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Cyprus*

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I. Land and people

A. Geography

1. Cyprus is the third largest island in the Mediterranean Sea with an area of 9251 sq. km, 33⁰ east of Greenwich and 35⁰ north of the Equator.
2. It is situated in the northeastern Mediterranean, approximately 360 km east of Greece, 300 km north of Egypt, 105 km west of Syria and 75 km south of Turkey.
3. Cyprus has mainly mountainous terrain, with the Pentadaktylos mountain range in the north and the Troodos mountain range in the south-west. Cyprus' highest peak is Mount Olympus (at 1953 m) in the Troodos range. The largest plain, Mesaoria, is situated in between the two ranges.
4. The climate is temperate (Mediterranean). Two-thirds of the average annual rainfall of 500 mm occurs between December and February. Periodically, the country suffers from drought.

B. Historical background

5. Cyprus' history spans nine millennia. In the second millennium B.C., the Achaean Greeks established city-kingdoms based on the Mycenaean model, introducing the Greek language and culture, preserved to this day despite the vicissitudes of history.
6. Cyprus was well known in the ancient world for its copper mines and forests. Its geostrategic position, at the crossroads of three continents, as well as its wealth, accounted for a succession of conquerors, including the Assyrians (673–669 B.C.), the Egyptians (560–545 B.C.) and the Persians (545–332 B.C.).
7. During the fifth century B.C., there was considerable interaction between Athens and the Cypriot city-states, particularly Salamis.
8. After the breakup of Alexander the Great's empire, who had liberated the island from Persian rule, Cyprus became a part of the Ptolemaic empire of Egypt. The Hellenistic period ended in 58 B.C. with the arrival of the Romans.
9. In 45 A.D. Christianity was introduced to Cyprus by Apostles Paul and Barnabas, a Cypriot.
10. In 330 A.D. Cyprus became part of the Eastern Section of the Roman Empire, and later (395 A.D.) of the Byzantine Empire until the 12th century A.D.
11. During the Crusades, Cyprus was conquered by Richard the Lionheart of England (1191) who then sold the island to the Knights Templar. Between 1192–1489, the Frankish Lusignans established a Kingdom introducing the western feudal model. Cyprus was then ruled by the Republic of Venice until 1571, when the island was conquered by the Ottomans. The Ottoman occupation lasted until 1878 when Cyprus was ceded to Britain. In 1923, under the Treaty of Lausanne, Turkey relinquished every right to Cyprus and recognised Cyprus' annexation to Britain, already proclaimed by the British Government in 1914.
12. After a long but unsuccessful peaceful political and diplomatic effort, which included the 1950 referendum for self-determination, in 1955 the Greek Cypriots took up arms against the colonial power.

13. During the anti-colonial struggle, the colonial government's "divide-and-rule" policy caused for the first time, severe fractures between the Greek Cypriot community and the Turkish Cypriot community on the island.

14. On 16 August 1960, on the basis of the Zurich-London Agreements, Cyprus became an independent Republic.

15. On 1 May 2004 the Republic of Cyprus became a Member State of the European Union.

C. Population

16. The total population of Cyprus (end of 2006) was 867.600.

17. Population distribution by ethnic group: 75,1% Greek Cypriots; 10,2% Turkish Cypriots; 0,3% Armenians; 0,6% Maronites; 0,1% Latins; and 13,7% others, i.e., foreign residents, mainly British, Greek, other Europeans, Arabs and Southeast Asians. (Note: These figures do not, of course, include the settlers, approximately 150–160 thousands illegally, transferred from Turkey since the 1974 Turkish invasion in order to alter the demographic structure of Cyprus, in contravention to international law, and the Turkish occupation forces (approximately 35,000 troops). An estimated 57,000 Turkish Cypriots have emigrated since 1974.

18. As a result of the Turkish invasion and continuing occupation 37% of the territory of the Republic of Cyprus, the Greek Cypriots were forcibly expelled by the invading army from the northeastern area it occupied and are now living in the Government-controlled area. Almost all the Turkish Cypriots in the southeast were forced by their leadership to move to the area occupied by Turkish troops. Prior to the Turkish invasion, the two communities lived together in roughly around the same proportion of four Greeks to one Turk in all the six administrative districts. The vast majority of the 22,000 Greek and Maronite Cypriots who remained enclaved in the area occupied by the Turkish army were subsequently expelled. By the end of 2007 their numbers had dwindled to a mere 511, mostly elderly, Greek (369) and Maronite (142) Cypriots.

19. The policies and practices pursued by Turkey in the occupied area since its invasion of Cyprus constitute one of the first examples of ethnic cleansing in post World-War II Europe.

D. Area under the effective control of the Government of the Republic

20.	Population in the Government controlled area (2006 end):	778.700
	Males:	383.400
	Females:	395.300

21.	Population distribution by age (2006 end):	
	0–14 years:	17,9%
	15–64 years:	69,8%
	65 + years:	12,3%

22.	Percentage of population (2006 end) in:	
	Urban areas:	69,7%
	Rural areas:	30,3%

23. Working population as a percentage of the population aged 15+ (2007): 61,9%.
24. The official languages of the country are Greek and Turkish. Nearly all Greek Cypriots are Christian-orthodox; Turkish Cypriots are Moslems; members of the Armenian, Maronite and Latin minorities adhere to their own Christian denominations and under Article 2 par. 3 of the Constitution, have opted to belong to the Greek Community of Cyprus.

E. Economy

25. The Cyprus economy is based on the free market system. The private sector is the backbone of economic activity. The government's role is basically limited to safeguarding a transparent framework for the operation of the market mechanism, the exercise of indicative planning and the provision of public utilities and social services.
26. Although the blow inflicted on the economy by the Turkish invasion of 1974 was devastating (the occupied part at that time accounted for almost 70% of GDP), recovery was remarkable. The decline in the volume of production experienced during 1974 was quickly reversed and by 1977 it surpassed its pre-1974 level. Business confidence returned followed by a sharp upturn of investment. By 1979 conditions of full employment were restored. The rate of unemployment, which approached 30% of the economically active population during the second half of 1974, had been virtually eliminated (1.8%) and the refugees were temporarily re-housed, pending their return to their ancestral homes.
27. In more recent years (1997–2006) the economy has been growing at an average rate of 3,5% in real terms. During 2007 GDP was expected to reach the 15.490,2 million euro mark while the rate of inflation during 2006 stood at 2,5%. Near full employment conditions have prevailed consistently for the past few years with 4,5% of the economically active population registered unemployed in 2006.
28. The per capita GDP at purchasing power standards for 2007 stands at 91,6% of EU average (27 countries). The per capita income today is one of the highest in the region with USD 15,188.
29. In the post-1974 period the economy underwent major structural changes. The manufacturing sector accounted for growth during the second half of the 1970s and the early 1980s, overtaken by the tourism sector in the late 1980s and by other service sectors in the early 1990s. These structural changes were reflected in a corresponding differentiation of the above-mentioned sectors regarding their contribution to GDP and gainful unemployment. Cyprus has gradually been converted from an underdeveloped country, in which the importance of the primary sectors was dominant, into a service-oriented economy.
30. International trade is of considerable importance to the economy of Cyprus. On the production side, the lack of raw materials, energy resources and heavy industry for the production of capital goods necessitates their import. On the demand side, because of the small size of the domestic market, exports are vital in supplementing aggregate demand for Cypriot agricultural, manufactured products and services. The main economic partners of Cyprus are the European Union, neighbouring Middle-East countries and Eastern Europe.
31. The main characteristic of the balance of payments position is a wide deficit in the trade balance, which in several years was more than offset by invisible earnings from tourism, international transportation, offshore activities and other services.
32. On 1 May 2004 Cyprus became a full member of the European Union. The compliance with the *acquis communautaire*, which included among other things the liberalisation of the capital account, was accomplished very smoothly. The political

uncertainty which prevailed in Cyprus in April 2004 just before and after the Annan Plan referendum, together with the full capital account liberalisation upon accession, were the main reasons for the outbreak of rumours of a possible devaluation of the Cyprus pound. The Central Bank of Cyprus reacted to these rumours, which caused limited but persistent capital outflows, by comments by the Governor intended to send appropriate signals, as well as by increasing interest rates by 100 basis points. Following these measures, capital outflows returned to normal levels.

33. During the second half of 2004 the Cyprus economy showed signs of recovery, while the rate of inflation rose moderately due to a significant increase in the price of oil. In February 2005 the Monetary Policy Committee (MPC) decided to cut interest rates by 25 basis points following further fiscal consolidation.

34. On 2 May 2005 the Cyprus pound joined ERM II, at the pre-existing central parity of $\text{CY}\text{£}1=\text{€}1,7086$ ($\text{€}1=\text{CY}\text{£} 0,585274$) and at the pre-existing fluctuation margins of $\pm 15\%$. The participation of the pound in ERM II confirmed its sustainability, therefore satisfying the appropriate prerequisite for interest rate convergence. Indeed, in two consecutive meetings of the Monetary Policy Committee in May and June 2005, interest rates were reduced by 50 basis points in each case.

35. On 10 July 2007 the EU Council of Finance Ministers approved Cyprus adoption of the euro as from 1 January 2008 and decided that the Cyprus pound exchange rate vis-à-vis the euro will be fixed at the central parity of $\text{€}1=\text{CY}\text{£} 0,585274$. This decision was the result of Cyprus' commitment to a prudent exchange rate policy framework along with disciplined monetary and fiscal policies.

36. Hence, on January 1 2008 the Cyprus pound was replaced by the euro as the legal tender money of Cyprus at the irrevocable fixed exchange rate $\text{€}1=\text{CY}\text{£} 0,585274$.

F. Socio-economic indicators

37. Life expectancy (2004/2005):

Males:	77,0
Females:	81,7

38. Infant mortality per 1000 live births (2006): 3,1

39. Total fertility rate (2006): 1.44

40. Literacy rate for ages 15 and over (2001 census):

Both sexes:	97%
Males:	99%
Females:	95%

41. Gross National Product (2006): 13.937,3 million euro

42. Rate of inflation (2006): 2,5%

43. External public debt (2006): 2.041,03 million euro

44. Unemployment rate (2006):

Both sexes:	4,5%
Males:	3,9%
Females:	5,4%

45. Persons per doctor (2006): 395

46. Persons per hospital bed (2006): 269

47. Telephone lines per 1000 population (2006): 495

48. Passenger cars per 1000 population (2006): 484

Note: Due to the presence of the Turkish army, the Government of the Republic of Cyprus is prevented from exercising effective control in the occupied areas and therefore official figures in respect of the occupied areas of Cyprus are not available.

II. General political structure

A. Recent political history and developments

49. The Republic of Cyprus was established on 16 August 1960, with the coming into force of three main treaties and its Constitution, which have their origin in the Zurich Agreement of 11 February 1959 between Greece and Turkey, and the London Agreement of 19 February 1959 between Greece, Turkey and the United Kingdom. The Constitution of the Republic, together with the treaties, provided the legal framework for the existence and functioning of the new state. The three main treaties are:

(a) The Treaty concerning the Establishment of the Republic of Cyprus signed by Cyprus, Greece, Turkey and the United Kingdom. This provided for the establishment of the Republic of Cyprus and, inter alia, for the creation and operation of two British military base areas in Cyprus; the co-operation of the Parties for the common defence of Cyprus; and the recognition and respect of human rights of everyone within the jurisdiction of the Republic comparable to those set out in the European Convention of Human Rights (UN Treaty Series, vol. 382 (1960) no. 5476);

(b) The Treaty of Guarantee signed by Cyprus, the United Kingdom, Greece and Turkey by which the independence, territorial integrity and security of the Republic of Cyprus, as well as the state of affairs established by the Basic Articles of its Constitution, are recognised and guaranteed (UN Treaty Series, vol. 382 (1960) no. 5475).

(c) *The Treaty of Alliance* signed by Cyprus, Greece and Turkey, aiming at protecting the Republic of Cyprus against any attack or aggression, direct or indirect, directed against its independence or its territorial integrity (UN Treaty Series, vol. 397 (1961) no. 5712).

50. *The Constitution* of Cyprus, whilst establishing an independent and sovereign Republic was, in the words of de Smith, an authority in constitutional law, “Unique in its tortuous complexity and in the multiplicity of the safeguards that it provides for the principal minority, the Constitution of Cyprus stands alone among the constitutions of the world” (S.A. de Smith, “The new commonwealth and its constitutions”, London, 1964, p. 296).

51. Therefore it was no surprise that, within less than three years, abuse of safeguards by the Turkish Cypriot leadership led to a total dysfunction of the Constitution, and thus dictated the proposals for constitutional amendments submitted by the President of the Republic, which were however, immediately rejected by the Turkish Government and subsequently by the Turkish Cypriot leadership.

52. Turkey, in furtherance of its designs based on territorial aggrandizement, instigated the Turkish Cypriot leadership’s insurrection against the state, forced the Turkish Cypriot members of the executive, legislature, judiciary and the civil service to withdraw from their posts and created military enclaves in Nicosia and other parts of the island.

53. As a result of the above and the intercommunal violence that ensued, the Security Council of the United Nations was seized with the situation and by resolution 186 of 4 March 1964. A Peace Keeping Force (UNFICYP) was sent to Cyprus and a Mediator appointed. In his report (S/6253, A/6017, 26 March 1965) the Mediator, Dr Galo Plaza, criticized the 1960 legal framework and proposed necessary amendments which were again immediately rejected by Turkey; a fact which resulted in serious deterioration of the situation with constant threats by Turkey against the sovereignty and territorial integrity of Cyprus. This culminated in a series of UN resolutions calling, inter alia, for respect of the sovereignty, independence and territorial integrity of Cyprus.

54. The Secretary-General of the United Nations in 1965 described the policy of the Turkish Cypriot leaders as being rigidly against any measures which might involve having members of the two communities live and work together, or which might place Turkish Cypriots in situations where they would have to acknowledge the authority of Government agents. Indeed, since the Turkish Cypriot leadership is committed to physical and geographical separation of the communities as a political goal, it is not likely to encourage activities by Turkish Cypriots which may be interpreted as demonstrating the merits of an alternative policy. The result has been a seemingly deliberate policy of self-segregation by the Turkish Cypriots. (Report S/6426 10.6.65).

55. Despite this policy, a certain degree of normality gradually returned to Cyprus and by 1974, with the active encouragement of the Government, a large proportion of Turkish Cypriots were living and working alongside with their Greek Cypriot fellow citizens.

56. Using as a pretext the coup d'état of 15 July 1974, instigated by the then Greek military junta against the Cyprus Government, Turkey invaded the island on 20 July 1974. 40,000 Turkish troops landed on the island, in violation of the Charter of the UN, the Treaties of Guarantee, Establishment and Alliance and the relevant principles and norms of international law.

57. As a result, approximately 36% of the territory of the Republic remains occupied. 40% of the Greek Cypriot population, representing 82% of the population of the occupied part of Cyprus, was forcibly expelled. Thousands of people, including civilians, were wounded, ill-treated or killed. Moreover, the fate of hundreds of Greek Cypriots, including women and children and other civilians, many of whom were known to have been captured by the Turkish army, remains unaccounted for.

58. As part of the concerted Turkish policy of changing the character of the areas of the island under its occupation, a systematic destruction of the cultural and religious heritage of Cyprus in the occupied area started taking place, and which still continues to this very day.

59. Most worryingly, since 1974, Turkey has pursued a systematic state policy of illegal colonization in the Turkish-occupied area, resulting in a drastic demographic change, whereby a substantial portion of the population now consists of settlers. Today 160,000 settlers reside in the occupied part of Cyprus, 110,000 of whom are of Turkish nationality. In addition, there is a permanent presence of 40,000 Turkish occupation troops.

60. Over the same period, a total of 57,000 Turkish Cypriots emigrated from Cyprus. In fact the number of Turkish Cypriots in the occupied part of Cyprus has actually decreased from 116,000 in 1974 to 88,000 at present. A natural population increase would have brought this figure up to 153,578.

61. A series of United Nations General Assembly and Security Council resolutions condemned the invasion of Cyprus; the continuing military occupation; the colonisation; the secessionist acts that followed; demanded the return of the internally displaced persons

to their homes in safety, as well as the tracing of the missing persons; urged the speedy withdrawal of all foreign troops; and called for respect of the human rights of the Cypriots.¹

62. Despite repeated calls of the International community, Turkey refused to abide by its international obligations.

63. On 15 November 1983, the illegal subordinate local administration of Turkey in the occupied part of Cyprus, issued a unilateral declaration purporting to create an independent state ("TRNC"). Turkey immediately accorded recognition to the secessionist entity. However, this entity has not been recognised by any other state. Further secessionist acts followed. United Nations Security Council Resolutions 541(1983) and 550(1984) condemned the unilateral declaration and all subsequent secessionist acts; declared them illegal and invalid and called for their immediate withdrawal. The resolutions also called on all states not to recognise the secessionist entity and not to facilitate or in any way assist it.

64. The European Commission of Human Rights, also seized with the situation, found the Government of Turkey responsible for gross, massive and continuing violations of human rights in Cyprus, including murders, rapes, expulsions and refusal to allow more than 180.000 Greek Cypriot refugees, almost one third of the entire population, to return to their homes and properties in the occupied part of Cyprus (pl. see Report of 10 July 1976 on Applications of Cyprus against Turkey No 6780/74 and 6950/75, and Report of 4 October 1983 on Application of Cyprus against Turkey No 8007/77 of the European Commission of Human Rights).

65. In addition The European Court of Human Rights in the case of *Cyprus v. Turkey* (application no. 25781/94) has pronounced on the overall legal consequences of Turkey's invasion and continued military presence in Cyprus. The Court's 10 May 2001 decision has reiterated a number of basic principles, namely that:

(a) The Government of the Republic of Cyprus is the sole legitimate Government of Cyprus;

(b) The international community and the Court do not consider the "TRNC" as a state under international law;

(c) Turkey's subordinate local administration in northern Cyprus survives by virtue of Turkish military occupation and other support;

(d) Turkey, having "effective overall control over northern Cyprus" is responsible for all human rights violations by her own soldiers, officials or the local administration.

¹ See inter alia *General Assembly res.* 3212 (XXIX) 1 Nov. 1974; 3395 (XXX) 20 Nov. 1975; 31/12(1976) 12 Nov. 1976; 32/15 (1977) 9 Nov. 1977; 33/15(1978) 9 Nov. 1978; 34/30 (1979) 20 Nov. 1979; 37/253 (1983) 13 May 1983; *Security Council res.* 353(1974) 20 July 1974; 354(1974) 23 July 1974; 355(1974) 1 August 1974; 357(1974) 14 August 1974; 358(1974) 15 August 1974; 359(1974) 15 August 1974; 360(1974) 16 August 1974; 361(1974) 30 August 1974; 364(1974) 13 Dec. 1974; 365(1974) 13 Dec. 1974; 367(1975) 12 March 1975; 370(1975) 13 June 1975; 414(1977) 15 Sept. 1977; 440(1978) 27 Nov. 1978; 541(1983) 18 Nov. 1983; 550(1984) 11 May 1984; 649(1990) 12 March 1990; 716(1991) 11 Oct. 1991; 750(1992) 10 April 1992; 774(1992) 26 Aug. 1992; 789(1992) 25 Nov. 1992; 939(1994) 29 July 1994; 969(1994) 21 Dec. 1994; 1000(1995) 23 June 1995; 1032(1995) 19 Dec. 1995; 1062(1996) 28 June 1996; 1092(1996) 23 Dec. 1996; 1117(1997) 27 June 1997; 1146(1997) 22 Dec. 1997; 1178(1998) 29 June 1998; 1179(1998) 29 June 1998; 1217(1998) 22 Dec. 1998; 1218(1998) 22 Dec. 1998; 1250(1999) 26 June 1999; 1251(1999) 29 June 1999; 1283 (1999) 15 December 1999; 1303 (2000) 14 June 2000; 1331 (2000) 13 December 2000; 1354 (2001) 12 June 2001; 1384 (2001) 13 December 2001.

66. The European Court of Human Rights has also pronounced important judgments upon individual applications of Cypriots. On 18 December 1996 the Court, in its judgment in the case of *Loizidou v. Turkey*, found that the applicant, Mrs Titina Loizidou, a Cypriot citizen, remained the legal owner of her property in the town of Kyrenia, in the area of Cyprus occupied by the Turkish forces and that Turkey is and continues to be in breach of Article 1 of Protocol No 1 of the European Convention for the Protection of Human Rights and Fundamental Freedoms by her complete negation of the applicant's rights in the form of total and continuous denial of access and purported expropriation without compensation.

67. On July 29, 1998 the European Court of Human Rights ordered Turkey to pay pecuniary damages of C£300,000 to Mrs Loizidou, a further C£20,000 for non-pecuniary damage and C£137,084 for her costs and expenses. Turkey refused to comply with the Court's ruling for a number of years, and despite paying the damages in December 2003 Ankara has yet to comply with the judgment that grants full enjoyment and access to the applicant's property.

68. Due to the continuing Turkish occupation, it is evident that the Government of the Republic of Cyprus is prevented by armed force from exercising its authority and control and ensuring implementation and respect of human rights in the occupied area.

69. In its search for a peaceful solution, the Cyprus Government, despite the continuing illegal occupation, agreed to intercommunal talks being held on the basis of the aforesaid UN resolutions and through the good offices mission of the UN Secretary General. Such efforts are being exerted towards that direction until today. Success has not been possible, thus far, because of the Turkish partitionist policies.

70. The Cyprus Government aims at a just, viable, comprehensive and functional solution under a bizonal, bicommunal federal structure that will guarantee the independence, territorial integrity, unity and sovereignty of Cyprus, free from occupation troops and illegal settlers; a solution that will reunify the island and which would ensure full respect of human rights and fundamental freedoms for all Cypriots, irrespective of ethnic origin or religion.

B. The Constitutional structure

71. The Constitution provides for a presidential system of government with a president who has to be Greek and a Vice-President who has to be a Turk, elected by the Greek and Turkish Communities of Cyprus respectively for a fixed five year term (Article 1).

72. The President and the Vice-President of the Republic ensure the exercise of the executive power by the Council of Ministers or of the individual ministers. The Council of Ministers, which comprises 7 Greek and 3 Turkish Cypriot ministers, nominated by the President and the Vice-president respectively, but appointed by them jointly, exercises executive power in all matters other than those which, under express provisions of the Constitution, fall within the competencies of the president and Vice-president and the Communal Chambers (Article 54).

73. A unicameral House of Representatives is provided for by the Constitution as the legislative body of the Republic composed of 50 representatives, 35 elected by the Greek Community and 15 by the Turkish Community for a five year term with a Greek Cypriot President and a Turkish Cypriot Vice President elected separately.

74. The House of Representatives exercises the legislative power in all matters except those expressly reserved for the Communal Chambers under the Constitution (Article 61).

75. Two Communal Chambers were also envisaged by the Constitution to exercise legislative and administrative power in certain restricted subjects, such as religious affairs,

educational and cultural matters, as well as over communal taxes and charges levied to provide for the needs of bodies and institutions under the control of the Chamber (Article 86 to 90).

76. The Constitution provided for a Supreme Constitutional Court consisting of a neutral President and a Greek and a Turkish judge appointed by the President and the Vice-President of the Republic and a High Court consisting of two Greek judges, one Turkish judge and one neutral President, all similarly appointed.

77. The Supreme Constitutional Court was vested with jurisdiction in all constitutional and administrative law matters. The High Court is the highest appellate court, it has revisional jurisdiction and the power to issue orders in the nature of habeas corpus and other prerogative writs. Ordinary civil and criminal jurisdiction in the first instance is vested in the Assize and District Courts. The Constitution prohibits the setting up of judicial committees or exceptional or special courts under any guise.

78. The independent officers of the Republic are the Attorney General and his/her Deputy, the Auditor-General and his/her Deputy and the Governor and Deputy-Governor of the Central Bank. All are appointed by the President and Vice-President on a community basis. The public service of the Republic should be composed of 70% Greek Cypriots and 30% Turkish Cypriots with a Public Service Commission similarly composed, responsible for appointments, promotions, discipline etc.

79. Both communities were given the right to maintain a special relationship with Greece and Turkey, including the right to receive subsidies for educational, cultural, athletic and charitable institutions and of obtaining and employing schoolmasters, professors or clergymen provided by the Greek or Turkish Government (Article 108).

80. The entrenched communal character of the Constitution was confirmed by the voting system. All elections were to be conducted on the basis of separate communal electoral lists (Articles 63 and 94) and separate voting (Articles 1, 39, 62, 86, 173 and 178). Elections are now based on the proportional representation principle.

81. The withdrawal of the Turkish Cypriot officials and civil servants and their refusal to exercise their functions rendered governance, in accordance with certain constitutional provisions, impossible.

82. Matters came to a head when the neutral Presidents of the Supreme Constitutional and High Courts resigned in 1963 and 1964 respectively and, therefore neither Court could function. It should be noted that the Turkish Cypriot judges in both the superior and district courts remained in their posts until 1966 when they were forced by the Turkish Cypriot leadership to leave the bench whereupon half of them fled abroad.

83. The above situation necessitated the introduction of remedial legislative measures. Thus a new Administration of Justice (Miscellaneous Provisions) Law of 1964 was enacted creating a new Supreme Court, which took over the jurisdiction of both the Supreme Constitutional Court and the High Court. The first President of the Supreme Court was the Turkish Cypriot, most senior judge of the High Court. The same law reconstituted the Supreme Council of the Judicature which is the body that ensures the independence of the judiciary.

84. The constitutionality of the Administration of Justice (Miscellaneous Provisions) Law, 1964 was challenged before the Supreme Court which, in the case of the *Attorney General of the Republic v. Mustafa Ibrahim* (1964) (Cyprus Law Reports p.195) decided that the Law was justified under the doctrine of necessity in view of the abnormal situation prevailing in Cyprus. Thereafter the administration of justice reverted to normal.

85. Other main areas where, on the basis of the same doctrine, legislative action remedied the similar situations were the Communal Chamber, the Public Service, Commission and membership of the House of Representatives.

III. General legal framework within which human rights are protected

86. The basis of the legal system of Cyprus is the common law and the principles of equity applicable at the time of independence as amended or supplemented thereafter by the Republic's statutes and case law. Independence also saw the introduction and development of the continental administrative and constitutional law.

87. It was natural for Cyprus, a country with a long history and tradition of civilisation and culture, to accord, immediately after independence from colonial rule, vital importance to international law and particularly to human rights norms. Given the superior force of international instruments, international human rights law enriched and reinforced the body of municipal law that protects human rights and liberties. One of the first tasks of the new Republic was, therefore, to examine treaties extended to it by Britain and notify as appropriate succession thereto, whilst examining existing human rights regional and universal instruments and ratifying or acceding to nearly all of them, a policy that continues to date.

88. Central in the conduct of international relations of Cyprus is the recognition of the predominance of international law, the purposes and principles of UN Charter and particularly the peaceful settlement of disputes based on respect of human rights and fundamental freedoms.

89. Cyprus has become a party to the majority of the core and other international instruments relating to human rights adopted at the universal and European regional level. The standards and obligations arising from these instruments are part of the legal framework of Cyprus. An updated List of International Human Rights Instruments to which Cyprus is a party is appended hereto (See Appendix hereto).

90. The constitutional structure of Cyprus, whilst embodying all norms necessary for the promotion of human rights and securing the separation of powers particularly the independence of the judiciary, is permeated by communalism leading to separatism even to polarisation.

91. The 1960 Constitution, the supreme law of the Republic, is the main instrument that recognises and protects human rights. Part II of the Constitution entitled "Fundamental Rights and Liberties" incorporates and expands upon the Universal Declaration and the European Convention on Human Rights.

92. Although the legislative, executive and judicial authorities are all enjoined by Article 35 of the Constitution to secure, within the limits of their respective competence, the efficient application of human rights, it is the totally independent judiciary that is the ultimate protector of human rights and liberties.

93. All laws and especially Criminal Law and Procedure must and do protect fundamental rights. Any law that violates in any way human rights will, and in many instances such laws or provisions thereof, upon a finding of inconsistency, were, declared by the Supreme Court unconstitutional.

94. Any restrictions or limitations of the human rights guaranteed under the Constitution have to be provided by law and have to be *absolutely* necessary only in the interests of the security of the Republic, or the constitutional order or the public safety, or the public order

or the public health, or for the protection of the rights guaranteed by the Constitution to any person. Provisions relating to such limitations or restrictions should be interpreted strictly. The Supreme Constitutional Court in the case of *Fina Cyprus Ltd v. The Republic* (RSCC, vol. 4, p33) decided that legislation involving interference with the Fundamental Rights and Liberties safeguarded under the Constitution and their construction is governed by the settled principle that such provisions should be construed in case of doubt in favour of the said rights and liberties.

95. Wherever positive action was contemplated by the Constitution or other instruments in respect of certain, mainly social, economic or cultural rights, such action should be taken within reasonable time.

96. The remedies available to an individual who claims that his rights have been violated are the following:

- (a) Right of petition and hierarchical recourse;
- (b) Recourse to the Supreme Court for the annulment of any decision, act or omission of an organ or authority (both original and revisional jurisdiction);
- (c) Raising by a party to any judicial proceedings of the question of unconstitutionality of any law or decision whereupon the Court is obliged to reserve the question for the decision of the Supreme Court and stay the proceedings;
- (d) Civil action for compensation, restitution and declaratory judgment. In case of possible irreparable damage an injunction may be granted;
- (e) Private criminal prosecution;
- (f) Right of appeal in both civil and criminal cases;
- (g) The prerogative writs of habeas corpus, certiorari, prohibition, mandamus and quo warranto;
- (h) Courts exercising criminal jurisdiction may award compensation to victims of crimes up to, in the case of Assize Courts, C£ 3000;
- (i) The Republic is also liable for any wrongful act or omission causing damage committed in the exercise or purported exercise of the duties of its officers or authorities;
- (j) The Council of Ministers may set up a Commission of Inquiry to investigate and report on serious allegations of misconduct including violations of human rights;
- (k) The House of Representatives and its Committees in the exercise of their functions, including parliamentary control, consider, in many occasions, allegations or situations that involve abuse of human rights;
- (l) The Attorney-General of the Republic has a special responsibility to ensure the observance of legality and the rule of law and may often *proprio motu* or at the instance of a complainant order inquiries or advise on remedies;
- (m) The Commissioner for Administration (Ombudsman) has, *inter alia*, competency to investigate complaints by an individual whose rights have been violated by the Administration or where the latter has acted contrary to law or in circumstances amounting to mal-administration; In addition, due to the expansion of his competences, the Commissioner for Administration investigates complaints of gender discrimination;
- (n) The National Institution for the Protection of Human Rights is mandated with investigating complaints submitted by individuals with regard to violations of human rights and reporting to the authorities directly concerned. Specific remedial action is also recommended to the competent authorities on each occasion. The President of the said

Institution has also the prerogative to conduct *ex officio* investigations without prior complaint if s/he should decide that there is sufficient ground;

(o) An individual, having exhausted local remedies, may have recourse or submit a communication under the optional procedures of various international human rights instruments such as: the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD); Optional Protocol to the Convention on the Elimination of all forms of Discrimination Against Women; the European Convention on Human Rights; the (first) Optional Protocol to the International Covenant on Civil and Political Rights; the International Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;

(p) Cyprus has also accepted the compulsory jurisdiction of the European Court of Human Rights and the optional clause of compulsory jurisdiction of article 36(2) of the Statute of the International Court of Justice.

97. In case of war or public danger threatening the life of the Republic or any part thereof, certain of the fundamental rights guaranteed under and specified by the Constitution may be suspended during the period of the emergency by a proclamation of emergency issued by the Council of Ministers. Such proclamation must be laid forthwith before the House of Representatives which has the power to reject it. The rights that may be suspended are the following:

- (a) Prohibition of forced and compulsory labour;
- (b) The right to liberty and security of person;
- (c) Freedom of movement;
- (d) Inviolability of dwelling house;
- (e) Interference with correspondence;
- (f) Freedom of speech and expression;
- (g) The rights of assembly and freedom of association;
- (h) Right to property, only insofar as prompt payment of compensation for requisitioning is concerned;
- (i) Right to practice any profession or to carry on any business; and
- (j) Right to strike.

98. It should be noted that Cyprus has *never* proclaimed a state of emergency since independence, not even when the country was invaded by Turkey and part of it was and continues to be occupied.

99. International Conventions ratified or acceded to by the Republic are incorporated into the Republic's municipal law and have, as from their publication in the Official Gazette, superior force to any municipal law. Such conventions are directly applicable in the Republic and can be, and are in fact, invoked before, and directly enforced by the Courts and administrative authorities (of Decision of the Supreme Court in civil appeal number 6616, *Malachtou v. Aloneftis*, 20 January 1986). When an international convention contains non-self executing provisions, the Legislature has a legal obligation to enact appropriate legislation in order to harmonise the municipal law with the convention and make the latter fully enforceable.

100. Furthermore, the Law Commissioner, an independent officer responsible for the updating of legislation (the present holder of the post is the former Head of the EU Department of the Law Office of the Republic), is also charged with ensuring compliance

of Cyprus' reporting obligations under human rights international instruments as well as identifying areas of inconsistency of municipal law and administrative practice with such instruments and international law standards in the field of human rights and proposing necessary action.

101. Cyprus is a practicing pluralist democracy with absolute respect for the rights and freedoms of the individual. It continuously strives to achieve more progress in the field of human rights by overcoming difficulties chief of which is the continued foreign occupation of more than a third of its territory. Through instruction and education and other positive action by the state it combats the remnants of prejudice especially in respect of the equality of sexes.

102. There are several non-governmental organisations covering all sectors of life including human rights associations. There are also a number of statutory bodies such as the one for the Promotion and Protection of Women's Rights, the tripartite Labour Advisory Board and the Prices and Incomes Board.

103. The role of the mass media in the promotion and protection of human rights is considerable. The Press is entirely free and the several daily, weekly and other newspapers and periodicals are privately owned. The same applies to radio and television broadcasting where only one radio and television station is state-owned but is run by an independent corporation.

IV. Information and publicity

104. All international conventions and treaties to which Cyprus becomes party are published in the Official Gazette. Appropriate publicity is given to them in the media, printed and electronic press, including the acceptance of the right, under optional procedures, to petition or address communication to human rights organs.

105. Human rights are considered a particularly important issue and special action is always taken to promote awareness among the public, and the relevant authorities, of the rights contained in the various human rights instruments. Awareness, as the necessary precondition to, inter alia, claiming ones' rights and prevention of abuses, is pursued mainly through education by including the teaching of human rights in the curricula at all levels of education, at teachers' and police training academies, parents' guidance and other similar institutions.

106. The Government, the media and the private sector publish books and pamphlets on the issue of the protection of human rights, as well as on the question of their violation of human rights. Posters and brochures are distributed to public establishments, schools, youth centres and organisations. Special press releases regarding human rights are issued as necessary covering both local and international developments, including conferences, seminars, lectures, colloquies and other similar events. Articles on human rights frequently appear in the newspapers and in specialized publications, including those of the Bar Association and Human Rights Organisations.

V. Latest developments concerning the Cyprus question

107. Despite the changes in the international landscape since the 1974 Turkish invasion and occupation of 36% of Cyprus, the nature of the political problem remains intact; it is a problem of use of force against a sovereign state, an invasion, of forcible division resulting from foreign aggression and occupation, of massive and persistent violations of human rights, of destruction of religious and cultural property, of unlawful colonization and

change of demography, of usurpation and illegal exploitation of property, of forcible segregation of the population, and of continuing secessionist efforts to project the existence of a separate entity in the occupied area.

108. On 3 September 2008 fully-fledged negotiations on the Cyprus problem, under the auspices of the United Nations, commenced between the leaders of the two communities, President of the Republic, Mr. Demetris Christofias, and leader of the Turkish Cypriot community, Mr. Mehmet Ali Talat. The reunification of Cyprus is to be based on a bizonal, bicomunal federation, as envisaged by the 1977 and 1979 High Level Agreements, with a single sovereignty, single citizenship, single international personality, territorial integrity and political equality, as defined by the relevant UN Security Council Resolutions. Such a solution must be compatible with the principles on which the EU is founded, and in accordance with international law, including the UN Resolutions on Cyprus.

109. Cyprus' accession to the European Union in 2004 is a new dimension in the efforts to reach a settlement. Although the overall framework remains within the UN, the contribution of the EU has become, more than ever before, essential. EU principles and values should be fully integrated in a future political settlement and the *acquis communautaire* should safeguard the smooth functioning of the state, protect the human rights of all citizens and ensure the quality of life that all European citizens today enjoy.

110. It is in this context that Cyprus has consented to the commencement of EU accession talks with Turkey in December 2004, a key player in any settlement to the Cyprus problem, since it continues to occupy over a third of Cyprus, a Member State. The Government was prompted in that decision in the belief that this process will serve the *bona fide* interests of Cyprus, as well as the mutual benefit of all parties involved, namely Turkey and the EU. The Government's inclination was that the accession course of Turkey to the EU would elicit a catalytic effect producing the necessary political will on Ankara's behalf and change her perception of Cyprus from that of an adversary to that of a partner, a valuable neighbour and a potential ally in the EU. This change in attitude would render anachronistic those considerations that have led her to maintain her occupation army in Cyprus and which have stoked her confrontational approach.

111. Meanwhile, the Government of Cyprus has unilaterally adopted, in 2003, a package of measures for the benefit of the Turkish Cypriots, described as generous by the international community and has led to tangible economic and other benefits to the Turkish Cypriots.

112. These measures, totally 35 million euros per annum, include free medical and pharmaceutical care and other social benefits for the Turkish Cypriots, who have the opportunity to acquire, have access to, and make full use of their rights as citizens of the Republic of Cyprus, as well as the benefits arising from the accession of Cyprus to the European Union.

113. In April 2003 the occupation regime partially lifted the restrictions it imposed on the movement of persons to and from the occupied areas. Since then more than 13,000,000 crossings across the ceasefire lines have taken place bearing witness to the bankruptcy of the Turkish policy of separation.

114. More than 10,000 Turkish Cypriots cross every day to work in the area under the effective control of the Government of Cyprus (a figure representing more than 12% of the population of Turkish Cypriots living in the occupied areas), earning about \$150 million per year.

Appendix

Indicative list of International Human Rights Instruments to which the Republic of Cyprus is a party (OLC/HRI/Rev.4)

*Records extracted from the
“Index of Treaties and other International Agreements, 1960–2009”,
maintained by the Office of the Law Commissioner,
situation as at 29 July 2009*

Office of the Law Commissioner Nicosia, 2009

Introductory note

This is a non-exhaustive compilation of binding universal and regional human rights instruments to which the Republic of Cyprus is a party. The List of universal instruments includes those developed under the auspices of the United Nations, the ILO, UNESCO, ICAO and other. The List of regional instruments includes those developed under the auspices of regional institutions, namely the Council of Europe, the European Community/European Union and the CSCE/OSCE.

While the Office of the Law Commissioner endeavours to present the most accurate and up to date information, nonetheless errors or omissions in the data in this List may have occurred inadvertently. The fact that an international instrument is not included in the present indicative List is without prejudice to its possible application to the Republic of Cyprus. Supplementary information regarding any individual international instrument can be requested from the Office of the Law Commissioner at the following address: olccommissioner@olc.gov.cy.

With the exception of CSCE/OSCE instruments, the List does not include instruments such as Declarations, principles, guidelines, standard rules, recommendations that have no binding legal effect. Such instruments have an undeniable moral force and provide practical guidance to States in their conduct on human rights affairs since they are declaratory or broadly accepted goals and principles within the international community.

Office of the Law Commissioner
Nicosia, July 2009

A. Universal instruments

Charter of the United Nations

International Bill of Human Rights

Instruments concerning specific issues

- Rights of women
- Rights of the child
- Genocide, war crimes, crimes against humanity
- Terrorism
- Torture and other cruel, inhuman or degrading treatment or punishment: Slavery, servitude, forced labour and similar institutions and practices
- Human rights in the administration of justice
- Freedom of information and cultural expressions

Instruments relating to the protection of particular groups

- Aliens, refugees, stateless persons
- Rights of migrants
- Rights of workers (including migrant workers)
- Persons with Disabilities
- Combatants, Prisoners and Civilians
- Protection of Adults

B. Regional instruments

Council of Europe general instruments

Instruments concerning specific issues

- Prevention of Discrimination
- Terrorism
- Torture and Inhuman or Degrading Treatment or Punishment
- Trafficking in Human Beings

Instruments relating to the protection of particular groups

- Rights of children – Family Law
- Protection of victims
- Rights of minorities
- Rights of refugees

European Community/European Union Instruments

CSCE/OSCE instruments

Abbreviations

CETS	Council of Europe Treaty Series
COG	Republic of Cyprus Official Gazette
Law No.	Republic of Cyprus Law Number in the Cyprus Official Gazette
OJ	Official Journal of the European Community/European Union
S.	Supplement
LNTS	League of Nations Treaty Series
UNTS	United Nations Treaty Series
vol.	Volume

A. Universal instruments

Charter of the United Nations

1. Charter of the United Nations

San Francisco, 26 June 1945

Entered into force 24 October 1945

Cyprus admitted to membership 20 September 1960

Depositary: United States/Secretary-General of the United Nations

Publication source: UNTS vol. 1, p. xvi; UNTS vol. 397, p. 283

1.2 Amendments to Articles 23, 27 and 61 of the Charter of the United Nations

New York, 17 December 1963

Entered into force 31 August 1965

Ratified by Cyprus 1 September 1965

Publication source: COG S.I 438, 09.09.1965, p. 609; Law No. 50/1965;

UNTS vol. 557, p. 143

1.3 Amendment to Article 109 of the Charter of the United Nations

New York, 20 December 1965

Entered into force 12 June 1968

Ratified by Cyprus 31 May 1966

Publication source: COG S.I 494, 12.05.1966, p. 341; Law No. 16/1966;

UNTS vol. 638, p. 308

1.4 Amendment to Article 61 of the Charter of the United Nations

New York, 20 December 1971

Entered into force 24 September 1973

Ratified by Cyprus 26 June 1972

Publication source: COG S.I 943, 16.06.1972, p. 537; Law No. 48/1972;

UNTS vol. 892, p. 119

International Bill of Human Rights

2. International Covenant on Economic, Social and Cultural Rights

New York, 16 December 1966

Entered into force 3 January 1976

Ratified by Cyprus 2 April 1969

Depositary: Secretary-General of the United Nations

Publication source: COG S.I 711, 28.02.1969, p. 114; Law No. 14/1969; UNTS vol. 993, p. 3

Objection dated 26 November 2003 with regard to the declarations made by Turkey upon ratification:

“... the Government of the Republic of Cyprus wishes to express its objection with respect to the declarations entered by the Republic of Turkey upon ratification on 23 September 2003, of the International Covenant on Economic, Social and Cultural Rights, New York 16 December 1966.

The Government of the Republic of Cyprus considers that the declaration relating to the implementation of the provisions of the Covenant only to the States with which the Republic of Turkey has diplomatic relations, and the declaration that the Convention is “ratified exclusively with regard to the national territory where the Constitution and the legal and administrative order of the Republic of Turkey are applied” amount to reservations. These reservations create uncertainty as to the States Parties in respect of which Turkey is undertaking the obligations in the Covenant, and raise doubt as to the commitment of Turkey to the object and purpose of the said Covenant.

The Government of the Republic of Cyprus objects to the said reservations entered by the Republic of Turkey and states that these reservations or the objection to them shall not preclude the entry into force of the Covenant between the Republic of Cyprus and the Republic of Turkey.”

3. International Covenant on Civil and Political Rights

New York, 16 December 1966

Entered into force 23 March 1976

Ratified by Cyprus 2 April 1969

Depositary: Secretary-General of the United Nations

Publication source: COG S.I 711, 28.02.1969, p. 122; Law No. 14/1969; UNTS vol. 999, p. 171

Objection by Cyprus dated 26 November 2003, with regard to the declaration made by Turkey upon ratification:

“... the Government of the Republic of Cyprus has examined the declaration made by the Government of the Republic of Turkey to the International Covenant on Civil and Political Rights (New York, 16 December 1966) on 23 September 2003, in respect of the implementation of the provisions of the Convention only to the States Parties which it recognizes and with which it has diplomatic relations.

In the view of the Government of the Republic of Cyprus, this declaration amounts to a reservation. This reservation creates uncertainty as to the States Parties in respect of which Turkey is undertaking the obligations in the Covenant, and raises doubt as to the commitment of Turkey to the object and purpose of the said Covenant. The Government of the Republic of Cyprus therefore objects to the reservation made by the Government of the Republic of Turkey to the International Covenant on Civil and Political Rights.

This reservation or the objection to it shall not preclude the entry into force of the Covenant between the Republic of Cyprus and the Republic of Turkey.”

4. Optional Protocol to the International Covenant on Civil and Political Rights

New York, 16 December 1966

Entered into force 23 March 1976

Ratified by Cyprus 15 April 1992

Depositary: Secretary-General of the United Nations
 Publication source: COG S.I(III) 2694, 26.03.1992, p. 33; Law No. 17(III)/1992;
 UNTS vol. 999, p. 171

5. Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty

New York, 15 December 1989

Entered into force 11 July 1991

Accession by Cyprus 10 September 1999

Depositary: Secretary-General of the United Nations

Publication source: COG S.I(III) 3337, 09.07.1999, p. 76; Law No. 12(III)/1999;

COG S.I(III) 3699, 21.03.2003, p. 429; Law No. 10(III)/2003; UNTS vol. 1642, p. 414

On 20 June 2003, the Government of Cyprus informed the Secretary-General that it had decided to withdraw its reservation made upon accession to the Optional Protocol. The Reservation reads as follows:

“... The Republic of Cyprus in accordance with article 2.1 of the [...] Protocol reserves the right to apply the Death Penalty in time of war pursuant to a conviction of a most serious crime of a military nature committed during wartime.”

Instruments concerning specific issues

Prevention of discrimination on the basis of race, religion or belief:

6. International Convention on the Elimination of All Forms of Racial Discrimination

New York, 7 March 1966

Entered into force 4 January 1969

Ratified by Cyprus 21 April 1967

Depositary: Secretary-General of the United Nations

Publication source: COG S.I 566, 30.03.1967, p. 417; Law No. 12/1967; COG

S.I(III) 2682, 21.02.1992, p. 21; Law No. 11/1992; COG S.I(III) 3378, 31.12.1999, p. 473; Law No. 28(III)/1999; UNTS vol. 660, p. 195

Convention linked to the EU acquis through Article 6 EU and 13 of the EC Treaty.

Declaration under Article 14(1) recognizing the competence of the Committee on the Elimination of Racial Discrimination:

“The Republic of Cyprus recognizes the competence of the Committee on the Elimination of Racial Discrimination established under article 14(1) of [the Convention] to receive and consider communications from the individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by the Republic of Cyprus of any of the rights set forth in this Convention.”

Objection dated 5 August 2003 with regard to the reservation made by Turkey upon ratification:

“... the Government of the Republic of Cyprus has examined the declaration made by the Government of the Republic of Turkey to the International Convention on the Elimination on all Forms of Racial Discrimination (New York, 7 March 1966) on 16 September 2002 in respect of the implementation of the provisions of the Convention only to the States Parties with which it has diplomatic relations.

In the view of the Government of the Republic of Cyprus, this declaration amounts to a reservation. This reservation creates uncertainty as to the States Parties in

respect of which Turkey is undertaking the obligations in the Convention. The Government of the Republic of Cyprus therefore objects to the reservation made by the Government of the Republic of Turkey. This reservation or the objection to it shall not preclude the entry into force of the convention between the Republic of Cyprus and the Republic of Turkey."

**6.1 Amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination
New York, 15 January 1992**

Not yet in force

Acceptance by Cyprus 28 September 1998

Publication source: COG S.I(III) 2963, 24.03.1995, p. 11; Law No 6(III)/1995; CERD resolution 47/111, 16.12.1992

7. Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (ILO 100)

Geneva, 29 June 1951

Entered into force 23 May 1953

Ratified by Cyprus 19 November 1987

Depositary: ILO Director-General

Publication source: COG S.I 2269, 30.10.1987, p. 1375; Law No. 213/1987; UNTS vol. 165, p. 303

8. Convention against Discrimination in Education

Paris, 15 December 1960

Entered into force 22 May 1962

Acceptance by Cyprus 9 June 1970

Depositary: UNESCO Director-General

Publication source: COG S.I 786, 10.04.1970, p. 424; Law No. 18/1970; UNTS vol. 429, p. 93

9. Protocol Instituting a Conciliation and Good Offices Commission to be Responsible for Seeking the Settlement of any Dispute which may arise between States Parties to the Convention

Paris, 10 December 1962

Entered into force 24 October 1968

Acceptance by Cyprus 9 June 1970

Depositary: UNESCO Director-General

Publication source: COG S.I 786, 10.04.1970, p. 424; Law No. 18/1970; UNTS vol. 651, p. 363

10. Convention concerning the Discrimination in Employment and Occupation (ILO 111)

Geneva, 25 June 1958

Entered into force 15 June 1960

Ratified by Cyprus 2 February 1968

Depositary: ILO Director-General

Publication source: COG S.I 623, 12.01.1968, p. 5; Law No. 3/1968; UNTS vol. 362, p. 31

Rights of women:

11. Convention on the Political Rights of Women

New York, 31 March 1953

Entered into force 7 July 1954

Ratified by Cyprus 12 November 1968

Depositary: Secretary-General of the United Nations

Publication source: COG S.I 689, 25.10.1968, p. 635; Law No. 107/1968; UNTS vol. 193, p. 135

12. **Convention on the Nationality of Married Women**
New York, 20 February 1957
 Entered into force 11 August 1958
 Confirmation of succession by Cyprus 26 April 1971
 Depositary: Secretary-General of the United Nations
 Publication source: UNTS vol. 309, p. 65
13. **Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages**
New York, 10 December 1962
 Entered into force 9 December 1964
 Accession by Cyprus 30 July 2002
 Depositary: Secretary-General of the United Nations
 Publication source: COG S.I(III) 3612, 21.06.2002, p. 559; Law No. 16(III)/2002; UNTS vol. 521, p. 231
14. **Convention on the Elimination of All Forms of Discrimination against Women**
New York, 18 December 1979
 Entered into force 3 September 1981
 Accession by Cyprus 23 July 1985
 Depositary: Secretary-General of the United Nations
 Publication source: COG S.I 2064, 12.07.1985, p. 2131; Law No. 78/1985; UNTS vol. 1249, p. 13

Reservation in respect of Article 9(2) of the Convention:

On 28 June 2000, the Government of Cyprus informed the Secretary-General that it had decided to withdraw its reservation to article 9(2) made upon accession. The text of the reservation reads as follows:

“The Government of the Republic of Cyprus wishes to enter a reservation concerning the granting to women of equal rights with men with respect to the nationality of their children, mentioned in article 9, paragraph 2 of the Convention. This reservation is to be withdrawn upon amendment of the relevant law.”

 14.1 **Amendment to article 20, paragraph 1 of the Convention of the Elimination of All Forms of Discrimination against Women**
New York, 22 December 1995
 Not yet in force
 Acceptance by Cyprus 30 July 2002
 Publication source: UN Doc. CEDAW/SP/1995/2
15. **Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women**
New York, 6 October 1999
 Entered into force 22 December 2000
 Ratified by Cyprus 26 April 2002
 Depositary: Secretary-General of the United Nations
 Publication source: COG S.I(III) 3580, 01.03.2002, p. 1; Law No. 1(III)/2002; UNTS vol. 2131, p. 83
16. **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime**
New York, 15 November 2000

Entered into force 25 December 2003
 Ratified by Cyprus 6 August 2003
 Depositary: Secretary-General of the United Nations
 Publication source: COG S.I(III) 3699, 21.03.2003, p. 468; Law No. 11(III)/2003;
 OJ L262, 22.09.2006, p. 51

Rights of the child:

**17. Convention on the Rights of the Child
 New York, 20 November 1989**

Entered into force 2 September 1990
 Ratified by Cyprus 7 February 1991
 Depositary: Secretary-General of the United Nations
 Publication source: COG S.I 2566, 28.12.1990, p. 2893; Law No. 243/1990; COG
 S.I(III) 3388, 18.02.2000, p. 153; Law No. 5(III)/2000; UNTS vol. 1577, p. 3

**17.1 Amendment to article 43(2) of the Convention on the Rights of the Child
 New York, 12 December 1995**

Entered into force 18 November 2002
 Acceptance by Cyprus 20 September 2001
 Publication source: Doc. CRC/SP/1995/L.1/Rev.1

**18. Optional Protocol to the Convention on the Rights of the Child on the Sale of
 Children, Child Prostitution and Child Pornography
 New York, 25 May 2000**

Entered into force 18 January 2002
 Ratified by Cyprus 6 April 2006
 Depositary: Secretary-General of the United Nations
 Publication source: COG S.I(III) 4067, 10.03.2006, p. 102; Law No. 6(III)/2006;
 UN Doc. A/RES/54/263

Upon ratification of the Optional Protocol, on 6 April 2006, the Government of Cyprus stated the following: "The Government of the Republic of Cyprus wishes to reiterate its objection of 12th August 2003, with regard to the declaration made by Turkey upon ratification."

The objection reads as follows:

"... The Government of the Republic of Cyprus has examined the declaration made by the Government of the Republic of Turkey upon ratifying the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 19 August 2002, in respect of the implementation of the provisions of the Convention only to the States Parties which it recognizes and with which it has diplomatic relations.

In the view of the Government of the Republic of Cyprus, this declaration amounts to a reservation. This reservation creates uncertainty as to the States Parties in respect of which Turkey is undertaking the obligations in the Convention and raises doubt as to the commitment of Turkey to the object and purpose of the said Optional Protocol. The Government of the Republic of Cyprus therefore objects to the reservation made by the Government of the Republic of Turkey to the Optional Protocol to the Convention of the Rights of the Child on the sale of children, child prostitution and child pornography.

This reservation or the objection to it shall not preclude the entry into force of the Convention between the Republic of Cyprus and the Republic of Turkey."

**19. Convention concerning Minimum Age for Admission to Employment (ILO 138)
Geneva, 26 June 1973**

Entered into force 19 June 1976

Ratified by Cyprus 2 October 1997

Depositary: ILO Director-General

Publication source: COG S.I(III) 3158, 27.07.1997, p. 883; Law No. 17(III)/1997

Minimum age specified: 15 years

**20. Convention concerning the Prohibition and Immediate Action for the
Elimination of the Worst Forms of Child Labour (ILO 182)
Geneva, 17 June 1999**

Entered into force 19 November 2000

Ratified by Cyprus 27 November 2000

Depositary: ILO Director-General

Publication source: COG S.I(III) 3449, 17.11.2000, p. 713; Law No. 31(III)/2000

**21. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially
Women and Children, supplementing the United Nations Convention against
Transnational Organised Crime
New York, 15 November 2000**

Entered into force 25 December 2003

Ratified by Cyprus 6 August 2003

Depositary: Secretary-General of the United Nations

Publication source: COG S.I(III) 3699, 21.03.2003, p. 468; Law No. 11(III)/2003;
OJ L262, 22.09.2006, p. 51

**22. Convention on the Civil Aspects of International Child Abduction (Hague
XXVIII)**

The Hague, 25 October 1980

Entered into force 1 December 1983

Accession by Cyprus 4 November 1994

Depositary: Government of the Netherlands

Publication source: COG S.I(III) 2889, 01.07.1994, p. 181; Law No. 11(III)/1994;
UNTS vol. 1343, p. 89

In accordance with article 38, paragraph 4, accession will have effect only as regards the relations between an acceding State and such Contracting States as will have declared their acceptance of the accession. Entry into force between Cyprus and:

<i>The Kingdom of the Netherlands (for the Kingdom in Europe)</i>	<i>1 March 1995</i>
<i>The United States of America</i>	<i>1 March 1995</i>
<i>The United Kingdom of Great Britain and Northern Ireland</i>	<i>1 April 1995</i>
<i>Luxembourg</i>	<i>1 April 1995</i>
<i>Australia</i>	<i>1 November 1995</i>
<i>Germany</i>	<i>1 May 1995</i>
<i>Panama</i>	<i>1 June 1995</i>
<i>Sweden</i>	<i>1 October 1995</i>
<i>France</i>	<i>1 October 1995</i>
<i>New Zealand</i>	<i>1 November 1995</i>
<i>Mexico</i>	<i>1 December 1995</i>
<i>Israel</i>	<i>1 January 1996</i>
<i>Chile</i>	<i>1 May 1996</i>

Zimbabwe	1 August 1996
Colombia	1 August 1996
Argentina	1 December 1996
Greece	1 August 1997
Ireland	1 January 1997
Norway	1 January 1997
Poland	1 January 1997
Hungary	1 April 1997
Italy	1 April 1997
Switzerland	1 May 1997
Finland	1 May 1997
Spain	1 June 1997
Venezuela	1 September 1997
Denmark	1 October 1997
Canada	1 January 1998
Czech Republic	1 August 1998
Slovak Republic	1 February 2001
Portugal	1 January 2002
Austria	1 March 2002
Belgium	21 February 2003

“In accordance with Article 6, first paragraph, Cyprus has designated as the Central Authority:

The Minister of Justice and Public Order

Address: 12 Helioupoleos Street

Nicosia, Cyprus

Tel. No. 357-2230 21 27

Fax. No. 357-2246 14 27”

23. Convention on Protection of Children and Co-operation in respect of Inter-country Adoption (Hague XXXIII)

The Hague, 29 May 1993

Entered into force 1 May 1995

Ratified by Cyprus 20 February 1995

Depositary: Government of the Netherlands

Publication source: COG S.I(III) 2937, 23.12.1994, p. 477; Law No. 26(III)/1994;

Netherlands Treaty Series 1993-197; UNTS vol. 1870

Cyprus has designated in accordance with Article 13 the “Ministry of Labour and Social Insurance” as the Central Authority and in accordance with Article 23, paragraph 2, the “Director of the Department of Social Welfare Services, Prodromou 63, Strovolos, Nicosia,” as the Competent Authority.

Instruments signed, in process of ratification

Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children (Hague XXXIV)

The Hague, 19 October 1996

Signed by Cyprus 14 October 2003

Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

New York, 25 May 2000

Entered into force 12 February 2002

Signed by Cyprus 1 July 2008

Declaration by the Republic of Cyprus made on 1 July 2008 upon signature of the Optional Protocol:

Pursuant to Article 3, paragraph 2, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict, done at New York on 25 May 2000, the Republic of Cyprus declares:

1. *The National Guard Law No. 20 of 1964, as variously amended, most recently in 2006, hereinafter "The National Guard Law", provides that the obligation to military service, in times of peace, begins on 1 January of the year the citizen becomes 18 years old. Although military service is compulsory for all Cypriot citizens, women and some categories of males (e.g. clergymen) are exempted from military service in times of peace.*
2. *The National Guard Law also provides for the voluntary enlistment of citizens under 18 years of age who have attained the age of 17 by the date of their recruitment in the armed forces. The acceptance of volunteers to Military Service requires special authorization from the Minister of Defense. Volunteers must have recent written consent from their parents or legal guardians.*
3. *The recruitment, on a voluntary basis, by the armed forces at the minimum age of 17 years shall continue to be permitted under the conditions and with the safeguards provided in Article 3, paragraph 3, of the Optional Protocol.*
4. *Proof of age prior to recruitment is presented through the application of Section 4A of the National Guard Law providing for mandatory registration for all citizens with the appropriate authorities in the District of their normal residence once they reach the age of 16. Section 4A of the Law specifies that the data must be submitted in a written form and include, among others, details on the place and date of birth. It is a punishable offence to submit erroneous data at the time of registration.*
5. *The Republic of Cyprus understands that Article 1 of the Optional Protocol would not prevent members of its armed forces to be deployed where:*
 - (a) *There is a genuine military need to deploy their unit to an area in which hostilities are taking place; and*
 - (b) *By reason of the nature and urgency of the situation:*
 - (i) *It is not practicable to withdraw such persons before deployment; or*
 - (ii) *To do so would undermine the operational effectiveness of their unit, and thereby put at risk the successful conduct of the military mission and/or the safety of other personnel.*

The above understanding is all the more necessary under the circumstances prevailing nowadays in the Republic of Cyprus as a result of the continued illegal military occupation of 37% of its national territory by a foreign State, Party to the Optional Protocol.

Confirmation of the communication by the Government of the Republic of Cyprus to the Secretary-General of the United Nations of 29 July 2004:

Upon signature of the Optional Protocol, the Government of the Republic of Cyprus restates the content of its communication of 29 July 2004 to the Secretary-General of the United Nations with regard to the Declaration made by the Government of the

Republic of Turkey upon ratification of the Optional Protocol, which reads as follows:

“The Government of the Republic of Cyprus has examined the declaration made by the Government of the Republic of Turkey to the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict (New York, 25 May 2000) on 4 May 2004, in respect of the implementation of the provisions of the Optional Protocol only to the States Parties which it recognizes and with which it has diplomatic relations.

In the view of the Government of the Republic of Cyprus, this declaration amounts to a reservation. This reservation creates uncertainty as to the States Parties in respect of which Turkey is undertaking the obligations in the Protocol and raises doubt as to the commitment of Turkey to the object and purpose of the Convention on the Rights of the Child and of the said Protocol. The Government of the Republic of Cyprus therefore objects to the reservation made by the Government of the Republic of Turkey to the Optional Protocol to the Convention of the Rights of the Child on the Involvement of Children in Armed Conflict.

This reservation or the objection to it shall not preclude the entry into force of the Convention on the Rights of the Child or the future entry into force of the said Protocol between the Republic of Cyprus and the Republic of Turkey.”

Genocide, war crimes, crimes against humanity:

24. Convention on the Prevention and Punishment of the Crime of Genocide

New York, 9 December 1948

Entered into force 12 January 1951

Cyprus acceded 29 March 1982

Depositary: Secretary-General of the United Nations

Publication source: COG S.I 1640, 24.10.1980, p. 1205; Law No. 59/1980; UNTS vol. 78, p. 277 and vol. 1272, p. 362

On 18 May 1998 the Government of Cyprus notified the Secretary-General of the following:

“The Government of the Republic of Cyprus has taken note of the reservations made by a number of countries when acceding to the [Convention] and wishes to state that in its view these are not the kind of reservations which intending parties to the Convention have the right to make.

Accordingly, the Government of the Republic of Cyprus does not accept any reservations entered by any Government with regard to any of the Articles of the Convention.”

25. Rome Statute of the International Criminal Court

Rome, 17 July 1998

Entered into force 1 July 2002

Ratified by Cyprus 7 March 2002

Depositary: Secretary-General of the United Nations

Publication source: COG S.I(III) 3585, 11.03.2002, p. 241; Law No. 8(III)/2002; COG S.I(III) 4074, 28.07.2006, p. 405; Law No. 23(III)/2006; UNTS vol. 2187, p. 3

Notifications made under article 87, paragraphs 1 and 2:

“1. Pursuant to article 87 (1) of the Rome Statute of the International [Criminal] Court, the Republic of Cyprus declares that requests from the Court may also be transmitted directly to the Ministry of Justice and Public Order.

2. Pursuant to article 87 (2) of the Rome Statute of the International Criminal Court, the Republic of Cyprus declares that requests from the Court for cooperation and any documents supporting them shall be transmitted also in English, which is one of the working languages of the Court.”

Terrorism:

In addition to the instruments listed below, Cyprus is party to five more universal instruments on terrorism. Information on the other instruments can be found in the “Index of Treaties of the Republic of Cyprus, 1960–2005, Office of the Law Commissioner, Nicosia 2006”.

26. Convention for the Suppression of Unlawful Seizure of Aircraft

The Hague, 16 December 1970

Entered into force 14 October 1971

Accession by Cyprus 6 June 1972 at London, 8 June 1972 at Moscow, 5 July 1972 at Washington

Depositaries: Governments of the Russian Federation, United Kingdom, United States of America

Publication source: COG S.I 937, 19.05.1972, p. 451; Law No. 30/1972; ICAO Document 8920

27. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation

Montreal, 23 September 1971

Entered into force 26 January 1973

Ratified by Cyprus 27 July 1973 at London, 30 July 1973 at Moscow, 15 August 1973 at Washington

Depositaries: Governments of the Russian Federation, United Kingdom, United States of America

Publication source: COG S.I 1020, 22.06.1973, p. 637; Law No. 37/1973; ICAO Document 8966

Supplements Conventions, Tokyo, 14 September 1963 and The Hague, 16 December 1970

28. International Convention against the Taking of Hostages

New York, 17 December 1979

Entered into force 3 June 1983

Accession by Cyprus 13 September 1991

Depositary: Secretary-General of the United Nations

Publication source: COG S.I 2566, 28.12.1990, p. 2941; Law No. 244/1990; UNTS vol. 1316, p. 205

29. Convention on the Physical Protection of Nuclear Material

Vienna, 3 March 1980

Entered into force 8 February 1987

Accession by Cyprus 23 July 1998

Depositary: International Atomic Agency Director-General

Publication source: COG S.I(III) 3232, 31.03.1998, p. 691; Law No. 3(III)/1998; OJ L149, 17.06.1980, p. 41

Declaration:

The Republic of Cyprus declares that in accordance with the provisions of Article 17.3 of the Convention Cyprus does not consider itself bound by either of the dispute settlement procedures provided for in Article 17.2 of the Convention.

30. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 (SUA 1988)
Rome, 10 March 1988

Entered into force 1 March 1992

Accession by Cyprus 2 February 2000

Depositary: IMO Director-General

Publication source: COG S.I(III) 3358, 22.10.1999, p. 269; Law No. 17(III)/1999; IMO Doc.SUA/CONF/15/Rev.1

31. International Convention for the Suppression of Terrorist Bombings
New York, 15 December 1997

Entered into force 23 May 2001

Ratified by Cyprus 24 January 2001

Depositary: Secretary-General of the United Nations

Publication source: COG S.I(III) 3415, 30.06.2000, p. 291; Law No. 19(III)/2000; UN Doc. A/RES/52/164

Notification under article 6(3) of the Convention: In accordance with article 6, paragraph 3 of the Convention, the Republic of Cyprus establishes its jurisdiction over the offences specified in article 2 in all the cases provided for in article 6, paragraphs 1, 2 and 4.

32. International Convention for the Suppression of the Financing of Terrorism
New York, 9 December 1999

Entered into force 10 April 2002

Ratified by Cyprus 30 November 2001

Depositary: Secretary-General of the United Nations

Publication source: COG S.I(III) 3551, 30.11.2001, p. 2019; Law No. 29(III)/2001; COG S.I(III) 4015, 22.07.2005, p.1103; Law No. 18(III)/2005; UNTS vol. 2178

Notification made under Article 7(3):

“In accordance with paragraph 3 of Article 7, the Republic of Cyprus declares that by section 7.1 of the International Convention for the Suppression of the Financing of Terrorism (Ratification and other Provisions) Law No. 29 (III) of 2001, it has established jurisdiction over the offences set forth in Article 2 in all circumstances described in paragraph 2 of Article 7.”

33. International Convention for the Suppression of Acts of Nuclear Terrorism
New York, 13 April 2005

Entered into force 7 July 2007

Ratified by Cyprus 28 January 2008

Depositary: Secretary-General of the United Nations

Publication source: COG S.I(III) 4098, 14.12.2007, p. 999; Law No. 44(III)/2007

Torture and other cruel, inhuman or degrading treatment or punishment:

34. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
New York, 10 December 1984

Entered into force 26 June 1987

Ratified by Cyprus 18 July 1991

Depositary: Secretary-General of the United Nations

Publication source: COG S.I 2565, 21.12.1990, p. 2845; Law No. 235/1990; COG S.I(III) 2842, 10.12.1993, p. 373; Law No. 35(III)/1993; COG S.I(III) 3661, 13.12.2002, p. 1197; Law No. 36(III)/2002; UNTS vol. 1465, p. 85

Declaration recognizing the competence of the Committee against Torture, under Articles 21 and 22 of the Convention (to receive and consider communications by one state party against another or presented from or on behalf of individuals, dated 8 April 1993:

“The Republic of Cyprus recognizes the competence of the Committee established under article 17 of the Convention [...]:

I. To receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention (article 21), and

II. To receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a state Party of the provisions of the Convention (article 22).”

34.1 Amendments to Articles 17(7) and 18(5) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

New York, 8 September 1992

Not yet in force

Acceptance by Cyprus 22 February 1994

Publication source: COG S.I(III) 2842, 10.12.1993, p. 373; Law No.

35(III)/1993; COG S.I(III) 3661, 13.12.2002, p. 1197; Law No. 36(III)/2002

34.2 Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

New York, 18 December 2002

Entered into force 22 June 2006

Ratified by Cyprus on 29 April 2009

Publication source: COG S.I(III) 4114, 27.03.2009, p. 19; Law No.

2(III)/2009

Instruments signed, in process of ratification

International Convention for the Protection of All Persons from Enforced Disappearance

New York, 20 December 2006

Not entered into force as at 27 April 2009

Signed by Cyprus on 6 February 2007

Slavery, servitude, forced labour and similar institutions and practices:

35. International Convention for the Suppression of the Traffic in Women and Children

Geneva, 30 September 1921

Entered into force for each State, on deposit of its ratification or accession instrument

Confirmation of succession by Cyprus 16 May 1963

Depositary: Secretary-General of the United Nations

Publication source: LNTS vol. 9, p. 415; UNTS vol. 466, p. 410

The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, concluded at Lake Success, New York on 21 March 1950, to which Cyprus is a Party, consolidates the International Convention of 30 September 1921. Furthermore, the Convention of 21 March 1950 supersedes the provisions of the above referenced instrument in the relations between the Parties thereto, and shall terminate such instrument when all the Parties thereto shall have

become Parties to the Convention of 21 March 1950, in accordance with its Article 28.

36. **Convention concerning Forced or Compulsory Labour, as modified by the Final Articles Revision Convention, 1946 (ILO 29)**
Geneva, 28 June 1930
Entered into force 1 May 1932
Ratified by Cyprus 23 September 1960
Depositary: ILO Director-General
Publication source: UNTS vol. 39, p. 55 and vol. 381, p. 370
37. **International Agreement for the Suppression of the White Slave Traffic, signed at Paris on 18 May 1904, amended by the Protocol signed at Lake Success, New York, 4 May 1949**
New York, 4 May 1949
Entered into force 21 June 1951
Confirmation of succession by Cyprus 16 May 1963
Depositary: Secretary-General of the United Nations
Publication source: UNTS vol. 92, p. 19 and vol. 466, p. 381
38. **International Convention for the Suppression of the White Slave Traffic, signed at Paris on 4 May 1910, amended by the Protocol signed at Lake Success, New York, 4 May 1949**
Lake Success, New York, 4 May 1949
Entered into force 14 August 1951
Confirmation of succession by Cyprus 16 May 1963
Depositary: Secretary-General of the United Nations
Publication source: UNTS vol. 98, p. 101 and vol. 466, p. 383
- The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, concluded at Lake Success, New York on 21 March 1950, to which Cyprus is a party, consolidates the International Agreement and Convention of 4 May 1949. Furthermore, the Convention of 21 March 1950 supersedes the provisions of the above referenced instruments in the relations between the Parties thereto, and shall terminate such instruments when all the Parties thereto shall have become Parties to the Convention of 21 March 1950, in accordance with its Article 28.*
39. **Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others**
Lake Success, New York, 21 March 1950
Entered into force 25 July 1951
Accession by Cyprus 5 October 1983
Depositary: Secretary-General of the United Nations
Publication source: COG S.I 1875, 22.07.1983, p. 835; Law No. 57/1983; UNTS vol. 96, p. 271
40. **Slavery Convention, signed at Geneva on 25 September 1926 and amended by the Protocol**
New York, 7 December 1953
Entered into force 7 July 1955
Confirmation of succession by Cyprus 21 April 1986
Depositary: Secretary-General of the United Nations
Publication source: LNTS vol. LX p. 253; UNTS vol. 212, p. 17
41. **Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery**

Geneva, 7 September 1956

Entered into force 30 April 1957

Confirmation of succession by Cyprus 11 May 1962

Depositary: Secretary-General of the United Nations

Publication source: UNTS vol. 266, p. 3 and vol. 429, p. 298

42. Convention concerning the Abolition of Forced Labour (ILO 105)**Geneva, 25 June 1957**

Entered into force 17 January 1959

Ratified by Cyprus 23 September 1960

Depositary: ILO Director-General

Publication source: UNTS vol. 320, p. 291 and vol. 349, p. 347

43. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime**New York, 15 November 2000**

Entered into force 25 December 2003

Ratified by Cyprus 6 August 2003

Publication source: COG S.I(III) 3699, 21.03.2003, p. 468; Law No. 11(III)/2003;

OJ L262, 22.09.2006, p. 51

44. Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime**New York, 15 November 2000**

Entered into force 28 January 2004

Ratified by Cyprus 6 August 2003

Depositary: Secretary-General of the United Nations

Publication source: COG S.I(III) 3699, 21.03.2003, p. 479; Law No. 11(III)/2003;

UNTS vol. 2241

Human rights in the administration of justice:**45. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment****New York, 10 December 1984**

Entered into force 26 June 1987

Ratified by Cyprus 18 July 1991

Depositary: Secretary-General of the United Nations

Publication source: COG S.I 2565, 21.12.1990, p. 2845; Law No. 235/1990; COG

S.I(III) 2842, 10.12.1993, p. 373; Law No. 35(III)/1993; COG S.I(III) 3661,

13.12.2002, p. 1197; Law No. 36(III)/2002; UNTS vol. 1465, p. 85

Declaration recognizing the competence of the Committee against Torture, under Articles 21 and 22 of the Convention (to receive and consider communications by one state party against another or presented from or on behalf of individuals, dated 8 April 1993:

“The Republic of Cyprus recognizes the competence of the Committee established under article 17 of the Convention [...]:

I. To receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention (article 21), and

II. To receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a state Party of the provisions of the Convention (article 22)."

45.1 Amendments to Articles 17(7) and 18(5) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

New York, 8 September 1992

Not yet in force

Acceptance by Cyprus 22 February 1994

Publication source: COG S.I(III) 2842, 10.12.1993, p. 373; Law No.

35(III)/1993; COG S.I(III) 3661, 13.12.2002, p. 1197; Law No. 36(III)/2002

46. Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

New York, 18 December 2002

Entered into force 22 June 2006

Ratified by Cyprus on 29 April 2009

Depositary: Secretary-General of the United Nations

Publication source: COG S.I(III) 4114, 27.03.2009, p. 19; Law No. 2(III)/2009

Signed, in process of ratification

International Convention for the Protection of All Persons from Enforced Disappearance

New York, 20 December 2006

Not yet in force

Signed by Cyprus on 6 February 2007

Freedom of information and cultural expression:

47. Convention on the International Right of Correction

New York, 31 March 1953

Entered into force 24 August 1962

Ratified by Cyprus 13 November 1972

Depositary: Secretary-General of the United Nations

Publication source: COG S.I 966, 06.10.1972, p. 847; Law No. 68/1972; UNTS vol. 435, p. 191

48. Convention on the Protection and Promotion of the Diversity of Cultural Expressions, with Annex

Paris, 20 October 2005

Entered into force 18 March 2007

Ratified by Cyprus 19 December 2006

Depositary: UNESCO Director-General

Publication source: COG S.I(III) 4078, 22.12.2006, p. 463; Law No. 30(III)/2006;

OJ L201, 25.07.2006, p. 15

Instruments relating to the protection of particular groups

Aliens, refugees, stateless persons:

**49. Convention on certain Questions relating to the Conflict of Nationality Laws
The Hague, 12 April 1930**

Entered into force 1 July 1937

Confirmation of succession by Cyprus 27 March 1970

Depositary: Secretary-General of the United Nations, previously League of Nations

Publication source: LNTS vol. 179, p. 89; UNTS vol. 723, p. 450

50. **Protocol relating to a certain Case of Statelessness
The Hague, 12 April 1930**
Entered into force 1 July 1937
Confirmation of succession by Cyprus 3 April 1978
Depositary: Secretary-General of the United Nations, previously League of Nations
Publication source: COG S.I 1399, 11.11.1977, p. 1161; Law No. 64/1977; LNTS vol. 179, p. 115 and UNTS vol. 1080, p. 424

51. **Convention relating to the Status of Refugees
Geneva, 28 July 1951**
Entered into force 22 April 1954
Confirmation of succession by Cyprus 16 May 1963
Depositary: Secretary-General of the United Nations
Publication source: UNTS vol. 189, p. 137 and vol. 466, p. 388

Declaration other than those made under Section B article 1:

With confirmation of the reservations made by the Government of the United Kingdom upon application of the Convention to the territory of Cyprus.

52. **Protocol relating to the Status of Refugees
New York, 31 January 1967**
Entered into force 4 October 1967
Accession by Cyprus 9 July 1968
Depositary: Secretary-General of the United Nations
Publication source: COG S.I 663, 05.07.1968, p. 560; Law No. 73/1968; UNTS vol. 606, p. 267

53. **Protocol 1 annexed to the Universal Copyright Convention, as revised at Paris, concerning the application of that Convention to the Works of Stateless Persons and Refugees
Paris, 24 July 1971**
Entered into force 10 July 1974
Accession by Cyprus 19 September 1990
Depositary: UNESCO Director-General
Publication source: COG S.I 2526, 24.07.1990, p. 1585; Law No. 151/1990; UNTS vol. 943, p. 294

Rights of migrants:

54. **Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (ILO 143)
Geneva, 24 June 1975**
Entered into force 9 December 1978
Ratification Cyprus 28 June 1977
Depositary: ILO Director-General
Publication source: COG S.I 1360, 24.06.1977, p. 631; Law No. 36/1977

55. **Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime
New York, 15 November 2000**
Entered into force 28 January 2004
Ratified by Cyprus 6 August 2003
Depositary: Secretary-General of the United Nations

Publication source: COG S.I(III) 3699, 21.03.2003, p. 479; Law No. 11(III)/2003; UNTS vol. 2241

Rights of workers (including migrant workers):

56. **Convention concerning the Rights of Association and Combination of Agricultural Workers, as modified by the Final Articles Revision Convention, 1946 (ILO 11)**
Geneva, 12 November 1921
 Entered into force 11 May 1923
 Ratified by Cyprus 8 October 1965
 Depositary: ILO Director-General
 Publication source: COG S.I. 439, 16.09.1965, p. 643; Law No. 54/1965; UNTS vol. 548, p. 385

57. **Convention concerning Freedom of Association and Protection of the Right to Organise (ILO 87)**
San Francisco, 9 July 1948
 Entered into force 4 July 1950
 Ratified by Cyprus 24 May 1966
 Depositary: ILO Director-General
 Publication source: COG S.I 494, 12.05.1966, p. 342; Law No. 17/1966; UNTS vol. 320, p. 332 and vol. 564, p. 340

58. **Convention concerning the Migration for Employment (Revised 1949) (ILO 97)**
Geneva, 1 July 1949
 Entered into force 22 January 1952
 Ratified by Cyprus 23 September 1960 (excluding provisions of Annexes I to III)
 Depositary: ILO Director-General
 Publication source: UNTS vol. 120, p. 71 and vol. 381, p. 401

59. **Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, as modified by the Final Articles Revision Convention, 1961 (ILO 98)**
Geneva, 1 July 1949
 Entered into force 18 July 1951
 Ratified by Cyprus 24 May 1966
 Depositary: ILO
 Publication source: COG S.I 494, 12.05.1966, p. 347; Law No. 18/1966; UNTS vol. 564, p. 342

60. **Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (ILO 100)**
Geneva, 29 June 1951
 Entered into force 23 May 1953
 Ratified by Cyprus 19 November 1987
 Depositary: ILO Director-General
 Publication source: COG S.I 2269, 30.10.1987, p. 1375; Law No. 213/1987; UNTS vol. 165, p. 303

61. **Convention concerning the Discrimination in Employment and Occupation (ILO 111)**
Geneva, 25 June 1958
 Entered into force 15 June 1960
 Ratified by Cyprus 2 February 1968
 Depositary: ILO Director-General

Publication source: COG S.I 623, 12.01.1968, p. 5; Law No. 3/1968; UNTS vol. 362, p. 31

62. **Convention concerning Employment Policy (ILO 122)**
Geneva, 9 July 1964
 Entered into force 15 July 1966
 Ratified by Cyprus 28 July 1966
 Depositary: ILO Director-General
 Publication source: COG S.I 509, 14.07.1966, p. 421; Law No 39/1966; UNTS vol. 569, p. 65 and vol. 571, p. 332

63. **Convention concerning Protection and Facilities to be Afforded to Workers' Representatives in the Undertaking (ILO 135)**
Geneva, 23 June 1971
 Entered into force 30 June 1973
 Ratified by Cyprus 3 January 1996
 Depositary: ILO Director-General
 Publication source: COG S.I(III) 3022, 08.12.1995, p. 1529; Law No. 30(III)/1995; COG S.I(III) 4060, 23.12.2005, p. 2428; Law No. 46(III)/2005

64. **Convention concerning Organisations of Rural Workers and their Role in Economic and Social Development (ILO 141)**
Geneva, 23 June 1975
 Entered into force 24 November 1977
 Ratified by Cyprus 28 June 1977
 Depositary: ILO Director-General
 Publication source: COG S.I 1360, 24.06.1977, p. 617; Law No. 34/1977

65. **Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (ILO 143)**
Geneva, 24 June 1975
 Entered into force 9 December 1978
 Ratification Cyprus 28 June 1977
 Depositary: ILO Director-General
 Publication source: COG S.I 1360, 24.06.1977, p. 631; Law No. 36/1977

66. **Convention concerning Protection of the Right to Organise and Procedures for Determining Conditions of Employment in the Public Service (ILO 151)**
Geneva, 27 June 1978
 Entered into force 25 February 1981
 Ratified by Cyprus 6 July 1981 ratification
 Depositary: ILO Director-General
 Publication source: COG S.I 1643, 14.11.1980, p. 1231; Law No. 65/1980

67. **Convention concerning the Promotion of Collective Bargaining (ILO 154)**
Geneva, 19 June 1981
 Entered into force 11 August 1983
 Ratified by Cyprus 16 January 1989
 Depositary: ILO Director-General
 Publication source: COG S.I 2373, 31.12.1988, p. 3659; Law No. 241/1988

68. **Convention concerning Occupational Safety and Health and the Working Environment (ILO 155)**
Geneva, 22 June 1981
 Entered into force 11 August 1983
 Ratified by Cyprus 16 January 1989
 Depositary: ILO Director-General

Publication source: COG S.I 2373, 31.12.1988, p. 3669; Law No. 242/1988

Persons with Disabilities:

Instruments signed, in process of ratification

Convention on the Rights of Persons with Disabilities

New York, 13 December 2006

Entered into force 3 May 2008

Signed by Cyprus on 30 March 2007

Optional Protocol to the Convention on the Rights of Persons with Disabilities

New York, 13 December 2006

Entered into force 3 May 2008

Signed by Cyprus on 30 March 2007

Combatants, Prisoners and Civilians – Humanitarian Law:

69. **Geneva Convention for the Amelioration of the Condition of Wounded and Sick in Armed Forces in the Field (First Geneva Convention)**
Geneva, 12 August 1949
Entered into force 21 October 1950
Accession by Cyprus 23 May 1962
Depositary: Swiss Government
Publication source: COG S.I 510, 18.07.1966, p. 425; Law No. 40/1966; UNTS vol. 75, pp. 31, 85, 135 and 287 and vol. 445, pp. 313, 315, 316 and 317
70. **Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Geneva Convention)**
Geneva, 12 August 1949
Entered into force 21 October 1950
Accession by Cyprus 23 May 1962
Depositary: Swiss Government
Publication source: COG S.I 510, 18.07.1966, p. 425; Law No. 40/1966; UNTS vol. 75, pp. 31, 85, 135 and 287 and vol. 445, pp. 313, 315, 316 and 317
71. **Geneva Convention relative to the Treatment of Prisoners of War (Third Geneva Convention)**
Geneva, 12 August 1949
Entered into force 21 October 1950
Accession by Cyprus 23 May 1962
Depositary: Swiss Government
Publication source: COG S.I 510, 18.07.1966, p. 425; Law No. 40/1966; UNTS vol. 75, pp. 31, 85, 135 and 287 and vol. 445, pp. 313, 315, 316 and 317
72. **Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)**
Geneva, 12 August 1949
Entered into force 21 October 1950
Accession by Cyprus 23 May 1962
Depositary: Swiss Government
Publication source: COG S.I 510, 18.07.1966, p. 425; Law No. 40/1966; UNTS vol. 75, pp. 31, 85, 135 and 287 and vol. 445, pp. 313, 315, 316 and 317
73. **Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), with Annexes, Final Act and Resolutions**

Geneva, 8 June 1977

Entered into force 7 December 1978

Ratified by Cyprus 1 June 1979

Depositary: Swiss Government

Publication source: COG S.I 1518, 12.05.1979, p. 669; Law No. 43/1979; UNTS vol. 1125, p. 416

Declaration foreseen by Article 90 of Protocol I (concerning the acceptance of the International Fact-Finding Commission)

Entered into force, 25 June 1991

Declaration of 14 October 2002 by Cyprus:

“The Government of the Republic of Cyprus declares that it recognizes ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the International Fact-Finding Commission to enquire into allegations by such other Party, as authorized by Article 90 of Protocol I Addition to the Geneva Conventions of August 12th, 1949, adopted in Geneva on June 8th, 1977, relating to the Protections of Victims of International Armed Conflicts.”

74. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), with Annexes, Final Act and Resolutions

Geneva, 8 June 1977

Entered into force 7 December 1978

Accession by Cyprus 18 March 1996

Depositary: Swiss Government

Publication source: COG S.I(III) 2964, 31.03.1995, p. 13; Law No. 7(III)/1995; UNTS vol. 1125, p. 686

75. Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the adoption of an Additional Distinctive Emblem (Protocol III)

Geneva, 8 December 2005

Entered into force 14 January 2007

Ratified by Cyprus 27 November 2007

Depositary: Swiss Government

Publication source: COG S.I(III) 4095, 2 November 2007, p. 793; Law No. 39(III)/2007

Protection of Adults:

Instrument signed, in process of ratification

Convention on the International Protection of Adults

The Hague, 13 January 2000

Entered into force 1 January 2009

Signed by Cyprus 1 April 2009

B. Regional instruments

Council of Europe (CoE) general instruments

**1. Convention for the Protection of Human Rights and Fundamental Freedoms
Rome, 4 November 1950**

Entered into force 3 September 1953
 Ratified by Cyprus 6 October 1962
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I 157, 24.05.1962, p. 353; Law No. 39/1962; CETS No. 5

Declaration of 29 December 1997:

Further to the Declarations concerning Articles 25 and 46 of the Convention for the Protection of Human Rights and Fundamental Freedoms dated 1 January 1995 and 24 January 1995, and to the Declaration dated 21 November 1995 concerning Article 6, paragraph 2 of Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, I have the honour to declare that the Republic of Cyprus renews the aforementioned Declarations for the remaining period until the entry into force of Protocol No. 11 to the Convention – Dr. Ioannis Kasoulides, Minister of Foreign Affairs.

**2. Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms
 Paris, 20 March 1952**

Entered into force 18 May 1954
 Ratified by Cyprus 6 October 1962
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I 157, 24.05.1962, p. 365; Law No. 39/1962; CETS No. 9

Convention and Protocol linked to the EU acquis through Article 6 EU of the EC Treaty

**3. Protocol No. 2 to the Convention for the Protection of Human Rights and Fundamental Freedoms, conferring upon the European Court of Human Rights competence to give advisory opinions
 Strasbourg, 6 May 1963**

Entered into force 21 September 1970
 Ratified by Cyprus 22 January 1969
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I 693, 22.11.1968, p. 655; Law No. 118/1968; CETS No. 44

**4. Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention
 Strasbourg, 6 May 1963**

Entered into force 21 September 1970
 Ratified by Cyprus 22 January 1969
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I 693, 22.11.1968, p. 657; Law No. 118/1968; CETS No. 45

**5. Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto
 Strasbourg, 16 September 1963**

Entered into force 2 May 1968
 Ratified by Cyprus 3 October 1989
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I 2404, 21.04.1989, p. 1593; Law No. 52/1989; CETS No. 46

Declaration made at the time of signature, on 6 October 1988, and confirmed at the time of deposit of the instrument of ratification, on 3 October 1989 – Or. Engl.

The Government of the Republic of Cyprus adopts the position that, according to a proper interpretation of the provisions of Article 4 of the Protocol, they are not applicable to aliens unlawfully in the Republic of Cyprus as a result of the situation created by the continuing invasion and military occupation of part of the territory of the Republic of Cyprus by Turkey.

Period covered: 03/10/89 –

The preceding statement concerns Article(s): 4

**6. Protocol No. 5 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 22 and 40 of the Convention
Strasbourg, 20 January 1966**

Entered into force 20 December 1971

Ratified by Cyprus 22 January 1969

Depository: Secretary-General of the Council of Europe

Publication source: COG S.I 693, 22.11.1968, p. 655; Law No. 118/1968; CETS No. 55

**7. Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the abolition of the Death Penalty
Strasbourg, 28 April 1983**

Entered into force 1 March 1985

Ratified by Cyprus 19 January 2000

Depository: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 3337, 09.07.1999, p. 71; Law No. 11(III)/1999; CETS No. 114

Communication contained in a Note Verbale from Cyprus, dated 11 November 1999, handed to the Secretary General at the time of deposit of the instrument of ratification, on 19 January 2000 – Or. Engl.

It is hereby communicated, in accordance with Article 2 of the Protocol, that the death penalty is retained for the following offences under the Military Criminal Code and Procedure Law no. 40 of 1964 as amended:

- *Treason (section 13)*
- *Surrender of entrusted post by military commander (section 14)*
- *Capitulation in open place by officer in command (section 15) (a)*
- *Instigating or leading a revolt within the armed forces (section 42 (2))*
- *Transmission of military secrets to a foreign state, spy of agent (section 70 (1))*
- *Instigating or leading a revolt among war prisoners (section 95 (2))*

An English translation of the provisions of the above offences is attached as Appendix I to this Communication.

It is further communicated that by virtue of the provisions of the Military Criminal Code and Procedure (Amendment) Law no. 91(I) of 1995, the death penalty, wherever provided for in the principal law, is imposed only when the offence is committed in time of war. According to the same provisions, the death penalty is not a mandatory sanction, but may, on the discretion of the Court, be substituted by imprisonment for life or for a shorter period.

An English translation of the provisions of the Military Criminal Code and Procedure (Amendment) Law no. 91(I) of 1995 is attached as Appendix II.

APPENDIX I – Translation into English of the provisions of the offences under the Military Criminal Code and Procedure Law no. 40 of 1964 carrying the death penalty

Treason – Section 13

- *A member of the armed forces who in time of war or armed revolt or state of emergency*
 - (a) *Takes arms against the Republic;*
 - (b) *Voluntarily undertakes any military service with the enemy;*
 - (c) *Surrenders to the enemy or to another, in the interests of the enemy, either the force commended by him or the fort of other military post or town entrusted to him, or arms or any means of war or ammunition or supplies of the army in food stuffs and materials of all kinds or money;*
 - (d) *Comes to terms with the enemy for the purpose of helping the operations thereof;*
 - (e) *Knowingly acts in a manner capable of benefiting the military operations of the enemy or of damaging the operations of the army;*
 - (f) *Causes or participates in an agreement purporting to compel the commander of a besieged position, to surrender or come to terms;*
 - (g) *Causes the army in the face of the enemy to take to flight or obstructs the reassembling thereof or in any way tries to inspire fear in the army;*
 - (h) *Attempts anything which is capable of endangering the life, corporal integrity or the personal liberty of the Commander, is guilty of a felony and is punishable with death and degradation.*

Surrender of entrusted post by military commander – Section 14

- *A military commander or garrison (fortress) commander, who has come to terms with the enemy and surrendered the post entrusted to him without having exhausted all the possible means of defence and without having performed all the obligations imposed upon him by the military duty and honour, is guilty of a felony and is punishable with death and degradation*

Capitulation in open place by officer in command – Section 15

- *A commander of an armed military unit who, in an open place comes to terms is guilty of a felony and is punishable*
 - (a) *With death and degradation, if as a result of his coming to terms his force has laid down the arms, or if before negotiating orally or in writing, he did not fulfil the obligations imposed on him by the military duty and honour;*
 - (b) *... ..*

Revolt within the armed forces – Section 42

1. *(Defines revolt)*
2. *The instigators and the leaders of a revolt as well as the officer superior in rank, are guilty of a felony and are punishable with death and degradation. The other rebels are guilty of a felony and are punishable in time of peace with*

imprisonment not exceeding seven years, and in time of war, armed revolt, state of emergency or mobilisation, with death.

3.

Transmission of military secrets – Section 70

1. *A member of the armed forces of any person, in the service of the army, who unlawfully and intentionally delivers or makes known to another or allows to come to the possession or knowledge of another documents, plans or other objects or secret information of a military significance is guilty of a felony and is punishable with imprisonment not exceeding fourteen years and with death and degradation if he delivered them or made them known to a foreign State or spy or agent thereof.*

.....

(Defines what constitutes military secrets).

Revolt among prisoners or war – Section 95

1. *(Defines state of revolt among prisoners of war)*

2. *The inciters and those who led the revolt as well as the officers and non-commissioned officers, are guilty of a felony and are punishable with death and the others with imprisonment not exceeding fourteen years.*

3.

APPENDIX II – Number 91(I) of 1995 – A Law to amend the Military Criminal Code and Procedure

The House of Representatives enacts as follows:

1. *This Law may be cited as the Military Criminal Code and Procedure (Amendment) Law of 1995 and shall be read as one with the Military Criminal Code and Procedure of 1964 to 1993 (hereinafter referred to as “the principal law”) and the principal law and this Law shall together be cited as the Military Criminal Code and Procedure of 1964 to 1995.*

2. *The following new subsection is substituted for subsection 2 of section 7 of the principal law:*

“(2) The death penalty wherever provided in this law is imposed only when the offence is committed in time of war, without prejudice to the right of the Court to impose life imprisonment or imprisonment for a shorter period of time where the circumstances so justify.”

Period covered: 01/02/00 –

The preceding statement concerns Article(s): 2

8. Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms

Strasbourg, 22 November 1984

Entered into force 1 November 1988

Ratified by Cyprus 15 September 2000

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 3415, 30.06.2000, p. 279; Law No. 18(III)/2000;

CETS No. 117

- 9. Protocol No. 8 to the Convention for the Protection of Human Rights and Fundamental Freedoms**
Vienna, 19 March 1985
Entered into force 1 January 1990
Ratified by Cyprus 13 June 1986
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I 2133, 11.04.1986, p. 763; Law No. 35/1986; CETS No. 118
- 10. Protocol No. 9 to the Convention for the Protection of Human Rights and Fundamental Freedoms**
Rome, 6 November 1990
Entered into force 1 October 1994
Ratified by Cyprus 26 September 1994
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 2721, 03.07.1992, p. 163; Law No. 25(III)/1992; CETS No. 140
- 11. Protocol No. 10 to the Convention for the Protection of Human Rights and Fundamental Freedoms**
Basel, 25 March 1992
Not yet in force
Ratified by Cyprus 8 February 1994
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 2844, 17.12.1993, p. 1243; Law No. 41(III)/1993; CETS No. 146
- 12. Protocol No. 11 to the Convention for the Protection of Human Rights and Fundamental Freedoms, restructuring the control machinery established thereby**
Strasbourg, 11 May 1994
Entered into force 1 November 1998
Ratified by Cyprus 28 June 1995
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 2966, 14.04.1995, p. 37; Law No. 8(III)/1995; CETS No. 155

Protocol No. 11 has replaced Protocols No. 2, 3, 5, 8, 9 and 10.
- 13. Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms**
Rome, 4 November 2000
Entered into force 1 April 2005
Ratified by Cyprus 30 April 2002
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 3595, 19.04.2002, p. 471; Law No. 13(III)/2002; CETS No. 177
- 14. Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances**
Vilnius, 3 May 2002
Entered into force 1 July 2003
Ratified by Cyprus 12 March 2003
Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 3678, 31.01.2003, p. 1; Law No. 1(III)/2003; CETS No. 187

15. **Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention Strasbourg, 13 May 2004**
Not yet in force
Ratified by Cyprus 17 November 2005
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 4048, 04.11.2005, p. 1262; Law No. 31(III)/2005; CETS No. 194

16. **European Agreement relating to Persons participating in Proceedings of the European Commission and Court of Human Rights London, 6 May 1969**
Entered into force 17 April 1971
Ratified by Cyprus 23 November 1970
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I 833, 30.10.1970, p. 585; Law No. 76/1970; CETS No. 67

17. **European Agreement relating to Persons participating in Proceedings of the European Commission and Court of Human Rights London, 5 March 1996**
Entered into force 1 January 1999
Ratified by Cyprus 9 February 2000
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 3376, 23.12.1999, p. 449; Law No. 26(III)/1999; CETS No. 161

18. **Sixth Protocol to the General Agreement on Privileges and Immunities of the Council of Europe Strasbourg, 5 March 1996**
Entered into force 1 November 1998
Ratified by Cyprus 9 February 2000
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 3376, 23.12.1999, p. 464; Law No. 27(III)/1999; CETS No. 162

19. **European Social Charter, with appendix Turin, 18 October 1961**
Entered into force 26 February 1965
Ratified by Cyprus 7 March 1968
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I 603, 20.10.1967, p. 693; Law No. 64/1967; COG S.I 1168, 31.01.1975, p. 9; Law No. 5/1975; COG S.I 2648, 22.11.1991, p. 1937; Law No. 203/1991; CETS No. 35

Declaration made at the time of signature, on 22 May 1967, and contained in the instrument of ratification, deposited on 7 March 1968 – Or. Engl.

The Republic of Cyprus undertakes to pursue and carry out faithfully the stipulations contained in Part I of the Charter and also, in accordance with the provisions of paragraph 1 (b) and (c) of Article 20, the stipulations contained in the following articles of Part II of the Charter:

(a) *In accordance with the provisions of paragraph 1 (b) of Article 20: Articles 1, 5, 6, 12 and 19;*

(b) *In accordance with the provisions of paragraph 1 (c) of Article 20: Articles 3, 9, 11, 14 and 15.*

Period covered: 06/04/68 –

The preceding statement concerns Article(s): 20

Declaration contained in a Note Verbale from the Permanent Representation of Cyprus, dated 20 October 1988, registered at the Secretariat General on 25 October 1988 – Or. Engl.

According to Article 20 paragraph 3 of the European Social Charter, the Government of the Republic of Cyprus considers itself bound by the following numbered paragraphs of Part II of the Charter:

- *Paragraph 3 of Article 2: annual holiday with pay*
- *Paragraph 5 of Article 2: weekly rest period*
- *Paragraph 7 of Article 7: annual holiday with pay to employed persons under 18 years of age*
- *Paragraph 8 of Article 7: night work of persons under 18 years of age*
- *Paragraph 2 of Article 8: unlawful notice of dismissal given to a woman during her absence on maternity leave*

Period covered: 24/11/88 –

The preceding statement concerns Article(s): 20

Declaration contained in a Note Verbale from the Permanent Representation of Cyprus, dated 10 February 1992, registered at the Secretariat General on 12 February 1992 – Or. Engl.

According to Article 20 paragraph 3 of the European Social Charter, the Government of the Republic of Cyprus considers itself bound by the following numbered paragraphs of Part II of the Charter:

- *Paragraph 1 of Article 2: reasonable daily and weekly working hours*
- *Paragraph 1 of Article 7: minimum age for admission to employment*
- *Paragraph 3 of Article 7: safeguarding the full benefit of compulsory education*
- *Paragraph 1 of Article 8: maternity leave*

Period covered: 11/03/92 –

The preceding statement concerns Article(s): 20

Denunciation contained in a Note Verbale from the Ministry of Foreign Affairs of the Republic of Cyprus, handed to the Secretary General at the time of deposit of the instrument of ratification of the revised Charter, on 27 September 2000 – Or. Engl.

In accordance with Article 37 of the Charter, the Republic of Cyprus gives notice of its intention to denounce Article 2, paragraph 3, and Article 7, paragraph 7, of the European Social Charter.

The denunciation is made for purely technical reasons so that the ratification of the Revised Charter will be possible. The denunciation will in no way constitute a regression in the protection afforded to workers as the existing legislation safeguards the right of all employees to three weeks annual holiday with pay. The European Committee of Social Rights has in its conclusions confirmed the compliance of the situation in Cyprus with the aforesaid provisions of the Charter.

Period covered: 07/04/01 –

The preceding statement concerns Article(s): 2, 7, 37

20. Protocol amending the European Social Charter

Turin, 21 October 1991

Not yet in force

Ratified by Cyprus 1 June 1993

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 2791, 23.04.1993, p. 187; Law No. 10(III)/1993; CETS No. 142

21. Additional Protocol to the European Social Charter Providing for a System of Collective Complaints

Strasbourg, 9 November 1995

Entered into force 1 July 1998

Ratified by Cyprus 6 August 1996

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 3071, 28.06.1996, p. 141; Law No. 9(III)/1996; CETS No. 158

22. European Social Charter (revised)

Strasbourg, 3 May 1996

Entered into force 1 July 1999

Ratified by Cyprus 27 September 2000

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 3420, 21.07.2000, p. 641; Law No. 27(III)/2000; CETS No. 163

Declaration contained in a Note Verbale from the Permanent Representation of Cyprus, handed to the Secretary General at the time of deposit of the instrument of ratification, on 27 September 2000 – Or. Engl.

In accordance with Part III, Article A, of the revised European Social Charter, the Republic of Cyprus considers itself bound by Articles 1, 5, 6, 9, 10, 11, 12, 14, 15, 19, 20, 24 and 28 as well as by the following paragraphs:

- *Paragraphs 1, 2, 5 and 7 of Article 2*
- *Paragraphs 1, 2 and 3 of Article 3*
- *Paragraphs 1, 2, 3, 4, 6, 8 and 10 of Article 7*
- *Paragraphs 1, 2 and 3 of Article 8*
- *Paragraphs 2 and 3 of Article 13*
- *Paragraph 4 of Article 18 and*
- *Paragraph 3 of Article 27*

Period covered: 01/11/00 –

The preceding statement concerns Article(s): A

23. **Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data**
Strasbourg, 28 January 1981
Entered into force 1 October 1985
Ratified by Cyprus 21 February 2002
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 3549, 23.11.2001, p. 1987; Law No. 28(III)/2001; CETS No. 108
Data Protection in the Schengen Agreement (Art. 115) is based on the above Convention.

Declaration contained in the instrument of ratification deposited on 25 February 2002 – Or. Engl.

In accordance with Article 13, paragraph 2, of the Convention, the Republic of Cyprus declares that the designated authority is the Commissioner for Personal Data Protection whose (provisional) address is:

Law Office of the Republic of Cyprus
1403 Nicosia, Cyprus
Tel.: 00 357 22889131
Fax: 00 357 22667498
E-mail: roc-law@cytanet.com.cy

Period covered: 01/06/02 –

The preceding statement concerns Article(s): 13
24. **Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, regarding supervisory authorities and transborder data flows**
Strasbourg, 8 November 2001
Entered into force 1 July 2004
Ratified by Cyprus 17 March 2004
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 3732, 04.07.2003, p. 1672; Law No. 30(III)/2003; CETS No. 181
25. **Convention for the protection of Human Rights and Dignity of the Human Being with regard to the application of Biology and Medicine: Convention on Human Rights and Biomedicine**
Oviedo, 4 April 1997
Entered into force 1 December 1999
Ratified by Cyprus 20 March 2002
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 3563, 28.12.2001, p. 2077; Law No. 31(III)/2001; CETS No. 164
26. **Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings**
Paris, 12 January 1998
Entered into force 1 March 2001
Ratified by Cyprus 20 March 2002
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 3563, 28.12.2001, p. 2103; Law No. 31(III)/2001; CETS No. 168

27. **Convention on Cybercrime**
Budapest, 23 November 2001
 Entered into force 1 July 2004
 Ratified by Cyprus 19 January 2005
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I(III) 3850, 30.04.2004, p. 2717; Law No. 22(III)/2004;
 CETS No. 185

CoE instruments concerning specific issues

Prevention of discrimination:

28. **Additional Protocol to the Convention on Cybercrime concerning the Criminalisation of Acts of a Racist and Xenophobic Nature committed through Computer Systems**
Strasbourg, 28 January 2003
 Entered into force 1 March 2006
 Ratified by Cyprus 23 June 2005
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I(III) 3850, 30.04.2004, p. 2889; Law No. 26(III)/2004;
 COG S.III(I) 4128, 11.08.2006, p. 2978; CETS No. 189

Terrorism:

29. **European Convention on the Suppression of Terrorism**
Strasbourg, 27 January 1977
 Entered into force 4 August 1978
 Ratified by Cyprus 26 February 1979
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I 1498, 26.01.1979, p. 11; Law No. 5/1979; CETS No. 90

Reservation contained in the instrument of ratification deposited on 26 February 1979 – Or. Engl.

When depositing this instrument of ratification, the Permanent Representative declares that the Republic of Cyprus makes the following Reservation in accordance with Article 13.1 of this Convention: "The Government of the Republic of Cyprus reserves the right to refuse extradition in respect of any offence mentioned in Article 1 which it considers to be a political offence."

Period covered: 27/05/79 –

The preceding statement concerns Article(s): 1

Declaration contained in the instrument of ratification deposited on 26 February 1979 – Or. Engl.

With respect to Article 7 of the Convention and pursuant to the Republic of Cyprus the Extension of Jurisdiction of National Courts with respect to certain Terrorist Offences Law of 1979 which has been enacted by the House of Representatives of the Republic of Cyprus on the 18th January 1979, the national courts of Cyprus can prosecute a person suspected to have committed an offence mentioned in Article 1 of this Convention.

Period covered: 27/05/79 –

The preceding statement concerns Article(s): 7

Declaration contained in the instrument of ratification deposited on 26 February 1979 – Or. Engl.

The Government of the Republic of Cyprus wishes to notify that its reservations and declarations made on 22nd January 1971 when depositing its Instrument of Ratification with regard to the European Convention on Extradition of 13th December 1957 are still valid.

Period covered: 27/05/79 –

The preceding statement concerns Article(s): 7

30. Protocol amending the European Convention on the Suppression of Terrorism Strasbourg, 15 May 2003

Not yet in force

Ratified by Cyprus 6 August 2004

Depository: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 3850, 30.04.2004, p. 2539; Law No. 18(III)/2004; CETS No. 190

31. Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism Warsaw, 16 May 2005

Entered into force 1 May 2008

Ratified by Cyprus 27 March 2009

Depository: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 4100, 31.12.2007, p. 1163; Law No. 51(III)/2007; CETS No. 198

Declaration contained in a Note Verbale from the Permanent Representation of Cyprus deposited with the instrument of ratification on 27 March 2009 – Or. Engl.

In accordance with Article 3, paragraph 2, of the Convention, the Republic of Cyprus declares that Article 3, paragraph 1, shall apply only in so far as the offence is punishable by deprivation of liberty or a detention order for a maximum of more than one year.

Period covered: 1/7/2009 –

The preceding statement concerns Article(s): 3

Declaration contained in a Note Verbale from the Permanent Representation of Cyprus deposited with the instrument of ratification on 27 March 2009 – Or. Engl.

In accordance with Article 9, paragraph 4, of the Convention, the Republic of Cyprus declares that Article 9, paragraph 1, shall apply only in so far as the offence is punishable by deprivation of liberty or a detention order for a maximum of more than one year.

Period covered: 1/7/2009 –

The preceding statement concerns Article(s): 9

Declaration contained in a Note Verbale from the Permanent Representation of Cyprus deposited with the instrument of ratification on 27 March 2009 – Or. Engl.

In accordance with Article 24, paragraph 3, of the Convention, the Republic of Cyprus declares that Article 24, paragraph 2, shall apply subject to Cyprus's constitutional principles and to the basic concepts of the Cyprus legal system.

Period covered: 1/7/2009 –

The preceding statement concerns Article(s): 24

Declaration contained in a Note Verbale from the Permanent Representation of Cyprus deposited with the instrument of ratification on 27 March 2009 – Or. Engl.

In accordance with Article 35, paragraph 3, of the Convention, the Government of Cyprus declares that requests and annexed documents should be addressed to it accompanied by a translation in English.

Period covered: 1/7/2009 –

The preceding statement concerns Article(s): 35

Declaration contained in a Note Verbale from the Permanent Representation of Cyprus deposited with the instrument of ratification on 27 March 2009 – Or. Engl.

In accordance with Article 42, paragraph 2, of the Convention, the Government of Cyprus declares that information or evidence provided by it under this Convention may not, without its prior consent, be used or transmitted by the authorities of the Requesting Party in investigations or proceedings other than those specified in the request.

Period covered: 1/7/2009 –

The preceding statement concerns Article(s): 42

Declaration contained in a Note Verbale from the Permanent Representation of Cyprus deposited with the instrument of ratification on 27 March 2009 – Or. Engl.

In accordance with Article 33, paragraph 2, of the Convention, the Republic of Cyprus declares that the central authorities designated in pursuance of paragraph 1 are:

- *The Ministry of Justice and Public Order*

Period covered: 1/7/2009 –

The preceding statement concerns Article(s): 33

Declaration contained in a Note Verbale from the Permanent Representation of Cyprus deposited with the instrument of ratification on 27 March 2009 – Or. Engl.

In accordance with Article 46, paragraph 13, of the Convention, the Financial Intelligence Unit designated for the Republic of Cyprus is:

Unit for Combating Money Laundering (MOKAS)

P.O. Box: 23768

1686 Nicosia

Cyprus

Email: mokas@mokas.law.gov.cy

Period covered: 1/7/2009 –

The preceding statement concerns Article(s): 46

**32. Council of Europe Convention on the Prevention of Terrorism
Warsaw, 16 May 2005**

Entered into force 1 June 2007

Ratified by Cyprus 23 January 2009

Depositary: Secretary-General of the Council of Europe

Publication source: CETS No. 196

Torture and Inhuman or Degrading Treatment or Punishment:

33. **European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, with Annex
Strasbourg, 26 November 1987**
Entered into force 1 February 1989
Ratified by Cyprus 3 April 1989
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I 2385, 24.02.1989, p. 725; Law No. 24/1989; CETS No. 126
Convention linked to EU acquis through Art. 6 EU of the EC Treaty.
34. **Protocol No. 1 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
Strasbourg, 4 November 1993**
Entered into force 1 March 2002
Ratified by Cyprus 10 September 1997
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 3137, 28.03.1997, p. 681; Law No. 8(III)/1997; CETS No. 151
35. **Protocol No. 2 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
Strasbourg, 4 November 1993**
Entered into force 1 March 2002
Ratified by Cyprus 10 September 1997
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 3137, 28.03.1997, p. 693; Law No. 8(III)/1997; CETS No. 152

Trafficking in human beings:

36. **Council of Europe Convention on Action against Trafficking in Human Beings
Warsaw, 16 May 2005**
Entered into force 1 February 2008
Ratified by Cyprus 24 October 2007
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I(III) 4094, 12 October 2007, p. 731; Law No 38(III)/2007; CETS No. 197

CoE instruments relating to the protection of particular groups**Rights of children – Family Law:**

37. **European Convention on the Legal Status of Children born out of Wedlock
Strasbourg, 15 October 1975**
Entered into force 11 August 1978
Ratified by Cyprus 11 July 1979
Depositary: Secretary-General of the Council of Europe
Publication source: COG S.I 1523, 01.06.1979, p. 845; Law No. 50/1979; CETS No. 85
38. **European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children
Luxembourg, 20 May 1980**
Entered into force 1 September 1983

Ratified by Cyprus 13 June 1986
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I 2133, 11.04.1986, p. 773; Law No. 36/1986; CETS No. 105

Declaration contained in the instrument of ratification, deposited on 13 June 1986 – Or. Engl.

The Government of the Republic of Cyprus appoints, in accordance with the provisions of Article 2 of the Convention, the Minister of Justice, Ministry of Justice, Nicosia, as the Central Authority.

Period covered: 01/10/86 –

The preceding statement concerns Article(s): 2

39. European Convention on the Exercise of Children's Rights

Strasbourg, 25 January 1996

Entered into force 1 July 2000

Ratified by Cyprus 25 October 2005

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 4015, 22.07.2005, p. 1229; Law No. 23(III)/2005; CETS No. 160

Declaration made in accordance with Article 1, paragraph 4, of the Convention:

The Convention will apply to three categories of family cases before a judicial authority, namely: (1) Custody, (2) Adoptions, and (3) Protection from maltreatment and cruel behaviour.

40. Convention on Cybercrime

Budapest, 23 November 2001

Entered into force 1 July 2004

Ratified by Cyprus 19 January 2005

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 3850, 30.04.2004, p. 2717; Law No. 22(III)/2004; CETS No. 185

Instruments signed, in process of ratification

Convention on Contact concerning Children

Strasbourg, 15 May 2003

Entered into force 1 September 2005

Signed by Cyprus on 15 May 2003

Publication source: CETS No. 192

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

Lanzarote, 25 October 2007

Not yet in force

Signed by Cyprus on 25 October 2007

Publication source: CETS No. 201

Protection of victims:

41. European Convention on the Compensation of Victims of Violent Crimes

Strasbourg, 24 November 1983

Entered into force 1 February 1988

Ratified by Cyprus 17 January 2001

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 3117, 24.01.1997, p. 5; Law No. 2(III)/1997; CETS No. 116

Declaration contained in the instrument of ratification deposited on 17 January 2001 – Or. Engl.

Under Article 3 of the Convention, Nationals of other countries are considered to be “permanent residents” within the meaning of Article 3(b) of the Convention if:

(a) They have resided in the Republic of Cyprus for a continuous period of fifteen years, just before the period of 16 August 1960, according to Regulation 3 of the “Aliens and Immigration Regulations” of 1972–1996;

(b) They are in possession of an Immigration Permit, according to Regulation 5 and Regulation 6(2) of the “Aliens and Immigration Regulations” of 1972–1996;

(c) They are dependent on persons falling under sub-paragraphs (a) and (b) above, according to Regulation 8 of the “Aliens and Immigration Regulations” of 1972–1996.

Period covered: 01/05/01 –

The preceding statement concerns Article(s): 3

Declaration contained in the instrument of ratification deposited on 17 January 2001 – Or. Engl.

The Government of Cyprus, in pursuance of Article 12, designates the Department of Social Insurance of the Ministry of Labour and Social Insurance as the central authority.

The address of the aforesaid Department is as follows:

*Department of Social Insurance,
Ministry of Labour and Social Insurance,
Byron Ave. No. 7,
1096 Nicosia – Cyprus
Tel.: +357 22307130
Fax: +357 22672984
E-mail: soc.ins.@cytanet.com.cy*

Period covered: 01/05/01 –

The preceding statement concerns Article(s): 12

**42. Council of Europe Convention on Action against Trafficking in Human Beings
Warsaw, 16 May 2005**

Entered into force 1 February 2008

Ratified by Cyprus 24 October 2007

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 4094, 12 October 2007, p. 731; Law No 38(III)/2007; CETS No. 197

Rights of minorities:

**43. European Charter for Regional or Minority Languages
Strasbourg, 5 November 1992**

Entered into force 1 March 1998

Ratified by Cyprus 26 August 2002

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 2842, 10.12.1993, p. 521; Law No. 39(III)/1993; CETS No. 148

Declaration contained in a letter from the Chargé d'Affaires a.i. of the Permanent Representation of Cyprus, dated 3 August 2005, registered at the Secretariat General on 4 August 2005 – Or. Engl.

In ratifying the European Charter for Regional or Minority Languages, the Republic of Cyprus deposited on 26 August 2002, a declaration which appears to be incompatible with the provisions of the Charter on undertakings to be applied by it.

In order to remove uncertainty and clarify the extent of the obligations undertaken, the Republic of Cyprus hereby withdraws the declaration of 26 August 2002 and replaces it with the following:

The Republic of Cyprus, while reiterating its commitment to respect the objectives and principles pursued by the European Charter for Regional or Minority Languages, declares that it undertakes to apply Part II of the Charter in accordance with Article 2, paragraph 1, to the Armenian language as a “non-territorial” language defined in Article 1c of the Charter.

The Republic of Cyprus would further like to state that its Constitution and laws uphold and safeguard effectively the principle of equality and non-discrimination on the ground of a person's community, race, religion, language, sex, political or other convictions, national or social descent, birth, colour, wealth, social class or any ground whatsoever.

Period covered: 4/8/2005 –

The preceding statement concerns Article(s): 2

Declaration contained in a Note verbale from the Permanent Representation of Cyprus, dated 5 November 2008, registered at the Secretariat General on 12 November 2008 – Or. Engl.

Further to its Declaration of 3 August 2005, the Republic of Cyprus declares that the Cypriot Maronite Arabic is a language within the meaning of the European Charter for Regional or Minority Languages, to which it will apply the provisions of Part II of the Charter in accordance with Article 2, paragraph 1.

In doing so, the Republic of Cyprus further declares that, since the Cypriot Maronite Arabic is also used in the village of Kormakitis, cradle of the said language, situated in an area of the territory of the Republic of Cyprus under Turkish military occupation since 1974 in which the Republic does not exercise effective control, it excludes any interpretation of the Charter's provision in this regard that would be contrary to it, particularly its Article 5.

Period covered: 12/11/2008 –

The preceding statement concerns Article(s): 2, 5

**44. Framework Convention for the Protection of National Minorities
Strasbourg, 1 February 1995**

Entered into force 1 February 1998

Ratified by Cyprus 4 June 1996

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I(III) 3018, 24.11.1995, p. 1471; Law No. 28(III)/1995; CETS No. 157

Rights of refugees:**45. European Interim Agreement on Social Security Schemes relating to Old Age, Invalidity and Survivors, with Annexes
Paris, 11 December 1953**

Entered into force 1 July 1954

Ratification by Cyprus 14 March 1973

Depository: Secretary-General of the Council of Europe

Publication source: COG S.I 995, 24.02.1973, p. 117; Law No. 10/1973; CETS No. 12

Statement:

ANNEX I – Social Security Schemes to which the Agreement applies:

Social Insurance Law and the Regulations made there under which establish a scheme providing benefits in respect of old-age, invalidity and benefits payable to survivors (widow's pension and orphan's benefit).

The scheme is of a contributory nature.

[Note by the Secretariat: Last updating contained in a letter from the Permanent Representation of Cyprus, dated 6 April 1973, registered at the Secretariat General on 9 April 1973.]

Period covered: 09/04/73 –

The preceding statement concerns Article(s): 7

ANNEX II – Bilateral and Multilateral Agreements to which the Agreement applies:

(a) Agreement on Social Insurance between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Cyprus, dated 6 October 1969;

(b) Agreement on Social Security between the Government of the Republic of Cyprus and the Government of the Hellenic Republic dated 1 July 1979.

[Note by the Secretariat: Last updating contained in a letter from the Permanent Representation of Cyprus, dated 6 June 1983, registered at the Secretariat General on 6 June 1983.]

Period covered: 09/04/73 –

The preceding statement concerns Article(s): 8

Interpretation of the terms: “nationals” and “territory”:

(a) Nationals: Persons having at 1 December 1968 acquired or being entitled to acquire, citizenship of the Republic of Cyprus, in accordance with the provisions of Annex D to the Treaty of Establishment, or those who acquire that citizenship in accordance with the Republic's Nationality Act, 1967;

(b) Territory: The territory of the Republic of Cyprus.

Period covered: 09/04/73 –

The preceding statement concerns Article(s): 2

46. **Protocol to the European Interim Agreement on Social Security Schemes relating to Old Age, Invalidity and Survivors**
Paris, 11 December 1953
 Entered into force 1 October 1954
 Ratified by Cyprus 14 March 1973
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I 995, 24.02.1973, p. 122; Law No. 10/1973; CETS No. 12A
47. **European Interim Agreement on Social Security other than Schemes for Old Age, Invalidity and Survivors**
Paris, 11 December 1953
 Entered into force 1 July 1954
 Ratified by Cyprus 14 March 1973
 Depositary: Secretary-General of the Council of Europe
 Publication source: COG S.I 995, 24.02.1973, p. 79; Law No. 9/1973; CETS No. 13

Statement:

ANNEX I – Social Security Schemes to which the Agreement applies Social Insurance Law and the Regulations made thereunder which establish a scheme providing unemployment benefit, sickness and maternity benefits (cash benefits), death grant and benefits in respect of personal injury by industrial accidents and prescribed diseases.

The scheme is of a contributory nature.

[Note by the Secretariat: Last updating contained in a letter from the Permanent Representation of Cyprus, dated 6 April 1973, registered at the Secretariat General on 9 April 1973.]

Period covered: 09/04/73 –

The preceding statement concerns Article(s): 7

ANNEX II – Bilateral and Multilateral Agreements to which the Agreement applies:

(a) Agreement on Social Insurance between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Cyprus, dated 6 October 1969;

(b) Agreement on Social Security between the Government of the Republic of Cyprus and the Government of the Hellenic Republic dated 1 July 1979.

[Note by the Secretariat: Last updating contained in a letter from the Permanent Representation of Cyprus, dated 6 June 1983, registered at the Secretariat General on 6 June 1983.]

Period covered: 09/04/73 –

The preceding statement concerns Article(s): 8

Interpretation of the terms: “nationals” and “territory”:

(a) Nationals: Persons having at 1 December 1968 acquired or being entitled to acquire, citizenship of the Republic of Cyprus, in accordance with the provisions of Annex D to the Treaty of Establishment, or those who acquire that citizenship in accordance with the Republic’s Nationality Act, 1967;

(b) Territory: The territory of the Republic of Cyprus.

Period covered: 09/04/73 –

The preceding statement concerns Article(s): 2

**48. Protocol to the European Interim Agreement on Social Security other than Schemes for Old Age, Invalidity and Survivors
Paris, 11 December 1953**

Entered into force 1 October 1954

Ratified by Cyprus 14 March 1973

Depositary: Secretary-General of the Council of Europe

Publication source: COG S.I 995, 24.02.1973, p. 84; Law No. 9/1973; CETS No. 13A

European community/European Union instruments

**49. Treaty concerning the Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, the Slovak Republic to the European Union
Athens, 16 April 2003**

Cyprus ratified the Treaty on 6 August 2003

Depositary: Government of the Italian Republic

Publication source: COG S.I(III) 3740, 25.07.2003, p. 2061; Law No. 35(III)/2003; OJ L 236, 23.09.2003 and OJ C 227E, 23.09.2003

Through its accession to the European Union, Cyprus has adhered to the following Treaties:

**A. Treaty Establishing the European Community (EC Treaty)
Rome, 25 March 1957**

OJ C325, 24.12.2002, Consolidated version of the Treaty

See Articles 13 and 177

**B. The Treaty on European Union (EU Treaty)
Maastricht, 27 February 1992**

OJ C325, 24.12.2002, Consolidated version of the Treaty

See Articles 6 and 7, 11 and 49

**50. Charter of Fundamental Rights of the European Union
Nice, 7 December 2000**

Publication source: OJ C364, 18.12.2000, p. 1

51. Council Regulation (EC) No. 1035/97 of 2 June 1997 establishing a European Monitoring Center on Racism and Xenophobia, as amended by Regulation (EC) No. 1652/2003 of 18 June 2003

Publication source: OJ L151, 10.06.1997, p. 1, L245, 29.09.2003, p. 33 and C19, 26.02.2006, p. 36

52. Council Decision establishing a Secretariat for the joint supervisory data-protection bodies set up by the Convention on the Establishment of a European Police Office (Europol Convention), the Convention on the Use of Information Technology for Customs Purposes and the Convention implementing the Schengen Agreement of checks at the common border (Schengen Convention)

Publication source: OJ L271, 24.10.2000, p. 1

- 53. Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community**
Lisbon, 13 December 2007
 Not yet in force as at 28 April 2009
 Ratified by Cyprus 26 August 2008
 Depositary: Government of the Italian Republic
 Publication source: COG S.I(III) 4107, 18.07.2008, p. 1077; Law No. 17(III)/2008; OJ C306, 17.12.2007 and C115, 09.05.2008

See Protocol relating to Article 6(2) of the Treaty on European Union on the accession of the Union to the European Convention on the Protection of Human Rights and Fundamental Freedoms (OJ C306, 17.12.2007, p. 155)

- 53.1 Procès-verbal of Rectification of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon on 13 December 2007**
Rome, 10 March 2008
 Depositary: Government of the Italian Republic
- 53.2 Second Procès-verbal of Rectification of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon on 13 December 2007**
Rome, 30 April 2008
 Depositary: Government of the Italian Republic
- 53.3 Charter of Fundamental Rights of the European Union**
Strasbourg, 12 December 2007
 Publication source: OJ C303, 14.12.2007, p. 1

The Charter proclaimed in Strasbourg on 12 December 2007 adapts the wording of the Charter proclaimed in Nice on 7 December 2000 and will replace it as from the date of entry into force of the Treaty of Lisbon.

CSCE/OSCE instruments

- 54. Conference on Security and Cooperation in Europe Final Act**
Helsinki, 1 August 1975
 Entered into force 1 August 1975
 Cyprus signed the Final Act on 1 August 1975
 Original retained in the Archives of the Government of Finland

The Government of the Republic of Finland was requested to transmit to the Secretary-General of the United Nations the text of the Final Act which is not eligible for registration under Article 102 of the Charter of the United Nations, with a view to its circulation to all the members of the Organization as an official document of the United Nations.

The Republic of Cyprus participated in the Conference on Security and Cooperation in Europe (CSCE), which opened at Helsinki on 3 July 1973 and continued at Geneva from 18 September 1973 to 21 July 1975. The fundamental document of the CSCE, the Final Act, was adopted by the original 35 participating States at the first CSCE Summit which took place in Helsinki from 30 July to 1 August 1975.

55. **Charter of Paris for a New Europe**
Paris, 21 November 1990
Entered into force 21 November 1990
Cyprus signed the Charter on 21 November 1990
Original retained in the Archives of the Government of the French Republic

The second CSCE Summit held in Paris in November 1990, laid the foundations of the institutionalization process. Four subsequent Summits were held in Helsinki 1992, Budapest 1994, Lisbon 1996 and Istanbul 1999. Each of these Summits produced declarations and documents.
56. **CSCE Helsinki Document 1992. The Challenges of Change.**
Helsinki, 10 July 1992
Entered into force 10 July 1992
Cyprus signed the Document on 10 July 1992
Original retained in the Archives of the Government of Finland
57. **CSCE Budapest Document. Towards a Genuine Partnership in a New Era.**
Budapest Summit Declaration
Adopted at Budapest, 6 December 1994
Entered into force 6 December 1994
Original retained in the Archives of the Government of Hungary

Excerpt from Budapest Decisions:

“I. **STRENGTHENING THE CSCE:**

1. *The new era of security and co-operation in Europe has led to a fundamental change in the CSCE and to a dramatic growth in its role in shaping our common security area. To reflect this the CSCE will henceforth be known as the Organization for Security and Co-operation in Europe (OSCE). The change in name will be effective on 1 January 1995. As of this date, all references to the CSCE will henceforth be considered as references to the OSCE.*

...”
58. **Lisbon Document**
Adopted at Lisbon, 3 December 1996
Entered into force 3 December 1996
Original retained in the Archives of the OSCE

The Lisbon Document comprises of The Lisbon Summit Declaration and the Lisbon Declaration on a Common and Comprehensive Security Model.
59. **Charter for European Security. Istanbul Summit Declaration. Istanbul Document.**
Istanbul, 19 November 1999
Entered into force 19 November 1999
Cyprus signed the Charter on 19 November 1999
Original retained in the Archives of the OSCE

In addition to the above instruments (Helsinki 1975 and 1992, Paris 1990, Budapest 1994, Lisbon 1996, Istanbul 1999) references to human rights, specific issues of human rights and to the protection of particular groups may be found in the following CSCE/OSCE documents and decisions:

Belgrade Concluding Document 1977, Madrid Concluding Document 1983, Vienna Concluding Document 1989, Helsinki Decisions 1992, Budapest Decisions 1994, Lisbon Document 1996 and Istanbul Document 1999.

The OSCE Institutions listed below are active in Human Rights protection:

- Office for Democratic Institutions and Human Rights
 - Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings
 - OSCE Representative on Freedom of the Media
 - High Commissioner on National Minorities
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