

File No.: **ΑΥΤ. 6/2021**

### Public Statement

of the Commissioner for Administration and the Protection of Human Rights regarding the respect for religious freedom and cultural heritage

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Officers who investigated the case: **George Kakotas**  
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**Nicosia, April 28<sup>th</sup>, 2021**

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## **Introduction**

The present Statement is made in view of both the feast of Easter and the religious Muslim holiday of fasting, known as Ramadan, which take place at the same time, and in light of the recent vandalism of the mosque in Episkopi.

Specifically, according to reports in daily press, on the night of March 24, 2021, unknown individuals wrote threatening slogans towards people of Turkish origin on the front of the mosque and painted national symbols.

Similarly, other such actions saw the light of day recently, such as, , the party that took place at the only Armenian Monastery in Cyprus (Sourp Magar Monastery) located in Pentadaktylos mountain<sup>1</sup> on March 20, 2021, while in the past, other acts of desecration of churches (and monasteries) or their misuse. Examples of such actions are the theft of doors of the restored monastery of St. Panteleimon in Myrtos<sup>2</sup> and the organization of a bazaar inside the church of Archangel Michael in Lefkoniko, in December 2020.<sup>3</sup>

Although the last reported incidents did not take place in areas under the effective control by of the Republic, they, nevertheless, took place in the territory of the Republic of Cyprus in places of worship, which are also historical monuments of Cyprus and part of our cultural heritage.

The present intervention is made in the framework of my competences as an Equality Body and as a National Human Rights Institution (NHRI) in view of the fact that actions directed against places of worship of any religion are acts that clearly offend religious freedom but also historical and cultural heritage.

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<sup>1</sup> <https://in-cyprus.philenews.com/cyprus-religious-leaders-condemn-use-of-armenian-monastery-of-st-magar-for-a-techno-party/>

<sup>2</sup> <https://www.kathimerini.com.cy/gr/politismos/klapikan-oi-portes-sti-moni-toy-agioy-panteleimona-tis-myrtoy>

<sup>3</sup> <https://www.alphanews.live/cyprus/binteo-diorganosan-pazari-se-ekklisia-sto-katehomeno-leykonoiko>

The purpose of the Statement is to remind and underline the need to respect the right of religious freedom which includes ensuring and supporting the unobstructed expression of all religious beliefs, in the context of a modern democratic society and in particular in the Republic of Cyprus in the light of the Constitution (Articles 1-5) which explicitly refers to both communities and religious groups.

### **Religious freedom**

1. The right to freedom of thought, conscience and religion is a fundamental human right guaranteed by both the Constitution of the Republic and a number of international treaties.
2. The guarantee of religious freedom, as a manifestation of personal and internal freedom, is contained in international legal texts that form the core of international human rights law, such as the Universal Declaration of Human Rights<sup>4</sup>, the European Convention on Human Rights<sup>5</sup> and the Charter of Fundamental Rights<sup>6</sup>.
3. Specifically, in the Cypriot legal order, Article 18, paragraphs 1 to 3 of the Constitution of the Republic of Cyprus provides that:

*«... 1. "Everyone has the right to freedom of thought, conscience and religion."*

*2. All religions, whose doctrines and rituals are not secret, are free.*

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<sup>4</sup> Article 18.

<sup>5</sup> Article 9: Freedom of thought, conscience and religion

<sup>6</sup> Article 10: Freedom of thought, conscience and religion

*3. All religions are equal before the law. [...] »*

4. According to paragraph 4 of the above article, everyone is free and has the right to represent and express his/her religion or religious beliefs through the worship, teaching, practice or observance of the press, either individually or collectively, privately or publicly and to change his religion or religious beliefs.
5. The right to freedom of thought, conscience and religion is subject only to such limitations which are deemed necessary for the protection of public policy, security, health, morals and the constitutional rights and freedoms<sup>7</sup>.
6. A basic condition for the implementation of freedom of religion, is the freedom to manifest one's religion beliefs in specific places of worship. Related to the freedom to exercise and manifest religion is the right of assembly for religious purposes, which is enjoyed by all residents in a democratic state.

**Penal Code**

7. Part IV of the Penal Code, which deals with offenses that harm the public in general, contains a number of provisions (Article 138-143) concerning criminal offenses related to religion.
8. In particular, Article 138 criminalizes the destruction, damage or desecration of a place of worship or object which is considered sacred "by

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<sup>7</sup> Article 18, paragraph 6 of the Constitution of the Republic of Cyprus

*any class of persons for the purpose of insulting in such a way the religion of any class of persons or knowing that such acts may be considered by a certain class of persons as an insult to their religion."*

### **Final Comments**

9. Firstly, I express my concerns in relation to the vandalism of both the mosque in Episkopi but also in respect to any act of vandalism and insult of any place of worship, such as the party at the Armenian Monastery in Cyprus (Sourp Magar Monastery) in Pentadaktylos mountain, the theft of the doors of the restored monastery of Agios Panteleimon in Myrtos, and the organization of a bazaar inside the church of the Archangel Michael in Lefkoniko, in December 2020, which are undoubtedly reprehensible.
  
10. Religious freedom imposes the cultivation and consolidation of the values of mutual respect towards every religion, tradition and cultural heritage of person or group of persons, people or community.
  
11. In this regard, further to the existing inclusive legal framework for the protection of human rights, it is necessary to continue and intensify actions and policies, aimed at promoting and substantially comprehending the above principles and values of mutual respect for the protection of individual rights and society at large, from acts eligible to cultivate hatred.
  
12. The message that, in any case, should be given by the State, is zero tolerance for such actions that violate human rights and disrupt the harmonious coexistence of people of different nationalities, ethnicities,

religions and traditions, but also the indisputable necessity for measures aiming to achieve the respect cultural heritage in all directions.

Maria Stylianou-Lottides

Commissioner for Administration and the

Protection of Human Rights

Equality Body

National Human Rights Institution