

The Committee's concluding observations (CAT/C/CYP) welcomed legislative initiatives related to mental health, the proposed creation of a National Institution for the Promotion and Protection of Human Rights and reform of the law of evidence. The Committee acknowledged the actions taken by the Ombudsman and the Council of Ministers in response to established cases of police violence and welcomed the fact that the Convention has been incorporated into domestic law, including the Convention's definition of torture.

Concern was expressed that a few cases of casual violence by police officers continue to be reported. Further, it noted that the inability or unwillingness of a victim to give evidence in such cases should not be a reason for non-prosecution where the case can otherwise be made. The Committee recommended that a strong programme of reeducation directed to law enforcement personnel be implemented in which emphasis is given to the government's policy of honouring its commitment to human rights.

Rights of the Child

Signed: 5 October 1999; ratified: 7 February 1991.

Cyprus's second periodic report was due 8 March 1998.

COMMISSION ON HUMAN RIGHTS

Report of the S-G to the CHR: (E/CN.4/1997/48)

Resolution 1996/112, adopted at the 1996 session of the Commission, requested the Secretary-General to submit a report to the 1997 session on the situation of human rights in Cyprus. The report referred to the most recent resolution on the question (1987/50), in which the Commission: reiterated its previous calls for the full restoration of all human rights to the population of Cyprus, in particular to the refugees; considered attempts to settle any part of Varosha by people other than its inhabitants illegal; called for the immediate cessation of such activities; called for the tracing of, and accounting for, missing persons in Cyprus without delay, and for the restoration and respect of human rights and fundamental freedoms of all Cypriots, including freedom of movement, freedom of settlement and the right to property.

The report notes that the Secretary-General's mission of good offices in 1996/1997 did not succeed in resolving the impasse in the negotiating process. It refers to an informal meeting held in mid-April 1996 during which the permanent members of the Security Council underlined the importance they attached to a comprehensive approach to a settlement of the Cyprus problem. It also notes that Han Sung-Joo, former Minister for Foreign Affairs of the Republic of Korea, was appointed as the new Special Representative for Cyprus. Efforts to resolve the impasse between the two Cypriot leaders, so that direct talks, on the basis of mutual acknowledgment of each other's concerns and a willingness to compromise, did not lead to an agreement on the early convening of direct talks. The report also noted that tension in Cyprus had escalated in 1995 and that there had been a level of violence along the cease-fire lines which had not been seen since 1974.

The report reviews the operations of the UN Force in Cyprus (UNFICYP), including: humanitarian functions on behalf of the Greek Cypriots living in the northern part of the island; private interviews with Greek Cypriots who applied

for "permanent transfer" to the southern part of the island, in order to verify that the transfer was voluntary; facilitation of temporary visits by Greek Cypriots from the Karpas area to the southern part of the island for family and other reasons; assisting in arranging contacts between Maronites living on the island and delivery to them of food and other supplies provided by the government of Cyprus; continuation of periodic visits to Turkish Cypriots living in the southern part of the island and assistance in arranging family reunion visits for Turkish Cypriots; and, provision of emergency medical evacuation of civilian members of both communities residing in the northern part of Cyprus. The report notes that UNFICYP also continued its efforts to promote and facilitate bi-communal events with a view to increasing communication and cooperation between the two communities. The report refers to the fact that these bi-communal events have been hindered by: demonstrations on the Greek Cypriot side, close to the Ledra Palace crossing point, which have frequently prevented passage across the UN buffer zone and caused Turkish Cypriots to postpone numerous bi-communal activities until normal conditions at the checkpoint have been restored; insistence by the Turkish Cypriot authorities on case-by-case authorization for Turkish Cypriots wanting to attend bi-communal activities, even inside the UN buffer zone; and, denial of permission with little or no notice and without explanation.

Referring to capricious discrimination or police harassment against Turkish Cypriots living in the southern part of Cyprus, the report notes that the government undertook an investigation of several incidents leading to the dismissal of the District Commissioner, and of the Chief and the Deputy Chief of police in Limassol. Further measures being considered by the government, partly on the basis of material collected by the Ombudsman include: extending the investigative powers of the Ombudsman to incorporate the power of criminal investigation; providing the Attorney General with the right to appoint criminal investigators for cases involving complaints against the police; implementing reforms to make public prosecutors independent of the police headquarters; and changes to the curriculum of the Police Academy to promote greater police awareness of constitutional and human rights issues. Additionally, the report notes that the government has opened an information/liaison office in Limassol staffed by Turkish-speaking personnel where Turkish Cypriots can obtain information on and assistance with their entitlements and agreed to establish a Turkish Cypriot elementary school staffed by a Turkish Cypriot teacher.

The report suggests that the humanitarian situation of the Greek Cypriots and Maronites living in the northern part of Cyprus did not change significantly during 1996 and key restrictions remain on Greek Cypriots and Maronites living in the northern part of Cyprus, including: the stipulation that Greek Cypriot school children (over the age of 16 for boys and 18 for girls) who attend school in the southern part of Cyprus, may never return to their homes in the northern part, not even to visit; restrictions on travel by Greek Cypriots within the northern part of Cyprus, and restrictions on access to sites of religious significance; the stipulation that Greek Cypriots living in the Karpas can still not bequeath fixed property to their next of kin living outside of the northern part of Cyprus; and, the continuing policy of the Turkish Cypriot