



# Cyprus

## Ratified the European Convention on Human Rights in 1962

### National Judge: Georgios Serghides

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judges: Mehmed Zekia (1961-1984), Andreas Nicolas Loizou (1990-1998), Loukis Loucaides (1998-2008), George Nicolaou (2008-2015)

The Court dealt with 33 applications concerning Cyprus in 2017, of which 30 were declared inadmissible or struck out. It delivered 3 judgments (concerning 3 applications), which found at least one violation of the European Convention on Human Rights.

Applications processed in	2015	2016	2017
Applications allocated to a judicial formation	32	33	31
Communicated to the Government	7	6	3
Applications decided:	44	38	33
- Declared inadmissible or struck out (Single Judge)	16	29	28
- Declared inadmissible or struck out (Committee)	0	3	1
- Declared inadmissible or struck out (Chamber)	8	2	1
- Decided by judgment	20	4	3
Interim measures:	1	3	7
- Granted	0	0	1
- Refused (including out of scope)	1	3	6

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#)

Applications pending before the court on 01/01/2018	
Total pending applications*	57
Applications pending before a judicial formation:	51
Single Judge	9
Committee (3 Judges)	0
Chamber (7 Judges)	41
Grand Chamber (17 Judges)	1

\* including applications for which completed application forms have not yet been received

### Cyprus and ...

#### The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **668** Registry staff members of whom **2** are Cypriot.

## Noteworthy cases, judgments delivered

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### Grand Chamber

#### [Kafkaris v. Cyprus](#)

12.02.2008

Changes in prison regulations and domestic law having allegedly retroactively increased a prisoner's sentence from 20 years to an indefinite period.

Violation of Article 7 (no punishment without law) with regard to the quality of the law applicable at the relevant time

No violation of Article 7 concerning either the alleged retrospective imposition of a heavier penalty on the applicant or the exemption from remission of prisoners serving life sentences

No violation of Articles 3 (prohibition of inhuman or degrading treatment or punishment), 5 § 1 (right to liberty and security) and 14 (prohibition of discrimination)

#### [Kyprianou v. Cyprus](#)

15.12.2005

The court which claimed the applicant was in contempt had also tried and punished him.

Violation of Article 6 (right to a fair trial)

Violation of Article 10 (freedom of expression)

#### [Cyprus v. Turkey](#)<sup>1</sup>

10.05.2001

The case concerned the situation in northern Cyprus since Turkey carried out military operations there in July and August 1974, and the continuing division of the territory of Cyprus since that time.

##### [14 Violations of the Convention](#)

No violation concerning a number of complaints, including all those raised under: Article 4 (prohibition of slavery and forced labour), Article 11 (freedom of assembly and association), Articles 14 (prohibition of discrimination), Article 17 (prohibition of abuse of rights) and Article 18 (limitation on use of restrictions on

rights) read in conjunction with all those provisions

As regards a number of other allegations, the Court held that it was not necessary to consider the issues raised.

## Noteworthy cases, judgments delivered

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### Chamber

#### Cases dealing with the right to life (Article 2)

##### [Rantsev v. Cyprus and Russia](#)

07.01.2010

Death of the applicant's daughter, a Russian national, in strange and unestablished circumstances having fallen from a window of a private home in Cyprus.

Violation of Article 2 for failure to conduct effective investigation by Cyprus

Violations of Article 4 (prohibition of slavery and forced labour) by Cyprus and Russia

Violation of Article 5 (right to liberty and security) by Cyprus

#### Cases dealing with prohibition of inhuman and/or degrading treatment (Article 3)

##### [Shchukin and Others v Cyprus](#)

29.07.2010

The applicants were Ukrainian and Estonian nationals who were employed by a Ukrainian travel company as catering and hotel staff on the Ukrainian cruise ship Primexpress Island. The case concerned the circumstances of their deportation from Cyprus after the ship owners went bankrupt.

Violation of Article 3 (lack of effective investigation into alleged ill-treatment)

##### [Onoufriou v. Cyprus](#)

07.01.2009

The applicant, who was detained in Nicosia Central Prison for murder, was arrested and placed in solitary confinement for 47 days when he did not return to prison after a 24-hour leave.

Violation of Articles 3, 8 (right to respect for private and family life and correspondence) and 13 (right to an effective remedy)

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<sup>1</sup> On 12 May 2014, the Court delivered its Grand Chamber [judgment](#) on the question of the application of Article 41 (just satisfaction).

**Cases dealing with the protection of property (Article 1 of Protocol No. 1)**

**Philippou v. Cyprus**

14.06.2016

The case concerned a civil servant, Tassos Philippou, who automatically lost his public service retirement benefits when dismissed following disciplinary proceedings brought against him in 2005.

No violation of Article 1 of Protocol No. 1

**Vrontou v. Cyprus**

13.10.2015

The case concerned the failure to grant Ms Vrontou a refugee card.

Violation of Article 14 (prohibition of discrimination) taken in conjunction with Article 1 of Protocol No. 1

Violation of Article 13 (right to an effective remedy)

**Other noteworthy cases, judgments delivered**

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**M.A. v. Cyprus (no. 41872/10)**

23.07.2013

The case concerned a Syrian Kurd's detention by Cypriot authorities and his intended deportation to Syria after a police operation removing him and other Kurds from Syria from an encampment outside government buildings in Nicosia in protest against the Cypriot Government's asylum policy. It is one of 38 similar applications pending before the European Court of Human Rights.

Violation of Article 13 (right to an effective remedy) taken together with Articles 2 (right to life) and 3 (prohibition of inhuman and degrading treatment) due to the lack of an effective remedy with automatic suspensive effect to challenge the applicant's deportation

Violation of Article 5 §§ 1 and 4 (right to liberty and security) due to the unlawfulness of the applicant's entire period of detention with a view to his deportation without an effective remedy at his disposal to challenge the lawfulness of his detention

No violation of Article 5 § 2 as concerned the applicant's awareness of the reasons for his arrest and for his ensuing detention

No violation of Article 4 of Protocol No. 4 (collective expulsion of aliens)

**Sigma Radio Television v. Cyprus (No.2)**

21.07.2011

Compatibility with the right to a fair trial of the proceedings before the Cyprus Broadcasting Authority.

No violation of Article 10 (freedom of expression)

**Phinikaridou v. Cyprus**

20.12.2007

Proceedings for judicial recognition of paternity brought by an illegitimate child declared time-barred.

Violation of Article 8 (right to respect for private and family life)

**Aziz v. Cyprus**

22.06.2004

Refusal to a member of the Turkish-Cypriot community to be registered on the electoral roll to vote in the parliamentary elections.

Violation of Article 3 of Protocol No. 1 (right to free elections)

Violation of Article 14 (prohibition of discrimination)

**Noteworthy cases, decisions delivered**

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**Tziliavaki and others v. Cyprus**

14.10.2014

Alleged failure of the Cypriot authorities to exhume the bodies of Greek commandos killed during the Turkish invasion, when the military transport aircraft they were on was shot down by friendly fire.

Application inadmissible (manifestly ill-founded)

**Emin and others v. Cyprus**

03.04.2012

Missing Cypriots, of Turkish Cypriot origin, whose remains have been recently found due to the exhumation programme of the UN Committee of Missing Persons (CMP).

Application inadmissible (manifestly ill-founded)

**Kazali and others v. Cyprus**

06.03.2012

Management of Turkish Cypriot properties in the Republic of Cyprus and their management by the Custodian of Turkish Cypriot Properties of the Cypriot Ministry of Interior.

[Application inadmissible \(non-exhaustion of domestic remedies\)](#)

**[Orams v. Cyprus](#)**

10.06.2010

Question of the fairness of proceedings before the Cypriot courts by a Greek-Cypriot owner of property in the northern part of Cyprus and in which judgment was entered against a British couple that are in possession of that property and were found to be trespassers. Issues concerning the execution of this judgment in the UK were referred by the Court of Appeal to the European Court of Justice which delivered judgment in April 2009.

[Application inadmissible \(manifestly ill-founded\)](#)

**[Sofi v. Cyprus](#)**

14.01.2010

Concerned a Turkish-Cypriot property in the Republic of Cyprus and its management by the Custodian of Turkish Cypriot Properties of the Cypriot Ministry of Interior.

[Friendly settlement](#)

**[Noteworthy pending cases](#)**

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**Grand Chamber**

**[Güzelyurtlu and Others v. Cyprus and Turkey \(no. 36925/07\)](#)**

The case concerns the killing of three relatives of the applicants, who were shot dead in the Cypriot-Government controlled area of Cyprus on 15 January 2005.

Relying on Article 2 (right to life) of the Convention, the applicants complain that both the Cypriot and Turkish authorities (including those of the "TRNC") failed to conduct an effective investigation into the killing of their relatives. They further allege that as a result of the refusal of Turkey and Cyprus to co-operate the killers have not yet faced justice. Relying on Article 13 (right to an effective remedy) of the Convention in conjunction with Article 2, they complain of a lack of an effective remedy in respect of their Article 2 complaint.

In its Chamber [judgment](#) of 4 April 2017, the Court held, by five votes to two, that there had been a violation of Article 2 (right to life/investigation) of the Convention by Cyprus and, unanimously, that there had been a violation of Article 2 (right to life/investigation) by Turkey.

Case [referred](#) to the Grand Chamber on 18 September 2017

Grand Chamber [hearing](#) on 28 March 2018

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