

# Citizens' Participation

**CYPRUS**

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# Voting Rights -who is eligible to vote?

- Only citizens of the Republic of Cyprus are eligible for registration in the electoral roll, which confers the right to vote at all national elections.
- Until 2006 Turkish Cypriots not residing in the Republic of Cyprus were not permitted to vote. Following a ECtHR ruling against Cyprus in 2004 (Aziz v Cyprus, No. 69949/01) which established a violation of article 14 of the ECHR, the right to vote was granted to Turkish Cypriots for all national elections provided they have their ordinary residence in the Republic controlled area at least six months before the election.
- For European Parliament elections:
  - Citizens of the Republic of Cyprus
  - Union nationals who have their habitual residence in the Republic of Cyprus for minimum six months.
  - Turkish Cypriots, irrespective of whether they reside in north or south. Often, they encounter bureaucratic problems in registering to vote as a result of 'unclear address of residence'. In 2014, out of the 59,000 Turkish Cypriots registered in the special electoral centres in the Republic of Cyprus only 3,15% were allowed to vote. In 2019 the President succeeded in deferring a law for the automatic registration of Turkish Cypriots in the electoral roll.
- Minimum age for all elections (presidential, national parliament, European parliament, municipal local, referendum): 18 years.

# Election Right (I)

- National level

- Parliament: According to Constitution, 50 seats allocated between Greek Cypriots (70%) and Turkish Cypriots (30%). After the constitutional crisis of 1963, Turkish Cypriots withdrew from administration and their seats remained vacant. Greek Cypriot seats were subsequently increased to 56, allocated amongst districts (20 in Nicosia, 12 in Limassol, 11 in Famagusta, 6 in Larnaca, 4 in Paphos and 3 in Keryneia). Also, the three recognised religious minorities (Latins, Maronites, Armenians) elect one 'observer' each.
- Cyprus is a presidential Republic and the government is formed by the President. Under the Constitution, power was to be shared with Turkish Cypriots but the relevant provisions are suspended since 1963.
- The President is elected at separate presidential elections held every 5 years on a two-round system, where the candidate with the majority of votes is elected.

# Election Right (II)

- Regional level

No elections for regional administration.

A District Officer for each of the six districts is appointed, operating as part of the Ministry of Interior.

## Election Right (III)

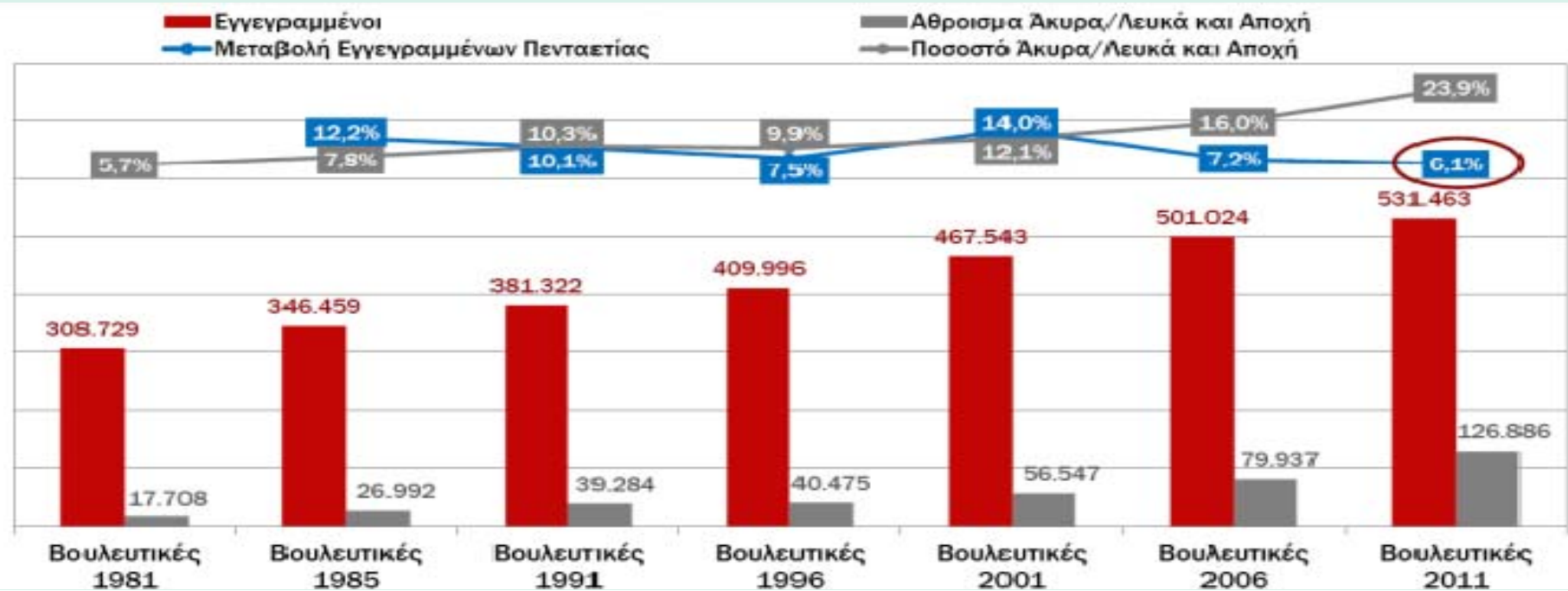
- Local level
  - Cypriot citizens and Union citizens resident in Cyprus for at least 6 months can vote for the mayor and for the members of the municipal council every five years.
  - In areas with a smaller population, there operate ‘communities’, whose members and president are also elected every 5 years by Cypriot citizens and by Union citizens resident in Cyprus for at least 6 months

## Election Right (IV)

- Others
  - Judges are not elected; they are appointed. Lower Court judges are appointed by Supreme Court judges and Supreme Court judges are appointed by the President of the Republic.
  - Ombudspersons are not elected. They are appointed for terms of 6 years by the President, following parliamentary majority approval.
  - 6 MEPs are elected to the European Parliament

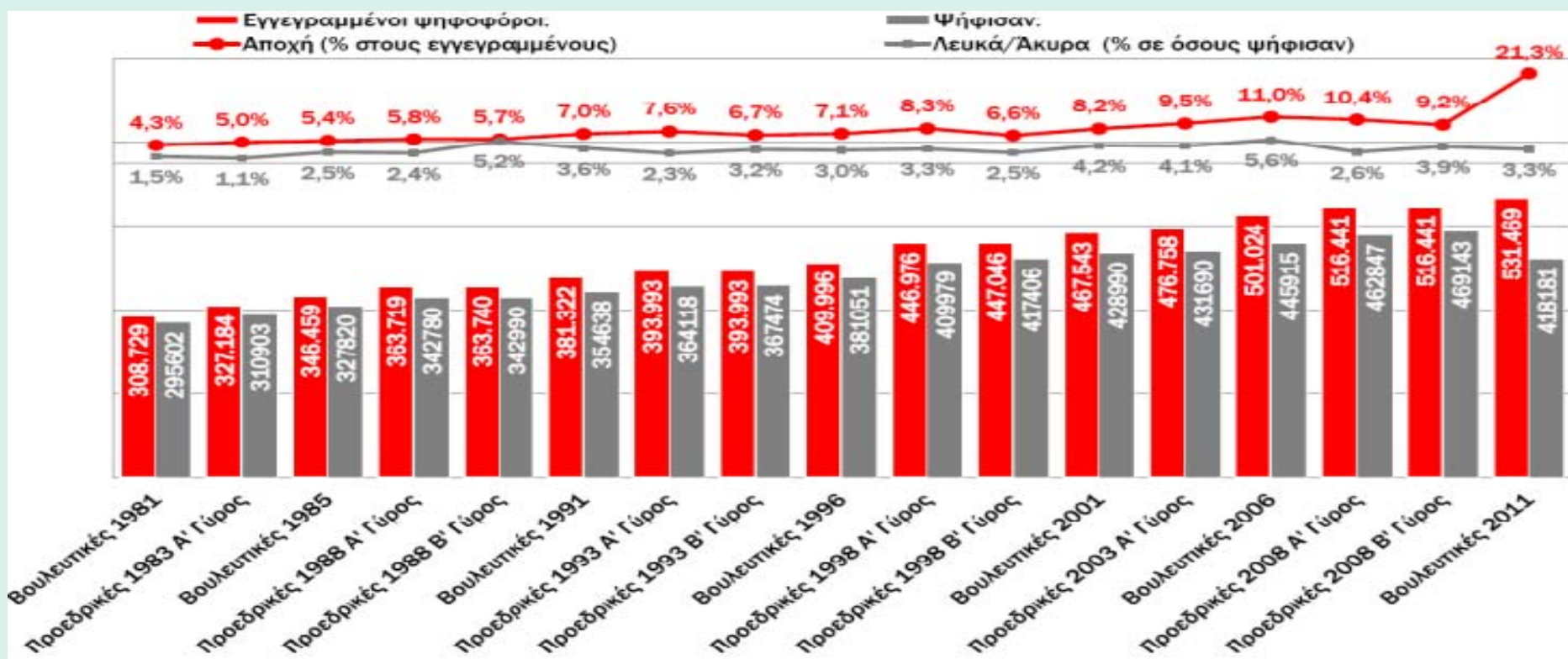
# Voter turnout in national elections

- Abstention in national parliamentary elections



# Voter turnout in national elections

- Abstention and invalid ballots - all national elections (1981-2011)





# Voter turnout in national elections

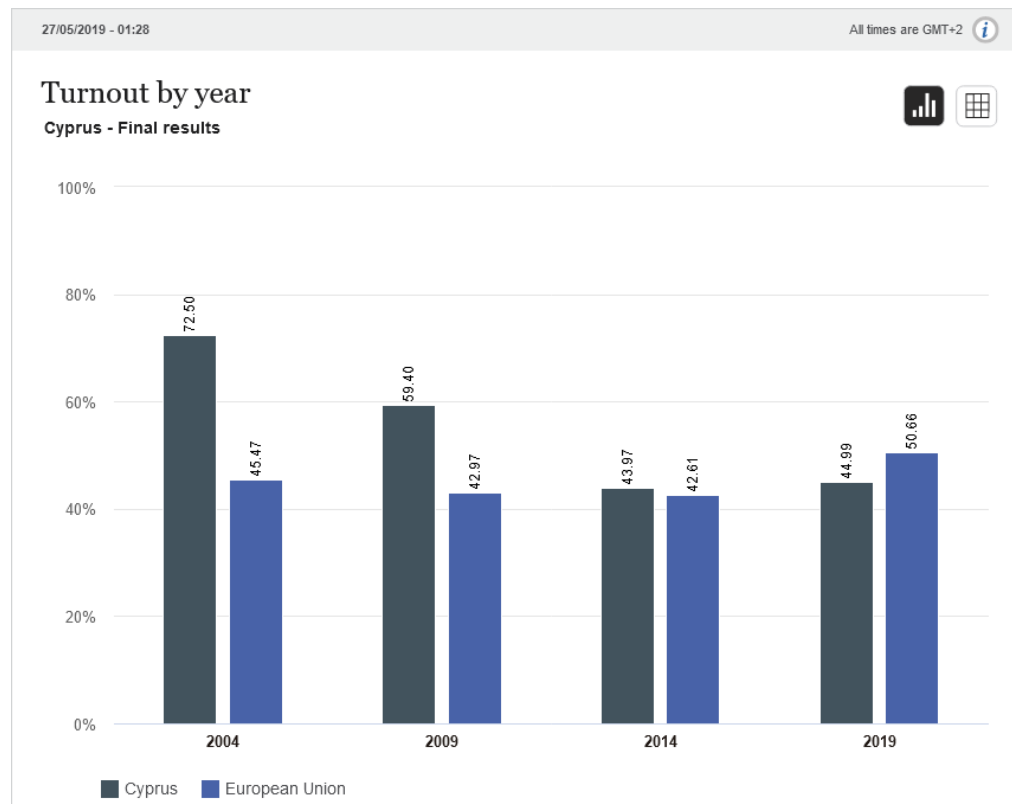
- Abstention in national parliamentary elections

- 2021: 34.28%
- 2016: 33.26%
- 2011: 21.30%

- Abstention in presidential elections

- 2018: 28.12%
- 2013: 16.86%
- 2008: 10.38%
- 2003: 9.45%
- 1998: 6,63%

# Voter turnout in European Parliament elections 2019



# Direct Democracy (I)

- Instruments of DD at national level(<https://www.direct-democracy-navigator.org/>)
  - The Law on Referendums of 1989 (206/1989) allows the Government to provide for legislation in Parliament for referenda to seek the opinion of the people on important issues of public importance.
  - The Communities Act 1999 (86 (I)/1999) provides for local communities to seek referendum to oblige the Minister of interior to declare two or more communities bordering on a cluster of communities.
  - No other provision for initiative by the people (popular initiative)
  - No option for Referendum by the people
  - No other mandatory referendums
  - No other instruments

# Direct Democracy (II)

- Instruments of DD at regional/local level
  - The Law on Referendums of 1989 (206/1989) allows referenda to seek the opinion of the people on important issues of public.
  - No opportunity initiative by the people (popular initiative)
  - No Referendum by the people
  - No other instruments

# Practice of Direct Democracy

- The legacy of referenda is controversial in Cyprus as it has been used to divide G/Cs and T/Cs
- 1950: under British colonial rule, the Plebiscite (voluntary, organised by the Greek Orthodox church called for annexation of Cyprus to Greece. Total electorate 250,000 (only G/C males); Valid votes 224,747; No votes 9,639; Yes votes 215,108
- Post-1974: Following the coup and the invasion and de facto partition the break-away regime organised numerous referenda (1975; 1985; 2004; 2014)
- 2004: Separate referenda were held (24/4/2004) for the approval of UN plan to reunite the country and accede to the EU as a united country: 76% of G/Cs voted 'No' and 65% of T/Cs voted 'Yes'. Therefore, the plan was rejected.
- Numerous local government referenda to unite municipalities

# Other forms of citizens' participation

- Consultation for bills and draft laws: A superficial 'tick-of-the-box', too little and too late for real change
- No funding for activities perceived as 'anti-government'.
- Parallel parliament: all proposals to render it meaningful and effective were rejected.

# Other forms of citizens' participation

- Freedom of association: Onerous requirements of new law adopted in 2017:
  - Audited accounts
  - New procedure for amending articles of association
  - Strike-off of 2,000+ NGOs on justification that they did not submit amended articles of association.
  - District administration took over NGO registrations from Interior Ministry: Officers not trained; No unified record of NGOs any more; No e-governance; Delays in approving applications
  - New requirement for clean criminal records leads to indirect discrimination against Turkish Cypriots and prisoners

# Other forms of citizens' participation

## Freedom of assembly (public protests)

- The only right suspended throughout the duration of the pandemic
- Implementation of the ban was permeated by 'discretion':
  - uneven handling ; arbitrariness; Ideological profiling, stereotyping and criminalisation of political beliefs.
- The questionable legality of photographing protesters: GDPR, massive retention of data.
- Police violence. Problems with accessing justice.



# Other forms of citizens' participation

- No central registry of NGOs since registrations no longer take place centrally
- No actual number, as many NGOs are in the process of de-registration and others have applied to be registered or re-registered, without response from the authorities. Council of Europe and Office of UN Human Rights Commissioner criticised de-registrations and international NGOs referred to an attempt to silence government critics.
- Many groups operate from a facebook page, without registration. Given the lack of funding, the technicalities, costs and delays in registration, the cons of registering an organisation often outweigh pros.

# Media (I)

- Main media in the country

- Print: 6 Greek and 1 English daily newspapers: Alithia, Phileleftheros, Politis, Haravgi, Kathimerini, Cyprus Mail. Around a dozen weekly newspapers, some regional and some belonging to the media companies that own the daily newspapers.
- Radio, TV: the state-owned Cyprus Broadcasting Corporation (both TV and Radio), Ant1 (both TV and Radio), Alpha Cyprus, Omega, Sigma TV, Plus TV, Capital TV and Radio, Extra TV, Active Radio, Zenith, Kanali 6, Kanali 7, Klik FM, Kiss FM, Love Radio, Mix FM, Logos, Politis 107.6, Astra Radio and several regional and music orientated radio stations. Many belong to the same media organisations that also print newspapers
- Online: 24H, 24News, AftodioikisiCY, AvantGarde, Cyprustimes, Laimitomos, Newsbomb, Offsite, Reporter, To Thema Online, most of the daily newspapers and several sports, lifestyle and regional media
  
- Media ownership is non-transparent and highly concentrated, with a few large media corporations having political connections and exchanging favours with the political leadership.

# Media (II)

- Reporters without borders 2021 World Press Freedom Index (<https://rsf.org/en/ranking>)

- Cyprus currently ranked on place 26
- Tough Libel Laws used mainly by the rich and powerful
- Some media regulators but toothless
- Libel laws do not apply to MPs in Parliament
- Close ties between politics, media tycoons and journalists
  - Governing party has strong links & interests with media tycoons
  - Governing party DISY members owns/controls TV channels and newspapers
  - Opposition AKEL owns radio & newspaper
  - Owners Sigma TV Station, 'Simerini' newspaper, Radio Proto;
  - Main Parties own or have connections or shares in TV Station, plus daily + weekly paper

Ranking	Country
15	Estonia
16	Iceland
20	Luxembourg
23	Liechtenstein
26	Cyprus
39	Andorra
81	Malta
104	Montenegro
-	San Marino

# Media (II)

- The constitution guarantees press freedom but political parties, the Orthodox Church and commercial interests all exercise a great deal of influence over the media. Defamation is still criminalised.
- Journalism is also restricted by bans on the use of certain terms in connection with the conflict with the north of the island, and by denial of the Armenian genocide and war crimes not recognised by the state.
- The auditor-general rec threatened the Cyprus Mail, an English-language daily, for using a Turkish geographical name in its reporting. The paper “committed a criminal offence,” he said.
- Makarios Drousiotis, a journalist who has been investigating an alleged corruption case involving government representatives, said he was under constant surveillance, that he had been the victim of a cyber-attack, and that he feared for his life.
- Al Jazeera’s revelations about Cyprus’s “golden passports” scheme led to the resignations of parliamentary speaker Demetris Syllouris and the MP Christakis Giovanis in October 2020. both forced to resign but no charges against them in the Cyprus. Instead AG announced investigation of those who leaked the information Al Jazeera.
- Andreas Paraschos resigned as editor of the weekly Kathimerini three days after publishing an article implicating President Nicos Anastasiades in the scandal, which had led to government pressure on its publishers and requests for an apology. Police meanwhile used excessive violence during an anti-corruption protest, injuring several people.
- Crossing points between the two parts of the island were closed, hampering the movements of journalists and their access to information.
- Very low confidence in the local media for failing to reveal corruption and accused of cover-up and corruption; new Al Jazeera report again implicates ministers in selling passport (‘Investigation reveals how football can be used to launder money’, 9/8/2021, <https://www.aljazeera.com/news/2021/8/9/investigation-reveals-football-used-to-launder-money-men-who-sell-football> )

# Satisfaction with democracy in Cyprus

- Dissatisfaction with democracy
  - Cyprus was amongst western nations classified as a ‘flawed’ democracy in the Democracy Index published by the Economist Intelligence Unit (EIU).
  - Eurobarometer 2019: Cypriots distrust political parties, tend to trust the army more than other institutions - 87% of Cypriots say they don’t trust political parties, 66% distrust the government and 63% the parliament.
  - Asked which the institutions and Media people trust more, the army emerged first with 62% and is followed by the police with 52% and television with 48% (although the percentage of those who say they distrust television is higher, with 49%).
  - The EU Commission 2020 Rule of Law Report on Cyprus : 95% of respondents to a 2020 Eurobarometer survey consider corruption to be a widespread problem (EU average: 71%) and 60% of people feel personally affected by corruption in their daily lives (EU average: 26%)

# Conclusion: Lessons and Prospects

- Presidential system with enormous powers of patronage; winner (50% plus 1 vote) takes the executive
- The G/C President without the T/C Vice-president (since 1964) and the constant system of emergency and doctrine of necessity produces abuses of power and corruption.
- Presidential appointment of Attorney General for life by without Parliamentary approval produces a politically compromised prosecution system and conflict of interest. AG is simultaneously the legal counsel of executive and independent officer of the Republic heading the legal service with huge discretionary power over prosecutions, unchecked by courts.
- Weak and subservient courts to executive
- Weak systems checks and balances and Parliamentary scrutiny of executive. Proportional Representation but with (3.6% entry floor), coalitions of mainly conservative forces are found to secure secured Majorities in Parliament. Budget always passed; exceptions taxation and separate communally-based municipalities bills which required separate communal majorities during the break-down of bicomunal republic 1962-63
- Limited separation between Legislative and Executive. (Recommendations of Greco and Venice Commissions to reduce power of Prime Minister – e.g. in appointing judges and magistrates)
- Up to the millennium enjoyed high voter turnout (which was mandatory) but there has been dramatically reduced
- High media diversity in format; but dominated by political and economic interests and has failed to reveal extensive corruption and nepotism.