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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE ANNEX
TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

Cyprus

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	21 Apr. 1967	None	Individual complaints (art. 14): Yes
ICESCR	2 Apr. 1969	None	-
ICCPR	2 Apr. 1969	None	Inter-State complaints (art. 41): No
ICCPR-OP 1	15 Apr. 1992	None	-
ICCPR-OP 2	10 Sept. 1999	None	-
CEDAW	23 July 1985	None	-
OP-CEDAW	26 Apr. 2002	None	Inquiry procedure (art. 8 and 9): Yes
CAT	18 July 1991	None	Inter-State complaints (art. 21): Yes Individual complaints (art. 22): Yes Inquiry procedure (art. 20): Yes
CRC	7 Feb. 1991	None	-
OP-CRC-SC	6 Apr. 2006	None	-

Core treaties to which Cyprus is not a party: OP-CAT (signature only, 2004), OP-CRC-AC (signature only, 2008), ICRMW, CRPD (signature only, 2007), OP-CRPD (signature only, 2007), CED (signature only, 2007), and OP-ICESCR.³

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	Yes
Palermo Protocol ⁴	Yes
Refugees and stateless persons ⁵	Yes 1951 and protocol, No 1954 and 1961 conventions
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁶	Yes
ILO fundamental conventions ⁷	Yes
UNESCO Convention against Discrimination in Education	Yes

1. The Committee on the Elimination of Discrimination against Women (CEDAW)⁸ and the Committee on Economic, Social and Cultural Rights (CESCR)⁹ encouraged Cyprus to consider ratifying ICRMW. CESCR recommended that Cyprus consider ratifying CRPD and its Optional Protocol¹⁰ and noted with satisfaction Cyprus's intention to sign and ratify OP-ICESCR.¹¹ The Committee on the Rights of the Child (CRC) urged Cyprus to consider early ratification of OP-CRC-AC.¹²

B. Constitutional and legislative framework

2. In 2009, CESCR welcomed the legislation enacted, including the 2004 comprehensive anti-discriminatory framework.¹³ CESCR¹⁴ and the ILO Committee of Experts on the Application of Conventions and Recommendations (ILO Committee of Experts)¹⁵ welcomed the 2002 Law on the Equal Pay between Men and Women for the Same Work or for Work of Equal Value. CESCR¹⁶ and CEDAW¹⁷ welcomed the Law on the Equal Treatment of Men and Women in Employment and Vocational Training and the amendment to the Maternity Law. The ILO Committee of Experts noted that this law allows for affirmative action measures and sets out

protection against victimization. It also noted with interest that any collective agreement or employment contract or business regulation which is contrary to this law will be cancelled to the extent that it is directly or indirectly discriminatory.¹⁸

3. In 2006, CEDAW commended Cyprus for the significant law reform undertaken since 1995, aimed at the promotion of gender equality and elimination of discrimination against women and at achieving compliance with the obligations under the Convention.¹⁹

4. In 2003 CRC, while taking note of amendments to domestic legislation, nevertheless remained concerned that all domestic laws still do not fully comply with the provisions and principles of the Convention.²⁰

C. Institutional and human rights infrastructure

5. As of 24 April 2009, Cyprus did not have a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).²¹ CESCR noted with concern that the National Institution for the Protection of Human Rights (NIPHR) has yet to comply with the Paris Principles. CESCR recommended that Cyprus adopt the necessary measures to enable NIPHR to fully conform with the Paris Principles; to ensure that economic, social and cultural rights are fully covered by the mandate of NIPHR; and that the necessary resources are allocated for its effective functioning.²²

6. In 2003, CRC noted that NIPHR does not include a specific mechanism to address individual complaints relating particularly to violations of rights guaranteed under the Convention.²³ CRC encouraged Cyprus to pursue its efforts to nominate either a commissioner specifically responsible for children's rights, or establish a specific section or division for children's rights within the structure of NIPHR.²⁴ In 2009, CESCR commended the establishment by Law 74 (I) of 2007 of the Children's Rights Commissioner and the awareness-raising activities which have already been conducted by this mechanism.²⁵

7. CESCR was concerned that the Ombudsman's Office has not been provided with sufficient human and financial resources to cope with its additional duties bestowed upon it by its new function as an anti-discrimination body. CESCR called upon Cyprus to increase human and financial resources allocated to the new Anti-discrimination Body in order to ensure an effective functioning of this institution.²⁶

8. While CEDAW recognized the improvements in the National Machinery for Women's Rights, it expressed concern about its weak authority and lack of human resources.²⁷ CEDAW²⁸ and CESCR²⁹ encouraged Cyprus to further strengthen the financial and human resources, as well as the authority and status of the National Machinery for Women's Rights.

D. Policy measures

9. In 2008, the ILO Committee of Experts noted that under the National Action Plan on Gender Equality for 2007-2013, which includes a chapter on the promotion of equality between men and women in employment and vocational training, a number of seminars and workshops have been carried out on issues such as equal pay and work and family.³⁰

10. In 2006 CEDAW commended Cyprus on the Plan of Action for the Coordination of Actions on Combating Trafficking in Human Beings and Sexual Exploitation of Children. It also

noted the development of other plans of action, including the National Plan on Gender Mainstreaming.³¹

11. To implement the World Programme for Human Rights Education (2005-ongoing), the Ministry of Education and Culture, inter alia, introduced in 2006 the Interdisciplinary Unified Framework of Study Programmes on human rights education in primary schools. Priorities also include the provision of inmates with necessary skills for their reintegration into society, e.g. through the organization of a series of training courses.³²

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body³³</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2000	Aug. 2001	-	Seventeenth and eighteenth reports overdue since 2004, nineteenth and twentieth reports overdue since 2006 and 2008 respectively
CESCR	2007	22 May 2009 (advanced unedited version)	-	Sixth periodic report due in 2014
HR Committee	1994	Apr. 1998	-	Fourth report overdue since 2002
CEDAW	2004	May 2006	-	Combined sixth and seventh reports due in 2010
CAT	2001	Nov 2002	-	Fourth and fifth reports overdue since 2004 and 2008 respectively
CRC	2000	June 2003	-	Combined third and fourth periodic report overdue since March 2008
OP-CRC-SC	-	-	-	Initial report overdue since 2008

2. Cooperation with special procedures

<i>Standing invitation issued</i>	Yes
<i>Latest visits or mission reports</i>	None
<i>Visits agreed upon in principle</i>	None
<i>Visits requested and not yet agreed upon</i>	None
<i>Facilitation/cooperation during missions</i>	
<i>Follow-up to visits</i>	
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, 1 communication was sent concerning 1 woman. The Government replied to the communication.
<i>Responses to questionnaires on thematic issues</i>	Cyprus responded to 6 of the 15 questionnaires sent by special procedures mandate holders, ³⁴ within the deadlines. ³⁵

3. Cooperation with the Office of the High Commissioner for Human Rights

12. Pursuant to decision 2/102 of the Human Rights Council and previous decisions of the Commission on Human Rights, a report on the question of human rights in Cyprus have continued to be submitted by OHCHR on an annual basis since 1976.³⁶

13. Cyprus has been financially contributing on an annual basis since 1995, including contributions to the United Nations Voluntary Fund for Victims of Torture in 2004, 2005 and 2007, to the United Nations Voluntary Fund for Indigenous Populations in 2007 and to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery in 2004.³⁷

B. Implementation of international human rights obligations

1. Equality and non-discrimination

14. While noting efforts made to promote gender equality and the advancement of women, CEDAW in 2006 remained concerned about the lack of a comprehensive and systematic approach to gender equality policies and urged Cyprus to adopt a comprehensive and integrated approach to all its gender equality policies, in all areas.³⁸

15. CEDAW also expressed concern about the pervasiveness of patriarchal attitudes and deep-rooted traditional social prejudices and stereotyped attitudes. It noted that Cyprus's report recognized these stereotypes as the major obstacle for the advancement of women and as a root cause of women's disadvantaged position in a number of areas, including the labour market, political and public life, the highest levels of the education system and the media, as well as persistent violence against women, especially within the family. CEDAW urged Cyprus to design and implement systematic and comprehensive strategies to foster a better understanding of and support for substantive equality between women and men in all spheres and at all levels of society. Such measures should include awareness-raising campaign with a view to eliminating stereotypes associated with traditional gender roles in the family and society.³⁹ In 2003 CRC made similar recommendation.⁴⁰

16. CEDAW expressed concern about the particular circumstances of women belonging to different groups of vulnerable people, including refugees, asylum-seekers, displaced persons and disabled people and noted that, despite de jure equality, women belonging to these groups are at risk of multiple discrimination and sometimes encounter difficulties in accessing social services and obtaining employment commensurate with their education and skills. CEDAW encouraged Cyprus to incorporate a gender perspective in all Government policies that target these groups.⁴¹

17. CESCR was deeply concerned that de facto discrimination persists against third-country migrants, Turkish Cypriots and members of national minorities, especially Romas and Pontian Greeks. CESCR was also concerned about the lack of anti-discrimination case law despite the measures adopted by Cyprus to enhance its legal and institutional mechanisms aimed at combating discrimination. CESCR urged Cyprus to intensify awareness-raising campaigns about the anti-discrimination legal framework and ensure that free legal aid is effectively provided to victims in order to pursue their claims before all appropriate courts of Cyprus. CESCR also recommended that Cyprus take all appropriate measures to overcome administrative and linguistic obstacles faced by Turkish Cypriots to obtain official documents.⁴²

18. In 2008, the ILO Committee of Experts, recalling its previous comments concerning the prohibited grounds of discrimination covered by the Combating of Racial and other Discrimination (Commissioner) Law (No. 42(I)/2004) and the Equal Treatment in Occupation and Employment Law (No. 58(I)/2004), noted from the Government's report that under Law No. 58(I)/2004 the ground of colour is considered to be covered by the terms "national" or "ethnic origin", while political opinion is covered by the term "belief". With regard to social origin, which is not covered by either of the laws, the Committee encouraged the Government to include social origin as a prohibited ground of discrimination in the legislation and requested it to provide information on any measures taken or envisaged in this regard.⁴³

19. CRC expressed concern that certain factors linked to discriminatory attitudes may persist, in particular those related to acquisition of nationality, children born out of wedlock and Cypriot children of Turkish origin. CRC recommended that Cyprus consider reviewing legislation, and amending it where necessary, with a view to ensuring that all children are accorded equal rights without discrimination based on their ethnic origin, sex, or other grounds.⁴⁴

2. Right to life, liberty and security of the person

20. The 2009 report on the question of human rights in Cyprus noted that the Committee on Missing Persons (CMP) has continued to work on the exhumation, identification and return of remains of missing persons. As of November 2008, the remains of 455 individuals had been exhumed from sites on both sides of the buffer zone by the Committee's bicomunal teams of scientists. The remains of more than 292 missing persons have undergone examination. Following DNA genetic analysis, the remains of 105 individuals have been returned to their respective families. In October 2008, following a training period which lasted more than two years, full operational responsibility for running the Committee's anthropological laboratory was handed over to a bicomunal team of Cypriot scientists.⁴⁵ The Secretary-General in his reports on the United Nations Operation in Cyprus noted that he was grateful that the CMP had continued its humanitarian work unhindered and in a depoliticized manner, and urged all parties concerned to take every possible action in order to speed up the exhumation process.⁴⁶ CMP will resume further investigations into the fate of the missing persons as soon as it is in a position to do so.⁴⁷

21. Although there was a generally positive trend regarding the treatment of detained persons by police, CAT noted that the existence of some cases of ill-treatment, requiring that the authorities remain vigilant.⁴⁸ In 2003 CRC noted that the findings of the visit of the European Committee on the Prevention of Torture and Inhuman and Degrading Treatment or Punishment indicated that physical ill-treatment by the police remained a serious problem in Cyprus.⁴⁹

22. CESCR expressed concerns about the lengthy detention of irregular migrants and rejected asylum-seekers in inadequate conditions. CESCR recommended that Cyprus ensure that asylum-seekers are detained only when it is absolutely necessary and that the time which rejected asylum-seekers and irregular migrants spend in detention is limited to a strict minimum. CESCR also urged Cyprus to ensure that the conditions of migrants' detention meet United Nations standards.⁵⁰

23. In 2009, CESCR welcomed the 2000 Violence in the Family Law and the establishment of an Advisory Committee on Family Violence.⁵¹ CESCR was concerned that domestic violence against women and children continues to be widespread in Cyprus and often goes unreported. CESCR urged Cyprus to adopt an effective strategy to combat domestic violence and to allocate

the necessary human and financial resources for the implementation of this strategy. CESCR also urged Cyprus to ensure that specialized shelters for victims or those under risk of violence are made available in order to ensure their security as well as their physical and mental integrity.⁵² In 2006, CEDAW urged Cyprus to ensure that the forthcoming National Action Plan for the Prevention and Handling of Violence in the Family addresses all aspects of violence against women.⁵³

24. CRC noted that many people in Cyprus consider that there is a problem of violence within the family and referred to the concerns expressed by the Human Rights Committee⁵⁴ and CESCR⁵⁵ with respect to domestic violence.⁵⁶ CRC recommended that Cyprus adopt adequate measures and policies aimed at changing attitudes, including the prohibition of corporal punishment in the family, supported by well-targeted awareness campaigns on, inter alia, alternative ways of disciplining children.⁵⁷

25. CESCR welcomed the anti-trafficking legislation enacted in 2007 which notably creates a national mechanism of cooperation for the identification and protection of trafficking victims.⁵⁸ CESCR remained deeply concerned at the extent of trafficking in women for the purposes of sexual exploitation in Cyprus in spite of the abolition of the system of “artiste visas” which facilitated trafficking in human beings. CESCR urged the Government to ensure strict control over the new work permit system, intensify its efforts to bring to justice those involved in human trafficking, and strengthen its efforts to protect trafficked women.⁵⁹ In 2006, CEDAW called on Cyprus to commit to the full and speedy implementation of the Plan of Action for the Coordination of Actions on Combating Trafficking in Human Beings and Sexual Exploitation of Children and to develop and implement the large-scale public awareness campaign.⁶⁰ CRC recommended that Cyprus strengthen its efforts to identify, prevent and combat trafficking in children for sexual purposes.⁶¹

26. In 2007, the ILO Committee of Experts requested the Government to indicate what steps it envisages to ensure that the worst forms of child labour, in particular the trafficking of children under 18 for labour or sexual exploitation as well as the commercial sexual exploitation of children, do not exist or arise in Cyprus.⁶²

3. Administration of justice and the rule of law

27. The 2007 report on the question of human rights in Cyprus noted that a number of human rights violations, some serious, remain unpunished. The report stated that in many cases, this is due to lack of cooperation between the two sides, in particular with regard to law enforcement agencies, as well as effective investigations by the authorities, and noted there is a pressing need to deal with this issue.⁶³ In his December 2006 report on the United Nations Operation in Cyprus the Secretary-General noted a rising trend of criminal activity in the buffer zone, in particular human trafficking activities, continue to be reported by both sides. According to information provided by the two sides, fewer persons have been crossing the buffer zone as illegal immigrants, while the number of arrests for human trafficking had increased.⁶⁴

28. The 2007 report on the question of human rights in Cyprus noted that concern has been raised regarding allegations of discriminatory treatment against Turkish Cypriot prisoners in the southern Nicosia Central Prison. Denial of entry of relatives from Turkey to the Republic of Cyprus in practice impedes prisoners’ visitation rights, as does the fact that home visits are only permitted to take place in the Republic of Cyprus. The latter rule also affects eligibility for the

more lenient “open prison regime”, for which successful conclusion of two home visits is a prerequisite.⁶⁵

29. CRC noted that the age of criminal responsibility has been raised from 7 to 10 years, but continued to be concerned that the age of criminal responsibility remains low and unclear, with different ages mentioned in various legislation. It recommended that Cyprus raise the legal age of criminal responsibility to an internationally more acceptable age by amending its legislation in this regard and ensuring that all children below 18 years are accorded the protection of juvenile justice provisions.⁶⁶

30. CRC welcomed the information that steps are being taken to harmonize legislation in the sphere of juvenile justice with the Convention. It recommended that Cyprus ensure that the reforms under way provide for the establishment of a juvenile justice system that has adequate human and financial resources and that fully integrates international juvenile justice standards.⁶⁷

4. Freedom of movement

31. The 2009 report on the question of human rights in Cyprus noted that restrictions on freedom of movement persist, in particular with regard to a number of villages located in the military zones in the northern part of the island. Since the last reporting period, there has been no positive change in relation to increased access to the Maronite villages of Ayia Marina and Asomatos.⁶⁸

32. The same stated that with regard to freedom of movement and worship, the Turkish Cypriot and Greek Cypriot sides have yet to agree on the modalities to allow free access to sites and icons of religious and cultural significance. They continue to seek United Nations Peacekeeping Force in Cyprus (UNFICYP) facilitation.⁶⁹

5. Right to participate in public and political life

33. CEDAW expressed concern that women’s participation in public and political life remains low. It recommended that Cyprus take measures, in particular temporary special measures, aimed at accelerating de facto equality between women and men in order to increase the participation of women in political and public life.⁷⁰ A 2008 United Nations Statistics Division source indicated that the proportion of seats held by women in the national parliament decreased from 16.1 per cent in 2005 to 14.3 per cent in 2008.⁷¹

34. CEDAW urged Cyprus to ensure that women continue to fully participate in the peace process, in line with Security Council resolution 1325 (2000).⁷²

6. Right to work and to just and favourable conditions of work

35. In 2007, the ILO Committee of Experts noted that the minimum age for admission to employment or work specified by the Government and set by the legislation is 15 years. However, it noted that occasional or short-term domestic work in a private household is excluded from the application of the law. It also noted that the Domestic Servants (Employment of Children and Young Persons) Law of 1952 permits the employment of children who have attained the age of 14 years. The Committee again drew the Government’s attention to the ILO Minimum Age Convention (No. 138) and that accordingly children under 15 years of age should not be employed in domestic work.⁷³

36. CESCR was concerned that the minimum wage is not sufficient to provide a decent standard of living for workers and their families. CESCR urged Cyprus to take the necessary legislative measures in order to ensure that the minimum wage enables workers and their families to enjoy a decent standard of living and that the minimum wage standard is effectively enforced.⁷⁴

37. In 2009, CESCR remained concerned at the persisting de facto discrimination against women, particularly with regard to working and promotion opportunities in employment and gender remuneration gap. CESCR called upon Cyprus to ensure a full implementation of the measures outlined in the National Action Plan on Gender Equality 2007-2013, in particular those aimed at increasing the level of participation of women in the labour market as well as in the public service and to ensure equal treatment between women and men, including equal remuneration for work of equal value.⁷⁵ In 2006, CEDAW requested Cyprus to take all appropriate measures, including temporary special measures, to address women's disadvantaged situation in the labour market.⁷⁶ A 2007 ILO report noted that Cyprus has adopted laws encouraging the provision of long-term contracts to women or protecting the rights of persons in short-term employment, in which women tend to be concentrated.⁷⁷

38. In 2009, CESCR was concerned that third-country migrants continue to have a limited access to employment and suffer from labour exploitation and social isolation. CESCR was further concerned that while third-country migrants represent a large percentage of the island's population and legally live in the country, Cyprus had not yet adopted an effective policy for their integration. CESCR also urged Cyprus to ensure strict control over the terms of employment and working conditions of migrant workers by strengthening financial and human resources of the labour inspectorate. CESCR also encouraged Cyprus to adopt and implement an effective integration policy for lawful immigrants.⁷⁸ In 2006, CEDAW expressed concern about discrimination against women migrants, and called on Cyprus to monitor closely the terms and conditions of contracts, conditions of work and salaries of women migrants.⁷⁹

39. CESCR reiterated its concern⁸⁰ about the precarious situation of domestic workers and urged Cyprus to ensure that the working conditions of domestic workers are adequately regulated and inspected, so that they may enjoy the same legal protection as other workers including with regard to the minimum wage.⁸¹

7. Right to social security and to an adequate standard of living

40. The 2009 report on the question of human rights in Cyprus noted that property rights remain an issue of concern, and property disputes continue to be brought before the European Court of Human Rights.⁸² The 2006 report on question of human rights in Cyprus noted that a number of Turkish Cypriot property cases had been taken to courts in the south.⁸³

41. CESCR was also concerned that Cyprus has not adopted any specific policy to address the substandard housing of third-country migrants and asylum-seekers and still considers that employers are responsible for offering suitable housing conditions. CESCR remained concerned at the poor living conditions of some Roma families in spite of the two housing projects set up by the Government. CESCR urged Cyprus to take remedial action to improve conditions of housing and provide more housing units, housing facilities, credits and subsidies to low-income families and disadvantaged and marginalized groups. In this regard, CESCR reminded Cyprus of its general comment No. 4 (1991) according to which State parties must demonstrate, inter alia, that they have taken whatever steps are necessary, either alone or on the basis of international

cooperation, to ascertain the full extent of homelessness and inadequate housing within their jurisdiction.⁸⁴

42. CESCR, recalling its previous concluding observations⁸⁵ expressed concern about the lack of adequate medical facilities for persons suffering from mental disabilities and illnesses. CESCR urged Cyprus to adopt the necessary measures to address the lack of medical institutions for persons suffering from mental disabilities and illnesses as a matter of priority. CESCR also recommended that regular inspections be conducted in order to prevent mistreatment of mentally ill patients.⁸⁶

8. Right to education and to participate in the cultural life of the community

43. CESCR was concerned about the still limited opportunities for Cypriot Turkish-speaking children to receive instruction in their native language. CESCR urged Cyprus to take all appropriate measures to increase opportunities for Turkish Cypriot children to receive teaching in their mother tongue.⁸⁷

44. CESCR expressed deep concern about the circular issued by the 2004 Ministry of Education which requests all schools to report to immigration authorities the contact details of the parents of foreign children who enrol in school. CESCR considered that the 2004 circular gave rise to direct or indirect discrimination against migrant children and hindered their access to education. CESCR, recalling its general comment No. 13 (1999), called upon Cyprus to consider withdrawing this circular.⁸⁸

45. CRC expressed concern about the broad scope of special schools for children with physical, mental or emotional needs and encouraged Cyprus to strengthen its efforts to include children with special needs wherever possible in mainstream schools.⁸⁹

46. CRC also urged Cyprus to create equal opportunities for all children wishing to pursue education beyond primary school, including by making boarding schools available to both boys and girls and pursuing efforts to reduce periods of separation from parents.⁹⁰

47. CEDAW encouraged Cyprus to develop measures aimed at the diversification of women's academic and professional choices and to fully implement the relevant commitments in the National Action Plan on Gender Mainstreaming. CEDAW also recommended that Cyprus closely monitor the career development of women to the highest levels of the education system and research institutions to ensure equal access of women and men.⁹¹

48. The November 2008 report of the Secretary-General on the United Nations Operation in Cyprus noted that the preservation, protection and physical restoration of the cultural heritage on the island is being discussed within the framework of the ongoing negotiations towards a comprehensive settlement of the Cyprus problem.⁹²

9. Migrants, refugees and asylum-seekers

49. A 2007 UNHCR report noted that since its inception in 2002, Cyprus's asylum system has witnessed a tenfold increase in applications.⁹³ In 2009, CESCR was concerned about the administrative obstacles which prevent third-country migrants and asylum-seekers from enjoying their economic, social and cultural rights and especially their rights to social security and family reunification. CESCR called upon Cyprus to provide asylum-seekers and third-country migrants with free legal aid on their economic, social and cultural rights. CESCR also urged Cyprus to

make sure that asylum-seekers, especially the homeless, no longer have imposed upon them conditions not prescribed by law which result in the denial of the rights to social security they are entitled to. CESCR urged Cyprus to ensure that asylum-seekers with special medical needs have access to specialized medical care, targeted welfare benefits and facilities for the early identification and rehabilitation of the victims of torture.⁹⁴

50. In 2008, the ILO Committee of Experts requested the Government to provide information on the measures taken to ensure that immigrants lawfully on the territory of Cyprus receive treatment no less favourable in respect of the matters enumerated in article 6 of Convention No. 97 than that which applies to Cypriot nationals, without discrimination in respect of nationality, race, religion or sex. The Committee requested Cyprus to indicate the measures taken or envisaged to ensure that women migrant workers are treated on par with their male counterparts, foreign or otherwise, in respect of working and living conditions, social security, work-related taxes and access to the justice system.⁹⁵

51. CESCR requested Cyprus to take effective measures to prevent discrimination against undocumented migrants. It also encouraged Cyprus to promote the regularization of undocumented immigrants so as to enable them to enjoy fully their economic, social and cultural rights.⁹⁶

52. CRC remained concerned about difficulties that some children who have been given temporary protection may be experiencing in access to public education and recommended that Cyprus ensure access to public educational facilities to persons afforded temporary protection.⁹⁷

10. Internally displaced persons

53. In 2009, CESCR noted with regret that in spite of the 2007 amendment to the law, children of women with displaced person status are still not entitled to a Refugee Identity Card and are only entitled to a Certificate by Descent which does not enable them to access any benefits. CESCR urged Cyprus to adopt effective measures to end the discriminatory treatment of children of women with displaced person status.⁹⁸

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

54. As of December 2008, Cyprus remains divided, with a buffer zone maintained by the UNFICYP. The UNFICYP mandate, which dates back to 1964, has been extended by successive Security Council resolutions. In resolution 1873 (2009), the Council decided to extend the UNFICYP mandate for a further period ending 15 December 2009.

55. CESCR viewed the continuous partition of the country as a major difficulty which hinders the ability of Cyprus to ensure the implementation of the Covenant throughout the country.⁹⁹ In 2006, CEDAW noted with concern the political environment which impedes the implementation of the Convention in Cyprus.¹⁰⁰ CRC in 2003, CERD in 2001 and the HR Committee in 1998 expressed similar views regarding the implementation of respective conventions.¹⁰¹

56. The 2009 report on the question of human rights in Cyprus noted that the persisting division of Cyprus has consequences in relation to a number of human rights issues on the whole island, including freedom of movement, property rights, human rights pertaining to the question of missing persons, discrimination, freedom of religion, the right to education, human trafficking, and economic rights.¹⁰²

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

N/A

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

N/A

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>.

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ Adopted by the General Assembly in its resolution 63/117 of 10 December 2008, in which the General Assembly recommended that a signing ceremony be organized in 2009. Article 17, paragraph 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”.

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

⁷ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No.105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

⁸ CEDAW, concluding observations adopted on 25 May 2006 (CEDAW/C/CYP/CO/5), paras. 6 and 38.

⁹ CESCR, concluding observations adopted on 18 May 2009 (E/C.12/CYP/CO/5), para. 14.

¹⁰ Ibid., para. 26.

¹¹ Ibid., para. 7.

¹² CRC, concluding observations adopted on 6 June 2003 (CRC/C/15/Add.205), para. 61.

¹³ E/C.12/CYP/CO/5, para. 4.

¹⁴ Ibid.

¹⁵ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning ILO Convention concerning Equal Remuneration, 1951 (No. 100), 2004, Geneva, doc. No. (ILOLEX) 062004CYP100, para. 1.

¹⁶ E/C.12/CYP/CO/5, para. 4.

¹⁷ CEDAW/C/CYP/CO/5, para. 7.

¹⁸ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2007, Geneva, doc. No. (ILOLEX) 062007CYP111, p. 1.

¹⁹ CEDAW/C/CYP/CO/5, para. 7.

²⁰ CRC/C/15/Add.205, para. 8.

²¹ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex 1.

²² E/C.12/CYP/CO/5, para. 9.

²³ CRC/C/15/Add.205, paras. 13-14.

²⁴ Ibid.

²⁵ E/C.12/CYP/CO/5, para. 5.

²⁶ Ibid., para. 11.

²⁷ CEDAW/C/CYP/CO/5, paras. 15-16.

²⁸ Ibid.

²⁹ E/C.12/CYP/CO/5, para 13.

³⁰ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2008, Geneva, doc. No. (ILOLEX) 092008CYP111, para. 5.

³¹ CEDAW/C/CYP/CO/5, para. 8.

³² Letter from the Ministry of Education and Culture dated 31 March 2008 and letter in response to the questionnaire of the Advisory Committee of the Human Rights Council on the issue of the draft United Nations declaration on human rights education and training; see www2.ohchr.org/english/bodies/hrcouncil/advisorycommittee/HR_education_training.htm (accessed on 24 April 2009). See also letters from the High Commissioner for Human Rights dated 9 January 2006 and 10 December 2007, at www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm (accessed on 24 April 2009). See further Human Rights Council resolutions 6/10 and 6/24, Advisory Committee recommendation 1/1 and General Assembly resolution 59/113 B.

³³ The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child
CMW	Committee on the Protection of the Rights of All Migrant Workers and Their Families.

³⁴ See (a) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (b) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005; (e) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (f) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005; (g) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005; (h) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent on July 2006; (j) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (k) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (l) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations sent in 2007; (m) Report of the Special Rapporteur on the right to education (June 2009) (A/HRC/11/8), questionnaire on the right to education for persons in detention; (n) report of the independent expert on the question of human rights and extreme poverty (A/HRC/11/9), questionnaire on cash transfer programmes sent in October 2008; (o) report of the Special Rapporteur on violence against women (A/HRC/11/6), questionnaire on political economy and violence against women.

³⁵ Reports of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31, A/HRC/7/8); Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3); Report of the Special Rapporteur on the right to education (A/HRC/11/8); Report of the independent expert on the question of human rights and extreme poverty (A/HRC/11/9); Report of the Special Rapporteur on violence against women (A/HRC/11/6).

³⁶ In the absence of an OHCHR field presence in Cyprus, or of any specific monitoring mechanism, OHCHR relies on a variety of sources with particular knowledge of the human rights situation on the island. The Turkish Cypriot views on the reports on the question of human rights in Cyprus have been submitted by the Permanent Mission of Turkey to the United Nations Office at Geneva to OHCHR (A/HRC/2/G/2, A/HRC/5/G/2, A/HRC/5/G/6, A/HRC/7/G/16 and A/HRC/10/G/12). The views of the Government of Cyprus on relevant communications by the Permanent Mission of Turkey to the United Nations Office at Geneva are contained in letters addressed to the President of the Human Rights Council (A/HRC/5/G/10 and A/HRC/8/G/5).

³⁷ OHCHR, *2008 Report: Activities and Results; 2007 Report: Activities and Results*, pp. 147 and 161; *Annual Report 2006*, p. 158; *Annual Report 2005*, pp. 14, 15, 24, 178, 219 and 225.

³⁸ CEDAW/C/CYP/CO/5, paras. 13-14.

³⁹ *Ibid.*, paras. 17-18.

⁴⁰ CRC/C/15/Add.205, para. 28.

⁴¹ CEDAW/C/CYP/CO/5, paras. 31-32.

⁴² E/C.12/CYP/CO/5, para. 10.

⁴³ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2008, Geneva, doc. No. (ILOLEX) 092008CYP111, para. 1.

⁴⁴ CRC/C/15/Add.205, paras. 27-28.

⁴⁵ A/HRC/10/37, annex, para. 15.

⁴⁶ S/2008/353, para. 49, and S/2008/744, para 41.

⁴⁷ A/HRC/10/37, para. 16.

⁴⁸ CAT/C/CR/29/1, para. 5.

⁴⁹ CRC/C/15/Add.205, para. 34.

⁵⁰ E/C.12/CYP/CO/5, para. 22.

⁵¹ Ibid., para. 4.

⁵² Ibid., para. 19.

⁵³ CEDAW/C/CYP/CO/5, paras. 25-26, 34.

⁵⁴ CCPR/C/79/Add.88, para. 12

⁵⁵ E/C.12/1/Add.28, para. 15

⁵⁶ CRC/C/15/Add.205, para. 45-46.

⁵⁷ Ibid.

⁵⁸ E/C.12/CYP/CO/5, para. 4.

⁵⁹ Ibid., para. 20.

⁶⁰ CEDAW/C/CYP/CO/5, paras. 8, 27-28.

⁶¹ CRC/C/15/Add.205, paras. 55-56.

⁶² ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182), 2007, Geneva, doc. No. (ILOLEX) 092007CYP182.

⁶³ A/HRC/4/59, annex, para. 7.

⁶⁴ S/2006/931, para. 33.

⁶⁵ A/HRC/4/59, annex, para. 22.

⁶⁶ CRC/C/15/Add.205, paras. 23-24.

⁶⁷ Ibid., paras. 59-60.

⁶⁸ A/HRC/10/37, annex, para. 4.

⁶⁹ Ibid., para. 22.

⁷⁰ CEDAW/C/CYP/CO/5, paras. 19-20.

⁷¹ United Nations Statistics Division coordinated data and analyses, available at mdgs.un.org/unsd/mdg (accessed on 25 March 2009).

⁷² CEDAW/C/CYP/CO/5, para. 34.

⁷³ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Minimum Age Convention, 1973 (No. 138), 2007, Geneva, doc. No. (ILOLEX) 092007CYP138, p. 1.

⁷⁴ E/C.12/CYP/CO/5, para. 17.

⁷⁵ Ibid., para. 13.

⁷⁶ CEDAW/C/CYP/CO/5, paras. 21-22.

⁷⁷ ILO, *Equality at Work: Tackling the Challenges*, International Labour Conference, 96th session 2007, Geneva, 2007, p. 55, available at ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---webdev/documents/publication/wcms_082607.pdf (accessed on 23 March 2009).

⁷⁸ E/C.12/CYP/CO/5, para. 14.

⁷⁹ CEDAW/C/CYP/CO/5, paras. 29-30.

⁸⁰ E/C.12/1/Add.28, para. 13.

⁸¹ E/C.12/CYP/CO/5, para. 16.

⁸² A/HRC/10/37, annex, para. 9.

⁸³ E/CN.4/2006/31, annex, para. 10.

⁸⁴ E/C.12/CYP/CO/5, para. 21.

⁸⁵ E/C.12/1/Add.28, para. 16.

⁸⁶ E/C.12/CYP/CO/5, para. 23.

⁸⁷ *Ibid.*, para. 24.

⁸⁸ *Ibid.*, para. 25.

⁸⁹ CRC/C/15/Add.205, paras. 51-52.

⁹⁰ *Ibid.*, paras. 39-40.

⁹¹ CEDAW/C/CYP/CO/5, paras. 23-24.

⁹² S/2008/744, para. 34.

⁹³ UNHCR, *Global Appeal 2008-2009*, Geneva, 2007, p. 310, available at www.unhcr.org/474ac8e7e.pdf (accessed on 11 August 2009).

⁹⁴ E/C.12/CYP/CO/5, para. 18.

⁹⁵ ILO Committee of Experts on the Application of Conventions and Recommendations, *Individual Direct Request concerning ILO Migration for Employment Convention (Revised), 1949 (No. 97)*, 2008, Geneva, doc. No. (ILOLEX) 092008CYP097, p. 1.

⁹⁶ E/C.12/CYP/CO/5, para. 15.

⁹⁷ CRC/C/15/Add.205, paras. 53-54.

⁹⁸ E/C.12/CYP/CO/5, para. 12.

⁹⁹ *Ibid.*, para. 8.

¹⁰⁰ CEDAW/C/CYP/CO/5, para. 33.

¹⁰¹ CRC/C/15/Add.205, para. 5; A/56/18, para. 258; CCPR/C/79/Add.88, para. 3.

¹⁰² A/HRC/10/37, annex, para. 2. See also A/HRC/7/46, annex, para. 2, and A/HRC/4/59, annex, para. 2.