

## **CYPRUS 2018 HUMAN RIGHTS REPORT**

Since 1974 the southern part of Cyprus has been under the control of the government of the Republic of Cyprus. The northern part of Cyprus, 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 remain on the island. A buffer zone, or “Green Line,” patrolled by the UN Peacekeeping Force in Cyprus (UNFICYP), separates the two sides. This report is divided into two parts: the Republic of Cyprus and the Area Administered by Turkish Cypriots.

### **REPUBLIC OF CYPRUS**

#### **EXECUTIVE SUMMARY**

The Republic of Cyprus is a constitutional republic and multiparty presidential democracy. On February 4, voters re-elected President Nicos Anastasiades in free and fair elections. In 2016 voters elected 56 representatives to the 80-seat House of Representatives (Vouli Antiprosopon) in free and fair elections.

Civilian authorities maintained effective control over the security forces.

Human rights issues included crimes involving violence against members of minority ethnic and national groups.

The government investigated and prosecuted officials who committed human rights abuses.

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

##### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

##### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution and law prohibit such practices. There were reports, however, that police engaged in abusive tactics and degrading treatment of suspects and detainees. Members of ethnic and racial minorities were more likely to be subjected to such treatment.

In a report published on April 26, the Council of Europe's Committee for the Prevention of Torture (CPT) noted persistent credible allegations of police mistreatment of detainees, including one allegation of sexual abuse of a woman received during the CPT's 2017 visit. Three juvenile detainees reported officers kicked, punched, and hit them with clubs during questioning at the Limassol Central Police Station. The CPT found that persons detained by police, particularly foreigners, risked physical or psychological mistreatment at the time of apprehension, during questioning, and in the process of deportation.

During the year the ombudsman, who also acts as the country's national preventive mechanism under the Optional Protocol to the UN Convention against Torture, received limited complaints of mistreatment and discriminatory and degrading behavior, including complaints of verbal, physical, and sexual abuse, from inmates in the Cyprus Prisons Department and in detention centers. The ombudsman reported most of the complaints were not substantiated. Overall, the ombudsman noted continued improvement in the treatment of prisoners and detainees in the Cyprus Prisons Department and in detention centers.

#### **Prison and Detention Center Conditions**

Prison and detention center conditions, including detention centers for asylum seekers and undocumented migrants pending deportation, did not meet international standards.

Physical Conditions: In its April report, the CPT recommended reducing the prison population in Blocks 1, 2, 5 and 8 of the Cyprus Prisons Department, where many cells did not have toilets and prisoners lacked reliable access to toilets at night. The CPT found conditions at the Cyprus Prisons Department admissions/gatehouse room, reportedly used for accommodating prisoners, to be degrading. The Ministry of Justice said the Cyprus Prisons Department only used the admissions/gatehouse room temporarily to accommodate one prisoner who demonstrated aggressive and self-harming behavior.

Prison authorities held juvenile pretrial detainees in cells separate from convicted juveniles, but the two groups shared the same grounds in their daily activities. Authorities reportedly held migrants detained on deportation orders together with detainees charged with criminal offenses in nearly all police stations. Such detentions are limited to a maximum of 48 hours.

The CPT reported a few allegations of physical abuse of detainees by staff at the Mennoyia Detention Center. It also reported several allegations of Cyprus Prisons Department staff physically abusing prisoners and threatening them with reprisals for making complaints.

The nongovernmental organization (NGO) Action for Equality, Support, and Antiracism (KISA) reported police treatment of detainees at Mennoyia Detention Center for undocumented migrants improved significantly compared with last year. The ombudsman also noted a decrease in complaints about treatment of detainees in Mennoyia Detention Center.

The ombudsman reported her officers regularly visited and discussed conditions in the prisons and detention centers with prisoners and inmates. The ombudsman noted a reduction in the number of irregular migrants detained at police stations and compliance with previous recommendations of the ombudsman to improve physical conditions of detention facilities in police stations.

Approximately 40 percent of prisoners in the Cyprus Prisons Department were non-Cypriots convicted for criminal offenses, such as immigration and drug-related offenses, thefts, sexual offenses, and road accidents. The CPT reported allegations of discrimination against foreign prisoners regarding access to education, health care, work, and recreation. Foreign prisoners did not have access to the semiopen and the open prison or the right to apply for parole.

The ombudsman reported some cases of migrants and asylum seekers detained for deportation even though there was no prospect they would be deported. A considerable number of detainees at the Mennoyia Detention Center were awaiting a decision on their request for international protection or for adjudication of their appeals against the rejection of their asylum applications. Unlike in previous years, the ombudsman and NGOs did not encounter cases of detainees deported before final adjudication of their asylum applications. An NGO reported, however, that instead of deporting detainees before final adjudication of their cases,

immigration authorities pressured them to sign a voluntary return consent by threatening them with indefinite detention.

The Ministry of Justice reported it runs a substitution program that provides medicine to drug addicts at the Cyprus Prisons Department based on World Health Organization recommendations and under the supervision of the mental health-care services of the Ministry of Health.

Administration: The CPT raised concerns that insufficient resources and personal ties between accused police officers and investigators (most of whom were former police officers) weakened investigations into allegations of police abuse. Detention centers lacked facilities for religious observance, but religious representatives were permitted to visit inmates.

Independent Monitoring: The government permitted prison visits by independent human rights observers, and unrestricted and unannounced visits occurred during the year. The CPT visited the Cyprus Prisons Department in February 2017. The Committee on Human Rights and the Committee on Education and Culture of the House of Representatives also visited the prison. KISA visited the Mennoya Detention Center multiple times during the year.

Improvements: The Cyprus Prisons Department increased its capacity from 528 to 566. Authorities added Block 3 to the female prison and fully renovated block 10A, which will receive its first inmates in 2019. Police renovated detention centers to increase natural light and airflow and added televisions in the five largest detention centers.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

#### **Role of the Police and Security Apparatus**

Police enforce the law and combat criminal activity. Police report to the Ministry of Justice and Public Order. The president appoints the chief of police.

Civilian authorities maintained effective control over police, and the government has effective mechanisms to investigate and punish abuse. There were no reports of impunity during the year.

From January to October, the attorney general ordered the criminal prosecution of police officers in four cases. From January to October, police investigated 17 criminal cases against members of the police force.

### **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 unless a court grants an extension. Most periods of investigative detention did not exceed 10 days before the filing of formal charges. Authorities promptly informed detainees of the charges against them in a language they could understand. The attorney general made efforts to minimize pretrial detention, especially in cases of serious crimes.

There is a system of bail. The government claimed the right to deport foreign nationals for reasons of public interest, regardless of whether criminal charges had been filed against them or they had been convicted of a crime. Trial delays were common and partially caused by lengthy legal procedures, which created a larger workload for the courts.

Detainees generally had access to an attorney. Detainees may speak to their attorney at any time, including before and during interrogation by police. The CPT reported that, in practice, police officers prevented detainees from contacting a lawyer until they had given a written statement. According to the CPT, representatives of the Cyprus Bar Association confirmed that a lawyer was not permitted to be present during police interviews. In criminal cases, the state provides indigent detainees with an attorney. To qualify for free legal aid, however, detainees first require a court decision confirming their financial need. The CPT noted this system inevitably delayed indigent detainees' access to a lawyer.

### **e. Denial of Fair Public Trial**

The law and constitution provide for an independent judiciary, and the government generally respected judicial independence and impartiality.

## **Trial Procedures**

The law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants enjoy a presumption of innocence. Officials informed defendants promptly and in detail of the charges against them. The constitution provides for fair and public trials without undue delay, and defendants have the right to be present and to consult with an attorney in a timely manner. Authorities provide an attorney for defendants who are unable to afford one and allow defendants adequate time and facilities to prepare a defense. Authorities provided free interpretation as necessary through all stages of the trial. Defendants have the right to confront prosecution or plaintiff witnesses and present evidence or witnesses on their behalf. Criminal defendants enjoy the right not to be compelled to testify or confess guilt. Defendants have the right to appeal.

## **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 used this procedure. Individuals could appeal cases involving alleged human rights violations by the state to the European Court of Human Rights once they exhausted all avenues of appeal in domestic courts.

## **Property Restitution**

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

During the year Turkish Cypriots filed 35 court cases with the Administrative Court seeking to reclaim property located in the government-controlled area. The

Administrative Court issued three decisions during the year, two in favor of the minister of interior retaining control of the properties and one in favor of the Turkish Cypriot property owner.

#### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law prohibits such actions, and there were no reports that the government failed to respect these prohibitions.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Expression, Including for the Press**

The law provides for freedom of expression, including for the 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 expression, including for the press.

Freedom of Expression: The law criminalizes incitement to hatred and violence based on race, color, religion, genealogical origin, national or ethnic origin, or sexual orientation. Such acts are punishable by up to five years' imprisonment, a fine of up to 10,000 euros (\$11,500), or both. During the year police examined three complaints of verbal assault or hate speech based on ethnic origin, religion, sexual orientation, or color. The investigations were ongoing at year's end.

Press and Media Freedom: The law penalizes the use of geographical names and toponyms in the country other than those included in the gazetteer the government presented at the 1987 Fifth UN Conference on the Standardization of Geographical Names. 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 other than those permitted, commits an offense punishable by up to three years in prison, a fine of up to 50,000 euros (\$57,500), or both.

#### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority.

The law criminalizes the use of computer systems to incite and promote racism, xenophobia, prejudice, racial discrimination, hate speech, and violence. Such acts are punishable by up to five years' imprisonment, a fine of up to 35,000 euros (\$40,250), or both. The use of computer systems to commit offenses related to child pornography is criminalized and punishable by up to 10 years' imprisonment and/or a fine of up to 42,500 euros (\$48,875).

According to the International Telecommunication Union, approximately 81 percent of the population used the internet in 2017.

### **Academic Freedom and Cultural Events**

In September the artistic director and four musicians in the Cyprus Symphony Orchestra canceled their voluntary participation in an international music festival in the "TRNC" after some members of parliament publicly called for them to be fired if they participated.

### **b. Freedoms of Peaceful Assembly and Association**

The law and constitution provide for the freedoms of peaceful 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/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement**

The law provides for freedom of internal 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, asylum seekers, stateless persons, migrants, and other persons of concern.

Abuse of Migrants, Refugees, and Stateless Persons: An NGO reported some Social Welfare Service officers and judges subjected asylum seekers to racist verbal abuse. Foreign nationals sentenced to a few months' imprisonment for entering the country illegally were generally deported as soon as their travel documents were ready.

The government's policy was not to hold irregular migrants in detention for long periods and to release them and provide them residency permits if they were not deported within 18 months. An NGO reported immigration authorities pressured migrant detainees to sign a voluntary return consent by threatening them with indefinite detention.

The ombudsman received complaints of continuing detention despite the absence of prospect of deportation. The ombudsman recommended the release of such detainees and reported that authorities implemented those recommendations in some cases.

In-country Movement: The government did not restrict Greek Cypriots from traveling to the area administered by Turkish Cypriots, but the Ministry of Foreign Affairs warned foreigners against spending the night at Greek Cypriot properties occupied by Turkish Cypriots or Turks, gambling in the area administered by Turkish Cypriots, or buying or developing property there. NGOs reported the government prohibited recognized non-Cypriot refugees with temporary residence status and asylum seekers from crossing to the area administered by Turkish Cypriots, asserting it could not assure their safety in an area not under its control.

### **Internally Displaced Persons (IDPs)**

The government considers 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 October there were 233,330 such individuals and their descendants. UNHCR provided assistance to Greek and Turkish Cypriot IDPs from 1974-88, after which it transferred assistance programs to UNFICYP and other UN agencies. Because UNHCR no longer extended assistance to these displaced persons, it officially considered the IDP population to be zero, consistent with UNHCR statistical reporting guidelines. Depending on their income, IDPs were eligible for financial assistance from the government. They were resettled, had 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 granting asylum or refugee status, and the government has established a system for providing protection to refugees.

The ombudsman and NGOs reported delays in the examination of asylum applications and delays in the examination of appeals against rejections of asylum applications.

Employment: Authorities allowed asylum seekers whose cases were awaiting adjudication to work after a waiting period. In October the Ministry of Labor reduced the waiting period for work authorization from six months to one month. The law restricts asylum seekers to employment 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.

A UNHCR report released in May noted long waiting periods for work authorization aggravated by limited areas in which asylum seekers were eligible to seek employment.

There were reports of racism by Labor Department officers who met with valid residency applicants seeking a contract of employment. From January to September, the Ministry of Labor and Social Insurance approved 380 labor contracts for asylum seekers and 34 contract renewals. The Ministry of Labor reported it had approved all submitted contracts.

Access to Basic Services: Since 2016 the living conditions of asylum seekers have deteriorated as the numbers of applicants increased. The only permanent reception center for asylum seekers, located in Kofinou, was completely full, and the majority of asylum seekers lacked proper housing.

In April UNHCR noted a high number of asylum seekers facing homelessness and destitution. It reported a number of homeless men, women, and families with young children from Syria, Cameroon, Somalia, and Iraq were either sleeping in outdoor parks or temporarily staying with friends, relatives, or strangers, often sleeping on floors and unable to access hygiene facilities. NGOs attributed what they described as unsanitary living conditions to Ministry of Interior mismanagement of the Kofinou reception center.

Asylum seekers who refused an available job could be denied state benefits. To obtain welfare benefits, asylum seekers also needed a valid address, which was not possible for homeless applicants. UNHCR, NGOs, and asylum seekers reported delays and inconsistencies in the delivery of benefits to eligible asylum seekers.

The ombudsman and NGOs reported the system of providing welfare support to asylum seekers via coupons did not take into account or appropriately accommodate the special needs of vulnerable groups among them. The coupons could be redeemed only in specific shops that may lack some supplies, were usually more expensive than other grocery stores, and were often inconveniently located. An NGO reported the procedure to enable access of asylum seekers to state medical care was cumbersome and time consuming.

A UNHCR report released in May noted considerable limitations in reception conditions, insufficient and delayed financial support and social welfare assistance, and constraints in access to psychosocial support services. It noted the voucher scheme was insufficient to cover recipients' basic needs and provided fewer benefits to asylum seekers than support packages for recognized refugees and Cypriot citizens. The report highlighted that once asylum seekers secured employment, authorities terminated the provision of welfare assistance without determining whether the remuneration was sufficient to cover the basic and special needs of the applicants and their family members.

Temporary Protection: The government also provided temporary protection, called subsidiary protection, to individuals who may not qualify as refugees. Authorities granted subsidiary protection to 755 persons in the first eight months of the year.

The government provides subsidiary protection status for citizens or residents of Syria who entered the country legally or illegally. All persons seeking such status were required to provide a Syrian passport or other identification.

### **Section 3. Freedom to Participate in the Political Process**

The law and constitution provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. In national elections, only Turkish Cypriots who resided permanently in the government-controlled area were permitted to vote and run for office. In elections for the European Parliament, Cypriot citizens, resident EU citizens, and Turkish Cypriots who live in the area administered by Turkish Cypriots have the right to vote and run for office.

## **Elections and Political Participation**

Recent Elections: In February voters re-elected Nicos Anastasiades president in free and fair elections. In 2016 the country held free and fair elections for the 56 seats assigned to Greek Cypriots in the 80-seat House of Representatives. The 24 seats assigned to Turkish Cypriots remained vacant.

Participation of Women and Minorities: No laws limit participation of women and members of minorities in the political process, and they did participate.

In 2014 some Turkish Cypriots complained that problems in the electoral roll disenfranchised a number of Turkish Cypriot voters. The law provides for the registration of all adult Turkish Cypriot holders of a government identity card who resided in the area administered by Turkish Cypriots in the electoral roll for the European Parliament elections. Turkish Cypriots not residing in that area needed to apply for registration in the electoral roll, as did all other citizens. The government did not automatically register an unspecified number of Turkish Cypriots residing in the north because they were incorrectly listed in the official civil registry as residents of the government-controlled area. This problem persisted during the year.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials and the government generally implemented the laws effectively. Although the government generally investigated and prosecuted cases of corruption, there were numerous reports of government corruption during the year.

Corruption: On June 11, the trial of a senior official of Larnaca Municipality for theft and obtaining money under false pretenses began. The official allegedly accepted 35,000 euros (\$40,250) from a local businessman to legalize building irregularities at his restaurant and deposited part of the money in his own bank account. The trial continued at year's end.

Financial Disclosure: The law requires the president, members of the Council of Ministers, and members of parliament to declare their income and assets. The publication of their declarations is obligatory, but there are no specific sanctions for noncompliance. Spouses and children of the same officials are required to

declare their assets, but the publication of their declarations is prohibited. Other public officials are not required to declare their assets.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were often cooperative and responsive to their views.

Government Human Rights Bodies: There is a government ombudsman, whose portfolio includes human rights, and a legislative Committee on Human Rights.

During her 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. Citizens respected the Office of the Ombudsman and considered it 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 a wide range of human rights problems, including trafficking in persons, violence against women, sexual abuse of women and children, 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**

#### **Women**

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, with a maximum sentence of life in prison. The government enforced the law effectively.

There were reports of violence against women, including spousal abuse, and the number of cases reportedly increased in recent years. The law establishes clear mechanisms for reporting and prosecuting family violence. A court can issue a same day restraining order against suspected or convicted domestic violence offenders.

Survivors of domestic violence had two shelters, each funded primarily by the government.

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

Female Genital Mutilation/Cutting (FGM/C): While the practice was not a problem locally, the government received and granted asylum applications from migrant women subjected to FGM/C.

Sexual Harassment: The law prohibits sexual harassment in the workplace and provides a penalty of up to six months in prison, a 12,000 euro (\$13,800) fine, or both. The ombudsman and NGOs reported that authorities did not adequately investigate sexual harassment complaints submitted by foreign domestic workers.

Sexual harassment was reportedly a widespread, but often unreported, problem. The Department of Labor reported receiving 13 sexual harassment complaints from foreign domestic workers but that most complaints lacked supporting evidence. The ombudsman continued to receive complaints of sexual harassment in the workplace. In July the Council of Ministers adopted a mandatory code of conduct for the prevention and handling of sexual harassment and harassment throughout the public service. The office of the ombudsman did not provide sexual harassment training to public servants during the year.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides the same legal status and rights for women and men. The government generally enforced the law, but women experienced discrimination in employment and pay.

## **Children**

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

Child Abuse: The law criminalizes child abuse. The penalty for child abuse includes one year's imprisonment, a fine of up to 1,000 pounds (\$1,300), or both.

From January to October 15, police investigated 135 cases of child abuse, 71 of which were filed in court.

Early and Forced Marriage: The legal age of marriage is 18, but persons aged 16 and 17 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 aged 16 and 17 if the parents unjustifiably refuse consent or in the absence of legal guardians.

Sexual Exploitation of Children: The law prohibits commercial sexual exploitation of children, child pornography, offering or procuring a child for prostitution, and engaging in or promoting a child in any form of sexual activity. The penalty for sexual abuse and exploitation of a child ages 13 through 17 is a maximum of 25 years' imprisonment. The penalty for sexual abuse and exploitation of a child younger than 13 is up to life in prison. Possession of child pornography is a criminal offense punishable by a maximum of life imprisonment. Authorities enforced these laws. The minimum age for consensual sex is 17.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

### **Anti-Semitism**

There were approximately 3,000 persons in the Jewish community, which consisted of a very small number of native Jewish Cypriots and a greater number of expatriate Israelis, British, and Russians.

There were reports of verbal harassment of members of the Jewish community, including two incidents in October in which Muslim men reportedly used anti-Semitic slurs and made death threats against Jews in Larnaca. The victims had not filed complaints with police at year's end.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The law provides persons with disabilities the right to participate effectively and fully in political and public life, including by exercising their right to vote and to stand for election. The government generally enforced these provisions.

The state provided facilities to enable children with disabilities to attend all levels of education. The Ministry of Education adopted a code of good practices, prepared in collaboration with the ombudsman, regarding attendance of students with disabilities in special units of public schools. Authorities provided a personal assistant for students with disabilities attending public, but not private, schools.

In a March 13 report assessing the 2016 deinstitutionalization program for persons with mental disabilities, the ombudsman noted authorities failed to handle effectively matters related to the rights, needs, and abilities of these persons and did not meet the main objective, which was the enjoyment of the right of independent living within society.

Problems facing persons with disabilities included access to natural and constructed environments, transportation, information, and communications. The Cyprus Paraplegics Organization reported several public buildings were still not accessible to wheelchair users.

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. Observers did not consider fines for violating the law against employment discrimination sufficient to prevent abuses (see also section 7.d.).

## **National/Racial/Ethnic Minorities**

Minority groups in the government-controlled area of Cyprus included Catholics, Maronites, Armenians, and Roma. Although legally considered one of the two main communities of Cyprus, Turkish Cypriots constituted a relatively small proportion of the population in the government-controlled areas and experienced discrimination.

There were incidents of violence against Turkish Cypriots traveling to the government-controlled areas as well as some incidents of verbal abuse or

discrimination against non-Greek Cypriots. In March a 20-year-old Greek Cypriot pleaded guilty to participating in a 2015 attack against vehicles belonging to Turkish Cypriots. He received a 20-month suspended sentence and was fined 1,000 euros (\$1,150). Eleven other defendants charged for the same attack pleaded not guilty and went to trial, which continued at year's end.

The Ministry of Education applied a code of conduct against racism in schools that provided schools and teachers with a detailed plan on handling, preventing, and reporting racist incidents.

In May 2017, the Committee on the Elimination of Racial Discrimination reported the Romani community continued to face discrimination and stigmatization as well as challenges such as low school attendance and high dropout rates, difficulty accessing adequate housing, unemployment, and racist attacks. Romani and migrant children also reportedly faced social discrimination in schools.

The ombudsman continued to receive complaints that the government delayed approval of citizenship for children of Turkish Cypriots married to Turkish citizens who resided in the area administered by Turkish Cypriots. The ombudsman reported that its recommendations to process such applications within a reasonable timeframe had not been implemented.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

Antidiscrimination laws exist and prohibit direct or indirect discrimination based on sexual orientation or gender identity. Antidiscrimination laws cover employment and the following activities in the public and private domain: social protection, social insurance, social benefits, health care, education, participation in unions and professional organizations, and access to goods and services. A lesbian, gay, bisexual, transgender, and intersex (LGBTI) NGO noted in February 2017 that equality and antidiscrimination legislation remained fragmented and failed to address adequately discrimination against LGBTI persons. NGOs dealing with LGBTI matters claimed that housing benefits favored "traditional" families.

Despite legal protections, LGBTI individuals faced significant societal discrimination, particularly in rural areas. As a result, many LGBTI persons were not open about their sexual orientation or gender identity, nor did they report homophobic violence or discrimination. An NGO reported that on Pride Day in June, attackers threw rocks at a transgender woman's home in Paphos. Police

initially failed to respond to the NGO's call for assistance, and the victim, citing fear of dealing with police, subsequently declined to file a police report.

There were reports of employment discrimination against LGBTI applicants (see section 7.d.).

Hate crime laws criminalize incitement to hatred or violence based on sexual orientation or gender identity. In June the government appointed an advisor to the president of the republic on multiculturalism, respect, and acceptance with a view to proposing actions to protect the rights of LGBTI persons, promote public awareness, and eliminate discrimination against them.

### **HIV and AIDS Social Stigma**

In June the president of the HIV-Positive Persons Support Center stated that HIV-positive persons faced prejudice in employment both in the private and public sector as well as from society and their own families, largely due to lack of public awareness. Activists complained that raising public awareness of this problem was not a government priority and reported that even medical staff at hospitals were prejudiced and reluctant to examine HIV-positive persons. In July the government instituted a 300 euro (\$345) monthly stipend and free medical care for HIV-positive persons receiving treatment at the Gregorian clinic in Larnaca.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law, including supporting statutes and regulations, provides for the right of workers to form and join independent unions, strike, and bargain collectively with employers. Both antiunion discrimination and dismissal for union activity are illegal.

The law requires labor unions to register with the registrar of labor unions within 30 days of their establishment. Persons convicted for fraud-related and immoral offenses are not allowed to serve as union officials. Unions' accounts and member registers can be inspected at any time by the registrar. An agreement among the government, labor unions, and employers' organizations established the procedure for dispute resolution for essential services personnel.

The government generally enforced applicable laws, but unions did not consider the penalties sufficient to deter violations. Resources and investigations were adequate in the formal sector. Administrative procedures were efficient and immediate, but judicial procedures were subject to delays due to a case backlog.

The government generally protected the right of unions to conduct their activities without interference, and employers generally respected the right of workers to form and join independent unions and to bargain collectively. Although collective agreements are not legally binding, they are governed by a voluntary agreement between the government and employer organizations and unions, employers, and employees effectively observed their terms. Workers covered by such agreements were employed predominantly in the larger sectors of the economy, including construction, tourism, healthcare, and manufacturing.

Private sector employers were able to discourage union activity in isolated cases because of sporadic enforcement of labor regulations prohibiting antiunion discrimination and the implicit threat of arbitrary dismissal for union activities.

#### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. The maximum penalty is six years' imprisonment for forced labor of adults and 10 years' imprisonment for forced labor of minors. The government did not effectively enforce the law, and forced labor occurred. Inspections of the agricultural and domestic service sectors remained inadequate, and resources at the Department of Labor Inspections within the Ministry of Labor were insufficient. Penalties imposed were not sufficient to deter violations.

Forced labor occurred primarily in agriculture. Foreign migrant workers, children, and asylum seekers were particularly vulnerable. 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 and in unsuitable living conditions. In 2017 police investigated nine suspects, prosecuted two defendants, and convicted eight persons for labor trafficking. Employers often retained a portion of foreign workers' salaries as payment for accommodations.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

#### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the employment of children, defined as persons younger than 15, except in specified circumstances, such as combined work-training programs for children who are at least 14 or employment in cultural, artistic, sports, or advertising activities, subject to rules limiting work hours. The law prohibits night work and street trading by children. The law permits the employment of adolescents, defined as persons aged 15 through 17, subject to rules limiting hours of employment and provided it is not harmful or dangerous. The law prohibits employment of adolescents between midnight and 4 a.m. The minimum age for employment in industrial work is 16. Employment of children in violation of the law is punishable by penalties, which were sufficient to deter violations.

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 and the commissioner for the rights of the child could also investigate suspected cases of exploitation of children at work.

#### **d. Discrimination with Respect to Employment and Occupation**

Laws and regulations prohibit direct or indirect discrimination with respect to employment or occupation based on race, national origin or citizenship, sex, religion, political opinion, gender, age, disability, and sexual orientation. The government did not effectively enforce these laws or regulations. Discrimination in employment and occupation occurred with respect to race, gender, disability, sexual orientation, and HIV-positive status.

Despite a strong legal framework, the Ministry of Labor and Social Insurance's enforcement of the law governing employment and labor matters with respect to women was ineffective. The law requires equal pay for equal work or work of equal value. Women experienced discrimination in such areas as hiring, career advancement, employment conditions, and pay. Eurostat data released in October indicated the average pay gap between men and women was 14 percent in 2015. The ombudsman reported receiving complaints related to gender discrimination and sexual harassment in the workplace.

An NGO reported in September that an employer fired a lesbian woman because of her sexual orientation, citing his religion. Several lawyers reportedly advised the employee against pursuing a legal case for discrimination because a lawsuit would make it difficult for her to find new employment.

Discrimination against Romani migrant workers occurred. Turkish Cypriots faced social and employment discrimination (see section 6).

### **e. Acceptable Conditions of Work**

Although there is no national minimum wage, there is a minimum wage for groups deemed vulnerable to exploitation. The minimum wage for shop assistants, clerks, assistant baby and child minders, health-care workers, security guards, cleaners of business premises, and nursery assistants was 870 euros (\$1,000) per month for the first six months and 924 euros (\$1,060) per month thereafter. The Ministry of Interior establishes terms of employment for foreign domestic workers, for whom the minimum salary was 309 euros (\$355) per month--well below the poverty line of 8,698 euros (\$10,000) per year for a single person.

Collective bargaining agreements covered workers in almost all other occupations, including unskilled labor. The wages set in these agreements were significantly higher than the poverty level.

Foreign workers were able to claim pensions, and some bilateral agreements 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. The Department of Labor Relations within the Ministry of Labor and Social Insurance is 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. The penalty for violating the law was sufficient to deter violations but was not adequately enforced. The court may order the employer to pay the employee back wages.

The law protects foreign domestic workers who file a complaint with the Ministry of Labor and Social Insurance from deportation until their cases have been adjudicated. The Department of Labor Relations reported that from January to April, it received 191 complaints from migrant workers against their employers, 142 involving domestic workers, and 49 involving laborers. Of those, 130 were resolved by both sides signing a release agreement that gave the worker the

opportunity to seek employment with another employer, while two cases were resolved with the voluntary return of the worker to the employer on mutually agreed terms. In seven cases the workers chose to return home. A total of 48 cases were referred to the Labor Disputes Committee for Migrants from Third Countries for examination, and four additional cases remained unresolved for other reasons.

NGOs reported many foreign domestic workers remained reluctant to report contract violations by their employers for fear of losing their jobs and, consequently, their work and residency permits. NGOs reported that Department of Labor and police skepticism of complaints about sexual harassment and violence discouraged domestic workers from submitting complaints.

The Department of Labor Inspection in the Ministry of Labor and Social Insurance is responsible for enforcing health and safety laws. Authorities enforced health and safety laws satisfactorily in the formal sector but not in the informal sector, which included approximately 15 percent of workers. Labor unions stated more work was required to protect undocumented workers. The penalty for failing to comply with work safety and health laws was up to four years' imprisonment, a fine not to exceed 80,000 euros (\$92,000), or both.

The number of inspectors employed by the Ministry of Labor was not sufficient to provide for enforcement of labor laws in the agricultural sector and in the informal economy, where the majority of employees were migrant workers and undocumented workers. The Department of Labor Relations carried out its own inspections to assure that employers abide by other labor laws. Inspectors were not allowed to inspect private households where persons were employed as domestic workers without a court warrant.

Workers have the right to remove themselves from situations that endanger health or safety without jeopardy to their employment, but authorities did not effectively protect employees in these situations.

## **THE AREA ADMINISTERED BY TURKISH CYPRIOTS**

### **EXECUTIVE SUMMARY**

The northern part of Cyprus has been administered by Turkish Cypriots since 1974 and 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. Mustafa Akinci was elected "president" in 2015 in free and fair

elections. 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.

Human rights issues included trafficking in persons and crimes involving violence against ethnic minority groups.

Authorities took steps to investigate police officials following press allegations of human rights abuses. There was evidence, however, of impunity.

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

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports the “government” or its agents committed arbitrary or unlawful killings.

#### **b. Disappearance**

There were no reports of disappearances by or on behalf of “government” authorities.

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

The “law” prohibits such practices, but there were reports during the year 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.

The “Attorney General’s Office” reported it received three complaints concerning police battery and use of force from January to September. The “Attorney General’s Office” reported a “court” case was filed for one of the complaints, and the other two were under investigation at year’s end.

In September a “court” found a police officer guilty of assault and battery for physically abusing a 67-year-old man arrested for the sexual assault of a mentally disabled 19-year-old man in 2016. According to reports, police beat the man in an effort to obtain his confession without informing him of the reason for his arrest. When the victim was later brought to identify the alleged attacker, police discovered they had detained the wrong person. The police officer was sentenced to two months in prison.

### **Prison and Detention Center Conditions**

Prison and detention center conditions did not meet international standards in a number of areas, in particular for sanitary conditions, medical care, and food.

Physical Conditions: The area’s only prison, located in the northern part of Nicosia, has a stated capacity of 311. According to authorities, additional rooms were converted into cells and a bunkbed system was installed, which increased the capacity of the “Central Prison” to 480. As of September, it held 528 prisoners and pretrial detainees. Nongovernmental organizations (NGOs) and the ombudsman reported overcrowding remained a problem and that beds were stacked in the corridors at the “Central Prison.” The prison did not separate adults and juveniles, and there were no detention or correction centers for children. Due to lack of space, pretrial detainees and prisoners occupied the same cells.

In September police announced a 30-year-old detainee had committed suicide at a police station detention center in Kyrenia. Police reported the detainee used a lace from a pair of shorts his wife brought him while in custody to commit suicide. The detainee’s spouse released a statement claiming she never brought him a pair of shorts and accusing police of killing her husband. The detainee’s father told the press he also believed police killed his son. NGOs suspected police abuse contributed to the detainee’s death. The “Attorney General’s Office” began an investigation, which continued at year’s end.

NGOs said a lack of security cameras at detention centers and the “Central Prison” allowed police officers and prison guards to abuse detainees with impunity. NGOs also reported major problems in security, including violence between inmates and detainees. The ombudsman received complaints that detainees in the “Central Prison” did not receive sufficient food and that police detention centers lacked heating. NGOs reported that, because of a lack of official procedures at police detention centers, detainees frequently received no food while held, sometimes for longer than a day. In March the Turkish Cypriot Human Rights Foundation

(TCHRF) criticized detention cells at the “Central Prison” and police stations, which it claimed were sometimes underground, very small, and lacked light and ventilation.

In January the Refugee Rights Association (RRA) reported sanitation remained a significant issue in the “Central Prison” and that inadequate water supply failed to meet inmates’ hygiene needs. The RRA reported authorities did not provide soap, which detainees and inmates had to purchase themselves.

NGOs reported that prison healthcare was inadequate, lacking medical supplies, a full-time doctor, and a sufficient number of social workers. Authorities reported a doctor visited the prison twice a week and was on call for emergencies. NGOs reported complaints about contagious diseases at the “Central Prison,” including HIV, hepatitis B, and hepatitis C. Authorities also reported there were a full-time psychologist and a dentist at the “Central Prison.”

Administration: Authorities did not conduct proper investigations of allegations of mistreatment at the “Central Prison.” Authorities reported receiving no complaints or allegations of mistreatment of prisoners or detainees at the “Central Prison.” Authorities stated facilities were available for Muslim prisoners and detainees to conduct their religious observance and that an imam visited the “Central Prison” on the religious days of Bayram. Authorities reported there were no facilities for religious observance for non-Muslim prisoners or detainees and that they received no requests for non-Muslim religious support.

Independent Monitoring: Authorities permitted prison monitoring by independent nongovernmental observers. Authorities reported foreign missions, local human rights NGOs, psychologist organizations, the “Fight against Drugs Commission,” and the press visited the “Central Prison.”

Improvements: Authorities reported implementing a rehabilitation pilot project for prisoners and detainees younger than age 21, with the aim of reintegrating them into the community.

#### **d. Arbitrary Arrest or Detention**

The “law” prohibits arbitrary arrest and detention and provides for the right of any person to challenge his/her arrest or detention in court, 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,” which holds the “security portfolio.” Police and Turkish Cypriot security forces are ultimately under the operational command of the Turkish armed forces, as provided by the “TRNC constitution,” which “temporarily” cedes responsibility for public security and defense to Turkey.

On January 23, local press outlets reported police officials failed to intervene effectively when a protest against the *Afrika* newspaper turned violent (see section 2.a.).

Police and other Turkish Cypriot security forces generally cooperated with civilian authorities and were effective in enforcing the “law.” The “Attorney General’s Office” worked with the police inspection division (or occasionally the criminal investigative division) to investigate allegations of police misconduct. There were no reports of impunity involving the security forces during the year.

## **Arrest Procedures and Treatment of Detainees**

Judicial warrants are required for arrests. According to the “law,” police must bring a detained person before a “judge” within 24 hours of arrest. Police can then keep the detainee in custody for up to three months, but a “judge” must review the detention after the third day and every eight days thereafter. Authorities generally respected this right and usually informed detainees promptly of charges against them, although they often held individuals believed to have committed a violent offense for longer periods without charge. Bail may be granted by the “courts” and was routinely used. “Courts” confiscated detainees’ passports pending trial. Authorities usually allowed detainees prompt access to family members and a lawyer of their choice, but NGOs noted cases in which authorities prevented detainees from seeing a lawyer. Authorities provided lawyers to the indigent only in cases involving violent offenses.

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

According to the TCHRF, during the detention review process officials pressure the detainee to sign a confession in order to be released on bail. It cited situations in which police used the threat of prolonged detention to induce detainees to plead guilty. The TCHRF commented that the absence of cameras or voice recorders and the lack of a requirement that a lawyer be present during questioning created an atmosphere in which police coerced detainees into signing or physically abused them until they signed statements admitting their guilt.

In January a suspect arrested for driving while intoxicated complained that police broke both his arms at the Iskele police station. Police accused the detainee of causing his own injuries and claimed to have video evidence but failed to produce it when requested by the suspect's lawyer. The detainee filed a case against two police officers for abuse during his arrest. According to the "Attorney General's Office," the "Police General-Directorate" launched an investigation into the incident, which continued at year's end.

According to the "TRNC constitution," indicted detainees and prisoners have the fundamental right of access to "legal" representation. A lawyer said the "Central Prison Regulation" prohibits sentenced individuals in solitary confinement from meeting with a lawyer without the "Prison Director's" permission. The "Prison Director" may deny the visit without providing a justification. According to the TCHRF, when the prison authorities want a detainee, indicted individual, or prisoner not to speak or meet with his or her family or lawyer, they commonly threatened to punish the individual with solitary confinement.

#### **e. Denial of Fair Public Trial**

The "law" provides for an independent judiciary, and authorities generally respected judicial independence and impartiality.

Most criminal and civil cases begin in district "courts," from which appeals are made to the "Supreme Court." 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 and public trial, and independent judicial authorities generally enforced this right.

Defendants enjoy a presumption of innocence. Various NGO representatives and human rights lawyers noted defendants did not fully enjoy the right to be informed promptly and in detail of the charges against them. The “constitution” provides for fair, timely, and 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. Criminal defendants enjoyed the right to adequate time and facilities to prepare a defense.

There was insufficient free interpretation for some languages and insufficient professional translation in “courts.” Lawyers reported there are only two official interpreters in the “TRNC court” system, and as a result in some cases lawyers acted as interpreters. Authorities haphazardly recruited nonprofessional translators who did not translate everything said during proceedings. Insufficient translation also delayed hearings and prolonged defendants’ detention. Defendants may question prosecution witnesses and present evidence and witnesses on their behalf. They cannot be compelled to testify or confess guilt, and have a right to appeal.

### **Political Prisoners and Detainees**

There were reports of detention of persons with alleged ties to the so-called “Fethullah Gulen Terrorist Organization (FETO)” and the deportation to Turkey of Turkish citizens purportedly affiliated with “FETO.”

### **Civil Judicial Procedures and Remedies**

Individuals or organizations may seek civil remedies for human rights violations through domestic “courts.” After exhausting local remedies, individuals and organizations may appeal adverse decisions that involve human rights to the European Court of Human Rights (ECHR).

### **Property Restitution**

Greek Cypriots continued to pursue property suits in the ECHR against the Turkish government for the loss of property located in the area administered by Turkish Cypriot authorities since 1974.

A property commission handles claims by Greek Cypriots. As of October, claimants had filed 6,485 applications with the commission, 922 of which were concluded through friendly settlements and 315 through formal hearings. The commission has paid more than 292 million British pounds (\$378 million) in compensation to applicants.

## **f. Arbitrary or Unlawful 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 Cypriot authorities to surveillance. Although authorities reported otherwise, a Maronite representative asserted that during the year the Turkish armed forces occupied 18 houses in the Maronite village of Karpasia.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

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

Freedom of Expression: While there is no “law” restricting the use of non-”TRNC” flags or symbols, some individuals who have flown flags of the Republic of Cyprus have been publicly criticized and put on trial on charges of “disturbing the peace” or “provocative actions.”

Press and Media Freedom: While authorities usually respected press freedom, at times they obstructed journalists in their reporting. One media representative complained that press and media representatives were prevented from getting close enough to conduct on site reporting during incidents or to follow up reporting at “court” hearings.

Violence and Harassment: There were reports defendants in some “court” cases allegedly threatened journalists, who also faced pressure for their reporting from companies that advertised in their publications.

A journalist association reported some journalists were verbally and physically attacked by detainees or their families or friends. Journalists also reported they were at times prevented from doing their jobs, verbally assaulted, and their equipment damaged while at “courts,” hospitals, and police stations.

In January, Turkish President Erdogan condemned the *Afrika* newspaper for republishing in December 2017 a cartoon of a Greek statue urinating on Erdogan’s

head and for publishing on January 21 an article sharply critical of Turkish military operations in Syria. He called for action against the paper. In response, 500 demonstrators staged a protest in front of the newspaper's office. According to press reports, demonstrators threw rocks, glass bottles, and eggs, causing 16,450 Turkish lira (\$3,130) in damage. Police arrested six demonstrators for rioting, gathering illegally, and deliberately destroying private property. The six demonstrators received jail sentences ranging from two to six months. *Afrika's* chief editor reported in August that he continued to receive threats, and a journalist association reported that press and media groups who covered the attack also received threats.

In July a police officer in Famagusta reportedly ordered his subordinates to “inflict violence” on journalists who were trying to take photos of suspects being brought to the Famagusta “courts.” The police officers hit journalists trying to report from outside the court. The journalists filed a complaint against the police officer who ordered the attack. The “Attorney General's Office” reported police started an investigation, which continued at year's end.

Censorship or Content Restrictions: Journalists cannot interview or report on persons under control of the armed forces. The Turkish Cypriot Journalists Association reported authorities used these restrictions to prevent journalists from investigating valid subjects, such as suicides or allegations of police torture or battery within the military or police systems.

Journalists practiced self-censorship for fear of losing their jobs. A journalist reported some press representatives censored themselves when reporting on Turkey's role in Cyprus and on the Turkish leadership.

In March police officers charged the *Afrika* newspaper with instigating violence, insulting Turkish President Erdogan, and trying to set the “TRNC” against Turkey. At a May hearing, *Afrika's* editor and columnist were charged with several crimes, including insulting foreign state representatives, insulting religion, and publishing false news relating to a cartoon, three articles, and editorials. The trial began in October and continued at year's end.

Separately, *Afrika* newspaper opened a lawsuit against President Erdogan for instigating attacks on the newspaper. The “court” dismissed the case, ruling that foreign heads of state were immune from prosecution.

## **Internet Freedom**

Authorities did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that they monitored private online communications without appropriate legal authority. Although technological developments improved delivery methods, journalists reported continued difficulties in accessing public information.

### **Academic Freedom and Cultural Events**

There were no “government” restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

The “law” provides for the freedoms of peaceful assembly and association, but the “government” sometimes limited both.

#### **Freedom of Peaceful Assembly**

A teachers union reported police obstructed unions and civil society organizations from demonstrating and opening banners in front of the Turkish “embassy” during demonstrations and protests.

A labor union reported police interfered in demonstrations and used force against peaceful demonstrators. The labor union also reported police used force and pepper gas to disperse demonstrators during the Animal Producer Association’s demonstration in September.

#### **Freedom of Association**

While the “law” provides for the freedom of association, and while the “government” usually respected this right, some organizations faced lengthy registration processes.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement**

The “law” provides for freedom of movement within the area administered by the Turkish Cypriot “authorities,” foreign travel, emigration, and repatriation. 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. Because no “law” exists regarding the handling of asylum applications, UNHCR representatives in the Republic of Cyprus assessed asylum claims by applicants in the area administered by Turkish Cypriot authorities.

Abuse of Migrants, Refugees, and Stateless Persons: UNHCR reported that, with few exceptions, asylum seekers generally were treated as illegal migrants because an official framework for asylum does not exist. Most were either denied entry or deported, irrespective of the risk of refoulement.

In-country Movement: Authorities required Greek Cypriots and Turkish Cypriots to show identification cards when crossing the “Green Line.”

Foreign Travel: Only Turkey recognizes travel documents issued by the “TRNC.” 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.

### **Internally Displaced Persons (IDPs)**

Turkish Cypriots considered those displaced as a result of the island’s 1974 division to be refugees, although they fell under the UN definition of IDPs. At the time of the division, the number of IDPs was approximately 60,000 in the north.

### **Protection of Refugees**

Refoulement: Authorities did not provide protection against the expulsion or return of refugees to countries where their lives or freedom could be threatened. According to NGOs, authorities at “ports” often denied entry to asylum seekers.

Human rights associations continued to work with authorities, including UNHCR, to provide protection for asylum seekers from refoulement, at times without success. With the involvement of these organizations, several asylum seekers

gained access to asylum procedures in Turkey or in the government-controlled area.

Access to Asylum: There is no “law” or system in place for dealing with asylum seekers or the protection of refugees. Turkish Cypriot authorities generally cooperated with UNHCR’s NGO implementing partner, SOS Children’s Village.

There were reports Turkish Cypriot authorities deported numerous asylum seekers during the year before UNHCR’s implementing partner could interview them to obtain information necessary for assessing their asylum claims. Some potential asylum seekers who attempted to enter the area administered by Turkish Cypriot authorities illegally were arrested, taken to “court,” and deported after serving their prison sentences.

Freedom of Movement: Asylum seekers could not travel abroad because they would be unable to return due to their lack of “legal” status.

Employment: According to immigration “law,” employers need official permission from the “Department of Labor” to register foreign workers. Authorities prohibited entry or deported irregular migrants without work permits. Persons holding a UNHCR certificate receive the same access to the labor market as third country nationals.

A “regulation” provides that any employer of illegal workers may be fined 2,620 Turkish lira (\$500) or face closure of their business for two months. As of September, the “Labor Authority” had inspected 973 workplaces, and identified 1,254 illegal workers. Authorities fined employers 639,000 Turkish lira (\$122,000).

Access to Basic Services: Persons holding a UNHCR certificate could access basic services, including primary health care and education, but persons of concern to UNHCR lacked access to residence permits or welfare assistance, which rendered them at risk of exploitation and put vulnerable individuals at risk of destitution.

### **Section 3. Freedom to Participate in the Political Process**

The “law” provides Turkish Cypriots the ability to choose their “government” in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. Turkish Cypriots who live in the area administered by Turkish

Cypriot authorities have the right to vote and run for office in elections for the European Parliament.

### **Elections and Political Participation**

Recent Elections: Turkish Cypriots choose a leader and a representative body at least every five years. On January 7, Turkish Cypriots held “parliamentary” elections that observers considered free and fair. In 2015 Turkish Cypriots elected Mustafa Akinci “president” in elections that were also considered free and fair.

Political Parties and Political Participation: While membership in the dominant party did not confer formal advantages, there were widespread allegations of political cronyism and nepotism.

Participation of Women and Minorities: No “laws” limit participation of women or members of minorities in the political process, and they did participate.

Turkish Cypriot authorities did not permit Greek Cypriots and Maronites residing in the north to participate in Turkish Cypriot elections. Greek Cypriots and Maronites residing in the north were eligible to vote in Greek Cypriot elections but had to travel to the government-controlled area to do so. Greek Cypriot and Maronite enclave communities in the area administered by Turkish Cypriot authorities directly elected municipal officials, but Turkish Cypriot authorities did not recognize them. There was no minority representation in the 50-seat “parliament” or in the “cabinet.”

### **Section 4. Corruption and Lack of Transparency in Government**

The “law” provides criminal penalties for corruption by officials. 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, but they reported corruption decreased compared with previous years.

Corruption: In August the former “director of the government electricity utility” was arrested and charged with abuse of power, damaging the institution, deceptive statements, operations against regulations, and making illegal overtime payments. The former “director” was released on bail, and the investigation continued at year’s end.

Financial Disclosure: The “law” provides that all “government” employees must declare their wealth and assets. The “law” covers persons who hold elective office, appointees of the “council of ministers,” “judges” and “prosecutors,” the “ombudsman,” the chair of the “Attorney General’s Office,” and members of the “Attorney General’s Office.” Every five years employees who fall under this “law” must declare any movable and immovable property, money, equity shares, stocks, and jewelry worth five times their monthly salary as well as receivables and debts that belong to them, their spouses, and all children in their custody. The disclosure is not publicly available. Once a declaration is overdue, the employee receives a written warning to disclose his/her wealth within 30 days. If an employee fails to do so, authorities file a complaint with the “Attorney General’s Office.” Penalties for noncompliance include a fine of up to 5,000 Turkish lira (\$952), three months’ imprisonment, or both. If confidentiality is violated, employees may receive a fine of up to 10,000 Turkish lira (\$1,905), 12 months’ imprisonment, or both.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

While many local groups were concerned with human rights conditions, only a limited number of domestic human rights organizations operated in the area administered by Turkish Cypriot authorities. NGOs promoted awareness of domestic violence; women’s rights; rights of asylum seekers, refugees, and immigrants; trafficking in persons; police abuse; and the rights of lesbian, gay, bisexual, transgender, or intersex (LGBTI) persons. These groups had little effect on “legislation” to improve the protection of human rights. Local Turkish Cypriot NGOs liaised with the United Nations, UNHCR, and international NGOs on human rights issues.

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

#### **Women**

Rape and Domestic Violence: The “law” criminalizes rape, including spousal rape, and provides for a maximum sentence of life imprisonment. Authorities and police did not enforce the “law” effectively. The Nicosia Turkish Cypriot Municipality provided a shelter for victims of domestic violence, and there were local NGOs whose specific mission was to support rape victims.

Violence against women, including spousal abuse, remained a major problem. The “law” prohibits domestic violence under a general assault/violence/battery clause.

In March the Nigerian student association told local newspapers that police did not take seriously complaints that African students were sexually abused and raped in the area administered by Turkish Cypriot authorities.

In November police arrested a man who had allegedly murdered his ex-girlfriend at the house in Kioneli where she worked. Press reported the man stabbed the victim 13 times before neighbors heard her screams and rushed her to the hospital where she died.

Sexual Harassment: The “criminal code” prohibits sexual harassment and considers it a misdemeanor punishable by up to 12 months’ imprisonment, an unspecified fine, or both. According to NGOs, sexual harassment went largely unreported. A group of international students reported widespread sexual harassment of female international students and that police routinely dismissed complaints of sexual harassment from international students.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The “law” provides the same legal status and rights for women and men. Women experienced discrimination in such areas as employment, credit, owning or managing businesses, education, and housing.

## **Children**

Birth Registration: Children derive “citizenship” from their parents, and there was universal registration at birth, including of children born to migrants.

Child Abuse: The “criminal code” does not explicitly prohibit child abuse, but it does prohibit sexual abuse of children, which carries a penalty of up to six years’ imprisonment. There were reports of child abuse. As with domestic violence, there were social and cultural disincentives to seeking legal remedies for such problems.

In October a 17-year-old girl complained to the “Social Services Department” that her father and uncle had sexually abused her since she was nine years old. The “Social Services Department” helped her file a complaint with police, who arrested

the father and uncle. In a “court” hearing, the victim said she had filed a complaint at the Lapta police station on the guidance of her school counselor but later withdrew it under pressure from her family. The “Social Services Department” provided support and psychological aid to the victim and her brother, and the trial continued at year’s end.

Early and Forced Marriage: The minimum age of marriage for girls and boys is 18. A “court” may allow marriages for minors ages 16 and 17 if they receive parental consent.

Sexual Exploitation of Children: The “law” prohibits commercial sexual exploitation of children, and authorities generally enforced the prohibition. The age of consent is 16. Statutory rape or attempted statutory rape of a minor younger than 16 is a felony, and the maximum penalty is life imprisonment. If the offender is younger than 18 and two years or fewer apart in age from the victim, the act is a misdemeanor punishable by up to two years in prison, an unspecified fine, or both. There are no “laws” regarding child pornography.

In August Turkish Cypriot police arrested a 29-year-old British woman for soliciting herself and her two children in a nude live video online. She admitted to advertising prostitution and sexually abusing her children live on the internet. The “Social Services Department” took custody of one of the children, and the other was handed over to the Turkish Cypriot father. The woman was deported to the United Kingdom, according to press reports.

### **Anti-Semitism**

There were approximately 150 persons in the Jewish community, which primarily consisted 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/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The “law” prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, and authorities effectively enforced these

provisions. The “law” does not mandate access to public buildings and other facilities for persons with disabilities, and the disability community complained of the absence of infrastructure in public areas, including lack of sidewalks, blocked sidewalks, and inaccessible public transportation.

In May the Turkish Cypriot Orthopedic Disabled Persons Association reported 653 persons with disabilities were waiting to be employed by the “government.” The association also complained that persons with disabilities had no access to buildings, sidewalks, or public areas, and that there were no public restrooms they could use. The association noted the “government” had not employed a single person with disabilities since 2006, although the “law” requires 4 percent of public sector positions be filled by persons with disabilities.

Authorities reported more than 300 persons with disabilities worked in the “government.” Authorities also reported more than 4,000 disabled persons received financial aid from the “government” during the reporting period. In September, the “government” paid an additional one-time relief contribution of 1,000 Turkish lira (\$190) to 8,000 poor and disabled persons who receive government aid, due to the economic crisis.

### **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 320 Greek Cypriot and 73 Maronite residents in the area administered by Turkish Cypriot authorities.

UN Peacekeeping Force in Cyprus representatives visited enclaved Greek Cypriot residents weekly and Maronites twice a month. In April the “TRNC government” cancelled an October 2017 decision by the former “government” to tax humanitarian aid convoys to the Greek Cypriot and Maronite communities. While the humanitarian aid was taxed, humanitarian aid deliveries for Greek Cypriots living in Rizokarpaz were limited to medical supplies.

Greek Cypriots and Maronites could take possession of some of their properties in the area administered by Turkish Cypriot authorities but were unable to leave their properties to heirs residing in the government-controlled area. 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 that emigrated from Turkey in the 1980s lived in the area administered by Turkish Cypriot authorities. There were reports of social and job discrimination against the Kurds as well as allegations that police closely monitored Kurdish activities, in particular the annual Nowruz festival. In March local press reported a group of nationalist students tore down Nowruz posters posted at a university bus stop. When three Kurdish students tried to stop them, the nationalist students reportedly attacked the Kurdish students and forced them to voice insults against Kurds while the attackers filmed them. School security intervened; the victims were taken to the hospital, and police began an investigation.

Some of the more than 10,000 African students reportedly studying at universities in the area administered by Turkish Cypriot authorities reported racial discrimination in housing, employment, and interactions with law enforcement.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The “law” prohibits discrimination based on sexual orientation or gender identity.

While there were no cases recorded of official or societal discrimination based on sexual orientation or gender identity in employment, housing, or access to education or health care, members of the LGBTI community noted an overwhelming majority of LGBTI persons concealed their sexual orientation or gender identity to avoid potential discrimination.

The Queer Cyprus Association said LGBTI persons often could not access legal remedies to discrimination based on sexual orientation or gender identity because authorities declined to enforce them. The association reported that during the year police refused to register a complaint about discrimination based on gender identity from a transgender woman.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The “law” provides for the rights of workers, except members of police and other 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 their right to strike, with the

provision that a union notify authorities in writing if members planned to strike for longer than 24 hours. The “law” does not permit “judges,” members of the police force, or other Turkish Cypriot security forces to strike. The “Council of Ministers” has the power to prohibit a strike in any individual sector 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 or provide for reinstatement of workers fired for union activities.

The “government” did not effectively enforce applicable “laws.” Despite having the rights of freedom of association and collective bargaining, there was very little unionization among the estimated 90,000 workers in the private sector. According to one labor union, only 8 percent of private sector workers were unionized. A union representative said that if private sector workers affected business operations while exercising their rights, employers would likely dismiss them. Some companies pressured workers to join unions that the company led or approved. Officials of independent unions claimed authorities created public sector unions as rivals to weaken the independent unions. Labor authorities and the “state” did not provide adequate resources, inspections, or improvements. Penalties for employers convicted of violating the “law” range from two to eight times the monthly minimum wage of 2,620 Turkish lira (\$499), which was insufficient to deter violations due to sporadic enforcement.

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.

## **b. Prohibition of Forced or Compulsory Labor**

The “law” prohibits all forms of forced or compulsory labor, but the “government” did not effectively enforce it. Forced labor was reportedly punishable by up to one year in prison, a term that was not commensurate with other serious crimes and was not adequate to deter violations.

There were reports of forced labor during the year, primarily in the private sector. A labor union representative reported migrant workers in the construction and

agricultural sectors were subjected to reduced wages, nonpayment of wages, beatings, and threats of deportation.

A researcher reported the university sector is used to smuggle and traffic large numbers of Africans and South Asians. The researcher stated these victims are registered in certain universities by their employers to obtain student resident “permits” and subsequently subjected to forced labor. Students from Nigeria and Zimbabwe were often unable to pay their tuition and therefore could not renew their student visas. In exchange for not being reported to immigration police, they reportedly accept harsh working conditions consistent with forced labor at construction sites.

Also see the Department of State’s *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for restricted employment is 15, the last year at which education is compulsory. Employers may hire children between the ages of 15 and 18 in apprentice positions under a special status. Children older than 15 are restricted to not more than six hours of work per day and 30 hours per week. The “law” prohibits children between the ages of 15 and 18 from working during mealtimes, at night, in heavy physical labor, and under dangerous conditions. 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 are entitled to the hourly wage of a full-time employee.

The “Ministry of Labor and Social Security” is responsible for enforcing child labor “laws” and policies. Resources, penalties, and inspections were not adequate to deter violations.

Authorities did not always effectively enforce the “laws,” and employers used children, mainly from Turkey, for labor, primarily alongside their families in the agricultural, manufacturing, automotive, and construction sectors. NGOs reported children worked in dangerous conditions, such as on construction sites, and were subjected to heavy physical work despite “legal” prohibitions. One NGO reported some employers delayed applying for work permits for seasonal agricultural workers from Turkey, which prevented the workers’ children from being eligible for local schooling.

Child labor in the urban informal economy was also a problem, albeit to a lesser extent than in agriculture and manufacturing. The number of children selling tissues or other small items on the street increased over 2017, 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 family farms.

One union representative reported there were only nine “inspectors” working at the “Employment Department,” making it difficult to inspect workplaces to detect child labor.

#### **d. Discrimination with Respect to Employment and Occupation**

The “law” generally prohibits discrimination with respect to employment or occupation on the basis of race, sex, gender, disability, language, sexual orientation and/or gender identity, and social status. The “law” does not specifically address discrimination with respect to religion, political opinion, or HIV-positive status. The “government” did not effectively enforce these “laws.” Discrimination in employment and occupation occurred with respect to race, ethnicity, sex, disability, and gender.

Authorities reported 22,882 registered foreign workers in the area administrated by Turkish Cypriot authorities, mainly from Turkey, Pakistan, Turkmenistan, Bangladesh, Ukraine, Kyrgyzstan, and the Philippines. Foreign migrant workers faced societal discrimination based on their ethnicity, race, and religious belief. Greek Cypriots faced social and employment discrimination.

Women faced sexual harassment in the workplace and held far fewer managerial positions than men. An NGO reported a private school teacher was dismissed from her job for becoming pregnant. The private school allegedly did not want to have staff on maternity leave during the school year.

LGBTI individuals often hid their sexual orientation and gender identity in the workplace to avoid discrimination. Persons with disabilities routinely found it physically difficult to access workplaces.

#### **e. Acceptable Conditions of Work**

The “government” increased the minimum wage during the year, but it remained below the poverty level for a family of four, as inflation and the cost of living outpaced the increase. As of October, the monthly minimum wage was 2,620 Turkish lira (\$499). Accommodations for migrant workers, either as part of their compensation or for those made to pay, were substandard.

The standard workweek for the private and public sectors was 40 hours. There was premium pay for overtime in the public sector. Premium pay for overtime is also required, but frequently not paid, in the private sector. The “law” prohibits compulsory overtime and provides for paid annual holidays.

The “Ministry of Labor and Social Security” is responsible for enforcing both the minimum wage and paying public sector wages, but it did not effectively do so.

Occupational safety and health standards were insufficient. Despite occasional inspections by labor authorities, authorities did not effectively enforce those standards in all sectors. Workers could not remove themselves from situations that endangered health or safety without jeopardizing their employment. Authorities commonly deported migrant workers claiming violations. Authorities did not penalize violators, and inspections were not adequate to protect worker rights. The “government” has not established social protections for workers in the informal economy.

There was little improvement in working conditions, particularly for hazardous sectors and vulnerable groups. Authorities reported 10 fatal accidents at nine work places during the year.