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**Rapport annuel du Haut-Commissaire des Nations Unies
aux droits de l'homme et rapports du Haut-Commissariat
et du Secrétaire général**

Communication de la Commissaire pour l'administration et la protection des droits de l'homme (Ombudsman) de Chypre*

Note du secrétariat

Le secrétariat du Conseil des droits de l'homme a l'honneur de transmettre une communication soumise par le Commissaire pour l'administration et la protection des droits de l'homme (Ombudsman) de Chypre**, reproduite ci-après conformément à l'article 7 b) du Règlement intérieur figurant dans l'annexe de la résolution 5/1 du Conseil, qui dispose que la participation des institutions nationales des droits de l'homme s'exerce selon les modalités et les pratiques que la Commission des droits de l'homme a arrêtées, notamment dans sa résolution 2005/74.

* Institution nationale des droits de l'homme accréditée avec le statut « A » par l'Alliance mondiale des institutions nationales des droits de l'homme.

** La communication est reproduite en annexe telle qu'elle a été reçue, dans la langue de l'original seulement.



Annexe

Communication de la Commissaire pour l'administration et la protection des droits de l'homme (Ombudsman) de Chypre

Question of Human Rights in Cyprus, Report of the Office of the United Nations High Commissioner for Human Rights

Under my mandate as the National Human Rights Institution of the Republic of Cyprus, I would like to express my gratitude to the Human Rights Council for including the important issue of the question of human rights in Cyprus on the agenda here today.

Since 1974 and onwards, the northern part of the Republic of Cyprus has been under Turkish occupation, with the consequent violation of the fundamental rights of a large part of its population, such as the right to property, freedom of settlement and movement, etc.

Nevertheless, from our side and, within the framework of my mandate as the National Human Rights Institution, every effort is made to ensure the promotion and protection of the human rights of all citizens and people residing in the territory of the Republic of Cyprus without any exception or discrimination, regardless of the community to which they belong or their origin.

In this direction and in order to strengthen our role as a National Human Rights Institution, in 2022 we undertook the appropriate initiatives to the legislative and executive powers, to amend the legislative and institutional framework of our Institution and to become in line with the Paris Principles. Particularly, the legislative power has amended the legislative framework of our Institution and the executive power (Council of Ministers) has issued specific binding administrative decisions regarding the selection process of the Commissioner and the wider promotion and protection of human rights in the Republic of Cyprus.

As a result of this effort, we were able to achieve, not only the re-accreditation by the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI), of our Institution as a National Human Rights Institution (NHRI), but also the upgrading of the Institution to an A status NHRI (from B status after the accreditation by the SCA in 2015). This way, it has now been recognised that our Institution is now fully compliant with Paris Principles.

The upgrading of our Institution to an A status NHRI, both honours the Institution itself and demonstrates the commitment of the Republic of Cyprus to the promotion and protection of Human Rights, but it also entrusts us with a further responsibility to continue our work to ensure the promotion and protection of human rights in the Republic of Cyprus.

Therefore, although we have no involvement or competence in matters relating to the settlement of the Cyprus problem, we hope, in view of the recent election of a new Government, that efforts for the settlement of the problem on the basis of the Security Council resolutions will continue and intensify.

With regard to the safeguarding of all aspects of human rights in the Republic of Cyprus, our work and efforts aim to preserve the rights of all persons living in the territory of the Republic of Cyprus, without any exception, and to protect them from any form of discrimination, unequal treatment or ill-treatment.

In this direction we have repeatedly intervened, both as an Equality Body and as a NHRI, in relation to the safeguarding of religious freedom and, in particular, places of worship. Indicatively, in 2018 we submitted a Report regarding the provision of a place of religious worship in Paphos for the needs of Muslims during the celebration of Ramadan,¹ in

¹ Own-Initiative Intervention regarding the handling of the Municipality of Paphos in relation to the Mosque in Kato Paphos (in Greek).

2021 an Own Initiative Intervention, in light of the vandalism of a mosque in Episkopi village, regarding the respect for religious freedom and cultural heritage² and another Own initiative intervention, also in 2021, on the occasion of an arson attack on the Buyuk Mosque in Larnaca³ (even though from the police investigation was revealed that the motives of the arsonist were personal and not racist).

It should be noted that our two above-mentioned interventions regarding the mosques in Episkopi and Larnaca have been part of a broader awareness campaign we have been conducting since 2020 regarding Hatred/Hate Speech and Freedom of Expression.⁴ The purpose of the campaign is to guide the public as to the concept of hate speech and the freedom of expression, both for the purposes of information and awareness about specific issues.

Other Interventions we submitted in the context of the campaign, were regarding the treatment of a citizen who reported a homophobic attack against him by the Police⁵ (2022), racist attacks against ready-to-eat food distributors⁶ (2022), rhetoric that promotes racism and xenophobia and the specific implications of this rhetoric when it is developed on the internet⁷ (July 2021), the elimination of racist incidents from football and the wider field of sports⁸ (December 2021), racist verbal attacks to a footballer on the basis of his colour and racial origin⁹ (2020) etc. Furthermore, in cooperation with the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE), in March 2021, we have launched a joint initiative to explore the possibilities that exist for the development and promotion of interagency co-operation between competent public authorities and civil society bodies, in order to more effectively address hate crimes in Cyprus.¹⁰

In relation to safeguarding the rights and equal treatment of persons belonging to vulnerable groups, our main interventions were related to the living conditions of the Roma community in Cyprus¹¹ (2020), the family unification of beneficiaries of international protection¹² (2022) etc.

With respect to the protection of the rights of refugees, asylum seekers and beneficiaries of international protection, we have repeatedly intervened in relation to the reception conditions provided to the persons who reside in "Pournara" Reception and Accommodation Centre. In our last intervention¹³ on this issue in 2022, we also focused on the presence of unaccompanied minors in the Reception Centre and we recommended their immediate transfer to an appropriate accommodation. The competent authorities promptly implemented our recommendations and, inter alia, the unaccompanied minors were placed in other more suitable accommodation.

Furthermore, a number of complaints submitted to our Institute by asylum seekers are in relation to delays in the examination of international protection applications, as well as regarding delays in the delivery of welfare benefits. In most of the cases, following our intervention, these issues are being positively addressed.

² Public Statement regarding the respect for religious freedom & cultural heritage (in English).

³ Own Initiative Intervention regarding the right to substantial safeguard of the cultural heritage and the need for cultivating a culture of respect for it (in Greek)

⁴ Hatred/Hate Speech & Freedom of Expression.

⁵ Report regarding the treatment of a citizen who complained of a homophobic attack by the police (in Greek).

⁶ Own-Initiative Intervention regarding attacks against ready meal distributors (in Greek).

⁷ Report on rhetoric promoting racism and xenophobia and the specific implications of this rhetoric when it occurs on the Internet (in Greek).

⁸ Own-Initiative Intervention regarding the eradication of racist incidents from football and more broadly from the field of sport (in Greek).

⁹ Report regarding a racist attack against a football player (in Greek).

¹⁰ Joint action with the OSCE/ODIHR to tackle hate crimes in Cyprus.

¹¹ Report regarding living conditions of the Roma community in Cyprus (in Greek).

¹² Report regarding family unification of beneficiaries of international protection (in Greek).

¹³ Report regarding the visit on 14 February 2022 to the Temporary Reception and Accommodation Centre for Migrants "Pournara" in Kokkinotrimithia (in Greek) and summary of the Report (in English).

With relation to the protection of refugees' rights, our frequent and close cooperation with UNHCR should be underlined. In particular, UNHCR brings to our attention cases of violations of refugees' rights that come to its attention, which we examine, while our close meetings are also frequent to review and discuss the broader problems faced by refugees and asylum seekers. In the context of this cooperation, we will jointly organise a conference in March 2023.

In conclusion, we should highlight the importance of the report of the United Nations High Commissioner for Human Rights (OHCHR), as it provides an objective and independent perspective of the human rights situation in the Republic of Cyprus and constitutes an important source of information on the issue, not only for the Republic of Cyprus, but also for the international community.

From our point of view, we are committed to continue our tireless efforts to defend, protect and promote the human rights and fundamental freedoms of all persons residing in the territory of the Republic of Cyprus, as well as to combat all forms of unequal treatment and discrimination.
