

## **CYPRUS 2019 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. In February 2018 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. The remaining seats are designated for Turkish Cypriots and are left vacant.

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 the security forces.

Significant human rights issues included crimes involving violence or threats of violence targeting members of national and ethnic minorities.

The government took steps to investigate and prosecute 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 in previous years, however, that police at times 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.

The Council of Europe's Committee for the Prevention of Torture (CPT) published in April 2018 its most recent report on the country's prison and detention centers. The report noted persistent credible allegations of police mistreatment of detainees, including allegations received in 2017 that a woman was sexually abused; that three juvenile detainees reported officers kicked, punched, and hit them with clubs during questioning at the Limassol Central Police Station; and 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.

The ombudsman, who also acts as the country's national preventive mechanism under the Optional Protocol to the UN Convention against Torture, reported a continued decrease in the number of complaints of mistreatment and discriminatory and degrading behavior, including complaints of verbal, physical, and sexual abuse, from inmates in detention centers and the Cyprus Prisons Department (CPD), the country's only prison. The ombudsman reported complaints received during the year were generally insufficiently substantiated. Overall, the ombudsman noted continued improvement in the treatment of prisoners and detainees in the CPD and in detention centers.

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

Physical conditions in some prison and detention centers, including detention centers for asylum seekers and undocumented migrants pending deportation, did not meet international standards.

Physical Conditions: Overcrowding remained a problem in the CPD. The prison's capacity is 566; the maximum number of inmates held during the year was 712. In its April 2018 report, the CPT recommended reducing the prison population in

Blocks 1, 2, 5 and 8 of the CPD, where many cells did not have toilets and prisoners lacked reliable access to toilets at night. Overcrowding was not a problem in the area housing female inmates.

Prison authorities held juvenile pretrial detainees in cells separate from convicted juveniles, but the two groups shared the same grounds in their daily activities under the supervision of prison staff. Authorities reportedly held migrants detained on deportation orders together with detainees charged with criminal offenses in nearly all police stations. Such detentions were limited to a maximum of 48 hours except in cases when the Mennoyia Detention Center for undocumented migrants was full. The ombudsman recommended ending the practice of detaining undocumented migrants for longer than 24 hours, which it said violated international principles for the treatment of detainees.

In July the ombudsman's office inspected the Aradippou police station detention center and reported inadequacies in the physical conditions of the center. The ombudsman reported detention cells lacked natural light and proper ventilation, hygiene facilities were not properly cleaned, and there was no outside area for exercise or recreation activities for detainees. During the year the ombudsman's office also inspected the detention centers of the Ayia Napa and Lakatamia police stations and reported poor sanitary conditions and limited access to natural light and air. The ombudsman found satisfactory physical conditions that aligned with international standards at the Kofinou police station detention center. The ombudsman reported both the Kofinou and Aradippou detention centers were not adequately staffed and that police officers overseeing detention were tasked with additional duties that could interfere with their ability to protect the rights of detainees.

The nongovernmental organization (NGO) Action for Equality, Support, Antiracism (KISA) reported satisfactory physical conditions at the Mennoyia Detention Center for undocumented migrants.

On August 29, a 37-year-old Cypriot detainee was found dead in his cell at the Lakatamia police station detention center. According to press reports, an attorney representing the family of the detainee sent letters to the attorney general, police chief, and Independent Authority for the Investigation of Allegations and Complaints against the Police to call for an independent probe into the death. A postmortem by a state forensic pathologist did not determine an exact cause of death. Police continued to investigate the cause of death at year's end.

Approximately 47 percent of prisoners in the CPD were non-Cypriots convicted for criminal offenses, mainly thefts. Foreign prisoners without a temporary residence permit did not have access to the semiopen and open sections of the prison or the right to apply for parole.

Administration: Authorities generally conducted investigations into credible allegations of mistreatment. In 2018 the CPT raised concerns that insufficient resources as well as 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. A Christian Orthodox inmate in the CPD complained to the ombudsman that she was not allowed to attend religious services as often as she wanted. The ombudsman's investigation concluded that prison management allowed the prisoner adequate time to exercise her religious rights.

Independent Monitoring: The government permitted visits to prison and detention centers by independent human rights observers, and unrestricted and unannounced visits occurred during the year. Representatives of the Council of Europe Group of Experts on Action Against Trafficking in Human Beings, the Cyprus Red Cross, KISA, and Cyprus Refugee Council visited the Mennoyia Detention Center multiple times during the year.

Improvements: The ombudsman reported in September that conditions at the detention center of the Kofinou police station improved with the completion of an outside exercise area for detainees. The ombudsman also reported improvements in natural light and air at the Oroklini police station detention center.

#### **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.

#### **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 functioning 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. The law permits detainees to speak to their attorney at any time, including before and during interrogation by police. The ombudsman reported after the inspection of detention centers at the Kofinou and Aradippou police stations that detainees had access to a lawyer of their choice. The CPT reported in 2018 that police officers regularly prevented detainees from contacting a lawyer until they had given a written statement, and the bar association reported that the presence of lawyers was not permitted during police interviews. In August a British teenager claimed Ayia Napa police denied her access to a lawyer during questioning and pressured her to sign a confession revoking her claim of rape against several Israeli teenagers. After she signed the confession, police charged her with causing public mischief for filing a false police report. The British teenager's attorney told press that police had questioned her for eight hours at the police station without a lawyer. The case continued at year's end.

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 ombudsman reported some cases of migrants and asylum seekers detained for deportation although 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. KISA said that authorities continued to provide only limited information to detainees about the status of their cases. On April 7, five detainees at the Mennoyia Detention Center damaged the building and attempted to start a fire while demanding to be released from the center. On July 24, approximately 15 detainees staged a hunger strike to protest their protracted detention. On July 29, the ombudsman issued a report on both incidents, concluding that the protests resulted from the detainees' frustration

with their lengthy detention combined with the lack of information about the status of their cases. The ombudsman recommended that Civil Registry and Migration Department officers visit more frequently to better inform detainees about their cases. 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.

#### **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 the right to 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 provide 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. The Cyprus Bar Association reported that chronic court delays, particularly in civil trials, impaired the right to a fair trial.

#### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

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

Individuals and organizations can seek civil remedies for human rights violations through domestic courts. Individuals can 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 the ombudsman investigated a complaint from a Turkish Cypriot regarding a delay in the issuance of a title deed for property purchased in the government-controlled area. Following the ombudsman's intervention, the Department of Lands and Surveys transferred the title deed to the complainant.

### **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 this right. 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 (\$11,000), or both. In August the attorney general ordered police to investigate whether public comments of the Greek Orthodox Metropolitan Bishop of Morphou Neophytos regarding homosexuals and women violated any laws. On September 9, the attorney general concurred with the

police's finding that the metropolitan's remarks did not constitute hate speech nor an attempt to incite violence or hatred because of gender orientation or sexual identity.

Press and Media, Including Online Media: Independent media were active and expressed a wide variety of views without restriction.

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 (\$55,000), 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 that 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 (\$38,500), or both.

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

The government sometimes prevented visiting foreign academics and artistic groups from attending conferences or performing in the area administered by Turkish Cypriots, in accordance with laws that provide them the right to deny entry to visitors who declare a hotel in the area under Turkish Cypriot administration not originally owned by Turkish Cypriots as the place of stay. In March immigration authorities at Larnaca airport denied entry to a Japanese academic invited by the Eastern Mediterranean University to deliver a series of lectures in the area under Turkish Cypriot administration. The academic reportedly boarded a flight back to Dubai and returned to Cyprus via Tymbou (Ercan) airport, the main airport in the area administered by Turkish Cypriots.

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

The constitution and law 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 <https://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.

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. Authorities at ports of entry denied admission to tourists who listed hotels in the area administered by Turkish Cypriots as their intended place of residence during their visit. 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. Local media reported police officers at the crossing points occasionally harassed Greek Cypriots returning from the area under Turkish Cypriot administration.

On June 10, a newspaper reported police officers at Ledra Palace crossing point violently grabbed and handcuffed a Greek Cypriot crossing from the area under Turkish Cypriot administration, despite the fact that he complied with a police request to show identification. The young man was taken to the Lycavitos police station, where he was detained for about an hour before being released. The Independent Authority Investigating Complaints Against the Police was investigating the case at year's end.

### **e. Internally Displaced Persons**

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 internally displaced persons (IDPs). As of September there were 235,300 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.

#### **f. Protection of Refugees**

Abuse of Migrants, Refugees, and Stateless Persons: NGOs reported some Social Welfare Service officers and judges subjected asylum seekers to racist verbal abuse. On May 11, local press published an amateur video showing a security guard at a Social Welfare Services office in Larnaca District physically abusing a Somali asylum seeker. According to a KISA press release, the woman was facing eviction from her home due to long delays in the provision of Social Welfare Services financial assistance. On the day of the incident, a social welfare officer refused her request to meet with her case manager, threw her identity card on the floor, and asked her to leave. When the woman complained, the welfare officer at the reception called the security guard who approached her and grabbed her by the throat. The woman reacted by throwing her wallet at the security guard, who began hitting her repeatedly and pushing her out of the building. KISA reported that when the woman went to the Larnaca Central Police Station, a female police officer told her that she had provoked the security guard and refused to record her complaint. KISA said the security guard had previously physically abused Somali asylum seekers while working at a Social Welfare Services office in Nicosia. The Ministry of Justice stated police took statements from both the woman and the security guard. Police charged the security guard with assault and the woman with assault and creating a disturbance.

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to, refugees and asylum seekers. During the year the Asylum Service accepted the secondment of a UNHCR consultant and established a Quality Assurance Unit to ensure the quality of the refugee status-determination procedures. The government did not accept UNHCR's offer to

second officers to Social Welfare Services to help ensure the mandatory vulnerability assessments of asylum applicants were conducted in a timely and comprehensive manner.

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 same NGO reported that some asylum seekers were detained for reasons of national security and remained in detention for several months without being informed of the evidence against them.

The ombudsman received complaints of extended detentions of irregular migrants who lacked travel documents or otherwise could not be deported. The ombudsman recommended the release of such detainees and reported that authorities implemented those recommendations in some cases.

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for providing protection to refugees.

Due to a significant increase in asylum claims in recent years, more than 13,000 asylum claims were pending examination as of July. The Asylum Service, the ombudsman, UNHCR, and NGOs reported long delays in the examination of asylum applications and delays in the examination of appeals against rejections of asylum applications. The government, UNHCR, and local NGOs agreed that a significant proportion of registered asylum claims were not credible. In June the government established an International Protection Administrative Court (IPAC) to streamline the examination of asylum appeals. NGOs reported the establishment of IPAC was an improvement over the previous system, but there was not sufficient data to evaluate its effect on the length of appeals.

Employment: Authorities allowed asylum seekers whose cases were awaiting adjudication to work after a one-month waiting period. In May the Ministry of Labor expanded the number of sectors in which asylum seekers could work to include employment in animal shelters and kennels, night shifts in bakeries and dairies, auto-body paint and repair, garden cleaning, and as kitchen assistants and cleaners in hotels and restaurants. The law previously restricted 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. In June the ombudsman issued a report highlighting the need to further expand the sectors of employment accessible to asylum seekers.

There were reports of racism by Labor Department officers who met with valid residency applicants seeking a contract of employment. From January 1 to September 17, the Ministry of Labor and Social Insurance received and approved 525 labor contracts for asylum seekers. NGOs reported the procedure for employing asylum seekers was slow and costly and discouraged employers from hiring asylum seekers.

Access to Basic Services: Recognized refugees have access to public services, such as education, health care, and the courts. Since 2016 the living conditions of asylum seekers deteriorated as the numbers of applicants increased. The only permanent reception center for asylum seekers, located in Kofinou, remained full, and the majority of asylum seekers lacked proper housing. UNHCR and local NGOs noted a high number of asylum seekers faced homelessness and destitution. They reported that many asylum seekers slept in outdoor parks or temporarily stayed with friends, relatives, or strangers, often sleeping on floors without adequate access to hygiene facilities. The growing number of new arrivals, limited supply of affordable accommodations, delays in the provision of government financial support, and the backlog in the examination of asylum applications increased the risk of homelessness, according to local NGOs.

In May the Council of Ministers introduced a series of changes to improve the housing condition of asylum seekers. It approved an increase, effective June 1, in the housing subsidy provided to asylum seekers by Social Welfare Services, established criteria for the number of persons who can reside in a rented establishment based on the number of rooms, and began providing the initial rent deposit directly to the asylum seekers instead of to the landlord. An NGO stated the increase was not sufficient to cover the steep rise in rent prices. The Council of Ministers also authorized continued financial support to asylum seeker families even if a member of the family finds employment, provided that the salary does not exceed the total assistance to which the family is entitled. The ombudsman examined several complaints concerning the delivery of welfare support and concluded that the material support and housing benefits offered to asylum seekers were generally insufficient.

Asylum seekers who refused an available job could be denied state benefits. An NGO reported that mothers with young children and asylum seekers with medical conditions that prevented them from working in the permitted sectors of

employment were sometimes refused state benefits. Asylum seekers needed to open a bank account to cash government checks, which was not possible for homeless applicants who lacked a valid address. UNHCR, NGOs, and asylum seekers reported delays and inconsistencies in the delivery of benefits.

The ombudsman and NGOs reported the system of providing welfare support to asylum seekers via coupons did not appropriately accommodate the special needs of vulnerable groups. 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. The NGO KISA reported these shops exploited the vulnerable position of asylum seekers and charged up to 20 percent in fees to cash government checks. Although the Council of Ministers lifted restrictions on the types of business that could accept coupons in June, KISA reported the providers remained the same despite the decision.

Temporary Protection: The government also provided temporary protection, called subsidiary protection, to individuals who may not qualify as refugees. 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. Authorities granted subsidiary protection to 719 persons during the first eight months of the year.

#### **g. Stateless Persons**

Not applicable.

### **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, Turkish Cypriots who resided in the area administered by Turkish Cypriots were ineligible to vote and run for office in the government-controlled area, although Greek Cypriots living in the north faced no such restrictions. 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 2018 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. Women remained underrepresented in senior political positions. Only 18 percent of ministers and members of parliament were women.

On May 26, more than 5,600 Turkish Cypriots voted in the European Parliament elections at 50 polling stations near buffer-zone crossing points, compared with 1,869 who voted in 2014. According to press reports, between 1,100 and 1,500 Turkish Cypriots were unable to vote because their names did not appear on the electoral list. Voters elected a Turkish Cypriot to one of the country's six seats in the European Parliament for the first time. 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, but to a lesser extent than previous years, as the number of registered Turkish Cypriot voters increased from approximately 56,000 in 2014 to 81,000 in 2019.

#### **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: In April a senior official of Larnaca Municipality was sentenced to five years in prison for theft and obtaining money under false pretenses. The official allegedly accepted 35,000 euros (\$38,500) from a local businessman to legalize building irregularities at his restaurant and deposited part of the money in his own bank account.

Financial Disclosure: The law requires the president, members of the Council of Ministers, members of parliament, and members of the State Health Services Organization board 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 somewhat 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. NGOs complained, however, that the Office of the Ombudsman routinely refused to investigate their complaints on the grounds that similar complaints had been investigated in the past. In June the European Commission against Racism and Intolerance reported the Office of the Ombudsman had not carried out any activities aimed at supporting vulnerable groups and had not issued any publications or reports, including annual reports, or recommendations on discrimination problems since 2016.

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 law also criminalizes domestic violence, with a maximum sentence of 10 years in prison. The government generally enforced the law effectively, although many cases continued to go unreported.

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. The number of reported cases of domestic violence increased in recent years. In the first nine months of the year, 519 cases of domestic violence were reported to police. By October police investigated 181 of the cases and filed 111 cases in court. The Association for the Prevention and Handling of Violence in the Family (SPAVO) stated increased reporting reflected greater awareness of and access to services, rather than an increasing number of incidents. SPAVO said domestic violence victims often faced significant family and social pressure not to report abuse and to withdraw complaints filed with police. In May the Supreme Court reversed a trial court decision to suspend the 18-month prison sentence of a 39-year-old domestic violence perpetrator and ordered him to serve the imposed sentence. The perpetrator had abused his wife in the presence of her mother and the couple's infant child. The trial court imposed a suspended sentence after the victim withdrew her complaint.

Survivors of domestic violence had two shelters, each funded primarily by the government. A third shelter was expected to open by the end of year.

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

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 (\$13,200) fine, or both. A code of conduct outlines the prevention and handling of sexual harassment and harassment in the public service. NGOs and foreign domestic worker associations reported that authorities did not adequately investigate sexual harassment complaints submitted by foreign domestic workers.

Sexual harassment reportedly remained a widespread, but often unreported, problem. NGOs said permissive social attitudes, fear of reprisals, and lack of family support for victims discouraged victims from reporting instances of sexual

harassment. The Department of Labor reported receiving 13 sexual harassment complaints, including four from foreign domestic workers but stated that most complaints lacked supporting evidence. The ombudsman continued to receive complaints of sexual harassment in the workplace. In July the major labor unions Confederation of Cypriot Workers and Pancyprian Labor Federation agreed with the Employers and Industrialists Federation on a code of conduct covering how to treat cases of harassment and sexual harassment at the workplace. During the first nine months of the year, the ombudsman organized 25 training sessions attended by approximately 700 civil servants on sexual harassment at the workplace and on the code of conduct.

In April a university student reported to police that her 48-year-old employer at a Nicosia kiosk tried repeatedly to touch, hug, and kiss her without her consent. Following an investigation, including the examination of video footage, police brought charges against the employer who was released on bail and restraining orders pending trial.

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 in the private sector. Although reporting by Eurostat showed pay parity between the genders in the public sector, NGOs reported vertical and occupational segregation remained a challenge.

## **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 1,700 euros (\$1,870), or both.

Early and Forced Marriage: The legal age of marriage is 18, but persons ages 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 ages 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/reported-cases.html>.

### **Anti-Semitism**

There were approximately 4,500 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.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The law protects the rights of persons with physical, sensory, intellectual, and mental disabilities and prohibits discrimination against them. The government generally enforced these provisions.

In July the commissioner for the protection of the rights of children reported she examined two complaints of children with disabilities whose applications for state disability benefits were denied because of their residency status and nationality. The commissioner found that authorities violated the rights of the two children and exposed them to conditions of direct and indirect violence. She asserted the actions of the relevant authorities violated the four main principles of the UN

Convention of the Rights of the Child as well as national law. The Ministry of Labor re-examined the applications of the two children and found them eligible for state disability benefits.

Problems facing persons with disabilities included limited access to natural and constructed environments, transportation, information, and communications. The Cyprus Paraplegics Organization reported that 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. Female domestic workers from South and Southeast Asia are the largest group of non-EU foreign workers in the country.

In April, Cyprus National Guard captain Nicos Metaxas confessed to police that he killed five female foreign domestic workers and two girls from the Philippines, Romania, and Nepal between 2016 and 2018. Metaxas reportedly met the victims via an online dating website. Local press reported police did not investigate reports that the victims were missing, assuming they had either crossed into the area administered by Turkish Cypriots or were working illegally in the government-controlled area. Minister of Justice and Public Order Ionas Nicolaou resigned, and President Anastasiades fired Cyprus National Police Chief Zacharias Chrysostomou over police handling of the reports. On June 24, a court sentenced Metaxas to seven terms of life imprisonment. New Cyprus National Police chief Kypros Michaelides publicly apologized to the families of the victims. Police instituted a one-day training program at the Police Academy on handling missing persons cases and introduced new instructions and a protocol of actions for handling and investigating such cases.

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. On July 10, Turkish Cypriot leader Mustafa Akinci reported to the UN secretary-general's special representative in Cyprus that a Turkish Cypriot tourist bus driver was harassed by Greek Cypriots at Larnaca airport and called for a proper investigation. President Anastasiades instructed police to investigate the complaint, 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.

A May 2018 European Commission report prepared as part of the Roma Civil Monitor pilot project stated that Cypriot Roma continued to face discrimination in housing, employment, and education. The report asserted government actions to promote the inclusion of Roma were insufficient.

The ombudsman received complaints from Turkish Cypriots that their applications for citizenship were either delayed or rejected, complaints regarding access to their properties in the government-controlled areas, and complaints that they were unable to register in the new General Health System (GESY). The ombudsman received a complaint from a Turkish Cypriot who was unable to register in the Republic of Cyprus Doctors' Registry because Greek language was a requirement. The ombudsman continued investigating the complaint at year's end.

A member of the Armenian community reported difficulties in registering with the Cyprus Scientific and Technical Chamber, the body responsible for the accreditation of engineers, allegedly due to his ethnicity. The ombudsman continued to investigate the case at year's end.

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 government reported it granted citizenship to 50 such children during the year.

### **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.

Despite legal protections, lesbian, gay, bisexual, transgender, and intersex (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. The NGO Accept LGBTI Cyprus reported police routinely declined to investigate violence against LGBTI individuals as possible hate crimes. The NGO reported that in February three men physically and verbally attacked two members of the LGBTI community, including with insults about their sexual orientation. After visiting the hospital, one of the victims was reportedly diagnosed with a concussion and bruised ribs. Police at the scene reportedly intervened but declined to open an investigation, instead telling the victims they could file a complaint at the police station the following day.

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

The NGO Accept LGBTI Cyprus reported transgender persons undergoing hormone replacement therapy experienced discrimination in access to health care following the introduction of GESY in June.

The law criminalizes incitement to hatred or violence based on sexual orientation or gender identity. An advisor to the president of the republic on multiculturalism, respect, and acceptance proposed actions to protect the rights of LGBTI persons, promote public awareness, and eliminate discrimination against them. The advisor protested the attorney general's September 9 decision not to prosecute the metropolitan bishop of Morphou for hate speech.

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

In June 2018 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 individuals.

### **Section 7. Worker Rights**

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

The law 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, and 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. Penalties were not sufficient to deter violations, which occurred primarily in the informal sector. Violations rarely occurred in the formal sector.

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. Unions, employers, and employees effectively observed the terms of collective bargaining agreements. Workers covered by such agreements were employed predominantly in the larger sectors of the economy, including construction, tourism, health care, 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 penalties were not sufficient to deter violations. 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.

Forced labor occurred primarily in agriculture. Foreign migrant workers, children, and asylum seekers were particularly vulnerable, according to NGOs. Employers reportedly 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. From January to September 24, police identified six victims of labor trafficking. Some employers reportedly retained a portion of agriculture workers' salaries as payment for accommodations.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **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 ages 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. The government effectively enforced the law, and penalties 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**

The law prohibits direct or indirect discrimination with respect to employment and 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. Women experienced discrimination in such areas as hiring, career advancement, employment conditions, and pay. European Institute for Gender Equality data indicated the average pay gap between men and women was 13.7 percent in 2017. NGOs reported the relatively small raw gender pay gap masked significant vertical and occupational gender segregation. The ombudsman reported receiving complaints related to gender discrimination and sexual harassment in the workplace.

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 are minimum wages 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 were above the poverty line. The Ministry of Interior established a minimum wage for foreign domestic workers that was well below the poverty line.

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 effectively 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. The penalty for violating the law was sufficient to deter violations but was not adequately enforced. Labor unions reported enforcement problems in sectors not covered by collective agreements, such as small businesses

and foreign domestic workers. They also reported that certain employers, mainly in construction and agriculture, exploited undocumented foreign workers by paying them very low 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 June, it received 250 complaints from migrant workers against their employers. Of those, 242 were examined by the end of June.

The ombudsman received complaints from foreign domestic workers whose work permits were canceled due to actions of their employers or of the employment agencies representing them and who faced difficulties persuading authorities to allow them to work for a different employer. Some domestic workers complained their employers or employment agencies withheld their passports. The ombudsman was examining the complaints as part of an overall evaluation of the government's policies on foreign domestic workers. 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 Department of Labor and police skepticism of complaints about sexual harassment and violence discouraged domestic workers from submitting complaints.

Occupational safety and health standards were appropriate for the main industries. The Department of Labor Inspection in the Ministry of Labor and Social Insurance is responsible for enforcing health and safety laws. 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. Authorities enforced health and safety laws satisfactorily in the formal sector but not in the informal sector, which included approximately 12 percent of workers. The penalties for failing to comply with work safety and health laws were sufficient to deter violations.

The Ministry of Labor employed an insufficient number of inspectors to effectively enforce labor laws in the agricultural sector and in the informal economy, where the majority of employees were migrant workers and undocumented workers. Inspectors were not allowed to inspect the working conditions of domestic workers in private households without a court warrant.

## **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. In 2015 Mustafa Akinci was elected “president” in free and fair elections. In January 2018, 50 “members of parliament” were elected in free and fair elections. The “TRNC constitution” is the basis for the “laws” that govern the area administered by Turkish Cypriot authorities.

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 “constitution,” which “temporarily” cedes responsibility for public security and defense to Turkey. Authorities maintained effective control over the security forces.

Significant human rights issues included: refoulement, the worst forms of restrictions on freedom of expression and the press including criminal libel laws, trafficking in persons, and crimes involving violence or threats of violence targeting members of national minorities.

Authorities took steps to investigate officials following 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 explicitly to torture; however, it does prohibit police mistreatment of detainees under the section of the “criminal code” that deals with assault, violence, and battery.

The “Attorney General’s Office” reported investigating two complaints concerning police battery and use of force between January and September. The “Attorney General’s Office” finalized a 2018 investigation against a police officer and stated the trial would begin in October.

In August local press published a video showing a Turkish Cypriot police officer kicking a detained tourist in the presence of other officers at the Ercan (Tymbou) airport police station. According to local press, the detainee was drunk and yelled at police for getting his cell phone wet during security screening. Police suspended the officer from his duty pending an investigation and announced that officers who observed and failed to report the incident would also be investigated. The investigation continued at year’s end.

### **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, heating, and access to food.

Physical Conditions: The area’s only prison, located in the northern part of Nicosia, has a stated capacity of 452, according to the “Ministry of Interior.” According to authorities, additional rooms were converted into cells and a bunkbed system was installed to increase the capacity. As of September, it reportedly held 568 prisoners and pretrial detainees. Nongovernmental organizations (NGOs) and the “ombudsman” reported overcrowding remained a problem and that mattresses 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 continued to occupy the same cells. NGOs reported conditions were better in the women’s section of the “Central Prison.”

In June press reported that a Turkmen prisoner, Roman Bazarov, who was held in the “Central Prison,” had died of AIDS. Tests reportedly indicated that he did not have HIV upon entering the “Central Prison” but that he was diagnosed with HIV during a subsequent visit to the “state hospital.” The “Ministry of Health” conducted hepatitis and HIV tests on the other 58 inmates and detainees who shared a cell or medical room with Bazarov, and authorities said they took appropriate precautions within the scope of the “prison regulation” to ensure the safety of inmates and detainees.

The “Attorney General’s Office” reported that in March a lawyer finished an independent investigation into the death of a 30-year-old detainee who reportedly committed suicide at a police station detention center in Kyrenia in September 2018. The report concluded the detainee had committed suicide on his own but identified deficiencies with police actions. The detainee’s spouse and father had accused police of killing the detainee. Authorities continued to wait for medical reports from Turkey at year’s end.

Activists continued to say a lack of security cameras at detention centers and in parts of the “Central Prison” allowed police officers and prison guards to abuse detainees with impunity. In March local press reported that prison guards hit two female inmates’ heads against the wall in the “Central Prison.” Security cameras in that area of the prison were deactivated before the incident. Press outlets reported allegations that “Central Prison director” Metin Bilmem instructs prison guards to abuse inmates without leaving visible marks. “Minister of Interior” Aysegul Baybars told the press she did not see signs of abuse or mistreatment while visiting the prison after the incident.

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 periods longer than a day. They instead relied on relatives to bring them food.

NGOs reported sanitation remained a significant issue in the “Central Prison” and that inadequate access to hot water failed to meet inmates’ hygiene needs. An NGO reported authorities did not provide basic sanitation supplies, such as soap, toilet paper, and toothbrushes, which detainees and inmates had to purchase themselves from a stand inside the “Central Prison” at inflated prices. Authorities said hygiene supplies were insufficient due to an increasing number of inmates.

In January the “Central Prison Advisory Board” visited the “Central Prison” after a detainee had complained about inhuman conditions. Authorities reported they carried out an investigation and identified ways to improve the hygiene of inmates, and shortcomings in the physical structure of the building.

NGOs said prison health care was inadequate, lacking sufficient medical supplies and a full-time doctor. NGOs reported testing for contagious diseases at the “Central Prison” was haphazard and inconsistent. In June the Prison Guards’ Association chair stated that overcrowding in prison cells created a breeding ground for contagious diseases. Authorities reported all inmates are subject to health checks at the “state hospital” before entering the “Central Prison.” Authorities said a doctor visited the prison twice a week and was on call for emergencies. A dentist visited the “Central Prison” once per week, a dietician visited twice per week, and there were two full-time psychologists at the “Central Prison,” according to authorities.

An NGO reported the detention center at Ercan (Tymbou) airport lacked proper ventilation and access to natural light. The NGO said hygiene was a concern because there is only one bathroom inside each detention room and no regular cleaning.

Administration: Authorities did not conduct proper investigations of allegations of mistreatment at the “Central Prison.” The “Ministry of Interior” reported receiving only personal complaints, which the “Central Prison” administration took into consideration. 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 said they would facilitate religious observance for persons of other religions upon their request and reported not receiving any requests.

Independent Monitoring: Authorities generally permitted prison monitoring by independent nongovernmental observers. Authorities reported that Famagusta Lions Club, EVKAF, foreign missions, and the UN Peacekeeping Force in Cyprus visited the “Central Prison” during the year. A One NGO reported authorities prevented a local human rights organization from visiting the “Central Prison” to monitor claims about serious abuses during the year.

Improvements: Authorities said they conducted seminars and trainings for inmates and detainees on a variety of topics, including on contagious diseases, showing respect for others, and for inmates imprisoned for drug-related offenses.

Authorities reported installing a new visitor area and a new room for religious worship.

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

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

#### **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. According to the Turkish Cypriot Human Rights Foundation (TCHRF), during the detention review process, officials pressure detainees 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.

According to the “constitution,” indicted detainees and prisoners have the fundamental right of access to “legal” representation. 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.

An NGO reported that authorities at times did not permit lawyers to enter detention rooms at Ercan (Tymbou) airport.

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. 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. Suspects who

demanded the presence of a lawyer were sometimes physically intimidated or threatened with stiffer charges.

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. In May the Turkish Cypriot Human Rights Foundation and Bar Association alleged that prison authorities listened to inmates’ telephone conversations without a court order.

In September local press reported that a 28-year-old man was released and found not guilty of raping a 73-year-old woman in March after authorities received DNA test results from Turkey. The man subsequently told local press that police physically abused him during the time of arrest and at the police station until he signed a written confession they had prepared. Press reported he planned to file complaints against both the police and the accuser.

#### **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 the right to a presumption of innocence. NGO representatives and human rights lawyers said defendants generally enjoyed 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 (or, in cases of violent offenses, have one provided at public expense if unable to pay). Criminal defendants enjoy 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 and NGOs said authorities haphazardly recruited nonprofessional translators who did not translate everything said during proceedings. Inadequate translation 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 and deportation to Turkey of persons with alleged ties to Fethullah Gulen and his movement, accused by the Turkish government of masterminding the coup attempt, and designated by the Turkish government as the “Fethullah Gulen Terrorist Organization” (“FETO”). In July the Turkish “ambassador” said the majority of alleged “FETO” members extradited to Turkey came from the “TRNC.” Authorities fired 30 police officers for alleged “FETO” ties in July.

### **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 the commission has paid more than 303 million British pounds (\$372 million) in compensation to applicants.

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

The “law” prohibits such actions. There were reports police subjected Greek Cypriots and Maronites living in the area administered by Turkish Cypriot authorities to surveillance. 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: The “law” criminalizes libel, although in practice this was rarely enforced due to “court” rulings protecting freedom of speech. It is a criminal offense to insult the “government,” the Turkish government, or “government” officials. This often led journalists to self-censor. According to a journalist association, authorities advised some journalists not to criticize the Turkish government.

Press and Media, Including Online Media: While authorities usually respected press and media freedom, at times they obstructed journalists in their reporting.

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 at “court” hearings 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 reporting at “courts,” hospitals, and police stations.

The “Attorney General’s Office” declined to pursue a case against a police officer in Famagusta accused of ordering his subordinates to “inflict violence” on

journalists who were trying to take photos of suspects being brought to the Famagusta “courts” in July 2018.

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 some 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.

Libel/Slander Laws: The “law” criminalizes libel and blasphemy, although in practice “courts” often declined to convict defendants on those charges, citing free speech precedents. In May the newspaper *Afrika* was acquitted of the charges brought against it for allegedly instigating violence, insulting President Erdogan or Turkey, insulting religion, and publishing false news relating to a cartoon, three articles, and editorials. The “Attorney General’s Office” appealed the decision, and the trial continued at year’s end.

## **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.

## **Academic Freedom and Cultural Events**

There were some “government” restrictions on cultural events. In August the director of the “State Theater,” Erdinc Akgur, prevented a play by Yasar Ersoy from being performed there on the grounds it conflicted with the theater’s founding purpose. Press outlets reported the play controversially portrayed relations between Turkey and the “TRNC.” “Minister of Education” Nazim Cavusoglu stated the play was determined to be inappropriate for the “State Theater” but that it could be staged at another theater.

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

The “government” sometimes limited freedoms of peaceful assembly and association.

### **Freedom of Peaceful Assembly**

The “law” provides for the right of peaceful assembly, and the government usually respected this right, although some restrictions were reported. A labor union reported police interfered in demonstrations and at times used force against peaceful demonstrators.

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

### **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 <https://www.state.gov/religiousfreedomreport/>.

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

The “law” provides for freedom of movement, foreign travel, emigration, and repatriation. Authorities generally respected these rights.

In-country Movement: Authorities required individuals to show identification 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 were both Republic of Cyprus citizens prior to 1974, obtained passports relatively easily compared to Turkish Cypriots born after 1974 to only one Cypriot parent.

### e. Internally Displaced Persons

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 internally displaced persons (IDPs). At the time of the division, the number of IDPs in the north was approximately 60,000.

### f. Protection of Refugees

Abuse of Migrants, Refugees, and Stateless Persons: The UN High Commission for Refugees (UNHCR) reported asylum seekers generally were treated as illegal migrants because an official framework for asylum does not exist in the area administered by Turkish Cypriots. Most were either denied entry or deported, irrespective of the risk of refoulement.

Turkish Cypriot authorities at times cooperated with UNHCR's NGO implementing partner, SOS Children's Village, and other humanitarian organizations with regard to asylum seekers and refugees. UNHCR reported cooperation was more frequent during the first half of the year, when authorities allowed SOS Children's Village lawyers to interview Syrian asylum seekers seeking access to international protection in Cyprus. Following the introduction of a "visa" requirement for Syrian nationals in June, cooperation between Turkish Cypriot authorities and UNHCR was less frequent. With the involvement of these organizations, several asylum seekers gained access to asylum procedures in Turkey or in the government-controlled area.

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. Authorities "extradited" a number of persons designated by the Turkish government as alleged affiliates of "FETO." Some observers considered these deportations refoulement, as the individuals were denied the opportunity to seek refuge on the territory of Cyprus and were at substantial risk of mistreatment in Turkey or forcible return to Syria by Turkish authorities (also see section 2.f., Protection of Refugees in the *Country Reports on Human Rights Practices* for Turkey).

Access to Asylum: The "law" does not provide for the granting of asylum or refugee status, and authorities have not established a system for providing protection to refugees. A small number of persons of concern to UNHCR were

able to stay in the area administered by Turkish Cypriots with UNHCR protection papers.

There were reports Turkish Cypriot authorities continued to deport 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 in the area administered by Turkish Cypriots 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. Persons holding UNHCR protection papers receive the same access to the labor market as third country nationals, although NGOs reported authorities refused to issue work "permits" to some individuals with UNHCR protection papers. UNHCR reported access to employment improved during the year after authorities lifted requirements that job seekers post a guarantee and hold a valid passport.

Access to Basic Services: Persons holding UNHCR protection papers 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.

#### **g. Stateless Persons**

Not applicable.

### **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. In January 2018 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. Women remained underrepresented in senior political positions. Only nine of the 50 “members of parliament” were women.

Turkish Cypriot authorities did not permit Greek Cypriots and Maronites residing in the north to participate in elections they administered. Greek Cypriots and Maronites residing in the north were eligible to vote in elections in the government-controlled area but had to travel there to do so. Greek Cypriot and Maronite 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. There were numerous reports of “government” corruption during the year. Observers generally perceived corruption, cronyism, and lack of transparency to be serious problems in the legislative and executive branches.

Corruption: In May a “government minister” and political party leader was accused by other politicians of leasing “state” property to his son’s business to establish a university without a tender process. The authorities did not conduct an investigation.

In August 2018 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 trials were still ongoing.

Financial Disclosure: The “law” requires 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” declare their wealth and assets. 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 make a disclosure 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 (\$880), three months’ imprisonment, or both. The penalties for violating confidentiality of the disclosures include a fine of up to 10,000 Turkish lira (\$1,760), 12 months’ imprisonment, or both.

In January local press reported that former National Unity Party leader and “prime minister” Huseyin Ozgurgun inaccurately declared his assets, according to an “Attorney General” investigation. In May police charged Ozgurgun with failing to accurately declare wealth and for abuse of public office for private gain. In October “parliament” voted to remove Ozgurgun’s immunity.

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

A limited number of domestic human rights organizations operated in the area administered by Turkish Cypriot authorities. Authorities were rarely cooperative or responsive to their views and requests. 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 NGOs liaised with the United Nations, UNHCR, and international NGOs on human rights issues.

“Government” Human Rights Bodies: There is an “ombudsman,” whose portfolio includes human rights issues. The “ombudsman” investigates and reports on

institutions that exercise administrative and executive powers and ensures that “legislation” and “court” decisions are properly implemented. The “ombudsman” can initiate investigations in response to media reports, complaints from individuals and organizations, or on its own initiative. The “ombudsman” was not always effective because it could not enforce its recommendations.

## **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. No “laws” specifically address domestic violence. The “law” prohibits domestic violence under various assault and violence or battery clauses, with a maximum sentence of four years’ imprisonment.

Violence against women, including spousal abuse, remained a major problem. The Nicosia Turkish Municipality operated a shelter for victims of domestic violence, and there were local NGOs that supported rape and domestic violence victims. Turkish Cypriot authorities also reported establishing gender focal points at relevant “ministries” to respond to complaints of violence against women.

In April police arrested a man on suspicion of killing his 47-year-old wife in Alaykoy (Yerolakkos). The victim’s daughter and sister told press outlets the suspect had physically abused and threatened to kill the victim on many occasions. They said the victim complained to police many times and alleged that police did not take her complaints seriously. In May the suspect was sent to prison pending trial, which continued at year’s end.

In November 2018 Nicosia district police in the area administrated by Turkish Cypriots established a specialized unit to respond to violence against women. The unit responds to complaints of domestic violence, including calls to a dedicated hotline. Turkish Cypriot police said they investigated 498 reports of violence against women from January to June.

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, but authorities did not enforce the “law” effectively. Women experienced discrimination in such areas as employment, credit, owning or managing businesses, education, and housing. For example, female teachers were reportedly instructed to schedule their pregnancies in order to deliver during summer break.

## **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 “law” 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.

Early and Forced Marriage: The minimum age of marriage for girls and boys is 18. A “court” may allow marriages of minors who are 16 or 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.

## **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 <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The "law" protects the rights of persons with physical, sensory, intellectual, and mental disabilities, including their access to social benefits, and prohibits discrimination against them. Authorities did not effectively enforce all parts of the "law." For example, the disability community complained of the absence of accessible infrastructure in public areas, including lack of sidewalks, blocked sidewalks, and inaccessible public transportation.

The Turkish Cypriot Orthopedic Disabled Persons Association reported many buildings, sidewalks, and public bathrooms were not accessible to persons with disabilities. The association claimed 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 270 persons with disabilities worked in the "government" as of August. In September the "Council of Ministers" decided to provide social security and provident fund contributions to persons with disabilities employed in the private sector to create incentives for private-sector employment. Authorities also reported that nearly 4,800 persons with disabilities received financial aid from the "government" as of September.

### **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 314 Greek Cypriot and 69 Maronite residents in the area administered by Turkish Cypriot authorities.

Greek Cypriots and Maronites living in the area administered by Turkish Cypriots could take possession of some of their properties in that area 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.

Foreign domestic workers faced discrimination and, at times, violence. In January the body of a Vietnamese domestic worker was found near Ercan (Tymbou) airport. The woman had been missing since 2017. According to press reports, the body had several stab wounds and was found wrapped in a plastic bag and then a carpet.

There were reports of social and job discrimination against Kurds in the area administered by Turkish Cypriots, as well as allegations that police closely monitored Kurdish activities, in particular the annual Nowruz festival. There were reports police detained individuals for possessing books and symbols related to the Kurdistan Workers' Party.

Some of the approximately 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. In March a union of academic staff at a local university published a report stating international students in the area administered by Turkish Cypriots encountered racism and sexual harassment.

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

The “law” prohibits discrimination against LGBTI persons in housing, employment, nationality laws, and access to government services based on sexual orientation or gender identity. Authorities did not effectively enforce the “law.”

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. In a statement to the press in May, Queer Cyprus said activists were verbally and physically attacked by unknown persons

within the walled city of Nicosia while celebrating pride. Queer Cyprus announced they would seek legal remedy but had not filed an official complaint by year's end.

## **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. The “Ministry of Labor” reported that employers could not condition employment on membership or nonmembership in a union or participation in strikes. The “law” does not provide for reinstatement of workers fired for union activities.

The “government” did not effectively enforce applicable “laws.” Despite having freedom of association and the right to engage in collective bargaining, very few private-sector workers were unionized, according to labor union representatives. 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 did not conduct adequate inspections. Penalties for employers convicted of violating the “law” were insufficient to deter violations and sporadically enforced.

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. Penalties for violations of the “law” were not adequate to deter violations.

There were reports of forced labor during the year, primarily in agriculture, construction, and the industrial 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 that universities were used to smuggle and traffic large numbers of Africans and South Asians. Some foreign students who could not pay their tuition after arriving in the area administered by Turkish Cypriots became vulnerable to exploitation, including forced labor.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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

The “law” prohibits the worst forms of child labor. 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 sufficient to deter violations.

Authorities did not always effectively enforce the “laws,” and NGOs reported that primarily Turkish children often worked 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.

Child labor in the urban informal economy was also a problem, albeit to a lesser extent than in agriculture and manufacturing. It was common in family-run shops for children to work after school and for young children to work on family farms.

#### **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 or gender identity, and social status. The “law” does not specifically address discrimination with respect to religion, political opinion, or HIV-positive status, which were addressed by general “regulations.” Authorities did not effectively enforce the “law.” Discrimination in employment and occupation occurred with respect to race, ethnicity, sex, disability, and gender.

Authorities reported there were more than 49,000 registered foreign workers in the area administrated by Turkish Cypriot authorities, mainly from Turkey, Pakistan, Turkmenistan, Bangladesh, 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, but most instances of sexual harassment went unreported. Women held far fewer managerial positions than men.

LGBTI individuals often concealed 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. The “Ministry of Labor and Social Security” is responsible

for enforcing the minimum wage, but it did not effectively do so. The penalties for noncompliance were not sufficient to deter violations.

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.

Occupational safety and health standards were insufficient. Authorities did not effectively enforce safety and health standards, and the number of inspectors was not sufficient to enforce compliance. Multinational companies reportedly met health and safety standards. 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. Accommodations for migrant workers, either as part of their compensation or for those made to pay, were substandard.

There was little improvement in working conditions, particularly in hazardous sectors and for vulnerable groups.