



**International Human Rights
Instruments**

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reports of States parties**

Cyprus*

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** Annexes can be consulted in the files of the Secretariat.

I. Demographic, economic, social and cultural characteristics

A. Geography¹

1. Cyprus is the third largest island in the Mediterranean Sea and it covers an area of 9254sq km, 33° east of Greenwich (longitude) and 35° north of the Equator (latitude). It is situated in the north-eastern Mediterranean Sea, approximately 360 km east of Greece, 300 km north of Egypt, 105 km west of Syria and 75 km south of Turkey.
2. Cyprus is divided in four physical regions:
 - (a) Troodos mountain range which is situated in the central – west part of the island and its highest peak is 1.951m high above the sea level.
 - (b) Pentadaktylos mountain range, which has relatively narrow width and is extended towards the northern shores of the island, with some of its peaks reaching 1.000m high.
 - (c) Mesaoria plain which is situated between the two mountain ranges mentioned above generally having low altitude which in the region of Nicosia does not exceed 180m.
 - (d) Other plains across the coasts and shores of the island.
3. Cyprus' climate is temperate (Mediterranean) and it's characterized by warm and dry summers, rainy but mild winter and the two transitional in between seasons of autumn and spring. During the winter and in the months of December, January and February the total average rainfall is approximately equivalent to 60% of the rainfall of the whole year. During summer the rainfall is very low with an average value that does not exceed 5% of the average total rainfall of the whole year. In July and August the average daily temperatures range between 29 degrees Celsius on the central plain and 22 degrees Celsius on the highest peaks of the Troodos mountains, while the average maximum temperature for these months ranges between 36 and 27 degrees Celsius respectively. In January the average daily temperature is 10 degrees Celsius in the central plain and 3 degrees Celsius on the highest peaks of Troodos, with average minimum temperatures of 5 and 0 degrees Celsius respectively. The country faces problems of drought periodically.

B. History²

4. The history of Cyprus covers nine millennia. In the second millennium B.C., the Achaean Greeks established city-kingdoms based on the Mycenaean model, introducing the Greek language and culture, preserved to this day despite the vicissitudes of history. Cyprus was known to the ancient world for its copper mines and its forests. Furthermore, Cyprus has a significant strategic position because it is situated in the crossroads of three continents. This strategic position in association with the island wealth, accounted for a succession of conquerors, including the Assyrians (673-669 B.C.), the Egyptians (560-545 B.C.) and the Persians (545-332 B.C.).

¹ Cyprus Meteorological Service – Ministry of Agriculture
http://www.moa.gov.cy/moa/ms/ms.nsf/DMLcyclimate_gr/DMLcyclimate_gr?opendocument

² Press and Information Office – Ministry of Interior
http://www.moi.gov.cy/moi/pio/pio.nsf/about_us_gr/about_us_gr?OpenDocument

5. After the dissolution of Alexander's the Great Empire, Cyprus became a part of the Ptolemaic Empire of Egypt. The Hellenistic period ceased in 58 B.C, with the arrival of the Romans. In 45 A.D Christianity was introduced to Cyprus from Apostles Paul and Barnabas and in 330 A.D Cyprus became a part of the east portion of the Roman Empire and later on (395 A.D) of the Byzantine Empire which lasted until the 12th century A.D.
6. During the Crusades, the island was conquered by Richard the Lionhearted of England (1191), who shortly after sold Cyprus to the Knights Templar. Between 1192-1489, the Frankish Lusignians established a Kingdom introducing the western feudal model. Cyprus was then ruled by the Republic of Venice until 1571, when the island was conquered by the Ottomans.
7. The Ottoman rule lasted until 1878 when Cyprus was ceded to Britain. The Ottomans handed over the ownership of the island to Britain asking as an exchange that the British will protect the falling Ottoman Empire from a probable Russian raid. In 1923, under the Treaty of Lausanne, Turkey relinquished every right to Cyprus, who then became a colony of the Crown in 1925.
8. Greek-Cypriots who at that point in time exceeded 80% of the population, considered the independence of the island as synonymous to unification with Greece. After exhaustion of all peaceful means for freedom, the national liberation struggle began in 1955 against the colonial rule and towards the unification with Greece. The liberation struggle ended in 1959 with the Zurich-London Agreements which were signed by Britain, Greece, Turkey as well as representatives of the Greek-Cypriots and Turkish-Cypriots resulting in the independence of the Republic of Cyprus as from 16th August 1960.
9. The Constitution of 1960 included a system of community rights for Turkish – Cypriots which resulted in an insufficient and malformed bi-communal structure. In November 1963, the first President of the Republic of Cyprus, Archbishop Makarios, suggested modification of the Constitution in order to improve the states' functionality. Those modifications were rejected by Turkey and by the leadership of the Turkish – Cypriot community and as a result conflicts between the two communities arose.
10. On 15 July 1974, the military junta then ruling Greece carried a coup to overthrow the democratically elected government of Cyprus. On 20 July, Turkey, using the coup as a pretext and in violation of international codes of conduct established under treaties to which it is signatory, invaded Cyprus purportedly to restore constitutional order. Instead, it seized 37% of sovereign territory of the Republic in violation of the UN Charter and fundamental principles on international law. The consequences of the invasion were catastrophic, resulting in approximately 36,2% of the Cyprus Republic's territory to still be occupied. Also 40% of the Greek- Cypriot population of Cyprus (more than 160.000 people) from the occupied part of Cyprus was violently displaced. Thousands of people, including civilians, were injured, mistreated, killed and some of them are still missing persons. Until this day, the presence of Turkish military troops does not allow Greek – Cypriots to go back to their homes. Furthermore, 20.000 people, the majority of whom Greek – Cypriots who remained in the occupied area, were gradually forced to leave their homes. According to the last Essay of the UN Secretary-General there are approximately 330 Greek – Cypriots and 110 Maronites still living in the occupied areas.
11. On 16th April 2003, Cyprus signed the Treaty of Accession to the European Union. Cyprus ratified the Treaty on 14th July 2003 and became a full member of the European Union on May 1st 2004. Later on, the Cypriot government took the obligation of joining the Economic and Monetary Union and to adopt Euro as its national currency when all the necessary requirements were successfully fulfilled. So, on January 1st, 2008 Cyprus adopted the Euro and joined the Euro Zone.

C. Demographic and national characteristics³

12. The demographic and national characteristics presented below, do not include settlers, approximately 160 – 170 thousand people, who were transferred illegally from Turkey after the Turkish invasion of 1974, in order to alter the demographic structure of Cyprus. The Turkish military forces (approximately 40.000 soldiers) are also excluded.

13. Before the Turkish invasion, the two communities lived together, with an analogy of 4 Greeks to 1 Turk, in all six administrative districts of the island. As a result of the Turkish invasion, Greek – Cypriots were forced out of the northeast region and are now living on territories controlled by the Republic of Cyprus. Approximately all the Turkish – Cypriots who lived on the southeast region of the island were forced by their leadership to move to the occupied areas.

14. Below demographical data about Cyprus are presented, based on research analysis of the Statistical Service Department in 2011.

Population (2011):

Total: 862,000

Males: 419.000 (51,4%)

Females: 443.000 (48,6%)

Increase in comparison to previous year (2010- 2011): 2,6%

Population Distribution Per Areas (2011):

Urban areas: 67,4% (580,800)

Rural areas: 32,6% (281,200)

Official languages: Greek and Turkish

Religion: Almost all Greek Cypriots are Christian Orthodox and all Turkish Cypriots are Muslims. The Armenians, Maronites and Latins have their own Christian denominations and have chosen, according to the Cypriot constitution (article 2 of paragraph 3), to be considered as a part of the Greek Community

Population Distribution per Ethnicity:

Greek Cypriot: 71,5%

Turkish Cypriot: 9,5%

Armenians: 0,4%

Maronites: 0,7%

Latins: 0,1%

Other (Foreign Inhabitants, mainly British, Greek, other Europeans, Arabs and Southeast Asians): 19,0%

Population Distribution by Age (2011):

0-14 years old: 16,5%

15-64 years old : 70,7%

65 + years old: 12,8%

Population Structure (2011):

0-4 years old: 48,900

5-9 years old: 45,000

³ Cyprus Statistical Service
<http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/085B988AC7F0F35CC2257A09003443AA?OpenDocument&sub=1&sel=1&e=&print>

10-14 years old: 48,400
15-19 years old: 62,000
20-24 years old: 71,900
25-29 years old: 75,100
30-34 years old: 69,600
35-39 years old: 62,200
40-44 years old: 58,100
45-49 years old: 57,900
50-54 years old: 56,700
55-59 years old: 48,900
60-64 years old: 46,800
65-69 years old: 35,200
70-74 years old: 29,300
75-79 years old: 21,100
80 + years old: 24,7000

Crude Birth Rate (2011): 9.622
Crude Birth Rate per 1000 citizens -2011: 11,3%
Total Fertility Rate: 1,35%
Deceased (2011): 5,504
Total Mortality Rate per 1000 citizens – 2011: 6,5%
Infant Mortality Per 1000 live births – 2011: 3,1%
Life Expectancy (2010 – 2011):
Males: 79 years
Females: 82,9 years
Households (2011): 309,300
Household Size (2011): 2,77%
Total Single Parent Households (2011): 23,076

Single Mothers Household (2011): 8%

D. Economy⁴

15. The Cyprus economy is based on the free market system. The private sector is the backbone of all economic activity. The government's role is basically limited to safeguarding a transparent framework for the operation of the market mechanism, the exercise of indicative planning and the provision of public utilities and social services.

16. Despite of the blow inflicted on the economy by the Turkish invasion (the occupied part at that time accounted for almost 70% of GDP), recovery was remarkable. The decline in the volume of production experienced during 1974 was quickly reversed and by 1977 it surpassed its pre-1974 level. Business confidence returned followed by a sharp upturn of investment. By 1979 conditions of full employment were restored. The rate of unemployment, which approached 30% of the economically active population during the

⁴ Office of the Law Commissioner, Core document on Cyprus drawn up in accordance with General Assembly resolution 45/85 and the consolidated guidelines for the initial part of the reports of States parties (document HRI/1991/1)
[http://www.olc.gov.cy/olc/olc.nsf/all/97D28762FA1E293342257A9100317D3C/\\$file/CORE%20DOCUMENT%20-%20FINAL.pdf?openelement](http://www.olc.gov.cy/olc/olc.nsf/all/97D28762FA1E293342257A9100317D3C/$file/CORE%20DOCUMENT%20-%20FINAL.pdf?openelement)

second half of 1974, had been virtually eliminated (1.8%). The refugees were temporarily re-housed, pending their return to their ancestral homes.

17. In the post-1974 period the economy underwent major structural changes. The manufacturing sector accounted for growth during the second half of the 1970s and the early 1980s, overtaken by the tourism sector in the late 1980s and by other service sectors in the early 1990s. These structural changes were reflected in a corresponding differentiation of the above-mentioned sectors regarding their contribution to GDP and gainful unemployment. Cyprus has gradually been converted from an underdeveloped country, in which the importance of the primary sectors was dominant, into a service-oriented economy.

18. International trade is of considerable importance to the economy of Cyprus. On the production side, the lack of raw materials, energy resources and heavy industry for the production of capital goods necessitates their import. On the demand side, because of the small size of the domestic market, exports are vital in supplementing aggregate demand for Cypriot agricultural, manufactured products and services. The main economic partners of Cyprus are the European Union, neighboring Middle-East countries and Eastern Europe.

19. On the 1st of January 2008 the Cyprus pound was replaced by the euro as the national currency of Cyprus at the irrevocable fixed exchange rate €1=CYP£ 0,585274.

20. Before the emergence of the global economic crisis, Cyprus had enjoyed a track record of high economic growth and stable macroeconomic environment. However, the international economic crisis inevitably has had a major impact on the economy, as reflected in the main economic indicators. There was also the tragic event of the Mari explosion in the summer of 2011, which destroyed around 53% of the capacity for electricity production. Given the economic crisis, the external environment, on which Cyprus, as a small and open economy, greatly depends, has been deteriorating. Especially the worsened situation in Greece has had a major impact on the Cyprus economy. The negative repercussions of the crisis have been observed in the real economy in terms of lower economic growth and rising unemployment at unprecedented levels. Public finances have also deteriorated, as a direct result of lower economic activity and hence lower public revenues. As a result the Republic of Cyprus had to appeal in 2012 to the European Support Mechanism and to form an agreement on a Memorandum of Understanding and a Loan Agreement Financial Support with TROIKA (European Central Bank, European Commission and International Monetary Fund) in 2013.

1. Social indicators

21. The following give information on social indicators:

Consumers Costs by Household (2009):⁵

Food and Non – Alcoholic drinks: 12,3%

Housing, electricity, water and other fuels: 26,6%

Health: 5,4%

Education: 3,4 %

Percentage of population (%) living below poverty line (2011): 14,5 % which corresponds to 121.750 people⁶.

⁵ Study on Family Budget 2009 – Cyprus Statistical Service – Ministry of Finance
[http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/5587D62B06BD3EAF2256D42002DE379/\\$file/HBS-2009-EL-100211.pdf?OpenElement](http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/5587D62B06BD3EAF2256D42002DE379/$file/HBS-2009-EL-100211.pdf?OpenElement)

Population distribution (%) living below poverty line according to age and gender 2011.⁷

Age	Total	Males	Females
0-17	11,9	12,7	11,0
18-24	9,3	8,3	10,2
25-49	11,1	9,2	12,7
50-64	12,0	8,4	15,4
65+	37,2	34,0	39,9
18-64	11,3	8,8	13,0

Coefficient Gini (2010): 29,1%

2. Education Indicators⁸

22. The following give information on education indicators:

School Enrolment (2010/11):

Primary Education: 100%

Secondary Education: 94%

Early School Withdrawal (2011)⁹

Total Sum: 11,2%

Boys/Males: 15,1%

Girls/Females: 8,1%

Students per Teacher: (2010/11)

Nursery and Pre - primary Education: 13,0%

Primary Education: 11,2%

Secondary Education: 8,1%

Higher (Adult) Education: 17,8%

Literacy Rate for 15 (+) years old:

Total: 97%

(Males: 99)

(Females: 95%)

Inflation:

(2008): 4,7%

(2009): 0,3%

(2010): 2,4%

(2011): 3,3%

Unemployment (Average for 2012)¹⁰

⁶ Cyprus Statistical Service: Survey on Income and Living Conditions - [http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/92AB0A3C219CADDDBC22577DD003523E8/\\$file/EUSILC_2008-2011-280213.pdf?OpenElement](http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/92AB0A3C219CADDDBC22577DD003523E8/$file/EUSILC_2008-2011-280213.pdf?OpenElement)

⁷ Στατιστική Υπηρεσία Κύπρου: http://www.mof.gov.cy/mof/cystat/statistics.nsf/populationcondition_25main_gr/populationcondition_25main_gr?OpenForm&sub=5&sel=2

⁸ Cyprus Statistical Service – Ministry of Finance http://www.mof.gov.cy/mof/cystat/statistics.nsf/populationcondition_24main_gr/populationcondition_24main_gr?OpenForm&sub=4&sel=2

⁹ Cyprus Statistical Service – Education Indicators http://www.mof.gov.cy/mof/cystat/statistics.nsf/populationcondition_24main_gr/populationcondition_24main_gr?OpenForm&sub=4&sel=2

Total: 11,3% (49.742 persons)
 Males: 12,1% (28.158 persons)
 Females: 10,4% (21.584 Persons)

Unemployment for youth 15-24 years old:

Total: 25,9%
 Males 28,2%
 Females 23,4%

Employment in main Economic Sectors (2012):

	Total	Males	Females	Total	Males	Females
Agriculture	3,0%	3,7%	2,1%	2,8%	3,7%	1,9%
Industry and Construction	20,7%	32,3%	8,2%	20,1%	30,6%	8,5%
Services	76,3%	64,0%	89,7%	77,1%	65,7%	89,6%

Participation in workforce: (2012):

Total	Males	Females	Total	Males	Females
63,2	61,7	51,3	63,3	62,0	51,0
39,1	31,6	26,1	37,6	29,7	26,3
87,2	52,6	47,2	87,8	52,1	46,5
54,6	82,4	75,3	56,2	83,7	74,8
73,0	63,5	36,2	73,4	64,5	37,1
10,7	70,0	59,9	9,4	70,6	59,8

2. Economy indicators

23. The following give information on economic indicators:

Per Capita Income

2011 : 21.073,9

2010: 20.307,7

Gross Domestic Product

2011 : 17.979,3 million euro

2010: 17.406,0 million euro

Gross National Income

2011: 16.000,7 million euro

2010: 14.985,0 million euro

24. During the fourth trimester of 2012 the economy development rate was negative and it is estimated at -3,4% in comparison with the same trimester of 2011. After taking into consideration the seasonal fluctuations and the actual working days the actual and more

¹⁰ Cyprus Statistical Service – Labor force Survey 2012 -
[http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/FA71F003F435D24BC2257777003EF934/\\$file/LFS-2012-130513.pdf?OpenElement](http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/FA71F003F435D24BC2257777003EF934/$file/LFS-2012-130513.pdf?OpenElement)

accurate GDP was estimated at -3,3%. According to the Flash Estimate of the Statistical Services Department economy development during the first trimester of 2013 is negative and is estimated at -4,3% in comparison to the same trimester of 2012. After taking into consideration the seasonal fluctuations and the actual working days the actual and more accurate GDP was estimated at -4,1%.

25. The following give further information on economic indicators:

Consumer Price Index (2012):

January: 117,05
February: 117,52
March: 119
April: 120,05
May: 120,49
June: 119,7
July: 118,41
August: 119,05
September: 119,8
October: 120,61

Distribution by percentage of social provisions (2009):¹¹

Disease: 24,6%
Disability: 3,6%
Elderly Allowance: 38,5%
Survivors Compensation: 5,7%
Child and Family: 10,7%,
Unemployment: 4,6%,
Accommodation: 5,4%,
Social exclusion: 6,9%.

General Government Gross Debt (2011): 12.720,00 million euro

II. Constitution, political and legal framework

A. Political developments from 1960–today¹²

26. The Republic of Cyprus was established on 16 August 1960, with the coming into force of three main treaties and its Constitution. The Constitution was conducted by the Joined Constitutional Commission, which included representatives of Greece, Turkey, the

¹¹ Social Protection in Cyprus/Statistical Service
[http://www.cystat.gov.cy/mof/cystat/statistics.nsf/All/77F7F7493CC4EBBEC2257705004843DB/\\$file/CYPRUS_IN_FIGURES-2011_12-EN-090712.pdf?OpenElement](http://www.cystat.gov.cy/mof/cystat/statistics.nsf/All/77F7F7493CC4EBBEC2257705004843DB/$file/CYPRUS_IN_FIGURES-2011_12-EN-090712.pdf?OpenElement)

¹² Press and Information Office – Ministry of Interior
http://www.moi.gov.cy/moi/pio/pio.nsf/publications_gr/publications_gr?OpenDocument
Law Office of the Republic of Cyprus
http://www.law.gov.cy/law/lawoffice.nsf/dmlindependence_gr/dmlindependence_gr?opendocument
Office of the Law Commissioner:
http://www.olg.gov.cy/olg/olg.nsf/dmlindexa_gr/dmlindexa_gr?OpenDocument Core document on Cyprus drawn up in accordance with General Assembly resolution 45/85 and the consolidated guidelines for the initial part of the reports of States parties (document HRI/1991/1), (June 2012) - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Greek – Cypriot community and the Turkish – Cypriot community and involved the Zurich Agreement in the form of specific Articles, provisions from the Greek Constitution of 1950 and the rights and freedoms of the European Convention on Human Rights.

27. In the meantime, the three treaties mentioned below were signed. The Constitution of the Republic, together with the treaties, provided the legal framework for the existence and functioning of the new state.

(a) The Treaty concerning the Establishment of the Republic of Cyprus signed by Cyprus, Greece, Turkey and the United Kingdom. This provided for the establishment of the Republic of Cyprus and, inter alia, for the creation and operation of two British military base areas in Cyprus.

(b) The Treaty of Guarantee signed by Cyprus, the United Kingdom, Greece and Turkey by which the independence, territorial integrity and security of the Republic of Cyprus.

(c) The Treaty of Alliance signed by Cyprus, Greece and Turkey, aiming at protecting the Republic of Cyprus against any attack or aggression, direct or indirect, directed against its independence or its territorial integrity (UN Treaty Series, vol. 397 (1961) no. 5712).

28. Within less than three years, abuse of safeguards by the Turkish – Cypriot leadership led to a total dysfunction of the Constitution, and thus dictated the proposals for constitutional amendments submitted by the President of the Republic. Turkey, in furtherance of its designs based on territorial aggrandizement, instigated the Turkish Cypriot leadership's insurrection against the state, forced the Turkish Cypriot members of the executive, legislature, judiciary and the civil service to withdraw from their posts.

29. All of the above, led to intercommunal violence and threats by Turkey for a possible invasion. The Cypriot government appealed to the Security Council of the United Nations which ensured and confirmed the legitimacy and autonomy of Cyprus and decided to send A Peace Keeping Force (UNFICYP) so as to restore peace and initiate a procedure for a peaceful settlement of the problem. The assigned Mediator, De Galo Plaza in his report (S/6253, A/6017, 26 March 1965), disapproved the legal framework structure of 1960s and suggested amendments which were again rejected by Turkey, a fact which resulted in serious deterioration of the situation with constant threats by Turkey against the sovereignty and territorial integrity of Cyprus.

30. The Secretary-General of the United Nations in 1965 described the policy of the Turkish Cypriot leaders as being rigidly against any measures which might involve having members of the two communities live and work together. Despite the fact that the aim of the Turkish Cypriot leadership was the complete separation of the two communities in geographical and political sense, and that it did not encourage any activities between the two communities taking place, there was stability in the island up to 1974. Till then actually, a large proportion of Turkish Cypriots worked and lived peacefully with the Greek Cypriots.

31. Using as a pretext the coup d'état of 15 July 1974, instigated by the then Greek military junta against the Cyprus Government, Turkey invaded the island on 20 July 1974. 40,000 Turkish troops landed on the island, in violation of the Charter of the UN, the Treaties of Guarantee, Establishment and Alliance and the relevant principles and norms of international law. As part of the concerted Turkish policy of changing the character of the areas of the island under its occupation, a systematic destruction of the cultural and religious heritage of Cyprus in the occupied area started taking place, and which still continues to this very day. Most worryingly, since 1974, Turkey has pursued a systematic state policy of illegal colonization in the Turkish-occupied area, resulting in a drastic

demographic change, whereby a substantial portion of the population now consists of settlers. Today approximately 160,000- 170,000 settlers reside in the occupied part of Cyprus, 110,000 of whom are of Turkish nationality. In addition, there is a permanent presence of approximately 40,000 Turkish occupation troops. Over the same period, a total of 57,000 Turkish Cypriots emigrated from Cyprus. In fact the number of Turkish Cypriots in the occupied part of Cyprus has actually decreased from 116,000 in 1974 to about 88,000 at present. A natural population increase would have brought this figure up to 153,578.

32. United Nations General Assembly and Security Council Resolutions repeatedly called for the respect of the sovereignty, independence and territorial integrity of the Republic of Cyprus and for the withdrawal of all foreign military forces. Moreover, the United Nations condemned all secessionist acts and called upon all States not to recognize, facilitate or in any way assist the illegal entity. Also, they demanded the return of the internally displaced persons to their homes in safety, as well as the tracing and accounting of the missing persons and called for respect of the human rights of the Cypriots. Despite repeated calls of the International community, Turkey refused to abide by its international obligations.

33. On 15 November 1983, the illegal subordinate local administration of Turkey in the occupied part of Cyprus, issued a unilateral declaration purporting to create an independent state, the Turkish Republic of Northern Cyprus (TRNC). Turkey immediately accorded recognition to the secessionist entity. However, this entity has not been recognised by any other state. United Nations Security Council resolutions 541 (1983) and 550 (1984) condemned the unilateral declaration and all subsequent secessionist acts and declared them illegal and invalid and called for their immediate withdrawal. The resolutions also called on all states not to recognise the secessionist entity and not to facilitate or in any way assist it.

34. The European committee of human rights, found the Government of Turkey responsible for gross, massive and continuing violations of human rights in Cyprus, including murders, rapes, expulsions and refusal to allow more than 180.000 Greek Cypriot refugees, almost one third of the population to return to their houses and properties which are situated in the occupied part of the island.

35. In addition The European Court of Human Rights in the case of Cyprus versus Turkey (application no. 25781/94) has pronounced the overall legal consequences of Turkey's invasion and continued military presence in Cyprus. The Court's 10 May 2001 decision has reiterated a number of basic principles, such as:

- the Government of the Republic of Cyprus is the sole legitimate Government of Cyprus
- the international community and the Court do not consider the "TRNC" as a state under international law
- Turkey's subordinate local administration in northern Cyprus survives by virtue of
- Turkish military occupation and other support
- Turkey, having "effective overall control over northern Cyprus" is responsible for all human rights violations by her own soldiers, officials or the local administration.

36. The European Court of Human Rights has also pronounced important judgments upon individual applications of Cypriots. In the landmark case of *Loizidou versus Turkey*, a case which marked a new departure in the case-law of the European Court of Human Rights, the Court ordered the Government of Turkey to compensate the applicant for the time period of deprivation of use of her property and to provide full access and allow peaceful enjoyment of her property in Kyrenia.

37. Turkey refused to comply with the Court's ruling for a number of years, and despite paying the damages in December 2003, Ankara has yet to comply with the judgment that grants full enjoyment and access to the applicant's property. The right of displaced owners to their properties has since been repeatedly reconfirmed in multitude cases brought by Greek - Cypriots property owners in the occupied part, against Turkey, the most recent ones decided upon in late 2009.

38. The Republic of Cyprus joined the European Union on 1 May 2004, with the island's total territory (the founding treaties of the EU principle are applicable throughout the territory). However, the situation of the Turkish occupation of part of the territory of the Republic has been taken into account by Protocol 10 of the Act of Accession. Under section 1 of the said Protocol, the implementation of the EU is suspended in those areas of Cyprus in which the Government of Cyprus does not exercise effective control. The European Court of Justice in its judgment of 28 April 2009 in *Case C-420/07, Meletis Apostolides v David Charles Orams and Linda Elisabeth Orams*, confirmed the jurisdiction of the courts of the Republic regarding the civil litigation related to property situated in the occupied territories and ruled that the suspension of the implementation does not prevent successful litigants in such cases to invoke to the European Union law in order to ensure the recognition and enforcement of judgments of the Cypriot courts in any EU member state. Greek Cypriot owners of property situated in occupied areas therefore are able to take legal action to prevent any unauthorized use of their property and, where necessary, to ensure the implementation of relevant judgments anywhere in the EU.

39. Due to the continuing Turkish occupation, it is evident that the Government of the Republic of Cyprus is prevented by armed force from exercising its authority and control and ensuring implementation and respect of human rights in the occupied area. In its search for a peaceful solution, the Cyprus Government, despite the continuing illegal occupation, agreed to intercommunal talks being held on the basis of the aforesaid UN resolutions and through the good offices mission of the UN Secretary-General. Such efforts are being exerted towards that direction until today. Success has not been possible, thus far, because of the Turkish policies.

40. The Cyprus Government aims at a just, viable, comprehensive and functional solution under a bizonal, bicomunal federal structure that will guarantee the independence, territorial integrity, unity and sovereignty of Cyprus, free from occupation troops and illegal settlers. A solution that will reunify the island and which would ensure full respect of human rights and fundamental freedoms for all Cypriots, irrespective of ethnic origin or religion.

B. Constitution

41. Cyprus is an independent Republic with a presidential system of government. According to the Constitution of 1960, the government of Cyprus is established in the following way:

(a) Executive Power

Article (1) in the Constitution defines that the President of the Republic has to be of Greek origin and the Vice president of Turkish origin, and that they are both supposed to be elected by the Greek and Turkish Communities respectively. The Constitution also states, that the President nominates seven Greek – Cypriot Ministers and the Vice president three Turkish – Cypriot Ministers

(b) Legislative Power

The Legislative Power is exercised by the House of Representatives which is constituted by 50 members. The Greek - Cypriot Community elects 70% (35 Representatives) of the House and the Turkish - Cypriot 30% (15 Representatives). The Constitution also includes the establishment of two Communal Chambers so as to exercise both legislative and administrative control in certain domains, such as education, religion and culture (Articles 86-90).

(c) Judicial Power

The Judicial Power of the Republic of Cyprus is exercised by the Supreme Court and all the subordinate courts below it. The Supreme Court is composed by three judges, one Greek, one Turk and a Neutral judge who must not be Cypriot and who is regarded as the head. All the members of these posts are appointed by the President and Vice President of the Republic.

(d) Independent Officers of the Republic

The independent Officers of the Republic according to the Constitution are the Attorney General and his/her Deputy, the Auditor-General and his/her Deputy and the Governor and Deputy Governor of the Central Bank who are also appointed by the President and the Vice President of the Republic. The Public Service of the Cyprus Republic is supposed to be composed by 70% Greek -Cypriots and 30% Turkish - Cypriots. The Commission is responsible for the allocation, for appointing, confirming, promoting transferring, retiring and exercising disciplinary control over all of the public offices of the two Communities.

42. With the Turkish - Cypriot mutiny against the Republic of Cyprus in December of 1963, all the members of the Turkish Cypriot Community abandoned their posts in the government or other Public Services. On the basis of the Law of Necessity, the constitutional formation changes were needed. The Ministries, increased to 11 with the inclusion of the newly formed Ministry of Education which was added in the 1965 constitutional amendment. This Ministry later took the official name of Ministry of Education and Culture. With the removal of all the Turkish -Cypriot Public Officers from their positions, all ministers came to be Greek - Cypriots and are appointed by the President of the Republic. The Vice President's position remains vacant. All of the Turkish Cypriots abandoned their positions in the Legislative and their posts remain vacant till this day. The number of Seats in the House of Representatives increased to 80 (56 for the Greek - Cypriots and 24 for the Turkish - Cypriots) according to the relevant legislation. Changes were made to the Judicial system as well since after the 1965 events, all judges represent only from the Greek Cypriot community.

43. The Constitution defines and makes a clear distinction among the three authorities of the Republic and their roles.

1. Executive power¹³

44. The Executive Power has the responsibility of the implementation of any legislation approved by the Legislative Power, the responsibility to guard the country's safety, security and its relationships with other nations and the undertaking of any necessary measures for the economic, social and cultural progress of the nation.

45. According to the Constitution of 1960, executive authority is exercised by the President of the Republic who is elected for a five-year term and the Council of Ministers. The President has the right of final veto about any decision taken by the Council of

¹³ Cyprus Academy of Public Administration - "The Organisation and Function of the Cyprus Public Administration"

Minister or any law approved by the House of Representatives that regards foreign affairs, national defense and security.

46. Secondary, but essential for the functioning of the state is the governing bodies and agencies acting in the central public administration, which include Ministries/ Department/ Services and the Independent Services. In Cyprus today there are 11 Ministries: Ministry of Defense, Ministry of Agriculture, Natural Resources and Environment, Ministry of Justice and Public Order, Ministry of Commerce, Industry, Tourism and Energy, Ministry of Foreign Affairs, Ministry of Labour and Social Insurance, Ministry of Interior, Ministry of Finance, Ministry of Education and Culture, Ministry of Communications and Works, Ministry of Health. With the exception of the Ministries of Foreign Affairs and Defense, under the remaining nine ministries operate specific Departments / Services. Apart from the 11 Ministries, Independent Service also function that are not included into ministries (such as the Legal Service, the Audit Service etc.) which are run by Independent Officials appointed under constitutional assistance from the President. There are also Independent Services established by law usually for purposes of harmonization with the acquis communautaire, which are run by Independent Officials appointed by the Cabinet (e.g. Commissioner for State Aid Control, Competition Protection Commissioner, etc.).

47. Within the Regional Public Administration, one finds Legal Entities of Public Law and Public Law Organisations (e.g. Cyprus Telecommunication Authority, Electrical Authority of Cyprus), each providing services on a specialized area. These semi-government organizations or legal entities are characterized by diversity in the nature of services they provide, in the method of their operation, and the degree of autonomy they keep from the Central Government. Their common characteristics are the provision of services for the public benefit, the function within the limitations of certain legislation, the funds that are provided to them by the state (with very few exceptions), autonomous functionality, government control through the appointment by the Council of Ministers of their Executive Board of Directors and through the approval of their annual budget.

48. Within the local public administration¹⁴, lie the Municipalities and the Local Communities. For the more effective functioning of the Republic as well as for the decentralization of the public administration, the island is geographically divided in six districts: Nicosia, Limassol, Larnaca, Paphos, Famagusta and Kerynia, under the responsibility of the District Officers and the Ministry of Interior. Every district is divided in Municipalities that are administrated by Municipality Councils, and in Communities which are administrated by Community Councils.

49. Currently, there are 39 Municipality Councils in the free area of Cyprus. The establishment and operation of the municipalities is governed by the Municipal Law which defines the framework of their functioning. These councils are elected directly from the citizens and their role is to consider any affair, issue or problem the cities and the suburbs face. The Municipal councils enjoy a lot of autonomy.

50. The Community Councils are up to 346 in the free area of Cyprus. The establishment and operation of the municipalities is governed by the Communal Law which defines the framework of their functioning. They are elected directly from the people and their responsibility is to run local affairs of the community. They also have a developing autonomy. Support and supervision is provided by the District Administrations.

51. The Central Public, the Regional and the Local Administration compose the Wider Public Sector in Cyprus.

¹⁴ Ministry of Interior

http://www.moi.gov.cy/moi/da/dadmin.nsf/dmlhistory_gr/dmlhistory_gr?OpenDocument#

2. Legislative power

52. Legislative power is exercised by the House of Representatives¹⁵, the members of which are elected by universal, direct, secret and compulsory vote. According to the simple proportional representation (the elective system that is into force today) which substituted the majoritarian system which was in force until 1979, small parties can be represented in the House of Representatives. The functions, procedure and works of the House of Representatives, are defined in Articles (61-85 – Part IV) of the Constitution.

53. Article (62) of the Constitution states that the number of the House Representatives would amount to 50, 35 members coming from the Greek Cypriot Community (70%) and 15 (30%) from the Turkish Cypriot Community offering simultaneously the authority of reconsidering the number of members with a decision taken with complete participation of the 2/3 of the elected Greek Cypriot members and the 2/3 of the elected Turkish Cypriot members. Therefore, in June 1985 on the basis of the Law of Necessity, the House increased the numbers of members to 80 preserving the 70:30% rate, 56 of the members from the Greek Cypriot community and 24 from the Turkish Cypriot Community. The seats of the Turkish Cypriot remain unoccupied after the events of 1963 when the 15 Turkish Cypriot parliament members abandoned their posts because of the intercommunal mutiny.

54. Based on the relevant legislation regarding the representation of Religious Groups in the House of Representatives, the Armenians, Latin and Maronites are represented by one member each. These members are elected by voting from their respective religious group and their post also lasts for 5 years. They participate in the House Standing Committee on Education, attend plenary meetings of the House and express their views on matters concerning their religious group without however, having a right to vote. They also enjoy the same rights and privileges as other Members of the House.

55. A person can participate in electing a House Representative if he/she is a citizen of the Republic, has attained the age of eighteen (the eighteenth year of age was decided with the Law 106(I) of 1996 – Second Amendment of the Constitution- which substituted article 63 of the Constitution that stated the age of 21 as an applicable age) and is eligible according to the laws' criteria. A person can be a candidate for election as a Representative if he/she is a citizen of the Republic, has attained the age of twenty-five years, has not been convicted of an offence involving dishonesty or moral turpitude, is not disqualified for any electoral offence and does not suffer from a mental disease that incapacitates him/her from exercising their duties.

56. According to the Electoral Law for general elections purposes, the territory of Cyprus is divided into six electoral districts that represent the six administrative districts of the state. Twenty-one seats are allocated to the district of Nicosia, twelve to Limassol, eleven to Famagusta, five to Larnaca, four to Paphos and three to Kyrenia. Each parliament member may choose to support one political party or any independent representative. The option of choosing candidates from different political parties is not provided.

57. The first parliamentary elections took place on July 1960 and the last ones in May 2011. The seats per political party during the last elections were:

Political Party: Democratic Rally (DISY)

Votes: 138,682

34.28%

+3.76%

¹⁵ House of Representatives: <http://www.parliament.cy/easyconsole.cfm/id/101> Aspects of Cyprus – Press and Information Office, Republic of Cyprus 2012 - <http://www.aspectsofcyprus.com/>

Seats: 20

+2

Political Party: Progressive Party of the Working People (AKEL)

Votes: 132,171

32.67%

+1.36%

Seats: 19

+1

Political Party: Democratic Party (DIKO)

Votes: 63,763

15.76%

-2.22%

Seats: 9

-2

Political Party: Movement of Social Democracy (EDEK)

Votes: 36,113

8.93%

-0.03%

Seats: 5

±0

Political Party: European Party (Evroko)

Votes: 15,711

3.88%

-1.91%

Seats: 2

-1

Political Party: Ecologists Movement, also known as the Cyprus Green Party

Votes: 8,960

2.21%

+0.25%

Seats: 1

±0

3. Judicial power¹⁶

58. The legal system and the Judiciary Power in Cyprus are based on the constitution of 1960. The Cyprus Constitution among others, includes the European Convention on Human Rights which was ratified in Cyprus in 1962 and includes human rights as, the right to life and physical integrity, the prohibition of torture, the right to liberty and security, the right to fair trial, the right to freedom of thought, conscience and religion, the freedom of expression, the right to property and the right of equality before the law.

59. The Supreme Court is the highest court in the Republic and was established in 1964 (L.33/64). It's composed by 12 judges and a President. The 1960 Constitution, provided for the existence of both a High Court as well as a Supreme Constitutional Court. Courts who also practice civil and criminal jurisdiction are the District Courts and Assize which function under specific legislation. The judges of the Supreme Court, the District Courts

¹⁶ Supreme Court Cyprus

http://www.supremecourt.gov.cy/judicial/sc.nsf/DMLIndex_gr/DMLIndex_gr?OpenDocument

and the Assize, are all permanent members of the Judicial Service of the Republic. The Judges of the Supreme Court are appointed by the President of the Republic while the judges of the inferior courts are appointed by the Supreme Court. The judges of the Supreme Court, the District Courts and the Assize, are all permanent members of the Judicial Service of the Republic.

60. The courts which are in hierarchy below the Supreme Court are the following.

61. The District Courts, which exercise civil and criminal jurisdiction. Each of the District Courts is composed by the President, Senior District Judges and District Judges. There is a District court in every district of Cyprus. The President of the District Court has unlimited civil jurisdiction. The District Court hears civil disputes, the disputed issue arising within the limits of the court or if the respondent at the time of the dispute resides or conducts profession within the province for which the court operates. Regardless of the status in the Judicial Service, each and every District Judge enjoys equal criminal jurisdiction. The District can examine all criminal cases for offences punishable with up to five years imprisonment but with the Attorneys Generals' consent, the judges may even decide upon a case that's decision may involve over the five year imprisonment sentence. The Districts Courts' jurisdiction could be described as local since these courts deal with issues within the districts' perimeter.

62. The Assize Court has unlimited jurisdiction to hear and determine at first instance any criminal case. Each Assize Court is composed of three judges, the District Court President and two Senior District Court Judges or District Court Judges and is chaired by the District Court President. At present there are four Assize Courts operating in Cyprus.

63. The Family Court has exclusive jurisdiction to hear applications for divorce, parenting, nutrition and property disputes between spouses who are Christian Orthodox. For persons belonging to one of the other religious groups in Cyprus, namely the Armenians, Maronites and Latins, jurisdiction for the abovementioned matters have Family Court religious groups. There are 3 Family Courts, one in Nicosia and Kyrenia, one for Limassol and Paphos and one in Larnaca and Famagusta. Also, one Family Court for the Religious Groups operates and covers the whole of Cyprus. This Court is based in Nicosia. The cases before the Family Court are heard by a single member, except divorce applications for which the composition involves three members.

64. The Industrial Disputes Tribunal has exclusive jurisdiction to determine matters arising from the termination of employment and payment of compensation to employees. The Industrial Disputes Tribunal is composed of a Judge, a President, who is a member of the judiciary, and two lay members appointed on the recommendation of the employers' and employees' unions. There are currently three Industrial Tribunals in the Republic of Cyprus.

65. The Rent Control Court has jurisdiction to determine matters regarding recovery of possession of controlled rented property and the determination of fair rent, as well as any other incidental matter. Each Rent Control Court is composed of a President, who is a member of the Judiciary, and two lay members nominated by the tenants and landlords associations. There are three Rent Control Courts, one for the districts of Nicosia – Kerynia, one for Limassol Paphos and one for Larnaka – Famagusta.

66. The Military Court has jurisdiction to examine offences committed by military personnel. The Military Court is composed by The President of the Court who is a judge belonging to the Judicial Service of the Republic and two army officers who are appointed by the Supreme Council of Judicature

67. Any decision taken by a lower court is subject to an Appeal to the Supreme Court while a decision taken by the Family Court is subject to an Appeal to a Secondary Family Court which is composed by three judges coming from the Supreme Court.

68. The Supreme Constitutional Court and the High Court of Justice as set up in the Constitution of 1960, stopped their operation because of the intercommunal conflicts mentioned before. After the Administration of Justice Law in 1964 (L.33/64), the authorities of the Supreme Constitutional Court and the High Court of Justice passed to today's Supreme Court of Cyprus.

69. The adoption of the aforementioned Law is a very important part for the administration of justice in Cyprus. The Constitutionality of the L.33/64 was judged during the case of *The Attorney General of the Republic v Mustafa Ibrahim and others* (1964) C.L.R. 195. The Supreme Court justified the above decision with the excuse of "the state of necessity" law. The main legal principle of the State of Necessity law was the "salus populi est suprema lex", (let the good of the people be the supreme law) which allowed the taking of essential measures even regardless of the constitution so as to ensure the wellbeing of the people and the country. The Court expressing the responsibility that the times demanded converted the theory of law into a living law applicable to everyday life and the aim to maintain social order. The Court also decided that the State of Necessity Law is included in the Constitution.

70. The communal character of the Constitution was adapted in the voting system also. Elections were held based on the two communities separate candidates catalogue (Article 63 and 94) and a separate voting day was decided (Articles 1,39,62,173,178). Currently elections take place on the basis of proportional representation.

71. A specific law concerning the Voting Rights of the Turkish Cypriots residing in the free areas was implemented in 2006 (L.2 (I)/2006). According to it, the Turkish Cypriots who live in areas controlled by the Republic of Cyprus do have the right to vote or be candidates in national type elections (parliament/presidential/municipalities/local). As far as the House of Representatives is concerned, the particular elections involve the 56 seats of the Greek Cypriot community. According to the Election of Members of the European Parliament Law of 2004 (L. 10 (I) / 2004) – as amended, the Turkish Cypriots have the right to vote and stand as candidates of the European Parliament regardless of place of residence in the island.

72. In order to ensure the rights of specific groups who have the right to be considered as citizens of the state but could not be included in the Constitution's definition for the two basic communities (Greek / Turkish), the Constitution (Article 2) defines them as "religious groups". This term practically refers to the group of people who reside in Cyprus and have the same religion, beliefs, or dogma of religion and who are in number more than one thousand, from which 500 of them have the Cypriot nationality, since the date the Constitution came into force. In 1960, Cypriot Maronites, Latins and Armenians were treated as Religious Groups and were granted the Cypriot citizenship.

III. Human rights

A. Ratification of human rights treaties¹⁷

73. The basis of the legal system of Cyprus is the common law and the principles of equity applicable at the time of independence as amended or supplemented thereafter by the Republic's statutes and case law. Independence also saw the introduction and development of the continental administrative and constitutional law.

74. It was natural for Cyprus, a country with a long history and tradition of civilisation and culture, to accord vital importance to international law and particularly to human rights norms, immediately after independence from colonial rule. Given the superior force of International Instruments, International Human Rights Law enriched and reinforced the body of municipal law that protects human rights and liberties. One of the first tasks of the new Republic was, therefore, to examine treaties extended to it by Britain and notify as appropriate succession thereto, whilst examining existing human rights regional and universal instruments and ratifying or acceding to nearly all of them, a policy that continues to date.

75. Central in the conduct of international relations of Cyprus is the recognition of the predominance of international law, the purposes and principles of UN Charter and particularly the peaceful settlement of disputes based on respect of human rights and fundamental freedoms.

76. Cyprus has become a party to the majority of the core and other international instruments relating to human rights adopted at the universal and European regional level. The standards and obligations arising from these instruments are part of the legal framework of Cyprus. An updated List of International Human Rights Instruments to which Cyprus is a party is provided in annex A.

B. National legal framework for the protection of human rights¹⁸

77. The constitutional structure of Cyprus, embodies all norms necessary for the promotion of human rights and secures the separation of powers particularly the independence of the judiciary and is permeated by communalism.

78. The 1960 Constitution, the supreme law of the Republic, is the main instrument that recognises and protects human rights. Part II of the Constitution entitled "Fundamental Rights and Freedoms" incorporates and expands upon the Universal Declaration and the European Convention on Human Rights.

¹⁷ http://www.olc.gov.cy/olc/olc.nsf/dmlindexa_gr/dmlindexa_gr?OpenDocument
Core document on Cyprus drawn up in accordance with General Assembly resolution 45/85 and the consolidated guidelines for the initial part of the reports of States parties (document HRI/991/1), (June 2012) - Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

¹⁸ http://www.olc.gov.cy/olc/olc.nsf/dmlindexa_gr/dmlindexa_gr?OpenDocument Core document on Cyprus drawn up in accordance with General Assembly resolution 45/85 and the consolidated guidelines for the initial part of the reports of States parties (document HRI/1991/1), (June 2012) - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

79. Although the legislative, executive and judicial authorities are all enjoined by Article 35 of the Constitution to secure, within the limits of their respective competence, the efficient application of human rights, it is the totally independent judiciary that is the ultimate protector of human rights and liberties in the Republic of Cyprus.

80. All laws and especially Criminal Law and Procedure must and do protect fundamental rights. Any law that violates in any way human rights will be declared by the Supreme Court as unconstitutional.

81. Any restrictions or limitations of the human rights guaranteed under the Constitution have to be provided by law and have to be absolutely necessary only in the interests of the security of the Republic, or the constitutional order or the public safety, or the public order or the public health, or for the protection of the rights guaranteed by the Constitution to any person. Provisions relating to such limitations or restrictions should be interpreted strictly.

82. Wherever positive action was contemplated by the Constitution or other instruments in respect of certain, mainly social, economic or cultural rights, such action should be taken within reasonable time.

83. The remedies available to an individual who claims that his rights have been violated are the following:

- Right of petition and hierarchical recourse
- Recourse to the Supreme Court for the annulment of any decision, act or omission of an organ or authority (both original and revisional jurisdiction)
- Raising by a party to any judicial proceedings of the question of unconstitutionality of any law or decision whereupon the Court is obliged to reserve the question for the decision of the Supreme Court and stay the proceedings
- Civil action for compensation, restitution and declamatory judgment. In case of possible
- irreparable damage an injunction may be granted
- Private criminal prosecution
- Right of appeal in both civil and criminal cases
- The prerogative writs of habeas corpus, certiorari, prohibition, mandamus and quo warranto
- Courts exercising criminal jurisdiction may award compensation to victims of crimes up to, in the case of Assize Courts, €5.130
- The Republic is also liable for any wrongful act or omission causing damage committed in the exercise or purported exercise of the duties of its officers or authorities
- The Council of Ministers may set up a Commission of Inquiry to investigate and report on serious allegations of misconduct including violations of human rights
- The House of Representatives and its Committees in the exercise of their functions, including parliamentary control, consider, in many occasions, allegations or situations that involve abuse of human rights
- The Attorney-General of the Republic has a special responsibility to ensure the observance of legality and the rule of law and may often proprio motu or at the instance of a complainant order inquiries or advise on remedies

- The Ombudsman and Human Rights Commissioner is an Independent Official of the State with responsibility for extra-judicial control of the administration in case of breach of the principle of legality, human rights or maladministration. The extrajudicial control is exercised by exploring individual or collective complaints or ex officio investigation of individual cases or wider legal and institutional issues by reporting and by making suggestions and recommendations to the relevant departments and / or functions. The implementation of recommendations / suggestions of the Commissioner is constantly monitored.
- The Independent Commission for Examining Complaints Against Members of the Police
- Force has authority to investigate and examine cases addressed against police officers. The Commission is independent and consists of members with high morals and qualifications, appointed by the President of the Republic.
- An individual, having exhausted local remedies, may have recourse or submit a communication under the optional procedures of various international human rights instruments by following specific procedure. Some of the International Instruments are: the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the European Convention on Human Rights; the First Optional Protocol to the International Covenant on Civil and Political Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocol to the Convention on the Rights of Persons with Disabilities.
- Cyprus has also accepted the compulsory jurisdiction of the European Court of Human Rights and the optional clause of compulsory jurisdiction of article 36(2) of the Statute of the International Court of Justice.

84. In case of war or public danger threatening the life of the Republic or any part thereof, certain of the fundamental rights guaranteed under and specified by the Constitution may be suspended during the period of the emergency by a proclamation of emergency issued by the Council of Ministers. Such proclamation must be laid forthwith before the House of Representatives which has the power to reject it. The rights that may be suspended are the following:

- prohibition of forced and compulsory labour;
- the right to liberty and security of person;
- freedom of movement;
- inviolability of dwelling house;
- interference with correspondence;
- freedom of speech and expression;
- the rights of assembly and freedom of association;
- right to property, only in so far as prompt payment of compensation for requisitioning is concerned;
- right to practice any profession or to carry on any business; and
- right to strike.

85. International Conventions ratified or acceded to by the Republic are incorporated into the Republic's national law and have, as from their publication in the Official Gazette,

superior force to any national law. Such conventions are directly applicable in the Republic and directly enforced by the Courts and administrative authorities. When an international convention contains non self - executing provisions, the Legislature has a legal obligation to enact appropriate legislation in order to harmonise the national law with the convention and make the latter fully enforceable.

86. Furthermore, the Law Commissioner, an Independent Official responsible for the updating of legislation, is also charged with ensuring compliance of Cyprus' reporting obligations under human rights international instruments as well as identifying areas of inconsistency of national law and administrative practice with such instruments and international law standards in the field of human rights and proposing necessary action.

87. Cyprus is a practicing pluralist democracy with absolute respect for the rights and freedoms of the individual. It continuously strives to achieve more progress in the field of human rights by overcoming difficulties chief of which is the continued foreign occupation of more than a third of its territory. Through the provided legal, administrative and judicial mechanisms, through education and awareness raising, the purpose of the government is to combat prejudice and stereotypes, including the elimination of discrimination based on national origin, age, disability, gender, sexual orientation, religion, political beliefs, etc.

88. A significant number of NGO's exist in Cyprus, which are registered as Associations or Foundations under the Registrar of Associations and Foundations. According to the Associations and Foundations Laws of 1972¹⁹, every Association or Foundation is required to be registered so as to obtain a legal status. In the Registers which are held by the Registrar of Associations and Foundations, the main characteristics of each association or foundation are kept. In the abovementioned law, an "association" or a "foundation" means an organized body with a minimum number of members who aim at achieving and fulfilling a non-profitable objective.

89. The role of the mass media in the promotion and protection of human rights is considerable. Apart from the Official Gazette of the Republic there are numerous of private daily, weekly and other newspapers and magazines. The same goes for radio and television, where, apart from television and radio programs of a semi government organization, there are numerous private television and radio stations.

90. All international conventions and treaties to which Cyprus becomes party are published in the Official Gazette. Appropriate publicity is given to them in the media, printed and electronic press.

91. Human rights are considered a particularly important issue and special action is always taken to promote awareness among the public, and the relevant authorities. Awareness, as the necessary precondition to, inter alia, claiming ones' rights and prevention of abuses, is pursued mainly through education by including the teaching of human rights in the curricula at all levels of education, at teachers' and police training academies, parents' guidance and other similar institutions.

92. The Government, the media and the private sector publish books and pamphlets on the issue of the protection of human rights, as well as on the question of their violation of human rights. Posters and brochures are distributed to public establishments, schools, youth centres and organisations. Special press releases, regarding human rights are issued as necessary covering both local and international developments, including conferences,

¹⁹ Ministry of Interior
http://www.moi.gov.cy/moi/citizenscharter/citizenscharter.nsf/dmlunions_gr/dmlunions_gr?OpenDocument

seminars, lectures, colloquies and other similar events. Articles on human rights frequently appear in the newspapers and in specialized publications, including those of the Bar Association and Human Rights Organisations.

C. Preparation process of national documents to the Committee on the Rights of Persons with Disabilities

93. The Council of Ministers of the Republic of Cyprus decided on 9.5.2012, in regards with the implementation of Article 33 of the Convention on the Rights of Persons with Disabilities, to designate the following Mechanisms for the effective implementation and monitoring of the Convention:

(a) The Department for Social Inclusion of Persons with Disabilities under the Ministry of Labour and Social Insurance as the Focal point for the implementation of the Convention, which will cooperate with the Contact Points of the Ministries/Departments/Services that undertake disability matters

(b) The Pancyprian Council of Persons with Disabilities, supported by the Department for Social Inclusion of Persons with Disabilities which operates in the framework of Persons with Disabilities Laws 2000-2007, as the Coordinating Mechanism for the facilitation of related actions for the implementation of the Convention.

(c) The Ombudsman and Commissioner for Human Rights - Equality Authority, which operates under the Law Against Racial and Other Discrimination L.42(I)/2004, the Persons with Disabilities Laws 2000-2007 and the Ombudsman Laws 1991 – 2011, as the Independent Mechanism for the promotion, protection and monitoring of the Convention.

94. The Department for Social Inclusion of Persons with Disabilities as the Focal Point is responsible, among other things, to prepare and present in cooperation with other competent agencies, Reports to the Committee on the Rights of Persons with Disabilities accompanied with the Core Document. The Department is responsible for the coordination of all competent agencies which provide information for the preparation of both, the Treaty-Specific Document on the Convention on the Rights of Persons with Disabilities and the Core Document.

95. The agencies involved in the formation of these two documents, are mainly the Ministries/Departments/Services of the Republic of Cyprus, Semi-government Organizations and Unions of Local Authorities that directly deal with disability issues or can provide material and data to be used for the Core Document and also the organizations of persons with disabilities. Every public service designates a Contact Point to cooperate with the Focal Point. The active involvement of the Organisations of Persons with disabilities is pursued through the Cyprus Confederation of Organisations of the Disabled (CCOD) which is the umbrella of organisations for persons with disabilities. CCOD is an official social partner of the state and according to the 2006 Law of Consultation between Governmental and other Services involved in matters that relate to persons with disabilities, all such organizations and services should not take any decision without first consulting the Confederation. A list of the competent bodies is presented in annex B.

96. The Reports were prepared based on the contributions of the competent bodies and they were also formally sent to the competent bodies in order to get a feedback on their content. In this way, omissions are avoided and all points of view are presented so as to achieve the writing of a more thorough document.

97. The Coordinating Mechanism being the Pancyprian Council for Persons with Disabilities approved the establishment of eight Thematic Technical Committees to

facilitate the actions for the implementation of the Convention as well as the preparation of the reports. The Thematic Technical Committees established are the follows:

- Thematic Technical Committee for Equality, Non-discrimination, Awareness and Statistics.
- Thematic Technical Committee for Accessibility to the Natural and Built Environment
- Thematic Technical Committee for Accessibility on Transportation
- Thematic Technical Committee for Accessibility on Information
- Thematic Technical Committee for Independent Living, Social Integration, Mobility and Social Protection.
- Thematic Technical Committee for Education and Training
- Thematic Technical Committee for Health and Rehabilitation
- Thematic Technical Committee for Employment

98. Each Thematic Technical Committee is composed of representatives of the Department for Social Inclusion of Persons with Disabilities, representatives of Ministries / Departments / Services having responsibility for specific areas of disability, representatives of the Office of Ombudsman and Human Rights Commissioner participating as observers and representatives of the Cyprus Confederation of Organisations of the Disabled.

99. The role of each Thematic Technical Committee is advisory to the Pancyprrian Council for Persons with Disabilities and the Minister of Labour and Social Insurance, President of the Council. Once an understanding of the content and purpose of the relevant articles of the Convention is gained and the parties agree on the long-term goal (vision) that must be achieved in the relevant subject area, the terms of reference of each Technical Committee are to:

- Gathers the necessary information and data for the existing legal and institutional framework and implementation of the rights of persons with disabilities in the specific subject area of each committee.
- Discusses additional measures and actions that should be taken forward for further implementation of the Convention.
- Proposes to the Pancyprrian Council-Coordinating Mechanism concrete actions by respective implementing bodies, budget needed, time schedule and expected results in order for these actions to be included in the National Disability Action Plan.
- Consult to promote implementation of the actions included in the National Disability Action Plan.
- Informs the Pancyprrian Council-Coordinating Mechanism on the progress of its work.

100. After the Specific Treaty Document and the Core Document are submitted to the UN and feedback from the UN Committee will be received, the Department for Social Inclusion will take into account the views of the Committee and will incorporate them in due time both practically and in writing through the next Specific Treaty Document.

D. Other information on equality and human rights

101. As far as equality and human rights are concerned, the main legislation applicable in Cyprus as well as the international conventions regulating them were recorded above. More specific and specialized laws are also the following:

- Law of Equal Treatment of Men and Women in Employment and Vocational Training
(http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmllegislation_gr/dmllegislation_gr)
- Law of Equal Pay for men and women for same work positions or employment of equal value
(http://www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/legislation_gr/legislation_gr?OpenDocument)
- Law of Equal treatment of men and women in the occupational and social security schemes
(http://www.mlsi.gov.cy/mlsi/sid/sidv2.nsf/page16_gr/page16_gr?OpenDocument)
- Law of Equal treatment in employment
(http://www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/legislation_gr/legislation_gr?OpenDocument)
- Law of equal treatment for men and women (accessibility and provision to goods and services)
(http://www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/legislation_gr/legislation_gr?OpenDocument)
- Law of equal treatment (Racial or Ethnic Origin)
(http://www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/legislation_gr/legislation_gr?OpenDocument)
- Law of Elimination of all forms of racial or other discrimination
(http://www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/legislation_gr/legislation_gr?OpenDocument)
- Law for the Education and Training of Children with Special Needs
(http://www.moec.gov.cy/eidiki/nomothesia/Nomothesia_N%2013%28I%29_99.pdf)
- Law for the Recognition of Cyprus Sign Language
(http://www.moec.gov.cy/eidiki/kypriaki_noimatiki_glossa/index.html)
- Law for the recruitment of Blind Telephone Operators in the Public and Educational Sector and in Public Law Legal Entities
(<http://www.kysoa.org.cy/kysoa/page.php?pageID=17&langID=13>)
- Law for persons with intellectual disability
(<http://www.cpmental.com.cy/epnka/page.php?pageID=16>)
- Law for the consultation process on the state and other agencies on issues concerning people with disabilities
(<http://www.kysoa.org.cy/kysoa/page.php?pageID=17&langID=13>)
- Law for persons with disabilities
(http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd32_gr/dsipd32_gr?OpenDocument)
- Law for the recruitment of persons with disabilities in the wider public sector
(http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd32_gr/dsipd32_gr?OpenDocument)

- Law for the Special Fund of the Center of Vocational Rehabilitation for persons with disabilities
(http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd32_gr/dsipd32_gr?OpenDocument)
- Law for combating of trafficking, exploitation of human beings and for the Protection of victims (http://www.cylaw.org/nomoi/arith/2012_1_13.pdf)
- Law for the Rights of Children
(http://www.mlsi.gov.cy/mlsi/sws/sws.nsf/dmllegislation_gr/dmllegislation_gr?OpenDocument&Start=1&Count=1000&Expand=1)
- Law for Public Allowance and Services
(http://www.mlsi.gov.cy/mlsi/sws/sws.nsf/dmllegislation_gr/dmllegislation_gr?OpenDocument&Start=1&Count=1000&Expand=1)
- Convention on the Rights of Persons with Disabilities
(http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd32_gr/dsipd32_gr?OpenDocument)
- Convention on the Rights of the Child
(http://www.childcom.org.cy/ccr/ccr.nsf/DMLlegrep_gr/DMLlegrep_gr?OpenDocument)
- Law for the prevention of domestic violence and protection of victims
(http://www.mlsi.gov.cy/mlsi/sws/sws.nsf/dmllegislation_gr/dmllegislation_gr?OpenDocument&Start=1&Count=1000&Expand=1)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
(http://www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/legislation_gr/legislation_gr?OpenDocument)
- Law for the Protection of Witnesses (http://www.cylaw.org/nomoi/enop/non-ind/2001_1_95/index.html)
- Law for the protection of young persons at work
(http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmllegislation_gr/dmllegislation_gr)
- Law for Aliens and Immigration
(http://www.moi.gov.cy/moi/crmd/crmd.nsf/dmllegislation_gr/dmllegislation_gr?OpenDocument&Start=1&Count=1000&Expand=1)
- The Refugees Act
(http://www.moi.gov.cy/moi/crmd/crmd.nsf/dmllegislation_gr/dmllegislation_gr?OpenDocument&Start=1&Count=1000&Expand=1)
- Law for the processing of Personal data
(<http://www.dataprotection.gov.cy/dataprotection/dataprotection.nsf/All/B708D98FB15F8D09C2256D9B0032AE61?OpenDocument>)

102. Measures for the implementation of laws / regulations / directives and conventions regarding human rights are undertaken by the ministry / service / department involved according to its responsibilities. Such measures usually adopted, regard specific programmes either financial or social in nature offering social and financial support to people and simultaneously fulfill the requirements of the legal framework on human rights. It's worth noting that, in order for Cyprus to comply with the international and European treaties ratified, it proceeds with an evaluation and readjustment of its present national laws and regulations so as to integrate and keep up with the new developments.

103. In addition, as concrete measures taken are the appointments of Commissioners concerned with several issues. In Cyprus there are three Commissioners that are involved in the human rights area.

104. First is the Ombudsman and Human Rights Commissioner - Equality Authority : According to the Ombudsman Laws of 1991-2011, the Ombudsman investigates complaints against any public service or officer exercising executive or administrative action, if any of their actions violate human rights or have been in violation of the laws or rules of good administration and proper conduct and if their actions affects directly and personally any person. Investigation is performed in three ways: 1) after a complaint made by any person who has directly and personally been affected by an administrative action, 2) when asked by the Council of Ministers to investigate the operation of any service so as to verify its proper and legitimate operation and 3) by own will investigation on matters of general interest. The complaint for an action or omission on behalf of public administration must be submitted to the Ombudsman within 12 months that is in the knowledge of the complainant.

105. With the accession of Cyprus to the European Union and after the integration of the fundamental EU directives on equal treatment (2000/78/EC and 2000/43/EC) in national law, since 2004, two independent authorities whose responsibilities also cover the private sector are functioning in the Ombudsman Office. As the Equality Authority, the Office investigates complaints and issues of discrimination in employment or work on the grounds of racial / ethnic origin, age, religion, disability, gender and sexual orientation. Allegations of sex discrimination may also be considered in relation to access to goods and services and their supply. The subjects covered by the Authority against Discrimination, concern discrimination on the grounds of race, community, language, color, religion, political or other opinion, national or ethnic origin and the aim of the authority is to promote equal treatment, in all fields, including social protection, social security and social assistance, health care and education.

106. The new responsibilities assigned to the Ombudsman Office, were in 2009, as a National Preventive Mechanism against Torture (the Laws 235/90, 35 (III) / 90 and 36 (III) / 2002) and in 2011, as the National Independent Human Rights Authority. Also, by a Council of Ministers decision, the Ombudsman acts since 2012 as the Independent Mechanism to promote, protect and monitor implementation of the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

107. The second Commissioner is responsible for the protection of Children's Rights : according to the Commissioner for the protection of Children's Rights Law, the Commissioner has the responsibility and role of protecting and promoting children's rights, representing children and their interest at all levels, arise public awareness in order to protect children's rights throughout their childhood, monitor legislation relating to children and submit proposals for the better harmonization with the Convention on the Rights of the Child, promote campaigns about children's rights in order to change the society's culture about children's position in the world, promote studies, seminars and educational programmes that concern all responsible bodies, represent children and their interests and can be appointed as their representative in court.

108. The third Commissioner is the Commissioner for Personal Data Protection having the responsibility to issue directives, rules, recommendations and codes of practice for the protection of the individual's personal data, the operation of associations and the proper use of personal data from the those who collect and process it, issue licenses according to the relevant law, proceed to inspection through access to any information, investigate complaints regarding the implementation of the law and decide on a penalty for cases of law mistreatment including imposing fines, maintain files and records, cooperate with respective authorities in other member states of the EU and the Council of Europe.

109. Relevant campaigns, seminars, conferences and learning activities have been organized aiming at the promotion of human right and the training of the general public as well as the employees in the public sector and elsewhere. Such awareness raising activities are listed indicatively in annex C.
