

2022 Country Report on Human Rights Practices: Cyprus

Read a Section: Republic of Cyprus

Area Administered by Turkish Cypriots

The government of the Republic of Cyprus is the only internationally recognized government on the island, but since 1974 the northern third of Cyprus has been administered by Turkish Cypriots. This area proclaimed itself the “Turkish Republic of Northern Cyprus” in 1983. The United States does not recognize the “Turkish Republic of Northern Cyprus,” nor does any country other than Türkiye (Turkey). A substantial number of Turkish troops remain on the island. A buffer zone, or “Green Line,” patrolled by a UN Peacekeeping Force, separates the two sides. This report is divided into two parts: the Republic of Cyprus, and the area administered by Turkish Cypriots.

EXECUTIVE SUMMARY

The Republic of Cyprus is a constitutional republic and multiparty presidential democracy. On May 30, 2021, voters elected 56 representatives to the 80-seat Vouli Antiprosopon (House of Representatives) in free and fair elections. The remaining seats are designated for Turkish Cypriots and are left vacant. In 2018 voters re-elected President Nicos Anastasiades in free and fair elections.

Police enforced the law. Police report to the Ministry of Justice and Public Order. The president appoints the chief of police. Civilian authorities maintained effective control over the security forces. There were reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: harsh prison and detention center conditions, particularly for asylum seekers; substantial interference with freedom of association of nongovernmental organizations; refoulement of asylum seekers; and crimes involving violence or threats of violence targeting members of national or ethnic minority groups, including foreign asylum seekers.

The government took some steps to investigate, prosecute, and punish officials accused of human rights abuses and acts of corruption, although there were limited cases of impunity.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution and law prohibit such practices. There were reports that government officials mistreated members of ethnic and racial minorities during the year. According to press reports and nongovernmental organizations (NGOs), members of ethnic and racial minorities were more likely to be subjected to such treatment.

In January media and NGOs reported that police and local authorities in Chlorakas targeted and mistreated asylum seekers and refugees by forcing them to abandon an apartment complex that the Paphos district officer declared unfit for habitation because the drinking water supply was unsuitable for consumption. Chlorakas Municipal Council interrupted the water supply to the building prior to the expiration of the appeals deadline against the eviction order. An NGO reported that police entered some of the apartments without court warrants and intimidated residents who refused to leave the building. A Syrian refugee said in a January 5 open letter addressed to the Office of the UN High Commissioner for Refugees (UNHCR) that police physically and verbally harassed him and other Syrian refugees living in Chlorakas.

The commissioner for administration (ombudsman), who also acts as the country's national preventive mechanism under the Optional Protocol to the UN Convention against Torture, reported it was investigating citizen complaints of verbal, discriminative, and degrading treatment by police. During the year, two Turkish Cypriots submitted a formal complaint that they were subjected to degrading treatment by a police immigration officer at Larnaca airport. The ombudsman launched an investigation that was ongoing at year's end. During the reporting period, the Ombudsman's Office investigated three more complaints of abusive police behavior. The Ombudsman's Office completed its investigation into one of the three complaints submitted by a Cypriot citizen of verbal abuse by police. While the Ombudsman's Office could not substantiate the complaint due to the absence of independent evidence, it encouraged police leadership to show zero tolerance to degrading treatment by officers. The most recent report of the Council of Europe's Committee for the Prevention of Torture (CPT) on the country's prison and detention centers, published in 2018, noted persistent allegations of police mistreatment of detainees, including allegations of physical and sexual abuse.

Prison and Detention Center Conditions

Some prison and detention centers, including detention centers for asylum seekers and undocumented migrants pending deportation, were overcrowded.

Abusive Physical Conditions: Overcrowding remained a problem in the Cyprus Prisons Department (CPD). The prison's capacity is 543; the maximum number of inmates held during the year was 998. In its 2018 report, the CPT noted that in Blocks 1, 2, 5, and 8 of the CPD, many cells did not have toilets, and prisoners lacked reliable access to toilets at night. In September the ombudsman completed the investigation launched in 2020 on the physical conditions and treatment of prisoners and detainees in CPD. It concluded that during the year, living conditions deteriorated due to overcrowding and recommended immediate action to address the problem of overpopulation, in line with the relevant CPT suggestions. Problems resulting from overcrowding included nonseparation of pretrial detainees and convicted prisoners in the women's ward, lack of privacy for all prisoners when using the toilets, and the absence of separate dining and laundry rooms in some wards. Overcrowding was not a problem in the open prison, a separate section in which Cypriot prisoners are allowed to work outside the prison and visit family on some weekends. Foreign prisoners without a temporary residence permit were not permitted to leave the prison or apply for parole.

Prison authorities held juvenile pretrial detainees in cells separate from convicted juveniles and kept these populations separated during mealtimes and sports activities, but the two groups shared the same grounds in their daily work and education-related activities under the supervision of prison staff. Authorities reportedly held migrants detained on deportation orders together with detainees charged with criminal offenses in nearly all police stations. Such detentions at police stations were limited to a maximum of 48 hours except in cases when the Mennoyia Immigration Detention Center for undocumented migrants was full.

On October 28, police opened a premeditated murder investigation after Turkish Cypriot prisoner Tansu Cidan was found unconscious in his cell and pronounced dead on arrival at the hospital. The chief of police confirmed the man had suffered multiple injuries and said there was solid evidence indicating involvement of other inmates held in the same prison wing. Eleven prisoners were arrested in connection with the murder and six prison guards were suspended from duty pending the outcome of the investigation.

UNHCR described the Pournara migrant reception center, designed to accommodate up to 1,000 new arrivals for 72 hours before relocation to more permanent housing, as a “de facto detention center” for asylum seekers. The facility housed more than 3,000 asylum seekers in December according to NGO reporting. According to the government, the center’s population included approximately 270 unaccompanied minors ages 15 to 18. Commissioner for the Rights of Children Despo Michaelidou described the conditions at Pournara as appalling and unhygienic, with up to 15 unaccompanied minors accommodated in each room.

Administration: Authorities generally conducted investigations into credible allegations of mistreatment. In 2018 the CPT raised concerns that insufficient resources as well as personal ties between accused police officers and investigators (most of whom were former police officers) weakened investigations into allegations of police abuse. These concerns persisted during the year.

Detention centers lacked facilities for religious observance. Religious representatives were permitted to visit inmates.

In a September report on the treatment of prisoners at the CPD, the ombudsman pointed out several problems prison management should address: noncompliance with prescribed disciplinary procedures and delays in investigating disciplinary offenses; excessive use of solitary confinement during investigation of prisoner offenses; lack of response to requests from prisoners; failure to protect the confidentiality of medical information; failure to respond to requests for care of detained persons with disabilities; and failure to grant a number of prisoners access to creative activities or to the CPD school. The report noted that in several wards the boxes where prisoners can submit complaints to the ombudsman were monitored by security cameras, affecting confidentiality.

Independent Monitoring: The government permitted visits to prison and detention centers by independent human rights observers, and unrestricted and unannounced visits occurred during the year. Prison officials from other EU countries and diplomats stationed in the country visited the prisons during the year. According to the Ministry of Justice, representatives of the ombudsman, the Cyprus Red Cross, and the Cyprus Refugee Council visited the Mennoyia Immigration Detention Center multiple times during the year, while the Cyprus Refugee Council also visited Lakatamia Police Detention Center.

Improvements: The ombudsman reported a series of improvements at Mennoyia Detention Center in response to her December 2021 report. Center management installed four new flat-screen televisions and four complaint boxes; allocated longer time for outdoor activities; initiated the process to employ a psychiatrist, a social worker, and a physical education trainer; prepared a protocol to administer the necessary medication to drug addicts at the center, avoiding daily transfers to the hospital; upgraded the quality of water and food; and resolved electrical and plumbing issues. The police also created a QR code for detainees to access information on their rights and obligations with their cell phones in several languages.

In a March report, the ombudsman cited overpopulation and extended stays of unaccompanied minors as continuing problems at Pournara. According to the ombudsman, after the report's release, the center transferred many unaccompanied minors to hotels or outside shelters regulated by the Social Welfare Services. Officials also established separate safe zones for remaining male unaccompanied minors and vulnerable women and their children at Pournara, although NGOs claimed the areas were not properly guarded or secure.

d. Arbitrary Arrest or Detention

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

Arrest Procedures and Treatment of Detainees

The law requires judicially issued arrest warrants, and authorities respected this requirement. Authorities may not detain a person for more than one day unless a court grants an extension. Most periods of investigative detention did not exceed 10 days before the filing of formal charges. Authorities promptly informed detainees of the charges against them in a language they could understand. Courts provided defendants with interpreters to follow court proceedings in their own language. The attorney general made efforts to minimize pretrial detention, especially in cases of serious crimes.

There is a functioning system of bail. The government claimed the right to deport foreign nationals for specified reasons of public interest, regardless of whether criminal charges had been filed against them or they had been convicted of a crime.

Detainees generally had access to an attorney. The law permits detainees to speak to their attorney at any time, including before and during interrogation by police. In 2018 the CPT reported that police officers regularly prevented detainees from contacting a lawyer until they had given a written statement, a problem that persisted during the reporting period.

In criminal cases the state provides indigent detainees with an attorney. To qualify for free legal aid, however, detainees first require a court decision confirming their financial need. In September the Republic of Cyprus Bar Association launched the "Justice for All" program to provide pro bono legal services to financially stressed populations. The program covers beneficiaries of the state's minimum guaranteed income scheme. It is not available to asylum seekers, who must apply to the court for free legal aid.

e. Denial of Fair Public Trial

The law and constitution provide for an independent judiciary, and the government generally respected judicial independence and impartiality.

Trial Procedures

The law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

The Cyprus Bar Association reported that chronic court delays, particularly in civil trials, impaired the right to a fair trial. Trial delays were common and partially caused by lengthy legal procedures, which created a larger workload for the courts.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals and organizations can seek civil remedies for human rights abuses through domestic courts. Individuals can appeal cases involving alleged human rights abuses by the state to the European Court of Human Rights once they have exhausted all avenues of appeal in domestic courts.

Property Seizure and Restitution

According to the law, the minister of interior is the guardian of the properties of Turkish Cypriots who have not had permanent residence in the government-controlled area since 1974. Ownership remains with the original owner, and the sale or transfer of Turkish Cypriot property under the guardianship of the minister requires the approval of the government. The minister has the authority to return properties to Turkish Cypriot applicants after examining the circumstances of each case. Owners can appeal the minister's decisions to the Administrative Court.

During the year, one Turkish Cypriot filed a court case seeking to reclaim property located in the government-controlled area. Courts issued three decisions on property cases filed by Turkish Cypriot owners pending from previous years. On February 1, Nicosia District Court dismissed for lack of evidence a civil action filed by a British citizen of Turkish Cypriot origin against the property guardian for discriminating against him in rejecting his request for return of property inherited from his father. On February 15, the Administrative Court rejected on admissibility grounds an appeal filed by four Turkish Cypriots challenging the guardian's refusal to release a property so it could be sold. On March 24, the Administrative Court rejected an appeal of a Turkish Cypriot property owner against a decision of the guardian based on statute of limitation.

On June 9, 2021, the Republic of Cyprus was accepted as an observer to the International Holocaust Remembrance Alliance.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act* report to Congress, released publicly on July 29, 2020, can be found on the Department's website at: <https://www.state.gov/reports/just-act-report-to-congress/>.

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

The law and constitution prohibit such actions, and there were no reports the government failed to respect these prohibitions during the year.

The civil lawsuit of activist Niki Zarou, which asserts that the attorney general and former minister of justice violated her constitutional rights in a search of her home in 2020, was still pending before the court at year's end.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provides for freedom of expression, including for the press and other media, and the government generally respected this right. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for members of the media.

Freedom of Expression: The law criminalizes incitement to hatred and violence based on race, color, religion, genealogical origin, national or ethnic origin, or sexual orientation. Such acts are punishable by up to five years' imprisonment, a fine, or both.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Independent media were active and expressed a wide variety of views without restriction.

The law penalizes the use of geographical names and toponyms in the country other than those included in the gazetteer the government presented at the 1987 Fifth UN Conference on the Standardization of Geographical Names. According to the law, anyone who publishes, imports, distributes, or sells maps, books, or any other documents in print or digital form that contain geographical names and toponyms on the island other than those permitted, commits an offense punishable by up to three years in prison, a fine, or both.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

The law criminalizes the use of computer systems to incite and promote racism, xenophobia, prejudice, racial discrimination, hate speech, and violence. Such acts are punishable by up to five years' imprisonment, a fine, or both.

Restrictions on Academic Freedom and Cultural Events

The law provides the government the right to deny entry to visitors who declare the intention to stay at a hotel in the area under Turkish Cypriot administration not originally owned by Turkish Cypriots. Pursuant to this law, the government maintains a policy of preventing visiting foreign academics and artistic groups from attending conferences or performing in the area administered by Turkish Cypriots if they make such a declaration. There were no reports of foreign academics being denied entry during the year.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected the freedom of assembly but limited freedom of association.

Freedom of Association

The NGO Action for Equality, Support, Antiracism (KISA) reported that the government continued to block its bank accounts following a December 2020 Ministry of Interior decision to remove the organization from the registry of associations and freeze its bank accounts because KISA had not complied in a timely manner with a 2020 amendment to the law governing NGOs. International human rights watchdogs, including the Council of Europe's commissioner for human rights, Amnesty International, and five UN Human Rights Office special rapporteurs, criticized the government's decision. The UN rapporteurs expressed grave concern regarding the deteriorating environment for civil society organizations, accusing the government of targeting KISA for its

work supporting migrants and combating racial discrimination and xenophobia. While KISA registered as a not-for-profit company to continue to operate legally, authorities denied KISA access to migrant reception centers. KISA reported that the Ministry of Interior has not initiated court proceedings to dissolve KISA as an NGO, which are legally required to release its bank accounts. The government indicated it has initiated the liquidation process but KISA's appeal, which is pending before the Administrative Court, has suspended the process. The freeze on KISA's assets limited its capacity to operate, implement EU-funded projects, provide services to migrants and refugees, and advocate for their rights. KISA laid off all employees and relied on volunteers to continue limited operations (see section 5, Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights).

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement within government-controlled areas, foreign travel, emigration, and repatriation, and the government generally respected these related rights.

In-country Movement: The government ended COVID-based restrictions on movements through crossing points to the areas administered by Turkish Cypriots.

The government did not restrict Greek Cypriots from traveling to the area administered by Turkish Cypriots, but the Ministry of Foreign Affairs warned foreigners against spending the night at Greek Cypriot-owned properties occupied by Turkish Cypriots or Turkish citizens, gambling in the area administered by Turkish Cypriots, or buying or developing property there. Authorities at ports of entry occasionally denied admission to nonresidents who listed hotels in the area administered by Turkish Cypriots as their intended place of residence during their visit. NGOs reported the government prohibited recognized non-Cypriot refugees with temporary residence status and asylum seekers from crossing to the area administered by Turkish Cypriots, asserting it could not assure their safety in an area not under its control. NGOs reported police officers at the crossing points occasionally harassed Greek Cypriots returning from the area under Turkish Cypriot administration.

e. Protection of Refugees

UNHCR and other humanitarian organizations reported difficulty in cooperating with the government to provide protection and assistance to refugees and asylum seekers.

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for providing protection to refugees. NGOs reported asylum seekers often had to wait for a month or longer outside Pournara reception center to file their asylum application.

Due to a significant increase in asylum claims during the year and long delays in the examination of applications, 29,715 asylum claims were pending as of the end of December, 10,907 more than the number at the end of 2021. The Asylum Service, the ombudsman, UNHCR, and NGOs reported some accelerated examination of asylum applications, but the backlog resulting from increased arrivals and inadequate staffing remained, and delays persisted in the appeals process. The government, UNHCR, and NGOs agreed that a significant proportion of registered asylum claims were not credible. In 2019 the government established an International Protection Administrative Court (IPAC) to streamline the examination of asylum appeals. Wait times to assess asylum claims continued to exceed the 21- to 24-month UN standard. UNHCR indicated in September that

processing time for asylum cases could run up to three years. NGOs reported the establishment of IPAC was an improvement of the previous system and that its decisions were fair, but the process was slow. Despite an increase in the number of IPAC judges, a backlog of 8,013 appeals pending adjudication remained at year's end.

Safe Country of Origin/Transit: The government continues to update a May 2020 list of safe countries of return with the aim of examining all applications from these countries under accelerated procedures. As of August 4, the list included 29 countries: Albania, Algeria, Armenia, Bangladesh, Benin, Bosnia and Herzegovina, Egypt, Gambia, Georgia, Ghana, India, Kenya, Kosovo, Moldova, Mongolia, Montenegro, Morocco, Nepal, Nigeria, North Macedonia, Pakistan, Philippines, Senegal, Serbia, Sri Lanka, The Gambia, Togo, Tunisia, Ukraine (excluding Crimea, Luhansk, and Donetsk regions), and Vietnam.

Refoulement: Media outlets, NGOs, and UNHCR reported that authorities continued pushing back boats carrying irregular migrants, including potential asylum seekers. From January to August, authorities pushed back to Lebanon a total of three boats carrying Syrian, Lebanese, and Palestinian migrants. UNHCR and NGOs reported many of these individuals faced "chain" refoulement, as they were subsequently deported from Lebanon back to Syria.

On July 4, Maritime Police transferred 52 Syrian, Lebanese, and Palestinian passengers from a boat that was sinking off the coast near Paphos to another boat and returned them to Lebanon without giving them the opportunity to access asylum procedures. Originally bound from Lebanon to Italy, the sinking boat requested assistance from Republic of Cyprus authorities due to bad weather and mechanical problems. According to passenger accounts reported by an NGO, the Maritime Police left the passengers on the sinking boat for two days before transferring them to another boat for return to Lebanon. Some of the passengers reported abuse by police officials who boarded their vessel.

On August 22, Maritime Police intercepted two boats that departed from Lebanon carrying 88 Syrian, Lebanese and Palestinian migrants. Police transferred them to another boat chartered by Republic of Cyprus authorities and returned them to Lebanon.

Abuse of Migrants and Refugees: NGOs and media reported that personnel at Pournara reception center, Social Welfare Service contractors, and police subjected asylum seekers and refugees to physical and verbal abuse. The NGO KISA reported that on October 27, a six-member family of Palestinian refugees was physically and verbally abused, and eventually arrested, by police at the Paphos Aliens and Immigration police service where they had an appointment to renew their residence permits. Reportedly, police told them there was no record of their appointment in the electronic appointment system and asked them to leave. The family explained they had made an appointment through their lawyer and refused to leave. According to the written complaint KISA submitted to the Independent Authority Investigating Complaints Against the Police, police used violence and racist language against the refugees, including their pregnant daughter, age 20, and their son, age 15. The refugees were arrested and charged with resisting arrest and attacking a police officer.

A video that appeared in the media September 2 showed a guard at Limassol Welfare Office verbally abusing an Iranian refugee woman who had arrived with her sick infant in her arms to ask for assistance because her landlord had disconnected the water and electricity supply to her apartment in an attempt to force her to leave. Deputy Minister of Social Welfare Anastasia Anthousi publicly denounced the guard's behavior, and the guard was removed from his position.

KISA reported that an asylum seeker, age 25, died at Athalassa Psychiatric Hospital on February 20, a week after he was transferred from Pournara reception center to Nicosia General Hospital. KISA stated that other asylum seekers took the man, who was living in a tent outside the gates of Pournara without access to food assistance, to the camp's medical unit on February 13 as he was suffering severe abdominal pain. When they found the asylum seeker that afternoon semiconscious on a bench outside the main entrance of the camp, they asked security guards to call an ambulance, but the guards refused. When the man later lost consciousness, a police officer from the camp

called an ambulance, which transported the patient to Nicosia General hospital. According to KISA, doctors at the hospital could not find a physical cause for the asylum seeker's condition and transferred him to the psychiatric hospital where he died on February 20. The Latsia police station was investigating the conditions of his death at year's end.

Freedom of Movement: The government restricted the exit of asylum seekers from the Pournara migrant reception center in Kokkinotrimithia during the year. Asylum seekers were allowed to leave the center provided they had a residence address. UNHCR and NGOs, however, reported asylum seekers faced great difficulties finding accommodation without being allowed to exit the center. Finding accommodation online often resulted in asylum seekers paying a deposit for nonexistent accommodation or finding out that the accommodation was overcrowded or already rented to others. Some mobility outside of the camp was permitted starting on March 2; however, migrants continued to face significant hurdles to securing housing while based at Pournara.

The ombudsman reported that improvements were implemented during the year, including the easing of exit restrictions in March and the transfer of some residents with vulnerabilities to accommodations outside the center. CARITAS reported that vulnerable asylum seekers transferred from Pournara to Social Welfare Services accommodations before their applications were processed were often unable to return to the center to complete their asylum process because of inadequate public transportation links to the center. As a result, many of these individuals did not have access to benefits for months.

Access to Basic Services: Recognized refugees had access to public services such as education, health care, and the courts.

NGOs reported that refugees who were unable to renew their residency status due to measures imposed in 2021 to contain the spread of COVID-19 continued to face difficulties doing so. NGOs reported there was a four- to five-month waiting period for appointments at the immigration office, during which time refugees and beneficiaries of international protection remained out of status and lost access to benefits. Another NGO reported that immigration police officers advised refugees to hire private lawyers, agents, or other intermediaries, if they wished to arrange earlier appointments. The NGO said such intermediaries charged refugees large amounts for their services and in some cases did not arrange the appointments despite receiving the money.

Durable Solutions: The government offered recognized refugee status to 220 asylum seekers residing in the country.

Temporary Protection: The government also provided temporary protection, called subsidiary protection, to individuals who might not qualify as refugees. The government provided subsidiary protection status for citizens or residents of Syria who entered the country legally but only some who entered illegally. All persons seeking such status were required to provide a Syrian passport or other identification. Authorities granted subsidiary protection to 228 persons during the year, a number significantly lower than the 1,983 individuals granted subsidiary protection in 2021.

f. Status and Treatment of Internally Displaced Persons

The government considers Greek Cypriots displaced because of the 1974 division of the island to be refugees, although they fall under the UN definition of internally displaced persons (IDPs). As of November, there were 244,175 such individuals and their descendants. Assistance programs for IDPs were conducted by the UN Peacekeeping Force in Cyprus and other UN agencies. Depending on their income, IDPs were eligible for financial assistance from the government. They were resettled, had access to humanitarian organizations, and were not subject to attack, targeting, or mandatory return under dangerous conditions.

Section 3. Freedom to Participate in the Political Process

The law and constitution provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. In national elections, Turkish Cypriots who resided in the area administered by Turkish Cypriots were ineligible to vote and run for office in the government-controlled area, although Greek Cypriots living in the north faced no such restrictions. In elections for the European Parliament, Cypriot citizens, resident EU citizens, and Turkish Cypriots who live in the area administered by Turkish Cypriots have the right to vote and run for office.

Elections and Political Participation

Recent Elections: In May 2021, the country held free and fair elections for the 56 seats assigned to Greek Cypriots in the 80-seat House of Representatives. The 24 seats assigned to Turkish Cypriots remained vacant. In 2018 voters re-elected President Nicos Anastasiades in free and fair elections.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate. Nevertheless, women remained underrepresented in senior political positions. Only 18 percent of ministers and 14.3 percent of the members of the House of Representatives were women.

In 2019 more than 5,600 Turkish Cypriots voted in the European Parliament elections at 50 polling stations near buffer zone crossing points, compared with 1,869 who voted in 2014. Voters elected a Turkish Cypriot to one of the country's six seats in the European Parliament for the first time. According to press reports, between 1,100 and 1,500 Turkish Cypriots were unable to vote because their names did not appear on the electoral list. The law provides for the registration of adult Turkish Cypriot holders of a Republic of Cyprus identity card who resided in the area administered by Turkish Cypriots in the electoral roll for the European Parliament elections. Turkish Cypriots not residing in that area needed to apply for registration in the electoral roll, as did all other citizens residing there. The government did not automatically register an unspecified number of Turkish Cypriots residing in the north because they were incorrectly listed in the official civil registry as residents of the government-controlled area. This problem persisted but to a lesser extent than previous years, as the number of registered Turkish Cypriot voters increased from approximately 56,000 in 2014 to 81,000 in 2019. Media outlets attributed much of the increase to the successful campaign of the first Turkish Cypriot elected to the European Parliament.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were numerous reports of government corruption during the year.

Corruption: On July 14, the government brought corruption-related charges against the former president of the House of Representatives, Demetris Syllouris, former House of Representatives member Christakis Giovanis, and two other individuals who were featured in the October 2020 al-Jazeera expose, *The Cyprus Papers – Undercover*, in which undercover reporters captured extensive evidence of government corruption related to the now-defunct Citizenship by Investment program (CBI). In the video, Syllouris, Giovanis, and CBI facilitators indicated their willingness to assist a fictitious Chinese CBI applicant whom they were told had been convicted of money laundering and corruption. In response, the government terminated the CBI program in November 2020 and as of October had revoked 222 fraudulently acquired passports. Syllouris and Giovanis resigned from the House of Representatives in October 2020. In December 2020 the government released a heavily redacted report prepared by the three-member "Kalogirou Committee," appointed by the attorney general to probe the CBI program. The committee found serious shortcomings that enabled

individuals with criminal backgrounds to acquire citizenship and bypass anti-money-laundering safeguards.

On November 4, a Larnaca Criminal Court acquitted five individuals and four legal entities of 36 charges in the first criminal case filed based on the committee's findings. A June 2021 report prepared by a four-member committee of inquiry chaired by former Supreme Court Chief Justice Myron Nikolatos probed the implementation of the CBI program between 2007 and 2020 and found that 53 percent of the 6,779 passports granted were done so illegally, facilitated by lack of due diligence or insufficient background checks. During the year, the Cyprus Bar Association investigated about 25 legal firms and fined 10 of them for abuse of the CBI program. The attorney general reported that a police investigation into accusations made by an August 2021 al-Jazeera expose, asserting that Cypriot passports acquired through the CBI program aided international money laundering through British soccer clubs, did not establish a connection between the CBI and these clubs.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Domestic and international human rights groups generally operated without government restriction and were able to investigate and publish their findings on human rights cases without interference. Government officials were somewhat cooperative and responsive to their views.

KISA reported that its deregistration as an NGO in 2020 (see 2.b., Freedom of Association) and the subsequent blocking of its bank account by the government significantly limited its ability to operate. The organization was unable to complete previously awarded EU-funded projects due to its inability to access the funds in its bank account. Projects funded by the EU make up the majority of KISA's operating budget, and the revocation of its formal NGO status restricted its ability to apply for new EU-funded projects. As a result of its deregistration, KISA was prevented from engaging with government agencies, participating in government-funded training, or applying for funding. Citing its removal from the associations' registry, the Asylum Service continued to deny KISA permission to visit migrant reception centers.

On August 18, police charged KISA Executive Director Doros Polykarpou with illegal entry into the Pournara migrant reception center. KISA reported that on March 12, Polykarpou accompanied the coordinator of Migreurop, a Euro-African network of activists and researchers, on a visit to Pournara to see the living conditions of asylum seekers camped outside the center. During the visit, in an area where asylum seekers wait for registration, security guards approached them and physically and verbally assaulted Polykarpou. When Polykarpou requested to file a formal complaint of the assault at the camp's police station, police reportedly told him to reconsider and warned him they would file charges against him for illegal entry into the camp. The coordinator of Migreurop sent a signed statement to the attorney general on March 14 corroborating Polykarpou's version of events.

The Cyprus Roma Association, the only civil society organization representing the Cypriot Romani community, reported that it did not have the resources to prepare the extensive financial documentation required to maintain its NGO registration and was therefore deregistered in 2020. The association filed a new registration application during the year. The Ministry of Interior, which examined the application, requested the Cyprus Roma Association make changes to the name and the articles of association.

Government Human Rights Bodies: There is a government ombudsman, whose portfolio includes human rights, and a legislative Committee on Human Rights.

During independent investigations, the ombudsman generally enjoyed good cooperation with other government bodies. NGOs complained, however, that the Office of the Ombudsman routinely refused to investigate their complaints on the grounds that similar complaints had been investigated in the past.

The legislative Committee on Human Rights, which most local NGOs considered effective, consists of nine members of the House of Representatives who are elected for a five-year term. The committee discussed a wide range of human rights problems, including trafficking in persons, treatment of asylum seekers, gender-based violence, including sexual violence against women and children, prison conditions, and the rights of foreign workers. The executive branch does not exercise control over the committee.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of a person, regardless of gender, including spousal rape, with a maximum sentence of life in prison. The law also criminalizes domestic violence, with a maximum sentence of 10 years in prison. The government generally enforced the law effectively, although many cases continued to go unreported. From January to November, police investigated 45 cases of rape and 165 cases of sexual abuse. During the same period, police received 2,104 complaints of domestic violence. Police investigated 840 of the reported cases and filed 496 cases in court.

A senior member of the Church of Cyprus, the former Metropolitan of Kitium Chrysostomos, was prosecuted during the year for indecent assault on a minor. A woman, age 57, accused the former bishop of sexually assaulting her at age 16 when she sought financial aid from the church. The trial was ongoing at year's end. In 2021, the Larnaca-Famagusta Criminal Court cleared Chrysostomos of sexually assaulting another woman, finding the complainant's testimony inconsistent, contradictory, and untruthful.

The law establishes clear mechanisms for reporting and prosecuting domestic violence within the family. A court may issue same-day restraining orders against suspected or convicted domestic violence offenders. The NGO Association for the Prevention and Handling of Violence in the Family (SPAVO) stated domestic violence survivors often faced significant family and social pressure not to report abuse and to withdraw complaints filed with police. Media outlets and NGOs criticized the Social Welfare Services for providing insufficient support to survivors of domestic violence.

There were three shelters for survivors of domestic violence, each funded primarily by the government and operated by SPAVO. The government also funded the SPAVO-operated Women's Home, a one-stop facility in Nicosia at which women survivors of violence and sexual assault and their children are provided with medical, legal, and psychological services while also having the opportunity to provide testimony to police.

An NGO reported in October that, citing lack of space at the shelters, Women's Home did not provide shelter to an asylum seeker referred by the Social Welfare Services after she reported her rape to police. The NGO said personnel at Women's Home gave the woman a set of toiletries and sent her to an apartment provided by the Social Welfare Services without any money or other support and did not follow up on her case.

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

Sexual Harassment: The law prohibits sexual harassment in the workplace with a maximum penalty of six months in prison, a fine, or both. A code of conduct outlines the prevention and handling of sexual harassment and harassment in the public service. NGOs and foreign domestic worker associations reported that authorities did not adequately investigate sexual harassment complaints submitted by foreign domestic workers. From January to November, police investigated 44 cases of sexual harassment and by November had prosecuted 23 of those cases.

NGOs reported cases of sexual harassment of foreign women domestic workers remained a widespread but underreported problem. NGOs reported permissive social attitudes, fear of reprisals, and lack of family support for survivors all discouraged the reporting of sexual harassment. From January through November, the Department of Labor examined two sexual harassment complaints, including one filed by a foreign domestic worker which was deemed unfounded. The ombudsman continued to receive and examine complaints of sexual harassment in the workplace. The examination of two such complaints submitted during the year was underway at year's end. In 2019 the country's major labor unions – the Confederation of Cypriot Workers and the Pancyprian Labor Federation – agreed with the Employers and Industrialists Federation on a code of conduct for how to treat cases of harassment and sexual harassment at the workplace. The Ombudsman's Office and the Academy of Public Administration delivered training and seminars on sexual harassment and gender mainstreaming for the public sector during the year.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. An NGO reported that some doctors in the private and public sectors required married women to have their husband's consent to proceed with sterilization, although the law does not require such consent.

There were no reports of legal, social, or cultural barriers to sexual and reproductive health services.

The government funded an NGO that provided access to sexual and reproductive health services for survivors of sexual violence. Emergency contraception was available as part of clinical management of rape.

Discrimination: The law provides the same legal status and rights for women and men. The government generally enforced the law, but women experienced discrimination in employment and pay in the private sector. Although reporting by Eurostat showed pay parity between the genders in the public sector, NGOs reported that vertical and occupational segregation remained a challenge.

Systemic Racial or Ethnic Violence and Discrimination

The law protects members of racial or ethnic groups from violence and discrimination based on race, national or ethnic origin, community, language, color, age, disability, gender, sexual orientation, religion, and political or other beliefs. The Ombudsman's Office, acting as the Equality Authority and Antidiscrimination Body, has jurisdiction to investigate discrimination complaints in the public and private sector. The government generally enforced the law, but according to NGOs, many incidents of discrimination against members of racial, national, or ethnic minority groups were not reported to authorities.

During the year, there were incidents of violence and discrimination against members of racial or ethnic groups. In July, a local man was caught on video violently beating a Congolese woman while she was holding her baby of 11 months in her arms. The victim, an asylum seeker, had bought a car from the perpetrator a few days earlier and sought to return it after she found the car had serious mechanical problems. The incident prompted widespread condemnation including by high-profile figures such as the speaker of the House of Representatives, the ombudsman, and the presidential commissioner for equality. The perpetrator was arrested and charged with 10 offenses under racism and xenophobia laws as well as violence against women, aggravated assault, use of profanity in public, and threat of violence. The hearing of the case was ongoing before Larnaca District Court at year's end.

In June the headmaster of a Larnaca high school was accused of discriminating against foreign students. The headmaster refused to give a Syrian student, age 15, his high school diploma and ordered him off stage, bringing the graduation ceremony to an abrupt end. The headmaster reportedly said he would not hand the certificate to the student because he did not observe the hairstyle and attire rules. The Ministry of Education investigated the incident and concluded that the headmaster's behavior was not racist but was consistent with the school regulations concerning proper appearance, noting that five Cypriot students were also denied diplomas at the same ceremony based on these rules. In June 2021 media outlets reported two incidents of discrimination by the same headmaster against teenage students of African descent. The headmaster reportedly told one student that he would "blacken" the school class graduation photograph and told another he would not allow her to participate in the graduation ceremony because of her hair braids.

The Cyprus Roma Association reported there was no improvement in the living conditions of Cypriot Roma described in the 2018 European Commission Roma Civil Monitor pilot project report, which stated that Cypriot Roma continued to face discrimination in housing, employment, and education.

The ombudsman continued to receive complaints that the government delayed or denied approval of citizenship for the children of Turkish Cypriots married to Turkish citizens, and who reside in the area administered by Turkish Cypriots (see section 6, Children). The ombudsman again reported that the government did not make progress towards implementing past recommendations to ensure such applications were processed within a reasonable time and applicants are promptly informed in writing when their application does not meet stated criteria. The government reported granting citizenship to one such child during the year.

A member of the Turkish Cypriot community submitted a complaint to the ombudsman regarding the nonuse of the Turkish language by a government authority. According to the 1960 constitution, Turkish is an official language of the Republic of Cyprus. The ombudsman responded that based on the "law of necessity" implemented after the 1963 intercommunal troubles, constitutional provisions that could not be applied due to the exceptional circumstances were suspended. The ombudsman's report recommended that regardless of the absence of a legal obligation, authorities should make every possible effort to issue Turkish language versions of public information and official documents.

The Ministry of Education has a code of conduct against racism that provided schools and teachers with a detailed plan on handling, preventing, and reporting racist incidents.

Children

Birth Registration: Children derive citizenship from their parents, and there was universal registration at the time of birth. Citizenship is denied, however, when either of the parents entered or resided in the country illegally. The government considers Turkish citizens who entered and resided in the area under Turkish-Cypriot administration as illegal settlers. Children born to a Turkish Cypriot parent are not automatically granted citizenship if one or both of their parents were a Turkish national who entered and resided in the country illegally. Their applications for citizenship are reviewed by the Council of Ministers, which has the right to override this provision of the law and grant them citizenship, provided the applicants meet a set of criteria adopted by the Council of Ministers.

Child Abuse: The law criminalizes child abuse. The maximum penalty for child abuse is one year imprisonment, a fine, or both. From January to August, police investigated 264 cases of child abuse and recorded 297 children as victims of abuse. As of November, 110 of those cases were filed in court. In 2020 police established a new subdirectorate under the Crime Combating Department that specialized in domestic violence and child abuse and created a special investigation unit for cases of child sexual abuse.

Child, Early, and Forced Marriage: The legal age of marriage is 18, but persons ages 16 and 17 may marry, provided there are serious reasons justifying the marriage and their legal guardians provide written consent. A district court can also allow the marriage of persons ages 16 and 17 if the parents unjustifiably refuse consent, or in the absence of legal guardians.

Sexual Exploitation of Children: The law prohibits commercial sexual exploitation of children, child pornography, offering or using a child for commercial sexual exploitation, and engaging in or promoting a child in any form of sexual activity. The maximum penalty for sexual abuse and exploitation of a child between the ages of 13 and 17 is 25 years in prison. The penalty for sexual abuse and exploitation of a child younger than 13 is up to life in prison. Possession of child pornography is a criminal offense punishable by a maximum of life imprisonment. Authorities enforced these laws. The minimum age for consensual sex is 17.

Antisemitism

There were approximately 6,500 persons in the Jewish community, which consisted of a very small number of native Jewish Cypriots and a greater number of expatriate Jews, primarily from Israel, the United Kingdom, and Russia.

In February the Jewish community reported an increase in incidents of antisemitic verbal harassment in public places, threats on social media and against Jewish students at schools, vandalism of Menorahs and Israeli flags, antisemitic and pro-Nazi graffiti, and a physical attack against a Jewish student in Limassol by Palestinian students. The chief rabbi of the Jewish community reported that an individual threw an empty glass bottle at his car while he was driving in a metropolitan area and that instances of children graffitiing swastikas on public school property had increased.

The Jewish community reported some of the complaints to police and to municipal authorities. No arrests were made.

Rabbi Chaim Hillel Azimov, who presides over the Jewish community in the area administered by the Turkish Cypriots, reported he was denied entry to the government-controlled area upon landing at Larnaca International Airport. Officials furnished Rabbi Azimov with formal denial of entry despite traveling using his Israeli passport due to “an alert...issued for the purpose of refusing entry in the National Register.”

Trafficking in Persons

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

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: No laws criminalize consensual same-sex conduct between adults and there were no laws covering “debauchery” that constituted de facto discrimination.

Violence against LGBTQI+ Persons: Lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) individuals faced significant societal discrimination, including potential violence, particularly in rural areas. As a result, many LGBTQI+ persons were not open concerning their sexual orientation or gender identity, nor did they report homophobic violence or discrimination.

Discrimination: The law prohibits discrimination by state and nonstate actors based on sexual orientation or gender identity in employment, social protection, social insurance, social benefits,

health care, education, participation in unions and professional organizations, and access to goods and services. The law also criminalizes incitement to hatred or violence based on sexual orientation or gender identity. The government did not always enforce these laws. Couples entering a civil partnership, the only legally recognized form of union for same-sex couples, are not allowed to adopt children. There were reports of employment discrimination against LGBTQI+ applicants (see section 7.d.).

Representatives of the NGO ACCEPT reported that transgender persons undergoing hormone replacement therapy experienced discrimination accessing health care following the introduction of a new national universal health insurance system in 2019.

Availability of Legal Gender Recognition: Individuals 18 or older may change their gender identity marker on legal and identifying documents by submitting a written application to the District Administration Office for approval. The submission of medical certificates is not mandatory. A change to one's gender identity may only be requested twice.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: The law does not criminalize so-called conversion therapies. ACCEPT representatives reported medical professionals subjected LGBTQI+ individuals to involuntary hormone replacement therapies and members of the clergy performed "medieval" rituals, such as exorcisms, and forced LGBTQI+ individuals to confess and repent for their "sin." In March, the House of Representatives Legal Affairs Committee began debating a bill banning forced gender conversion therapies.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no restrictions on those speaking out about LGBTQI+ matters.

In December 2021, *Ant1 TV* station removed a scene with two men kissing from a television series, citing legislative ambiguity.

Persons with Disabilities

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

Children with disabilities attended mainstream schools. The government provided a personal assistant to children with disabilities attending public schools but not to children with disabilities attending private schools. An organization representing parents of children with disabilities reported in September that the government reduced the number of personal assistants escorting children with disabilities attending public schools. As a result, each personal assistant had in their care two or three children at the same time. The Ombudsman's Office reported there was no progress on implementation of its September 2020 report noting that the law requires private secondary schools to provide personal assistants for children with disabilities.

Problems facing persons with disabilities included limited access to their places of employment and to natural and constructed environments, transportation, information, and communications. During the year, the ombudsman examined several complaints from persons with disabilities regarding accessibility concerns and discrimination. The ombudsman examined complaints that many private nursing, diagnostic, and radiology centers that were contracted with the Health Insurance Organization to provide services through the National Health Scheme did not have appropriate facilities to care for persons with disabilities. The ombudsman's investigation was ongoing at year's end. The Cyprus Paraplegics Organization reported that many open public spaces, including paved areas and cultural sites, and several public buildings were still not accessible to wheelchair users. The Pancyprian Organization for the Blind reported that the Municipality of Nicosia did not make provisions to enable visually impaired persons to access many public places in the center of Nicosia. During the year, the ombudsman initiated a systematic investigation to assess the extent of the problem of lack of accessibility for blind persons, which was ongoing at year's end.

Based on a 2020 ombudsman recommendation, the Cyprus Radio-Television Authority (CRA) called on all broadcasters to comply with their legal obligations to provide audiovisual services accessible to persons with hearing disabilities. All broadcasters submitted accessibility action plans to the CRA, which evaluated their implementation. The ombudsman reported that as of December 2020, state broadcaster Cyprus Broadcasting Corporation (CyBC) translated into sign language all emergency events and announcements, including information on COVID-19. Since August 2020, CyBC provided sign language interpretation for all main news bulletins and other daily news programs. In September, CyBC provided sign language for all televised presidential election debates for the February 2023 presidential elections.

The ombudsman reported that Athalassa Psychiatric Hospital continues to be housed in outdated facilities and that only minor improvements were implemented during the year. The ombudsman reported there was no progress towards implementing the recommendations contained in 2020 reports that confirmed a shortage of nurses, the lack of a permanent pharmacist, and the failure of prior attempted building improvements to create a suitable environment for patients.

The Ministry of Labor and Social Insurance's Service for the Care and Rehabilitation of the Disabled is responsible for protecting the rights of persons with disabilities. The ombudsman acts as the Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of People with Disabilities.

Other Societal Violence or Discrimination

A University of Nicosia study presented in September 2021 showed that HIV-positive persons continued to face discrimination in employment, housing, education, and health care and that they faced social stigma and exclusion from society and from their own families. Activists complained that raising public awareness of the problem was not a government priority and reported that even medical staff at hospitals were prejudiced and reluctant to examine HIV-positive individuals. In September 2021, the president of the HIV-Positive Persons Support Center reported that a private clinic in Limassol refused emergency treatment to an HIV-positive person after an accident. The patient was transferred and treated at another clinic in a different city.

In November, Minister of Interior Nicos Nouris made inaccurate statements to the CyBC, claiming that 1,100 residents at Pournara reception center were diagnosed HIV-positive. Nouris later clarified that figures provided to him by camp officials reflected total infections over a 12-month period. A June Health Ministry report indicated 76 migrants tested positive for HIV or AIDS in the first six months of the year. One NGO characterized Nouris' statements as a way to perpetuate xenophobia, while stigmatizing already vulnerable migrants.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, strike, and bargain collectively with employers. Both antiunion discrimination and dismissal for union activity are illegal.

The law requires labor unions to register with the registrar of labor unions within 30 days of their establishment. Persons with prior convictions for fraud-related and immoral offenses are not allowed to serve as union officials. Union accounts and member registers can be inspected at any time by the registrar. An agreement among the government, labor unions, and employers' organizations established the procedure for dispute resolution for essential services personnel.

The government generally enforced applicable labor laws, and investigations were adequate in the formal sector. Administrative procedures were efficient and immediate, but judicial procedures were subject to delays due to a case backlog. Penalties for violations, which occurred primarily in the informal sector, were not commensurate with those for other similar civil rights violations. Violations rarely occurred in the formal sector and penalties were regularly applied against violators.

The government generally protected the right of unions to conduct their activities without interference, and employers generally respected the right of workers to form and join independent unions and to bargain collectively. Although collective agreements are not legally binding, they are governed by a voluntary agreement between the government and employer organizations. Unions, employers, and employees effectively observed the terms of collective bargaining agreements. Workers covered by such agreements were employed predominantly in larger sectors of the economy, including construction, tourism, health care, and manufacturing.

There were isolated reports of private-sector employers that were able to discourage union activity due to the government's sporadic enforcement of labor regulations prohibiting antiunion discrimination and employers' implicit threat of arbitrary dismissal for union activities.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The government did not effectively enforce the law, and forced labor occurred. Inspections of the agricultural and domestic service sectors remained inadequate.

Forced labor occurred primarily in agriculture and in domestic work. Foreign migrant workers and women domestic workers, particularly from India, Nepal, the Philippines, and Sri Lanka, were vulnerable to forced labor exploitation. Asylum seekers from Southeast Asia, Africa, and Eastern Europe were vulnerable to forced labor exploitation in agriculture and domestic work. The Roma community and asylum seekers are especially vulnerable to forced labor exploitation, according to NGOs. Employers reportedly forced foreign workers, primarily from Northern Africa and East and South Asia, to work up to 15 hours a day, seven days a week, for very low wages and in unsuitable living conditions.

Police identified three victims of labor trafficking during the year. Some employers reportedly retained a portion of agriculture workers' salaries as payment for accommodations, in violation of the law. The attorney general suspended the prosecution against a retired police officer arrested in July 2021 after videos posted on social media recorded by his foreign domestic worker indicated that he had physically assaulted and terrorized her. Police charged him with trafficking in persons, labor exploitation, insult based on race, and other serious offenses. The domestic worker was identified as a victim of trafficking and transferred to the government shelter.

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

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment of children, defined as persons younger than 15, except in specified circumstances, such as combined work and training programs for children who are at least 14, or employment in cultural, artistic, sports, or advertising activities, subject to rules limiting work hours. The law prohibits night work and street trading by children. The law permits the employment of adolescents, defined as persons ages 15 through 17, subject to rules limiting hours of employment and provided the work is not harmful or dangerous. The law prohibits employment of adolescents between midnight and 4 a.m. The minimum age for employment in industrial work is 16. Unaccompanied children and children of migrants were especially vulnerable to forced labor. Romani children were also vulnerable to forced begging. The government effectively enforced the

law, and penalties for violations were commensurate with those for other serious crimes. Penalties were applied against violators when such crimes were perpetrated.

Ministry of Labor and Social Insurance inspectors were responsible for enforcing child labor laws and did so effectively. Social Welfare Services and the Commissioner for the Rights of the Child also have investigative authority for suspected cases of exploitation of children at work. There were no confirmed reports during the year of the worst forms of child labor.

d. Discrimination with Respect to Employment and Occupation

The law prohibits direct or indirect discrimination with respect to employment and occupation based on race, national origin or citizenship, sex, religion, political opinion, gender, age, disability, and sexual orientation. The government did not effectively enforce these laws or regulations and penalties for violations were not commensurate with those for other civil rights laws. Penalties were sometimes applied against violators. Discrimination in employment and occupation occurred with respect to race, gender, disability, sexual orientation, and HIV-positive status.

Despite a legal framework, the Ministry of Labor and Social Insurance did not effectively enforce the law governing employment and labor matters with respect to women. The law requires equal pay for equal work, but that often did not translate in practice. Women experienced discrimination in areas such as hiring, career advancement, employment conditions, and pay. Eurostat data indicated the average pay gap between men and women was 9 percent in 2020. NGOs reported the relatively small overall gender pay gap masked significant vertical and occupational gender segregation. The ombudsman reported receiving complaints related to gender discrimination and sexual harassment in the workplace. In January, a group of 195 professional women serving in the military reported that they were denied the right to participate in a specific selection process that consequently negatively affected their career advancement compared to their male colleagues with the same qualifications and years of service. The ombudsman's examination of the complaint concluded in September that the women were subjected to a prohibited form of discrimination and recommended the Ministry of Defense to take corrective measures to restore the principle of equality.

Discrimination against asylum seekers and Romani migrant workers occurred.

e. Acceptable Conditions of Work

Wage and Hour Laws: Although there is no national minimum wage, there are minimum wages for groups deemed vulnerable to exploitation. The minimum wages for shop assistants, clerks, assistant baby and child minders, health-care workers, security guards, cleaners of business premises, and nursery assistants were above the poverty line. The Ministry of Interior, however, established a minimum wage for foreign domestic workers that was well below the poverty line. In August the government announced the adoption of a national minimum wage that was to take effect on January 1, 2023. The minimum wage was set at €940 (\$1,006) per month.

Collective bargaining agreements covered workers in most occupations, including unskilled labor. Wages set in these agreements were significantly higher than the poverty level.

Foreign workers were able to claim pensions, and some bilateral agreements allowed workers to claim credit in their home countries. The Migration Service was responsible for enforcing the minimum wage for foreign workers but did not effectively do so.

The legal maximum workweek is 48 hours, including overtime. The law does not require premium pay for overtime or mandatory rest periods. The law stipulates that foreign and local workers receive equal treatment. The law protects foreign domestic workers who file a complaint with the Ministry of Labor and Social Insurance from deportation until their cases have been adjudicated. The Department of Labor Relations reported that from January 1 to June 30, it received 246

complaints from migrant workers against their employers. Of those, 225 complaints were examined by year's end.

Occupational Safety and Health: Occupational safety and health (OSH) standards were appropriate for the main industries, and the responsibility for identifying unsafe situations remains with safety and health experts. Workers have the right to remove themselves from situations that endanger health or safety without jeopardizing their employment, but authorities did not provide adequate protections for employees in these situations. Inspectors had the authority to make unannounced inspections and initiate sanctions in most industries but were not allowed to inspect the working conditions of domestic workers in private households without a court warrant. From January to June, six workers were killed in workplace accidents.

NGOs reported the lack of social protections raised serious questions concerning the potential deterioration of working conditions, particularly in hazardous sectors and for vulnerable groups.

Wage, Hour, and OSH Enforcement: The Department of Labor Relations within the Ministry of Labor and Social Insurance is responsible for enforcing wage, hour, and OSH laws. The penalty for violating the law was commensurate with those for similar crimes, but laws for wages and hours were not adequately enforced. Labor unions reported enforcement problems in sectors not covered by collective agreements, such as small businesses and foreign domestic workers. They also reported that certain employers, mainly in construction and agriculture, exploited undocumented foreign workers by paying them very low wages. An NGO reported one case of a manufacturing company that registered full-time asylum seeker employees as part-time employees and paid them lower salaries than those provided in the collective agreement. The asylum seekers did not report the exploitation to the unions or authorities out of fear of dismissal.

The government enforced OSH laws satisfactorily in the formal sector. The Ministry of Labor, however, did not have sufficient inspectors to effectively enforce labor laws in the agricultural sector and in the informal economy, in which most employees were migrant or undocumented workers. The penalties for failing to comply with work safety and health laws were commensurate with those of other similar crimes, such as fraud and negligence. Penalties were regularly applied against violators.

The commissioner for administration and protection of human rights (the ombudsman) maintains oversight of cases submitted to the Department of Labor by foreign workers concerning the conditions of their employment. The ombudsman reported that no specific recommendations arose from the examination of cases referred during the year by the Department of Labor. In 2021 the Council of Ministers assigned oversight of these cases to the ombudsman as one of the measures to address matters arising from the ombudsman's 2019 report evaluating the government's policies on foreign domestic workers. The report highlighted that domestic workers' high dependence on their employers, combined with the lack of consequences for employers who violate the terms of the employment contract or who physically abuse the employee, discouraged domestic workers from filing complaints. Domestic workers also feared deportation. A domestic worker's residence permit can be cancelled at the employer's request in the event the employer files a complaint with police regarding theft, regardless of whether the alleged crime was investigated or substantiated. The ombudsman reported that no complaints were submitted to its office by domestic workers during the year.

NGOs reported a decline in foreign domestic workers reporting contract violations by their employers due to labor shortages and a higher demand for domestic workers. NGOs noted, however, that Department of Labor and police skepticism of domestic workers' allegations of sexual harassment and violence discouraged them from submitting complaints.

Informal Sector: The informal sector included approximately 10 percent of the workforce, including migrant and undocumented workers. Informal sector labor was prevalent in the agriculture and construction industries, as well as in food and restaurant services, bars, and home domestic services. Authorities did not enforce labor laws effectively for informal sector workers.

