

CYPRUS 9/

CCPR A/32/44 (1977)

116. The initial report submitted by Cyprus under article 40 of the Covenant was considered by the Committee at its 27th and 28th meetings, on 17 August 1977. In introducing the report, the representative of the Government pointed out that Cyprus had been among the first States to ratify the Covenant. He explained the brevity and incompleteness of the information furnished by the crisis conditions which Cyprus had been experiencing. He outlined the procedure of incorporation of international treaties into the domestic law of Cyprus and referred in general terms to the legislation for the protection of human rights in Cyprus. His Government would forward a fuller additional report which would indicate progress made in the enjoyment of human rights in Cyprus as well as difficulties affecting the implementation of the Covenant.

117. Questions were posed by members of the Committee and the representative of the Government of Cyprus replied to some of them. With regard to the other queries, he assured the Committee that they would be transmitted to his Government and that the replies thereto would be included in a fuller report to which the texts of relevant laws would be attached.

118. The questions of the members of the Committee are summarized below:

(a) Some members of the Committee inquired into the place of international treaties, and especially the Covenant, in the hierarchy of legal norms applicable in Cyprus. The answer was that, immediately below the Constitution, which was the supreme law of the country stood international agreements, which prevailed over ordinary legislation. Cyprus had ratified the Covenant as well as the European Convention on Human Rights.

(b) In reply to questions regarding the mandate of the Special Committee of Government Experts referred to in the report, the representative of Cyprus said that this Committee had been established to study both Covenants and make recommendations for the implementation of the articles of the Covenant in respect of which no corresponding provisions were expressly included in the Constitution of Cyprus.

(c) In response to queries regarding the control of the constitutionality of laws, the representative of Cyprus said that the question of the compatibility of a law with the Constitution could be examined by the courts, and that the Supreme Court could declare a law to be unconstitutional.

(d) Clarification was sought regarding the procedure for amending the human rights provisions of the Constitution. Assuming that the provisions of the Covenant were incorporated in the form of ordinary legislation, one member also asked whether these statutory provisions could be amended by the Parliament by normal voting procedure.

The representative of Cyprus stated that such questions were theoretical because his Government had no intention making any amendments to the legal rules for the protection of human rights at present in force.

(e) One member of the Committee asked what was the procedure for co-ordinating the human rights provisions contained in different international instruments to which Cyprus was a party. In reply it was said that such a co-ordination was carried out by the courts as part of their function to apply the law of the land. The relevant norms were always interpreted by judges in the best interest of the individuals concerned.

(f) Questions were asked regarding limitation and suspension of the rights set forth in the Covenant. The representative of Cyprus said that reasonable limitations of rights existed in Cyprus, in terms similar to those prevailing in most other countries. According to article 183 of the Constitution, in case of war the Council of Ministers proclaimed a state of emergency under which certain human rights were suspended. The proclamation was considered by the House of Representatives which could reject or confirm it. In case of rejection the Act had no legal effect.

(g) Requests for clarification were made concerning the institutions and procedures established in Cyprus to ensure the effective observance of human rights, including remedies available to individuals in case of violation of human rights. Questions were asked, in particular regarding the access of all persons to remedies on a basis of equality and the availability of legal aid. The representative of Cyprus said that, with regard to violation of human rights by the administration, the persons concerned had a direct recourse to the competent administrative body which was obliged to give an answer within 30 days. If the answer was negative or if the administration remained silent, he could submit a recourse to the Supreme court. The individual had access to the courts through various procedures in many cases of alleged violations of his human rights. In criminal proceedings, a lawyer was appointed by the courts to defend the accused, if he had not himself retained a lawyer.

(h) One member of the Committee wished to receive information on the kind of offences in respect of which capital punishment may be imposed. The representative of Cyprus, stressing that article 7 of the Constitution guaranteed the right to life and corporal integrity, explained that capital punishment was carried out in Cyprus only in execution of death sentences imposed in accordance with law for premeditated murder, treason and capital offences in time of war.

(i) One member of the Committee asked if freedom of religion in Cyprus meant that the people professing different religions were treated on an equal footing. In reply, it was confirmed that, in accordance with article 18 of the Constitution, in Cyprus all religions were equal and there was no discrimination whatsoever in this respect.

(j) In response to a question regarding the prohibition of war propaganda, it was said that Cyprus was a small country which had no intention to unleash a war, and that measures taken against war propaganda would be explained in a further report.

(k) What articles of the Covenant had not been reflected in the Constitution and ordinary legislation of Cyprus?

(l) Could relevant provisions of the Covenant be invoked in the courts of the country and in dealings with administrative authorities and did they prevail over any legislation or administrative acts inconsistent with them?

(m) Were there any prisoners in Cyprus detained on grounds other than criminal?

CCPR A/34/40 (1979)

372. At its 165th and 166th meetings, held on 8 August 1979 (CCPR/C/SR.165 and CCPR/C/SR.166), the Committee continued its consideration of the initial report submitted by Cyprus (CCPR/C/1/Add.6) ^{12/} and the supplementary report containing additional information (CCPR/C/1/Add.28) submitted in reply to questions asked at the 28th meeting.

373. The supplementary report was introduced by the representative of the State party who gave a brief historical background on the situation prevailing in his country since the occupation of 40 per cent of its territories in 1974. He drew the Committee's attention to the fact that his country was thereby prevented from ensuring the implementation of the rights embodied in the Covenant in respect of all inhabitants of its territory. He stressed the fact that, despite these difficulties, the report submitted by his Government was an indication that Cyprus was doing its utmost, in the territory over which it had effective control, to implement the provisions of the International Covenant on Civil and Political Rights.

374. Members of the Committee noted with appreciation that Cyprus was not only one of the first States parties to submit its initial report in accordance with article 40 of the Covenant but that it had also submitted a supplementary report which, it was noted with appreciation, contained a separate account of one set of factors or difficulties affecting the enjoyment of the rights by persons within its jurisdiction as well as relevant cases decided by courts of law.

375. With reference to article 2 of the Covenant, and noting that the Covenant had been incorporated in its entirety into the domestic legislation of Cyprus, members of the Committee observed that the de facto emergency situation in Cyprus must have had the effect of dislocating the institutions set up under the Constitution and asked what measures had been taken to deal with the situation; to what extent the judiciary had pronounced on the matter; whether the doctrine of state necessity had been resorted to with a view to maintaining the orderly conduct of life in Cyprus.

376. Further information was requested on how remedies were guaranteed and what they mean in practice to the individual. In particular, it was asked whether the system of administrative redress under article 29 of the Constitution of Cyprus and the power of the Supreme Court to declare legislation unconstitutional, including the right to compensation under article 146 of the Constitution, was a living reality, or whether it was rarely applied, either because the administration was generally acceptable to citizens or because they were unfamiliar with the available remedies. Further information was requested on the procedures mentioned in the report under which an aggrieved person could seek redress for the violation of his fundamental rights by administrative acts or omissions. Questions were also asked on how often citizens were successful in their claims; how often did the Supreme Court annul an act; and was it necessary to turn first to the Supreme Court and then take civil action in order to obtain compensation.

^{12/} The initial report by Cyprus was considered by the Committee at its 27th and 28th meetings on 17 August 1977, see CCPR/C/SR.27 and 28 and Official Records of the General Assembly, Thirty-second session, Supplement No. 44 (A/34/44 and Corr.1), paras. 116-118.

377. Detailed information was sought on the nature of the limitations and restrictions to which the fundamental rights and freedoms safeguarded by the Constitution of Cyprus were subjected, in view of the prevailing situation in the country. Members asked whether that situation was or was regarded as an emergency justifying derogation from the Covenant and, if so, what measures had been taken by the Government to that effect.

378. With regard to article 6 of the Covenant, it was noted that the Constitution of Cyprus had rested on a delicate balance of power between the two communities and called for co-operation between their representatives and that, accordingly, the President and the Vice-President of the Republic had the right, each with respect to the members of his community, to exercise the prerogative of mercy towards persons condemned to death. The representative was asked who, at present, was in a position to exercise the prerogative of mercy towards Cypriots of Turkish origin living in the part of the island which was under the control of the Government of Cyprus.

379. In connection with article 12 of the Covenant, it was stated that following the events in 1974 an exchange of population had taken place and that the Greek Cypriots who had been expelled from the northern part of the island were not allowed to return to it. The question was asked whether Turkish Cypriots who had formerly resided in the southern part of the island were free to return to their homes or were prohibited from doing so.

380. In relation to article 13 of the Covenant, it was noted that, under the Constitution, deportation of aliens was permissible on the grounds of public interest such as the preservation of public security. Information was requested on the provisions governing the legal situation of aliens in the Republic at present.

381. The representative of Cyprus gave a brief outline of the constitutional situation of Cyprus since the establishment of the Republic and clarified the various aspects of the legal system of Cyprus. He explained that the Republic had been established under an international treaty which had given little choice to the people of Cyprus as to the form of the Constitution but presupposed co-operation between the two communities in many fields; and that, following the outbreak of the troubles in 1963, the Turkish Cypriot officials in the Government abandoned their posts. He pointed out that although the Turkish Cypriot members of the judiciary returned to their posts soon afterwards, the Government had had to choose between allowing the structure of the State to crumble or continuing to function to the extent possible under the Constitution and taking such measures as were dictated by necessity in order to enable life to go on as normally as possible-hence the law enacted in 1964 by the House of Representatives and which had been brought before the Supreme Court. He explained that that law had provided for a unified system for the administration of justice in which there would be no more mixed courts and no division in the administration of justice. He explained that it had been doubted whether that law was compatible with the strict letter of the Constitution. The Supreme Court had resolved that doubt and decided that, in view of the difficulties encountered in complying with the provisions of the Constitution which required the participation of the Turkish Cypriot community and of the need for the State to carry on its functions, it was sound and correct to promulgate laws such as the one mentioned above. He pointed out that that was the legal basis on which the Republic of Cyprus had continued to function since 1963 and that, incidentally, the Supreme Court on that occasion included judges of Turkish Cypriot origin.

382. As regards the questions raised in relation to remedies available to individuals, he stated that article 146 of the Constitution provided remedies for persons whose fundamental rights were violated by administrative acts or omissions. That article, he stressed, represented an innovation in the legal system of Cyprus and its provisions had been applied in thousands of cases as a result of which many administrative decisions had been annulled. As far as the question of compensation was concerned, an individual was entitled under the Constitution to apply to the administrative authorities for redress and to receive a reply within 30 days of his application. If he did not obtain satisfaction, he could appeal to the Supreme Court. In the event of an administrative decision being annulled, the administrative authority concerned was obliged to ensure that the situation of the individual was as it would have been if the act or omission had not taken place. If it was unable to do so, compensation was awarded, either as a result of direct negotiation or through civil proceedings.

383. Replying to questions under article 4 of the Covenant, the representative pointed out that after 1964, all the human rights provisions in the Constitution had been applied strictly, with no derogation in any respect; that even after the events of 1974 the Government had not declared a state of emergency; and that in spite of the difficulties encountered, it had been considered more appropriate not to take any measures which would in any way adversely affect the enjoyment of human rights. He added that the restrictions referred to in the report were those expressly defined in the Constitution such as those concerning the protection of property.

384. Replying to questions concerning article 12 of the Covenant, the representative noted that the expression "exchange of population" did not accurately reflect what had happened. He pointed out that an intercommunal agreement had been reached in accordance with which Greek Cypriots living in the areas occupied by Turkey would be free to join their families in the Government controlled areas and any Turkish Cypriots living in the Government controlled areas would be free to move to the occupied areas. In spite of that agreement, the authorities of the occupied areas had compelled Turkish Cypriots to leave the Government controlled areas for the occupied areas and had failed to provide any facilities whatsoever to enable the Greek Cypriots, who were forced to seek refuge in the Government controlled areas, to return to their homes in the occupied areas.

385. Replying to a question raised under article 13 of the Covenant, he stated that no restrictions were imposed on aliens and that they were afforded the same enjoyment of human rights as the rest of the population, with the exception of the right to vote. They could also be expelled from the country on specific and lawful grounds.

386. Members of the Committee asked, in connection with article 3 of the Covenant, for statistical data on the principle of equality between men and women; whether the statement made in the report under article 6 of the Covenant to the effect that the death penalty could not be passed on persons under the age of 16 was consistent with the provisions of that article which provided that the death penalty shall not be carried out on persons under 18 years of age; whether, in connection with article 14, judges were elected or appointed; what was the duration of their mandate; what were the requirements governing their election or appointment; and whether they could be dismissed.

387. The representative of Cyprus stated in reply that there was no specific legislation regulating equality between men and women but that any provisions contrary to the principle of equality would

be declared null and void; and that women could be members of the House of Representatives and hold public office. He stressed that, in case of conflict between the provisions of article 6 of the Covenant and the Penal Code, the provisions of the Covenant would prevail. As to the questions raised in relation to the judiciary, he stated that judges were appointed by the President or the Vice-President of the Republic and could be dismissed by a decision of the Supreme Court on grounds of misconduct or for medical reasons. He pointed out that these conditions were applicable to the Attorney-General and to the Deputy Attorney-General. Members of the district courts were appointed by a Judicial Council which was composed of judges of the Supreme Court and the Attorney-General.

388. Questions were asked on whether genocide was included among the crimes cited in the Constitution and for which the death penalty may be imposed; what measures were envisaged to combat or prevent torture in Cyprus; what was the meaning of the statement in the report that “all religions whose doctrines or rites are not secret are free”; and whether the statement in the report to the effect that “the use of physical or moral compulsion for the purpose of making a person change, or preventing him from changing, his religion is prohibited”, was compatible with the Covenant for it was possible in the case of certain religions such as Islam to resort to persuasion to prevent someone from changing his religion. Clarification was requested on section 40, chapter 154, of the Penal Code.

389. In reply, the representative stated that the crime of genocide was not included in the Constitution because it fell under the category of murder. On the question of prevention of torture, he pointed out that a number of measures of redress were available to persons in solitary confinement. As regards the provisions of section 40 of the Penal Code, he explained that those provisions referred mainly to cases where Cypriot citizens would join invaders of the island making it necessary for the Cypriot army to fight against the invaders and other Cypriot citizens who assisted them. The restrictions contained in article 18 of the Constitution were designed to protect public safety, since it was possible, under the cloak of secrecy, to carry out unlawful activities and threaten the security of the State.

CCPR A/49/40 (1994)

312. The Committee considered the second periodic report of Cyprus (CCPR/C/32/Add.18) at its 1333rd to 1335th meetings, held on 13 and 14 July 1994 (see CCPR/C/SR.1333-1335), and adopted 28/ the following comments:

Introduction

313. The Committee welcomes the opportunity to resume its dialogue with the Government of Cyprus while regretting that this follows a lapse in reporting of over 16 years. The Committee expresses its satisfaction with the useful information on the application of the Covenant that is contained in the second periodic report and in the annexes, as well as in the core document (HRI/CORE/1/Add.28). The Committee expresses its appreciation to the high-level delegation which presented the report and which provided the Committee with a wealth of detailed and updated additional information in response to the questions posed by Committee members.

Factors and difficulties affecting the implementation of the Covenant

314. The Committee notes that the State party, as a consequence of events that occurred in 1974 and resulted in the occupation of part of the territory of Cyprus, is not in a position to exercise control over all of its territory and consequently cannot ensure the application of the Covenant in areas not under its jurisdiction. The Committee also notes that, as a consequence of the same events, a number of citizens are still missing, making it impossible for the State party to provide any information about the protection of their rights. The Committee further notes that the continuing division of the country has adversely affected efforts to reduce tension among the various ethnic and religious communities which comprise the population.

Positive aspects

315. The Committee notes that Cyprus has constitutional provisions and democratic institutions that ensure basic respect for the rule of law and the protection of rights, and that there are non-governmental organizations active in the promotion of human rights. It welcomes the general legislative reform that has been undertaken with regard to a number of areas covered by the Covenant. In particular, the Committee takes note of new or proposed laws concerning arrest and detention procedures, incitement to racial or religious hatred, deportation of aliens, election laws, personal data, violence against women and family law, and the establishment of family courts. The Committee also takes note of the commission of inquiry on allegations and complaints against the police and the pending bill to amend the Law for the Commissioner for Administration ("Ombudsman") to include consideration of complaints of ill-treatment in his functions. The Committee also notes that the Law Commissioner is responsible for the preparation of reports under the Covenant and for taking appropriate action when provisions of the domestic law are in need of alignment with the Covenant.

28/ At the 1354th meeting (fifty-first session), held on 27 July 1994.

Principal subjects of concern

316. The Committee is concerned that, while the Covenant has superior force to domestic law under the Constitution and may be invoked in the courts, there remain uncertainties in domestic law as to which provisions of the Covenant are self-executing and which might require specific legislation.

317. With respect to the right to life, the Committee is concerned that article 7 of the Constitution provides for very broad exceptions to that right and that the current instructions governing the use of force leave wide discretion to police officers. The Committee is also concerned that the domestic law allows application of the death penalty to persons between 16 and 18 years of age, in conflict with the provisions of article 6, paragraph 5, of the Covenant. The Committee notes, however, that the death penalty is not applied in practice.

318. The Committee is concerned about reported cases of torture or cruel, inhuman or degrading treatment of detainees by police and about the failure to secure conviction and punishment of any of the perpetrators. In this connection, the Committee notes with concern the extended nature of pre-trial detention in Cyprus, during which time detainees may be vulnerable to possible police abuse. The Committee is also concerned that police officers and other law enforcement officials are not provided with adequate education and training with regard to the provisions of the Covenant concerning arrest and detention procedures.

319. The Committee is concerned that under current law imprisonment may be imposed for non-payment of civil debt in certain circumstances, in violation of article 11 of the Covenant.

320. While noting that some progress has been achieved in combating discrimination against women, the Committee is concerned that some patriarchal attitudes and practices still persist which impede women from realizing full and equal enjoyment of rights.

321. The Committee is concerned about the unfair treatment accorded to conscientious objectors in Cyprus, who are subject to an excessive period of alternative service lasting 42 months, which is not compatible with the provisions of article 18 and 26 of the Covenant, and that persons may also be subject to punishment on one or more occasion for failure to perform military service.

322. The Committee is concerned about restrictions on the press, particularly with regard to seditious intent, as defined under article 47 of the Criminal Code. The Committee notes that freedom to criticize the authorities and challenge government policies are a normal and essential part of a functioning democracy.

323. The Committee is concerned that the 1958 law regulating lawful assembly and requiring permits for public assemblies is not in compliance with article 21 of the Covenant. In this regard, the Committee emphasizes that restrictions on freedom of assembly must be limited to those which are deemed necessary in conformity with the Covenant.

324. The Committee is concerned that in a number of key areas children are not adequately protected under the terms of existing legislation. In particular, the Committee is concerned that marriageable age is defined as the onset of puberty, that criminal responsibility begins at age 7 and that persons between 16 and 18 years of age are not considered child or youthful offenders and are subject to penal sanction.

325. With respect to article 25 of the Covenant, the Committee is concerned that, because of the events mentioned in paragraph 3, elections in accordance with the 1960 Constitution could not be held since 1974 for government positions allocated to Turkish Cypriot representatives. Under such continuing circumstances, Cypriot citizens of Turkish origin cannot effectively exercise their right to vote and run for public office as guaranteed under the Covenant.

326. The Committee is concerned that public awareness of the Covenant is not sufficient nor is adequate publicity given to the availability and presentation of its reports under the Covenant. In this connection, the lack of cases invoking the provisions of the Covenant in the courts, as well as the lack of communications filed under the First Optional Protocol, seem to indicate that awareness of the Covenant and the Optional Protocol is not high among judges or members of the bar.

Suggestions and recommendations

327. The Committee recommends that the legislative reforms presently under way be expanded and accelerated in order to ensure that all relevant legislation, including the Criminal Code and administrative procedures are in conformity with the requirements of the Covenant. In expanding the review, the Committee recommends that its general comments be used as a guide to the application of the Covenant. In this connection, the Committee suggests that the presumption of innocence should be expressly stipulated in the Penal Code. In addition, the relevant laws and legislation concerning imprisonment for civil debt and restrictions on freedom of expression and freedom of assembly should be amended to conform with the requirements of the Covenant.

328. The Committee recommends that the Government of Cyprus consider becoming a party to the Second Optional Protocol as soon as possible.

329. The Committee recommends that steps be taken to ensure investigation of all allegations of torture or mistreatment of detainees and the prosecution and punishment of all persons guilty of such acts. The length of pre-trial detention should be significantly shortened to accord with the Covenant and adequate training should be provided for all law enforcement officials to promote observance of the protection afforded by the Covenant. Instructions on the use of force by police should be updated to conform with the requirements of the Covenant and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

330. The Committee recommends that the laws concerning conscientious objectors be amended in order to ensure their fair treatment under the law and to reduce the excessively lengthy period of alternative national service and the possibility of repeated punishment.

331. With respect to the equality and rights of women, the Committee recommends that affirmative measures be taken to ensure their participation in the political process and that the new laws concerning domestic violence be closely monitored to ensure their effective application.

332. With respect to article 24 of the Covenant, the Committee recommends that existing laws concerning the protection of children be reviewed and amended as necessary to conform with the requirements of the Covenant. In particular, the minimum age for marriage, criminal responsibility, penal sanction and the imposition of the death penalty should be changed to conform with present

international standards and the spirit of article 24, paragraph 1, of the Covenant.

333. The Committee recommends that measures be taken to ensure greater public awareness of the provisions of the Covenant and the Optional Protocol and that the legal profession as well as judicial and administrative authorities have detailed information on those instruments in order to ensure their effective application. The Committee also recommends that adequate publicity be given to the second periodic report and its consideration by the Committee, including these comments, in order to stimulate greater interest in the Covenant in Cyprus.

CCPR A/53/40 (1998)

180. The Committee considered the third periodic report of Cyprus (CCPR/C/94/Add.1) at its 1647th and 1648th meetings on 24 March 1998, and at its 1663rd meeting, on 3 April 1998, adopted the following observations.

Introduction

181. The Committee welcomes the timely and comprehensive report submitted by the Government of Cyprus, as well as the information provided in the supplementary report to the third periodic report. The Committee notes with satisfaction that the concluding observations made in connection with the second periodic report have been largely taken into account by the Government of Cyprus in the report under consideration. The Committee expresses its appreciation for the constructive dialogue with the delegation which enabled it to gain a deeper understanding of the human rights situation in Cyprus, in particular of the mandates and functioning of the national machineries in place to protect and promote human rights in the country.

Factors and difficulties affecting the implementation of the Covenant

182. The Committee notes that the State party, as a consequence of events that occurred in 1974 and resulted in the occupation of part of the territory of Cyprus, is still not in a position to exercise control over all of its territory and consequently cannot ensure the application of the Covenant in areas not under its jurisdiction. The Committee also notes that, as a consequence of the same events, a number of citizens of both Greek and Turkish communities continue to be missing, making it impossible for the State party to provide any information about the protection of their rights.

Positive aspects

183. The Committee welcomes the establishment of a Commissioner for Administration with the mandate to investigate, *inter alia*, alleged cases of ill-treatment, inhuman and/or degrading treatment and torture. The Committee also notes the decision by the Council of Ministers to establish a National Institution for Human Rights, which should be an independent body charged with monitoring the compliance by the Government of Cyprus with its obligations under international human rights instruments.

184. The Committee expresses its appreciation for the revision of the legislation concerning prisons and of its regulations which have, in particular, facilitated the establishment of a register for detainees. It also welcomes the creation of an independent Prison Council.

185. The Committee also notes with satisfaction the incorporation of a human rights course element into the core training programme for police officers and for government officials.

186. The Committee welcomes the establishment of a Family court with jurisdiction over civil and religious marriage.

187. The Committee also welcomes the recent agreement between the Government of Cyprus and the representatives of the Turkish Cypriot authorities to resolve the fate of the persons who have disappeared and are missing since 1974 and encourages both sides to continue their efforts with the assistance of international mediation.

Principal subjects of concern and the Committee's recommendations

188. The Committee notes as a general concern the long delays and obstacles experienced in enacting into law many desirable proposals for new legislation on a number of matters and strongly urges the State party to take all necessary steps to remedy this situation in order to implement the provisions of the Covenant more comprehensively at the national level.

189. The Committee regrets the persistence of inequality between men and women in law and in practice in Cyprus. It is concerned that discriminatory provisions on the basis of sex continue to inhibit the full enjoyment by women of their human rights, in particular in laws relating to marriage, nationality, immigration, employment and education. The Committee urges the State party to adopt legislative measures to eliminate sex-based discrimination in all relevant areas.

190. The Committee notes with concern the discriminatory legal provisions which penalize homosexual acts and urges the State party to repeal them.

191. The Committee is concerned that the new law on prevention of violence within the family has not produced the expected positive results and urges the State party to adopt appropriate measures to improve the situation. A reform of the law on evidence should take into account the possibility of eliminating obstacles to a spouse providing testimony against another spouse on domestic violence.

192. The Committee is concerned that the adoption of a proposed new law regulating civil debt has been unreasonably delayed and recommends the State party to ensure that the requirements of article 11 of the Covenant be fully met.

193. The Committee reiterates its concern that, while the Covenant has superior force to domestic law under the Constitution and may be invoked in the courts, there remain uncertainties as to which provisions of the Covenant are self-executing within domestic law of the State party and which require specific legislation.

194. While the Committee notes the enactment of a new law regulating public assemblies and processions, it is concerned about the conditions which the appropriate authorities may impose regarding the conduct of assemblies and processions upon receiving the required advance notification. The Committee also notes that the advance notice required to be given is too early and may unduly curtail freedom of assembly. The Committee reiterates that restrictions on freedom of assembly must be limited only to those which are in conformity with article 21 of the Covenant.

195. The Committee is concerned that the age of criminal responsibility is still fixed at seven years, and that marriageable age is defined as the onset of puberty.

196. The Committee further reaffirms its position that corporal punishment is prohibited under the Covenant.

197. The Committee remains concerned about the discriminatory treatment accorded to conscientious objectors in Cyprus, who may be subject to punishment on one or more occasion for failure to perform military service. The Committee recommends that the proposed new law concerning conscientious objectors ensure their fair treatment under the law and eradicate lengthy imprisonment as a form of punishment.

198. Considering the repeated allegations of discrimination against Cypriot citizens of Turkish origin, including issues of employment and identity cards, the Committee regrets the lack of concrete information on the situation of those citizens, and requests the Government of Cyprus to provide detailed information on this matter in the fourth periodic report.

199. In relation to cases of alleged brutality, ill-treatment and torture by the police, the Committee urges the State party to take firm measures to ensure an effective remedy to any victim of such human rights violation. In this connection, the Committee is concerned about the apparent reluctance of victims of violence and ill-treatment to testify before the relevant instances and recommends that the State party take every possible measure to correct the situation, including increased public information activities to educate the public on redress mechanisms available at the national level, their mandates and their functioning.

200. The Committee recommends that the legal profession as well as the legislative, judicial and administrative authorities be provided with adequate information on the provisions of the Covenant and its optional protocols.

201. The Committee also recommends that appropriate publicity be given to the third periodic report and its consideration by the Committee, including these observations.

202. The Committee fixed the date for the submission of the fourth periodic report of Cyprus as June 2002.