

CYPRUS 2013 HUMAN RIGHTS REPORT

Since 1974 the southern part of Cyprus has been under the control of the government of the Republic of Cyprus, while the northern part, administered by Turkish Cypriots, proclaimed itself the “Turkish Republic of Northern Cyprus” (“TRNC”) in 1983. The United States does not recognize the “TRNC,” nor does any country other than Turkey. A substantial number of Turkish troops remained on the island. A buffer zone, or “Green Line,” patrolled by the UN Peacekeeping Force in Cyprus (UNFICYP), separates the two parts.

REPUBLIC OF CYPRUS

EXECUTIVE SUMMARY

The Republic of Cyprus is a constitutional republic and multi-party presidential democracy. In February voters elected President Nicos Anastasiades in free and fair elections. In 2011 voters elected 56 representatives to the 80-seat House of Representatives (Vouli Antiprosopon) in free and fair elections. Authorities maintained effective control over the security forces. Security forces reportedly committed some human rights abuses.

The most significant problems during the year remained trafficking in persons for sexual exploitation and labor, police abuse and degrading treatment of persons in custody and asylum seekers, and violence against women including spousal abuse.

Other problems during the year included prison overcrowding, some religious groups lacked full access to and administration of religious sites, some cemeteries and places of worship were reportedly inaccessible and neglected, incidents of violence against children, and instances of discrimination and violence against members of minority ethnic and national groups.

The government investigated and prosecuted corruption and abuse cases against officials, but cases typically moved at a slow pace.

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings during the year. The Attorney General's Office is responsible for investigating all security force killings.

b. Disappearance

There were no reports of politically motivated disappearances during the year.

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

The constitution and law prohibit such practices. There were reports, however, that police abused detainees. Reports continued that police engaged in heavy-handed tactics and degrading treatment of suspects. Alleged police violations of human rights were investigated by the Independent Authority for the Investigation of Allegations and Complaints against the Police, an independent committee appointed by the Council of Ministers. The body also has authority to investigate complaints of police bribery, corruption, unlawful financial gain, abuse of power, preferential treatment, and conduct unbecoming of police officers.

There were several allegations of police abuse during the year. For example, on November 28, all newspapers reported on video footage released by the nongovernmental organization (NGO) Action for Equality, Support, Antiracism (KISA) showing police officers apparently attempting to subdue an Ivorian man and breaking his leg in the process. KISA stated three police officers on patrol in Nicosia in midday randomly stopped three African men and requested their identity papers. One of the men accused the police of racial profiling, claiming his leg was broken during arrest procedures. The Independent Authority confirmed receipt of an official complaint, and the minister of justice stated an investigation would take place.

On March 15, *Simerini* newspaper reported that lawyer Paris Loizou submitted a complaint to the Independent Authority claiming that two police officers brutally beat him. The lawyer reported that he was stopped by police officers and was administered a breathalyzer test which tested negative. Police asked him to take the test again and, after initially protesting, he agreed. He claimed that his objections infuriated the officers who pinned him down, handcuffed him, and transferred him to Larnaca police station. The lawyer claimed that, in the police station, two officers kicked him and threw him against the wall in the presence of his father and his girlfriend and that, as a result, he sustained injuries on his knee

and arms. The Independent Authority stated that the complaint was under investigation. A police spokesman stated that the complainant refused to undergo a breathalyzer test and added that the police would also investigate the case.

The ombudsman and NGOs received a number of complaints concerning physical abuse or degrading or discriminatory treatment from both prisoners and detainees. Previous investigations led the ombudsman to suggest activating prison security cameras for a longer period, but the policy of the Prison Department on this matter does not appear to have changed.

Prison and Detention Center Conditions

Prison and detention center conditions did not meet international standards in a number of areas, and prison overcrowding was a particularly serious problem.

In October the ombudsman released her annual report for 2012 in her capacity as the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture. The report noted deficiencies in police detention centers and in the Central Prison as well as some policies that amounted to degrading and inhumane treatment of detainees and prisoners. In particular the report referred to the problems associated with the chronic problem of overcrowding in the Central Prison. Prison officials turned leisure rooms, including the prison theater, into holding areas, and sanitary facilities were inadequate. The Central Prison management continued the mandatory haircut and shaving of prisoners and their subsequent confinement if they refused to comply. The report established problems in the implementation of the punitive measure of solitary confinement. Prisoners were deprived of any communication with family, lawyers, foreign embassies, or the ombudsman's office, were not informed about the reasons for and the duration of their confinement, and in some cases were confined from eight to 10 days while authorities investigated a disciplinary offense.

Prisoners complained of mistreatment while in confinement and of police abuse in police stations prior to their transfer to the prison. Sex offenders complained that prison staff did not intervene when they were threatened and, in some cases, beaten by other inmates. Most juvenile prisoners complained of verbal abuse by prison staff. Problems reported in detention centers included the lack of outdoor exercise areas in three out of the four centers inspected, the absence of any creative activities, and delays in accessing medical services. Detainees complained about the quality and, in some cases, the quantity of the food. The report also established

that authorities held individuals detained on deportation orders in nearly all police stations, together with detainees charged with criminal offenses.

Physical Conditions: During the year overcrowding remained the largest problem for Nicosia Central Prison, the only prison in the Republic of Cyprus. The prison's official capacity is 455 inmates, but at times it held up to 732. Inmates in the central prison in 2012 included 132 women, none of whom were juveniles, and three male juveniles; updated information for the year was not available. Prison authorities acknowledged that many of the prison buildings were constructed prior to 1960 and needed renovation. Juvenile pretrial detainees remained in cells separate from convicted juveniles; however, both groups shared the same grounds in their daily activities.

The overpopulation of prisons relative to the number of prison personnel continued to be one of the main problems affecting the lives of prisoners according to relevant ombudsman's reports released during the year. The ombudsman reported in 2011 that overcrowding made it difficult for prison authorities to maintain separation of convicted criminals from pretrial detainees and that authorities held long- and short-term prisoners together. According to the ombudsman, overcrowding continued to have serious repercussions on the health of both prisoners and staff due to the lack of sufficient hygiene facilities and a health center. The medical staff of the Prison Department included one psychiatrist, but did not have a 24-hour presence in the prison. Prison authorities confirmed that overcrowding prevented separation of prisoners by health condition and also prevented separate detention space for drug users.

Approximately 59 percent of the prisoners were non-Cypriots held for illegal entry, stay, and employment, as well as theft, burglary, debts, and other offenses. Several NGOs reported mistreatment of foreign detainees held on detention and deportation orders at the Mennoyia detention center. The National Preventive Mechanism visited the center and investigated the complaints. In May the ombudsman issued a report regarding the Mennoyia detention center with various recommendations related to the living conditions of detainees and their treatment. The report was well received by the detention center, but there were additional complaints reported subsequently regarding mistreatment that were under investigation.

In December 2012 the chairman and members of the House of Representatives Committee on Human Rights visited the detention centers in Lakatamia and Pera Chorio Nisou and the police station in Lycavitos. Committee member Roula

Mavronicola described the situation in Lakatamia as “hopeless” and stated, “basic human rights are violated.” Ventilation and lighting were inadequate, and there was no outside yard or any other area for physical exercise. The committee noted better living conditions for detainees in Pera Chorio Nisou. Mavronicola stated that detainees in Lycavitos were deprived of fresh air and sunlight since there were no open-air facilities in the detention center, only a dark corridor beside the holding cells.

Three prisoners died in their cells in the Central Prison during the year. On July 18, authorities found a prisoner in the Central Prison dead in his cell, hanging from a bed sheet. On August 15, a 27-year-old prisoner was also found dead hanging from a bed sheet. Following the second death, the minister of justice ordered an investigation. Prison authorities suspended three wardens, and both cases were still under investigation. On December 28, a 22-year-old Syrian was found dead, hanging from his shoelaces in a special cell in the Central Prison where he had been transferred for close surveillance after he slit his wrists in an attempt to commit suicide. The minister of justice ordered an investigation. Prisoners in the central prison and detainees in detention centers had access to potable water.

Administration: Recordkeeping on prisoners was adequate. Community service is an alternative to prison confinement for nonviolent offenders. Prisoners in the central prison had access to a church and a mosque, and prison management stated that it made every effort to facilitate religious observance. Detention centers did not have facilities for religious observance. Prisoners and detainees could submit complaints to the ombudsman without censorship. The ombudsman reported, however, that prisoners expressed concerns over possible censorship but did not submit specific complaints.

Independent Monitoring: The government permitted prison visits by independent human rights observers, and such visits, unrestricted and unannounced, occurred during the year. The ombudsman, the National Preventive Mechanism, and the prison board visited Nicosia Central Prison on a regular basis. The House of Representatives Committee on Equal Opportunities for Men and Women, the commissioner for children’s rights, and the commissioner for the protection of personal data also visited the prison during the year.

Improvements: Construction continued during the year to increase capacity and improve sanitary conditions at the Nicosia Central Prison. Extension work and renovations were ongoing with the completion of one wing with 39 new cells and a capacity of 78 persons. In September authorities completed another wing,

consisting of 18 single cells and six double cells and with a total capacity of 30 persons, for dedicated use for juvenile and young prisoners. The Prison Department with the Ministry of Health began providing services for drug addicts in three basic stages: detoxification, evaluation, and rehabilitation.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The police enforced the law and combated criminal activity. The Cyprus National Guard (CNG), backed by a contingent of Greek military forces, the Hellenic Force in Cyprus, protects national security. The CNG reports to the Ministry of Defense, which reports to the president. Police report to the Ministry of Justice and Public Order. The president appoints the chief of police. The police force is composed of a headquarters with six functional departments, six geographic district divisions, including one inactive district for the area administered by Turkish Cypriots, and seven police units that provide specialized services.

The Independent Authority appointed independent investigators from a list submitted by the attorney general to look into complaints.

The Independent Authority received 145 complaints in 2012. Of those complaints, 68 concerned alleged violations of human rights, 65 concerned favoritism or behavior on the part of police that undermined police standing in society, and three concerned alleged corruption. Officials deemed nine complaints outside the scope of the authority and did not investigate them. The Independent Authority appointed criminal investigators in 58 cases. A preliminary investigation was carried out in 51 of the cases, 12 cases were referred to the chief of the police for handling, five cases were withdrawn by the complainants, and 10 complaints remained under investigation pending additional data.

During the year the attorney general ordered the prosecution of police officers in five cases. In 2012 the Attorney General's Office ordered the prosecution of one police officer whose hearing was set for December. The attorney general decided to suspend the prosecution of another police officer, recommended for prosecution by the Independent Authority in 2012, as the complainant had since left the country.

Arrest Procedures and Treatment of Detainees

The law requires judicially issued arrest warrants, and authorities respected this requirement. Authorities may not detain a person for more than one day without referral of the case to a court for extension of detention. Most periods of investigative detention did not exceed 10 days before formal charges were filed. Detainees were promptly informed of the charges against them, and the charges were presented in a language they could understand. The attorney general generally made efforts to minimize pretrial detention, especially in cases of serious crimes. Attorneys generally had access to detainees. In criminal cases the state provides indigent detainees with an attorney. There is a system of bail. The government claimed the right to deport foreign nationals for reasons of public interest, regardless of whether they had been charged with, or convicted of, a crime. While lengthy pretrial detention was not a problem, trial delays were common and partially caused by lengthy legal procedures, which resulted in an accumulated workload for the court system.

While authorities detained aliens without identity documents when they did not know where to deport them, the government's policy was not to hold such persons for long terms in detention centers. Instead, if deportations could not be executed within a maximum of 18 months, the government's policy was to release undocumented migrants and rejected asylum seekers and give them residence permits for a limited period, provided they had not been found guilty of a crime. Residence and employment permits were renewable provided the released detainees signed a contract of employment approved by the Department of Labor.

Detention of Rejected Asylum Seekers or Stateless Persons: In July 2012 the ombudsman publicly criticized authorities for continuing to hold foreigners arrested on a detention and deportation order for periods longer than six months, despite the government's policy. On March 29, foreign detainees at the Mennoya detention center staged a sit-down protest that escalated into scuffles with police guards, who used tear gas to contain the demonstrators. Detention center authorities triggered the protest by their decision to block cell phone signals at certain times of the day. Authorities held the detainees at the Mennoya center on detention and deportation orders for staying in the country illegally.

NGOs and the ombudsman's office, in its capacity as the National Preventive Mechanism, reported that detainees submitted complaints of heavy-handed tactics by police guards, inadequate medical care, restriction of visitation times, and use of

handcuffs when transferred from one location in the detention center to another. The ombudsman's investigation did not establish use of excessive violence but found most other complaints to be valid. The ombudsman made a series of recommendations to improve conditions at the center that were well received by detention center officials; as of December, however, the changes had not been implemented, and NGOs reported that conditions were growing more severe.

In 2012 a NGO reported that a number of undocumented foreigners arrested for illegal stays in the country remained in long-term detention. Authorities rearrested one foreigner for staying in country after the rejection of his asylum application (after already serving an 18-month detention). Authorities released the foreigner after he applied to the European Court of Human Rights (ECHR). Authorities then informed him that his asylum application was being re-examined, necessitating the withdrawal of his ECHR application. The same NGO reported that authorities released undocumented aliens only if they signed a document consenting to the issuance of travel documents by their home country. The NGO also reported that released detainees did not have access to health care or social benefits and were not entitled to permanent residency permits unless they had a job.

Various NGOs confirmed that residency permits contingent upon employment were virtually unobtainable, given weak economic conditions and the limited types of work available authorized by the labor department. There were reports that labor officers met valid residency applicants seeking a contract of employment with blatant racism. The Ministry of Labor and Social Insurance approved all 14 labor contracts for asylum seekers that were in the agriculture sector.

e. Denial of Fair Public Trial

The law and constitution provide for an independent judiciary, and the government generally respected this provision.

Most criminal and civil cases begin in district courts, from which appeals may be made to the Supreme Court. There are no special courts for security or political offenses. Military tribunals have jurisdiction over members of the CNG.

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. Defendants were informed promptly and in detail of the charges against them. The constitution provides for public trials, and defendants

have the right to be present and to consult with an attorney in a timely manner. There are no jury trials. Authorities provide an attorney for those who cannot afford one, and defendants have the right to question witnesses against them and present evidence or witnesses on their behalf. The law also provides that defendants and their attorneys have access to government-held evidence related to their cases. Defendants enjoy a presumption of innocence and have a right of appeal. The government generally respected these rights.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters, permitting claimants to bring lawsuits seeking damages for or cessation of human rights violations, and citizens successfully availed themselves of it.

Regional Human Rights Court Decisions

Individuals could appeal cases involving alleged human rights violations by the state to the ECHR once they have exhausted all avenues of appeal in the domestic court system. There were reports that the government failed to comply with ECHR decisions. In a decision in the case of *M.A. v. Cyprus* issued on July 23, the ECHR found the government in violation of the European Convention on Human Rights due to the lack of an effective remedy with automatic suspensive effect that would allow the applicant to challenge his deportation. Although the applicant was released from detention and was granted refugee status, the government had not introduced the required remedy by year's end.

In response to the ECHR's 2005 ruling in the *Xenides-Arestis* case that Turkey's "subordinate local authorities" in Cyprus had not provided an adequate local remedy, a property commission was established in the Turkish Cypriot-administered area to handle property claims by Greek Cypriots. In 2006 the ECHR ruled that the commission had satisfied "in principle" the ECHR's requirement for an effective local remedy. In a 2010 ruling, the ECHR recognized the property commission as a domestic remedy.

Property Restitution

According to the law, the minister of interior is the guardian of the properties of all Turkish Cypriots who do not have their permanent residence in the government-controlled part since 1974. Ownership remains with the original owner, but the sale or transfer of Turkish Cypriot property under the guardianship of the minister of interior requires the approval of the government. The minister of interior has the authority to return properties to Turkish Cypriot applicants after examining the circumstances of each case. Owners can appeal decisions of the minister of interior to the Supreme Court.

During the year Turkish Cypriots filed 25 court cases seeking to reclaim property located in the government-controlled area. Claimants filed 16 cases with the Supreme Court and nine cases with the Civil Court. The Supreme Court issued judgments in three cases concerning Turkish Cypriot properties, two at the trial court level and one on appeal. The Supreme Court rejected all three applications. District courts issued no judgments during the year.

The ombudsman, in her capacity as the authority with oversight in matters involving racism and discrimination, reported that a small number of complaints regarding delays in the examination of claims of Turkish Cypriot properties in the government-controlled area were well-founded and under examination.

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

The law prohibits such actions, and the government generally respected these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press.

In July the parliament passed a law that penalizes the use of geographical names and toponyms in Cyprus other than those included in the gazetteer that the government presented at the Fifth UN Conference on the Standardization of Geographical Names in 1987. According to the law, anyone who publishes, imports, distributes, or sells maps, books, or any other documents in print or digital

form that contain geographical names and toponyms on the island of Cyprus other than those permitted, commits an offense punishable with up to three years in prison or a fine of up to 50,000 euros (\$67,500) or both.

Internet Freedom

There were no government restrictions on access to the internet or reports that the government monitored e-mail or internet chat rooms without appropriate legal authority. Individuals and groups could engage in the peaceful expression of views via the internet, including e-mail. According to International Telecommunication Union statistics, approximately 61 percent of the population used the internet in 2012.

Academic Freedom and Cultural Events

There were generally no government restrictions on academic freedom or cultural events, but certain oversight efforts threatened academic independence and activities. The government continued to exert political pressure on universities to refrain from any contact with universities in the Turkish Cypriot community because the government considered them illegal.

b. Freedom of Peaceful Assembly and Association

The law and constitution provide for freedom of assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within government-controlled areas, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons (IDPs),

refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

The government did not restrict Greek Cypriots from traveling to the area administered by Turkish Cypriots, but it generally advised them against spending the night at Greek Cypriot properties, gambling in the area administered by Turkish Cypriots, or buying or developing property there.

The government allowed EU citizens and citizens of other countries not subject to a visa requirement, who entered from ports of entry in the area administered by Turkish Cypriots, to cross the “Green Line” into the government-controlled area. The government maintained that all ports of entry in the area administered by Turkish Cypriots are illegal.

Greek Cypriots and Turkish Cypriots were required to show identification cards when crossing the “Green Line.” Authorities required members of each community to obtain insurance coverage in the community where they planned to drive their vehicles. Turkish Cypriots flew in and out of Larnaca and Paphos airports without obstruction. The government issued 9,849 passports to Turkish Cypriots from January through November; no applicants were denied issuance.

Internally Displaced Persons (IDPs)

The government considered Greek Cypriots displaced as a result of the 1974 division of the island to be refugees, although they fell under the UN definition of IDPs. As of November these individuals and their descendants numbered 209,962 (including descendants). The UNHCR did not provide assistance to Cyprus IDPs and officially considered the IDP population to be zero. Depending on their income, IDPs are eligible for financial assistance from the government. They have been resettled; have access to humanitarian organizations; and were not subject to attack, targeting, or mandatory return under dangerous conditions.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. During the year authorities recognized 33 persons as refugees. The ombudsman received complaints from asylum seekers who claimed they had difficulty accessing the asylum application process and experienced delays in the examination of their applications.

Several NGOs reported prolonged detention of most detainees awaiting asylum determination beyond the six months despite the government policy and, in a few cases, beyond the maximum 18 months permitted by law.

In December 2012 the Ministry of Interior announced that the government would provide a special residency status for citizens or residents of Syria entering the country “legally or illegally.” Authorities would offer the same “humanitarian status” to asylum seekers from Syria already in the country, even if their applications had been rejected in the past. All persons seeking such status would be required to provide a Syrian passport or other identification. The Ministry of Interior stated that such status was for those Syrians who did not wish to apply for international protection. From January 2012 through October 2013, authorities granted subsidiary protection status to 104 persons from Syria and granted refugee status to two additional persons. During the year authorities granted subsidiary protection to 124 persons and humanitarian status to eight others.

NGOs and asylum seekers alleged that the Nicosia District Welfare Office continued to be inconsistent in the delivery of benefits to eligible asylum seekers. The ombudsman continued to receive such complaints and reported that in many cases the allegations were well founded.

Employment: The government granted individuals determined to be refugees permission to stay and gave them temporary work permits, but it did not grant permanent resettlement rights. The law allows asylum seekers to be employed in fisheries, the production of animal feed, waste management, gas stations and car washes, freight handling in the wholesale trade, building and outdoor cleaning, distribution of advertising and informational materials, and food delivery. Two NGOs claimed, however, that the Labor Office continued to refuse to approve and renew labor contracts for asylum seekers outside the farming and agriculture sector.

Authorities allowed asylum seekers whose cases were awaiting adjudication to work after residing six months in the country but limited them to the areas permitted by law. During the six-month period, asylum seekers had access to a subsistence allowance and could live in the reception center for refugees located in Kofinou. Two other reception centers operating in Larnaca and Paphos closed during the year. There were complaints regarding the remoteness and lack of facilities at Kofinou, but the government made improvements in the areas of

psychological support, activities for children, and transport. The government operated the center under a private-public partnership with a university.

In July the government reduced state benefits to asylum seekers and beneficiaries of subsidiary protection. Monthly cash allowances were reduced by more than 50 percent and were partly paid in coupons for food and clothing. The government blamed economic conditions in part for the change and claimed that the coupon system was aimed at boosting small- and medium-sized businesses that would participate in the program. The reduction in the benefits reflected what the government described “a change in the entire philosophy on this issue.”

Access to Basic Services: Asylum seekers who refused an available job could be cut off from state benefits. To obtain welfare benefits, asylum seekers had to have a valid address, which was impossible for many who were homeless. NGOs reported delays in the delivery of checks to asylum seekers who were eligible for benefits. According to NGOs, asylum seekers reported that authorities discriminated against them in the provision of state medical care, specifically denying their dependents access to long-term special needs treatment, which led to irreversible damage to their health.

Asylum seekers with a medical condition rendering them unable to work or able to perform only light work are referred to a medical board for assessment and are entitled to public assistance while awaiting a decision.

Durable Solutions: The government provided funding to a local university and an NGO for educational services aimed at helping recognized refugees and asylum seekers integrate into society and also to a local NGO to help victims of torture.

Temporary Protection: In 2012, the most recent period for which data was available, the government provided temporary protection to 18 individuals whose refugee status was under determination.

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

The law and constitution provide citizens the right to change their government peacefully, and citizens exercised this right through periodic, free, and fair elections based on universal suffrage. In national elections only those Turkish Cypriots who reside permanently in the government-controlled area are permitted to vote and run for office. In elections for the European Parliament, Cypriot

citizens and resident EU citizens have a right to vote and run for office, including Turkish Cypriots who live in the area administered by the Turkish Cypriots. Resident EU citizens are eligible to vote and run for office in municipal elections.

Elections and Political Participation

Recent Elections: In February voters elected Nicos Anastasiades president in free and fair elections. In 2011 the country held free and fair elections for the 56 seats assigned to Greek Cypriots in the 80-seat House of Representatives.

Participation of Women and Minorities: Women held six of the 56 seats filled in the House of Representatives and one of 11 ministerial posts. Three of the 13 Supreme Court judges were women.

There are no mandatory quotas for members of minorities in the House of Representatives. The small Armenian Orthodox, Maronite Christian, and “Latin” (Cypriot Roman Catholics of European or Levantine descent) communities elected special nonvoting observer representatives from their respective communities to the House of Representatives. Members of these religious communities also participate with full rights in national politics and were elected to parliament. Twenty-four seats assigned to Turkish Cypriots were unfilled.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, which vary depending on the charges, and the government generally implemented these laws effectively. There were isolated reports of government corruption. While the government generally investigated and prosecuted cases of corruption, these usually moved at a slow pace, and the evidence law, which prohibits wiretapping and electronic surveillance, made obtaining convictions difficult.

Corruption: During the year the government initiated several investigations against public officials on suspicion of corruption, and the president publically declared zero tolerance for corruption. In August police arrested and charged with fraud and corruption two police officers, one of them retired, and a businessman. Their arrest resulted from an inquiry open earlier in the year into a multimillion euro real estate deal involving the board of a semi-governmental organization. The investigation continued at year’s end.

Whistleblower Protection: The law requires public officials to report to police within three days any attempted bribe or solicitation of bribe or other attempts to influence any authority or public officials in the exercise of their duties. The law does not specifically provide whistleblowers protection against retaliation.

Financial Disclosure: Public officials are not required to declare their assets.

Public Access to Information: The constitution provides citizens the right of access to government information, but no specific laws ensure public access. The law prohibits civil servants from providing access to government documents without first obtaining permission from the relevant minister.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. There is a government ombudsman, whose portfolio includes human rights, and a legislative committee on human rights.

Government Human Rights Bodies: During the year the ombudsman received complaints from citizens and foreigners living in the country who believed the government had violated their rights. During her fully independent investigations, the ombudsman generally enjoyed good cooperation with other government bodies. The ombudsman's reports focused on police misconduct, treatment of patients at state hospitals, treatment of asylum seekers and foreign workers, and gender equality in the workplace. The Office of the Ombudsman was well respected and considered effective.

The legislative Committee on Human Rights, which most local NGOs considered effective, consists of nine members of the House of Representatives who serve five-year terms. The committee discussed wide-ranging human rights problems, including trafficking in persons, prison conditions, and the rights of foreign workers. The executive branch did not exercise control over the committee.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government effectively enforced these prohibitions.

Women

Rape and Domestic Abuse: The law criminalizes rape, including spousal rape, with a maximum sentence of life in prison. Most convicted offenders received considerably less than the maximum sentence. Police indicated there were 16 sexual assault cases and 18 rape cases reported between January 1 and October 21.

Violence against women, including spousal abuse, was reported, and the number of reported cases has sharply increased in recent years. The law establishes clear mechanisms for reporting and prosecuting family violence and provides that the testimony of minors and experts, such as psychologists, may be used as evidence to prosecute abusers. The law provides for the imprisonment of persons found guilty of abusing family members. The court can issue a same-day restraining order against suspected and/or convicted domestic violence offenders. Doctors, hospital workers, and education professionals are required to report all suspected cases of domestic violence to police. Many victims refused to testify in court, however, and by law one spouse cannot be compelled to testify against the other. Courts were obliged to drop cases of domestic violence if the spousal victim was the only witness and refused to testify.

As of the end of October, police received 471 reports of domestic violence. They initiated criminal investigations in 281 of these and filed 131 criminal cases in court. In 77 percent of the cases, the victims were women. Of the domestic violence cases filed in 2012, the courts returned 39 guilty verdicts and three acquittals with 181 cases still pending trial.

The Association for the Prevention of Domestic Violence carried out national study on domestic violence against women in April and May 2012. The study's results, published in December 2012, indicated that at least 28 percent of women over the age of 18 have suffered some form of violence at home, including physical and sexual violence but also economic violence, social violence, and emotional/psychological violence. Approximately 57 percent of the women who reported having been victims of violence did not tell other persons about their abuse. The highest proportion of women victims of violence (36 percent) was in the 45 to 64 age group.

There was one shelter for victims of domestic violence, primarily funded by the government, but run by the Association for the Prevention of Domestic Violence. An NGO working with domestic abuse victims reported an increase in the number of telephone calls to its hotline from 2011. The NGO reported that, of the 1,425

callers who claimed to be victims of domestic violence, 12 percent were children. Of the adult callers, 84 percent were women and 10 percent were men. The NGO also operated a shelter for women and children in Nicosia that served 82 victims of domestic violence through the end of October.

In July 2012 the commissioner for the protection of children's rights criticized the police, the social welfare services, and the health services for mishandling a domestic violence case, violating the rights of the child involved. According to press reports, the father in the case abused his wife in front of their four-year-old child and, when the mother reported the abuse to authorities, police gave the child to the father despite the welfare services' recommendation that the child stay with the mother. The commissioner asserted that officials in the services did not know and did not adequately apply procedures set out in their handbook on the handling of domestic violence and stressed the need for the services to improve.

Police conducted detailed educational programs related to the handling of domestic violence for their forces, including training focused on child abuse. NGOs noted, however, that police dismissed claims of domestic abuse by foreign women and children.

Sexual Harassment: The law prohibits sexual harassment in the workplace, but it was reportedly a widespread problem, with most incidents unreported to authorities. In 2009 a Cyprus University of Technology report indicated that 6 percent of employees in the country had experienced sexual harassment in the workplace. From January through November, the labor office received 11 complaints regarding sexual harassment, all from foreign residents. The office sent three of the complaints to the police, and they remained under investigation. The rest were either withdrawn, found invalid, or discontinued due to the death of the employer, lack of evidence, or a decision by the complainant not to pursue it.

Reproductive Rights: Couples and individuals were generally able to decide freely the number, spacing, and timing of their children and to have the information and means to do so free from discrimination, coercion, and violence. There was easy access to contraception and skilled attendance during childbirth, and doctors diagnosed and treated women for sexually transmitted infections, including HIV, equally with men.

Discrimination: Women generally have the same legal status as men under family and property law and in the judicial system. The National Mechanism for Women's Rights under the Ministry of Justice and Public Order promoted,

protected, and coordinated women's rights. The law requires equal pay for equal work or work of equal value.

Despite a strong legal framework, the Ministry of Labor and Social Insurance's enforcement was ineffective for many workers in more service- and retail-oriented sectors. Research by one NGO suggested that remuneration for female blue-collar workers was 25 to 30 percent less than for their male counterparts. The ombudsman reported serious cases of gender discrimination in the workplace, particularly against pregnant women, who were not promoted or dismissed from employment. The ombudsman's 2012 report expressed concern over the continuing phenomenon of gender discrimination at the workplace, particularly the dismissal of working women as well as the hiring of fewer women. The ombudsman reported that women submitted 84 percent of the gender-discrimination complaints, of which 28 percent concerned discrimination on the grounds of maternity, pregnancy, or childbirth; 15 percent dismissal due to pregnancy; and 15 percent discrimination in hiring, career advancement, and salary. The ombudsman's office confirmed the phenomenon of pregnant women dismissed from work places intensified during the year for reasons related to the economic crisis.

Children

Birth Registration: Children derive citizenship from their parents, and there was universal birth registration at the time of birth.

Child Abuse: The number of child abuse cases investigated by the police for the period January through October was 105, of which authorities prosecuted 31 cases in court.

Forced and Early Marriage: The legal age of marriage is 18, but persons between the ages of 16 and 18 may marry, provided there are serious reasons justifying the marriage and their legal guardians provide written consent. A district court can also allow the marriage of persons between the ages of 16 and 18 if the parents unjustifiably refuse consent or in the absence of legal guardians. The rate of marriage for persons under the age of 19 in 2010 was 2.6 percent of the total number of marriages for girls and 0.4 percent for boys.

Sexual Exploitation of Children: The minimum age for consensual sex is 17, and sexual intercourse with a person under the age of 17 is a criminal offense. The penalty for sexual intercourse with a person between the ages of 13 and 17 is a

maximum of three years' imprisonment. The criminal penalty for sexual intercourse with a person under 13 is up to life in prison. Possession of child pornography is a criminal offense punishable by a maximum of 10 years' imprisonment.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see the Department of State's report at http://travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

There were approximately 2,500 persons in the Jewish community, which consisted of a very small number of native Jewish Cypriots and a greater number of expatriate Israeli, British, and other European Jews.

There were reports of verbal harassment of members of the Jewish community along with incidents of property damage.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or in the provision of other state services. The law protects the right of persons with disabilities to participate effectively and fully in political and public life, including by exercising their right to vote and stand for election. The government generally enforced these provisions. While the law mandates universal accessibility for public buildings and tourist facilities built after 1999, government enforcement was ineffective. Older buildings frequently lacked access for persons with disabilities. There were no appropriate institutions for adults with mental disabilities requiring long-term care.

The government had not fully implemented the amended People with Disabilities Law, which extends the ombudsman's authority to cover discrimination based on disabilities in both the private and public sectors, by year's end. Problems facing

persons with disabilities included narrow or nonexistent sidewalks and lack of transport, parking spaces, accessible toilets, and elevators.

The state provided facilities to enable children with disabilities to attend all levels of education. Authorities provided a personal assistant if necessary. Since there were no long-term care facilities specifically for persons with mental disabilities, many resided at the Athalassa Psychiatric Hospital. The House of Representatives Committee on Human Rights noted that there was no infrastructure to support mental health patients when they left the psychiatric hospital and no programs for their social integration or aftercare in general. In February 2012 the ombudsman released a report with recommendations for improving patients' living conditions at Athalassa Psychiatric Hospital. The report expressed concern that hospital authorities held two minor patients in the same ward with adult patients and stressed the need for a separate psychiatric clinic for children. The ombudsman reported the hospital adopted many of her recommendations, including the creation of a separate department for children and juveniles. During the year the ombudsman issued a report regarding access to beaches and schools for persons with disabilities.

The Paraplegics Association reported that the government did not take measures to ensure that all public buses were accessible to wheelchair users. The association reported in 2012 that some of the older buses were not at all accessible while the newer ones had only one space for wheelchair users. After a meeting with the minister of communications and works in 2010, the Paraplegics Association stated that the government had agreed that all future orders for buses would provide for two wheelchair spaces. The government also agreed to modify buses then in use if demand showed a need for two wheelchair spaces. According to the Paraplegics Association, the government neither ordered new buses nor modified the existing ones.

The Ministry of Labor and Social Insurance's Service for the Care and Rehabilitation of the Disabled is responsible for protecting the rights of persons with disabilities. The minister of labor and social insurance chaired the Pancyprian Council for Persons with Disabilities, which included representatives of government services, organizations representing persons with disabilities, and employer and employee organizations. Observers did not consider fines for violating the law against employment discrimination sufficient to deter employers from discriminating against persons with disabilities.

National/Racial/Ethnic Minorities

In July KISA reported that an attack in Limassol was racially motivated and charged that the police investigation did not look into possible racist motives. According to KISA between 20 and 30 men attacked the home of a Bulgarian family and beat three family members while shouting xenophobic insults and racist threats. Police charged two of the attackers with causing unrest and disorder but brought the same charges against the alleged victims because the suspects claimed the family's dog attacked them.

On August 30, the UN Committee on the Elimination of Racial Discrimination issued a report on Cyprus covering the period 2001-11. The report noted that, despite legislative and institutional advances, the country had not adequately implemented the International Convention on the Elimination of All Forms of Racial Discrimination.

In 2011 the European Commission against Racism and Intolerance issued a report on the country. Among areas that needed improvement, the report noted that laws against racism were rarely implemented and that no records were kept on discrimination cases that reached the courts. It also noted a disproportionately high concentration of Turkish Cypriot and Romani children in some schools and a lack of educational access for Romani children living in the Polemidia area outside of Limassol. The report described the situation as de facto segregation from the general population, since a lack of free transportation to and from school effectively denied the children their right to an education. The report also noted a marked increase in racism in schools and a rise in prominence of extremist and anti-immigration groups, as well as continued official discrimination in employment practices, particularly hiring.

In 2011 the ombudsman concluded her investigation into a 2008 complaint that Romani children in public schools were not taught their local language, history, and culture and found the complaint was valid. The ombudsman found that the Romani children, popularly considered to be members of the Turkish Cypriot community, were taught Turkish language and culture rather than their distinctive language and culture as members of the Romani community. There have been a considerable number of actions taken by the Ministry of Education and Culture, including preserving and strengthening Romani identity and cultural characteristics. The Romani language of "Kurbetcha" in the region was found to no longer be spoken and therefore not possible as a language of instruction. The ministry implemented special support measures for Romani children in every

school they attended, including “zones of educational priority” for nonnative language speakers offering additional tutoring and bilingual instruction.

Some Turkish Cypriots living in the government-controlled area reportedly faced difficulties obtaining identification cards and other government documents, particularly if they were born after 1974. Turkish Cypriots made few formal complaints to the UNFICYP about their living conditions in the south.

The ombudsman received complaints that the government denied automatic citizenship to children of Turkish Cypriots married to Turkish citizens who resided in the area administered by Turkish Cypriots. Instead of granting citizenship automatically to such children, the Ministry of Interior routinely sought approval from the Council of Ministers before confirming their citizenship. In 2012 the Council of Ministers approved 230 cases. The ombudsman’s office had no authority to examine the complaints because the Council of Ministers’ decision to apply different criteria for granting citizenship to children born to one Turkish parent was a political one. Authorities automatically granted citizenship to children of Turkish Cypriots married to Turkish citizens and living outside of the country.

In 2011 the ombudsman’s office issued a report following the receipt of a large number of complaints from children of Turkish Cypriots married to non-Cypriots concerning long delays in receiving a response to their applications for citizenship. The majority of the cases were pending for three years and in some cases for four to five years. During the year the Ministry of Interior adopted measures to speed the process and inform applicants in a timely manner, however, the ombudsman’s office has not received information that would suggest the other recommendations were adopted. NGOs also complained that migration department officials routinely called into question applications for residency for children born to Cypriot fathers and required DNA testing to prove parentage despite birth certificates.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Antidiscrimination laws exist and prohibit direct or indirect discrimination based on sexual orientation. Antidiscrimination laws cover employment and the following activities both in the public and private domain: social protection, social insurance, social benefits, healthcare, education, participation in unions and professional organizations, and access to goods and services. Lesbian, gay,

bisexual, and transgender (LGBT) NGOs claimed that housing benefits favored “traditional” families. Hate crime legislation in the country does not include language on sexual orientation.

According to KISA, police in July charged three persons with assault and causing bodily harm after a group of approximately 10 men allegedly attacked a homosexual couple in a village outside of Limassol. KISA reported that police advised the victims not to insist on the prosecution of all 10 attackers but to testify only against the three who were charged.

Despite legal protections LGBT individuals faced significant societal discrimination, and few LGBT persons were open about their sexual orientation or reported homophobic violence or discrimination.

In January Accept LGBT Cyprus, the country’s first LGBT association, filed a complaint with the ombudsman protesting the police practice of holding transgender women in men's holding cells. The issue arose following the arrest of three women in connection with an investigation into a suspected prostitution case, one of whom was identified on her identity card as male. Accept LGBT called for police training on how to treat transgender persons and to keep detainees in cells based on the gender with which they self-identify. The ombudsman’s August 6 report noted that self-determination of one’s gender overruled the gender written on identification documents. The ombudsman made a series of recommendations and issued guidelines to prison authorities on the treatment of incarcerated transgender persons and authorities instituted those recommendations.

In a press conference in May 2012, a spokesman for Accept LGBT Cyprus stated there had been several incidents of homophobic behavior in public institutions, including in schools, where they were sometimes instigated by teachers. He also stated that the country’s public television station would not broadcast Accept LGBT Cyprus’ television spots against homophobia.

In May 2012 the Ministry of Education permitted human rights trainers to conduct an interactive training campaign against homophobia for educators entitled Shield against Homophobia in Education, marking the first time that LGBT awareness training was permitted in the schools.

A group of Youth Council educators and the family planning organization conducted a campaign, “Shield against Homophobia in Education.” In May 2012 the campaign sponsored a pilot program attended by 90 teachers in pre-elementary,

elementary, secondary, and technical education and educational psychologists and conducted a survey on homophobia in education based on a random sample of educators participating in the program. The survey results, which educators discussed at a conference in October 2012, revealed the presence of homophobia in education, both in the form of homophobic language in the educational system and homophobic bullying. The survey indicated that homophobic attitudes prevailed among educators, students, and parents, and participants in the conference acknowledged that they were not equipped to deal with sexuality issues that arose in schools.

Other Societal Violence or Discrimination

In January the president of the HIV-Positive Persons Support Center stated that HIV-positive persons faced prejudice from the society but also from their families, largely due to lack of public awareness. She also claimed that raising public awareness on this issue was low in the government's priorities. In July the ombudsman reported that the Ministry of Health failed to act in good faith and did not apply the principle of proper governance in the handling of a case of an HIV-positive employee at a state hospital. The employee had petitioned the ministry to transfer to a position that would pose less of a threat to his health. The ministry reportedly assured the employee it would invite him to apply when a more appropriate position opened but neglected to do so, and a suitable position was filled by another individual.

Promotion of Acts of Discrimination

Government-approved textbooks used at the primary and secondary schools included language that was biased against Turkish Cypriots and Turks or refrained from mentioning the Turkish Cypriot community altogether. In addition, there were anecdotal reports of teachers using handouts or leading classroom discussions that included inflammatory language against Turkish Cypriots and Turks.

In 2011 the Ministry of Education and Culture began pilot implementation of new curricula prepared by special government committee established to examine education reform on all subjects, including history. Due to controversy over the new language, however, the committee responsible for revising the history curriculum was unable to complete its work. During the year the minister of education appointed a new committee with a mandate to examine and assess all the work submitted by the previous committee. While teachers were instructed to use a variety of sources to promote critical thinking and avoid indoctrination by

encouraging class discussion and asking students to consult alternative sources, an NGO involved with the training commented that, without evaluation, it was not possible to determine whether teachers were implementing the instruction.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including statutes and regulations, provides for the right of workers to form and join independent unions, to strike, and to bargain collectively with employers. Antiunion discrimination is illegal. Dismissal for union activity is illegal with reinstatement, a fine and/or compensation options if the courts find dismissal illegal. The law excludes essential services from joining unions and striking. Police officers could form associations that had the right to bargain collectively.

Workers exercised the right to form and join independent unions and to bargain collectively. The government generally protected the right of unions to conduct their activities without interference. Authorities have the power to curtail strikes in essential services defined by the law as the armed forces, the police and the gendarmerie. An agreement between the government and essential services personnel provides for dispute resolution and protects workers in the sector. Although collective bargaining agreements are not legally binding, employers and employees effectively observed their terms. Workers covered by such agreements were predominantly in the larger sectors of the economy, including construction, tourism, the health industry, and manufacturing. Penalties are confined to payment of pecuniary damages and compensation, but unions do not consider them sufficient to deter violations. Administrative procedures are efficient and immediate, but judicial procedures are subject to delays due to a backlog.

Private sector employers were able to discourage union activity because the enforcement of labor regulations prohibiting antiunion discrimination was sporadic and penalties for antiunion practices were insufficient.

b. Prohibition of Forced or Compulsory Labor

The government prohibits all forms of forced or compulsory labor; however, there were isolated cases of asylum seekers subjected to forced labor in agriculture and labor exploitation in domestic service. Inspections of agriculture and domestic service sectors are inadequate and resources at the relevant departments within the

Ministry of Labor are insufficient. The maximum penalty for forced labor of adults is six years' imprisonment and 10 years' imprisonment for forced labor of minors, but actual penalties imposed were not sufficient to deter violations.

Forced labor occurred in the construction, agriculture, and domestic labor sectors. The Ministry of Labor and Social Insurance continued to receive complaints of labor exploitation. Employers forced foreign workers, primarily from Eastern Europe and East and South Asia, to work up to 15 hours a day, seven days a week, for very low wages. Employers often retained a portion of foreign workers' salaries as payment for accommodations. The ombudsman reported that her office received a number of complaints from foreign domestic workers and agricultural workers during the year. The complaints concerned excessive working hours and withholding of travel documents by the employers. Sexual harassment of female domestic workers continued. Several NGOs and the ombudsman confirmed the need to address labor exploitation of foreign workers.

Many domestic workers were reluctant to report contract violations by their employers due to fear of losing their jobs and, consequently, their work and residency permits. The ombudsman reported in July that ineffective investigation of sexual harassment, violence, and mistreatment complaints submitted by domestic workers to the Department of Labor discouraged domestic workers from submitting such complaints. The ombudsman recommended revision of the employment contract of domestic workers, revision of the system of examination of complaints submitted by domestic workers, and changes to the system that ties domestic workers to a specific employer.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment of children, defined as persons under the age of 15, except in specified circumstances, such as combined work-training programs for children who have attained the age of 14 or employment in cultural, artistic, sports, or advertising activities, subject to rules limiting work hours. The law prohibits nighttime work and engagement of children in street trading. The law also permits the employment of adolescents, defined as persons between the ages of 15 and 18, provided it is not harmful, damaging, or dangerous and subject to rules limiting hours of employment. The law prohibits employment of adolescents

between midnight and 4:00 a.m. The minimum age for employment in industrial work is 16.

The government effectively enforced laws and policies to protect children from exploitation in the workplace. Ministry of Labor and Social Insurance inspectors were responsible for enforcing child labor laws and did so effectively. The Social Welfare Services department of the Ministry of Labor and the Commissioner for the Rights of the Child can also investigate suspected cases of exploitation of children at work. Employment of children in violation of the law is punishable with up to two years imprisonment and/or a fine of up to 17,000 euros (approximately \$23,000). There were isolated examples of children under the age of 16 working for family businesses.

d. Acceptable Conditions of Work

Although there is no national minimum wage, there is a minimum wage for groups deemed vulnerable to exploitation. The official poverty income level as of 2011 was 10,324 euros (approximately \$13,940) per year for a single person. The minimum wage for shop assistants, nurses' assistants, clerks, hairdressers, and nursery assistants was 870 euros (\$1,170) per month for the first six months and 924 euros (\$1,250) per month thereafter. For asylum seekers working as unskilled workers in the agricultural sector, the minimum monthly wage was 425 euros (\$570) with accommodation and food provided. For skilled workers in the agricultural sector, the minimum salary was 767 euros (\$1,040) without accommodation and food.

The government set minimum salaries and working conditions for foreign workers in all occupations in which they are allowed to be employed. The minimum starting salary for foreign nationals working as live-in housekeepers was 460 euros (\$620) per month. The employers covered accommodation, food, medical insurance, visa fees, travel, and repatriation expenses. Cabaret performers' contracts typically stipulated that they receive at least 205 euros (\$280) per week for 36 hours of work. Collective bargaining agreements covered workers in almost all other occupations, including unskilled labor. The wages set in these agreements were significantly higher than the minimum wage.

Foreign workers were able to claim pensions, and some bilateral agreements existed that allowed workers to claim credit in their home countries. The Migration Service was responsible for enforcing the minimum wage for foreign workers but did not actively do so.

The legal maximum workweek is 48 hours, including overtime. The law does not require premium pay for overtime or mandatory rest periods. The law stipulates that foreign and local workers receive equal treatment. Labor ministry inspectors are responsible for enforcing these laws. Labor unions, however, reported enforcement problems in sectors not covered by collective agreements. They also reported that certain employers, mainly in the construction industry, exploited undocumented foreign workers by paying them very low wages.

Some foreign domestic workers, primarily from East or South Asia, were mistreated or fired without cause in violation of their contracts. For example, some domestic workers, particularly live-in maids, reported working excessive hours for employers at all hours of the night and day without additional compensation or time off. Although the law protects domestic workers who file a complaint with the Ministry of Labor and Social Insurance from being deported until their cases have been adjudicated, NGOs and the ombudsman reported that many domestic workers did not complain to authorities about mistreatment due to fear of deportation.

Ministry of Labor inspectors were responsible for enforcing health and safety laws. Authorities enforced health and safety laws satisfactorily in the formal sector, although labor unions and the Ministry of Labor stated that more work needed to be done. Information was not available on the adequacy of resources, remediation, or penalties for violations. The minister of labor stated in October 2012 that the majority of work-related accidents involved undocumented foreign workers.

Factory inspectors processed complaints and inspected businesses to ensure that employers observed occupational safety laws. Close government cooperation with employer and employee organizations supported inspections. Authorities did not inspect private households where persons were employed as domestic workers.

From January to the end of September, 10 persons died in work-related accidents, primarily in construction and agricultural work.

THE AREA ADMINISTERED BY TURKISH CYPRIOTS

EXECUTIVE SUMMARY

Since 1974 the northern area of Cyprus has been administered by Turkish Cypriots who declared it the “Turkish Republic of Northern Cyprus” (“TRNC”) in 1983. The United States does not recognize the “TRNC,” nor does any country other than Turkey. Dervis Eroglu was elected “president” in 2010 in free and fair elections. Elections to the “Assembly of the Republic” during the year were also free and fair and resulted in the formation of a coalition “government” of the Republican Turkish Party and Democrat Party National Forces. The “TRNC constitution” is the basis for the “laws” that govern the area administered by Turkish Cypriot authorities; police and “Turkish Cypriot security forces” were ultimately under the operational command of the Turkish military, per transitional article 10 of the “TRNC constitution,” which cedes responsibility for public security and defense “temporarily” to Turkey. Authorities maintained effective control over the security forces. Security forces reportedly committed some human rights abuses.

The most significant problems reported during the year included police abuse of detainees, trafficking in persons including minors for sexual exploitation, and restrictions on the rights of asylum seekers. There was no regulatory infrastructure to handle applications for asylum seekers or to protect their rights.

Other problems reported during the year included mistreatment of persons in custody and in prison; overcrowding in prisons; lack of separation of incarcerated adults and juveniles; limited access to some places of worship; vandalism and removal of religious icons from vacant places of worship, including some sites that were damaged, close to collapse, or had been converted to other uses; corruption and cronyism in the executive and legislative branches; domestic violence against women; and criminalization of same-sex sexual activity.

Authorities took steps to investigate police officials following press allegations of abuses and corrupt practices. There was evidence, however, that officials sometimes engaged in corrupt practices with impunity.

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that authorities or their agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances during the year.

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

The “law” prohibits such practices; however, there were reports that police abused detainees. The “law” does not refer to “torture,” which falls under the section of the criminal code that deals with assault, violence, and battery.

In 2011 a “parliamentary committee” established to investigate allegations of police torture reported that torture has been carried out at police stations. Police and the “Attorney General’s Office” investigated the complaints and torture allegations and filed a case in “court” based on their findings. The “committee” studied an additional 12 petitions from persons who claimed to have been beaten and consulted with police and the “Attorney General’s Office” on the cases. The “Attorney General’s Office” investigated the claims and filed cases against three police officers at the “Heavy Penal Court.” According to the “Attorney General’s Office,” police have instructed their staff regarding behavioral methods and approaches towards suspect investigation, as well as suspect rights. According to the “Attorney General’s Office,” there were no investigations of police abuses during the year.

In August the press claimed that a Turkish Cypriot was subjected to violence during police interrogation following his arrest for growing drugs at his house. Police allegedly detained the man for three days and tortured, insulted, and beat him with a truncheon. The victim claimed that he also signed a testimony that he did not read. In response to the abuse, he reportedly opened a court case against the officers involved.

There were reports of police impunity. In September the press reported that the parents of a U.S. citizen residing in the north criticized the promotion of two police officers, whom the parents alleged had tortured their son during interrogation in 2011.

Prison and Detention Center Conditions

Prison and detention center conditions did not meet international standards in a number of areas, and prison overcrowding was a particular problem.

Physical Conditions: Of the 307 prisoners and detainees held as of September 30, 41 percent were foreigners, two-thirds of whom were Turkish citizens. Prison sentences are classified as either “light” or “heavy” punishment. Of those sentenced, 41 percent were sentenced to a heavy penalty and 23 percent to a light penalty. Fifteen female prisoners and two juveniles were incarcerated. Approximately 35.5 percent of the prison population consisted of persons awaiting trial.

The area’s central prison, located in the northern part of Nicosia and built in 1982, has a capacity of 291. In September the local press reported that the prison was unable to care for the increasing number of prisoners and that prison security was lacking. Authorities claimed that they had addressed the problem of overcrowding, in part through a bunk bed system that increased the number of beds to 452. The prison did not separate adults and juveniles; there were no detention or correction centers for children. One nongovernmental (NGO) representative stated that, during prison visits to help detainees, he repeatedly expressed concerns regarding poor prison conditions, particularly the detention of women and children who had no legal cause to be detained.

NGO representatives stated that facilities sorely lacked health and other services, and inmates had limited access to washing water and hot water. Authorities stated that health services were provided to inmates twice a week and were available for emergencies; prisoners and detainees received health checks upon entry into the prison.

The Turkish Cypriot Human Rights Foundation’s May 2012 report, *Detainee Rights in the Northern Part of Cyprus*, emphasized the inadequate level of healthcare available for detainees in the central prison, noting there was a lack of medical supplies; lack of medical and support staff; no full-time doctor, psychiatrist, or psychologist; and an insufficient number of social workers. The report also highlighted the lack of effective treatment for drug users or addicts. It also noted security problems, including insufficient measures to reduce violence between inmates and detainees, overcrowded cells, and bars on doors and windows that prisoners easily removed during violent encounters. The report cited incidences of gang violence, violence, or torture inflicted by guards on inmates, and easy access to weapons and drugs.

Through early December there were no reports of deaths in the prison or detention centers. Prisoners had access to potable water.

Administration: Recordkeeping on inmates was inadequate. Community service is not an alternative to prison confinement for nonviolent offenders. According to the “law,” alternatives to prison sentences, which were used most often for nonviolent offenses, include warnings, conditional and unconditional release, and bail. In some cases of domestic violence or drug use, the “court” may also suggest psychological and social counseling. According to authorities prisoners and detainees could submit complaints to judicial authorities without censorship and request investigation of credible allegations of inhumane conditions. Authorities reported they did not receive any complaints.

Authorities stated that all prisoners could observe their religious practices and that an imam visited the prison once a week to conduct prayers. Authorities allowed prisoners with heavy penalties to receive visitors every 10 days while prisoners with light punishment could receive visitors every 15 days. Detainees could receive visitors every 30 days. Visits were limited to 30 minutes except during holidays. Authorities permitted convicted inmates a maximum of 40 minutes of telephone calls three days a week; detainees had access to telephones two days a week for up to 40 minutes each day.

The scope of the “ombudsman’s” duties does not include advocating for reduced or alternative sentences or addressing the status of juvenile prisoners or improving detention or bail conditions.

Independent Monitoring: Authorities stated that prison monitoring is permitted, but no local or international NGO had applied to do so. Throughout the year press and media representatives visited the prison. According to one journalist, prison visits were permitted only when organized by Turkish Cypriot authorities and thus were overly monitored and controlled.

Improvements: Authorities took some steps to improve conditions and morale in the prisons. In May press reported that the then “minister of interior” signed an agreement to build a new prison; construction had not yet started at year's end. In July the interim “minister of interior” visited the prison together with the prison “director” to speak with inmates and review conditions of the cells, kitchens, rooms, offices, health unit, and workshops. During a lunch with press representatives, the “director” stated that the prison was open for visits, including

by the media, provided that the “ministry” approved. The “minister” stated that there was a lack of teachers at the various workshops in the prison but noted improvements to inmates’ bathrooms and toilets, continued maintenance and repairs of windows and walls, installation of visitor toilets, installation of new televisions in certain sections, and the opening of a new butcher section.

In August authorities permitted a prison visit by a group of local journalists and hosted an iftar dinner for the group at the prison, where they were able to meet with inmates and prison employees.

d. Arbitrary Arrest or Detention

The “law” prohibits arbitrary arrest and detention, and authorities generally observed these prohibitions.

Role of the Police and Security Apparatus

Police are responsible for enforcement of the “law.” The “chief of police” reports to a “general,” who is nominally under the supervision of the “Prime Ministry,” holding the “security portfolio.” Police and “Turkish Cypriot security forces” are ultimately under the operational command of the Turkish military, per transitional article 10 of the “TRNC constitution,” which “temporarily” cedes responsibility for public security and defense to Turkey. Security forces generally cooperated with civilian authorities and were effective in enforcing the “law.” Allegations of unfair police promotions sparked discussion in “parliament” regarding the civilianization of the police. Police are divided into eight functional divisions and five geographic divisions.

The “Attorney General’s Office” continued to work with the police inspection division (or occasionally the criminal investigative division) to investigate allegations of police misconduct.

In March the press announced that the Kyrenia police arrested a large gang, which included several police officers, for insurance fraud. Authorities took the officers and other members of the gang involved to “court” and confiscated their travel documents to prevent them from leaving the area.

Arrest Procedures and Treatment of Detainees

Judicially issued warrants are required for arrests. No person may be detained longer than 24 hours without referral of the case to the “courts” for a longer period of detention. Authorities generally respected this right and usually informed detainees promptly of charges against them, although authorities often held individuals believed to have committed a violent offense for longer periods without being charged. According to the “law,” any detained person must be brought before a “judge” within 24 hours. The person can then be detained in police custody for a period of up to three months, but a “judge” must review the detention after the third day and every eight days thereafter. Bail was permitted and routinely used. Detainees were usually allowed prompt access to family members and a lawyer of their choice. Authorities only provided lawyers to the indigent for cases involving violent offenses.

Police sometimes did not observe legal protections, particularly at the time of arrest. Some suspects were not permitted to have their lawyers present when giving testimony, in contravention of the “law.” Suspects who demanded the presence of a lawyer were sometimes threatened with stiffer charges or physically intimidated.

e. Denial of Fair Public Trial

The “law” provides for an independent judiciary, and authorities generally respected judicial independence.

Most criminal and civil cases begin in district “courts,” from which appeals are made to the “Supreme Court.” There were no special “courts” for political offenses. Civilian “courts” have jurisdiction in cases where civilians face charges of violating military restrictions, such as filming or photographing military zones.

Trial Procedures

The “law” provides for the right to a fair trial, and independent judicial authorities generally enforced this right. The “TRNC constitution” provides for public trials, the defendant’s right to be present at those trials, and the defendant’s right to consult with an attorney in a timely manner. Authorities provide lawyers to indigent defendants only in cases involving violent offenses. Defendants may question witnesses against them and present evidence and witnesses on their behalf. The “law” also requires that defendants and their attorneys have access to evidence held by the “government” related to their cases. Defendants enjoy a

presumption of innocence and have a right to appeal. Authorities generally respected these rights and generally respected “court” orders.

In 2012 one NGO representative and human rights lawyer noted that defendants did not fully enjoy the right to be informed promptly and in detail of the charges brought against them. The representative added that there was lack of sufficient interpretation for some languages as well as lack of professional translation. For example, authorities recruited translators randomly, and they did not translate everything said during “court” hearings.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There was generally an independent and impartial “judiciary” for civil matters, permitting claimants to bring lawsuits seeking damages for human rights violations. There were generally no problems enforcing domestic “court” orders.

Property Restitution

During the year Greek Cypriots continued to pursue property suits in the European Court of Human Rights (ECHR) against the Turkish government for the loss since 1974 of property located in the area administered by Turkish Cypriots. Turkish Cypriots pursued claims against the Republic of Cyprus as well. Under ECHR rules as long as adequate local remedies exist, an appellant does not have standing to bring a case before the ECHR until that appellant exhausts all local remedies.

In response to the ECHR’s 2005 ruling in the Xenides-Arestis case that Turkey’s “subordinate local authorities” in Cyprus had not provided an adequate local remedy, a property commission was established to handle claims by Greek Cypriots. In 2006 the ECHR ruled that the commission had satisfied “in principle” the ECHR’s requirement for an effective local remedy. In a 2010 ruling, the ECHR recognized the property commission as a domestic remedy. As of September 11, 5,283 applications had been filed with the commission, 412 of which were concluded through friendly settlements and 10 through formal hearings. The commission has paid over 113 million pounds sterling (approximately \$181 million) to the applicants in compensation.

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

The “law” prohibits such actions. There were reports that police subjected Greek Cypriots and Maronites living in the area administered by Turkish Cypriots to surveillance. Although authorities reported otherwise, a Maronite representative asserted that during the year the Turkish military occupied 18 houses in the village of Karpashia.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The “law” provides for freedom of speech and press, and authorities generally respected this right. Individuals were generally able to criticize authorities publicly without reprisal, with some exceptions.

Press Freedoms: While authorities generally respected press freedom, journalists were at times obstructed in their reporting or practiced self-censorship for fear of losing their jobs in connection with investigating a story. The independent media were active and expressed a wide variety of views. Authorities generally allowed international media to operate freely. Bayrak Radyo Televizyon Kurumu was the only “government”-owned television and radio station. Journalists alleged that press freedom was limited, noting that political interests often used the media according to the bias of the media owners; journalists whose reporting was contrary to these views could face dismissal or loss of other rights.

Violence and Harassment: The Turkish Cypriot Journalists Association reported that authorities denied access and prevented journalists from investigating allegations of police torture because journalists cannot access or report on those under military control. Defendants in “court” cases allegedly threatened journalists, who also faced pressure for their reporting from companies that advertised in their publications. According to the association, the “constitution” protects the press and media; the criminal “code,” however, is antiquated and can be abused against journalists.

Internet Freedom

Authorities did not restrict access to the internet, and there were no reports that they monitored e-mail or internet chat rooms without appropriate legal authority. Individuals and groups could engage in the peaceful expression of views via the

internet, including by e-mail. Although technological developments have improved the delivery methods for journalists, they reported continued difficulties in accessing public information. There are no accurate statistics available regarding the percentage of the Turkish Cypriot population that used the internet.

Academic Freedom and Cultural Events

Authorities did not restrict academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The “law” provides for freedom of assembly and association, and authorities generally respected these rights, although some organizations faced lengthy registration periods.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The “law” provides for freedom of movement within the area administered by Turkish Cypriots, foreign travel, emigration, and repatriation, and authorities generally respected these rights.

An intermediary NGO handled cooperation between the Office of the UN High Commissioner for Refugees (UNHCR) and Turkish Cypriot authorities. Since no “law” exists regarding the handling of asylum applications, the UNHCR representative in Cyprus adjudicated asylum claims.

Authorities required Greek Cypriots and Turkish Cypriots to show identification cards when crossing the “Green Line.” Greek Cypriots and foreigners crossing into the area administered by Turkish Cypriots were also required to fill out a “visa” form.

A “regulation” provides that, as of April 2012, any employer of illegal workers may be fined 7,075 Turkish lira (approximately \$3,500) or face business closure for two months. During the year the “Labor Authority” stated that it identified

workers without work permits. As of September 30, the “Labor Authority” monitored 746 workers and fined 118 employers with 178 illegal workers.

According to the immigration “law,” all employers desiring to import foreign workers need official permission from the “Department of Labor” to register them. Authorities deported illegal immigrants without work permits. Illegal immigrants without work permits were prohibited from entering the “TRNC” at ports of entry. With few exceptions authorities generally treated asylum seekers as illegal immigrants and either deported or denied them entry. Since no “law” or mechanism for protects the right of asylum seekers, no identification or protection is available. Human rights associations continued to work with authorities, including the UNHCR, to provide protection for asylum seekers from refoulement, at times without success. With the involvement of these associations, several asylum seekers entered the government-controlled area, through the UN-patrolled area, and started the asylum process there or traveled to Turkey, where they then applied for asylum.

Only Turkey recognizes travel documents issued by the “TRNC.” Journalists noted that they could not travel to other countries because of this restriction. Some Turkish Cypriots used Turkish travel documents, but many obtained travel documents issued by the Republic of Cyprus. Turkish Cypriots born after 1974 to parents who prior to 1974 were both Republic of Cyprus citizens obtained passports relatively easily, compared to Turkish Cypriots born after 1974 to only one Cypriot parent.

In June the interim “cabinet” announced that it cancelled the April 2012 decision to require “civil servants” traveling on official funds to use their “TRNC” or Turkish passports to go abroad for seminars, meetings, sports activities, or scholarships as well as to use only the Ercan (Tymbou) airport for departure and reentry.

Internally Displaced Persons (IDPs)

Turkish Cypriots considered persons displaced as a result of the division of the island to be refugees, although they fell under the UN’s definition of IDPs. At the time of the division, this number was approximately 60,000 in the north. They were resettled, had access to humanitarian organizations, and were not subject to attack, targeting, or return under dangerous conditions.

Protection of Refugees

Access to Asylum: The 1951 Convention relating to the Status of Refugees is incorporated into Turkish Cypriot domestic “law,” as were all other “laws” that originated from the British colonial period and the pre-1963 Republic of Cyprus period and were later “ratified” by the Turkish Cypriot administration. Authorities admitted that they had no “law” or system in place for dealing with asylum seekers or the protection of refugees and stated that they systematically rejected asylum applications. Potential asylum seekers who attempted to enter the area administered by Turkish Cypriots illegally were almost always arrested, taken to “court,” and deported after serving their sentence. As of December 2, however, authorities facilitated the access of 17 asylum seekers to UNHCR representatives in the UN buffer zone.

Individuals who requested asylum were supposed to be directed to the UNHCR or its local implementing partner, the Refugee Rights Association (RRA). Authorities often refused, however, to grant asylum seekers access to the RRA, refused their entry, treated them as undocumented immigrants, and denied them the opportunity to apply for asylum through the UNHCR. The RRA was affiliated with the Turkish Cypriot Human Rights Foundation in the area administered by Turkish Cypriots. Only the UNHCR representative could consider applicability of the 1951 Refugee Convention; the RRA’s mission was to monitor and identify individuals who wanted to apply for asylum, refer them to the UNHCR, and advocate to Turkish Cypriot authorities not to deport such individuals but instead to provide protection for the prospective applicants and to facilitate their accommodation and employment.

There were reports that authorities deported numerous asylum seekers during the year before a determination had been made regarding their status and that only some received facilitated access to continue their claims with the UNHCR, leading to either imprisonment or systematic deportations.

In February a Syrian man turned himself in to the police after he was deceived by human smugglers and taken from Turkey to Cyprus instead of to Bulgaria. The man claimed that he paid \$1,000 to be taken to Bulgaria. He was held in jail for seven days prior to his trial.

In March the press stated that the UN had handed over five Syrians, who had illegally crossed to the south, to police in the north. The press reported that police arrested a father but entrusted the mother and children to the care of the RRA.

Refoulement: Authorities did not provide protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. During the year the RRA stated that, despite its efforts, authorities at ports often denied entry to asylum seekers, and that those trying to enter the “TRNC” illegally were usually detained and subsequently deported. The RRA complained that authorities usually denied asylum seekers access to the RRA’s lawyers and vice versa.

Access to Basic Services: According to the RRA, at the end of 2012, there were 13 asylum seekers and refugees residing and working (for below-minimum wages and sometimes in exchange for food) or attending school in the area administered by Turkish Cypriots. They could not travel abroad because they would be unable to return due to their lack of status, which rendered them illegal according to Turkish Cypriot immigration rules. The UNHCR did not provide financial assistance to asylum seekers except in exceptional cases. There were no reliable estimates of the number of asylum seekers crossing into the government-controlled areas, since irregular crossings went unrecorded. There were at least two reports by various NGOs in the Republic of Cyprus of minors from Mali and Somalia crossing and receiving access to services for asylum seekers and temporary benefits.

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

The “law” provides Turkish Cypriots the right to change their “government” peacefully, and they exercised this right through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

Recent Elections: Turkish Cypriots choose a leader and a representative body every five years or less. In July Turkish Cypriots held early “parliamentary” elections. None of the political parties received enough votes in the elections to form a single-party “government.” The Republican Turkish Party and the Democrat Party-National Forces reached agreement to establish a coalition “government.” In 2010 Turkish Cypriots elected Dervis Eroglu “president” in free and fair elections.

Political Parties: Greek Cypriots and Maronite residents were prohibited from participating in Turkish Cypriot elections; they were eligible to vote in Greek

Cypriot elections but had to travel to the government-controlled area to exercise that right. Greek Cypriot and Maronite enclave communities in the area administered by Turkish Cypriots directly elected municipal officials. Turkish Cypriot authorities did not recognize these officials.

While membership or nonmembership in the dominant party did not confer formal advantages or disadvantages, there were widespread allegations of societal cronyism and nepotism.

Participation of Women and Minorities: There were three women in “ministerial” posts, including a female “prime minister” from July to August, but as of September, the new “cabinet” did not include any women. After “parliamentary” elections in September, there were four women in the 50-seat “parliament,” including the “president of parliament.” No minorities were represented in the “parliament.”

Section 4. Corruption and Lack of Transparency in Government

The “law” provides criminal penalties for official corruption. Authorities did not implement the “law” effectively, and “officials” sometimes engaged in corrupt practices with impunity. Observers generally perceived corruption, cronyism, and lack of transparency to be serious problems in the legislative and executive branches.

Corruption: Opposition parties continued to claim that the “government” primarily hired supporters of the ruling party for public-sector jobs during the year. Throughout the year newspapers alleged that the ruling party hired workers to staff various public offices and planned to hire additional persons.

Throughout the year various trade and teacher unions as well as opposition political parties held protest demonstrations, claiming that, between 2009 and the beginning of 2013, the “government” unfairly granted “TRNC citizenship” to 5,100 persons.

Whistleblower Protection: There are no laws that provide protection to public or private employees for making disclosures of evidence of illegality.

Financial Disclosure: According to the “Declaration of Wealth Law,” all “government employees” must declare their wealth and assets.

Public Access to Information: The “constitution” provides free access to “government” information, and the “law” provides for public access. “Civil servants” were not allowed to provide access to “government” documents without first obtaining permission from their superiors or “minister.” NGO representatives complained that authorities sometimes denied them access to “government” information during the year. Other NGO representatives claimed that authorities denied access to “land registry” records, specifically for cases that involved pre-1974 Greek Cypriot owners who wanted to apply to the Immovable Property Commission.

According to an NGO human rights representative, associations often can only access “government” information on a discretionary basis. In 2012 the representative alleged that, at times, authorities and police either withheld information or deliberately misled organizations to conceal violations.

In February, April, and May, Nicosia Turkish Municipality workers went on indefinite strike and organized demonstrations because they had not received their monthly salaries on time and not receiving social benefits. The “Audit Office” carried out investigations at the municipality in May, noting a growing debt from 2011 due to corruption and unauthorized jobs. According to the press, the report was submitted to the “Attorney General’s Office,” which responded there was no need to take action.

In August police arrested two “Labor Department” workers for taking a bribe from a restaurant owner. Police had been following the workers for a month after receiving complaints that they extorted money from several businesses that employed workers without work in exchange for not issuing the businesses a citation. Press reports indicated that the two workers had collected over 100,000 Turkish lira (\$50,000) in bribes; an investigation into the case was ongoing.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A limited number of domestic human rights groups operated in the area administered by Turkish Cypriots. Authorities’ cooperation with NGOs was inconsistent.

Many local human rights groups were concerned with improving human rights conditions in the area administered by Turkish Cypriots. NGOs promoted awareness of domestic violence; women’s rights; rights of asylum seekers,

refugees, and immigrants; trafficking in persons; torture; and lesbian, gay, bisexual, and transgender (LGBT) persons' rights. These groups had little impact on specific "legislation" to improve the protection of human rights.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The "law" prohibits discrimination based on race, gender, disability, language, or social status. Authorities generally enforced these prohibitions.

Women

Rape and Domestic Violence: The "law" does not provide a minimum sentence for individuals convicted of rape, including spousal rape; the maximum sentence is life imprisonment. Authorities and police effectively handled and prosecuted rape cases, including cases of spousal rape. There were no NGOs whose specific mission was to support rape victims.

Violence against women, including spousal abuse, was a problem. The "law" prohibits domestic violence under a general assault/violence/battery clause in the criminal "code." While allegations of domestic violence were usually considered a family matter and settled out of "court," a few cases of domestic violence were prosecuted that resulted in fines and bail but no prison sentences. Authorities considered a case more credible if there was at least one witness in addition to the victim.

In March the "deputy chief of police" stated that, over the preceding three years, 26 percent of the complaints made to police involved violence against women. Since 2010 police received 545 complaints involving women, of which 419 concerned violence against women. She noted that many other women did not complain and tolerated violence.

In July the press published interviews with representatives of various women rights organizations who claimed that the level of domestic violence in the north was very high. The AKOVA Women's Association noted that domestic violence included not only physical violence, but also psychological, sexual, and economic violence.

According to a "Social Services Department" report, authorities recorded 161 victims of domestic violence between January 2012 and May. The "department"

operated a violence hotline, which was answered by one “Social Services Department” employee who volunteered to take this additional role for a year.

Sexual Harassment: The “law” does not specifically prohibit sexual harassment, although victims could pursue remedies for harassment under other sections of the “law.” Sexual harassment was not widely discussed, and incidents of it went largely unreported.

Reproductive Rights: Couples and individuals were able to decide freely the number, spacing, and timing of their children and had access to contraception, skilled attendance during childbirth, and obstetric and postpartum care.

Discrimination: Women generally have the same legal status as men under property “law,” family “law,” and in the “judicial system.” The “government” generally enforced “laws” requiring equal pay for men and women performing the same work at the white-collar level. Women working in the agricultural and textile sectors routinely received less pay than their male counterparts. Several NGOs worked to protect women’s rights, but no specific “government” agency had this responsibility.

Children

Birth Registration: Children derive “citizenship” from their parents, and there was universal registration at birth.

Child Abuse: There were some media reports of child abuse, most commonly in the form of sexual battery or rape. As with domestic violence, there were social and cultural disincentives to seeking legal remedies for such problems, which observers believed were underreported.

Forced and Early Marriage: The minimum age of marriage for girls and boys is 18. A “court” may allow marriages for girls who are between the ages of 16 and 18 if they receive parental consent. The rate of marriage in 2012 for girls under the age of 18 was 1.2 percent; data for the year was not available by November.

Sexual Exploitation of Children: The “criminal code” penalizes sexual relations with underage girls. The maximum penalty for sex with a girl under the age of 13 is life imprisonment. The maximum penalty for sex with girls older than 13 but younger than 16 is three years’ imprisonment. There are no “laws” regarding child

pornography. The age of consent is 16 for girls. The “criminal code” does not specify an age of consent for boys.

Anti-Semitism

The small Jewish community consisted primarily of nonresident businesspersons. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip/.

Persons with Disabilities

The “law” prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or in the provision of other “state” services, and authorities effectively enforced these provisions. The “government” employed 569 persons with disabilities and provided financial aid to the remaining 3,925 persons with disabilities in the area administered by Turkish Cypriots. The “law” does not mandate access to public buildings and other facilities for persons with disabilities.

National/Racial/Ethnic Minorities

The “law” prohibits discrimination, and the 1975 Vienna III Agreement remains the legal source of authority regarding the treatment of the 330 Greek Cypriot and 110 Maronite residents in the area administered by Turkish Cypriots.

Under the Vienna III Agreement, UNFICYP visited Greek Cypriot residents of the enclave weekly and Maronites twice a month; additional visits require preapproval by authorities. Although the Vienna III Agreement provides for medical care by a doctor from the Greek Cypriot community, authorities only permitted such care by registered Turkish Cypriot doctors. Individuals living in enclaves also traveled to the government-controlled area for medical care.

Greek Cypriots and Maronites were able to take possession of some of their properties but were unable to leave their properties to heirs residing in the government-controlled area. A Maronite representative asserted that Maronites

were not allowed to bequeath property to heirs who do not reside in the area administered by Turkish Cypriots and possess “TRNC” identification cards. Authorities allowed the enclaved residents to make improvements to their homes and to apply for permission to build new structures on their properties. Maronites living in the government-controlled area could use their properties in the north only if those properties were not under the control of the Turkish military or allocated to Turkish Cypriots.

A small Kurdish minority lived in the area administered by Turkish Cypriots, a group that emigrated from Turkey in the 1980s. There have been reports of social and work discrimination against the Kurds, including the refusal in 2011 of applications for birth certificates for children with Kurdish names. In addition close monitoring of Kurdish activities by police, including of the annual Nowruz Festival, has been alleged.

A majority of foreign workers in the area administered by Turkish Cypriots were Turkish. Authorities noted that the majority of foreign workers worked in the service and construction sectors. According to the Turkish Cypriot Human Rights Foundation’s report, *The Human Rights of Migrant Workers in North Cyprus*, other foreign workers and students generally came from Bulgaria, Pakistan, Uzbekistan, Turkmenistan, Philippines, China, Vietnam, Azerbaijan, Kyrgyzstan, Bangladesh, Kazakhstan, and several African countries. The report noted that employers paid foreign workers below the minimum wage and required excessive hours of work.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Same-sex sexual activity is criminalized in the area administered by Turkish Cypriots under a general sodomy “statute.” The maximum penalty is 14 years’ imprisonment. No specific “law” prohibits discrimination against LGBT persons.

Homosexuality remained highly proscribed socially and was rarely discussed. Few LGBT persons were publicly open about their sexual orientation.

In July the Turkish Cypriot Teachers Trade Union Initiative against Homophobia and the Queer Cyprus association organized a two-day seminar, “LGBT Awareness in the Framework of Gender Equality.” Local lawyers, psychologists, and activists attended the seminar.

During the year there were no reports of either police or “government” representatives engaging in or condoning violence against the LGBT community. While there were no cases recorded of official or societal discrimination based on sexual orientation in employment, housing, or access to education or health care, members of the LGBT community noted that an overwhelming majority of LGBT persons hid their sexual orientation to avoid such problems.

Other Societal Violence or Discrimination

There were no reports of discrimination against persons with HIV/AIDS.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The “law” and related “regulations” and “statutory instruments” provide for the rights of workers, except members of police and “Turkish Cypriot security forces,” to form and join independent unions of their own choosing without prior authorization. The “law” allows unions to conduct their activities without interference and provides for the right to strike with the requirement that a union notify authorities in writing if the duration of strike is longer than 24 hours. The “law” does not provide for reinstatement of workers fired for union activities nor permit “judges,” members of the police force, and “Turkish Cypriot security forces” to strike. The “council of ministers” has the power to curtail a strike twice a year for up to 60 days if it affects the general health, security, or public order or if it prevents the provision of essential services. There is no list of what constitutes essential services. The “law” provides for collective bargaining but does not prohibit antiunion discrimination.

The “government” did not effectively enforce applicable “laws.” Information was not available on the adequacy of resources and inspections. The penalties for violations were not available, and their sufficiency was unknown.

Workers formed and joined independent unions. Authorities generally protected the right of unions to conduct their activities. Some companies pressured workers to join unions that the company led or approved. Officials of independent unions claimed that authorities created rival public sector unions to weaken the independent unions.

Workers exercised the right to bargain collectively. Public and semipublic employees benefited from collective bargaining agreements. Semipublic employees worked for companies run jointly by public and private enterprises where, for example, the “government” handled administration while the company’s budget came from private sources.

Private-sector employers were able to discourage union activity because the enforcement of labor “regulations” was sporadic, and penalties for antiunion practices were nominal.

b. Prohibition of Forced or Compulsory Labor

“Laws” prohibit all forms of forced or compulsory labor. The “government” did not effectively enforce the “law.” Forced labor was reportedly punishable by up to one year in prison, a term that was not commensurate with other serious crimes and not adequate to deter violations. Information regarding the adequacy of inspections and resources was not available. There were reports of forced labor during the year.

Men and women employed in industrial, construction, agriculture, restaurant, and retail sectors were subjected to conditions of forced labor. Migrant workers in the construction and agricultural sectors were subjected to reduced wages and nonpayment of wages, beatings, and threats of deportation. The Turkish Cypriot Human Rights Foundation asserted that there were cases of forced labor in the agricultural and domestic service sectors.

Also see the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip/.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 15, the last year for which education is compulsory, and children may be employed in apprentice positions between the ages of 15 and 18 under a special status. Children over the age of 15 can work, although they are restricted to not more than six hours a day and 30 hours a week. Children between the ages of 15 and 18 are prohibited from working during mealtimes, at night, and under dangerous conditions and are prohibited from engaging in heavy physical labor. The “law” also states that every six months the employer must prove, with medical certification, that the physical work done by a child is suitable for children. Written parental consent is also required, and

children retain the right to the wage of a full-time employee, although the children can work a maximum of six hours. The “law” generally provides protection for children from exploitation in the workplace.

The “Ministry of Labor and Social Security” is responsible for enforcing child labor “laws” and policies. Penalties for violations consisted of fines and “court” procedures. An employer is fined 7,075 Turkish lira (\$3,500) per incident of child labor involving a foreigner. Due to a gap in the “law,” employers are taken to “court” for forced child labor of a “TRNC” citizen.

In February the “Ministry of Labor and Social Security” announced the launch of a hotline for victims of violence, including women and children. Social service experts said the “department” lacks infrastructure and capacity to provide such services. Authorities noted two to three cases of child labor reported through November.

NGOs alleged that authorities did not always effectively enforce these “laws,” and employers used children, mainly from Turkey, for labor, primarily in the agricultural and manufacturing sectors and at industrial areas working in the automotive and construction sectors with their families. The Turkish Cypriot Human Rights Foundation reported that children worked in dangerous conditions, such as on construction sites, and were subjected to heavy physical work despite “laws” to the contrary.

According to the Turkish Cypriot Human Rights Foundation, child labor in the urban informal economy was also a problem, albeit to a lesser extent than in the agriculture and in manufacturing sectors. The sight of children selling paper towels or other small items on the street became more commonplace, particularly in neighborhoods in Nicosia with large immigrant populations. It was common in family-run shops for children to work after school and for young children to work on their family farms.

d. Acceptable Conditions of Work

The minimum wage was increased from 1,300 Turkish lira (\$650) per month to 1,415 Turkish lira (\$707). The “Health Ministry” report on hunger and poverty levels indicated in April that the “hunger level” was 1,278 Turkish lira (\$639) per month and poverty level was 5,803 Turkish lira (\$2,900) per month for a four-member family. Limited information was available on conditions of work.

Accommodations for migrant workers, either as part of their compensation or for those made to pay, were substandard.

Standard working hours for the private and public sector were 40 hours a week. There was premium pay for overtime in the public sector. Premium pay for overtime was also required, but frequently not paid, in the private sector. The “law” prohibits compulsory overtime and provides for paid annual holidays.

Occupational safety and health standards are not current. Enforcement and labor inspections, including of working conditions, were reportedly almost nonexistent, and authorities did not effectively enforce standards in all sectors. The “Ministry of Labor and Social Security” is responsible for enforcing the minimum wage. Employers paid undocumented migrant workers below the minimum wage, and enforcement of occupational safety and health regulations was sporadic. While labor authorities conducted regular inspections, there was little improvement in working conditions, particularly for hazardous sectors and vulnerable groups. The practice has been to deport those workers claiming violations. Authorities did not apply penalties to violators, and resources and inspections were not adequate to protect worker rights. The “government” has not established social protections for workers in the informal economy.

As of September 30, there were 177 workplace accidents, in which seven were fatal, all of which were reportedly being investigated.