkish Cypriots, and that Turkish Cypriots living in the northern part of Cyprus are prohibited from standing for election in areas under the effective control of the Republic of Cyprus. The Committee recommended that the State party should take immediate steps to remove all barriers in law and in practice inhibiting, among others, Turkish Cypriots from exercising their right to vote and stand for elections, and should continue its efforts to eradicate the economic, social, linguistic and cultural barriers facing Turkish Cypriots and other minorities.<sup>15</sup>

29. The Human Rights Committee also expressed concern that citizenship applications continue to be denied or delayed, especially from the children of Turkish Cypriots who were born and reside in the northern part of Cyprus. The Committee recommended that the State party should increase measures to ensure that the nationality laws are applied without discrimination using clearly defined legal criteria, ensure transparent naturalization procedures and access to information concerning citizenship requirements, ensure citizenship decisions are made within a reasonable time period, and consider ratifying the Convention relating to the Status of Stateless Persons.<sup>16</sup>

30. On 26 July 2023, the Cyprus Supreme Court issued a decision regarding the claims of 16 applicants that, although they were children born of citizens of the Republic of Cyprus and Türkiye, they were stateless owing to the lack of a decision on their citizenship requests. The applicants requested that the Supreme Court issue a writ of mandamus requiring the Republic of Cyprus to establish a specific procedure for recognizing stateless children in accordance with the Convention Relating to the Status of Stateless Persons and the Convention of the Reduction of Statelessness. The Court noted that the Republic of Cyprus had not yet acceded to the two Conventions and that the applicants, except one, had Turkish citizenship and were not stateless. The Court therefore rejected their application on the basis that acts of the Republic of Cyprus fell under the jurisdiction of the Cyprus Administrative Court.<sup>17</sup>

31. On 14 November 2023, the Cyprus Court of Appeal issued a decision in a case relating to an appellant's appeal concerning his complaint that the Republic of Cyprus had not decided on his 2015 citizenship request, which the Cyprus Administrative Court initially rejected in May 2019. The appellant, of Syrian origin, held identity documents recognized only in the northern part of Cyprus, and claimed that his grandmother was born in Cyprus and had obtained a passport in 1952, a fact that had already been examined and accepted as authentic. The Court overturned the first instance decision and held that the Republic of Cyprus had failed to respond to the application within a reasonable time.<sup>18</sup>

32. On 27 November 2023, the Cyprus Administrative Court issued a decision in a case relating to an applicant's complaint that the Republic of Cyprus had not decided on his 2009 citizenship request for his four minor children. The applicant, a Turkish Cypriot of Jordanian origin, lives with his wife and four children in the northern part of Cyprus, two of whom were

<sup>13</sup> Internal Displacement Monitoring Centre, *Global Report on Internal Displacement 2023* (Geneva, May 2023), pp. 81 and 137.

<sup>14</sup> S/2023/498, para. 38.

<sup>15</sup> CCPR/C/CYP/CO/5, paras. 43–46.

<sup>16</sup> *Ibid.*, paras. 11–12 and 41–42.

<sup>17</sup> Supreme Court, Civil Application No. 177/2021, 26 July 2023.

<sup>18</sup> Court of Appeal, *Mehmet Maher Cemal Eddin v. Republic of Cyprus*, *Appeal against Administrative Court Decision No. 97/2019*, 14 November 2023.

born there and two in Lebanon. The Court held that the failure of the Republic of Cyprus to respond to the application within a reasonable time was a violation of the law.<sup>19</sup>

33. In its concluding observations on the fifth periodic report of the Republic of Cyprus, the Human Rights Committee welcomed the steps taken by the State party to combat discrimination and hate crimes against vulnerable groups, including Turkish Cypriots. The Committee, however, expressed concern over recent incidents of violence and discrimination against members of racial and ethnic minorities and LGBTIQ+ persons. It recommended that the State party should intensify its efforts to combat hate speech and incitement to discrimination or violence in accordance with the right to the freedom of opinion and expression, adopt the proposed national action plan to combat discrimination, strengthen awareness-raising efforts, investigate and prosecute such crimes, ensure victims receive full reparation, and provide adequate training on addressing hate speech and hate crimes.<sup>20</sup>

34. Anti-migrant demonstrations were held in the southern part of Cyprus on 27 August in Chloraka and on 1 September in Limassol, during which some demonstrators physically attacked migrants, damaged property and chanted anti-migrant slogans.<sup>21</sup> On 3 September, counterdemonstrators gathered in Limassol to protest against the anti-migrant violence.

35. On 4 September 2023, the Commissioner for Administration and the Protection of Human Rights condemned the above-mentioned incidents and found that the Cyprus police had a right to intervene as the violence violated the rights of third parties to physical integrity and property and also constituted hate crimes. The Commissioner stressed the importance of awareness-raising and training frontline workers to treat such offences as hate crimes in order to prevent similar incidents.<sup>22</sup> The Greek Cypriot leader condemned the violence and convened an emergency meeting on 3 September, when it was acknowledged that the Cyprus police's operational plan had failed to contain the anti-migrant attacks and the decision was made to establish new operational police procedures.<sup>23</sup>

### C. Freedom of movement and the right to seek asylum

36. According to article 13 of the Universal Declaration of Human Rights, everyone has the right to freedom of movement and residence within the borders of each State and the right to leave any country, including their own, and to return to their country.<sup>24</sup> Article 14 provides that everyone has the right to seek and to enjoy in other countries asylum from persecution.

37. Even though the Security Council called upon both sides to reduce existing barriers to intercommunal contact in its resolution 2674 (2023), crossings between the northern and southern parts of the island remain possible only through nine official crossing points, which limits freedom of movement and intercommunal interactions.

38. While the crossing points continued to function smoothly for the most part, the Agios Dometios/Metehan crossing point in Nicosia continued to be subject to long queues that discouraged people from crossing. UNFICYP received complaints about discrimination against Turkish Cypriots using the Dherynia crossing point. The Secretary-General has noted that the long queues at the crossing points negatively affect both communities and should be addressed jointly, including through the opening of new crossings, adding that this would serve to increase trust and cooperation. The Turkish Cypriots proposed a dedicated crossing for commercial vehicles as a joint project to increase people-to-people contact and

<sup>19</sup> Administrative Court, *O.D. v. Republic of Cyprus*, Case No. 813/2019, 27 November 2023 (in Greek)

<sup>20</sup> CCPR/C/CYP/CO/5, paras. 9–10.

<sup>21</sup> “Cyprus: Authorities must protect migrants and refugees from racist attacks”, *Amnesty International*, 6 September 2023.

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[https://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/0545B04AF7C9887FC2258A22002FCB39/\\$file/%CE%91%CE%A5%CE%A4.%2012-2023.pdf?OpenElement](https://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/0545B04AF7C9887FC2258A22002FCB39/$file/%CE%91%CE%A5%CE%A4.%2012-2023.pdf?OpenElement) (in Greek).

<sup>23</sup> Kyriacos Nicolaou, “Police failure to contain Limassol violence acknowledged at emergency meeting”, *Cyprus Mail*, 2 September 2023.

<sup>24</sup> See also the International Covenant on Civil and Political Rights, art. 12.

intercommunal trade.<sup>25</sup> During the reporting period, UNFICYP reported 2,951,417 official buffer zone crossings, compared with 2,400,591 crossings over the previous period.

39. While people were able to participate in intercommunal activities in person once again, the Secretary-General has expressed his concern about the lack of meaningful interactions between the two communities, which remain largely estranged despite the increase in crossings during the reporting period. Expressing his belief that sustainable peace in Cyprus requires a solid reconciliation, the Secretary-General urged the leaders to encourage more direct intercommunal contact and cooperation and to provide concrete support for people-to-people initiatives.<sup>26</sup>

40. The Human Rights Committee has also expressed concern about persisting barriers to intercommunal contact and pointed out that additional crossing points are needed, recommending that the State party increase its efforts to open new crossing points and facilitate crossings.<sup>27</sup>

41. In its resolution 2674 (2023), the Security Council recalled the critical importance of full adherence to applicable international law in the handling of asylum-seekers and refugees. Nonetheless, serious concerns persist regarding the human rights of asylum-seekers and migrants in an irregular situation. The Republic of Cyprus continued to deny access to asylum procedures at the crossing points to those who presented themselves to the Cyprus police, leading to a consequent increase in irregular crossings putting asylum-seekers at risk of exploitation. The Republic of Cyprus initially denied access to asylum procedures to one asylum-seeker, who presented himself to the authorities at the crossing points seeking asylum instead of crossing irregularly. The asylum-seeker remained stranded in the buffer zone without any access to reception conditions, such as adequate shelter, hygiene facilities, food or medical care, for nine months from December 2022 to September 2023, when the Republic of Cyprus exceptionally admitted him to the southern part of Cyprus and granted him access to asylum procedures. The Secretary-General urged the relevant authorities to reinstate the right of access to asylum procedures at crossing points.<sup>28</sup>

42. Pushbacks at sea were also reported during the period under review. The Republic of Cyprus returned 109 Syrians who had arrived by three separate boats to Lebanon; they were then reportedly deported by Lebanon to the Syrian Arab Republic without having their protection needs assessed.

43. There continued to be concerns about the lack of an asylum system in the northern part of Cyprus. Reportedly, efforts were still being made to prevent irregular migration, with about 5,157 persons prevented from entering areas in the northern part of Cyprus and about 1,898 persons detained and subsequently deported.<sup>29</sup> Furthermore, 246 passengers from 16 boats were identified and detained in the northern part of Cyprus and subsequently returned to Türkiye.

44. In its concluding observations, the Human Rights Committee expressed its concern about multiple reports of pushbacks of people on the move, both at sea and at the Green Line, noting that such actions did not comply with the State party's international obligation of non-refoulement. The Committee recommended that the State party should increase its efforts to respect the principle of non-refoulement and to ensure that independent and effective investigations were carried out into allegations of pushbacks of migrants and asylum-seekers, including persons who may be in need of international protection.<sup>30</sup>

45. In his report, the Secretary-General noted that the illegal trafficking of individuals through the buffer zone by criminal organizations profiting from the lack of access to asylum

<sup>25</sup> S/2023/497, paras. 24, 34 and 41; and S/2023/498, paras. 40 and 61–63.

<sup>26</sup> S/2023/497, para. 41; and S/2023/498, paras. 30 and 64.

<sup>27</sup> CCPR/C/CYP/CO/5, paras. 27–28.

<sup>28</sup> S/2023/498, paras. 43 and 66.

<sup>29</sup> European Commission, Nineteenth report on the implementation of Council Regulation (EC) No. 866/2004 (COM(2023) 354), 29 June 2023, p. 3.

<sup>30</sup> CCPR/C/CYP/CO/5, paras. 31–32.

procedures at the crossing points continued to pose a major challenge, adding that it is perhaps a reflection of the growing economic divide between the two sides.<sup>31</sup>

46. In its concluding observations, the Human Rights Committee, while welcoming the State party's efforts to combat trafficking in persons, expressed concern over the continued prevalence of trafficking in persons, particularly of women and girls, and over reported gaps in identifying trafficking victims and the low number of investigations, convictions and sanctions against perpetrators. The Committee recommended that the State party should therefore strengthen its efforts to address trafficking in persons and to ensure adequate protection of victims, including by adopting and implementing the National Action Plan 2023–2026; providing all relevant institutions with necessary resources; training stakeholders; investigating, prosecuting and, where appropriate, punishing perpetrators; and providing victims with reparations.<sup>32</sup>

47. While these issues were discussed for many months, the Secretary-General noted in his report that no progress had been made with regard to addressing the challenges posed by irregular migration and the question of how to work together to more effectively address refugees, migrants and human trafficking. He therefore called upon the two sides to work together on issues related to irregular migration.<sup>33</sup>

#### D. Property rights

48. Under article 17 of the Universal Declaration of Human Rights, everyone has the right to own property alone as well as in association with others, and no one is to be arbitrarily deprived of their property.

49. Concerning property rights in the south, the Turkish Cypriot Properties (Administration and Other Matters) (Temporary Provisions) Law No. 139/1991 continued to provide for the administration by the Guardian of Turkish Cypriot properties that fall under that law. On 17 October 2023, the Cyprus District Court in Limassol issued a judgment regarding an allegation of unlawful interference of property in Limassol owned by a Cypriot citizen belonging to the Turkish Cypriot community, that was transferred to the claimant's daughter in November 2020. In January 2013, the claimant had requested the return of the disputed property but did not receive any response. In dismissing the case, the District Court determined that the claimant's right to property had not been violated on the basis that the Guardian had rejected her request in accordance with Law No. 139/1991.<sup>34</sup>

50. Concerning property claims in the northern part of Cyprus, as at 30 November 2023, a total of 7,394 applications had been lodged with the Immovable Property Commission since its establishment; of those, 1,537 had been concluded through friendly settlements and 34 through formal hearings. The Commission had awarded a total of £421,962,311 (approximately \$535,187,457) in compensation and ruled for exchange and compensation in two cases, for restitution in five cases and for restitution and compensation in eight cases. Previously, it had delivered a decision for restitution after the settlement of the Cyprus issue in one case and ruled for partial restitution in another.

51. The Ministers' Deputies of the Council of Europe continued to supervise the enforcement of judgments of the European Court of Human Rights regarding property rights. On 21 September 2023, they adopted an interim resolution concerning the 33 cases of *Xenides-Arestis group v. Turkey*, deploring that, despite prior interim resolutions, the Turkish authorities had not yet complied with their unconditional obligation to pay the amounts awarded to the applicants. They expressed concern that prolonged delays in fulfilling this obligation not only deprived the individual victims of compensation but was also in

<sup>31</sup> S/2023/498, para. 11.

<sup>32</sup> CCPR/C/CYP/CO/5, paras. 25–26.

<sup>33</sup> S/2023/497, paras. 14 and 41; and S/2023/498, para. 11.

<sup>34</sup> District Court, *Ferhan Zihni Ramadan v. Attorney General of the Republic et al.*, Case No. 693/2014, 17 October 2023 (in Greek).

disrespect of the international obligations of Türkiye. They exhorted the Turkish authorities to abide by their obligations and to pay the just satisfaction awarded without delay.<sup>35</sup>

52. Also on 21 September 2023, the Ministers' Deputies adopted a resolution to close the supervision of the execution of the judgment of 12 December 2017 in *Joannou v. Turkey*, in which the European Court of Human Rights found that the Immovable Property Commission had not acted with coherence, diligence and appropriate expedition concerning the applicant's claim with regard to her properties situated in the northern part of Cyprus, and that Türkiye had breached article 1 of Protocol No. 1 of the European Convention on Human Rights guaranteeing the right to property. In the resolution, the Ministers' Deputies decided to close their supervision on basis that all measures had been adopted given the applicant concluded a friendly settlement with the Commission.<sup>36</sup>

### Varosha

53. The status of Varosha remained on domestic and international agendas. In its resolution 2674 (2023), the Security Council expressed deep regret regarding the continuation of unilateral actions that ran contrary to its previous resolutions and statements on Varosha and the ongoing disregard of its previous calls for the immediate reversal of unilateral actions and all steps taken on Varosha since October 2020. The Council cautioned against further actions in Varosha that were not in accordance with its resolutions.

54. In his report, the Secretary-General reiterated his concern over the lack of response to the calls made by the Security Council relating to Varosha, adding that the United Nations continued to hold the Government of Türkiye responsible for the situation. He noted other developments, such as the extension of beach used by Turkish military officers and previously reported vegetation clearing, electrical work, road paving and fence building.<sup>37</sup>

55. On 13 September 2023, the European Parliament strongly urged Türkiye to reverse its illegal and unilateral actions in Varosha, which run contrary to Security Council resolutions, adding that such actions undermined mutual trust and hence the prospect of a resumption of direct talks on the Cyprus problem.<sup>38</sup>

56. OHCHR again recalls Commission on Human Rights resolution 1987/50, in which the Commission considered attempts to settle any part of Varosha by people other than its inhabitants as illegal and called for the immediate cessation of such activities. In its resolution, the Commission reiterated its calls for the full restoration of all human rights to the population of Cyprus, in particular to refugees, and called for the restoration and respect of the human rights and fundamental freedoms of all Cypriots, including the freedom of movement, the freedom of settlement and the right to property.

## E. Freedom of religion or belief and cultural rights

57. Under article 18 of the Universal Declaration of Human Rights, everyone has the right to freedom of thought, conscience and religion, which includes freedom to, either alone or in community with others and in public or private, manifest their religion or belief in teaching, practice, worship and observance.<sup>39</sup> Article 27 of the Declaration provides that everyone has the right freely to participate in the cultural life of the community.<sup>40</sup>

58. Requests by one community to hold religious services on the other side or inside the buffer zone remained steady.<sup>41</sup> During the reporting period, 106 requests to hold religious

<sup>35</sup> Council of Europe Committee of Ministers, 1475th meeting, 21 September 2023, on *Xenides-Arestis group v. Turkey* (CM/ResDH(2023)268).

<sup>36</sup> Council of Europe Committee of Ministers, 1475th meeting, 21 September 2023, on *Joannou v. Turkey* (CM/ResDH(2023)269); <https://hudoc.exec.coe.int/ENG?i=004-49213>.

<sup>37</sup> S/2023/497, para. 44; and S/2023/498, paras. 15–16, 73.

<sup>38</sup> Resolution 2022/2205(INI), 13 September 2023, para. 34.

<sup>39</sup> See also the International Covenant on Civil and Political Rights, art. 18; and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, art. 1.

<sup>40</sup> See also the International Covenant on Economic, Social and Cultural Rights, art. 15.

<sup>41</sup> S/2023/498, para. 41.

services and events in the northern part of Cyprus were submitted to UNFICYP for facilitation, of which 51 were approved.

59. Several challenges to the right to freedom of religion in Cyprus persisted across the island. In the northern part of Cyprus, a church of Agia Anna in Kythrea/Değirmenlik, which was repaired a few years ago and used again as a church, was converted into a gymnasium.<sup>42</sup> Similarly, a section of the Apostolos Andreas monastery in the Karpas peninsula, which was the first heritage conservation project in Cyprus to be almost fully financed by both communities, was reportedly being converted into a mosque/place of prayer, with funding from Türkiye.<sup>43</sup>

60. In the southern part of Cyprus, the most important mosque for Muslims continued to follow civil opening hours, allowing worshippers to pray only three times per day instead of five. The Human Rights Committee, while noting the strong legal framework in place to protect the right to freedom of thought, conscience and religion, expressed concern about reports of undue restrictions of religious minorities, particularly Muslims and Jews, to exercise these freedoms in practice, including reports about limited access to places of worship. The Committee recommended that the State party should strengthen its efforts to ensure its legislation and practices conform with the requirements of the right to freedom of thought, conscience and religion, including by removing undue restrictions on access to places of worship.<sup>44</sup>

61. Efforts continued to sustain and develop the dialogue and cooperation among the religious leaders of Cyprus to uphold and advance human rights and to build confidence within the framework of the Religious Track of the Cyprus Peace Process under the auspices of the Embassy of Sweden in Cyprus. While almost daily interaction was sustained between representatives of the religious communities of the island, their work was impaired by political tensions.<sup>45</sup> Three annual pilgrimages to Hala Sultan Tekke in Larnaca were cancelled, while annual high-level meetings of all religious leaders in Cyprus were not held.

62. Nevertheless, religious leaders and clerics involved in the Religious Track of the Cyprus Peace Process continued to advocate for each other's right to pray and free access to their respective places of worship. Within the context of the global Faith for Rights framework,<sup>46</sup> the Office of the Religious Track facilitated and led joint efforts to provide a safe space for refugees, asylum-seekers and unaccompanied minors, and the network was expanded to include other religious communities in Cyprus and faith-based institutions.<sup>47</sup> It also participated in an interfaith roundtable in Nicosia on 20 October 2023 and in the hybrid peer-to-peer learning week organized by OHCHR in November 2023 as part of the Faith for Rights initiative.<sup>48</sup> The Religious Track continued its cooperation with UNHCR in Cyprus as one of its key partners for the Global Compact on Refugees.

63. Notwithstanding growing external challenges to its work, the bicomunal Technical Committee on Cultural Heritage continued its weekly in-person meetings and the delivery of conservation and restoration of various buildings and monuments of cultural significance across Cyprus. As at 30 November 2023, the Technical Committee, with the support of UNDP, had completed conservation and emergency works at 28 cultural heritage sites of great importance in both communities. With additional funding secured from the International Alliance for the Protection of Heritage in Conflict Areas, it began implementing two additional major conservation projects. The Committee started to decrease, however, the number of its projects during the reporting period owing to an increase in the cost of labour and construction materials, issues which may further curtail its future work.<sup>49</sup>

<sup>42</sup> [https://www.europarl.europa.eu/doceo/document/E-9-2023-003045\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003045_EN.html).

<sup>43</sup> [https://www.europarl.europa.eu/doceo/document/P-9-2023-002380\\_EN.html](https://www.europarl.europa.eu/doceo/document/P-9-2023-002380_EN.html);  
[https://www.europarl.europa.eu/doceo/document/P-9-2023-002380-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/P-9-2023-002380-ASW_EN.html).

<sup>44</sup> CCPR/C/CYP/CO/5, paras. 35–36.

<sup>45</sup> S/2023/497, para. 9; and S/2023/498, para. 41.

<sup>46</sup> [www.ohchr.org/en/faith-for-rights](http://www.ohchr.org/en/faith-for-rights).

<sup>47</sup> S/2023/497, para. 9.

<sup>48</sup> [www.ohchr.org/sites/default/files/documents/issues/religion/faithforrights/Faith-for-rights-P2Pweek2023.pdf](http://www.ohchr.org/sites/default/files/documents/issues/religion/faithforrights/Faith-for-rights-P2Pweek2023.pdf).

<sup>49</sup> S/2023/497, para. 19.

## F. Freedom of opinion and expression

64. According to article 19 of the Universal Declaration of Human Rights, everyone has the right to freedom of opinion and expression, which includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.<sup>50</sup>

65. On 13 September 2023, the European Parliament condemned the actions of Türkiye that violated the right to freedom of opinion and expression of Turkish Cypriot journalists and progressive citizens in the Turkish Cypriot community.<sup>51</sup>

66. The Safety of Journalists Platform established by the Council of Europe published several alerts regarding the safety of journalists and media freedom in the northern part of Cyprus. The Platform reported that the last instance “court” in the northern part of Cyprus upheld, in a final judgment on 11 October 2023, the verdict of 16 May 2019 acquitting Şener Levent, and the newspaper’s director, Ali Osman, of the charges of “defaming a foreign politician” and “damaging relations [with] Türkiye” relating to a cartoon that Mr. Levent had previously published.<sup>52</sup> On 10 March 2023, however, an Ankara court found Mr. Levent guilty in absentia in a second criminal case against him on charges of “insulting the President of the Republic of Türkiye” relating to his article “Kurds and Us”, and sentenced him to a year of imprisonment.<sup>53</sup> Another case against Mr. Levent relating to a different article remained pending before Ankara courts.<sup>54</sup>

67. On 15 September 2023, the Platform reported that the Turkish Cypriot authorities had announced that the initial hearing in the case of Ali Kışmir, the President of the Turkish Cypriot Journalists’ Union, was expected to commence on 6 October 2023 in a court in the northern part of Cyprus on charges of “insulting and mocking the security forces” in an article he had written at the time of the Turkish Cypriot leader’s election, which could result in up to 10 years of imprisonment.<sup>55</sup> Following the request of Mr. Kışmir’s lawyer to allow for negotiations with relevant Turkish Cypriot authorities, the initial hearing to determine whether his case would be transferred to the “High Criminal Court” in the northern part of Cyprus was postponed several times until 28 December 2023.

68. On 6 October 2023, the International Federation of Journalists and the European Federation of Journalists called upon the Turkish Cypriot authorities to drop all charges against Mr. Kışmir and to safeguard the right to freedom of expression.<sup>56</sup> On 20 October, the European Commission expressed its concern about attempts to restrict freedom of expression and independent journalism in the Turkish Cypriot community, as exemplified by Mr. Kışmir’s case.<sup>57</sup>

69. On 28 June 2023, the International Federation of Journalists and the European Federation of Journalists condemned Mr. Kışmir’s forced resignation from the online channel TV20 as an act of censorship and intimidation, because of his reaction to the censorship of his article critical of the Turkish Cypriot leader published on the channel’s website. They called upon the Turkish Cypriot authorities to “put an end to political interference in the media”.<sup>58</sup>

<sup>50</sup> See the International Covenant on Civil and Political Rights, art. 19.

<sup>51</sup> Resolution 2022/2205(INI), 13 September 2023, para. 36.

<sup>52</sup> <https://fom.coe.int/en/alerte/detail/38386694>.

<sup>53</sup> “T/C journalist Sener Levent sentenced in absentia to prison in Turkey”, *In-Cyprus*, 8 September 2023.

<sup>54</sup> <https://fom.coe.int/en/alerte/detail/38386694>.

<sup>55</sup> <https://fom.coe.int/en/alerte/detail/107637185>.

<sup>56</sup> International Federation of Journalists, “Northern Cyprus: IFJ and EFJ demand the withdrawal of charges against the President of journalists’ union Basin-Sen”, 6 October 2023.

<sup>57</sup> [europarl.europa.eu/doceo/document/E-9-2023-002423-ASW\\_EN.html](https://europarl.europa.eu/doceo/document/E-9-2023-002423-ASW_EN.html).

<sup>58</sup> International Federation of Journalists, “Northern Cyprus: IFJ and EFJ condemn firing of Ali Kışmir, censorship and political pressure”, 28 June 2023.

## G. Right to education

70. According to article 26 of the Universal Declaration of Human Rights, everyone has the right to education, which should be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. Education should promote understanding, tolerance and friendship among all nations, racial or religious groups and further the United Nations' activities for the maintenance of peace.<sup>59</sup> The Declaration also provides that parents have a prior right to choose the kind of education to be given to their children.

71. The European Commission continued to support schemes under its Aid Programme for the Turkish Cypriot community undertaken in pursuit of the long-term goal of aligning the right of the Turkish Cypriot community to education with best international practice. The first phase of the multi-year vocational education and training curriculum development project (extended for another two years) concluded. The project helped to develop 20 curriculum packages for revised vocational education and training curricula and a new testing and evaluation mechanism for vocational education and training education. The Commission continued its scholarship programme to address the limited access of Turkish Cypriot students to European Union exchange and educational programmes. During the 2022/23 academic year, 160 scholarships were granted to undergraduate and graduate students, researchers and professionals. The Commission continued to implement a bicomunal educational peace project for high school students to jointly attend a United World College for two years and obtain an International Baccalaureate, with 12 students selected from both communities in 2022.<sup>60</sup>

72. In its resolution 2674 (2023), the Security Council called upon the leaders of both communities to strengthen efforts to promote peace education across the island, including by further empowering the bicomunal Technical Committee on Education to implement the recommendations in its joint 2017 report, and to address impediments to peace by conducting a joint review of school materials, including textbooks, as a contribution to trust-building between the communities. The Council also called on the two leaders to support peace education projects aimed at increasing contact and collaboration among the communities in Cyprus and facilitating the meaningful participation of youth in the peace process.

73. The bicomunal Technical Committee on Education did not, however, meet in plenary for another year (although there was one meeting of its two co-chairs) and did not take any action to promote peace education across the island or to implement the recommendations in its 2017 joint report. The Secretary-General has noted that the Technical Committee has continued to face serious blockages and regretted the absence of substantial progress towards educational reform, including the removal of divisive rhetoric from schoolbooks. He has called upon both leaders to reinvigorate the Technical Committee and to mandate it to implement the recommendations it made in 2017.<sup>61</sup>

74. The Secretary-General also noted that the suspension since October 2022 by the Turkish Cypriot authorities of their support for the Imagine project, carried out under the auspices of the Technical Committee on Education and implemented by the Association for Historical Dialogue and Research and the Home for Cooperation with the support of the Federal Foreign Office of Germany, was extremely regrettable, and called upon the Turkish Cypriot authorities to reinstate this award-winning peace education project without further delay.<sup>62</sup> The Association restructured the project during the reporting period to enhance the training of teachers from both communities and to circulate peace education material to further promote a culture of peace on the island.

<sup>59</sup> See also the International Covenant on Economic, Social and Cultural Rights, arts. 13 and 14; and the Convention on the Rights of the Child, arts. 28 and 29.

<sup>60</sup> European Commission, Report to the European Parliament and the Council (COM(2023) 355), 29 June 2023, pp. 5–7.

<sup>61</sup> S/2023/497, paras. 14, 26 and 37; and S/2023/498, para. 65.

<sup>62</sup> S/2023/497, para. 26; and S/2023/498, para. 65.

75. On 13 September 2023, the European Parliament expressed concern about the education restrictions faced by Greek Cypriots in the northern part of Cyprus.<sup>63</sup> UNFICYP continued to provide support for Greek Cypriot schools on the Karpas Peninsula, including by facilitating the delivery of school textbooks and educational equipment and the appointment of teachers. Although the Turkish Cypriot authorities approved all 13 teachers appointed by the Greek Cypriots to teach at the Rizokarpaso/Dipkarpaz schools, they did not agree to appoint two Greek Cypriot teachers to teach at the Maronite school in Kormakitis because the local Maronite community reportedly preferred Maronite teachers. The Turkish Cypriot authorities approved 45 textbooks for use at the Greek Cypriot schools but rejected nine textbooks that they deemed to contain inappropriate references that they alleged would generate animosity toward Turkish Cypriots.

## H. Gender perspective

76. In its resolution 1325 (2000) on women and peace and security, the Security Council called upon all actors, when negotiating and implementing peace agreements, to adopt a gender perspective. Additionally, Sustainable Development Goal 5 calls for gender equality and the empowerment of all women and girls, including ensuring women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.

77. In its resolution 2674 (2023), the Security Council, while regretting the lack of full, equal and meaningful participation of women's organizations and youth in the settlement process, welcomed the adoption and launch in January 2022 of the joint "Action Plan on ways to ensure women's full, equal and meaningful participation in the settlement process/an eventual settlement process" to support and encourage engagement with civil society, including women's organizations and women leaders, and to include a gender perspective in a future settlement process. The Council also urged the leaders of both communities to formulate, as a matter of priority, the next steps for the implementation of all recommendations under the Action Plan and to review its implementation every six months and to make recommendations as appropriate.

78. During the reporting period, UNFICYP, together with the Secretary-General's good offices mission, continued to facilitate the work of the Technical Committee on Gender Equality in implementing the Action Plan, including by exploring international best practices for establishing a standing civil society platform for regular engagement between the leaders of both communities and civil society, including women and youth, on a broad range of issues in preparation of and during potential future negotiations. On 9 May 2023, the Technical Committee organized a seminar on women's participation in the Cyprus peace process with the objective of raising awareness of the important precedent of women's participation in key negotiation roles in Cyprus. The event solicited civil society's views on a broad range of topics, enhancing contact, experience-sharing and trust-building between the two sides to help to prepare the ground for a possible future settlement.<sup>64</sup>

79. In its concluding observations, the Human Rights Committee expressed concern about the underrepresentation of women in decision-making positions. The Committee recommended that the State party should intensify its efforts to promote gender equality in all spheres, including by adopting a statutory quota and a gender parity system for nominations to government bodies and by taking further steps to eliminate the obstacles preventing women from pursuing or being elected to public positions.<sup>65</sup>

## IV. Conclusions

80. **The division of Cyprus continues to hinder the full enjoyment of human rights by all persons throughout the island. While the island has gradually returned to a sense**

<sup>63</sup> European Parliament, resolution [2022/2205\(INI\)](#), 13 September 2023, para. 34.

<sup>64</sup> [S/2023/497](#), para. 16; and [S/2023/498](#), paras. 49.

<sup>65</sup> [CCPR/C/CYP/CO/5](#), paras. 13–14.

of normality despite the continued presence of the coronavirus disease (COVID-19), challenges, including discrimination, persist with regard to the full enjoyment of civil and political rights and economic, social and cultural rights, with people in vulnerable situations, such as migrants and minorities, and the Turkish Cypriot community disproportionately affected.

81. While the crossing points continued to function normally, the limited number of the crossing points, long queues and discrimination at the crossings hindered the right to the freedom of movement and interaction between the two communities. Further efforts should be made to increase the number of crossing points, including for trade, and of opportunities for meaningful intercommunal contact as an essential element of reconciliation and trust-building.

82. Despite these challenges, numerous actors continued to promote and protect human rights, including representatives of civil society, religious leaders and faith-based actors and many bicomunal technical committees. In the context of the “Faith for Rights” framework, religious actors conducted peer-to-peer learning and led joint efforts to protect the rights of refugees, asylum-seekers and unaccompanied minors. It is also worth noting that civil society in the northern part of Cyprus, in addition to supporting victims of human rights violations, published their first human rights monitoring reports.

83. In this context, and given the growing economic divide on the island, it is still imperative to ensure a human rights-based approach predicated upon the principles of non-discrimination, participation, transparency and accountability as an essential element of sustainable development, fostering social cohesion and advancing dialogue and the political process. Such an approach is especially important with regard to the work of the bicomunal technical committees in protecting and insulating them from larger political dynamics. It is also important to effectively implement the joint Action Plan to ensure women’s full, equal and meaningful participation in the settlement process/an eventual settlement process.

84. Human rights apply to all people everywhere. All stakeholders should therefore uphold, without any discrimination, the human rights of all Cypriots in accordance with relevant international human rights standards. While many human rights issues in Cyprus stem from its division, urgently and effectively addressing all human rights protection gaps and issues in Cyprus – including for asylum-seekers and migrants -- remains essential not only to ensure the realization of human rights for all people living in Cyprus but also to support efforts to reach a just and lasting peaceful solution regarding the island’s division.

85. In this regard, OHCHR recalls that, in its resolution 1987/50, the Commission on Human Rights called for the restoration of and respect for the human rights and fundamental freedoms of all Cypriots. OHCHR therefore encourages increased engagement and technical cooperation with the United Nations human rights mechanisms to advance the enjoyment of human rights by all Cypriots, including by addressing the human rights issues outlined in the present report. It is also paramount that OHCHR and other relevant actors continue to have access to the whole island and to all persons affected, and that they enjoy the full cooperation of the authorities of the Republic of Cyprus and the Turkish Cypriot authorities.