

- consider measures for improving awareness of the Convention and associated legal and administrative remedies; supply lawyers and administrators with information on the Convention and on available remedies; and
- consider availing itself of any advice and assistance which may be rendered by the OHCHR with regard to the initiative to establish a national human rights institution.

HUMAN RIGHTS COMMITTEE (HRC)

The 3rd periodic report of Cyprus (CCPR/C/94/Add.1, January 1995) was considered by the Human Rights Committee at its March 1998 session. The report was prepared by the Law Commissioner, in cooperation with representatives from the various Ministries concerned with related issues, representatives of the Attorney-General, and other government officials. The report notes that in response to the Committee's consideration of Cyprus's second periodic report remedial measures were taken or are being considered related to the death penalty, conscientious objection, imprisonment for civil debt, political asylum, torture, assembly and public order, and the laws on immigration, citizenship and the status of treaties. Additional information corresponds to the rights set out in articles 1 through 27 of the International Covenant on Civil and Political Rights (ICCPR), including such areas as the elimination of discrimination, the status of women, measures and protections related to religious minorities, the right to life and use of force and firearms by police forces, torture, the rights of prisoners and detainees, conditions of detention or arrest, and the rights of aliens, asylum and expulsion.

The Committee's concluding observations and comments (CCPR/C/79/Add.88) acknowledged that the occupation of part of the territory of Cyprus prevents the government from exercising control over all of its territory and the application of the ICCPR in areas not under its jurisdiction.

The Committee welcomed, *inter alia*: the establishment of a Commissioner for Administration with the mandate to investigate allegations of ill treatment, inhuman and/or degrading treatment and torture as well as other violations; the decision by the Council of Ministers to establish an independent National Institution for Human Rights, responsible for monitoring the government's compliance with its obligations under international human rights instruments; the revision of the legislation and regulations concerning prisons, facilitating the establishment of a register for detainees; the creation of an independent Prison Council; the incorporation of a human rights course component into the core training programme for police officers and government officials; the establishment of a Family court with jurisdiction over civil and religious marriage; and the agreement between the government and representatives of the Turkish Cypriot authorities to resolve the fate of the persons disappeared and missing since 1974.

The principal subjects of concern identified by the Committee included: the persistence of inequality between women and men in law and in practice; discriminatory provisions on the basis of sex that continue to inhibit the full realization of human rights by women, particularly with regard to laws relating to marriage, nationality, immigration, employment and education; discriminatory legal provisions which penalize homosexual acts; the fact that the new law on prevention of violence within the family has not produced the expected positive results; unreasonable delays in the adoption of a proposed new law regulating civil debt; remaining uncertainties as to which provisions of the ICCPR are self-executing within domestic law and which require specific legislation; with regard to assemblies and processions, the conditions which the appropriate authorities may impose regarding the conduct of assemblies and processions and the fact that the advance notice required to be given is too early and may unduly curtail freedom of assembly; the fact that the age for criminal responsibility is still fixed at seven years, and that marriageable age is defined as the onset of puberty; the discriminatory treatment accorded to conscientious objectors, who may be subject to punishment for failure to perform military service; repeated allegations of discrimination against Turkish Cypriot citizens, including issues of employment and identity cards; and the apparent reluctance of victims of violence and ill treatment by police to testify before the relevant instances.

The Committee recommended that the government, *inter alia*:

- take steps to implement the provisions of the ICCPR more comprehensively at the national level;
- adopt legislative measures to eliminate sex-based discrimination in all relevant areas;
- repeal discriminatory legal provisions which penalize homosexual acts;
- reform the law on evidence so as to eliminate obstacles for a spouse to provide testimony against another spouse on domestic violence;
- ensure fair treatment under the proposed new law concerning conscientious objectors, and eliminate lengthy imprisonment as a form of punishment;
- take firm measures to ensure an effective remedy to any victim of brutality, ill treatment, and torture by the police; take every possible measure with regard to violence and ill treatment by police so as to correct the situation, including increasing public information activities on redress mechanisms available at the national level, their mandates and their functioning; and
- provide to the legal profession as well as the legislative, judicial and administrative authorities adequate information on the provisions of the ICCPR and its optional protocols.