

**STATEMENT**  
**UPR Pre-session on Cyprus**  
**Geneva, 13.02.2024**

**Delivered by: Civil Society Initiative Association/Human Rights Platform**

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**Presentation of the Organisation**

This statement is delivered on behalf of the Civil Society Initiative Association and the Human Rights Platform. Both associations are right based, independent CSOs based in the northern part of Cyprus, and they are participating in the UPR processes for the first time.

The Turkish Cypriot civil society is not part of the Cyprus UPR national consultation process. Participation and accessing information in the Republic of Cyprus are very problematic for the Turkish Cypriot civil society, in general.

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**Plan of the Statement**

This statement addresses the discrimination against Turkish Cypriots, focusing on the non-discriminatory application of Cypriot nationality, freedom of expression and access to information, and freedom of association.

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**General Recommendations from the previous cycle**

During the previous cycle, **Chile, Ireland, and Argentina** proposed general measures against discrimination of all types, particularly racial discrimination targeting Turkish Cypriots. These anti-discrimination recommendations are mentioned because they are directly related to the three issues to be presented shortly.

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**ISSUE I. Non-discriminatory application of the Cypriot nationality**

**Netherlands, UK, USA, and Germany** have made specific recommendations regarding Cypriot nationality, urging the non-discriminatory application of Cypriot nationality laws, especially in processing citizenship applications for children of mixed marriages.

The practice violates the RoC Constitution, resulting in systematic discrimination against individuals, including Turkish Cypriots and Greek Cypriots married to individuals from specific third countries. This problem has resulted in approximately 3,500 cases being pending and many more who have not resorted to the court system are living with its effects. Despite the recent measures announced by the Presidency regarding the rights of Turkish Cypriots, this issue was not tackled effectively.

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**Recommendations**

- a) Legal provisions and respective 2007 Council of Ministers decisions should be reviewed and amended to ensure equal access to Cypriot nationality for individuals with at least one Cypriot parent, regardless of their ethnicity.

- b) Process citizenship applications for children of mixed marriages within a reasonable time frame.

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**ISSUE II. Freedom of expression and access to information**

During the previous cycle, **Ecuador** proposed the adoption of measures aimed at fostering the integration of minority groups and promoting cultural diversity, which encompasses linguistic diversity. While Turkish Cypriots may not be classified as a minority group legally, they are often socially perceived and treated as such.

According to RoC Article 3 of the Constitution, Turkish is one of the official languages; however, Turkish Cypriots encounter challenges in fully exercising their right to access information. This is due to the suspension of the bi-communal aspect of the RoC based on the Supreme Court decision (*The Attorney-General of the Republic v. Mustafa Ibrahim and Others* (1964) back in 1964 based on the 1963-64 events. Subsequently, vital official information and data, including national legislation drafted after 1963 and case laws, are predominantly available in Greek and English, leaving certain Turkish Cypriots uninformed. Governmental departments, with few exceptions, lack Turkish-speaking staff, negatively impacting Turkish Cypriots' access to fundamental rights such as health, education, association, and justice.

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**Recommendations**

- a) The RoC should remove the 1964 Supreme Court decision and adapt to the current situation where there is no hot conflict between communities and the number of Turkish Cypriots who reside, work, or travel in the RoC increases.
- b) The Republic of Cyprus should prioritize language accessibility in government services and information dissemination by providing translations of vital official information, including national legislation and data, into Turkish.
- c) Recruit enough Turkish Cypriot staff in all governmental departments and supply information in Turkish.

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**ISSUE III. Right to freedom of association**

During the previous assessment, the issue of access to the right of association was not raised by any foreign delegation. However, this right is crucial for peace, addressing community concerns, and eliminating discrimination and exclusion.

While the Cyprus Constitution guarantees freedom of association for all and the national law amendment in 2020, challenges reported by CSOs include: the complex legal framework, difficulties at accessing funds, inconsistencies in the interpretation of laws by district offices, access to information, and banks categorising all CSOs as "high risk".

Turkish Cypriots face additional hurdles in forming CSOs or taking management positions due to residency requirements in the Republic of Cyprus and difficulties in opening bank accounts. Accessibility issues, such as the Ministry of Interior's website being unavailable in Turkish or English, further compound challenges. Turkish Cypriots encounter obstacles in opening bank

accounts in the Republic of Cyprus, with banks often requiring residency or proof of employment, criteria that most Turkish Cypriots cannot meet. Despite the Central Bank of Cyprus disseminating a circular letter to banks, Turkish Cypriots seeking to open bank accounts have been rejected without proper justification.

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**Recommendations**

- a) Simplification and streamlining of the legal framework in a manner that extends freedom of association. The legal framework and practice should be amended to facilitate Turkish Cypriots' access to this right.
- b) Prepare Turkish guidelines for CSOs on their administrative and financial obligations. Make it available on the Ministry website along with all relevant legislation.
- c) Ensure banks stop treating all CSOs and Turkish Cypriots as 'high risk' causing systematic discrimination and instead evaluate each case by its potential.

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Thank you for listening!