



Human Rights Council
Working Group on the Universal Periodic Review
Forty-sixth session
29 April–10 May 2024

Cyprus

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights*

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. The Committee against Torture invited Cyprus to ratify the core United Nations human rights treaties to which it was not yet party.²

3. The Committee on the Rights of the Child recommended that Cyprus consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.³

4. The Working Group on Enforced or Involuntary Disappearances and the Human Rights Committee recommended that Cyprus ratify the International Convention for the Protection of All Persons from Enforced Disappearance.⁴

5. The Office of the United Nations High Commissioner for Refugees (UNHCR), the Human Rights Committee and the Committee on the Rights of the Child recommended that Cyprus ratify the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.⁵

6. The Human Rights Committee recommended that Cyprus consider ratifying the European Convention on Nationality and the Council of Europe Convention on the Avoidance of Statelessness in relation to State Succession, while the Committee on the Rights of the Child also recommended that it ratify the European Convention on Nationality.⁶

7. OHCHR encouraged engagement and technical cooperation with the United Nations human rights mechanisms, including through further visits by special procedure mandate holders, particularly to ensure that the human rights issues faced by members of all

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



communities in Cyprus were acknowledged and addressed. OHCHR also stressed that it was imperative that it and other relevant actors had access to the whole island and to all persons affected and that they enjoy the full cooperation of the authorities of Cyprus and of the Turkish Cypriot authorities.⁷

III. National human rights framework

1. Constitutional and legislative framework

8. The Committee on the Rights of the Child noted with concern that the draft laws on the handling of children under the care of the director and the institution of foster care and on the protection and care of children had been pending adoption since 2008. It urged Cyprus to accelerate their adoption and to ensure that they addressed contemporary challenges in child protection and were fully aligned with the provisions of the Convention on the Rights of the Child and the Optional Protocols thereto and to allocate adequate resources and establish mechanisms to ensure their effective implementation and monitoring.⁸

9. The Working Group on Enforced or Involuntary Disappearances recommended that Cyprus codify enforced disappearance as an autonomous crime in the Penal Code, punishable by appropriate penalties that took into account its extreme seriousness.⁹

10. The Committee against Torture recommended that Cyprus include torture and ill-treatment as separate and specific crimes in its legislation and ensure that penalties for torture were commensurate with the gravity of the crime. It also recommended that Cyprus ensure that the absolute prohibition of torture was non-derogable and that acts of torture were not subject to any statute of limitations.¹⁰ It urged Cyprus to take action to adopt the amendments to national legislation broadening the visitation rights of the national preventive mechanism and to ensure sufficient earmarked financial, technical and human resources for the office of the ombudsman as needed in order to carry out all of its functions as the national preventive mechanism effectively and independently.¹¹

2. Institutional infrastructure and policy measures

11. The Human Rights Committee recommended that Cyprus continue its efforts, including by implementing the recommendations of the Global Alliance of National Human Rights Institutions, to ensure that the Office of the Commissioner for Administration and Human Rights fully complied with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and was able to carry out its mandate effectively and independently, including by ensuring that it had the human, financial and technical resources necessary to perform its tasks effectively. In that regard, the Committee encouraged Cyprus to take measures to ensure the presence and participation of Turkish-speaking personnel.¹²

12. While taking note of the existence of several strategies and action plans and the existence of the national action plan for the implementation of the Convention on the Rights of the Child, 2015–2017, that related to the work of the Commissioner for the Protection of the Rights of the Child, the Committee on the Rights of the Child urged Cyprus to develop a comprehensive policy on children that encompassed all areas of the Convention and a strategy with the necessary elements for its application and adequate human, technical and financial resources and to update its action plan for the implementation of the Convention.¹³

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

13. The Human Rights Committee was concerned by incidents of violence and discrimination against members of racial and ethnic minorities and against lesbian, gay,

bisexual and transgender persons, especially in rural areas.¹⁴ It recommended, among other things, to (a) promptly elaborate and adopt the proposed national action plan to combat discrimination on the basis of sexual orientation, age, disability, ethnicity and religion, ensuring effective consultation of civil society; (b) take effective measures to prevent and sanction both online and offline hate speech and improve the collection of disaggregated data on discrimination, hate speech and hate crime; (c) strengthen awareness-raising efforts aimed at promoting respect for human rights and for diversity, and at eradicating prejudices on the basis of race, ethnicity, religion, sexual orientation or gender identity; (d) encourage the reporting of hate crimes and ensure that such crimes were promptly, thoroughly and impartially investigated, that perpetrators were prosecuted and, if found guilty, appropriately punished and that victims received full reparation.¹⁵

14. The same Committee was concerned that applications for citizenship continued to be denied or significantly delayed, in particular applications from individuals who had protected status under the Convention relating to the Status of Refugees and those from the children of Turkish Cypriots who had been born and who resided in the northern part of the country. Moreover, it was concerned by reports that naturalization procedures lacked transparency and were applied arbitrarily, resulting, for example, in the denial of applications from individuals who had previously received State benefits, such as persons with disabilities and survivors of torture or trafficking.¹⁶

15. The same Committee recommended that Cyprus increase measures to ensure that the nationality laws were applied without discrimination on the basis of clearly defined legal criteria. Cyprus should ensure that naturalization procedures were transparent and that applicants had access to information concerning the requirements for citizenship and that they received a decision on their application for citizenship within a reasonable period of time.¹⁷

2. Right to life, liberty and security of person, and freedom from torture

16. The Working Group on Enforced and Involuntary Disappearances recommended that the leaders of both communities stop politicizing the issue of disappeared persons and treat it as a human rights and humanitarian issue. Political and other considerations should be put aside in order to allow the Committee on Missing Persons to fully and effectively fulfil its mandate. They should continue the cooperation with, and the support provided to, the Committee on Missing Persons, in particular by providing full access without delay to all areas, responding in a timely manner to requests for archival information on possible burial sites, as also recommended by the Security Council, and adequately preserving archives. They should also consider the creation of an inclusive and impartial truth-telling mechanism, which could bring together and respond to the need of families of both communities.¹⁸

17. The Secretary-General noted that the Committee on Missing Persons continued its efforts to gain access to additional information on the location of the burial sites of missing persons from the archives of countries that had maintained a military or police presence in Cyprus in 1963/64 and 1974. In line with the now complete digitization of the archives of its Greek Cypriot and Turkish Cypriot offices, the Committee was also using a shared web-based geographic information system application that allowed for the visualization and sharing of information between the Committee's three offices and was accessible to field- and office-based employees.¹⁹

18. The Human Rights Committee recommended that Cyprus continue its efforts to support the work of the Committee on Missing Persons and to take concrete steps to ensure that the families of the victims obtained full reparation, including adequate compensation, rehabilitation, satisfaction and guarantees of non-repetition. It also recommended that Cyprus should also consider creating a truth and reconciliation commission or a similar mechanism.²⁰

19. The same Committee recommended that Cyprus intensify its efforts to improve detention conditions and ensure full compliance with relevant international human rights standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules); take additional measures to reduce overcrowding in all places of detention, particularly through the wider application of non-custodial measures as an alternative to imprisonment; and strengthen its efforts to prevent and address

inter-prisoner violence, including by encouraging the reporting of such violence and ensuring that all cases of prison violence were investigated and that the perpetrators were prosecuted and, if found guilty, appropriately punished.²¹

3. Administration of justice, including impunity, and the rule of law

20. The same Committee noted the efforts made by Cyprus to identify disappeared Greek and Turkish Cypriots and to investigate their disappearance. However, it was concerned that there had been no recent prosecutions for those responsible for human rights violations resulting in individuals going missing, including possible enforced disappearance, and that there was no specific programme available to ensure appropriate redress to relatives of victims.²²

21. The Working Group on Enforced or Involuntary Disappearances recommended that Cyprus: (a) ensure that the authorities in charge of investigations related to enforced disappearances had access to all relevant information and that all the information gathered in the search process, including possible criminal evidence, was collected, investigated and preserved for possible disclosure and use at a later stage; (b) prohibit amnesties and other measures that might be aimed at avoiding or indirectly hindering the obligation to investigate, prosecute and punish the perpetrators of enforced disappearances; (c) enforce all relevant judgments of the European Court of Human Rights concerning disappeared persons in Cyprus, including by implementing general measures stemming from the judgments; (d) establish a comprehensive national reparation programme, with the participation of the communities affected, that included compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition for all victims of human rights violations without discrimination; and (e) ensure that the provision of social services for victims was not confused with their right to obtain reparation.²³

22. The Human Rights Committee was concerned about the limited amount of data available on complaints of torture and ill-treatment and about the small number of investigations, prosecutions, convictions and sanctions for perpetrators in relation to such acts. Furthermore, it was concerned about reports that the Independent Authority for the Investigation of Allegations and Complaints against the Police was understaffed and about the lack of information provided to the Committee on the effective remedies, including appropriate compensation, allocated to victims.²⁴

23. The same Committee recommended that Cyprus: (a) ensure that all cases of torture, ill-treatment and death in custody were promptly, independently and thoroughly investigated, that perpetrators were prosecuted and, if found guilty, appropriately punished and adequately sanctioned, and that victims received full reparation, including rehabilitation and adequate compensation; and (b) guarantee that all persons deprived of their liberty were aware of and had access to an independent and effective complaints mechanism for the investigation of allegations of torture and ill-treatment and to the remedies.²⁵

4. Fundamental freedoms and the right to participate in public and political life

24. The Secretary-General noted that efforts continued to sustain and develop the dialogue and cooperation among the religious leaders of Cyprus, to uphold and advance human rights, including the fundamental right to religious freedom or belief, and to build confidence within the framework of the Religious Track of the Cyprus Peace Process under the auspices of the Embassy of Sweden. Requests by one community to hold religious services on the other side (mostly Greek Cypriot requests for services in the north) or inside the buffer zone had remained steady and most requests had been approved. The religious leaders of Cyprus continued their support role, however, their work had been impaired by political tensions, resulting in the cancellation of the pilgrimage to Hala Sultan Tekke in Larnaca in April.²⁶

25. The Human Rights Committee was concerned about reports suggesting that there were undue restrictions on the exercise in practice of the right to freedom of thought, conscience and religion by religious minorities, particularly Muslims and Jews. It was concerned about reports indicating: (a) that there was limited access to places of worship, including Hala Sultan Tekke mosque; (b) that the authorities continued to perform autopsies on deceased members of the Jewish community in cases of non-suspicious deaths; and (c) that the

repeated requests for the Chief Rabbinate of Cyprus to be authorized to issue marriage, death and divorce certificates continued to go unanswered. Furthermore, the Committee was concerned about the failure to revise article 2 of the Constitution, under which only those religious groups that had more than 1,000 members on the date on which the Constitution came into force, in 1960, were recognized, meaning that equal recognition was not accorded to all religious communities.²⁷

26. The same Committee recommended that Cyprus strengthen its efforts to ensure that its legislation and practices conformed fully with the requirements of article 18 of the International Covenant on Civil and Political Rights, including by taking immediate measures to remove undue restrictions on access to places of worship. It also recommended that Cyprus consider revising article 2 of its Constitution and ensure the full enjoyment of freedom of religion by all religious communities. Furthermore, the Committee recommended that Cyprus ensure that every student had the freedom to participate or not to participate in religious education in school, and that exemptions were easily available and not subject to burdensome administrative procedures. It should strengthen measures to promote respect and tolerance in school settings for religious diversity.²⁸

27. The Human Rights Committee was concerned that barriers to intercommunal contact persisted and that additional crossing points were still needed – for example, in the area of Kokkina – to allow more direct movement between areas in the northern and southern parts of the island. It was also concerned about the amendments introduced to the Refugee Law in 2014, which placed restrictions on the movement of refugees who were subject to international protection, preventing them from travelling to the northern part of the island. It recommended that Cyprus increase its efforts to open new crossing points and take further measures to facilitate access for residents crossing between the northern and southern parts of the island. It was also recommended that it should consider reviewing the Refugee Law and the provisions restricting the movement of refugees who were subject to international protection.²⁹

28. The same Committee recommended that Cyprus take immediate steps to remove all barriers in law and in practice that inhibit Turkish Cypriots and persons with disabilities, including persons with intellectual disabilities and persons with psychosocial disabilities, from exercising their right to vote and to stand for elections, giving full effect to the right of every citizen to participate in public affairs without discrimination and guaranteeing the full participation in political life of Turkish Cypriots and of all persons with disabilities.³⁰

5. Right to marriage and family life

29. The Committee on the Rights of the Child recommended that Cyprus amend its legislation to remove all exceptions that allow marriage for those under 18 years of age.³¹ The Committee also recommended that Cyprus take advantage of its family law reform and the restructuring of the social welfare services to: (a) strengthen support for families to prevent separation, including through parenting support, prevention and early intervention programmes, programmes on positive parenting and communication skills and spaces for family leisure; (b) provide appropriate support and services, including social and psychological support, for children and parents in situations of conflict and separation; and (c) ensure that the children of separated parents enjoyed the right to maintain personal relations and direct contact with both parents on a regular basis, if not contrary to their best interests, in accordance with article 9 (3) of the Convention on the Rights of the Child, and support the enforcement of court orders in that respect.³²

6. Prohibition of all forms of slavery, including trafficking in persons

30. The Human Rights Committee was concerned about the continued prevalence of trafficking in persons, particularly of women and girls, for the purposes of sexual and labour exploitation, about reported gaps in the identification of victims of trafficking in persons and about the low number of investigations, convictions and sanctions handed down to perpetrators. It recommended that Cyprus further strengthen its efforts to combat, prevent, eradicate and punish trafficking in persons and ensure the adequate protection of victims. It also recommended that Cyprus adopt the national action plan for the period 2023–2026 and take the necessary steps to ensure its full and effective implementation.³³

31. UNHCR noted that early detection of potential victims of trafficking among asylum-seekers was hampered by the lack of vulnerability assessments, which should be conducted for all asylum-seekers, and attention should be given in that context to identifying potential victims of trafficking. In addition, the authorities did not currently provide a written decision on an outcome of an investigation to a potential victim of trafficking. UNHCR noted that a negative outcome could therefore not be legally contested, which might deprive persons of the protection needed and potentially prejudice the outcome of their asylum applications. The anti-trafficking police had adopted a strict interpretation of the definition of trafficking requiring evidence of having already been exploited, even when a victim might have been moved for the purpose of exploitation.³⁴

32. UNHCR recommended that Cyprus: ensure trafficking indicators were included in vulnerability assessments and that front-line staff and anti-trafficking police receive ongoing training; and develop the capacity of the anti-trafficking police to investigate potential cases in line with the internationally recognized definition of trafficking in persons and provide potential victims with a written decision on the outcomes of investigations that could be legally contested.³⁵

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

33. The Committee of Experts on the Application of the Conventions and Recommendations of the International Labour Organization requested that Cyprus take measures to ensure that the functions assigned to labour inspectors did not interfere with their main objective, which was to ensure the protection of workers while engaged in their work, including taking further measures to separate labour inspectors from police activities related to migrant workers in an irregular situation. The Committee also requested that Cyprus continue to provide detailed updated information, including statistical information, disaggregated by sex and age, on the nature, scope and impact of the employment measures implemented, including the various subsidy schemes in place, in particular on the number of jobs generated and the number of beneficiaries placed in employment. The Committee also requested that Cyprus describe how the information compiled from the labour force surveys was utilized in the design, implementation, monitoring and review of employment policies at the national level.³⁶

8. Right to social security

34. The Committee on the Rights of the Child recommended that Cyprus: develop and adopt without further delay the legal framework on child protection, which would, among other things, provide for the right of children and parents to support services and establish and regulate the competences of the social welfare services; and allocate adequate human, financial and technical resources to strengthen the capacity of the social welfare services, both at the national and local levels, to prevent and intervene in the context of family separation, and ensure child-friendly services and support based on the best interests of the child.³⁷

9. Right to health

35. The same Committee recommended that Cyprus intensify measures to ensure that children with disabilities, children belonging to minority groups, asylum-seeking, refugee and migrant children, children from socioeconomically disadvantaged families, children in alternative care, Roma children and other children in situations of vulnerability had access to health care, social services and inclusive and mainstream education and ensure regular and systematic monitoring and impact assessments of the measures taken.³⁸

36. The same Committee also recommended, among other things, that Cyprus: (a) ensure access to affordable health care, provided in a timely manner, including by providing early detection, intervention and rehabilitation programmes, creating a network of community and outpatient health-care services and training and ensuring an adequate number of health-care personnel; (b) ensure and promote opportunities for children with disabilities to express their views on matters affecting them, including at school, and to have their views taken into account, tackle stigma affecting the participation of children with disabilities and support the establishment of an organization representing them; and (c) organize the collection of data

on children with disabilities, with a view to informing its policies and programmes and facilitating access for children with disabilities to services, including education and health, social protection and support services.³⁹

10. Right to education

37. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that Cyprus should be encouraged to: (a) explicitly define the number of years of upper secondary education in its primary and secondary education; (b) continue to improve enrolment in education, especially at the pre-primary level; (c) pursue efforts to strengthen human rights education; (d) continue to regularly submit comprehensive national reports for the periodic consultations on the education-related standard-setting instruments of UNESCO and notably on the Convention against Discrimination in Education and the recommendation on adult learning and education (2015); (e) share with UNESCO any relevant information to update its country profile on the UNESCO Observatory on the Right to Education and its monitoring tool on the right to education for girls and women.⁴⁰

11. Cultural rights

38. UNESCO encouraged Cyprus to fully implement the relevant provisions that promoted access to and participation in cultural heritage and creative expressions and, as such, were conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. Cyprus was encouraged to give due consideration to the participation of communities, practitioners, cultural actors and civil society organizations, as well as groups in vulnerable situations, and to ensure that equal opportunities were given to women and girls to address gender disparities.⁴¹

12. Development, the environment, and business and human rights

39. The Committee on the Rights of the Child recommended that Cyprus: (a) establish and implement regulations to ensure that the business sector, including the tourism industry, complied with international human rights and children's rights standards; (b) ensure the effective monitoring of such regulations, appropriately sanction perpetrators and provide remedies when violations occurred; (c) require companies to undertake assessments, consultations and full public disclosure of the environmental, health-related and children's rights impacts of their business activities and their plans to address such impacts; and (d) undertake awareness-raising campaigns with the tourism service providers and the public at large on the prevention of the sexual exploitation of children in the context of travel and tourism.⁴²

B. Rights of specific persons or groups

1. Women

40. The Human Rights Committee was concerned that cases of violence against women, including domestic violence, were still underreported, especially among ethnic minorities and foreign nationals, and that the prosecution and conviction rates for domestic violence remained low. It recommended that Cyprus continue its efforts to curb gender-based violence, in particular by taking all the measures necessary to ensure the effective implementation of the new National Strategy and National Action Plan (2023–2028) on Preventing and Combating Violence against Women.⁴³

41. The same Committee also recommended that Cyprus: (a) step up action to systematically inform women of their rights and the avenues available for reporting violence and obtaining protection, assistance and redress, particularly women belonging to ethnic minorities and foreign nationals; (b) continue its efforts to provide training on women's rights and gender-based violence to all relevant stakeholders and consider implementing mandatory training programmes for, in particular, national and local authorities, law enforcement officials, judges and prosecutors; (c) redouble its efforts to ensure that cases of violence against women were promptly and effectively investigated, that the perpetrators were

prosecuted and, if found guilty, appropriately punished, and that the victims had access to effective remedies and means of protection; and (d) expand the existing system for collecting comprehensive and disaggregated data on domestic violence to include information on complaints, investigations, prosecutions, convictions and sentences related to gender-based violence.⁴⁴

42. The same Committee was concerned about the underrepresentation of women in decision-making positions, including in senior positions in the public and private sectors, and about the high rate of unemployment among women compared with men. It was also concerned about the continuing wage discrepancy between men and women. It recommended that Cyprus intensify its efforts to promote equality between men and women in all spheres of society and life, in particular by taking tangible steps to increase the representation of women in decision-making positions at all levels in the public and private sectors.⁴⁵

43. The same Committee also recommended that Cyprus consider adopting a statutory quota and a gender parity system for nominations to government bodies to increase the representation of women in decision-making positions at all levels of the executive, legislative and judicial branches. Cyprus should also take further steps to eliminate the obstacles in law and in practice preventing women from pursuing or being elected to public positions, including by encouraging gender parity in electoral lists by political parties. It should redouble its efforts to close the wage gap between men and women and reduce the unemployment rate of women.⁴⁶

2. Children

44. The Committee on the Rights of the Child was concerned about: (a) the insufficient disaggregated data on cases of violence against children, in particular due to underreporting and a lack of coordination between competent authorities, which did not allow for an accurate assessment of the magnitude of the phenomenon or taking targeted action to address it; (b) the low rates of intervention, investigation, prosecution and conviction in cases of violence against children; (c) the insufficient professional capacity and lack of a multidisciplinary and child-sensitive approach to the provision of support to children who were victims of all forms of violence, including in the context of criminal proceedings; (d) the requirement of parental consent for a child who was a victim of abuse to undergo a medical assessment and receive psychological and psychiatric support; and (e) the lack of legal foundation for, and insufficient transparency about, the operation and monitoring of the Children's House.⁴⁷

45. The same Committee recommended that Cyprus: (a) ensure that laws on the sexual exploitation and abuse of children and on violence in the family were effectively enforced, jointly and interchangeably when appropriate, and that their implementation was regularly and systematically monitored and evaluated; (b) strengthen and centralize the collection and analysis of disaggregated data on children who were victims of all forms of violence, such as domestic violence, corporal punishment, bullying and sexual exploitation and abuse, including within the child's circle of trust and by religious personnel, with a view to assessing the magnitude of the phenomenon and formulating and implementing, with the participation of children, a comprehensive strategy for preventing and combating all forms of violence against children; and (c) ensure and promote the mandatory reporting of cases of violence against children, in particular through legislative amendments, intensified awareness-raising about its forms and negative impacts among children, parents and professionals working with children, accessible, confidential and child-friendly helplines for children and effective access to legal aid.⁴⁸

3. Persons with disabilities

46. The same Committee urged Cyprus to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and to: (a) harmonize national legislation with the human rights model of disability and revise the assessment procedures of disability accordingly; (b) adopt a uniform definition of disability in compliance with the Convention on the Rights of Persons with Disabilities; and (c) strengthen support for the parents of children with disabilities and ensure the right of those children to grow up in a family environment, including by increasing the availability of early care, home nursing and relief services, providing timely and adequate socioeconomic support

to all children with disabilities, regardless of the type of disability, and improving outreach to parents about the services available.⁴⁹

4. Minorities

47. The Human Rights Committee welcomed the submission to the European Commission in 2021 of the National Roma Strategic Framework for the period 2021–2030. However, it was concerned about the low number of Turkish Cypriots in the State's civil service, including the police force and the judiciary, and about the absence of envisaged specific measures aimed at changing that situation. It recommended that Cyprus continue and intensify efforts to eradicate the economic, social, linguistic and cultural barriers facing Turkish Cypriots and other minorities, including by taking specific measures, such as temporary special measures, to integrate Turkish Cypriots into the civil service and the judiciary.⁵⁰

5. Migrants, refugees and asylum-seekers

48. UNHCR noted that detention of asylum-seekers remained an area of concern and there was limited use of alternative measures. It was also concerned by documented incidents in 2022 and 2023 of collective arrests and detention of asylum-seekers whose claims had yet to be determined, including those wishing to submit subsequent applications. It recommended that Cyprus ensure that the detention of asylum-seekers was only used as a measure of last resort for the shortest possible period, based on an individual assessment that the detention was reasonable, necessary and proportionate, and after a consideration of alternatives to detention. It also recommended that Cyprus ensure that detainees had timely access to free independent legal advice and judicial remedies, including access to asylum procedures.⁵¹

49. UNHCR recommended that Cyprus: (a) ensure that Pournara centre was used only for short-term registration purposes and improve conditions and access to services; (b) ensure vulnerability assessments were conducted for all asylum-seekers and ensure referrals to appropriate services; (c) ensure asylum-seekers had equal access to special needs allowances and other forms of social assistance, including disability benefits; (d) ensure full access to health-care services for asylum-seekers; and (e) facilitate timely access to employment for asylum-seekers, including by shortening or removing restrictions on when asylum-seekers were able to access the labour market, permitting their employment in a wider range of economic sectors and allowing them to obtain driving licences.⁵²

6. Stateless persons

50. The Human Rights Committee was concerned about obstacles faced by certain children born in Cyprus to obtain Cypriot nationality. In particular, children of a third-country parent whose own nationality could not be conferred on the children, and children of a Cypriot parent and a non-Cypriot parent who had entered or remained in the country illegally, could not obtain Cypriot nationality unless the Council of Ministers decided otherwise. The Human Rights Committee recommended that Cyprus review requirements with regard to obtaining Cypriot nationality for all children born in Cyprus and facilitate the acquisition of nationality for children who would otherwise be stateless, regardless of their parents' citizenship, residence or legal or marital status, with particular attention given to children born to refugee, asylum-seeking, migrant or stateless parents.⁵³

51. The Committee on the Rights of the Child recommended that Cyprus: (a) establish legal safeguards, including legislation and procedures, including removal of fees for birth registration, to prevent statelessness; and (b) facilitate the acquisition of nationality for children who would otherwise be stateless, regardless of their parents' citizenship, residence, legal or marital status, with particular attention given to children born to refugee, asylum-seeking, migrant or stateless parents, and regardless of the existence of the family link before the departure from the country of origin.⁵⁴

C. Specific regions or territories

52. OHCHR noted that the United Nations human rights mechanisms had previously voiced their concerns about the factors and difficulties impeding the implementation of international human rights standards on the whole island owing to its continued division. As a result of the division, monitoring and reporting by international mechanisms on the human rights situation in the northern part of Cyprus had remained limited.⁵⁵

53. In its seventh periodic report to the Committee on Economic, Social and Cultural Rights (dated October 2021), Cyprus stated that, due to the continued illegal occupation of 36.2 per cent of its territory, the Government could not exercise effective control over all of its territory and thus could not ensure the application of the human rights instruments to areas not under its effective control. Therefore, the Government was unable to ensure full realization of its policies and to apply its laws, policies and programmes concerning human rights to those living in the occupied part of the country.⁵⁶

Notes

- 1 [A/HRC/41/15](#), [A/HRC/41/15/Add.1](#) and [A/HRC/41/2](#).
- 2 [CAT/C/CYP/CO/5](#), para. 48.
- 3 [CRC/C/CYP/CO/5-6](#), para. 43.
- 4 [A/HRC/51/31/Add.1](#), para. 76 (b); and [CCPR/C/CYP/CO/5](#), para. 18.
- 5 UNHCR submission for the universal periodic review of Cyprus, p. 6; [CCPR/C/CYP/CO/5](#), para. 42; and [CRC/C/CYP/CO/5-6](#), para. 21 (c).
- 6 [CCPR/C/CYP/CO/5](#), para. 42; and [CRC/C/CYP/CO/5-6](#), para. 21.
- 7 [A/HRC/49/22](#), para. 78; and [A/HRC/52/18](#), para. 89.
- 8 [CRC/C/CYP/CO/5-6](#), para. 7.
- 9 [A/HRC/51/31/Add.1](#), para. 76 (a).
- 10 [CAT/C/CYP/CO/5](#), para. 9.
- 11 *Ibid.*, para. 31.
- 12 [CCPR/C/CYP/CO/5](#), para. 8.
- 13 [CRC/C/CYP/CO/5-6](#), para. 8.
- 14 [CCPR/C/CYP/CO/5](#), para. 9.
- 15 *Ibid.*, para. 10 (a)–(d).
- 16 *Ibid.*, para. 11.
- 17 *Ibid.*, para. 12.
- 18 [A/HRC/51/31/Add.1](#), para. 76 (n)–(p).
- 19 [S/2023/498](#), para. 53.
- 20 [CCPR/C/CYP/CO/5](#), para. 18.
- 21 *Ibid.*, para. 22.
- 22 *Ibid.*, para. 17.
- 23 [A/HRC/51/31/Add.1](#), para. 76 (c)–(g).
- 24 [CCPR/C/CYP/CO/5](#), para. 19.
- 25 *Ibid.*, para. 20 (a) and (b).
- 26 [S/2023/498](#), para. 41; and [S/2023/497](#), para. 9.
- 27 [CCPR/C/CYP/CO/5](#), para. 35.
- 28 *Ibid.*, paras. 36 and 38.
- 29 *Ibid.*, paras. 27 and 28.
- 30 *Ibid.*, para. 44.
- 31 [CRC/C/CYP/CO/5-6](#), para. 16.
- 32 *Ibid.*, para. 26.
- 33 [CCPR/C/CYP/CO/5](#), paras. 25 and 26.
- 34 UNHCR submission, p. 4.
- 35 *Ibid.*
- 36 International Labour Organization, *Application of International Labour Standards 2023: Report of the Committee of Experts on the Application of Conventions and Recommendations*, Report III (Part A) (Geneva, 2023), p. 796.
- 37 [CRC/C/CYP/CO/5-6](#), para. 28 (a) and (b).
- 38 *Ibid.*, para. 18 (f).
- 39 *Ibid.*, para. 31 (d)–(f).
- 40 UNESCO submission for the universal periodic review of Cyprus, para. 16.
- 41 *Ibid.*, para. 18.

- ⁴² [CRC/C/CYP/CO/5-6](#), para. 15.
⁴³ [CCPR/C/CYP/CO/5](#), paras. 15 and 16.
⁴⁴ *Ibid.*, para. 16.
⁴⁵ *Ibid.*, paras. 13 and 14.
⁴⁶ *Ibid.*, para. 14.
⁴⁷ [CRC/C/CYP/CO/5-6](#), para. 23.
⁴⁸ *Ibid.*, para. 24 (a)–(c).
⁴⁹ *Ibid.*, para. 31 (a)–(c).
⁵⁰ [CCPR/C/CYP/CO/5](#), paras. 45 and 46.
⁵¹ UNHCR submission, pp. 4 and 5.
⁵² *Ibid.*, p. 3.
⁵³ [CCPR/C/CYP/CO/5](#), paras. 41 and 42.
⁵⁴ [CRC/C/CYP/CO/5-6](#), para. 21 (a) and (b).
⁵⁵ [A/HRC/49/22](#), para. 9.
⁵⁶ [E/C.12/CYP/7](#), para. 3.
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