



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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REFERENCE:KF/fup-119

18 April 2017

Excellency,

In my capacity as Special Rapporteur for Follow-up to Concluding Observations of the Human Rights Committee, I have the honour to refer to the follow-up to the recommendations contained in paragraphs 5, 10 and 23 of the concluding observations on the report submitted by Cyprus (CCPR/C/CYP/CO/4), adopted at the 113th session in March-April 2015.

On 29 April 2016, the Committee received the reply of the State party. At its 118th session, held in October-November 2016, the Committee evaluated that information. The Committee considered that the recommendations selected for the follow-up procedure have not been fully implemented and decided to request additional information on their implementation. The assessment of the Committee and the additional information requested from the State party are reflected in the Report on follow-up to concluding observations (CCPR/C/118/2). I hereby attach, for ease of reference, a copy of the relevant section of the report.

During its 119th session held in March 2017, the Committee noted that the additional information requested from the State party has not yet been provided and decided to send a reminder to the State party. The Committee would appreciate receiving the requested information by **18 July 2017**.

The State party is kindly requested, when submitting its reply to the Committee, not to reiterate information that has already been provided to the Committee.

The reply should be sent in Microsoft Word electronic version to the Secretariat of the Human Rights Committee (Kate Fox: [kfox@ohchr.org](mailto:kfox@ohchr.org) and [ccpr@ohchr.org](mailto:ccpr@ohchr.org)). In accordance with the Note by the Human Rights Committee on the procedure for follow-up to concluding observations (see CCPR/C/108/2), the follow-up report should not exceed a maximum of 3,500 words.

The Committee looks forward to pursuing its constructive dialogue with the State party on the implementation of the Covenant.

Please accept, Excellency, the assurances of my highest consideration.

Mauro Politi  
Special Rapporteur for Follow-up to Concluding Observations  
Human Rights Committee

H.E. Mr. Andreas Ignatiou  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative  
Email: [cyprus@cyprusmission.ch](mailto:cyprus@cyprusmission.ch)

## **Report on follow-up to the concluding observations of the Human Rights Committee, [CCPR/C/118/2](#)**

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### **Assessment of replies**

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#### *Reply/action satisfactory*

- A Response largely satisfactory

#### *Reply/action partially satisfactory*

- B1** Substantive action taken, but additional information required
- B2** Initial action taken, but additional information and measures required

#### *Reply/action not satisfactory*

- C1** Response received but actions taken do not implement the recommendation
- C2** Response received but not relevant to the recommendation

#### *No cooperation with the Committee*

- D1** No response received within the deadline, or no reply to a specific question in the report
- D2** No response received after reminder(s)

#### *The measures taken are contrary to the Committee's recommendations*

- E** Response indicates that the measures taken are contrary to the Committee's recommendations
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### *Cyprus*

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Concluding observations:	CCPR/C/CYP/CO/4, adopted 31 March 2015
Follow-up paragraphs:	5, 10 and 23
First reply:	29 April 2016
Committee's evaluation:	Additional information required on paragraphs 5 [B2], 10 [C1] and 23 [C1][C2]

#### **Paragraph 5:**

The Committee is concerned that the Office of the Commissioner of Administration (the Ombudsman) lacks the necessary financial, technical and human resources to fulfil its very broad mandate, that it cannot appoint its own staff and it lacks financial autonomy. In addition, the Committee is concerned about the absence of Turkish-speaking staff and that the reports generated by the Office are not published in Turkish (art.2).

**The State party should ensure that the Ombudsman has the financial and technical resources and personnel necessary to perform its task effectively on a fully independent basis, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) (General Assembly resolution 48/134, annex).**

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*Cyprus*

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**Summary of State party's reply:**

The State party recognized that the Office of the Ombudsman lacked financial and human resources owing to the financial crisis, and repeated information provided in its replies to the Committee's list of issues (see CCPR/C/CYP/Q/4/Add.1, paras. 4 and 5).

It also repeated information from its replies to the list of issues that the Ombudsman had requested additional staff and the ability to appoint his or her own staff (see CCPR/C/CYP/Q/4/Add.1, para. 4). In that respect, the State party clarified that, pursuant to article 122 of the Cyprus Constitution, the staff of the Ombudsman, the Judiciary and the Legislature were deemed to be "civil servants" who were appointed, promoted and dismissed by the Public Service Commission and, as such, were subject to the provisions of the Public Service Law (L.1/1990, as amended).

The State party elaborated on the information provided in its replies to the list of issues regarding accreditation (see CCPR/C/CYP/Q/4/Add.1, para. 4). Furthermore, in July 2015, the Office of the Ombudsman had submitted an application to the Global Alliance of National Human Rights Institutions Subcommittee on Accreditation for accreditation as a national human rights institution under the Paris Principles. The Ombudsman had been informed that the Subcommittee had considered the application during its session from 16 to 20 November 2015 and had recommended that the Office be accredited with B status.

Regarding the absence of Turkish-speaking staff in the Office of the Ombudsman, the State party replied that the Public Service Law (L.1/1990, as amended) required the knowledge of Greek. Reports were only translated into Turkish when they evolved around an issue that concerned the Turkish Cypriot community. Finally, the State party mentioned that the website had been updated and included all relevant information in Turkish, Greek and English.

**Committee's evaluation:**

[B2]: The Committee welcomes the State party's efforts to accredit the Office of the Ombudsman and the updating of the website. It notes that in November 2015 the Office of the Ombudsman was accredited with B status by the Subcommittee on Accreditation (see <http://nhri.ohchr.org/EN/AboutUs/ICCAccreditation/Documents/SCA%20FINAL%20REPORT%20-%20NOVEMBER%202015-English.pdf>, pp. 7-10). However, the Committee regrets the State party's failure to allow the Ombudsman to appoint its own staff and to include Turkish speakers among its staff, and requests further information on concrete measures to deal with the lack of financial and human resources. The Committee reiterates its recommendations in that regard.

**Paragraph 10: The State party should continue to provide support to the Committee on Missing Persons and take immediate steps to investigate all outstanding cases of missing persons from both the Greek and Turkish communities in an effective, transparent, independent and impartial manner. It should also ensure that the families of the victims obtain appropriate redress, including adequate compensation and psychological rehabilitation, and that the perpetrators are prosecuted and punished as appropriate.**

**Summary of State party's reply:**

Cyprus was the major donor to the Committee on Missing Persons programme (after the collective contribution of the European Union). The State party repeated information provided in its replies to the list of issues (see CCPR/C/CYP/Q/4/Add.1, paras. 38 and 39) on the steps it had taken to support the Committee on Missing Persons, and regarding the way in which the Committee identified missing persons before informing the Attorney General, who then investigated each case (*ibid.*, para. 40).

The State party replied that the reports stating that investigations of missing persons of Greek Cypriot nationality were prioritized over those relating to missing Turkish Cypriots were unfounded. It communicated that, according to the most recent data issued by the Committee on Missing Persons, out of a total of 2,001 missing persons on that Committee's official list, the whereabouts of 1,428 persons had yet to be determined, of which 1,073

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*Cyprus*

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were Greek Cypriots and 355 Turkish Cypriots, and that such data clearly indicated that there was no discrimination in favour of Greek Cypriot missing persons.

Regarding the families of victims, the Government continued to pay the salaries and/or pensions of the Greek-Cypriot missing persons to their families. A stipend was also granted to the families towards the expenses of the burial of the missing persons once they had been identified.

**Committee's evaluation:**

[C1]: The Committee notes the information provided by the State party, but requests specific information on measures taken after the adoption of the Committee's concluding observations (CCPR/C/CYP/CO/4): (a) to support the Committee on Missing Persons; (b) to investigate cases of missing persons from both the Greek and Turkish communities in an effective, transparent, independent and impartial manner; and (c) to ensure that the families of the victims obtain appropriate redress, including adequate compensation and psychological rehabilitation, and that the perpetrators are prosecuted and punished as appropriate. The Committee reiterates its recommendation.

**Paragraph 23: The State party should continue its efforts to eradicate the economic, linguistic and cultural barriers facing Turkish Cypriots and other minorities. In that regard, it should intensify its efforts to integrate Turkish Cypriots into the civil service and the judiciary, including through the introduction of temporary special measures, and consider easing the language requirements for entering the civil service. It should also consider establishing a Turkish school in Limassol.**

**Summary of State party' reply:**

(a) The State party replied that the provisions of the Constitution pertaining to the participation of the Turkish Cypriots in State institutions had been suspended because the Turkish Cypriot community had withdrawn its participation from the State institutions in 1963. It mentioned, however, that relevant positions remained vacant for their return (e.g. Vice President of the Republic, Vice President of the Parliament, members of Parliament) and that they were free to participate in procedures for any post in the civil service as the language requirements had been eased and measures taken to facilitate participation for those wishing to do so.

The State party noted that the Police was not a part of the civil service but of the security forces and thus was subject to different regulations in each Community.

Although the Ministry of Education and Culture was taking all measures necessary to guarantee equal access to education, the number of Turkish Cypriot pupils attending the Agios Antonios primary school had seen a 51 per cent decrease since 2007. Despite this drop, the number of Turkish-speaking teachers and interpreters remained sufficient and two additional teaching assistants had been placed at the school during the 2014-2015 school year.

The State party also mentioned free, special courses for Roma children organized by the adult education centres, to teach history and other elements of their cultural heritage in 2013-2014 and 2014-2015. Since January 2016, the school had participated in a European funded programme entitled "Schools as learning communities in Europe: successful educational actions for all".

Finally, the State party elaborated on information provided in its replies to the Committee's list of issues (see CCPR/C/CYP/Q/4/Add.1, para. 196) on the programme entitled "Zones of educational priority" that had been implemented fully by the Ministry of Education and Culture and that had been replaced by the "School and social inclusion actions" programme, which provided additional measures of support to pupils in language and mathematics, teaching assistants in all classes and additional extracurricular activities. The Ministry also provided extra psychological assistance to the school with a school psychologist.

(b) The State party repeated information provided in its replies to the list of issues (see

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CCPR/C/CYP/Q/4/Add.1, para. 194) that, although the Council of Ministers had decided in principle to establish a school in Limassol with Turkish as the language of instruction, a survey conducted in 2005 among Turkish Cypriot parents had indicated that parents favoured attendance at the public school in their area.

**Committee's evaluation:**

[C1]: (a) The Committee notes the measures taken by the State party, but expresses regret at the lack of information regarding the adoption of temporary special measures. It requests information on measures taken to address the language requirements for entering the civil service since the adoption of the concluding observations, and whether this has resulted in an increase in participation of Turkish Cypriots in the civil service, as well as additional information on the reasons for the sharp drop in Turkish Cypriot pupils attending the Agios Antonios primary school.

[C2]: (b) The Committee takes note of the information provided by the State party, but requests information on measures taken to establish a Turkish school in Limassol since the adoption of the concluding observations, and on whether additional surveys have been conducted since 2005. The Committee reiterates its recommendations.

**Recommended action:** A letter should be sent reflecting the analysis of the Committee.

**Next periodic report:** 2 April 2020

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