



**Permanent Mission of the Republic of Cyprus
Geneva**

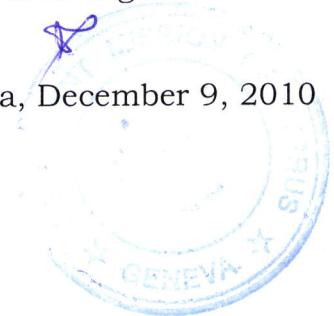
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URGENT

The Permanent Mission of the Republic of Cyprus to the Office of the United Nations at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and with reference to the latter's Note Verbale GVA 0793 dated October 7, 2010 by which the questionnaire of the Independent Expert in the field of Human Rights was conveyed, has the honour to enclose herewith the relevant information as prepared by the competent authorities of the Republic of Cyprus.

The Permanent Mission of the Republic of Cyprus to the Office of the United Nations at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, December 9, 2010



To:
The Office of the United Nations
High Commissioner for Human Rights
Palais Wilson,
UNOG
CH1211, Geneva 10

Att: The Independent Expert in the field of Cultural Rights

OHCHR REGISTRY

13 DEC. 2010

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Response by Cyprus to the
QUESTIONNAIRE ON ACCESS TO CULTURAL HERITAGE

I. The recognition of cultural heritage

1. Please elaborate on the classification of the types of cultural heritage in place, or under consideration in your country, (or the reasons for which such classification does not exist), including:

a) The categories of such classification (e.g. tangible, intangible, natural). If available, please append a list of key cultural heritage assets of your country, other than those included in the UNESCO World's heritage list;

The Department of Antiquities of Ministry of Communications and Works of the Republic of Cyprus is the responsible authority for the protection of tangible cultural heritage in Cyprus. Specifically, it is responsible for all archaeological sites, ancient monuments, state museums and all archaeological activity. Furthermore, it is the competent authority for: the excavation of archaeological sites, the conservation and restoration of archaeological remains and ancient monuments of the First and of the Second Schedule (ranging chronologically from the Neolithic period to the 20th century), the maintenance and expansion of archaeological museums and the creation of new ones, the promotion and use of ancient monuments and archaeological sites for educational purposes and for the development of cultural tourism.

The Department of Town Planning and Housing, Sector of Housing and Cultural Heritage of the Ministry of Interior of the Republic of Cyprus, is the competent authority for buildings of traditional architecture which present historical, architectural, scientific or other interest, and are declared as Listed Buildings.

b) The procedure(s) for identifying endangered cultural heritage;

The procedures for identification of endangered cultural heritage are based on the provisions of the national legislation, i. e. the Antiquities Law , as well as of the international conventions that have been ratified and are in force in the Republic of Cyprus (See Annex 3 and the Answers 1d and 3).

The endangered traditional buildings are identified by the local Authorities (District Offices and Local Councils).

c) The purpose of classification: (e.g. protection, financial and/or commercial use regulations; tax incentives; State property regime);

The classification of the archaeological heritage aims mainly at its protection and promotion (Also see answers 1d and 1a).

The classification of buildings of traditional architecture aims to their protection (under article 38 of the Town and Country Planning Law) from demolition, or incompatible alterations and/or additions. Furthermore, financial and tax incentives apply for restored/rehabilitated listed buildings.

d) The procedure(s) to nominate and declare cultural heritage;

The procedure to nominate and declare cultural heritage in Cyprus is specified in the Antiquities Law (also see answers 1a and 2). In accordance with this legislation, the Council of Ministers of the government of the Republic of Cyprus decides for the declaration of an Ancient Monument, upon the recommendation of the Director of the Department of Antiquities. The declared Ancient Monuments and Sites are divided in three categories: First Schedule (governmental ownership), Second Schedule (private ownership) and "Controlled Areas". Their protection and management is in accordance

with the relevant provisions of the European Conventions and the Laws of the Republic of Cyprus.

More specifically, according to the provisions of article 8 (Part II) of the Antiquities Law, the Director of the Department of Antiquities is competent to reject or modify a project that involves the development of any plot listed as a monument of the Second Schedule. Furthermore, the national legislation requires written authorization from the Department of Antiquities, before the implementation of any intervention.

Furthermore, the Antiquities Law (Part II, article 11) provides for the establishment of the "Controlled Areas" within the vicinity of a site and that all development projects within, or in close proximity of the areas are under strict governmental control. In addition, the Director of the Department of Antiquities is responsible to control the height and architectural style of any building which is proposed to be constructed within the controlled area, in order to safeguard the historic and archaeological character, the amenities and the environmental surroundings of a declared Ancient Monument.

In regards with the traditional buildings, Article 38 of the Town and Country Planning Law, (enacted in 1972, put into operation in 1976, and fully implemented in 1990), provides that a building may acquire listing status only when it is included in a Preservation Order issued by the Ministry of Interior. To this end, the owners must submit an Application for Listing of their property, to the Preservation Sector of the Department of Town Planning and Housing. In the case an individual building in a historic district which belongs to a unified Preservation Order, the procedure is different. The Minister of Interior is responsible to issue Preservation Orders for wider districts which include historic buildings.

e) The stakeholders involved in the process of identification and classification;

The Department of Antiquities is the competent authority to process the identification and classification of cultural heritage. In regards with the restoration of Ancient Monuments of the Second Schedule (monuments that have private owners), the stakeholders include the owners of the properties, private citizens, the religious authorities and the local communities. Furthermore, there are cases when the Department of Antiquities is not the sole responsible governmental authority for a monument or site. In those cases it cooperates with the Department of Town Planning and Housing, the Department of Lands and Surveys, the Department of Environment of the Ministry of Agriculture, Natural Resources and Environment, the Ministry of Education and Culture, the Office of the Attorney General, the Cyprus Fire Service, the Cyprus Police and other departments and ministries.

Furthermore, the Department of Town Planning and Housing, other governmental bodies or organisations, local authorities and the Owners may apply or suggest the inclusion of a building or a district, in the Listed Buildings.

f) If applicable, the mechanisms to ensure stakeholders' participation

The Department of Antiquities has no specific mechanism to ensure stakeholders' participation, but when appropriate it consults the involved parties.

The Department of Town Planning and Housing encourages the stakeholders to participate to the presentations of the Listed Buildings Program, and to open hearings related to Master Plans and Development Plans.

g) The impact, if any, of such classification on access to cultural sites/patrimony for different groups.

Public access to traditional buildings depends on the property ownership status and not on their listing status.

2. Please elaborate on existing legal definition(s) for different types of cultural heritage in your country, or whether your country is considering the formulation of such legal definitions; and if not, please explain.

“Antiquity” as defined in the Antiquities Law means: “ any object whether movable or part of immovable property which is a work of architecture, sculpture, graphic art, painting, or generally any form of art which has through human effort been produced, sculptured, inscribed, or painted or generally made in Cyprus earlier than the year 1850 A.D. in any manner whatsoever and from any material and which has been found, discovered or excavated in Cyprus or recovered from the sea within the territorial waters of Cyprus and includes any such object or part thereof which has at a later date been added, reconstructed, readjusted or replaced subsequently:

Provided that for works of ecclesiastical or folk art of great archaeological or artistic, or historical value, the year 1940 A.D. shall be taken into account in place of the year 1850 A.D. irrespective of the place of manufacture or origin”.

“Listed Building” as defined in the Town and Country Planning Law means any building for which a Preservation Order has been issued by the Minister of Interior. A Preservation Order may be issued for a building of special architectural, historic, social or other interest or character. The criteria for its selection are the typology, morphology and construction materials, craftsmanship as well as any historic/social facts that relate to the building. The spatial position of the building, within a historic area, is also an important factor for its inclusion in the list.

II. The legal and policy framework for the protection of cultural heritage

3. Please specify the legal instruments that your country has ratified on cultural heritage, the measures undertaken to implement them, and any measures adopted, or under consideration to ensure access to cultural heritage in line with the International Bill of human rights and with the UNESCO Declaration on Cultural Diversity.

The Republic of Cyprus has ratified the following international conventions on heritage (as described in note 1 of the questionnaire), which are now included in the national legislation:

- Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention, The Hague, 14 May 1954.
- First Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, 14 May 1954.
- Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, 26 March 1999
- Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, Paris, 14 November 1970
- Convention for the Protection of the World Cultural and Natural Heritage, Paris, 16 November 1972
- Unidroit Convention on Stolen or Illegally Exported Cultural Objects, Rome, 24 June 1995

The Republic of Cyprus is currently in the process of implementing the Second Protocol to the Hague Convention. The Committee for the Protection of Cultural Property in the Event of an Armed Conflict has recently approved the request to grant enhanced protection to all the cultural sites of Cyprus, inscribed in the World Heritage List of UNESCO (i.e. the Choirokoitia Neolithic settlement, the Painted Churches in the Troodos region and Paphos), according to the Second Protocol of the Hague Convention (24/11/2010).

The Governments of the Republic of Cyprus and the United States of America have signed a Memorandum of Understanding concerning the imposition of import restrictions on pre-classical and classical archaeological objects and byzantine period ecclesiastical,

ritual and ethnological material, which is in the framework of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. The Republic of Cyprus promotes the signing of relevant bilateral agreements with other states. Recently, it has reached an Agreement with China (2008) and a Memorandum with Russia (2010) in this field.

The 1970 Convention and the Unidroit Convention have been used effectively in cases concerning the illegal export of cultural objects, which resulted to the repatriation of objects which were illegally exported from Cyprus.

Legal Instruments relevant to Cultural Heritage under the authority of the Department of Town Planning and Housing:

- **Granada Convention**

The Republic of Cyprus ratified the Granada Convention on January 7th, 1987 (Law No. 165/1988). The Convention has enhanced the conservation and protection of the architectural heritage of the island. Cyprus has adopted the following policies and actions, as provided by the Granada Convention:

1. Documentation of architectural heritage (Article 2) - architectural heritage inventories of Cyprus.
2. Legal protection of architectural heritage (Articles 3,4,5 Following the Architectural Heritage Inventory, Preservation Orders are issued which encompass historic structures all over Cyprus. Moreover, a special Consent is required, in addition to the regular planning and building permits, for restoration work, any alteration, change of use, partial demolition etc. The restoration work is regularly inspected, while appropriately trained personnel of the Department periodically provides on-site guidance during the progress of the works.
3. Incentives (Article 6): To encourage restoration and revitalization of the listed buildings, a package of incentives was introduced in 1985. The incentives, which were provided through the Listed Building Law of 1992, are upgraded periodically in order to accommodate the inevitable rises in restoration costs and other needs.
4. Integrated conservation policies (Articles 7, 10, 11, 12, 13): In order to ensure the conservation, protection and enhancement of the architectural heritage, the government in cooperation with the Local Authorities, has adopted integrated conservation policies which are included in the development plans and in the implementation process.
5. New uses (Article 11): Protected properties can be adapted in order to meet the needs of contemporary life, whether keeping the historic use or adapting it, when appropriate. The introduction of new uses in the historic centers resulted to the regeneration and the enrichment of the activities of the area where they are situated.
6. Sanctions (Article 9): Sanctions are applied in the case of illegal demolition or alteration of a listed property.
7. Participation and associations (Article 14): In order to achieve a dialogue between architects and authorities, the government has suggested the establishment of Advisory Committees with the participation of experts from NGOs in order to ensure a wider acceptance on the aesthetic values of any structure in the historic cores. Furthermore, new tools of planning were introduced to ensure greater citizen participation in the planning process.
8. Awareness raising and training (Articles 15, 16): Various events and conferences promoting the understanding of heritage preservation and enhancement are organized. In addition, a number of heritage related events are organized within

the framework of the Council of Europe's European Heritage Days, which raise the public awareness especially among the youth.

9. European dimension (Articles 17, 18, 19): Conservation policies have to a large extent been streamlined along the European prototype, while Cyprus has been actively involved at the European level in the exchange of ideas, experiences and action programs regarding heritage.

- **Florence Convention**

The European Landscape Convention was ratified on June, 21st, 2006 (Law No. 4(III)/2006). Since its ratification, a project concerning the classification of cultural landscapes was launched. Its provisions, which take into account the preservation of the landscape, are included in the Development Plans and the Policy Statement for the Countryside drafted by the Department of Town Planning and Housing.

4. **Please give details of any existing measures (i.e. legislation, policies, plans, and/or programs) that**

- a. **Provide general or specific protection for various types of cultural heritage, including:**

- i. **Within the land management, zoning or planning acts; property and environmental laws;**

The National Law N. 102 (I)/2005 on the assessment of the effects of certain plans and/or programs on the environment, which transposed the European Directive 2001/42/EC, provides for the evaluation of several town planning plans and of a countryside policy in regards with their impact on the environment.

Furthermore, the Town and Country Planning Law (enacted in 1972 and put into full operation in 1990), Article 38 (put into operation in 1976) is directly related with architectural heritage protection and is implemented by the Department of Town Planning and Housing (Ministry of the Interior) and the Planning Authorities.

In addition, the same Law (Article 38-4), provides for the requirement of a special Consent in addition to the regular planning and building permits, for restoration work, alteration, change of use, partial demolition etc, which is carried out on listed buildings for which the Minister of the Interior had issued a Preservation Order. The Consent imposes specific conditions on the materials, the volumes and the other construction elements of the building. Then, the owner carries out the authorized work on the building, which is supervised by the architects and contractors of his choice and is overseen by the Department of Town Planning and Housing. The restoration work is regularly inspected, while appropriately trained personnel of the Department periodically provides on-site guidance. If the implementation is unsatisfactory, the Planning Authority may press criminal charges, or may issue an enforcement notice which requires the reparation of the damage.

The Demolition of Listed Buildings needs the Consent of the Minister of Interior, as well as the permission of both the Planning Authorities and the Building Authorities, and in general it is not allowed. In the case of illegal demolition or alteration of a listed property, the authorities of the Republic of Cyprus, enforce sanctions.

There is no specific legal framework for the protection of buildings, areas or monuments that are not officially designated. In this case, the competent Planning Authority exerts development control according to the legislation.

The same law provides for the preparation of Local Plans and Area Schemes, which help to plan and control the physical development and to achieve spatial, economic and social objectives. Local Plans and other Land Use Plans can subject the selected areas to special regulations in order to protect their aesthetic, historic, ecological or landscape interest. They lay down rules relating to town planning, architecture and landscapes in order to protect the built environment and to ensure that new buildings blend harmoniously with

the existing urban landscape. They also map out areas where building is not permitted in order to protect natural areas and woodland.

ii. Within laws, policies, plans, and/or programs intended to protect specific groups or populations (e.g. those relating to discrimination against women, religious, ethnic, linguistic or cultural minorities, indigenous people; people of African descent; persons with disabilities; tribal peoples, peasants and others);

State Museums, Ancient Monuments and archaeological sites which are open to the public, are in most cases accessible to persons with disabilities. In the few instances that this is not yet possible, such provisions are under way. In general, the access to State Museums, Ancient Monuments and archaeological sites is provided to all groups and populations without exceptions or discrimination. Finally, there is no environmental law, policy, plan and/ or program intended to protect specific groups or populations.

iii. Within laws, policies, and/or programmes related to tourism and the entertainment industry.

There is a close cooperation between the Cyprus Tourism Organisation and the Department of Antiquities, within the framework of the general policy for the promotion of cultural tourism. Specific monuments are used for various cultural events, such as concerts, plays and artistic exhibitions, which aim to the promotion of the publics' interaction with the monuments. Incentive tourism is also being promoted with the cooperation of the Cyprus Tourism Organisation, along with the promotion of Cultural Routes and Religious Tourism.

While, there is no environmental law, policy, plan and /or program related to entertainment industry, in regards with the tourist sector, the following laws, policies, plans and programs are in force:

- The Republic of Cyprus in collaboration with UNEP-MAP, has implemented the Coastal Area Management Programme (CAMP Cyprus), as a national strategy for the incorporation of its proposal into the national policy and the institutional framework. During the two years of the Program (September 2006 to June 2008), six activities were implemented either in the study area or in the whole island. One of the activities concerned the Carrying Capacity Assessment for Tourism and examined the availability of natural resources related to tourism development.
- The Department of Environment is the responsible authority for the implementation of the National Law N. 189(I)/2004, that transposed the Regulation on the EU Ecolabel (EC) 1980/2000, which was revised with Regulation (EU) 66/2010. It refers to the European Ecolabel which is a voluntary scheme to encourage businesses to market products and services which are friendly to the environment. It is worth noting that so far, two hotels were awarded the flower logo (2006, 2009).
- The Department of Environment is also the responsible authority for the implementation of the National Law N.22 (I) 2004, which transported the Regulation (EC) No. 761/2001, on the Eco-Management and Audit Scheme (EMAS). In 2009 the EMAS Regulation and Audit Scheme were revised. In that same year, the EMAS Regulation was modified for a second time (Regulation (EC) No 1221/2009). EMAS is a management tool for companies and other organisations with the aim to evaluate, report and improve their environmental performance. So far, three environmentally friendly hotels are registered in the EMAS.
- The Green Key is a worldwide eco-label award for leisure organisations. These include: hotels, youth hostels, conference and holiday centres,

campsites, holiday houses and leisure facilities. The Department of Environment is a member of the National Committee which has awarded ten hotels which fulfilled a list of environmental and other criteria.

b. Ensure important data on cultural heritage is recorded (Please explain the purpose of such recording and whose responsibility this is at the local, sub-national and national levels.);

The national data concerning cultural heritage are recorded in the various archives of the Department of Antiquities, which at present are to be found mostly in hard copy and consist of the following:

- Ancient Monuments' catalogue, in the electronic form, which includes data such as the location of an Ancient Monument, its declaration name and the ownership status of the Monument.
- Administrative files include information concerning the management of sites and monuments, the research findings and results, the restoration works and all the relevant correspondence.
- Map archives consist printed cadastral maps, where the exact location and extent of each monument is recorded, assorted with information concerning its declaration and its legal status, i.e. the declaration name, Cyprus Government Gazette number, the declaration date and notice number, as well as its ownership status.
- Drawings archive which include detailed plans and sections of each monument depicting its original/present state. The archive consists of both plans which are drawn manually, as well as plans in electronic form, mostly in AutoCAD system.
- Photographic archive which includes full photographic records concerning each monument, archived by date, beginning as early as 1932. It also includes general and detailed photographs, as well as photographs of restoration or excavation works. The archive consists of both the negatives and digital photographs. The full digitisation of the entire archive is under way.

Furthermore, the Department of Antiquities is in the process of digitising and integrating its various archives. A digitisation programme funded by the European Economic Area is currently under way and is expected to finish within 2011. The programme provides for the designing of a database where information concerning Ancient Monuments will be recorded. In brief, the data consists of the declaration names, detailed descriptions of the monuments, their location, their manufacturing methods, their physical condition and present state, a description of their setting, associated persons/events, their protection and legal status, and their thorough documentation including bibliographical references, administrative files, photos and drawings. A GIS system will be connected to the database and the Department of Lands and Surveys will provide the digital cadastral maps for the digitisation of the Ancient Monuments. A website will also be designed providing public access to the GIS application and the database.

The Department of Town Planning and Housing of the Ministry of Interior, manages three inventories for the heritage under its authority:

i) The national architectural heritage inventory of Cyprus consists more than 10.000 index cards which describe historic structures in the towns and 75 selected villages in the government-controlled areas of Cyprus, and are accompanied by a series of cadastral maps. The inventory is continuously upgraded through an on-going process with the aim of covering all areas of the island, following the specifications of the Granada Convention. This inventory was launched in 1979. It aims to record the architectural heritage of the

island. It also gives the base for the preparation of the necessary documents, for the issuing of preservation orders and for the control of the restoration process.

ii) The Listed Buildings Inventory includes the buildings for which a Preservation Order has been issued (Listed Buildings). One hundred and three (103) Preservation Orders have been issued until to 2010.

iii) A Protected trees Inventory initiated in 1999.

c. Take into account the potential adverse impact on cultural heritage, including natural resources, at all stages of development planning, implementation and assessment processes;

The Department of Town Planning and Housing of the Ministry of Interior imposes the provisions of the urban planning legislation and is responsible for the management of town and rural zones. Within this framework, and in close co-operation with the Department of Antiquities, it forwards all development projects submitted for building permits and are in proximity or within the boundaries of listed Ancient Monuments, for the necessary control and assessment as to whether the project affects the cultural heritage. The relevant legislation (National Law N.140(I)/2005) provides for the conduct of an Environmental Impact Assessment study for all major public and private projects and for a Strategic Environmental Assessment for all the plans and programs. This process is followed accordingly by the competent governmental authorities.

d. Protect cultural resources located in environmentally sensitive areas as well as cultural natural patrimony;

The cultural resources located in environmentally sensitive areas as well as natural patrimony are protected through National Law N.140(I)2005. In those cases, the Department of Antiquities is in full cooperation with the Department of Environment of the Ministry of Agriculture, Natural Resources and Environment.

Furthermore, the Consolidation and Reallocation of Agricultural Land Laws (1969 – 2003), provide for the preparation and implementation of landscape renovation and plans for the protection of the environment.

Thus, the Land Consolidation Department prepares, publishes (in order to inform the owners), and implements plans for landscape renovation and protection of the environment within land consolidation areas. The main objective of these plans is the protection and preservation of the cultural and physical features of the environment in every land consolidation area and the safeguard and enrichment of the flora and fauna. Generally, these plans upgrade the environment and add to the aesthetic value of land consolidation areas.

Moreover, since 2005, the Land Consolidation Department submits Environmental Impact Assessment Studies for each new land consolidation scheme to the Technical Environmental Committee, according to the Environmental Impact Assessment of Certain Plans and/ or Programs Law 102 (I) 2005.

Finally, the cultural resources located in environmentally sensitive areas are protected by the provisions of the Town and Country Planning Law (see para. 4a)

e. Safeguard vernacular, indigenous and/or minority group languages;

The Republic of Cyprus, in recognition of the special educational and cultural needs of its religious groups, is a signatory of the Convention for the Protection of Minority Languages. In accordance with the Convention, it has officially declared the Armenian language and the Cypriot Maronite language as minority languages and has undertaken specific responsibilities for their protection and revival. Information regarding the State's policy for protecting the National Minority Languages is provided in "Annex 2".

The Turkish language is also part of the curriculum in order to facilitate the educational needs of the Turkish Cypriot students who reside in the government controlled areas, at the primary and secondary schools with a high concentration of Turkish speaking

students. The Turkish language is also offered as an elective course at the upper secondary educational level.

f. Limit access to cultural heritage, explaining the underlying reasoning.

There are no restrictions regarding the access to all the state museums, ancient monuments and archaeological sites which are open to the public. The only cases of limited access to cultural heritage concern archaeological sites which are not open to the public. This practise is followed for security reasons related to looting, as well as because of the fact that many sites have not yet been organised to receive visitors and the necessary facilities are not available.

In regards with the historic buildings under the protection of the Department of Town Planning and Housing, the access is limited because of their ownership status and their condition, which in the case of some buildings is unsafe.

III. Access to cultural heritage

5. Please explain any legislation, policies and/or special programmes in place or under consideration in your country to ensure access to cultural heritage, including:

a. Legislation that ensures adequate protection of, while granting adequate access to, cultural heritage;

The Antiquities law is attached as Annex III (Also refer to Part II of the questionnaire for the measures taken for the protection of Ancient Monuments)

In regards with the Listed buildings under the protection of the Department of Town Planning and Housing, there is no specific legislation on the access them. In most cases, they are privately owned, and therefore no public access is permitted, except in the cases when the buildings have a public use or are included in the itineraries during the European Heritage Days.

b. Measures that ensure access to cultural heritage by people from diverse cultural backgrounds;

There are no specific measures to ensure access to cultural heritage by people from diverse cultural background since no relevant restrictions exist.

c. Steps taken in the educational sector to promote appreciation for the cultural heritage of all cultural groups in your country and to ensure access to such cultural heritage by all;

The responsible authority for the educational sector is the Ministry of Education and Culture of the Republic of Cyprus. The Ministry cooperates closely with the Department of Antiquities and the Department of Town Planning and Housing, in the organisation of various relevant events and projects.

The study of the cultural and environmental heritage is part of the curriculum at all the levels of the educational system. Most of the national heritage bodies and many local authorities and museums employ educational personnel which organizes programs and events for young people. Each of the competent national bodies offers access to the sites for school groups, as well as educational support.

The Department of Antiquities cooperates closely with the Ministry of Education and Culture, and has developed educational programmes which are conducted in the Cyprus Museum, the district and local Museums on a weekly basis. In addition, the institution of UNESCO Corporate Schools, aims to increase the sensitivity of young people in issues related to the protection of cultural heritage, the acceptance of cultural differences and peaceful coexistence. This institution is involved in the organisation of symposia and its mandate relates only to the sites on the UNESCO World Heritage List.

The Department of Town Planning and Housing is also involved in the efforts to increase public awareness on cultural heritage through its participation to the European Heritage

Days, in cooperation with the Department of Antiquities, the Cultural Services of the Ministry of Education and Culture, local authorities and other institutions and associations. During the European Heritage Days, it organizes special open days for monuments and sites usually closed to the public, as well as special school pedagogical activities. Since 2003, Cyprus also participates in the International Heritage Photographic Experience.

It should also be stressed that education in all schools is increasingly focused on the acceptance of difference, tolerance, and to the respect for other cultures in order to prepare the future citizens to live in a multicultural environment. (also see ANNEX1). Therefore, the Ministry of Education and Culture has set as a priority goal the "Enhancement of mutual respect and understanding among the different cultures of the island for nurturing the peaceful coexistence", for two consecutive school years (2008-2010). This initiative has raised the awareness concerning the principles of non discrimination and equality. Educators, students and parents received information and were encouraged to participate in relevant events (conferences, seminars, plays, book clubs) and to organise special activities. These initiatives included the creation of cross-curriculum approaches in order to highlight cooperation, mutual understanding and love between the individuals and the cultures in order to prepare the future generations to avoid the spectre of intolerance and chauvinism, and to safeguard freedom, justice and peace.

d. Measures to ensure access to cultural heritage for persons the State is particularly responsible for (for example, adopted children or those living in foster care or institutions, adults in detention or living in institutions, etc);

The Prison Department of the Ministry of Justice and Public Order, organises excursions to churches, monasteries and other cultural monuments in order to educate the prisoners and increase their awareness of the Cypriot cultural heritage.

e. Ways in which technological developments can promote and support access to cultural heritage

The Department of Antiquities is in the process of digitising its archives (Please refer to answer 4b). The on line access to cultural heritage is promoted within the framework of that project.

IV. The way forward

8. Has your country undertaken any assessment of the implementation of laws, policies, plans and/or programs that addresses access to and protection to cultural heritage? If yes, does your country have examples of good practices and lessons learned? Please explain.

The Department of Antiquities is currently in the process of formulating new Regulations for the better enactment of the Antiquities Law, that will address issues concerning the protection of cultural heritage.

The Department of Town Planning and Housing has not undertaken any assessment on the implementation of its Preservation Policy. However, the Policy is considered successful, due to the great interest that the public demonstrates in the listing process. The main reason for this success is attributed to the financial grants allocated to the owners of listed buildings for their restoration/rehabilitation. The Preservation Fund is managed by the Department of Town Planning and Housing.

The amount of the Grant-in aid is calculated for each listed building individually according to the restoration costs, which are calculated by the State. Two separate prices are taken into account for establishing the restoration cost:

The first price represents the real cost of restoration of a building, that is, the cost based on the Tender prices provided in the Bids for Tender which have been submitted by the building contractor.

The second price is based on the maximum cost per square meter (sq. m.), as it is determined by the State. According to the latest revised incentives, which were published in 2008, the maximum restoration costs per sq.m. are estimated as follows:

- €1200/sq.m. for buildings with an area of under 120 sq.m.
- €1100/ sq.m. for buildings with an area ranging from 121 sq.m. to 1000 sq.m.
- €700/ sq.m. for buildings with an area of over 1001 sq.m.

The approved cost of restoration is taken to be the lowest of the above two prices. The calculation is based on the overall area per sq.m. of the traditional building with an additional area of 30% of the existing building area, permitted for possible extensions. Further costs which are taken into account concern special works, which usually deal with works outside the building, in the gardens and courtyards, which are seen as an integral part of the building itself. Restoration of traditional garden walls, dry stone retaining walls, traditional stone paving, ovens, water cisterns, as well as other features fall under the category of special works for restoration. The above approved costs per sq.m. have been found to closely correspond to market prices concerning complete restorations of traditional buildings.

The Grant-in-aid for urban listed buildings amounts to 40% of the approved restoration cost.

For listed buildings located within rural settlements or in the countryside, which do not benefit from the incentive concerning the transfer of building coefficient, the Grant-in-aid represents 50% of the approved restoration cost.

The maximum amount of the Grant is €90000, of which a maximum of €4000 may be given to the planner/architect, while 50% of the grant is attributed for the cost of restoration planning and the supervision of the works.

Transfer of plot ratio

The owner of a listed building may transfer/sell square meters of permitted building area to another property through two separate procedures:

- With the transfer of 'Provided plot ratio' the owner may get permission to transfer a certain number of square meters which the Government grants to each listed property so that the owner may then transfer/sell these extra square meters to increase the amount of the grant up to 50%, in cases when it is less, and thus increase the grant sum which is based on the approved cost for restoration. This procedure may only take place before or during the progress of the building works. All listed buildings, both in urban and rural areas, may benefit from this incentive.
- With the transfer of 'Residual plot ratio' that is, the transfer of those sq.m. which the owner is allowed to build up, according to the Local Plan for the area in which the historic property is located, but cannot in fact do so because of other restrictions imposed by the Listed Properties Law. In this case, the owners are permitted to transfer/sell the residual sq.m. of their listed property to any other area which is established as a User of plot ratio. Only buildings located within urban areas may benefit from this incentive. The reason is that land value in rural areas is far lower in relation to those urban areas which are permitted to purchase 'Residual Plot Ratio'. Therefore, this measure cannot in fact be of practical value in rural areas.

9. Are there new or emerging issues related to cultural heritage identification, classification, protection, and access that need to be addressed at the national, regional and international levels?

The Turkish illegal occupation of the northern part of Cyprus, had and continues to have ruinous effects for the cultural heritage in the area. Since 1974, the occupation regime has implemented a deliberate policy of destruction and desecration of the religious and cultural monuments in the occupied area, in an effort to change its cultural character. More than 500 churches and monasteries have been left to deteriorate and suffer irreparable damage, and 133 of them have been converted into mosques, depots of the Turkish army, cafeterias, dormitories and stockyards. Furthermore, more than 15.000 icons of saints, sacred vessels and gospels have been stolen or vanished. Significant Byzantine wall paintings and mosaics have either been destroyed or been sold to the illegal black art market.

The access to these monuments is restricted by entirely arbitrary policies of the occupation regime. The 455 enclaved Greek Cypriots and Maronites who reside in the occupied area have restricted access to the churches and religious monuments outside of their villages. Furthermore, access to religious and cultural monuments, located in the "military zones" (which cover a significant part of the occupied area) is forbidden. This policy has been reflected in the latest Report of the Secretary-General on the United Nations Operation in Cyprus (29/11/2010, S/2010/605), which refers to the rejection of six Greek Cypriot requests to conduct religious ceremonies in the occupied area "for various reasons, such as the proximity of the event to a military site or unavailability of the venue due to its ongoing use, including as a cultural centre or community clinic" (§21).

In the government controlled areas of the Republic of Cyprus, the emerging issues relating to cultural heritage protection include the protection of underwater cultural heritage and the illegal export and trafficking of cultural objects. The Department of Antiquities is making substantial efforts to enhance the protection of underwater cultural heritage, through the creation of a specialised underwater archaeology section within the Department. In regards to the illicit trafficking of antiquities, it cooperates with the Criminal Investigation Department of the Cyprus Police in order to adjust existing Legislation and to take additional measures. It also assigns a particular emphasis on the spotting of Cypriot cultural objects which are sold illegally in online auctions.

10. In your country's view, what concrete measures should be adopted and implemented to ensure access to cultural heritage through the use of new technologies at the national and international levels?

The Department of Antiquities has various digitization programs under way which will enable access to cultural heritage through the application of new technologies. Furthermore, a website is launched which includes 3D virtual tours to the Cypriot World Heritage Monuments included in the UNESCO list.

The Department of Town Planning and Housing has also put the digitization of cultural heritage as one of its priorities. To this aim, it is in the process of launching a GIS-based program for digitization and management of the cultural heritage under its authority.

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