



Office for Democratic Institutions and Human Rights

# REPUBLIC OF CYPRUS

PARLIAMENTARY ELECTIONS

30 May 2021

ODIHR NEEDS ASSESSMENT MISSION REPORT

15-18 February 2021



Warsaw  
18 March 2021

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**REPUBLIC OF CYPRUS  
PARLIAMENTARY ELECTIONS  
30 May 2021**

**ODIHR Needs Assessment Mission Report**

**I. INTRODUCTION**

Following an official invitation from the Permanent Mission of the Republic of Cyprus to the OSCE to observe the 30 May 2021 parliamentary elections and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) to Nicosia from 15 to 18 February. The ODIHR NAM included Vladimir Misev, Senior Adviser on New Voting Technologies, and Kseniya Dashutsina, ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and the preparations for the parliamentary elections. Based on this assessment, the NAM should recommend whether to deploy an ODIHR election-related activity for the forthcoming elections, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions, as well as with representatives of political parties, media and civil society. A list of meetings is annexed to this report.

ODIHR would like to thank the Ministry of Foreign Affairs for its assistance and co-operation in organizing the NAM. ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM and share their views.

**II. EXECUTIVE SUMMARY**

The parliamentary elections will take place on 30 May. The 56 members of the House of Representatives are elected for a five year term under the proportional representation system from six multi-member electoral districts. Each of the three constitutionally recognized minority religious groups elect a representative with non-voting rights. The elections are taking place in the context of long-standing efforts to settle the Cyprus problem and aftermath of the corruption scandals involving high level officials. Cyprus is in nationwide partial lockdown, following the outbreak of the 2019 COVID-19 pandemic, with restrictions imposed on movement and assembly.

The election-related legal framework was last amended 2019. The changes abolished provisions for mandatory voting, extended the period of submission of expenditure reports to two months, and regulated procedure of replacement of vacant parliamentary seats. Most ODIHR NAM interlocutors noted that it provides an adequate basis for conducting democratic elections. However, a number of previous ODIHR recommendations remain unaddressed, including those related to equal participation of voters with disabilities, voter registration, campaign and campaign finance rules, and measures to facilitate a more balanced participation of both genders in political and public life.

The election administration is predominantly composed of civil servants. The Permanent Secretary of the Ministry of Interior (MoI) acts as the General Returning Officer mandated to administer the elections. The District Returning Officers (DRO) are organizing the elections at the district level. In response to the COVID-19 pandemic, the MoI is developing election day procedures in consultation with the Ministry of Health. Over 1,200 polling stations will be established. MoI is considering reducing the maximum number of voters per polling station to ensure social distancing and adherence to safety and health protocols. While all ODIHR NAM interlocutors expressed confidence in the professionalism, impartiality, and ability of election administration to ensure effective conduct of the

election procedures, some voiced concerns over challenges posed by the COVID-19 pandemic, which might affect the preparations and conduct of the upcoming elections.

The right to vote is extended to all citizens who are at least 18 years old by election day and who have resided in Cyprus for a period of six months before becoming eligible to vote. Voter registration is active and compulsory. To be registered as a voter, citizens below 25 years of age have to submit an application, while older citizens are subject to an interview with the District Administration Officer to prove habitual residence in Cyprus for a period of at least 6 months, and are required to submit social security document. There is no possibility to submit documents electronically. ODIHR NAM interlocutors opined that active voter registration and additional requirements for the new voters to register are burdensome and might diffuse voters from exercising their right to vote. As of 2 January, the total number of registered voters was 543,804.

Citizens over the age of 21 years have the right to stand as candidates, either individually or nominated by a political party or coalition. The right to stand is denied to individuals lacking legal capacity on the grounds of mental disability or disqualified by the court for any electoral offence. Candidate lists are nominated by a political party or a coalition separately for each district, and registered by the respective DROs. All political parties met by the ODIHR NAM stated their intention to nominate candidates and expressed confidence in the registration process. While some parties met by the ODIHR NAM stated that they employ internal measures for gender balanced lists, other parties do not have formal policies to promote women candidates.

The election campaign is largely unregulated and various legal deadlines pertaining to the campaign are not harmonized. The campaign is expected to primarily focus on modalities of resolving the Cyprus problem, corruption and economic recovery following the COVID-19 pandemic. Parties met by the ODIHR NAM intend to move their campaigns to the broadcast and online media and social networks due to the current restrictions on public assemblies imposed in response to the COVID-19 pandemic. While most ODIHR NAM interlocutors expressed confidence in the ability to campaign freely, smaller political parties stated that restrictions on assembly and lack of financial resources will significantly limit their outreach.

Party and campaign finance are regulated by the election law and the 2012 Political Party Law. The latest amendments to the party finance framework enhanced transparency, however, previous ODIHR recommendations on the need to clarify campaign finance rules, shorten the deadlines for submission of financial reports, and enhance the functions of the oversight authorities, remain to be addressed. The ODIHR NAM interlocutors noted inconsistencies and gaps in the legislation, and had a varied understanding of the applicable rules. The Audit Office is the oversight authority responsible for party and campaign finance. Most ODIHR NAM interlocutors generally expressed confidence in the impartiality and professionalism of the institution, but noted that legal framework requires further revision to ensure effective oversight.

The media landscape is diverse with a variety of private and public broadcasters, as well as print and online media. By law, broadcasters should ensure equal and objective treatment of all candidates during the electoral period. The public broadcaster, the Cyprus Broadcasting Corporation, informed the ODIHR NAM that they developed a Code of Election Coverage and shared it with political parties. The Cyprus Radio-Television Authority is the media regulatory body, mandated to ensure equal treatment of electoral contestants and to act upon complaints and impose sanctions for media-related violations. While paid political advertisement can be broadcast at any time, only the period of 40 days prior to elections is regulated and monitored. According to the most ODIHR NAM interlocutors, the media are divided along political lines and influenced by commercial and corporate interests. Moreover, some ODIHR NAM interlocutors noted that campaign in the media has

commenced prior to the officially monitored period and is dominated by the larger parties due to relatively high advertisement costs.

Despite a previous ODIHR recommendation, the law does not foresee citizen and international observation. The election law provides for the presence of political party and candidate representatives in polling stations on election day. The electoral authorities assured the ODIHR NAM that the arrangements to facilitate access to all levels of election administration for any possible election-related activity would be provided.

The legal framework provides for the right to challenge non-inclusion and omissions in voter lists within 10 days after their publication. In case a prospective candidate is rejected, the nominee has the right to object. However, such complaints are treated as an objection against the election results and are therefore only considered after election day. Complaints on violations of campaign provisions, except for media violations, are not prescribed by law. Overall, ODIHR NAM interlocutors expressed confidence in the impartiality of the election administration and courts in resolving electoral disputes.

All ODIHR NAM interlocutors expressed high degree of confidence in the legal framework and the impartiality of the election administration and its ability to organize elections professionally and transparently. At the same time, most ODIHR NAM interlocutors welcomed a potential ODIHR observation activity for these elections, recognising that an external assessment would contribute to further improvements of the electoral process. Specific aspects that could benefit from further assessment include the process of voter registration, the regulatory framework and conduct of campaign, campaign finance, media and its oversight.

On this basis, the ODIHR NAM recommends the deployment of an Election Expert Team for the 30 May parliamentary elections to assess voter registration, campaign finance framework and electoral coverage in media. ODIHR also reiterates that a number of its previous recommendations on other electoral components remain valid and encourages the authorities to consider these in any future electoral reform process.

### **III. FINDINGS**

#### **A. BACKGROUND AND POLITICAL CONTEXT**

Under the 1960 Constitution, Cyprus has a presidential system of government with a unicameral legislature that is elected for a term of five years. The president is the head of state and government. The incumbent President Nicos Anastasiades from the Democratic Rally Party (DISY) is serving his second term. The House of Representatives comprises 80 members<sup>1</sup> of whom 56 are filled by the Greek Cypriot community, and the 24 seats allocated to the Turkish Cypriot community remain vacant.

The last parliamentary elections, held on 22 May 2016, led to nine parties entering the parliament. The ruling party DISY obtained 18 mandates, followed by the Progressive Party of Working People (AKEL) with 16 seats.<sup>2</sup> Women remain largely underrepresented in the outgoing parliament with only twelve female members (21 per cent).

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<sup>1</sup> Constitutionally established number of 50 seats was increased to 80 by the Parliament in 1985.

<sup>2</sup> Additionally, the Democratic Party (DIKO) won nine mandates, the Movement for Social Democracy (EDEK), and the Solidarity Movement – three each, and Ecological and Environmental Movement (Green party) – three. Solidarity Movement (KA) won three mandates, National Popular Front (ELAM) two, and Citizens' Alliance (SYPOL) obtained one mandate.

Preparations for the elections are taking place in the context of the long-standing efforts to settle the Cyprus problem, and aftermath of the corruption scandals involving high level officials.<sup>3</sup> Cyprus is in nationwide partial lockdown, following the outbreak of the COVID-19 pandemic, with restrictions imposed on movement and assembly.<sup>4</sup>

ODIHR has previously assessed three elections in Cyprus.<sup>5</sup> Most recently, ODIHR deployed an Election Assessment Mission (EAM) for the 28 January 2018 presidential election. The ODIHR EAM final report contains 17 recommendations, including 9 priority ones, for the authorities to improve the electoral process and bring it closer in line with OSCE commitments.<sup>6</sup>

## B. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The legal framework for the parliamentary elections consists of the 1960 Constitution, the 1979 Law on Election of Members of House of Representatives (election law), the 2012 Political Party Law (PPL), the 2002 Law on Civil Registry, the 1998 Law on Radio and Television, the 1959 Law on Cyprus Broadcasting Corporation, as well as other laws and regulations.<sup>7</sup> Cyprus is party to major international and regional instruments related to the holding of democratic elections.<sup>8</sup>

The election-related legal framework was amended in 2017 and 2019. The 2017 changes abolished provisions for mandatory voting, and extended the period of submission of expenditure reports to two months. The 2019 amendments regulated procedure of replacement of vacant parliamentary seats.<sup>9</sup> Several draft amendments were tabled for the discussion in the parliament in 2020, but did not gain sufficient support.<sup>10</sup> A number of previous ODIHR recommendations remain unaddressed, including those related to the need of comprehensive review and harmonization of the legislation, equal participation of voters with disabilities, voter registration, transparency of campaign finance, and measures to facilitate a more balanced participation of both genders in political and public life. Most ODIHR NAM interlocutors noted that electoral legal framework provides an adequate basis for conducting democratic elections.

The parliament is elected under the proportional representation system from six multi-member electoral districts<sup>11</sup> which correspond to the six administrative districts, including those not under the government control. The number of seats elected from each district is based on the number of registered voters.<sup>12</sup> Voters may indicate preference for candidates on a party list that they vote for.

<sup>3</sup> See United Nations [statement](#) on planning to reconvene negotiations on Cyprus problem.

<sup>4</sup> At the time of the NAM mission, there was a permission-based system for movement, gatherings of more than four people are prohibited, and a night time curfew is in place.

<sup>5</sup> See previous ODIHR election-related [reports](#) on Cyprus.

<sup>6</sup> In paragraph 25 of the 1999 [OSCE Istanbul Document](#), OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”.

<sup>7</sup> The Attorney General has authority to provide clarification in the form of advisory opinions on legislation upon request from government institutions.

<sup>8</sup> Including the 1966 [International Covenant on Civil and Political Rights](#), 1979 [Convention on the Elimination of All Forms of Discrimination Against Women](#), 1965 [International Convention on the Elimination of All Forms of Racial Discrimination](#), 2003 [Convention against Corruption](#), 2006 [Convention on the Rights of Persons with Disabilities](#), the 1950 [European Convention on Human Rights](#).

<sup>9</sup> The change was prompted by the decision of the Supreme Court, taken due to lack of legal provisions to regulate the need to replace an who won a seat in the House of the Representatives but decided to remain a member of the European Parliament.

<sup>10</sup> These included a proposal by EDEK party to increase the number of MPs to 90, by Citizens Alliance to switch to a simple proportional system with a 1.8 per cent threshold, introduce split voting put forward by the Green party and the Cooperation of the Democratic Forces, and proposal of an independent MP to allow independent candidates to take part in the second distribution of votes.

<sup>11</sup> The last boundary delimitation took place in 1972.

<sup>12</sup> Nicosia - 20 seats, Limassol - 12 seats, Famagusta - 11 seats, Larnaca - 6 seats, Paphos - 4 seats, Kyrenia - 3 seats.

The number of preferential votes should not exceed one for every four seats of the given constituency. The first allocation of seats is done at the district level.<sup>13</sup> The second step of the allocation of seats is made at the national level. In 2015, the threshold for political parties to participate in the second stage of mandate allocation was increased from 1.8 to 3.6 per cent of valid votes obtained nationwide. Some ODIHR NAM interlocutors opined that the higher threshold unduly limits the ability of small and new parties from entering the parliament.

Three constitutionally recognized minority religious groups (Armenians, Latins and Maronites) have one seat each reserved in the parliament. These representatives do not have voting rights in parliament and can present their views only on issues concerning their religious groups.

### C. ELECTION ADMINISTRATION

The election administration is predominantly composed of civil servants. The Permanent Secretary of the Ministry of Interior (MoI), appointed in September 2020, acts as the General Returning Officer (GRO) mandated to administer the elections. The GRO is supported by the MoI's permanent Central Electoral Office, which has four employees, two men and two women.

The second level of the election administration reflects the administrative division of the country. The District Officers, who are senior civil servants, serve as District Returning Officers (DROs) and are responsible for organizing the elections at the district level. Out of six DROs, one is a woman. They are responsible for the establishment of the polling stations in their district and for the appointment of a presiding officer and up to six assistants for each polling station.

Polling staff vacancies are publicly advertised. Any civil servant or an unemployed person with university degree may apply. The MoI is currently developing software to allocate available civil servants to serve as polling station staff, taking into account geographic criteria and their professional experience.

Contrary to a previous ODIHR recommendation, the law does not provide for the establishment of polling stations in hospitals, retirement homes or for mobile voting. The MoI informed the ODIHR NAM that in consultation with the Ministry of Health it is developing adjustments to election day procedures, and participation of voters with COVID-19, their family members and those in self-isolation.<sup>14</sup>

Over 1,200 polling stations will be established in the country.<sup>15</sup> The MoI informed the ODIHR NAM that they are considering reducing the maximum number of voters per polling station to ensure social distancing and adherence to safety and health protocols. The law provides for out-of-country voting if by 2 April a minimum of 30 voters from each of the six electoral districts apply to register in the voter lists of a respective out-of-country polling station.<sup>16</sup> The MoI informed the ODIHR NAM that it anticipates to open five polling stations abroad.<sup>17</sup>

While all ODIHR NAM interlocutors expressed confidence in the professionalism, impartiality, and ability of the election administration to ensure effective conduct of the election procedures, some

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<sup>13</sup> The electoral quotient for a district is obtained by dividing the number of valid votes by the number of seats of the district.

<sup>14</sup> The task is carried out in consultation with the political parties.

<sup>15</sup> Each polling station serves about 500-600 voters.

<sup>16</sup> Out-of-country voting applications are made online and voter should be registered in the permanent voter list to be included on the out-of-country voter list.

<sup>17</sup> Three in Greece and two in the United Kingdom.

voiced concerns over challenges posed by the COVID-19 pandemic, which might affect technical preparations or conduct of the upcoming elections.

#### **D. VOTER REGISTRATION**

The right to vote is extended to all citizens who are at least 18 years old by election day and have resided in Cyprus for a period of six months before becoming eligible to vote. Voter registration is active and compulsory.<sup>18</sup> Citizens becoming eligible to vote are required to register within 30 days. Despite voter records being linked to the civil registry, according to some ODIHR NAM interlocutors active voter registration is maintained due to the personal data protection issues, and the need to verify voters' actual place of residence.

Voter registration is maintained by the Civil Registry and Migration Department of the MoI. Every voter is issued a voting booklet, which can serve as identification document on election day. Separate voter lists are compiled for elections of religious groups' representatives, voters in enclaves not under government control, and imprisoned voters.<sup>19</sup> Voter lists are revised and updated quarterly by the MoI and district offices and voter registration information is available for public scrutiny review at district offices and online. As of 2 January, the total number of registered voters was 543,804. The MoI informed the ODIHR NAM that they sent out some 34,000 letters to citizens, who are eligible voters, encouraging them to register before the 2 April deadline.

To be registered as a voter, citizens below 25 years of age have to submit an application, while older citizens are subject to an interview with the District Administration Officer to prove habitual residence in Cyprus for a period of at least 6 months, and are required to submit social security document to demonstrate their residence in Cyprus, as well as additional proof of their address. There is no possibility to submit documents electronically. While ODIHR NAM interlocutors did not raise concerns about the accuracy of the voter lists, most opined that active voter registration and additional requirements for the new voters to register are burdensome and might diffuse voters from exercising their right to vote.

#### **E. CANDIDATE REGISTRATION**

Citizens over the age of 21 years have the right to stand as candidates either individually or in a political party or coalition list. According to the Constitution, the right to stand is denied to individuals lacking legal capacity on the grounds of mental disability or disqualified by the court for any electoral offence. Candidate lists are nominated by a political party or a coalition separately for each district. The number of candidates included in the lists should be equal to the number of seats allocated for each district. The candidates are listed on the ballot in an alphabetical order, with the leader of the party on the top of the list.

All candidates must pay an electoral deposit of EUR 500.<sup>20</sup> Candidate lists are registered by the respective DROs. Religious minority group candidates are registered by the GRO. Nominations will have to be submitted by 12 May. All political parties met by the ODIHR NAM stated their intention to nominate candidates and expressed confidence in the registration process. While some parties have

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<sup>18</sup> The law prescribes fines up to EUR 340 or imprisonment for up to six months, however, according to the MoI these provisions are not enforced.

<sup>19</sup> Enclave voters are registered according to their place of residence on the territory not under government control and vote in designated polling stations located in the controlled areas. Turkish Cypriots residing in government controlled areas have the right to vote and to stand as candidates.

<sup>20</sup> The deposit is returned if a candidate who receive the number of votes equal to at least one third of the electoral quotient.

internal gender quotas for their lists, most political party interlocutors informed the ODIHR NAM that they do not have formal policies for promotion of women candidates.

## F. ELECTION CAMPAIGN

The campaign is largely unregulated and various legal deadlines pertaining to the campaign are not harmonized.<sup>21</sup> The law establishes official electoral campaign period to begin three months before election day. The campaign ends 31 hours before the beginning of voting. Negative campaigning is prohibited. Opinion polls are not permitted from seven days before election day.

The campaign is expected to primarily focus on topics such as the Cyprus problem, corruption and economic recovery. Parties met by the ODIHR NAM intend to shift their campaign activities from traditional methods to the broadcast and online media and social networks due to restrictions on public assemblies imposed in response to the COVID-19 pandemic. While most ODIHR NAM interlocutors expressed confidence in the ability to campaign freely, smaller political parties stated that restrictions on assembly and the lack of financial resources will significantly limit their outreach.

## G. CAMPAIGN FINANCE

Party and campaign finance are regulated by the election law and PPL. The legal framework governing campaign finance was last amended in 2017 and the amendments enhanced transparency of the financing framework.<sup>22</sup> However, previous ODIHR recommendations on the need to clarify campaign finance rules, shorten the deadlines for submission of financial reports, and enhance the functions of the oversight authorities, remain unaddressed. The ODIHR NAM interlocutors noted inconsistencies and gaps in the party and campaign finance legislation.<sup>23</sup>

Political parties are entitled to receive public funding.<sup>24</sup> The PPL prescribes that 15 per cent of public funding for parties shall be distributed in equal shares among the parliamentary parties and the rest is split among them in proportion to the votes received during the last parliamentary elections. Non-parliamentary parties are eligible to receive public funding if they nominated candidates for at least half of the parliamentary seats and obtained at least three per cent of the votes cast during the last parliamentary elections. Independent candidates are not entitled to receive public funding.

Contestants may receive private donations, both monetary and in-kind. Each political party should have a register of donations, indicating among other things information about the donors. Donations, either from physical persons or legal entities, are limited to EUR 50,000. By law, at least 90 per cent of the party financial transactions have to be made via banking institutions. The law prescribes that party should publish a list of donations over EUR 500 received during the year; information about donations below this amount is not required to be made public.

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<sup>21</sup> While the law requires equitable treatment of candidates for six months before an election in the public broadcaster, private broadcasters have an obligation to do so within three months period. Candidates are registered only 30 days before election day. Paid political advertising in the media is allowed at any time, but time limits apply from 40 days prior to the elections.

<sup>22</sup> Amendments introduced a EUR 1 million campaign ceiling and defined what constitutes ‘expenses of electoral campaign’. In its 2016 [Third Evaluation Round - Second Interim Compliance Report](#) on Cyprus, the Council of Europe Group of States against Corruption (GRECO) noted enhanced transparency in the system of political financing and welcomed the obligation for political parties and election candidates to submit reports relating to election campaigns and the involvement of the Auditor General in the monitoring. However, GRECO noted that “some shortcomings remain, such as the lack of obligation for election candidates to disclose the identities of donors exceeding a certain threshold”.

<sup>23</sup> On 15 January, the Auditor General issued two reports on the 2018 presidential election, noting that campaign finance legislation should be reviewed to eliminate certain contradictory provisions.

<sup>24</sup> According to the state budget for 2021, parties will receive a total of some EUR 11 million of annual state funding.

The campaign expenditure limit is EUR 30,000 for each candidate. The law provides that every payment carried out by a candidate or his/her agent during the three-month period of the campaign is considered a campaign expenditure. Candidates have to report on all contributions received, but only the expenditures are subject to audit. The law does not clearly stipulate if parties are allowed to fund campaigns of the candidates from the state subsidies.<sup>25</sup> The ODIHR NAM interlocutors, including political parties, had a varied understanding of the applicable rules with some of them opining that the potential possibility to support candidates using the state funds disadvantaged those that do not receive such funding.

Each candidate has to submit campaign report on the expenses to the DRO within two months after the publication of election results.<sup>26</sup> The DRO submits these reports to the Auditor General for review. The Auditor General prepares a report within 12 months from the elections, which is published on its web-site and the official Gazette. No interim report is required, and third-party expenditures are not monitored.

The Audit Office, led by the Auditor General, is the oversight authority responsible for party and campaign finance. The review of expenditure reports by the Audit Office is limited to only verifying the accuracy of expenditure on campaign advertising and further verification is not undertaken.<sup>27</sup> Most ODIHR NAM interlocutors generally expressed confidence in the impartiality and professionalism of the Audit Office but noted that it has insufficient resources and capacity to conduct proactive and investigative monitoring, and that legal framework requires further revision to ensure effective and timely disclosure and enforcement.

## H. MEDIA

The media environment is vibrant and pluralistic, with 10 television and some 20 nationwide radio stations, 6 national daily newspapers and 22 weeklies.<sup>28</sup> According to some ODIHR NAM interlocutors, the media is divided along political lines and is influenced by commercial and corporate interests. The Cyprus Broadcasting Corporation (CyBC) is the public broadcaster, which operates two television and four radio channels.<sup>29</sup> Television is the main source of election-related information with private channels *Sigma TV*, *Antenna TV*, *Omega TV*, and *Alpha Cyprus* being the most popular.

The rules for campaign coverage are defined in the Law on CyBC and the Law on Radio and Television, complemented by recommendations issued by the Cyprus Radio-Television Authority (CRTA), the media regulatory body.<sup>30</sup> The CyBC informed the ODIHR NAM that they developed a Code of Election Coverage, outlining main principles of coverage, and shared it with political parties.

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<sup>25</sup> According to Attorney General opinions, parties are not allowed to incur expenses on behalf of a candidate and thus parties transfer all donations to a candidate's personal account. The advisory opinions of the Attorney General of 11 December 2017 and 11 January 2018 were issued in response to respective enquiries by the Auditor General.

<sup>26</sup> Reports must be published in two daily newspapers and on the website of the candidate or the party before they are submitted to the GRO.

<sup>27</sup> The Auditor General informed the ODIHR NAM about its inability to audit a high number of reports. In practice, cases where candidates are close to an expenditure limit are given priority. The Audit Office conducts audits of the annual party expenditure and funding.

<sup>28</sup> See the full [list](#) of the television and radio broadcasters.

<sup>29</sup> The CyBC is funded by the state and the amount of its funding is annually determined by the parliament. The CyBC is governed by a Board of Directors, which consists of nine members appointed by the Council of Ministers for a period of three years, and among other issues deals with campaign-related complaints.

<sup>30</sup> The CRTA composes of seven members appointed for a term of six years by the Council of Ministers. Four members are women, including Chairperson and Deputy Chairperson.

According to the Law on Radio and Television, all licensed broadcasters should ensure equal and objective treatment of all candidates during the electoral campaign period. The law requires equitable treatment of candidates for six months before an election in the public broadcaster and three months in private broadcasters. According to the CRTA, the different deadlines create legal uncertainty about the applicability of the provisions for equitable treatment. The coverage of parties must be based on the percentage of votes the party received during the previous parliamentary elections. The law stipulates that smaller and new parties should not be neglected in the coverage.

The CyBC and private media can start broadcasting paid political advertisement any time, but the period of 40 days before election day is regulated and monitored.<sup>31</sup> By law, the broadcasters should clearly mark any paid advertisement and all candidates should be provided the same financial terms. Negative campaigning is prohibited by law. Some ODIHR NAM interlocutors stated that private television stations try to technically comply with the legal requirements and air political advertisements during the hours when the audience is limited. Moreover, some ODIHR NAM interlocutors noted that campaign in the media has commenced prior to the officially monitored period and is dominated by the larger parties due to relatively high advertisement costs.

The CRTA oversees the operation of media to ensure equal treatment of electoral contestants and is responsible for monitoring private TV and radio and the CyBC. The CRTA acts upon complaints and its own initiative and has the authority to impose sanctions, including warnings, fines and the suspension or withdrawal of licences. However, there are no deadlines to consider complaints and sanctions can only be imposed after election day. On 8 February, CRTA issued a letter to broadcasters, outlining the legal provisions and their obligation related to the upcoming elections, and requesting them to submit a signed code of ethics and a schedule of political programmes. The CRTA informed the ODIHR NAM that they are planning to conduct quantitative monitoring of a number of television and radio channels.<sup>32</sup>

## **I. ELECTION OBSERVATION**

The election law provides for the presence of political party and candidate representatives in polling stations on election day. Despite a previous ODIHR recommendation, the law does not foresee citizen and international observation. The electoral authorities assured the ODIHR NAM that the arrangements to facilitate access to all levels of election administration for any possible election-related activity would be provided. Some civil society organizations met by the ODIHR NAM stated that they will organize debates during the campaign and will not conduct observation of election day procedures citing high level of confidence in election administration.

## **J. COMPLAINTS AND APPEALS**

The legal framework provides for the right to challenge non-inclusion and omissions in voter lists within 10 days after publication. In case a DRO rejects a voter's complaint, standard administrative court procedures may be applied, which do not envisage expedited timelines.<sup>33</sup> In case a prospective candidate is rejected, the nominee has the right to object.<sup>34</sup> However, such complaints are treated as

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<sup>31</sup> During that period each party is allocated a maximum of 100 minutes in total on all television stations and 60 minutes on all radio stations. Each independent candidate is allocated a maximum of 30 minutes in total on all television stations and 12 minutes on all radio stations.

<sup>32</sup> CRTA does not produce any reports prior to election day, and does not make their reports public, but provides them upon request.

<sup>33</sup> There is a 75-day deadline for the submission of complaints against administrative decisions and no deadline for their consideration.

<sup>34</sup> Technical errors in the candidate nomination papers are examined in an expedited manner by the District Returning Officers.

an objection against the election results and are therefore only considered after election day. Complaints on violations of campaign provisions, except for media violations, are not prescribed by law. Overall, ODIHR NAM interlocutors expressed confidence in the impartiality of the election administration and courts in resolving electoral disputes.

#### **IV. CONCLUSIONS AND RECOMMENDATION**

All ODIHR NAM interlocutors expressed high degree of confidence in the legal framework and the impartiality of the election administration and its ability to organize elections professionally and transparently. At the same time, most ODIHR NAM interlocutors welcomed a potential ODIHR observation activity for these elections, recognising that an external assessment would contribute to further improvements of the electoral process. Specific aspects that could benefit from further assessment include the process of voter registration, the regulatory framework and conduct of campaign, campaign finance, media and its oversight.

On this basis, the ODIHR NAM recommends the deployment of an Election Expert Team for the 30 May parliamentary elections to assess voter registration, campaign finance framework and electoral coverage in media. ODIHR also reiterates that a number of its previous recommendations on other electoral components remain valid and encourages the authorities to consider these in any future electoral reform process.

## **ANNEX: LIST OF MEETINGS**

### **Ministry of Foreign Affairs**

George Ioannides, Head of Department of Multilateral Affairs and International Organizations  
Nicos Argyrides, Department for Multilateral Affairs and International Organizations

### **Ministry of Interior**

Costas Constantinou, Permanent Secretary, General Returning Officer  
Menelaos Vassiliou, Chief Electoral Officer

### **District Office of Nicosia**

Labrini Ghogaki, Acting District Officer  
Emily Tsaggari, Administrative Officer

### **Law Office of the Republic, Attorney General Office**

Rena Papaeti-Hadjicosta, Attorney of the Republic  
Yianna Hadjihanna, Senior Counsel of the Republic  
Georgia Chairalla, Counsel of the Republic

### **Audit Office**

Odysseas Michaelidis, Auditor General  
Maria Drakou, Senior Principal Officer  
Maria Pieri, Senior Principal Auditor  
Androula Lazoura, Senior Audit Officer  
Kyriacos Savva, Senior Audit Officer

### **Political Parties (in alphabetical order)**

#### **Citizens' Alliance**

Yiorgos Efstathiou, Member

#### **Cooperation of Democratic Forces**

Marinos Moushouttas, Member of Parliament

#### **Democratic Party (DEKO)**

Nicholas Papadopoulos, Member of Parliament

#### **Democratic Rally (DISY)**

Kyriacos Hadjiyiannis, Member of Parliament

#### **European Socialist Party (EDEK)**

Costantinos Efstathiou, Member of Parliament

#### **Green Party**

Efi Xanthou, Deputy President  
Charis Iosifides, Member

#### **Independents Movement**

Anna Theologou, Member of Parliament

**National People's Front (ELAM)**

Geadis Geadis, Spokesperson

**Progressive Party of the Working People (AKEL)**

Yiorgos Loukaides, Member of Parliament

Irene Charalambides, Member of Parliament

**Solidarity Movement**

Andreas Televantos, Member

Petros Fanaris, Member

**Media**

**Cyprus Broadcasting Corporation**

Andreas Frangos, President of the Board of Directors

Grigoris Maliotis, Acting Director General

Panikos Hadjipanayis, Director of News and Current Affairs

Yioula Kyriacou, Acting Director of TV Programmes

Eleni Louka, Deputy Director of Radio

**Cyprus Radio-Television Authority**

Michael Lambrianides, Radio-Television Officer

**ANT1**

Elli Kotzamani, News Director

**SIGMA**

Yiannis Kareklas, Head of News

**Civil Society**

**Mediterranean Institute of Gender Studies**

Maria Angeli, Senior Researcher

**Oxygono**

Georgia Athanasiou, Chairperson

Nicolas Kyriakides, Member of the Executive Committee

Theodoras Assiotis, Member of the Executive Committee

Petros Petrikkos, Researcher

**PRIO Cyprus Centre**

Harry Tzimitras, Director

Zenonas Tziarras, Researcher