



# CYPRUS' MOVEMENT OF REFUGEES & DISPLACED MOTHERS

*for the full restitution, conferment and respect of their fundamental human rights*

## ΚΙΝΗΣΗ ΠΡΟΣΦΥΓΩΝ & ΕΚΤΟΠΙΣΜΕΝΩΝ ΜΑΝΑΔΩΝ

x για την πλήρη αποκατάσταση, διασφάλιση και σεβασμό των βασικών ανθρωπίνων δικαιωμάτων

P.O.Box 27540 – 2430 Eghomi – Nicosia, Cyprus

Tel: +357 99419317, +357 22667333, Fax: +357 22673074

email: info@mitrogonia.com www.mitrogonia.com Registration No.: 2907



### PETITION 1653/2010

As a result of the Turkish invasion and subsequent military occupation of approximately 37% of the territory of the Republic of Cyprus, hundreds of thousands of people were forcibly expelled from their homes and properties. Many became refugees and others internally displaced persons (IDPs).

As a consequence of this ongoing abnormal situation, the Republic of Cyprus, in an attempt to alleviate the horrible conditions that resulted from the mass population transfer, recognized through laws and directives the status of all directly displaced persons as refugees or internally displaced persons respectively.

However, the duration of this illegal occupation led to the creation of a second generation of internally displaced persons. The Republic of Cyprus solely recognized as second generation IDPs the children of male IDPs. This clear gender discrimination and discriminatory treatment is the core of the petition.

On 1 May 2004 the Republic of Cyprus became a Member State of the European Union; notwithstanding that fact, it continued to violate the principle of equality and the *acquis communautaire*.

The female IDPs, guided by the principles of the rule of law, human rights and the *acquis*, **formed, in 2005, the CYPRUS' MOVEMENT OF REFUGEES & DISPLACED MOTHERS**. Since then, as a movement, we have succeeded in convincing the Executive, Legislative and Judiciary<sup>1</sup> Bodies to recognize that the Civil Registry Law<sup>2</sup> 141(I)/2002 articles 119 and 107 are discriminatory, violating the principle of gender equality. Following numerous hearings in Parliament and Political pressure to the Executive, the government decided in 2007 to grant our children the IDP refugee status, only by virtue of descent of their mothers. Depriving and excluding our children of any and all housing benefits<sup>3</sup> enjoyed by children of male IDPs.

Our Committee intensified the struggle to combat the said discrimination by exercising continuous pressure to the Executive and Political Parties. As a result very recently in December 12, 2013 the parliament voted 3 Bills<sup>4</sup> amending the Civil Registry Law L 141(I)/2002. Specifically, amending article 119 recognizing the children of female refugees the refugee status, however limiting this recognition

<sup>1</sup> Despite the recognition of discrimination our recourse was rejected - Case No.952/2006 19 Dec.2007 (Tsiacka v Cyprus).

<sup>2</sup> Wrongly translated as "population data archive law" on the document (CM887585EN.doc) PE448.711v03-00 page ¾ para 1

<sup>3</sup> Some of the rights/benefits of which the children of women IDPs are being deprived of are:

1. **Electoral rights.** An IDP/refugee, holder of the Refugee Identity Card has the right to be registered in the Electoral Roll and participate in the elections of the occupied District/area and/or municipality
2. **The four housing schemes granted by the Government only to the holders of the Refugee Identity Card.** In June 2008 these benefits/grants/subsidies were doubled and tripled.
3. **The Housing Loan Scheme of the Central Agency for Equal Distribution of Burdens (CAEDB)**
4. **The rent subsidy**

<sup>4</sup> [http://www.mof.gov.cy/mof/gpo/gpo.nsf/All/7A74A4973F1B3DA6C2257C4E0035303E/\\$file/4422%2027%2012%202013%20PARARTIMA%20PROTO%20MEROS%20I.pdf](http://www.mof.gov.cy/mof/gpo/gpo.nsf/All/7A74A4973F1B3DA6C2257C4E0035303E/$file/4422%2027%2012%202013%20PARARTIMA%20PROTO%20MEROS%20I.pdf) - Official Gazette No 4422 dated December 27,2013 **N. 170(I)/2013** Νόμος που τροποποιεί τον περί Παροχής Στεγαστικής Βοήθειας σε εκτοπισθέντες, παθόντες και άλλα πρόσωπα Νόμο (Ε.Ε. Παρ.Ι(Ι) page. 1491)

**N.173(I)/2013** Νόμος που τροποποιεί τον περί Ενοικιοστασίου Νόμο (Ε.Ε. Παρ.Ι(Ι) page. 1494-1495)

**N.174(I)/2013** ΝΟΜΟΣ ΠΟΥ ΤΡΟΠΟΠΟΙΕΙ ΤΟΝ ΠΕΡΙ ΑΡΧΕΙΟΥ ΠΛΗΘΥΣΜΟΥ ΝΟΜΟ (Ε.Ε. Παρ.Ι(Ι) page. 1496-1497)

**Κ.Δ.Π 472/2013** (Κανονιστικές Διοικητικές Πράξεις) Ο περί Ενοικιοστασίου Νόμος (Ε.Ε. Παρ.ΙΙΙ(Ι) page. 2857-2858)

**ONLY for housing purposes but excluding the recognition of any political or civil rights which were enjoyed by descendants of male IDPs.**

**Moreover, Article 107 of the same Law, which refers to the political rights, is still not amended and remains discriminatory. More specifically, it states that only the children of male IDPs are eligible for registration to the occupied areas' ballot and deprives the children of female IDP's of the fundamental right to vote and/or be elected in the occupied areas of their mothers decent, both in the Parliamentary and Municipal elections.**

As expected, the amendment of Article 119 has been met with great satisfaction and is regarded as a success of our organization. Nevertheless, the ongoing gender discrimination has not been fully rectified.

The present petition aims to put an end to the ongoing discrimination and to exercise further pressure to the Republic of Cyprus to amend the said Article 107 Civil Registry Law L141(I)/2002, in order to grant our children equal rights compared with the right given and enjoyed by the children of male IDPs. Our Organization will continue its struggle until the law is amended and until all forms of discrimination vis-a-vis the IDPs are eliminated.

**We reiterate that the best solution to the problem in a final and equitable manner is the end of both the Turkish occupation and illegal settlement the restoration and protection of the rights of the people in Cyprus. The CYPRUS' MOVEMENT OF REFUGEES & DISPLACED MOTHERS continues its struggle until full vindication.**

Markella Isaia-Chakka  
President

13 January 2014